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Snowflake

April 1, 2002 12:39 PM

TO: Doug Feith

CC: Honorable Condoleezza Rice

FROM: Donald Rumsfeld DR.

SUBJECT: Afghan Warlords

Afghanistan

I notice here that Zal Khalilzad is quoted as saying that the U.S. may also intervene to keep violent warlords apart. That is the first time I have heard any American suggest that. I am concerned about it.

Please find out if Zal actually said it, and if so, what he bases it on. I think it is a worrisome issue.

Thanks.

Attach.
03/28/02 SIRO Press Review

DHR:dh
040102-30

Please respond by 04/05/02

Apr 22

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APR 01 2002

SIRO PRESS REVIEW - THURSDAY, 28 MARCH 2002

This SIRO Press Review was compiled in the National Security Agency's National Security Operations Center (NSOC) by the Senior Information Resources Officer (SIRO) for use as background information by analysts and to serve as an indicator of significant worldwide events which may be reflected in SIGINT.

THURSDAY, 28 MARCH 2002

HIGHLIGHTS

1. **(AFGHANISTAN)** American troops will stay indefinitely in Afghanistan as local power struggles and remaining al-Qa'ida make it impossible to set a withdrawal deadline, defense officials say. The U.S. troops will help train an Afghan army in addition to searching for al-Qa'ida fighters and, according to U.S. Special Envoy to Afghanistan Zalmay Khalilzad, may also intervene to keep violent warlords apart. American officials will meet next week in Geneva with other countries to try to raise money for an Afghan army, on which the Bush Administration pins its hopes for a stable Afghanistan. Elsewhere, on Wednesday, Afghan authorities released Mullah Rehmatullah, an important Taleban commander, after his powerful Noorzai tribe threatened to cut ties with the country's fledgling administration. Rehmatullah, said to have been responsible for handling foreign fighters who came to Afghanistan to fight alongside the ultra-Islamic Taleban, is the first detained Taleban leader to be freed by the Afghan authorities. Meanwhile, Afghanistan observed a day of national mourning on Thursday for victims of a series of powerful earthquakes that began Monday, killing hundreds of people in the north and making tens of thousands homeless. International aid agencies were rushing in food, medicines and supplies to the stricken area. *-AP/REUTERS, 27-28 MAR 02-*

2. **(MIDDLE EAST)** Wednesday night, a Hamas suicide bomber burst into a crowded dining room of the Park Hotel in the northern Israeli resort town of Netanya, blowing himself up and killing at least 19 Israelis and wounding up to 120. Earlier that same night, Israeli troops shot dead two Palestinian gunmen who tried to infiltrate a kibbutz in southern Israel. *-AP/REUTERS, 27 MAR 02-*

3. **(BEIRUT ARAB SUMMIT)** Amid the chaos of angry words, walkouts and stay-at-home protests, Saudi Arabia presented a peace plan Wednesday to an Arab summit divided by internal conflicts and historical hatreds. The Palestinians walked out of Wednesday's session in a spat with Lebanon, which prevented a live telecast of Yasser Arafat's speech to the Summit; however, reportedly the Palestinian delegates will return Thursday for the second day of the Summit after Lebanon agreed to air Arafat's address to the meeting by satellite from the West Bank. Saudi Crown Prince Abdullah's proposal included a pan-Arab recognition of Israel in exchange for the return of Arab lands. If endorsed Thursday by the entire Arab Summit as expected, the plan may provide the basis for future peace negotiations. The Saudi plan has more strings attached than in February, when Abdullah first sketched out the proposal. Reportedly added at Syria's suggestion, the plan demands Palestinian refugees return home after decades of exile. The plan also demands a Palestinian state with East Jerusalem as its capital. Israeli officials criticized the Saudi plan as being too vague. *-AP/REUTERS, 27 MAR 02-*

CAPSULES

1. **(U.S./ITALY)** American citizens in the Italian cities of Venice, Florence, Milan and Verona could be targeted by extremist groups on Easter Sunday, the U.S. government warned on Wednesday. *-AP, 27 MAR 02-*

2. **(U.S./SAUDI/QATAR)** U.S. officials said on Wednesday the American military was not leaving Saudi Arabia, denying a report that the Pentagon had begun moving to shift its Gulf military headquarters from the Kingdom to Qatar. *-AP, 27 MAR 02-*

3. **(U.S./INDIA)** The U.S. endorsed a controversial anti-terrorism bill approved by the Indian parliament on Wednesday, saying it appeared to be consistent with democratic values and the constitution. *-REUTERS, 27 MAR 02-*

4. **(VENEZUELA/COLOMBIA)** Venezuela formally protested to Colombia on Wednesday over what it called a "malicious" Colombian army report that left-wing guerrillas were operating from a base in Venezuelan territory. *-REUTERS, 27 MAR 02-*

5. **(RUSSIA)** Russia plans to modernize all 15 of its TU-160 bombers, capable of carrying nuclear-tipped cruise missiles, a senior official said Wednesday. *-REUTERS, 27 MAR 02-*

6. **(RUSSIA/IRAN/DPRK)** Russia will finish building a nuclear power plant in Bushehr, Iran by 2005 and is considering a tentative North Korean request for a similar plant. *-AP, 27 MAR 02-*

7. **(YUGOSLAVIA)** Faced with a U.S. deadline to hand over war crimes suspects, Serbia's government on Wednesday defied a high court ruling and adopted a UN tribunal's rules allowing such extraditions. *-AP, 27 MAR 02-*

8. **(BOSNIA-HERZEGOVINA)** Bosnian leaders struck a deal Wednesday to give equal rights to the country's three main ethnic groups, but Serbs would only agree to a weakened version, and Muslim and Croat nationalists did not sign at all. *-REUTERS, 27 MAR 02-*

9. **(PAKISTAN)** The government said on Wednesday it was confident fugitives Usama bin Laden and Mullah Mohammad Omar were not in the country, and it would not allow U.S. troops to look for them there. *-REUTERS, 27 MAR 02-*

10. **(PAKISTAN/CHINA)** According to Pakistani reporting, the operational induction of three squadrons of Chinese F-7 PG fighters will take place in Quetta on Wednesday, which will also hold the operational retirement of F-6 Chinese aircraft. *-FBIS, 27 MAR 02-*

TRAVEL

1. SOUTH KOREAN FOREIGN MINISTER CHOI SUNG-HONG departed Seoul for Beijing on 27 March.

2. INDONESIAN PRESIDENT MEGAWATI SUKARNOPUTRI arrived in P'yongyang, North Korea on 27 March.

PREPARED BY MIKE BELTZ, NSOC SIRO, TEAM 4

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snowflake

April 2, 2002 7:07 AM

TO: Paul Wolfowitz

CC: Doug Feith
Steve Cambone
J.D. Crouch
ADM Ellis

FROM: Donald Rumsfeld

SUBJECT: Nuclear Weapons

Attached is an interesting article on nuclear weapons in the 21st century.

Regards.

Attach.
06/27/00 Stephen M. Younger, "Nuclear Weapons in the Twenty-First Century," Los Alamos National Laboratory, LAUR-00-2850

DHR:dh
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Please respond by _____

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Director - Defense Threat Reduction Agency

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APR 01 2002

Nuclear Weapons in the Twenty-First Century

Stephen M. Younger

Associate Laboratory Director for Nuclear Weapons
Los Alamos National Laboratory

LAUR-00-2850

June 27, 2000

EXECUTIVE SUMMARY

The time is right for a fundamental rethinking of the role of nuclear weapons in national defense and of the composition of our nuclear forces. The Cold War is over, but it has been replaced by new threats to our national security. Technology, here and abroad, is inexorably advancing. creating both dangers and opportunities for the United States. This paper analyzes the future role of nuclear weapons in national security, describes the roles and limitations of advanced conventional weapons in meeting strategic needs, and suggests several alternate scenarios for future U.S. nuclear forces.

The principal role of nuclear weapons is to deter potential adversaries from an attack on the United States, our allies, or our vital interests. Russia maintains very large strategic and tactical nuclear forces. China is actively modernizing its nuclear arsenal. India and Pakistan have dramatically demonstrated the ability of midlevel technology states to develop or acquire nuclear weapons. There are grave concerns about the future proliferation of nuclear weapons among such countries as North Korea, Iraq, and Iran. The nuclear age is far from over.

Advances in conventional weapons technology suggest that by 2020 precision long-range conventional weapons may be capable of performing some of the missions currently assigned to nuclear weapons. Today, uncertainty in the location of road mobile missiles carrying weapons of mass destruction might require a nuclear weapon for assured destruction. Future real-time imagery and battle management, combined with precision strike long-range missiles, may mean that a conventional weapon could effectively destroy such targets.

Some targets require the energy of a nuclear weapon for their destruction. However, precision targeting can greatly reduce the nuclear yield required to destroy such targets. Only a relatively few targets require high nuclear yields. Advantages of lower yields include reduced collateral damage, arms control advantages to the United States, and the possibility that such weapons could be maintained with higher confidence and at lower cost than our current nuclear arsenal.

Now is the time to reexamine the role and composition of our future nuclear forces. New technologies take at least a decade to move from the concept stage to the point where we can rely on them for our nation's defense. And, advance planning is already under way for the replacements of our nuclear capable missiles, aircraft, and sub-marines. Prudent thought given to this crucial subject will reap great dividends for the United States and for peace in the world.

INTRODUCTION

Nuclear weapons played a pivotal role in international security during the latter half of the twentieth century. Despite rapid increases in communications, transportation, and weapons technology, there has been no large-scale strategic conflict since the Second World War. Nuclear weapons, as the most destructive instruments ever invented, had a stabilizing effect on superpower relations by making any conflict unacceptably costly. However, geopolitical change and the evolution of military technology suggest that the composition of our nuclear forces and our strategy for their employment may be different in the twenty-first century. The time is right for a fundamental rethinking of our expectations and requirements for these unique weapons.

Nuclear weapons are one component of an integrated defense strategy that includes diplomacy and conventional forces. The principal role of nuclear weapons was and continues to be that of deterring any potential adversaries from an attack on America or our vital interests. This role is expected to continue for as long as nuclear weapons hold the appellation of "supreme" instruments of military force. However, this does not mean that their role in military planning will not change at all. Changes in the geopolitical environment and the inexorable advance of military technology here and abroad suggest that the position of nuclear weapons in national security policy will evolve with time. Given the unique destructive power of nuclear weapons, it is essential that this evolution be planned, to the extent possible, with due consideration of the integration of strategic nuclear forces into a consistent and comprehensive policy for national security.

Even with the dramatic changes that have occurred in the world during the past decade, nuclear warplanning today is similar in many respects to what it was during the Cold War. The Single Integrated Operational Plan (SIOP) is focused on a massive counterattack strategy that aims to eliminate the ability of an adversary to inflict further damage to American interests. Nuclear weapons provide an assured retaliatory capability to convince any adversary that aggression or coercion would be met with a response that would be certain, overwhelming, and devastating. It is often, but not universally, thought that nuclear weapons would be used only in extremis, when the nation is in the gravest danger. While there has been some discussion of "single weapon" strikes against isolated targets, such as sites of weapons of mass destruction, most of the attention in nuclear strategy has been and is directed toward large-scale engagements. This may not be true in the future.

The advance of conventional weapons technology may result in the ability of conventional weapons to perform some of the missions currently assigned to nuclear weapons. For example, take the case of a road mobile ballistic missile. If one knows the location of such a target and if one can place a conventional weapon on that target with meter-scale accuracy, then it can be destroyed without a nuclear weapon. On the other hand, if one does not know the location of the target to within many kilometers then even a nuclear weapon may not destroy it. The key parameters required for target destruction are intelligence and precision delivery, not the explosive force of the weapon. However, even if a weapon is precisely delivered to the correct target point, countermeasures as simple as steel netting, boulder fields, or decoys complicate reliance on conventional weapons with limited radii of destruction.

The role of nuclear weaponry as the ultimate deterrent to aggression and the ultimate destructive force in combat will likely lead to the retention of at least some nuclear forces for decades to come. However, the composition of our nuclear arsenal may undergo significant modification to respond to changing conditions, changing military needs, and changes in our confidence in our ability to maintain credible nuclear forces without nuclear testing or large-scale weapons production. Options for precision delivery of nuclear weapons may reduce the requirement for high yield. Lower yield weapons could be produced as modifications of existing weapons designs, or they could employ more rugged

and simpler designs that might be developed and maintained with high confidence without nuclear testing and with a smaller nuclear weapons complex than we envision is required to maintain our current nuclear forces.

This paper attempts to look forward to the role that nuclear weapons might play in the twenty-first century, starting about 2020. A twenty-year horizon was chosen because over this time scale it is possible to make reasonable projections of technology and some assumptions about the probable threat situation. It takes about twenty years for substantially new weapons technologies to be developed and fielded into dependable military systems. Since this is true for other countries as well as the United States, one can project the development of potential adversarial capabilities to some degree. Of course, changes in governments could occur quickly compared to this time scale, but the technology that would be employed against the United States would proceed more slowly. This paper focuses on state-to-state defense and does not explicitly consider terrorism or the rapid evolution of entirely new state threats. It is unlikely that an emergent power would be able to develop the technology necessary to confront the United States on a time scale faster than two decades without some obvious indicators that would enable our technological or diplomatic response.

Why is this an important issue now? Current plans call for the deployment of the "next generation" of strategic forces in about 2020, including replacements for intercontinental ballistic missiles (ICBMs), the Ohio-class ballistic missile submarine, and perhaps even the venerable B52 bomber. This strategic modernization will be expensive, and it is not too soon to begin the debate over what kinds of strategic forces are needed to meet future needs.

It takes at least a decade to deploy a new technology, and if research and development are required, additional time may be needed. For such a key component of national defense, it is not sufficient to merely demonstrate that new systems work. There must be sufficient time to shake out the inevitable problems associated with new systems so as to make them dependable beyond reasonable doubt of our own government and the governments of potential adversaries. Time must also be allowed for the negotiation of treaties or other international agreements that support the new force structure and that preclude the marginalization of our forces by either a massive breakout or any other action that would reduce the effectiveness of our forces. Finally, the twentieth century repeatedly demonstrated that sweeping geopolitical changes occur on a short time scale compared to our ability to respond with new technologies or doctrines. It is imperative to consider the widest range of potential options before a crisis develops and to maintain a sufficiently robust research and development base to enable a response at that time.

The development of naval air power during the 1930s is a prime example of the need to evaluate the role of new technologies well before any anticipated engagement. The development of radar and ballistic missiles during the 1940s is an example of technologies developed during a conflict using preexisting foundations of research and technology. Some investment in thinking about future strategic forces now could reap significant dividends in the future.

Planning for future strategic defense is a highly complex affair that requires the consideration of many possible contingencies. This paper is not intended to be a complete analysis of such a complex topic. Rather, its purpose is to stimulate thinking about changes in the international environment and technology that might be expected to influence the makeup of our strategic warfighting capability.

In order to set the stage, I first present a brief overview of the geopolitical situation that might reasonably be expected to influence defense strategy in 2020. This is followed by a discussion of what weapons technology might be available to the United States and other countries. Next, a discussion is given of some force structures, including weapons and supporting infrastructure, that might satisfy future defense needs. The paper concludes with

a summary and suggestions for further work.

THE INTERNATIONAL SITUATION IN THE TWENTY-FIRST CENTURY

Before one can rationally discuss future defense needs, it is necessary to know what one is defending against. The past decade has demonstrated the difficulty and danger of predicting the geopolitical future, but there are some forecasts that can be made with reasonable confidence and which can be used to guide further discussion.

Strategic Threats to U.S. National Security in the Twenty-First Century

Future national security threats to the United States might be divided into three major categories: major power conflicts, especially those involving Russia and China; regional conflicts, including potential nuclear states such as Iran, Iraq, or North Korea; and conflicts involving terrorist groups and other nonstate organizations. Only the first two major categories will be considered here, since it is arguable whether there is any role for strategic nuclear forces in dealing with terrorism and substate threats. However, strategic conflicts can be sparked by terrorist acts, as was the case in the First World War and other conflicts.

Russia — During the past 200 years European Russia has sustained a series of catastrophes including the invasion of Napoleon, the Crimean War, the First World War, the Revolution, the Second World War, and now the transition from a communist state to something else. In each case the country recovered within a generation. Even after the Second World War, when the country was essentially in ruins, it came back to launch Sputnik within twelve years. While one cannot predict what will happen in a country so volatile as Russia, it is not unreasonable to assume that it will endeavor to return to a conventional military power while continuing to rely on a significant nuclear capability. It is clear from Russia's investment in conventional military technology that it wishes to reassert its status in this area and to continue a lucrative business in the international arms trade.

China — China's international aims are in development, but their long stated intention to "reunify" Taiwan into the mainland and their territorial moves in the South China Sea indicate that they plan to play a broader role on the international stage. China has a small nuclear arsenal but one capable of inflicting unacceptable damage on American territory and interests. It is unclear at present what, if any, impact alleged Chinese nuclear espionage will have on the modernization of its nuclear arsenal. However, it is worth noting that China has several nuclear weapons systems in the advanced development stage including a new cruise missile, which presumably can carry a nuclear warhead, and new land-launched and sea-launched ballistic missiles. Road mobile nuclear capable missiles add a degree of survivability to China's limited nuclear arsenal. The desire to develop an operational ballistic missile submarine is another suggestion that China is concerned about the survivability of its nuclear forces and perhaps is a comment on its future goals of power projection outside of the immediate Pacific area.

Other Countries — The nuclear tests of India and Pakistan again demonstrate that countries will act in their own perceived national interests, sometimes in direct opposition to the wishes of the United States or to previous treaty commitments or arrangements. Continued tensions in South Asia, including Sino-Indian tensions, bear close monitoring, but they may not directly involve the United States. The Middle East will continue to be a problem area due to the misalignment of ethnic, cultural, and national borders. The prospects for Arab or Islamic unification do not appear imminent at present, but historically this unification has relied on a charismatic leader, whose advent is difficult to predict. Continued problems in the Balkans and elsewhere in the world may tax American and allied conventional capabilities, but such conflicts are not expected to assume a nuclear dimension in the foreseeable future. North Korea is presumed to have at least some nuclear capability and has demonstrated remarkable progress in ballistic missile technology, despite its perilous economic condition. Japan and South Korea look upon North Korea's nuclear ambitions

with concern and could pursue their own nuclear programs if they felt uncertainty in the American nuclear umbrella. Similar concerns could apply to Taiwan in light of recent statements made by the People's Republic of China.

Nuclear engagement scenarios are not necessarily binary. Third countries may feel compelled to intervene in disputes between nuclear states or in conflicts involving weapons of mass destruction that could spill over into their territory or interests. For example, China may feel a need to act in a nuclear exchange between India and Pakistan. Similarly, Israel may feel a need to act in a major conflict of its neighbors that involved weapons of mass destruction.

FOREIGN WEAPONS TECHNOLOGY IN THE TWENTY-FIRST CENTURY

Trends evident today suggest that by 2020 many countries in the world will have access to several important technologies.

- Weapons of mass destruction: India and Pakistan graphically demonstrated the ability of midlevel technology states to construct or obtain nuclear weapons. Chemical and biological weapons are assumed to be within the reach of many countries today.

- Long-range ballistic missile technology: It is apparent that countries like North Korea, Iran, India, Pakistan, and other countries have or will soon have the capability to project force at intercontinental distances. The developing international marketplace in these technologies may make long-range missiles available to almost any country that has the money and the basic technical capability to acquire and use them. Although such missiles may lack the precision of current U.S. weapons, they might be entirely adequate for the delivery of weapons of mass destruction.

- Space imaging: Commercial services already provide high-resolution images from space. The technical capability to provide these images in real time to customers around the world should be expected to develop. Whether international agreements will be enacted to prevent collection against sensitive sites remains to be seen. At some point, Third World countries will have the capability to launch their own intelligence satellites or will pay others to launch them, thus bypassing the need for commercial services.

- Russian weapons technology: Despite its economic troubles, Russia is committing significant resources to the research and development of advanced conventional weapons. Part of the reason for this is certainly to provide a credible defense of Russia and its vital interests. However, Russia also sees a lucrative international arms market that appreciates the low cost and operational simplicity of its weapons. One might expect more countries to have access to "last generation" but quite capable Russian military technology including missiles, air defenses, submarines, tanks, and other systems.

- Advanced communications and computer technology: The spread of communications and computer technology will serve as a force multiplier for a growing number of countries. The ability to effectively employ a small number of electronic weapons against a technologically and/or numerically superior enemy is a cost-effective force-leveling tactic.

The United States will enjoy superiority in conventional and nuclear weapons as long as adequate investments are made in research and development and in the deployment of the resulting weapons systems. However, we should expect other countries to employ many of our ideas in their own defense strategy including the simple copying of our technology and doctrines, or the use of our technology to develop weapons systems of their own. They may also attempt to exploit weaknesses in our advanced technology through means such as

electromagnetic weapons, chemical and/or biological weapons, and other "asymmetric means."

U.S. DEFENSE TECHNOLOGIES IN THE TWENTY-FIRST CENTURY

Conventional Military Technology

Advances in military technology have been much discussed in the literature and are said to be leading toward a revolution in military affairs. Relevant to the present discussion, there are several advances in conventional weapons technology that deserve mention.

- Advanced precision munitions: It is already possible for cruise missiles to deliver payloads to targets hundreds of miles from their launch point with few meter accuracy. High precision for intercontinental missiles, either land- or sea-launched, is also possible. Given that ballistic missile reentry vehicles arrive on target with velocities of thousands of meters per second, it is not necessary to have explosive payloads to destroy some classes of targets.

- Advanced real-time imagery and data fusion: Data collection from satellites and from unmanned forward platforms will enable real-time remote battle management, including the direction of precision munitions to distant, even mobile, targets.

- Antiballistic missile technology will mature if the appropriate investment is made, enabling some defense against limited missile attacks. Analogous defenses could be developed against cruise missiles and aircraft, although these threats are in many ways a tougher problem due to the greater number of potential entry points and the availability of stealth technology.

- Information warfare may develop in such a fashion to enable the United States to interdict enemy command, control, and communications.

There has been much discussion of other advanced conventional technologies including unmanned aircraft, sensor technology, beam weapons, and so on. In this paper we will focus on those technologies that could have a strategic impact and that are related to the changing role of nuclear weapons. The importance of considering future defense against ballistic missiles, cruise missiles, and aircraft cannot be overestimated. The inexorable advance of technology will eventually make such defenses feasible and will put them within the grasp of any country that wishes to have them. Such is the case now with reasonably sophisticated air defenses. Long range strategic planners must at least consider the return of a traditional "armor /antiarmor" competition even for strategic forces. Stealth technologies, advanced countermeasures, and new technologies will affect these trades but will not change the fundamental ability of defense technologies to influence strategic thinking.

Nuclear Weapons–Related Technology

Nuclear weapons pack incredible destructive force into a small, deliverable package. In addition to their psychological deterrent value, they are the only current means of holding at risk several classes of targets.

- Mobile targets, such as road mobile and rail mobile missiles

- Fixed moderately hard targets, such as missile silos

- Distributed targets, such as airfields or naval bases

- Hard targets, such as deeply buried command structures

- Superhard targets, such as facilities located beneath mountains

Conventional weapons might be able to address some of the missions currently assigned to nuclear weapons, but not all of them. Some targets, like missile silos and command and control structures, are sufficiently hard that no conventional weapon will have the energy to defeat them. Other targets, such as airfields and naval bases, are sufficiently dispersed that a massive amount of conventional explosives would be required for their destruction. Even though conventional weapons could damage or destroy such targets, they could do so today only over an extended time frame and with the use of limited resources that may be required in other theaters of operation. Future conventional weapons designs may change this, but there are still limits on the amount of damage that can be caused with a given quantity of high explosive. For these and other reasons, nuclear weapons are expected to continue to play a role in strategic doctrine, independent of their role as a psychological deterrent to aggression.

The United States employs a counterforce strategy that targets military assets that could inflict damage to our national interests. We do not threaten cities or populations as in a countervalue policy, although there is an implicit threat of doing so that is a potent element of the deterrent calculus. American nuclear weapons systems are designed to hold specific classes of targets at risk, using the minimum explosive forces necessary to accomplish the mission. However, a sizable factor governing the explosive force required to defeat a target of given hardness is the precision with which weapons can be delivered. The evolution of accurate delivery systems could change engagement strategies for nuclear weapons, in some cases reducing the required yield or even eliminating the need for an explosion at all. Once again, the use of conventional weapons presumes a level of detailed information on the location and characteristics of the target that has so far eluded military planners. A reliance on precision conventional munitions for some strategic missions presumes a major investment in intelligence collection and analysis tools, including accurate means of assessing target damage following an attack. This is particularly important for strategic targets such as mobile missiles or weapons of mass destruction that could, if they survive, inflict significant damage.

Advances in military technology may change the makeup and use of our strategic forces in several ways.

- Some important classes of targets, such as mobile missiles, might be effectively dealt with by long-range precision conventional weapons. One can envision submarine-launched ballistic missiles (SLBMs) and intercontinental ballistic missiles (ICBMs), loaded with such precision weapons, which could be directed by real-time intelligence to targets anywhere on the planet within 30 minutes. Maneuvering reentry vehicles could enable these weapons to follow and destroy moving targets.

- A 5-kiloton (kt) nuclear explosive detonated on a 30-foot-thick missile silo door will vaporize that door, destroying the missile inside. With precision delivery many hard targets might be able to be defeated with nuclear explosives having lower yield than we might currently employ. Such lower-yield weapons could use simpler and/or more robust designs than we have in our current arsenal. Simpler, more robust designs, in turn, might allow the nuclear arsenal to be maintained with a smaller maintenance and production complex than is required to support the sophisticated, highly optimized weapons in our stockpile. As in the case of advanced conventional weapons, the use of lower-yield nuclear weapons against hardened targets could be made problematic through the use of relatively simple countermeasures. In the example of a silo door, shielding could be used to separate the blast from the door area, reducing the effectiveness of the weapon.

- Widely dispersed targets require energy (yield) for assured destruction. Several dispersed lower-yield weapons will produce the same effect as a single higher-yield

weapon. Using multiple weapons on a single target assumes that fratricide effects can be dealt with in planning multiple nuclear bursts in a single target area. Such an approach also requires a larger number of weapons, a factor that would be more challenging if deep cuts in weapons numbers are negotiated. A benefit of lower-yield weapons is that the collateral damage sustained by the near-target area may be reduced, an important factor in attacks near urban areas.

- Some very hard targets require high yield to destroy them. No application of conventional explosives or even lower-yield nuclear explosives will destroy such targets, which might include hardened structures buried beneath hundreds of feet of earth or rock. For such purposes it might be desirable to retain a small number of higher-yield nuclear weapons in the arsenal as deterrents against enemy confidence in the survival of such targets.

- Superhard targets, such as those found under certain Russian mountains, may not be able to be defeated reliably by even high-yield nuclear weapons. In this case, one might use a different strategy such as "functional defeat" in which power, communications, or other vital functions are eliminated or denied without the physical destruction of the main target. Alternately, one might use negotiations to eliminate a target, bargaining away a limited set of special targets for concessions on our part.

These proposals are a departure from conventional thinking on nuclear issues. For example, our ability to negotiate away superhard targets would be very difficult at best. Others, such as the ability of precision advanced conventional munitions to hold at risk mobile and other soft-point targets, are more realistic and require only projections of current technology. In the latter case, a challenge may come from arms control concerns of other countries that see their own nuclear forces made marginal. Also, potential adversaries may use "asymmetric means" to counter our advanced technology.

An important consideration in thinking about lower-yield nuclear forces for most of our strategic nuclear requirements is that such weapons could be much simpler than our current highly optimized nuclear designs. Given sufficient throw-weight on our missiles, we could use gun-assembled or other simple, rugged designs that might be maintained with high confidence without nuclear testing. Such designs would require a significantly smaller industrial plant for their maintenance than our current forces. If based on uranium weapons designs, a much smaller plutonium infrastructure would be required. Other technologies specific to high-yield nuclear weapons could be placed in a standby mode rather than a production mode. Finally, simpler weapons might be maintained with higher confidence for longer periods by a weapons staff that has little or no direct experience with nuclear testing. However, should the country elect to follow such a path it will still be necessary to retain expertise in more sophisticated nuclear designs as a hedge against changing conditions in the future.

There is an additional, nontechnical, consideration that will influence future nuclear policy. Given current and projected scientific capabilities, it is difficult or impossible to confidently field a new, highly optimized, nuclear warhead design without nuclear testing. For this and other reasons, the United States intends to maintain its existing nuclear designs into the indefinite future. This is a fundamental change in how we maintain our arsenal. Recent concerns about espionage in the weapons program raise questions about our ability to keep weapons designs secret over many decades. Some in the intelligence community contend that a fixed target, such as our nuclear designs, will be compromised by a determined adversary given sufficient time. Information about our designs could provide important guidance to countries that wish to improve their own nuclear arsenals. Such information would also be advantageous to countries attempting to optimize some future ballistic missile defense system of their own for use against our systems. Finally, it could assist potential adversaries in deploying their strategic forces in a manner designed to make it difficult for

us to assure their destruction.

Planners need to consider what we will do when, and not if, the details of our nuclear forces become known by a potential adversary. There are several paths that could be employed here, including disinformation, counterintelligence, etc. One path that has been proven to work has been to change our forces on a regular basis in response to evolving military requirements and technology options. The certification of substantially new nuclear weapons designs is difficult or impossible to do with high confidence without underground nuclear testing. However, the United States has a large archive of previously tested designs that might be fielded with reasonable confidence to meet evolving military needs. In addition, the current stockpile has significant flexibility for modification for new requirements. Such flexibility was most recently evidenced by the modification of the B61 bomb to provide earth-penetrating capability. A move toward a mixed force of long-range conventional and lower-yield nuclear weapons with improved accuracy would be another means of meeting this need. Such decisions need not be exclusive. It may be wisest to employ multiple technologies, both nuclear and nonnuclear, to create a robust future strategic posture.

STRATEGIC FORCES TO MEET FUTURE DEFENSE NEEDS

Planning strategic forces is a highly complicated affair that must include technical, geopolitical, and military considerations. A full analysis is not attempted here. The purpose of this section is to suggest some broad options that can be used as starting points for more detailed treatment. Although this section concentrates on strategic forces, it is worth noting that several countries possess potent "nonstrategic" nuclear forces that are designed for tactical engagements. Nonstrategic forces include nuclear artillery shells, atomic demolition munitions, short-range missiles, and air-delivered bombs. While such weapons are typically lower in yield than most strategic bombs and warheads, they are still nuclear explosives with destructive power vastly greater than conventional weapons. One might expect the division between "tactical" and "strategic" weapons to blur in the future, especially if significant reductions in strategic arsenals occur.

Scenario 1: Status Quo

Nuclear weapons represent the ultimate defense of the nation, a deterrent against any and all potential adversaries. Combined with diplomacy and conventional military capabilities, nuclear weapons have helped to avoid a large-scale conflict between leading world powers for over fifty years. This is an astonishing achievement given the acceleration in communications and transportation that took place during this time. When the Cold War ended, the U.S. nuclear stockpile consisted of a set of highly optimized warheads and bombs on highly reliable missiles and aircraft. These weapons systems were designed primarily to counter the massive Soviet threat. They were and are the most advanced of their kind in the world. Current plans call for them to be retained essentially indefinitely. There are several good reasons for this.

- These weapons are safe, reliable, and meet performance requirements.
- We have nuclear test data that support our understanding of their operation.
- New warheads of comparable capability are difficult or impossible to field without nuclear testing.
- They can be modified in many ways to respond to changing military requirements, as was done when the B61 bomb was modified to give it an earth-penetrating capability.

This scenario maintains a triad of ICBMs, SLBMs, and bombers. More than one type of weapon is maintained in each leg of the triad to provide backup capability should one

weapon type encounter a problem. This strategy served us well during the Cold War. Given the rapidity with which the geopolitical situation can change, there is merit in following a prudent and conservative path for future nuclear forces.

There are several potential disadvantages to maintaining the existing stockpile indefinitely. Over time such highly optimized systems may be less well suited to military requirements. Refurbishment and other changes will be made to aging warheads and bombs, changes that might be difficult to certify without nuclear testing. Also, the cost of maintaining these weapons is high for both DoD and DOE. In the case of DOE, an extensive infrastructure of laboratories and plants is required for the Stockpile Stewardship program, including a new manufacturing capability for plutonium pits. Finally, the current stockpile may not be credible against some set of potential adversaries. For example, if a national emergency were to develop that involved the imminent use of weapons of mass destruction against American interests, would an adversary consider our threat of a multiwarhead attack by the Peacekeeper ICBM or a Trident SLBM as overkill and hence not a realistic threat? Such a reliance on high-yield strategic weapons could lead to "self-deterrence," a limitation on strategic options, and consequently a lessening of the stabilizing effect of nuclear weapons.

Scenario 2: Reduced Stockpile of Existing Designs

This scenario assumes that arms control initiatives have make it advantageous to the United States to greatly reduce our stockpile of existing nuclear weapons. It is similar to Scenario 1 with lower force levels. One can debate the merit of eliminating one arm of the strategic triad or the nonstrategic (i.e. tactical) nuclear forces under such circumstances, depending on the depth of the reductions. Cost savings associated with reduced numbers are not directly proportional to the number of weapons since a significant infrastructure is required to support any type of modern nuclear design. The cost advantage would be in the size of the required production plant and not in the diversity of technical capabilities that are required.

At very low stockpile numbers it may be useful to explicitly consider a "flexible stockpile" strategy that takes advantage of the flexibility inherent in current nuclear weapon designs. The United States could have a mixed force of weapons based upon current types suitably modified to meet evolving military needs. Special consideration might be given to maneuvering reentry vehicles that can deal effectively with enemy defenses. One could consider tailored output weapons for special applications such as those that produce an enhanced electromagnetic pulse for the disabling of electronics or those that produce enhanced radiation for the destruction of chemical or biological weapons with minimum collateral damage. (There is serious doubt in the nuclear weapons community as to whether such systems could be introduced into the stockpile without additional nuclear testing.) Careful consideration must be given to single-point failure in a reduced stockpile. For example, the use of a common missile or a common warhead for ICBMs and SLBMs would save money but would introduce a potential single-point failure in the majority of strategic forces.

In selecting weapons that would be maintained in a smaller force structure, consideration might be given to those that are the most rugged, the easiest and cheapest to maintain, and the most flexible. Highly optimized weapons may be more efficient, but efficiency can come at the cost of complexity of maintenance. Without nuclear testing, small changes caused by natural aging or required component replacements will introduce some uncertainty into the stockpile, uncertainty that must be figured into military strategy. Understanding such uncertainty is especially important if the number of weapons types is reduced, admitting the possibility of single-point failure of a large part of the force. It may be advisable to view ruggedness and ease of maintenance as principal criteria for the selection of the types and distribution of weapons within a reduced stockpile. Given the uncertainty of future military needs, the ability of a weapon to be maintained, modified, and/or certified without nuclear testing may also be an important element in the decision

process.

Scenario 3: Mixed Conventional and Nuclear Strategic Forces

Reasonable assumptions about the development of advanced conventional munitions leads to a scenario where the strategic workload is carried by a combination of nuclear and nonnuclear forces. It is possible to envision nonnuclear components to each of the arms of the strategic triad. Using conventional ICBMs and SLBMs, or their projected replacements, one could design reentry warheads to achieve high accuracy. These warheads would contain "smart" guidance systems that would receive intelligence handoffs from satellites or other sources before and/or during flight. Such systems would know that a target exists in a general area, be aware of its potential movement and signatures, and be able to home in on it. Given the kinetic energy of a reentering warhead, it might not be necessary for the system to contain high explosives. Hitting the target might be sufficient to destroy it. Similar warheads could be developed for cruise missiles that could be launched from bombers, submarines, or surface warships. In the case of cruise missiles, the lower velocity of delivery would require a high-explosive warhead.

A nonnuclear long-range weapon would be especially useful against limited numbers of time-urgent weapons of mass destruction targets such as biological weapons warheads that were in preparation for use against U.S. forces. Long-range nonnuclear weapons would enable such targets to be destroyed without causing the United States to be the first to employ nuclear weapons in a conflict. The use of nonnuclear strategic weapons against Russia, China, or other nuclear states would require care, since the appearance of such a weapon on long-range sensors might be indistinguishable from a nuclear attack by the United States.

A word of caution is needed on the use of precision munitions for high-value strategic targeting: The Kosovo conflict demonstrated very clearly that just the ability to place a weapon on the designated aim point is not enough to ensure mission success. Inaccurate target coordinates provided to pilots sometimes resulted in weapons being delivered very precisely to the wrong spot. Effective utilization of precision munitions demand that a premium be placed on the collection and the analysis of target information. This includes postattack damage assessments that determine the need for follow-on attacks and the ability of the adversary to use its weapons for offense or defense.

The nuclear component in this scenario could take one of several forms. First, one could employ a small number of existing weapons designs to retain a traditional counterforce deterrent strategy. Second, one could modify existing designs to reduce their yield, relying on precision delivery to help achieve military objectives. In this case one could use existing reentry warheads or develop new ones with the precision guidance necessary to destroy moderately-hard-point targets with low yield. Third, one could design and deploy a new set of nuclear weapons that do not require nuclear testing to be certified. Such weapons might be, but do not need to be, based on simple gun-assembled uranium designs that do not require a plutonium infrastructure and that do not require the same sophistication in nuclear weapons science and engineering as our current stockpile. However, nothing comes for free, and one must recognize that such simple weapons have important, perhaps fatal, tactical limitations that would preclude their use in some engagement scenarios. Also, such simple devices would be based on a very limited nuclear test database and would require extensive and expensive flight testing to assure that they could be delivered with the required precision. Fourth, one could consider a combination of new or modified low-yield warheads and some existing higher-yield designs to be retained against the possibility of unexpected developments in adversaries' defenses or of the need to hold very hard targets at risk. In this case one would need to retain much of the infrastructure of the current stockpile to ensure the continued performance of these highly optimized weapons. Savings could be achieved in the size of the plant complex required to remanufacture components and complete weapons.

Scenario 4: Prospects for Wholly Nonnuclear Strategic Forces

It is almost impossible to conceive of technological and political developments that would enable the United States to meet its defense needs in 2020 without nuclear weapons. There are several reasons for this. First, nuclear weapons continue to play a vital role in deterring other countries from launching significant military strikes against America, our allies, or our vital interests. The real threat of not just military defeat but national annihilation is a potent deterrent now and should be expected to remain so for at least the next few decades. Second, it does not appear possible with current or projected technology to assure ourselves that there are no—and never will be any— nuclear weapons in the hands of potential adversaries. Given the unique destructive power of nuclear weapons, an asymmetry of this kind should be unacceptable to American military planners. Third, the development of antiballistic missile defense is encouraging, but the assumption that a leak-proof shield can be fielded by 2020 is debatable. Fourth, some targets will not be able to be held at risk by any type of conventional weapon because of their extreme hardness. Fifth, the ability of an adversary to deliver a nuclear weapon by aircraft, cruise missile, naval vessel, or by clandestine insertion into this country are additional concerns beyond the long-range ballistic missile threat. Lacking the ability to deter such threats and to respond in kind would open up the country to blackmail.

It is critical in any discussion of strategic forces to consider the overall stability provided by technology and policy. Such calculations have become considerably more complex in the multipolar world that is expected to persist at least over the time scale addressed in this paper.

The future is unpredictable, but we can count on it to be dynamic. Strategic thinking must be flexible and must consider the evolution of several possible futures, each of which has branches that are contingent on the geopolitical situation and technological capabilities here and abroad. Countries will respond to technology and policy developments in the United States and elsewhere. We must be careful that any changes to our strategic position make the overall situation better and not worse.

Russia has already promised that it will use "asymmetric means" to counter advanced U.S. technology. Official Chinese publications indicate that China will likely follow a similar strategy. The capabilities of their own research and development complex should not be underestimated. While Russia cannot yet match the United States in the most sophisticated technology, it has shown a remarkable ability to achieve military objectives through cleverness and sometimes through brute force. Finally, the development of advanced conventional strategic weapons could push the Russians to an even greater reliance on high-yield nuclear weapons. Rather than an evolution toward some fixed strategy, strategic thinking should be done along a flexible time line that recognizes changes in the world and in military technology. What may work at one time may not work at another time when the situation has substantially changed.

One "asymmetric" counter to advanced technology is cyber-warfare, including non-explosive weapons that could disable or render ineffective advanced conventional or even nuclear munitions. Precision kill requires sophisticated electronics, and electronics can be affected by various means such as radio frequency or microwave weapons. Russia's electromagnetic weapons program is perhaps the most advanced in the world, and at least some of this technology has been shared with China. Given the uncertainty in future advanced weapons technology, the United States may wish to retain some higher-yield nuclear weapons as hedges against the development of potent point or area defenses. The development of antisatellite weapons would create a similar complication to the United States if we were to rely on advanced conventional weapons that require precise targeting information to be effective.

Arms control initiatives will play an important role in the planning of future strategic forces. Proposed deep reductions in nuclear stockpiles may be a motivation for using conventional weapons as part of the strategic weapons mix. Such a decision will strongly depend on whether warheads or launchers are the counted quantity. If nuclear warheads and not delivery vehicles are the counted quantity, then existing or new launchers can be equipped with advanced conventional warheads. If missiles and aircraft are the counted quantity, we will need to be careful about treaties that allow only one warhead, nuclear or conventional, on a missile. Maintaining an effective deterrent requires a minimum number of nuclear weapons, and the dilution of our forces with conventional weapons could drive us from a counterforce strategy (military targets) to a countervalue strategy (cities) with attendant ethical and perhaps legal problems.

Arms control agreements can assist in strategic planning by restricting certain classes of weapons or targets. If, in some scenario, our weapons are particularly susceptible to nuclear interceptors, then we may wish to negotiate the elimination of nuclear interceptors in return for some other concession. If we are unable to destroy one or more targets by any weapon in our arsenal, we may want to attempt to negotiate away the target in return for assurances that we will not construct similarly hard targets in the United States. Such negotiations are by nature complex because they involve giving up different commodities on each side. However, the advantages of reduced reliance on nuclear weapons, with their large radii of destruction, might be an incentive. Also, the development of new conventional strategic weapons, the use of which might be incorporated into nonnuclear war planning and that will not necessarily lead to national destruction, should be considered with care.

One of the features of nuclear weapons is that they are so destructive that their use is reserved for only the most extreme cases. Making strategic weapons more "usable" could start the United States on a path of escalation that could exacerbate and not reduce the potential for war. Conversely, lowering the threshold for using nuclear weapons in response to a strategic situation could raise the level of care with which countries interact. This points to the need for a detailed stability analysis to be performed as a prelude to any arms control negotiations. Such an analysis must explicitly include the balance of nuclear forces, the state and projected future of ballistic missile defenses, and the ability of advanced conventional weapons to perform missions formerly assigned to nuclear weapons. The weapons research and development programs of potential adversaries will provide input to this analysis by providing pointers to future defense capabilities. And, of course, any analysis of future strategic weapons needs must necessarily consider the possible geopolitical situation that will be present at the time of their deployment. Finally, the distinction between tactical and strategic nuclear weapons will fade for small stockpiles. Both types of weapons must be included in negotiations for overall stability to be maintained.

Another important consideration in planning future strategic forces is cost. Nuclear weapons systems are sometimes considered expensive to maintain due to their complexity, their unique characteristics, and the lack of private industry support of some components of their infrastructure. In fact, nuclear weapons are cheaper to develop and to maintain than very large conventional force structures. This was the reason why NATO chose to rely on nuclear weapons as a principal part of its defense against the massive Soviet conventional threat in Europe. Nuclear weapons are considered expensive today because they are primarily strategic in nature and we are in the midst of a "strategic pause" that has lessened the perceived need for strategic weapons.

For the DoD, costs include operations, maintenance, and the development of next generation capabilities that will replace current systems upon their obsolescence. For the DOE, costs include the operation of the weapons laboratories and production plants and the material costs associated with weapons refurbishment. To first order, the cost of maintaining the DOE nuclear weapons complex is independent of the number of weapons in the stockpile. Some capability in uranium, plutonium, and other special materials is required. Scientific capabilities must be maintained, especially in those classified areas unique to

nuclear weapons, to enable informed decisions to be made on weapons aging, component replacements, and future modifications. Tritium has some variable cost, as it must be produced to support some fixed number of weapons. Plutonium pit production can be maintained at a small rate at Los Alamos, but any stockpile above about one thousand weapons will require the construction of a new large production plant to replace the Rocky Flats facility, which ceased production in 1989. Should the country go to a precision low-yield nuclear force that is based on uranium rather than plutonium, the cost of the large pit-production facility could be avoided, and the remaining high-yield weapons that did employ plutonium pits could be supported by a modified Los Alamos plutonium facility.

SUMMARY

The end of the Cold War, the evolution of new regional threats to international security, and the stated desire of many countries to reduce or eliminate their nuclear arsenals suggest that the time is right for a fundamental rethinking of the role of nuclear weapons in national security. Nuclear weapons, as the most destructive instruments yet invented, must be considered as part of a coordinated national security program that employs diplomacy, arms control initiatives, and conventional forces to optimize stability and peace in the world.

Technology assessments suggest that advanced conventional weapons delivered by ballistic or cruise missiles could defeat many targets that are presently targeted by nuclear weapons. Precision delivery of nuclear weapons would enable some classes of hard targets to be defeated with much lower yields than are currently employed. Some number of current nuclear weapons designs might be retained in order to address very hard targets or for traditional deterrent roles. Simple, rugged nuclear weapons designs that might be maintained at relatively low cost and without the need for nuclear testing might be a part of such a strategy.

Nuclear weapons cannot be uninvented. Nor can we assume that their role in strategic deterrence will never change. Prudent thought given to the role of nuclear weapons in the twenty-first century will reap handsome dividends for the national security of the United States and for the stability of the whole world.

ACKNOWLEDGEMENTS

I would like to thank Hans Mark for suggesting the theme of this paper and for his helpful comments on its content. I would also like to recognize the contributions of many colleagues, especially John Browne, C. Paul Robinson, Richard Wagner, Carolyn Mangeng, Thomas Scheber, and Gary Stradling. The accuracy and content of this paper are the responsibility of the author and do not represent the positions of the Department of Energy or the United States Government.

SECRETARY OF THE ARMY
WASHINGTON

OFFICE OF THE SECRETARY OF DEFENSE

2002 APR -3 PM 12: 52

INFO MEMO

March 28, 2002, 7:30 AM

FOR: SECRETARY OF DEFENSE

APR 2 2002

FROM: Thomas E. White, SECRETARY OF THE ARMY

SUBJECT: Credit Card Abuse

- Reference the Secretary of Defense statement and question, TAB A, "This is very troubling. How can someone charge all these items and then not be prosecuted?" This statement and question are reference to a Washington Post article at TAB B, "GAO Calls Navy Lax on Employee Fraud."

- Ms. Tanya Mays, a previous Navy employee, is alleged to have misused government credit cards while she was assigned to the Navy Public Works Center in San Diego, CA.

- A supervisor from the Office of the Assistant Secretary of the Army for Financial Management and Comptroller (OASA (FM&C)) selected and hired Ms. Mays from a Civilian Personnel Office generated competitive list, after inquiring and receiving favorable references from her Navy supervisors. There was no mention of the alleged government credit card abuse from her Navy supervisors.

- The OASA (FM&C) was notified during March 2002 of Ms. Mays' alleged government card abuse and immediately turned the case over to Army's Office of General Counsel for further review and determination of appropriate action.

COORDINATION: NONE

Attachments:
As stated

Prepared By: Colonel Robert Speer (b)(6)

Printed on Recycled Paper

snowflake

March 18, 2002 1:53 PM

TO: Gordon England
Tom White

CC: David Chu
Dov Zakheim
Jim Haynes

FROM: Donald Rumsfeld

SUBJECT: Credit Card Abuse

This is very troubling. How can someone charge all these items and then not be prosecuted?

Please explain.

Thanks.

Attach.
03/18/02 Brian Faler, "GAO Calls Navy Lax on Employee Fraud," *Washington Post*

DHR:dh
031802-54

Please respond by 03/29/02

U04933-02

Washington Post
March 18, 2002
Pg. 15

22. GAO Calls Navy Lax On Employee Fraud

Report Cites Personal Shopping Charges

By Brian Faler, Special to The Washington Post

Scores of Navy employees at two San Diego facilities have been using government credit cards to buy their groceries. And luggage. And DVD players. And almost none of them have been punished.

The General Accounting Office, the congressional watchdog agency that has been investigating employees at the two centers, reported last week that many there have been using those cards for personal shopping sprees. And, despite previous warnings, congressional hearings and investigations, the GAO said, the Navy still isn't doing enough to stop them.

The cards, which look and work much like regular credit cards, were created to help cut down on bureaucratic red tape for government purchases of goods and services.

But GAO investigators, along with several members of Congress, say the Navy has taken the program too far, distributing the cards "willy-nilly," in the words of one senator, without any credit checks and with virtually no oversight or enforcement.

"Every shred of evidence that I have seen says that internal controls at the Pentagon are weak or nonexistent," Sen. Charles E. Grassley (R-Iowa) told the House government efficiency subcommittee last week. "That means there is an army . . . authorized to spend money with no checks and balances. The potential for abuse and fraud is virtually unlimited."

Grassley and Rep. Stephen Horn (R-Calif.), chairman of the House panel, have asked the GAO to expand its probe in the Defense Department to determine whether there is a larger problem of credit card abuse. The GAO has reported on similar problems at the Education Department.

Officials representing the Defense Department, as well as others representing the two Navy centers, acknowledged at the subcommittee hearing that credit card fraud continues to be a problem among employees, but they said they are clamping down on the abuses.

"We are painfully aware of the issues of purchase cards, and I am here personally to commit that we will make sure these cards are used appropriately," said Deidre Lee, a defense procurement official.

Lee and other defense officials blamed the two naval facilities' previous management for the lax enforcement and said that officials have since reduced the number of cards circulating and have expanded the offices responsible for overseeing the accounts.

There are now 1.7 million Defense Department cards in circulation. Cards were used during fiscal 2001 to ring up $9 billion in charges. Some charges are billed directly to the federal government; most are sent to the individual cardholder, who, after paying the bill, is supposed to be reimbursed by his or her agency. Most cards have a credit limit of $2,500 per transaction.

At last week's hearing, Grassley cited one woman, Tanya Mays, as a particularly egregious offender at the Navy Public Works Center in San Diego. He said that, according to GAO records, Mays charged almost $12,000 to her government card -- including a personal computer, a kitchen range,gift certificates and clothing. Both the Navy and the U.S. attorney in San Diego declined to pursue her case, Grassley said, and Mays transferred to the Army, where she is now a budget analyst. She was not asked to repay the money, he said.

Mays could not be reached for comment. The Post e-mailed her and asked the Army's press office to forward its requests to her. The office declined to provide Mays's phone number, saying it was private. They added that because she was never prosecuted, they have no record of the alleged improprieties.

Grassley said he named Mays out of frustration, adding, "When you put one of these cards under the microscope, it seems like the whole problem comes into much sharper focus."

Los Angeles Times
March 17, 2002
Pg. 30

23. U.S. To Resume Vieques Training

By Reuters

SAN JUAN, Puerto Rico -- The Navy will conduct a new round of training exercises on the island of Vieques in a few weeks, a move that protest groups said Saturday would reactivate their civil disobedience campaign.

A press assistant for the governor's office said that Secretary of State Ferdinand Mercado received a letter from the U.S. Navy Friday informing him that it would conduct about 22 days of training from as early as April 1.

Groups opposing the use of the 33,000-acre island as a Navy training and bombing range said they would try to disrupt the maneuvers through by sneaking onto the bombing range during the training.

The protests would be the first since the civil disobedience campaign was halted after Sept. 11.

Washington Times
March 18, 2002
Pg. 8

24. Hit By Inmate, X-Ray Guards Reassigned

GUANTANAMO BAY NAVAL BASE, Cuba (AP) — Two guards at Camp X-ray, the detention center holding 300 al Qaeda and Taliban guerrillas, were transferred after an inmate struck one of them, military officials said yesterday.

Two male soldiers at the field hospital were reassigned after a detainee hit one of them while being escorted to the bathroom, said Pat Alford, commander for the fleet hospital. The guards usually travel in pairs.

The detainee, who was being treated for bone loss in his forearm, was sedated for one night after the disruption.

Earlier yesterday, Capt. Shimkus, commanding officer of the Guantanamo Bay Naval Base, said the soldiers were reassigned after "breaking the rules." But "the initial report provided by a military official was incorrect," spokeswoman Maj. Rumi Nielson-Green said.

The two men were reassigned to Camp X-ray and could eventually return to the fleet hospital.

Since the first captives arrived at this remote outpost in January, some have spat on or yelled at the guards. One inmate bit a soldier.

A hunger strike that began on Feb. 27 but has since fizzled apparently was prompted by a guard who stripped an inmate of a towel he put on his head for morning Islamic prayers.

Detainees later said the strike was also to protest their indefinite detention.

On Saturday, five detainees skipped dinner, 12 skipped lunch and seven skipped breakfast.

Military officials also said yesterday that two other male soldiers at the hospital were reassigned after requesting a transfer.

The two men were moved to administrative duties shortly after the first batch of inmates arrived in January, said Marine Maj. Stephen Cox, a spokesman for the detention mission.

The two men "simply were uncomfortable in that environment," Maj. Cox said.

The captives, accused of having links to either the fallen Taliban regime in Afghanistan or Osama bin Laden's al Qaeda terrorist network, are expected to be moved from the hastily built Camp X-ray to Delta Camp by next month.

Delta Camp will be equipped with toilets, beds and ventilation and eventually could be expanded to hold more than 2,000 detainees.

New York Times
March 18, 2002
News Analysis

25. Bush Finds That Ambiguity Is Part Of Nuclear Deterrence

By David E. Sanger

snowflake

SENSITIVE

March 29, 2002

To: Secretary of Defense
Deputy Secretary of Defense

From: Pete Aldridge

Subject: C-17s/C-130Js for Europe

I just received the attached letter from Lockheed Martin and Boeing regarding a proposal to provide potential production and employment in Europe to produce sections or components of the C-17 and C-130Js, in exchange for a commitment to buy these aircraft. This, obviously, would have a major impact on the future of the A-400 military airlift aircraft.

We are working a strategy for how to respond.

Action: None for now. Information Only.

SENSITIVE

The Boeing Company
P.O. Box 516 M/C S100-1015
St. Louis, MO 63166-0516

BOEING

Lockheed Martin Corporation
P.O. Box 748 Fort Worth, TX 76101
Telephone (b)(6)

LOCKHEED MARTIN

March 22, 2002

Mr. Edward "Pete" Aldridge
Under Secretary of Defense (Acquisition, Technology, and Logistics)
The Pentagon, Room 3E933
Washington, D.C. 20330

Dear Secretary Aldridge:

We appreciate your engagement and candor during our recent discussions with you regarding the overall defense posture in Europe and more specifically, the near term airlift shortfall in Europe. As a follow-up to those discussions, we at Boeing and Lockheed Martin have jointly evaluated the airlift requirements facing Europe and continue to be convinced that a hi-low mix of C-17s and C-130J offer an ideal and timely solution to meeting their requirements. Recent military action in Macedonia, Bosnia, and most recently "Operation Enduring Freedom" has highlighted the airlift shortfall, while validating the tremendous capability and flexibility a mix of C-17s and C-130Js provide. These aircraft provide a responsive capability across the full spectrum of airlift requirements ranging from austere, short field tactical operations, to the movement of large outsize cargo delivered directly into the conflict arena. A European commitment to these products would insure NATO and our coalition partners have interoperability with US air mobility forces, and could provide tremendous logistics advantages.

We clearly recognize that selection of a new aircraft, and the proposed development of the A400, represents for Europe more than just a rapid deployment capability. Rather it is a complex mix of jobs, national pride, and technology development. To date, the A400 has not enjoyed unified support from the participating nations and continues to face funding shortages. The likelihood that this $6B development program will proceed on schedule or sustain a viable market is suspect. The A400 program is at best focused on a mid-to-long term airlift solution, while the need is very near term. We are prepared to work with the European community to help insure that the job and technology growth that they desire is achieved, if they'll commit to the C-17 and C-130J.

We would respectfully request that during the upcoming CNAD you discuss this hi-low mix of C-17s and C-130Js option with your counterparts. We will then stand ready to send a small senior level envoy into the individual countries to facilitate this initiative. This may well be an opportunity for them to rationalize their investments into more pressing near term defense capabilities, and to capitalize on two proven in-production airlifters -- the C-17 and C-130J.

Gerald E. Daniels
President & Chief Executive Officer
Military Aircraft & Missiles

Dain M. Hancock
Executive Vice President - Lockheed Martin Corporation and
President - Aeronautics Company

snowflake

TO: Doug Feith

FROM: Donald Rumsfeld

SUBJECT: Russian Detainees

My recollection is that Ivanov said Russia would like any Russian detainees at the right moment, and he thought the basis on which we would do it seemed very reasonable.

Please give me a status report. I would like to start getting rid of some of these folks. Do we have any Russians?

Thanks.

DHR:dh
031402-4

Please respond by 03/29/02

Russia

3 Apr 02

snowflake

2002-4 PM 7:17

April 1, 2002 6:44 PM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Officers and Credit Cards

I need a report on the 700 officers who supposedly defaulted on their credit cards. Please find out from Dov what the status is.

Thanks.

DHR:dh
040102-50

Please respond by 04/12/02

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

COMPTROLLER

OFFICE OF THE SECRETARY OF DEFENSE

INFO MEMO

2002 APR 17 PM 5:25

April 16, 2002, 2:13 PM

FOR: SECRETARY OF DEFENSE

FROM: Dov S. Zakheim APR 17 2002

SUBJECT: Review of Military Officers Delinquent on Travel Card Debt

- April 1, 2002, the Secretary requested a report on 700 officers who supposedly defaulted on their credit card (TAB A). On March 18, 2002, Senator Grassley and Congressman Horn sent you a list of military officers who defaulted on $1.3 million of Travel Card charges. The list provided was as of December 2001. The Defense Finance and Accounting Service (DFAS) obtained an updated list (as of March 2002) from Bank of America (Bank) and conducted a review to determine the status of each account. The results of their review are as follows:

	Army	Navy	Marine Corps	Air Force	Total
Can Deduct from Current Pay	202	42	12	18	274
Can Deduct from Future Pay	8	2	0	3	13
Pay Deductions Not Possible	82	9	21	26	138
Not Submitted For Pay Action/ Request Withdrawn by Bank	198	44	14	27	283
Total	**490**	**97**	**47**	**74**	**708**

- Of the $1.0 million still delinquent as of March 2002, one-half will be collected for the Bank through payroll action by DFAS.

- The 283 accounts not submitted represent accounts paid in full between December and March, accounts where the officer agreed to a payment plan, or accounts where the Bank chose to utilize a debt collection service or write off the balance.

400.13

16 APR 02

U06897 /02

- The Services are reviewing the list to determine appropriate actions to be taken.

COORDINATION: TAB B

Prepared By: Jim Dominy, (b)(6)

COORDINATION SHEET

Army	Sandra Pack	Assistant Secretary of the Army (Financial Management & Comptroller)	April 12, 2002
Navy	Dino Aviles	Assistant Secretary of the Navy (Financial Management & Comptroller)	April 12, 2002
Air Force	Bruce Lemkin	Principal Deputy Assistant Secretary of Air Force (Financial Management & Comptroller)	April 12, 2002

THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

INFO MEMO

ACQUISITION, TECHNOLOGY AND LOGISTICS

FOR: SECRETARY OF DEFENSE

FROM: Mr. E. C. "Pete" Aldridge, Under Secretary of Defense (Acquisition, Technology and Logistics) 9/5/02

SUBJECT: "Chicago Tribune Article" Snowflake

- The Chicago Tribune article (Tab B) stated air concentrations exceed legal limits. This statement is misleading. Air concentrations cited in the article are not synonymous with personal exposure to beryllium. Air concentrations do not account for protective devices such as respirators or exhaust systems that remove contaminants from the breathing zone.

- When the use of beryllium can be avoided, DoD has taken steps to do so, including substituting other products when possible. In cases where we still must use beryllium, we limit and monitor worker exposures. If air concentrations reach one-half the exposure limit, action is taken. Actions may include issuing personal protective equipment, installing engineering controls and performing medical monitoring.

- The Lymphocyte Proliferation Test (LPT) is a blood test to identify workers who have become sensitive to beryllium. A positive test does not mean an individual will become ill. DoD does not centrally mandate blood tests to screen for beryllium exposure. DoD does not prohibit using the LPT test. Instead, local occupational health teams employ a combination of workplace monitoring, respiratory protection, engineering controls such as ventilation, hazardous material minimization and medical monitoring (which may include blood tests) to protect workers from beryllium.

- A required report to Congress signed out on 13 February 2002 (TAB C) summarizes DoD beryllium usage and worker exposure. The report concludes DoD is effective in beryllium related disease prevention.

- A paragraph by paragraph analysis of the Tribune article is located in Tab D.

Attachments:
As stated

Prepared by: Curtis Bowling, (b)(6) 3296-2003AT

TAB

A

10:32 AM

TO: David Chu

FROM: Donald Rumsfeld DR

DATE: March 4, 2002

SUBJECT: *Chicago Tribune* Article

Please get me a short report that is clear, unambiguous, declaratory sentences as to what this article in *The Chicago Tribune* is about concerning legal safety limits on beryllium.

Thank you.

DHR/azn
030402.10

Attach: "Military Exposed to Toxic Metal" *Chicago Tribune*, 3/3/02, by Sam Roe

Please respond by: 3/11/02

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From the Chicago Tribune

Military exposed to toxic metal

Defense agency fails to screen for beryllium disease

By Sam Roe
Tribune staff reporter

March 3, 2002

U.S. military personnel have been exposed to the highly toxic metal beryllium at dozens of Army, Air Force, Navy and Marine Corps facilities, with some levels exceeding legal safety limits, a Tribune investigation has found.

Despite the serious risks, the Department of Defense has ignored federal health guidelines by failing to provide simple blood tests to determine if workers have been harmed.

The Defense Department's inaction is in sharp contrast to steps taken by the Department of Energy, which has tested thousands of its weapons workers and discovered that hundreds of people have been harmed by beryllium, a lightweight metal whose dust can cause an often fatal lung disease.

The screening is highly recommended by federal health agencies, including the Occupational Safety and Health Administration and the National Institute for Occupational Safety and Health, as well as by independent scientists and physicians. Early detection is important because it allows treatments that can attempt to limit lung damage.

Beryllium disease has been found in virtually every industry in which the metal has been used. Experts said that if the Defense Department were to provide the blood tests to its servicemen and women and civilian employees, many illnesses would be found.

"There are going to be cases of beryllium disease," said Dr. Milton Rossman, a University of Pennsylvania medical professor and a leading beryllium researcher. "There's no question about it."

The Defense Department said that it has employed numerous safeguards, such as respirators and exhaust ventilation, to protect workers and that the decision to screen employees rests with doctors at each of its facilities. But military officials said they were unaware of any defense facility screening beryllium workers.

Tiny bits of beryllium dust--amounts invisible to the naked eye--can be deadly. Studies show that about 3 percent of those exposed to it develop the disease, an incurable illness that slowly damages the lungs and leaves many victims unable to breathe without the aid of an oxygen tank.

Court and government documents show that beryllium dust has been detected at dozens of current and former military sites in 23 states, with some dust counts exceeding the federal limit.

One Air Force job category--aircraft maintenance--has experienced, on average, dust levels twice the legal limit, a recent Pentagon report shows.

Defense Department officials, who would respond only to written questions, estimated that 9,513 military and civilian personnel might have been exposed to beryllium dust in the past 10 years.

The agency has used the strong, lightweight metal for more than a half-century in a variety of applications, including aircraft brakes, helicopter components and major missile systems, such as the Minuteman, Patriot and Sidewinder.

The department reported it could not estimate how many military and civilian personnel have been exposed over that 50-year period.

Nor could it say how many workers employed at firms under contract with the Defense Department have been exposed, though a 1989 Pentagon document said the number "could be very substantial."

While the agency reported that only one of its workers has contracted beryllium disease since the 1940s, studies have long shown that the illness is often misdiagnosed or goes undetected.

The Energy Department, for instance, reported few cases of beryllium disease until it started screening workers in the early 1990s.

Now, 729 current and former workers at Energy Department sites, including seven at Argonne National Laboratory outside Chicago, have been found to have either the disease or blood abnormalities linked to the disease.

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But the Tribune found that the Defense Department--one of the nation's largest beryllium users--has a record of slow response to the beryllium issue that spans more than a decade:

- As early as 1989, the Defense Department resisted the idea of notifying workers who might have been exposed to beryllium and offering them medical tests. The agency feared such a program could lead to expensive lawsuits and disrupt supplies of the valuable metal, a 1989 Defense Department document shows.

- Many defense facilities are unable to say how much beryllium dust has been produced at their sites or how many workers have been exposed. Several contacted by the Tribune reported rarely testing the air for beryllium. OSHA guidelines recommend regular sampling.

- While the Energy Department has created a nationwide program to compensate nuclear weapons workers harmed by beryllium and other substances, the Defense Department has no such program to handle similar claims.

The Energy Department, responsible for maintaining the nation's nuclear arsenal, has compensated hundreds of ailing workers employed by the agency, its contractors or its suppliers.

The Defense Department oversees the Army, Air Force and Navy and their weapons programs, including tanks, jets and ships. Even though the Defense Department reports only one beryllium illness ever among its employees--a civilian in the 1940s--several defense contractors or suppliers have reported beryllium disease cases, according to physicians and court records disclosed in lawsuits.

A report last year by the General Accounting Office, Congress' investigative arm, lists 73 current and former Defense Department sites where beryllium dust has been detected in the past 20 years. They include Navy shipyards, military hospitals and some of the nation's largest Army bases.

Forty-six sites are run by the Navy, 17 by the Army, five by the Air Force and five by the Marines, part of the Navy.

Some sites reported to the Tribune that they only occasionally handle tiny amounts of beryllium or quit using the metal years ago. Others reported working with the metal frequently and in ways that could create toxic dust.

The precise levels of exposure at each facility are unclear. Officials at some sites would not release data or said they could not easily find it.

Several officials said screening has not been conducted, in part, because beryllium dust levels have been minimal.

But a Pentagon report released last month shows that some levels have been over the legal limit.

The report shows that four job categories--two in the Navy and two in the Air Force--have had average dust counts above the OSHA standard. The report does not specify the time period studied.

One job involves naval dental lab operations. Beryllium is often mixed with other metals to make crowns and bridges, a common use in the private sector.

The Pentagon report shows 21 additional job categories have caused significant amounts of dust, above levels that federal authorities said should trigger safety precautions. Defense Department officials would not elaborate on the exposure levels or what specific safety precautions were taken.

In addition, court records disclosed in a beryllium-related lawsuit show that dust counts were occasionally over the legal limit at the former Newark Air Force Base in Ohio in the 1970s.

OSHA is responsible for the safety of civilians at military sites, while the armed services oversee uniformed personnel. OSHA said it could not easily determine how often inspectors have found beryllium violations at defense locations.

The legal exposure limit is 2 micrograms of beryllium dust per cubic meter of air, an amount roughly equal to a marble-size piece of beryllium distributed evenly throughout a football stadium.

Because such tiny amounts can cause the disease, even those who don't work directly with the metal can be at risk. Testing at the Energy Department and in private industry has uncovered disease in secretaries, nurses, guards and construction workers.

And because people usually develop beryllium disease years after their last exposure--up to 40 years later--health officials recommend that workers be tested every few years.

About 1,300 people in a variety of industries have contracted beryllium disease since the 1940s, when the illness was discovered. Historically, about one-third of beryllium victims have died from the illness.

Dr. Lee Newman, a scientist at the National Jewish Medical and Research Center in Denver and the physician who has diagnosed the most beryllium cases, said the military has an obligation to deal with "such an obvious public health issue."

A light, strong metal

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Lighter than aluminum yet stiffer than steel, beryllium has been a critical material in weapons production since World War II.

But in 1943 scientists linked the metal to lung disease. They found that when workers machined, sanded or otherwise altered beryllium, the resulting dust damaged the lungs.

Exposure limits were set and safeguards implemented, but workers continued to get sick, primarily at private processing plants supplying the metal to the weapons program. Government-owned facilities actually building the weapons were thought to be relatively safe.

Then, in 1984, a machinist at the Energy Department's Rocky Flats nuclear weapons plant outside Denver was diagnosed with beryllium disease, the first documented case at an Energy Department facility.

Over the next few years, Newman helped develop a blood test to determine whether a worker's immune system was reacting to beryllium exposure. The test didn't show whether someone had the illness; further tests, such as a lung biopsy, were needed for that. But for the first time doctors could easily determine who was affected by beryllium before symptoms such as coughing and shortness of breath appeared.

Scientists first used the blood test about 1990 at the Rocky Flats bomb plant, helping uncover additional cases of disease. The Energy Department considered contacting workers at its other facilities and offering them medical tests too.

But Defense Department officials raised several concerns about the idea.

If the Energy Department conducted a notification and testing program, would the Defense Department "be compelled to institute a similar 'alert' to its hundreds of contractors who have either manufactured or maintained beryllium containing weapon systems?" a deputy assistant defense secretary wrote to the Office of Management and Budget in 1989.

The defense official wrote that beryllium was currently used in many Defense Department weapons systems and that "past occupational exposure to beryllium occurred among [Defense Department] civilian employees, military members, and contractor personnel."

Furthermore, the official wrote, the Defense Department was concerned that a notification program would result in lawsuits against the government, similar to costly asbestosis claims against the Navy.

The Defense Department also was concerned about possible suits against the nation's sole beryllium producer, Brush Wellman, stating that the Energy Department's plan might "adversely impact future supplies of this important material."

In the end, the Energy Department went ahead and tested its workers.

To date, it has screened 27,800 workers at 18 facilities, finding 183 with beryllium disease and 546 more with blood abnormalities.

Government admits harm

With cases of the disease mounting and media scrutiny intensifying, Energy Secretary Bill Richardson in 1999 made a historic announcement: He acknowledged that nuclear weapons workers had been harmed by exposure to beryllium – the first time the government had admitted that nuclear workers had become ill in the course of weapons production.

He and several members of Congress hailed the victims as Cold War heroes and unveiled a plan to compensate them.

The proposal, which eventually was expanded to include radiation and silica victims, sailed through Congress and was signed into law in 2000, the first new worker entitlement program in 20 years.

But there was a glaring omission in this groundbreaking effort: Only weapons workers associated with the Energy Department were eligible for compensation; those working for the Defense Department were not.

A former high-level government official who was instrumental in the decision said that the Clinton administration and others pushing the compensation plan had no choice. The Defense Department was adamantly opposed to having its workers covered.

The official, who requested anonymity, said the Defense Department feared that a compensation program could spark lawsuits against its contractors.

Lobbyist Richard Miller said that if supporters had insisted that Defense Department workers be included in the plan, the Pentagon would have used its political muscle to kill the entire proposal.

"The smartest thing we could do in moving this legislation was to stay out of the way of the Defense Department," said Miller, who represented unionized Energy Department contract workers.

Under the Energy Department program, the government has paid $91 million in compensation to 1,272 people.

The Defense Department said it does not need to create a special injury compensation program because help already exists: Ailing servicemen and women are treated at military hospitals while former members can go to Veterans Affairs facilities.

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Workers employed by contractors and suppliers, the agency said, receive aid through state worker's compensation programs.

But this is not always the case.

In some states, ailing workers must file claims within a few years of their last known exposure to toxic substances. But beryllium disease can take up to 40 years to appear. So some workers' claims were rejected because the statute of limitations had run out.

Ralph Dean of Nokesville, Va., is one of those. He worked with beryllium in the 1960s and 1970s at Atlantic Research Corporation, a Defense Department contractor in Gainesville, Va.

In 1994, he was diagnosed with beryllium disease. When he applied for worker's compensation with the state of Virginia, his claim was denied because he had not filed within five years of his last known exposure, which was in 1973, court records state.

Dean said he then tried to get compensation from the Energy Department but was turned down because he had worked for a Defense Department contractor and not an Energy firm.

The 67-year-old now has a persistent cough and said he cannot walk a few blocks without stopping to rest. He said he hopes the Defense Department will offer blood tests to all of its workers and compensate those who were harmed.

"It will come eventually," he said. "It's got to. Public opinion is on the side of the people who have been exposed."

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Department of Defense
Report to Congress
Beryllium Work-Related Illnesses

11-L-0559/OSD/8054

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Department of Defense
Report to Congress

Beryllium Work-Related Illnesses

1 May 2001

I. EXECUTIVE SUMMARY

This report is prepared in response to the request in the House of Representatives Report, Section 8120 accompanying the Defense Appropriations Act for Fiscal Year 2001. The report directed the Secretary of Defense to submit a report to congressional defense committees on work-related illnesses in the DoD workforce, including the workforce of Department contractors and vendors, resulting from exposure to beryllium or beryllium alloys. The report includes potential costs of compensation of Defense workforce employees for such illnesses, and whether such compensation is justified or recommended by the Secretary of Defense.

Based on available information and corporate knowledge no cases of Acute Beryllium Disease (ABD) or Chronic Beryllium Disease (CBD) or beryllium sensitization for military personnel have been reported. However, during the 1940s, one DoD civilian employee was diagnosed with CBD and subsequently received compensation from the Department of Labor. We are unable to determine the amount of compensation this employee received. No other beryllium-related illnesses have been reported other than the aforementioned case. We have not paid workers' compensation to our employees as a result of exposure to beryllium. Because of our low incidence of disease, ongoing occupational disease prevention efforts, and availability of injury compensation for current and former DoD employees under current law, we believe additional injury compensation legislation is not needed for DoD employees who were potentially exposed to beryllium.

II. BACKGROUND

A. Acute and Chronic Beryllium Disease

Lightness, strength, and other attributes have made beryllium useful in a wide array of products, such as aircraft, spacecraft, X-ray equipment, and nuclear weapons. However, beryllium is considered hazardous. Health effects from high exposure to beryllium particles were first noted in the early 20th century. Beginning in the 1940s, scientists linked exposure to beryllium with an inflammatory lung condition now called chronic beryllium disease, which can be debilitating and, in some cases, fatal. Today, questions remain about the level of exposure that poses a risk and exactly how chronic beryllium disease develops. In the 1950s, studies showed that beryllium caused cancer in laboratory animals. National and international organizations now consider beryllium a human carcinogen. The magnitude of the risk from current occupational exposure levels (as shown in Appendix 1) is not known, but thought to be minimal.

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Acute beryllium disease (symptoms lasting less than 1 year) result from relatively high exposure to soluble beryllium compounds (i.e., compounds that can be at least partially dissolved). This disease usually has a quick onset and resembles pneumonia or bronchitis. High exposures may also cause skin lesions. The earliest cases of this disease involved severe overexposure to beryllium that affected the lungs and skin of fluorescent light workers in the 1930s. This is now rare due to improved industrial protective measures designed to reduce exposure levels. Symptoms of acute beryllium disease occur soon after the exposure to beryllium and include acute nasopharygitis, tracheobronchitis, and chemical pneumonitis.

Chronic beryllium disease is caused by an allergic-like reaction to beryllium. Even brief exposure to very low levels can lead to this disease, which often has a slow onset and involves changes to lung tissue that reduce lung function. This is the prevalent form of the disease and is essentially incurable. The main symptom is a chronic, delayed type of chemical pneumonitis. Onset of chronic beryllium disease symptoms may occur years after exposure to beryllium. In addition to acute beryllium disease and chronic beryllium disease, skin contact with beryllium compounds can cause skin rashes.

B. Legislative Action

On July 15, 1999, President Clinton issued a Memorandum to the Secretaries of Defense, Labor, and Energy, the Attorney General, the Director of the Office of Management and Budget, and the Assistant to the President for Economic Policy regarding occupational illness compensation for Department of Energy contractor personnel. The Memorandum explained the Administration's intent to submit legislation to create a program to give Department of Energy contractor employees with CBD and beryllium sensitivity compensation benefits similar to those available to Federal employees. This legislative proposal was submitted to Congress on November 1, 1999.

In October of 2000, Congress passed into law the Energy Employees Occupational Illness Compensation Program. This program provides compensation for Department of Energy federal employees as well as contractor and vendor employees who are suffering from chronic beryllium disease and other work-related illnesses associated with the manufacture of nuclear weapons.

Because Congress believes it would be prudent to have an understanding of whether the use of beryllium in DoD has resulted in a similar situation for the Defense workforce, it directed the Secretary of Defense in the FY 2001 Defense Appropriations Act, Section 8120 to submit a report to congressional defense committees on work-related illnesses, to include potential costs of compensation of workforce employees for such illnesses in the DoD workforce including the workforce of Department contractors and vendors. The report should include recommendations on whether compensation is justified or recommended by the Secretary of Defense.

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C. Injury Compensation

Both current and former military members receive medical treatment and disability payments for service connected illnesses. Civilian employees are covered for workplace illnesses through the Federal Employee Compensation Act (FECA). DoD contractors and vendors receive compensation for work-related illnesses from their State workmen's compensation agency. We rely on the contractor/vendors to provide a safe workplace for their employees in accordance with OSHA standards and regulations.

III. PROCEDURE, METHODOLOGY, AND TIME PERIODS

Section 8120 (b) requires the use, to the maximum extent practicable, of the Department of Energy's procedures, methodology, and time periods. The Department of Energy used an interagency panel of public and occupational health experts to review previously published peer-reviewed epidemiological studies conducted at 40 contractor-operated industrial sites and research laboratories that historically employed over 600,000 workers. These studies were conducted over approximately a 50-year period. The panel concluded that evidence from these studies indicate some current and former contractor workers at Department of Energy nuclear weapons production facilities may be at increased risk of illness from occupational exposures to ionizing radiation and other chemical and physical hazards associated with the production of nuclear weapons. The panel also concluded that it was not possible to answer questions about the relationship between an individual's illness and that worker's occupational exposures.

In contrast to the Department of Energy's methodology, the Department of Defense is not aware of published epidemiological studies (spanning 50-years) on exposed DoD beryllium workers or contractors/vendors. The Department of Energy has a well-defined contractor population; while DoD's beryllium exposed contractor/vendor population is undefined. Information contained in this report was obtained through queries of DoD's Injury and Unemployment Compensation System (spanning a 40 year time period and the Defense Medical Surveillance System (spanning a 10 year time period) and each Military Service Department's occupational health database (spanning a 10-20 year time period). The numbers reported in Section IVC are the best estimates, given the time and resource constraints for the Report generation. It is not considered to be within the scope of this report to determine the causal link between exposure to beryllium and its associated illness.

IV. REPORT ELEMENTS

A. Description of precautions used by DoD and its contractors and vendors to protect their current employees from beryllium-related disease

DoD's Occupational Health and Safety program requires performance of routine workplace health hazard assessments, medical surveillance for early detection of exposure, and installation of work process controls (i.e. local exhaust ventilation, airline respiratory protection) to eliminate or reduce exposures. These precautions have served effectively to minimize the occurrence of

acute and chronic beryllium disease and beryllium sensitization by DoD personnel. In addition, material substitution have practically eliminated the possibility of exceeding current limits for beryllium.

Contract relationships are governed by Defense Federal Acquisition Regulations (DFAR). In accordance with the DFAR, DoD contractors and vendors are required to comply with all Occupational Safety and Health (OSHA) Regulations. OSHA standards require employers to install local exhaust ventilation, provide airline respirators and establish an aggressive medical surveillance program to reduce or prevent occupational exposure to beryllium. DoD relies on the contractor and vendor to provide a safe workplace for their employees in accordance with OSHA standards.

B. Identification of elements of the Department of Defense and of contractors and vendors to the DoD that use or have used beryllium or its alloys in production of products for DoD

The Army reported 17 locations, the Air Force 5 locations and the Navy 51 locations where beryllium was used. These locations are listed in Table 1. Defense employees perform a variety of operations, which may expose them to beryllium. These include welding, sandblasting, soldering, grinding, etc. Additional overseas locations and ships where beryllium was used include the Army Facilities in Wuerzburg, Germany, and Navy locations in Okinawa, Japan; Roosevelt Roads in Puerto Rico, and Rota in Spain, and the following Navy ships: the U.S.S. Camden, the U.S.S. Enterprise, the U.S.S. John F. Kennedy, the U.S.S. Lasalle, and the U.S.S. Theodore Roosevelt.

Table 1: DoD Beryllium Use Locations

State	Branch	Location
Alabama	Army	Anniston Army Depot
California	Navy	Coronado Naval Amphibious Base
California	Air Force	McClellan Air Force Base
California	Navy	North Island Naval Air Station
California	Navy	San Diego Naval Station
California	Navy	San Diego Navy Public Works Center
Colorado	Army	Fort Carson
Connecticut	Navy	New London Naval Submarine Base
District of Columbia	Army	Walter Reed Army Medical Center
District of Columbia	Navy	Washington Navy Public Works Center
Florida	Navy	Jacksonville Naval Air Station
Florida	Navy	Jacksonville Naval Dental Center
Florida	Navy	Jacksonville Naval Hospital
Florida	Navy	Key West Naval Air Station

State	Branch	Location
Florida	Navy	Mayport Naval Station
Florida	Navy	Naval Surface Warfare Center/Coastal Systems Station
Florida	Navy	Pensacola Naval Air Station
Florida	Navy	Pensacola Naval Aviation Depot
Florida	Navy	Pensacola Navy Public Works Center
Florida	Navy	Whiting Field Naval Air Station
Georgia	Navy	Albany Marine Corps Logistics Base
Georgia	Air Force	Warner Robins Air Force Base
Hawaii	Navy	Pearl Harbor Naval Station
Hawaii	Army	Tripler Army Medical Center
Illinois	Navy	Great Lakes Naval Dental Center
Indiana	Navy	Naval Air Warfare Center/Aircraft Division
Indiana	Navy	Naval Surface Warfare Center/Crane Division
Louisiana	Army	Louisiana Army National Guard
Louisiana	Army	Fort Polk
Maine	Navy	Brunswick Naval Air Station
Maine	Navy	Portsmouth Naval Ship Yard
Maryland	Navy	Aberdeen Proving Ground
Maryland	Navy	Carderock Naval Surface Warfare Center
Maryland	Navy	National Naval Dental Center
Maryland	Navy	Naval Explosive Ordnance Disposal Technology Division
Maryland	Navy	Naval Surface Warfare Center/Indian Head Division
Maryland	Navy	Patuxent River Naval Air Station
Maryland	Navy	United States Naval Academy
Mississippi	Navy	Gulfport Naval Construction Battalion Center
Mississippi	Navy	Pascagoula Naval Station
Nevada	Navy	Fallon Naval Air Station
New York	Army	Fort Drum
New York	Army	Waterliet Arsenal
North Carolina	Navy	Camp Lejeune Marine Corps Base
North Carolina	Navy	Cherry Point Marine Corps Air Station
North Carolina	Army	Fort Bragg
Oklahoma	Army	Fort Sill
Oklahoma	Army	McAlestser Army Ammunition Plant
Oklahoma	Army	Oklahoma Army National Guard
Oklahoma	Air Force	Tinker Air Force Base
Pennsylvania	Army	Tobyhanna Army Depot
Pennsylvania	Navy	Willow Grove Naval Air Station
South Carolina	Navy	Parris Island Marine Corps Recruiting Depot
Texas	Army	Corpus Christi Army Depot

Texas	Navy	Corpus Christi Naval Air Station
Texas	Navy	Corpus Christi Naval Control of Shipping Organization
Texas	Army	Fort Hood
Texas	Navy	Ingleside Naval Station
Texas	Air Force	Kelly Air Force Base
Texas	Navy	Kingsville Naval Air Station
Utah	Air Force	Hill Air Force Base
Virginia	Army	Fort Eustis
Virginia	Navy	Little Creek Naval Amphibious Base

We do not have a data registry that lists contractors and vendors that have used or provided DoD beryllium-containing products. It would be extremely labor intensive and costly for DoD to manually search historical records to accurately identify all contractors and vendors who have provided us these products. In some cases vendor products may contain trace or small amounts of beryllium that DoD is not aware of.

C. Number of employees in DoD and contractors and vendors exposed to beryllium or its alloys products

Listed below are the estimated numbers of exposed/potentially exposed personnel to beryllium or its alloys that we could identify in our occupational health surveillance databases.

*Table 2: Exposed/Potentially Exposed DoD Employees (Estimated)

[illegible]	[illegible]
Navy/Marines	**6,946**
Army	**67**
Air Force	**2,500**
Total	**9,513**

*Note: These are estimated numbers in accordance with Section 8120, paragraph (c)(3). The record keeping methods and procedures followed during the past 60 years (since 1940) does not lend itself to readily getting accurate numbers of personnel exposed/potentially exposed to beryllium at each worksite. Getting more accurate numbers would entail an enormous fiscal and manpower effort. Even if we undertook such an effort, we believe that the accuracy of those numbers might still lack completion and unequivocal validation.

We do not have a data registry that contains DoD contractor or vendor workers who were potentially exposed to beryllium. It would be extremely labor intensive and costly for DoD to manually search historical records or contact the companies to identify all contractor employees exposed to beryllium-containing materials. We rely on our contractors/vendors to provide a safe workplace for their employees in accordance with Occupational Safety and Health Administration standards and regulations. Our contractors and vendors are required to track and report workplace illnesses to the Department of Labor.

D. Characterization of the amount, frequency, and duration of potential exposure of DoD employees to beryllium

Listed below are mean values of various workplace concentrations for beryllium. Air sampling data were obtained from each Military Department for a variety of high risks job categories that expose employees to beryllium. This list is not all-inclusive. A brief description of these categories is included in Appendix 1. Air concentrations listed in Table 3 are from sampling data collected in the workplace. Air levels do not represent actual employee exposure to beryllium. Employees in workplaces where known concentrations of beryllium exist are provided respiratory devices, local exhaust ventilation to remove contaminants from the breathing zone, and protective clothing to prevent skin contact.

Table 3: Navy Workplace Beryllium Concentrations

Navy High Risk Job Categories	*Mean Air Concentrations (µg/m3)
Building Maintenance	0.000189
Dental Lab Operations	0.002925
Clean Up Activities	0.001126
Electrical Work	0.000067
Equipment Monitoring	0.000309
Fire Watch	0.0000047
Heat Treating	0.00223
Flight Operations	0.0001
Man Made Fibers	0.0004
Metal Operations	0.000109
Motor Vehicle Maintenance	0.00027
Cutting Operations	0.0000641

Additional High Risk Job Categories	Mean Air Concentrations (µg/m3)
Aircraft Maintenance	0.00536
Blasting, Grinding/Sanding	0.000474
Heat Treat	0.00132
Waste	0.008

[illegible]	[illegible]
Dental Operations	0.0007933
Electrical Work	0.0003333
Equipment Repair	0.0001
Laboratory Prosthetics	0.0003828
Machine Shop	0.0001429
Maintenance	0.0008285
Sandblast (Abrasive)	0.0001376
Vehicle Maintenance	0.0015667
Weapons	0.0001
Welding Activities	0.0004321

*Occupational Safety and Health Administration's Permissible Exposure Limit for an 8-hour time-weighted average is 0.002 mg/m^3, taken from "Standard Number CFR 1910.1000 TABLE Z-2 Standard Title: TABLE Z-2 SubPart Number: Z SubPart Title: Toxic and Hazardous Substances. "

E. Identification of the number of instances of acute beryllium disease, chronic beryllium disease, or beryllium sensitization

DoD has used beryllium under proper safety and health precautions for many years. Because we are an end user of beryllium-containing products, potential occupational exposures are relatively small.

A search of the Defense Medical Surveillance System for the past decade indicated no military personnel have been diagnosed with ABD, CBD or beryllium sensitization. In addition, the Compensation and Pension Service of the Veterans Benefits Administration (VBA) has no corporate knowledge of claims for beryllium-related diseases. We could not perform a historical search of the VBA disability database because beryllium disease claims do not have a separate disability code.

For civilian employees, we reviewed historical injury compensation records and the Department of Defense's Civilian Personnel Management Service, Injury and Unemployment Compensation System for beryllium-related compensation claims. Only one injury claim was recorded. This injury was filed during the 1940s and was not paid by DoD. The civilian employee received compensation from the Department of Labor for an undetermined amount. No other beryllium-related illnesses were recorded or compensation claims filed for acute or chronic beryllium-related disease.

DoD does not have a data registry, which contains DoD contractor or vendor potential beryllium-related illnesses. It would be extremely labor intensive and costly for DoD to perform a manual search of military (for periods prior to 1990) and contractor/vendor records for beryllium-related illnesses and exposure data.

F. Estimated costs if DoD were to provide workers' compensation benefits

A search of historical record found no cases of acute beryllium disease or chronic beryllium disease for military personnel. However, during the 1940s, one DoD civilian employee was diagnosed with chronic beryllium disease and subsequently received compensation from the Department of Labor. We are unable to determine the amount of compensation this employee received. No other beryllium-related illnesses have been reported. We have not paid workers' compensation to our employees as a result of exposure to beryllium in non-nuclear work environments.

V. CONCLUSION

Based on available information and corporate knowledge which indicates a low incidence of beryllium-related disease and our continuous workplace disease prevention measures and the availability of injury compensation for current and former DoD employees under current law, we believe additional injury compensation for Department of Defense employees potentially exposed to beryllium is not needed.

Because DoD is an end user of beryllium containing products, potential occupational exposures are relatively small. Our Occupational Health and Safety program, which includes conducting routine health hazard assessments, medical surveillance for early detection of exposure, respiratory protection and ventilation system controls, serves as an effective means to prevent the occurrence of acute and chronic beryllium diseases or beryllium sensitization. In addition, our aggressive pollution prevention efforts have practically eliminated exposure by replacing beryllium with less hazardous materials.

Currently military members receive treatment for workplace illnesses at military (or contract) medical facilities. Former members receive medical treatment from the Veterans' Administration (VA) for illnesses incurred as a result of their service. Both current and former military members receive medical treatment and disability payments for service connected illnesses. Civilian employees are covered for workplace illnesses through the Federal Employee Compensation Act (FECA). No military or civilian beryllium-related diseases have been reported.

DoD contractors and vendors receive compensation for work-related illnesses from their state workmen's compensation agency. We rely on the contractor/vendors to provide a safe workplace for their employees in accordance with OSHA standards and regulations.

Based on the above information, we do not recommend additional compensation for DoD federal and contractor/vendor employees, other than that which is already provided by DoD, VA, and FECA for the federal employees, and State Workmen's Compensation available to the contractor/vendor employees.

Appendix 1

HIGH RISK JOB CATEGORIES DEFINED (AIR FORCE)

[illegible] High Risk Job Categories	High Risk Job Categories Defined	Number of Samples [illegible]
Aircraft Maintenance	Aircraft Structural Maintenance Brake Gear Box Refrigeration Vehicle Maintenance	40
Blasting, Sanding or Grinding	Blasting Abrasive Blasting (Gear Box) Structural Unit Turbine Machine Shop	31
Heat Treat	Heat Treat	19
Waste	Waste - Sludge Operations	1

HIGH RISK JOB CATEGORIES DEFINED (ARMY)

[illegible] Job Categories	High Risk Job Categories Defined	Number of Samples in Each Group
Dental Operations	Prosthetics Molding or Extruding	15
Electrical Work	Soldering	3
Equipment Repair	Small Engine Equipment Repair Soldering	2
Laboratory Prosthetics	Prosthetics Work	29
Machine Shop	Grinding Machining	7
Maintenance	Maintenance Shop ARC Welding	7
Sandblast (Abrasive)	Abrasive Blasting Sandblast Cabinet	8
Vehicle Maintenance	Vehicle Motor Pools Maintenance	10
Weapons	Weapons Firing	8
Welding Activities	Gas Metal ARC Welding MVM Welding Welding Operations	81

Grouping Risk for Category	Specific Risk Category Defined	Number of Samples in Each Group
Building Maintenance	Building Maintenance, NEC	10
Clean Up Activities	Abrasive Blast Cleanup, Glass Bead, Glove Box, Hopper Tending/Helper, Hydro, Mineral Grit, Organics, Sand, Shot Alkali Cleaning, Etching Boiler Cleaning Cleaning Chemical Multiple Operations Handling/Cleanup Multiple Operations, Handling/Cleanup, NEC Ship Clean Up Other Cutting Clean up RD PR Other Cutting CESSES, NEC THERM Clean up, L SPR Clean up, YING, Multiple Other Cutting, PER Clean up, TI Other Cutting, NS	156
Dental Operations	Dental Prosthetics Dental Filling/Drilling Dental Multiple Operations	57
Electrical Work	Electrical Soldiering Electronics Repair Installation/Repair	7
Equipment Monitoring	Equipment Monitoring Equipment Repair Brake/Gearbox Repair Equipment Repair Mechanical Assembly Repair	27
Fire Watch	Hot Work Helper/Fire Watch	22
Flight Operations	Flight Operations	1
Heat Treating	Heat Treating/ Hardening, Multiple Operations	18
Man Made Fibers	Man Made Fibers	1
Metal Operations	Metal Abrasive sanding Metal Cleaning Mechanical Metal Cutting Metal Forming Metal Grinding, Metal Machining Metal Multiple Operations Metal NEC Metal Other Metal Piercing Metal Punching Metal Sanding ***Metal Turning***	62
Motor Vehicle	Motor Vehicle Maintenance, Brake Work	4

Specific Tasks for Category	Key Activities for Category Tasks	Number of Samples in Each Category
Maintenance		
Cutting Operations	Air Carbon ARC Cutting Cutting Multiple Operations Cutting, NEC Flux Core Processes Oxygen Cutting Plasma Cutting Torch Soldering	49
Painting	Spray Painting, Compressed Air Painting, Multiple Operations	4
Production of Utilities	Production/ Dist of Utilities, NEC	3
Materials Handling	Supply and Materials Handling, Multiple Operations	4
Smelt Operations	Small Melt/Pour Operations	4
Tool Issue	Tool and Parts Issue	5
Welding Activities	Welding Air Carbon ARC Welding Brazing Welding Gas Metal ARC Welding Oxyfuel Welding Plasma ARC Welding Resistance Welding Shielded Metal ARC Welding Solid State	82
Water Treatment Operations	Water Treatment Multiple operations Water Treatment, NEC	3

TAB

D

Paragraph by Paragraph Analysis of 3 Mar 2002 Chicago Tribune Article "Military Exposed to Toxic Metal"

Chicago Tribune Article	DoD Analysis
U.S. military personnel have been exposed to the highly toxic metal beryllium at dozens of Army, Air Force, Navy and Marine Corps facilities, with some levels exceeding legal safety limits, a Tribune investigation has found.	• "Legal Safety Limits" is misleading. There is no such thing as a "legal safety limit" for beryllium. • Occupational exposure limits are generally a "time weighted average" covering an 8-hour work period. The occupational exposure limit for beryllium is 2 micrograms per cubic meter over an 8 hour period. • The results cited in the Tribune article were averages of individual samples, not calculated "time weighted" average exposures. It is incorrect to compare individual sample results with the 8-hour occupational exposure limit. • If exposures reach one-half of the occupational exposure limit, DoD takes action. Action may include issuing respirators or installing ventilation systems. • Sampling results do not account for respirator use.
Despite the serious risks, the Department of Defense has ignored federal health guidelines by failing to provide simple blood tests to determine if workers have been harmed.	• DoD has not ignored any guidelines. DoD does not mandate blood tests and DoD does not prohibit blood tests. • Decisions for medical monitoring, such as blood tests, are made locally by the occupational health staff of the medical facility. • The blood test referred to is called the BeLPT, which stands for beryllium lymphocyte proliferation test. • The BeLPT does not show whether someone has been harmed by beryllium; it simply shows whether they have developed sensitivity to beryllium.
The Defense Department's inaction is in sharp contrast to steps taken by the Department of Energy, which has tested thousands of its weapons workers and discovered that hundreds of people have been harmed by beryllium, a lightweight metal whose dust can cause an often fatal lung disease.	• A positive blood test result does not indicate "harm". DoD's occupational health program stresses minimizing exposure. There is no inaction.

Chicago Tribune Article	DoD Analysis
The screening is highly recommended by federal health agencies, including the Occupational Safety and Health Administration and the National Institute for Occupational Safety and Health, as well as by independent scientists and physicians. Early detection is important because it allows treatments that can attempt to limit lung damage.	• Screening is recommended by agencies listed. • Text of OSHA's recommendation: "Employers should consider sending beryllium-exposed employees to a physician or other licensed health care professional to be evaluated for beryllium sensitization or the presence of chronic beryllium disease (CBD). The screening examination for chronic beryllium disease usually begins with a chest x-ray and a blood test for beryllium sensitization, namely, the BeLPT, plus any further evaluation considered appropriate by the health care professional." • DoD workplace surveys are reviewed by licensed health care professional, generally a physician, to design a medical monitoring plan for exposed workers. • Early treatment of chronic beryllium disease (before symptoms develop) is not indicated. The BeLPT blood test can detect beryllium sensitization before symptoms develop, but cannot diagnose chronic beryllium disease, nor can it be used to determine when a person should be treated.
Beryllium disease has been found in virtually every industry in which the metal has been used. Experts said that if the Defense Department were to provide the blood tests to its servicemen and women and civilian employees, many illnesses would be found.	• Blood test does not indicate presence of disease. • Open ended statements.
"There are going to be cases of beryllium disease," said Dr. Milton Rossman, a University of Pennsylvania medical professor and a leading beryllium researcher. "There's no question about it."	• Open ended statement.
The Defense Department said that it has employed numerous safeguards, such as respirators and exhaust ventilation, to protect workers and that the decision to screen employees rests with doctors at each of its facilities. But military officials said they were unaware of any defense facility screening beryllium workers.	• DoD does screen workers exposed to beryllium. For example, the Navy does medical surveillance, which includes a review of medical history, physical, chest x-ray, and a lung function test. • There are a few cases where BeLPT blood test has been used, including Portsmouth Naval Shipyard and Cherry Point Naval Aviation Depot. • Medical screening decisions rest with the local occupational health physician who considers specific information about the type of work performed. Medical screening for beryllium can include more than the BeLPT blood test.

Chicago Tribune Article	DoD Analysis
Tiny bits of beryllium dust--amounts invisible to the naked eye--can be deadly. Studies show that about 3 percent of those exposed to it develop the disease, an incurable illness that slowly damages the lungs and leaves many victims unable to breathe without the aid of an oxygen tank.	• True.
Court and government documents show that beryllium dust has been detected at dozens of current and former military sites in 23 states, with some dust counts exceeding the federal limit.	• Use of the term "federal limit" is misleading. The limit cited is for an eight hour exposure and does not consider whether workers are wearing protective equipment such as respirators.
One Air Force job category--aircraft maintenance--has experienced, on average, dust levels twice the legal limit, a recent Pentagon report shows.	• The results cited in the Tribune article were averages of individual samples, not calculated "time weighted" average exposures. • It is not valid to directly compare average results with the 8 hour exposure limit unless specific conditions of sampling are known.
Defense Department officials, who would respond only to written questions, estimated that 9,513 military and civilian personnel might have been exposed to beryllium dust in the past 10 years.	• True
The agency has used the strong, lightweight metal for more than a half-century in a variety of applications, including aircraft brakes, helicopter components and major missile systems, such as the Minuteman, Patriot and Sidewinder.	• True
The department reported it could not estimate how many military and civilian personnel have been exposed over that 50-year period.	• True. Although improving, historical exposure records are not complete or comprehensive.
Nor could it say how many workers employed at firms under contract with the Defense Department have been exposed, though a 1989 Pentagon document said the number "could be very substantial."	• DoD has no registry of contractor personnel exposed to beryllium. DoD relies on the contractor to provide occupational health services for its employees. • Department of Energy (DOE) worker and contractor exposure to beryllium is fundamentally different from exposure to DoD contractors and workers. DoD is predominantly an end user of beryllium. DOE, especially in weapons production, performs more work in higher risk production tasks involving beryllium.

Chicago Tribune Article	DoD Analysis
While the agency reported that only one of its workers has contracted beryllium disease since the 1940s, studies have long shown that the illness is often misdiagnosed or goes undetected.	• Chronic beryllium disease is difficult to diagnose. It is also difficult to absolutely conclude occurrence of beryllium disease from a records search as was performed for the report to Congress. The report identified only one known case of chronic beryllium disease. • It cannot be concluded that there has been only one case of chronic beryllium disease in the history of DoD.
The Energy Department, for instance, reported few cases of beryllium disease until it started screening workers in the early 1990s.	• True.
Now, 729 current and former workers at Energy Department sites, including seven at Argonne National Laboratory outside Chicago, have been found to have either the disease or blood abnormalities linked to the disease.	• Assumed true.
But the Tribune found that the Defense Department--one of the nation's largest beryllium users--has a record of slow response to the beryllium issue that spans more than a decade:	• Matter of opinion. DoD performs limited work with beryllium that causes airborne particles. • DoD is aggressive in eliminating exposures to hazardous material whenever possible.
- As early as 1989, the Defense Department resisted the idea of notifying workers who might have been exposed to beryllium and offering them medical tests. The agency feared such a program could lead to expensive lawsuits and disrupt supplies of the valuable metal, a 1989 Defense Department document shows.	• Unclear as to what document is being cited. • DoD has maintained an aggressive Occupational Health program which includes medical exams. • It is true that there is only American beryllium supplier and concern for availability of a critical material would be reasonable.
- Many defense facilities are unable to say how much beryllium dust has been produced at their sites or how many workers have been exposed. Several contacted by the Tribune reported rarely testing the air for beryllium. OSHA guidelines recommend regular sampling.	• Air sampling is indicated where work processes could allow small particles of beryllium to become airborne. • OSHA guidelines recommend regular air sampling for beryllium where there is a potential for beryllium particles to be airborne. It is unclear whether sites contacted by the Tribune had a risk of airborne beryllium exposure.

Chicago Tribune Article	DoD Analysis
- While the Energy Department has created a nationwide program to compensate nuclear weapons workers harmed by beryllium and other substances, the Defense Department has no such program to handle similar claims.	• DoD relies on the Veteran's Administration and Federal Employee Compensation Act to handle such claims. • DoD report, cited in article, concludes that DoD does not need an additional compensation program for workers exposed to beryllium based on review of medical claims, and use and exposure to beryllium. • DoD is predominantly an end user of beryllium while DOE has been more involved in higher risk production operations with beryllium.
The Energy Department, responsible for maintaining the nation's nuclear arsenal, has compensated hundreds of ailing workers employed by the agency, its contractors or its suppliers.	• True.
The Defense Department oversees the Army, Air Force and Navy and their weapons programs, including tanks, jets and ships. Even though the Defense Department reports only one beryllium illness ever among its employees--a civilian in the 1940s--several defense contractors or suppliers have reported beryllium disease cases, according to physicians and court records disclosed in lawsuits.	• DoD does not have a registry of contractors exposed to beryllium. DoD relies on the contractor to take care of health and safety needs of its employees. • DoD could positively identify one case of beryllium disease from the record search performed in preparing the report to Congress. This does not mean that only one case of beryllium disease ever occurred in the population of defense workers.
A report last year by the General Accounting Office, Congress' investigative arm, lists 73 current and former Defense Department sites where beryllium dust has been detected in the past 20 years. They include Navy shipyards, military hospitals and some of the nation's largest Army bases.	• True
Forty-six sites are run by the Navy, 17 by the Army, five by the Air Force and five by the Marines, part of the Navy.	• True
Some sites reported to the Tribune that they only occasionally handle tiny amounts of beryllium or quit using the metal years ago. Others reported working with the metal frequently and in ways that could create toxic dust.	• Assumed true.
The precise levels of exposure at each facility are unclear. Officials at some sites would not release data or said they could not easily find it.	• Assumed true. We do not know the specific locations or who was interviewed.
Several officials said screening has not been conducted, in part, because beryllium dust levels have been minimal.	• Assumed true. Reasonable approach.

Chicago Tribune Article	DoD Analysis
But a Pentagon report released last month shows that some levels have been over the legal limit.	• Statement is misleading. DoD report to Congress did not contain nor does it consider the specifics of sampling. Comparing average sample results to an exposure standard is invalid.
The report shows that four job categories--two in the Navy and two in the Air Force--have had average dust counts above the OSHA standard. The report does not specify the time period studied.	• Report shows 4 categories with average sample results greater than the 8 hour exposure limit. • Navy recently found errors in original reporting of data for Heat Treating operation. Substituting correct values decreases the average below the 8 hour exposure limit. • It is invalid to conclude from these results that workers were or are overexposed to beryllium. • Local occupational health organizations address specific instances of exposure.
One job involves naval dental lab operations. Beryllium is often mixed with other metals to make crowns and bridges, a common use in the private sector.	• True.
The Pentagon report shows 21 additional job categories have caused significant amounts of dust, above levels that federal authorities said should trigger safety precautions. Defense Department officials would not elaborate on the exposure levels or what specific safety precautions were taken.	• DoD takes precautions, such as respirator use or installation of ventilation when exposures reach one-half of the 8 hour exposure limit. Specific precautions are recommended locally by occupational health staffs.
In addition, court records disclosed in a beryllium-related lawsuit show that dust counts were occasionally over the legal limit at the former Newark Air Force Base in Ohio in the 1970s.	• Possible, unconfirmed. This does not necessarily mean workers were overexposed. DoD policy is to implement corrective actions when concentrations exceed one-half of the exposure limit.
OSHA is responsible for the safety of civilians at military sites, while the armed services oversee uniformed personnel. OSHA said it could not easily determine how often inspectors have found beryllium violations at defense locations.	• Actually, employers are responsible for health and safety of its employees. OSHA is basically a regulator and performs inspections to find noncompliance.
The legal exposure limit is 2 micrograms of beryllium dust per cubic meter of air, an amount roughly equal to a marble-size piece of beryllium distributed evenly throughout a football stadium.	• Actual example published by OSHA is two micrograms per cubic meter is roughly equivalent to a marble-sized piece of material that is pulverized and dispersed into an area 1 mile x 1 mile x 6 feet.
Because such tiny amounts can cause the disease, even those who don't work directly with the metal can be at risk. Testing at the Energy Department and in private industry has uncovered disease in secretaries, nurses, guards and construction workers.	• Misleading. Employees not directly working with beryllium could be at risk if exposed. It is unclear from the example stated what the circumstances of exposure were. It is also unclear whether individuals listed were sensitive to beryllium or actually were diagnosed with chronic beryllium disease.

Chicago Tribune Article	DoD Analysis
And because people usually develop beryllium disease years after their last exposure--up to 40 years later--health officials recommend that workers be tested every few years.	• It is unclear which "health officials" are being cited. Testing should occur if the physician feels exposure history indicates. Frequency of testing is a decision best made by the physician handling the specific case.
About 1,300 people in a variety of industries have contracted beryllium disease since the 1940s, when the illness was discovered. Historically, about one-third of beryllium victims have died from the illness.	• Assumed true.
Dr. Lee Newman, a scientist at the National Jewish Medical and Research Center in Denver and the physician who has diagnosed the most beryllium cases, said the military has an obligation to deal with "such an obvious public health issue."	• DoD tries to deal forthrightly in all areas of public health.
A light, strong metal	
Lighter than aluminum yet stiffer than steel, beryllium has been a critical material in weapons production since World War II.	• True.
But in 1943 scientists linked the metal to lung disease. They found that when workers machined, sanded or otherwise altered beryllium, the resulting dust damaged the lungs.	• Exposure to beryllium could cause disease. Article leads one to believe disease in inevitable, it is not.
Exposure limits were set and safeguards implemented, but workers continued to get sick, primarily at private processing plants supplying the metal to the weapons program. Government-owned facilities actually building the weapons were thought to be relatively safe.	• Misleading. Exposure history of workers who got sick are not stated. Complete facts are not provided. The type of "sickness" is not specified.
Then, in 1984, a machinist at the Energy Department's Rocky Flats nuclear weapons plant outside Denver was diagnosed with beryllium disease, the first documented case at an Energy Department facility.	• Assumed true.

Chicago Tribune Article	DoD Analysis
Over the next few years, Newman helped develop a blood test to determine whether a worker's immune system was reacting to beryllium exposure. The test didn't show whether someone had the illness; further tests, such as a lung biopsy, were needed for that. But for the first time doctors could easily determine who was affected by beryllium before symptoms such as coughing and shortness of breath appeared.	• True. Chronic Beryllium Disease (CBD) only develops in workers who have become sensitized to beryllium. A sensitized worker is one who has developed an allergic reaction to beryllium. A worker may become sensitized at any point during job exposure, or in some cases may not become sensitized until after leaving a job where there has been beryllium exposure. Beryllium sensitization can be detected through the use of a blood test called the BeLPT, which stands for beryllium lymphocyte proliferation test. This test measures how specific white blood cells called lymphocytes react to beryllium. • A positive test result means that a worker is sensitized. Not all sensitized workers contract chronic beryllium disease.
Scientists first used the blood test about 1990 at the Rocky Flats bomb plant, helping uncover additional cases of disease. The Energy Department considered contacting workers at its other facilities and offering them medical tests too.	• Assumed true. Caution should be advised not to use references to the BeLPT blood test interchangeably with "medical test". The blood test is a medical test, but there are other medical tests that do not necessarily include the blood test.
But Defense Department officials raised several concerns about the idea.	• Unclear on which "officials" are being referred to.
If the Energy Department conducted a notification and testing program, would the Defense Department "be compelled to institute a similar `alert' to its hundreds of contractors who have either manufactured or maintained beryllium containing weapon systems?" a deputy assistant defense secretary wrote to the Office of Management and Budget in 1989.	• A reasonable question.
The defense official wrote that beryllium was currently used in many Defense Department weapons systems and that "past occupational exposure to beryllium occurred among [Defense Department] civilian employees, military members, and contractor personnel."	• Statement true. Unclear what "Defense Official" is being quoted.
Furthermore, the official wrote, the Defense Department was concerned that a notification program would result in lawsuits against the government, similar to costly asbestosis claims against the Navy.	• Unclear who "Defense Official" is. Context of statement is unclear, but "concern" would certainly be a valid reaction.

Chicago Tribune Article	DoD Analysis
The Defense Department also was concerned about possible suits against the nation's sole beryllium producer, Brush Wellman, stating that the Energy Department's plan might "adversely impact future supplies of this important material."	• There is only one American beryllium supplier. Concern on an interrupted supply of a critical material would be reasonable.
In the end, the Energy Department went ahead and tested its workers.	• DOE established protocols for testing workers who were exposed to beryllium.
To date, it has screened 27,800 workers at 18 facilities, finding 183 with beryllium disease and 546 more with blood abnormalities.	• Assumed true.
Government admits harm	
With cases of the disease mounting and media scrutiny intensifying, Energy Secretary Bill Richardson in 1999 made a historic announcement: He acknowledged that nuclear weapons workers had been harmed by exposure to beryllium--the first time the government had admitted that nuclear workers had become ill in the course of weapons production.	• Assumed true.
He and several members of Congress hailed the victims as Cold War heroes and unveiled a plan to compensate them.	• Assumed true.
The proposal, which eventually was expanded to include radiation and silica victims, sailed through Congress and was signed into law in 2000, the first new worker entitlement program in 20 years.	• Assumed true.
But there was a glaring omission in this groundbreaking effort: Only weapons workers associated with the Energy Department were eligible for compensation; those working for the Defense Department were not.	• Report to Congress concludes DoD does not need additional compensation for beryllium related disease based on a review of beryllium use and exposure in the DoD.
A former high-level government official who was instrumental in the decision said that the Clinton administration and others pushing the compensation plan had no choice. The Defense Department was adamantly opposed to having its workers covered.	• Open ended accusation. "Official" not identified, rationale not clear.
The official, who requested anonymity, said the Defense Department feared that a compensation program could spark lawsuits against its contractors.	• Open ended accusation.
Lobbyist Richard Miller said that if supporters had insisted that Defense Department workers be included in the plan, the Pentagon would have used its political muscle to kill the entire proposal.	• DoD can not legislate or lobby. Open ended accusation.

Chicago Tribune Article	DoD Analysis
"The smartest thing we could do in moving this legislation was to stay out of the way of the Defense Department," said Miller, who represented unionized Energy Department contract workers.	• An opinion.
Under the Energy Department program, the government has paid $91 million in compensation to 1,272 people.	• Assumed True.
The Defense Department said it does not need to create a special injury compensation program because help already exists: Ailing servicemen and women are treated at military hospitals while former members can go to Veterans Affairs facilities.	• True.
Workers employed by contractors and suppliers, the agency said, receive aid through state worker's compensation programs.	• Basically true. Contractors, not DoD, are expected to provide occupational health services for their employees.

Chicago Tribune Article	DoD Analysis
But this is not always the case. In some states, ailing workers must file claims within a few years of their last known exposure to toxic substances. But beryllium disease can take up to 40 years to appear. So some workers' claims were rejected because the statute of limitations had run out. Ralph Dean of Nokesville, Va., is one of those. He worked with beryllium in the 1960s and 1970s at Atlantic Research Corporation, a Defense Department contractor in Gainesville, Va. In 1994, he was diagnosed with beryllium disease. When he applied for worker's compensation with the state of Virginia, his claim was denied because he had not filed within five years of his last known exposure, which was in 1973, court records state. Dean said he then tried to get compensation from the Energy Department but was turned down because he had worked for a Defense Department contractor and not an Energy firm. The 67-year-old now has a persistent cough and said he cannot walk a few blocks without stopping to rest. He said he hopes the Defense Department will offer blood tests to all of its workers and compensate those who were harmed. "It will come eventually," he said. "It's got to. Public opinion is on the side of the people who have been exposed."	• Statute of limitations established by States are not controllable by the DoD. • Occupational health services for contract employees are the responsibility of the contractor. • This example establishes that Mr. Dean worked for a Defense contractor. It does not establish that his work there was the likely cause of his illness.

snowflake

10:22 AM

TO: David Chu

FROM: Donald Rumsfeld DR

DATE: March 4, 2002

SUBJECT: *Chicago Tribune* Article

Please get me a short report that is clear, unambiguous, declaratory sentences as to what this article in *The Chicago Tribune* is about concerning legal safety limits on beryllium.

Thank you.

DHR/azn
030402.10

Attach: "Military Exposed to Toxic Metal" *Chicago Tribune*, 3/3/02, by Sam Roe

Please respond by: 3/11/02

received in HA 3/8/02 9:20

720

8 Mar 02

TOTAL P.02

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

POLICY

INFO MEMO

I-02/005293

FOR: SECRETARY OF DEFENSE

FROM: Under Secretary of Defense for Policy (Douglas J. Feith, (b)(6)) 4/5/02

SUBJECT: Upcoming Defense Policy Advisory Group (DPAG) meeting

As you may know, I am travelling to the Middle East at the end of the month to chair the annual DPAG meeting in Israel.

My office has picked up indications that the State Department may push for us to cancel the DPAG, on the grounds that it might complicate US peace diplomacy. I am not now inclined to cancel.

My planned trip will include a visit to Egypt and a session of the US-Jordan Joint Military Commission (JMC) in Amman. It will also include a trilateral meeting with the Israelis and Egyptians to discuss reconfiguration of the US presence in the MFO.

DSD 4/5/02
No action by you is needed at the moment.
Doug Feith.

Prepared by: David Schenker, Country Director, (b)(6)

DASD

11-L-0559/OSD/8082

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3/26
1730
snowflake
snowflake

9:58 AM

TO: Larry Di Rita

FROM: Donald Rumsfeld

DATE: March 23, 2002

SUBJECT: **Congressional Visits**

We probably ought to have Allard or Shelby down for lunch or breakfast some time.

Thanks.

DHR/azn
032302.08

Please respond by: _____

→ Powell Moore

Larry Di Ri
4/5

23 MAR 02

U06229 /02

snowflake

CLOSE HOLD

Eyes Only

April 5, 2002 10:56 AM

TO: Honorable Colin Powell

CC: Vice President Richard B. Cheney
Honorable George Tenet
Honorable Condoleezza Rice

FROM: Donald Rumsfeld

SUBJECT: International Criminal Court (ICC)

Thanks for the copy of your April 2 memo to the President on the International Criminal Court. I have these final thoughts on this issue:

1. I continue to feel that the U.S. should formally notify the depositary of our decision not to become a party now, rather than in June. As we all agree, the ICC is a bad treaty. I feel we have an obligation, to ourselves and to other countries, to tell them the truth. Waiting until after the 60th nation deposits instruments of ratification and the Treaty goes into force would be failing to provide needed leadership.

2. The ICC Treaty would apply even to nationals of countries that are not parties. This is a new and dangerous development in international law. If we don't fight the Treaty it likely will be used to damage U.S. interests in other fields, not just the ICC.

3. I also feel that it is inadvisable to delay notifying the depositary until after the UN Commission on Human Rights concludes at the end of April. The argument that action now could provoke resolutions in that body supporting the ICC may be correct, but, if so, it would elevate the issue and give us a valuable chance to make our case.

4. The argument is made that making our notification immediately could make the Treaty an unwanted focus at the upcoming EU and Ministerial meetings. If so, that focus could be helpful, since we are on the right side of the issue. It will give us a chance to describe the problems for the NATO and EU ministers so they will know how strongly we object to the Treaty. They need to understand the risks if the U.S. becomes hesitant to deploy forces when there is the probability of the ICC harassing, trying and putting U.S. folks in jeopardy.

Eyes Only

CLOSE HOLD

11-L-0559/OSD/8084

U06274 /02

We need to tell them that and urge them to not sign, to withdraw signature, or to withdraw as a party to the ICC.

5. I don't believe that opposing the Treaty would make it more difficult for us to reach bilateral agreements with other states. Quite the contrary, elevating the issue and helping our friends understand how harmful the ICC would be would help us as we undertake the dozens and dozens of bilateral negotiations that will be necessary if the Treaty enters into force.

6. General Myers informs me that the Joint Chiefs of Staff recently reaffirmed their long-standing position of full protection from prosecution by the ICC, recognizing the only way to achieve it is by stopping entry into force. However, since entry into force is likely, the JCS advocate an enhanced effort to negotiate bilateral agreements.

7. I know that George Tenet feels as strongly as General Myers and I feel.

8. Attached are some points on the dangerous aspects of the ICC. You will note that the ICC rules are roughly what our European allies were criticizing President Bush for with respect to what they imagined the "military tribunals" might be. We need to point out the hypocrisy of it all.

I am sorry to belabor this matter, but I do believe it is an issue that merits our prompt attention.

Regards,

Attachment:
04/04/02 "Dangerous Aspects of the International Criminal Court (ICC)"

DHR:dh
040302-4

APR 0 4 2002

DANGEROUS ASPECTS OF THE INTERNATIONAL CRIMINAL COURT (ICC)

- U.S. not a party, but court could prosecute U.S. citizens anyway.
- Court and its prosecutor will operate beyond the control of any country.
- Insufficient checks and balances against politically motivated prosecutions.
- Undefined war crimes may be added without consensus agreement.
- Lacks constitutional protections for our citizens. For instance, no right to jury trial.
- No statute of limitations.
- U.S. citizens could be subjected to "double jeopardy."
- Crime of "aggression" (still to be defined) could result in U.S. citizens, (soldiers, leaders, civilians) being prosecuted for their part in lawful military operations.
- Court should not have authority to decide a State has committed an "act of aggression."

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

COMPTROLLER

INFO MEMO

April 9, 2002, 9:00 AM

FOR: SECRETARY OF DEFENSE

FROM: Dov S. Zakheim APR 9 2002

SUBJECT: Spare Parts for Air Force Aircraft at Nellis Air Force Base

- On March 18, 2002, you commented that the Air Force's spare parts availability is "worrisome."
- The FY 2002 Amended Budget and the FY 2003 Budget provide a down payment for the improvement of mission capable rates:

($ in Millions)

	FY 2001	Change	FY 2002	Change	FY 2003
O&M, Air Force	24,520	+1,061	25,581	+1,724	27,305
Spares and Spare Parts	2,913	+857	3,770	+462	4,232

- In addition to funding, a variety of factors affect mission capable rates such as personnel management (including availability of senior technicians and mechanics), training availability, operating tempo that increases demand beyond the estimated and budgeted levels, and production lead times (which average approximately 12 months) of equipment ordered.
- Non-mission capable for supply rates, which reflect spare parts availability, are similarly affected by factors beyond the control of the Air Force such as production lead time. Thus, the FY 2001 funding increase may not improve rates in FY 2002. However, the increased funding in FY 2002 and in FY 2003 should significantly improve mission capable rates in FY 2003 and FY 2004.

COORDINATION: None.

Prepared By: John M. Evans, (b)(6)

11-L-0559/OSD/8087 U06308 /02

snowflake

March 18, 2002 9:24 AM

TO: Dov Zakheim

CC: Gen. Myers

FROM: Donald Rumsfeld

SUBJECT: Spare Parts at Nellis

I just read your memo of March 13. I don't find that improvement impressive—it is modest. To go from 11.4 percent in 2001 to 11.1 percent in 2002 is not acceptable.

What do we need to do to fix this? I think it is worrisome.

Thanks.

Attach.
03/13/02 USD(C) memo to SecDef re: Spare Parts for Air Force Aircraft at Nellis AFB [U04643/02]

DHR:dh
031802-11

Please respond by 04/05/02

3/14
1400

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

COMPTROLLER

SECRETARY OF DEFENSE
2002 MAR 14 AM 10: 08

SECDEF HAS SEEN

MAR 18 2002

INFO MEMO

March 13, 2002, 10:00 PM

FOR: SECRETARY OF DEFENSE

FROM: Dov S. Zakheim

SUBJECT: Spare Parts for Air Force Aircraft at Nellis Air Force Base

- The spare parts situation at Nellis Air Force Base has improved, as a result of initiatives to increase the availability of aircraft spare parts.
  - Mission capable rates (MCR) for the F-16s stationed at Nellis were 75.8 percent in FY 1999, 79.6 percent in FY 2001, and are projected to be 80.2 percent in FY 2002.
  - The MCR for the A-10 and F-15 aircraft at Nellis similarly improved.
- The situation has also improved in terms of another readiness metric, Not Mission Capable for Supply rate. This rate reflects circumstances when aircraft cannot undertake a mission due to problems with spare parts not in stock.
  - For the F-16, this rate declined from 14.3 percent in FY 1999 to 11.4 percent in FY 2001 and is estimated to be 11.1 percent in FY 2002.
  - The A-10 and F-15E aircraft rates similarly improved.
- Nevertheless, the Air Force believes that the F-15 spare parts availability at Nellis may decrease in FY 2002 as the spares in the supply system for F-15 aircraft are pushed to improve the readiness of aircraft supporting ongoing operations.
- Overall, mission capable rates for the Active Air Force were 72.9 percent in FY 2000, 73.5 percent in FY 2001, and are expected to be 76.2 percent in FY 2002. This improvement results from the initiatives (including $962 million in FY 2002) to

SPL ASSISTANT DI RITA	
SR MA GIAMBASTIANI	
MA BUCCI	
EXECSEC WHITMORE	3/19

1104643 /02

improve readiness through increased funding for spare parts, for readiness spares packages for deploying aircraft, and for realistic budgeting of flying hour costs.

COORDINATION: NONE.

Prepared By: John M. Evans, (b)(6)

snowflake

February 21, 2002 10:42 AM

TO: Dov Zakheim

FROM: Donald Rumsfeld DR

SUBJECT: Spare Parts

I got a lot of concern about spare parts for Air Force aircraft out at Nellis AFB.

What is the situation?

Thanks.

DHR:dh
022102-10

Please respond by 03/08/02

3/15

Response attached

Larry Di Rita
3/15 3/16

02feb154

snowflake

March 18, 2002 9:24 AM

TO: Dov Zakheim

CC: Gen. Myers

FROM: Donald Rumsfeld

SUBJECT: Spare Parts at Nellis

I just read your memo of March 13. I don't find that improvement impressive—it is modest. To go from 11.4 percent in 2001 to 11.1 percent in 2002 is not acceptable.

What do we need to do to fix this? I think it is worrisome.

Thanks.

Attach.
03/13/02 USD(C) memo to SecDef re: Spare Parts for Air Force Aircraft at Nellis AFB [U04643/02]

DHR:dh
031802-11

Please respond by 04/05/02

HS2.13

18MAR02

snowflake

Snap 8 March 1315 x22

February 22, 2002 7:44 AM

TO: Paul Wolfowitz

FROM: Donald Rumsfeld DR

SUBJECT: First Use

Do we have a policy on no first use of nuclear weapons or the negative statements that apparently Vance and Christopher made that Bolton has been talking about?

Thanks.

DHR:dh
022202-8

Please respond by 03/08/02

3/8 - Cal D
Your note on this subj. had snap of 6 March #03478/02
But Policy did NOT make their Due OUT Date
- Assume This is STILL Wkg?
3/15 - Policy STILL Wkg to Reply to DSD

A-4711

30 Mar 02

QSTN #(1) - Reply NEF-0874/I 02/004410
QSTN #(2) - Reply EF-0873/I-02/003187

Snowflake

April 8, 2002 7:18 AM

TO: Honorable Colin Powell

CC: Honorable Condoleezza Rice

FROM: Donald Rumsfeld

SUBJECT: U.S. Financial Commitment

I was concerned that at the Principals' meeting the other day Dobbins said he had committed the U.S. to give 20 percent of all the costs for the training of the Afghan army.

The U.S. spent billions of dollars freeing Afghanistan and providing security. We are spending a fortune every day. There is no reason on earth for the U.S. to commit to pay 20 percent for the Afghan army.

I urge you to get DoS turned around on this—the U.S. position should be zero. We are already doing more than anyone.

Thanks.

DHR:dh
040602-10

8 Apr 02

snowflake

April 6, 2002 12:51 PM

TO: Honorable Paul O'Neill

FROM: Donald Rumsfeld

SUBJECT: Tax Code

012

Joyce and I just did our taxes. I didn't have enough time to turn the pages, let alone read them—there are close to a hundred pages. I have paid hundred of thousands of dollars to my taxman to fill them out, as I know you would have had to do were it not your son helping you!

Why don't we simplify the tax code, my friend? What can I do to help?

Regards,

DHR:dh
040602-5

6 Apr 02

snowflake

14/2

March 27, 2002 8:05 AM

TO: Torie Clarke

FROM: Donald Rumsfeld DR

SUBJECT: Letter

Please have someone draft a letter from me to that little girl—I think her name was Alexander—who interviewed me.

Thanks.

DHR:dh
032702-7

Please respond by 04/05/02

Response attached.
D. Rita

Larry DI Rita
4/8

DS 17 SD

27 MAR 02

THE SECRETARY OF DEFENSE
WASHINGTON, THE DISTRICT OF COLUMBIA

Miss Alexandra Tatarsky
(b)(6)

you wrote

Dear Alexandra,

Thank you for coming to visit me at the Pentagon to discuss the war against terrorism, and to see the many supportive banners and posters sent to us by children from around the United States since September 11. ~~I appreciate that~~ I read The ~~you wrote an~~ article in *TIME for Kids* to explain to other young people about terrorism, and what we need to do to prevent terrorist attacks in the future. Your words will help children feel safer and more informed about what is happening in Afghanistan and around the world.

I found you to be ~~an excellent~~ a fine reporter, and enjoyed the interview greatly. You are doing an important job for the benefit of other young people.

~~Again,~~ It was a pleasure to meet with you.

Sincerely,

Ted

THE SECRETARY OF DEFENSE
WASHINGTON, THE DISTRICT OF COLUMBIA

APR 15 2002

Miss Alexandra Tatarsky
(b)(6)

000.71 SA

Dear Alexandra,

Thank you for coming to visit the Pentagon to discuss the war against terrorism, and to see the many supportive banners and posters sent to us by children from around the United States since September 11.

I read the article you wrote in *TIME for Kids* to explain to young people about terrorism and what we need to do to prevent terrorist attacks in the future. Your words should help children feel better informed about what is happening in Afghanistan and around the world.

You are a fine reporter, and I enjoyed the interview greatly.

It was a pleasure to meet you.

Sincerely,

Donald Rumsfeld

15 APR 02

U06728 02

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

GENERAL COUNSEL

OFFICE OF THE SECRETARY OF DEFENSE

2002 APR 11 AM 6:20

INFO MEMO

April 4, 2002, 5:00 PM

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel WJHaynes 4/8/02

SUBJECT: Holding detainees

- In your note of March 27, you requested a statement regarding the right to hold detainees, including after an acquittal.
- You will recall that the day after your note we assisted in developing a statement on this issue. I believe that the statement, which you used to open the March 28 news briefing, effectively addressed the matter (Tab A).
- In addition, I have attached Qs and As prepared by my staff on this issue (Tab B).

COORDINATION: Tab C

Attachments:
As stated

Prepared by: B. Wilson (b)(6)

U06507 /02

snowflake

March 27, 2002 8:37 AM

TO: Larry Di Rita
Torie Clarke

CC: Doug Feith
Jim Haynes

FROM: Donald Rumsfeld

SUBJECT: Holding Detainees

I told Doug Feith and Jim Haynes after their briefing, that I thought we had not put to bed the issue of why we might keep a detainee after he was acquitted by a commission.

I am afraid I was right.

Let's get a paper that is clear and unambiguous to explain that if a person has charges against him for different crimes and is acquitted of one crime, that he would not necessarily be released if he still has charges against him for other crimes.

Specifically, in a civilian court, if a person were charged with murder as one charge and burglary as another charge, the fact he was acquitted of burglary would not get him off of the murder charge, and he would be detained for that purpose.

So, too, in this instance. If a person is charged with a crime, and in addition is being held as a person who was fighting against Americans, even though he might be acquitted of one particular charge, the fact he would very likely go right back and engage in the battle against us suggests that he should be detained for a period so he cannot go back out and kill Americans. In most wars, prisoners have been detained during the conflict and tried only after the war is over.

Someone should take this statement and develop it into a clear statement in legal language. Then let me look at it, and we can see how we want to use it.

Thanks.

DHR:dh
032702-4

Please respond by 04/12/02

United States Department of Defense

News Transcript

On the web:
http://www.defenselink.mil/news/Mar2002/t03282002_t0328sd.html
Media contact: media@defenselink.mil or +1 (703) 697-5131
Public contact: public@defenselink.mil or +1 (703) 428-0711

Presenter: Secretary of Defense Donald H. Rumsfeld

Thursday, March 28, 2002 - 1:30 p.m. EST

DoD News Briefing - Secretary Rumsfeld and Gen. Myers

(Also participating was Gen. Richard Myers, chairman, Joint Chiefs of Staff.)

[Relevant excerpts]

Finally a word about military commissions. There have been some murmurs in the media about detainees held at Guantanamo Bay, and specifically whether if one who is tried by a military commission and, if acquitted, whether they would then be released or whether they would still be detained. Let me explain this. During the course of this war effort, the United States has detained several hundred enemy combatants. As has been the case in previous wars, the country that takes prisoners generally decides that they would prefer them not to go back to the battlefield. They detain those enemy combatants for the duration of the conflict. They do so for the very simple reason, which I would have thought is obvious -- namely to keep them from going right back and in this case killing more Americans and conducting more terrorist acts. Any combatants who have the good fortune of being captured instead of killed during an armed conflict are normally not in a position to challenge their continued detention. To release enemy captives so that they could return to the battlefield would put the lives of more young American servicemen at risk, and in my view would be mindless.

Let me explain the issue in detail, since it seems to be troubling some people.

Out of the detainees there may be some who committed serious problems and who, if the president were to decide, might be assigned to a military commission to be tried on one or more of those charges. If one were to be acquitted by a commission of, for example, a specific criminal charge, that would not necessarily change the fact that that individual remains an enemy who was captured during an armed conflict, and therefore one who could reasonably be expected to go back to his terrorist ways if released. It might -- the procedures we put in place for the commission to provide full and fair trials. In some cases it might not be possible to establish beyond a reasonable doubt that an individual committed a particular crime, and therefore he might be acquitted of that crime. However, it does not change the fact that he is an enemy combatant. He may be guilty of other crimes, but at the minimum he is someone to be kept off the battlefield, from going right back and killing more Americans.

Even in a case where an enemy combatant might be acquitted, the United States would be irresponsible not to continue to detain them until the conflict is over. Detaining enemy combatants for the duration of a conflict is universally recognized as responsible and lawful. This is fully consistent with the Geneva Conventions and other war authorities. This is a matter of simple common sense, I would say. The detainees include dangerous terrorists who committed brutal acts and are sworn to go back to do it again. To protect the American people, the United States has every right to hold enemy combatants for the duration. Today the conflict is still going on. Our troops are still fighting in Afghanistan, and we do not as yet see an end. That said, we will continue to treat detainees humanely and consistent with the principles of the Geneva Convention. We will proceed with trials. In some cases we will proceed with transfers to another country -- their country of nationality in some cases, and in some cases releases if in fact the additional information proves that they are individuals who could be released without risk to -- that they might conduct additional terrorists acts or go back to the battlefield to oppose what we are doing.

I can assure you the United States does not want to keep any of them any longer than we have to. While we will treat them humanely and lawfully, we will do everything we can to protect the American people and our friends and allies from being attacked again. And we have no intention of releasing people who have shown that they are dedicated to killing more Americans.

Q: How can you justify indefinitely holding detainees—even after they have been acquitted?

- You are mixing apples and oranges. Detention as a function of the war and serving a sentence adjudged at trial are two distinct matters.
- Enemy combatants are detained in the normal course of combat operations. You should not juxtapose their situation with that of being set free; you should compare it with that of being killed. Military forces detain enemy combatants throughout hostilities. They always have. International law permits this completely. We did it in the Revolutionary War, WWI, WWII and every other war.
- Whether or not someone is detained for trial purposes is a separate and distinct issue. Even if someone is acquitted of committing war crimes, that does not suddenly turn them into an ally. Such a person is still an enemy combatant. While we may choose to release them or repatriate them for a variety of reasons, that decision would not be based on what happened at trial. Even the Third Geneva Convention fully contemplates a tried prisoner going right back to the prison camp after his trial, potential conviction, and full service of his sentence.

Q: What Geneva Convention Provisions give us the right to continue holding detainees?

- It is axiomatic that enemy combatants are detained as long as hostilities continue. Article 118 of the Third Geneva Convention Relative to the Treatment of Prisoners of War states that prisoners will be released "after the cessation of active hostilities."
- Other provisions (Art 88, and Art 103) make it clear that prisoners of war can be confined before or after a trial and that that confinement is different from detention associated with being a prisoner of war. For example, Article 88 requires that those who have been tried, convicted and served judicial sentences while Prisoners of War should not be "treated differently from other prisoners of war." Clearly the Convention does not assume they will be released.

Q: Will you allow indefinite detention? What is your authority for long-term detention?

- Under customary international law, a nation involved in an armed conflict can hold captured combatants as long as the conflict continues.

  At this point in time, no one is being detained based on an intent to prosecute.

COORDINATION

Under Secretary of Defense (Policy)	Doug Feith (pending)
Assistant Secretary of Defense (Public Affairs)	Torie Clarke

INFORMATION MEMO

April 4, 2002, 3:00 p.m.

SECDEF - Wanted you to see that you have an important ally.
D.R.R.

FOR: Secretary of Defense
Deputy Secretary of Defense
Secretary of The Army

Larry Di Rita 4/10

V/R P. Verga 4/8/02

FROM: Peter F. Verga, Special Assistant for Homeland Security

SUBJECT: National Guard Draw Down from the Airport Security Mission:

- On 4 April 2002, a meeting to discuss the draw down of National Guard forces from the airport security mission NLT 31 May 2002 was held between representatives of the Office of Homeland Security (OHLS), The Transportation Security Administration (TSA), DoD-HLS Office, Joint Staff and National Guard Bureau (NGB).

- Ms. Jan Brecht-Clark chaired the meeting in place of MG Lawlor. She opened the meeting by stating that the President had clearly indicated that the National Guard deployment in support of the Airport Security Mission would terminate NLT 31 May 2002, and that an extension of that mission would not be entertained.

- ~~TSA provided a brief that outlines their plan of action and a concept for the draw-down. (See Attached)~~

- Transportation Security Administration ~~TSA~~ issued a Security Directive on 2 April 2002, which requires local airport operators to provide sufficient security at airport checkpoints by 10 May 2002. This civilian presence will then enable the withdrawal of National Guard troops. ~~(See Attached)~~

- At this time, transportation ~~TSA~~ does not envision a "phased withdrawal" other than in a limited case-by-case basis, but rather believes that there will be a large-scale replacement of guardsman on 11 May 2002.

- DoD ~~OHLS~~ has requested a weekly update from Transportation ~~TSA~~.

Attachment (s)
As Stated

Prepared by: LCDR Jeffrey Wooden, (b)(6)

CC: PDUSD (P)

325

4 Apr 02

Snowflake

EF1042
02 7005168-USDP

March 25, 2002 1:50 PM

ISA

Afghanistan

TO: Gen. Myers / DJF

FROM: Donald Rumsfeld DR

SUBJECT: Afghan Army

Please give me a clear, one-page point paper, so we can track carefully:

1. How we plan to work building and developing the Afghan Army.
2. Who else is going to help.
3. What it is going to cost.
4. What the schedule is.

Thanks.

DHR:dh
032502-31

Please respond by 04/19/02

USDP -
ISA has lead. Suspense is 4/10. Coord with SOLIC and IS.
V/R
LA

25 MAR 02

FIR 302 1013

11-L-0559/OSD/8109 U06519 /02

snowflake

March 27, 2002 8:37 AM

TO: Larry Di Rita
Torie Clarke

CC: Doug Feith
Jim Haynes

FROM: Donald Rumsfeld

SUBJECT: Holding Detainees

3839.6

I told Doug Feith and Jim Haynes after their briefing, that I thought we had not put to bed the issue of why we might keep a detainee after he was acquitted by a commission.

I am afraid I was right.

Let's get a paper that is clear and unambiguous to explain that if a person has charges against him for different crimes and is acquitted of one crime, that he would not necessarily be released if he still has charges against him for other crimes.

Specifically, in a civilian court, if a person were charged with murder as one charge and burglary as another charge, the fact he was acquitted of burglary would not get him off of the murder charge, and he would be detained for that purpose.

So, too, in this instance. If a person is charged with a crime, and in addition is being held as a person who was fighting against Americans, even though he might be acquitted of one particular charge, the fact he would very likely go right back and engage in the battle against us suggests that he should be detained for a period so he cannot go back out and kill Americans. In most wars, prisoners have been detained during the conflict and tried only after the war is over.

27 Mar 02

Someone should take this statement and develop it into a clear statement in legal language. Then let me look at it, and we can see how we want to use it.

Thanks.

DHR:dh
032702-4

Please respond by 04/12/02

SECRETARY OF DEFENSE
2002 APR 11 PM 1:15

THE SECRETARY OF EDUCATION
WASHINGTON, D C 20202

April 5, 2002

Honorable Donald H Rumsfeld
Secretary of Defense
The Pentagon
Washington, DC 20301

Secretary of Defense
SA0007412

Dear Mr Secretary

On February 12, 2002, President George W Bush signed Executive Order 13256, establishing the White House Initiative on Historically Black Colleges and Universities (WHI/HBCUs) and creating the WHI/HBCUs Board of Advisors The President invited his 22 appointees to the WHI/HBCUs Board to the White House to personally issue a charge to them to foster the vital role that HBCUs play in our nation

The Executive Order establishes the WHI/HBCUs in the Office of the Secretary of Education I am responsible for its funding and activities One of the mandates included in the Order is that each executive department or agency shall appoint a "senior official" to serve as a liaison to the WHI/HBCUs Advisory Board and to the Initiative

Accordingly, I am requesting that you appoint a senior member of your staff to serve as the WHI/HBCUs representative In order to begin aggressively carrying out the President's directives included in the Executive Order, I ask that you make this appointment by April 15, 2002 Please send the name of your designee to

Ambassador Leonard Spearman
Executive Director of the White House Initiative
on Historically Black Colleges and Universities
U S Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Thank you for your assistance with this important effort

Sincerely,

Rod Paige

Rod Paige

Our mission is to ensure equal access to education and to promote educational excellence throughout the Nation

11-L-0559/OSD/8112 U06531 /02

U06531-02

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

ACQUISITION, TECHNOLOGY AND LOGISTICS

23 MAY 2002

Ambassador Leonard Spearman
Executive Director of the White House Initiative
on Historical Black Colleges and Universities
U S Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

334

Dear Ambassador Spearman:

This is in response to a letter from Mr. Rod Paige to the Honorable Donald Rumsfield requesting that a senior member serve as the White House Initiative /Historical Black Colleges and University representative. I have been designated as the senior official for the Department of Defense to serve as the liaison to the WHI/HBCUs Advisory Board. I recognize the importance of this program and look forward to working with your staff. Colonel Curtis A. Wright is my Point of Contact in my office. If you have any additional questions, please contact Colonel Wright (b)(6) or myself, at (b)(6)

Once again, I look forward to working with you and your staff.

Sincerely,

Linda D. Oliver

for FRANK M. RAMOS
Director, Office of Small and
Disadvantaged Business Utilization

(5 MAY 02)

11-L-0[illegible]/OSD/8113

L U06531.02

2703-2002 AT

Ministry of Defence

P.O. Box 20701
2500 ES The Hague

Defensie

OFFICE OF THE SECRETARY OF DEFENSE
2002 APR 12 PM 1:28

To: His Excellency Mr. D. Rumsfeld
Minister of Defence of the United States of America

Your letter	Your reference	Our number	Date
		D2002000908	28 maart 2002

Subject
Key Findings MoD Task Force on "Defence and Terrorism"

Please find herewith the key findings of a task force I established at The Netherlands' Ministry of Defence to review our defence policies after the gruesome terrorist attacks of September 11th.

This document has been prepared specifically for the benefit of comparing notes with Allies, many of whom are now examining the implications of the terrorist threat for their national defence policies. In order to improve our policies and capabilities to deal with the terrorist threat, I believe it would be useful to share experiences and identify best practices. This would usefully inform our discussion on how to adapt the Alliance itself as well as help us exploit to the maximum the possibilities for international cooperation in generating the capabilities we need. I am convinced that NATO needs to respond to the terrorist threat by developing an effective and appropriate contribution in the long term as well as in the short term.

I suggest that, preceding our NATO Defence Ministerial in early June, a meeting at the level of the North Atlantic Council in permanent session be held to discuss the various national defence reviews and their implications for Alliance efforts.

Yours sincerely,

Frank de Grave

U06596 /02

11-L-0559/OSD/8114

The Role of the Military in the Fight Against Terrorism: Key Findings of the Netherlands' Task Force

March 2002

Introduction

1. Following the terrorist attacks of September 11th, 2001, the Netherlands' Minister of Defence established an MoD Task Force to review the role of our armed forces in the fight against international terrorism as well as to recommend measures to better prepare our forces for such a role. This review was part of a much broader policy review by The Netherlands' government in the light of the terrorist threat. The detailed findings of the MoD Task Force were presented to Parliament on January 18th, 2002. This summary has been prepared for the benefit of comparing notes with our Allies, many of whom are engaged in similar policy reviews.

Key Analysis

2. Although terrorism is not a recent phenomenon, the way in which it manifested itself on September 11th has given it a new and far more threatening dimension. We cannot ignore the existence of transnational terrorist groups which are motivated by extremist views and which have the will and the capability to cause very large numbers of civilian (or military) casualties. Their existence is particularly disturbing in the light of the ongoing proliferation of weapons of mass destruction. They clearly pose a potential strategic threat to democratic societies as well as to international security and stability.

3. The fight against terrorism obviously involves a wide range of political, diplomatic, legal, financial and military means. Any effective international response will have to employ the full range of these means. Given the elusive nature of transnational terrorist groups, in many cases military means will not play a dominant role.

4. It is nonetheless fair to say that the role of our military forces in fighting terrorism is likely to increase – and indeed already has increased – in parallel with the emergence of transnational terrorist groups. This is the result of developments that were brought to the fore by the attacks of September 11th:

I **The clear distinction between internal and external security is fading**

Geographical distance used to be an important determinant for our security. In a globalising world, this has become much less important. Terrorist networks such as Al-Qaeda pay no heed to national borders. They are capable of using the complex infrastructure and the technology of our modern societies to their own advantage. In addition, they are able to find protection in remote areas – in part as a result of the disintegration of state structures – and are often closely connected to and intertwined with international organised crime.

II **The clear distinction between terrorism and warfare is fading**

Terrorism is a strategy of the weak and has been considered as primarily a form of low-intensity conflict. Terrorists avoid regular tests of strength; they operate asymmetrically by definition. Given their motivations and the availability of capabilities for mass destruction, however, transnational terrorist groups such as Al-Qaeda may increasingly operate higher up in the spectrum of violence, thereby causing very large numbers of casualties and great economic damage.

III **Military measures are gaining in importance**

It is impossible to protect modern, democratic societies against terrorist attacks by taking only defensive measures. Given the growing threat emanating from transnational terrorist groups, the fight against terrorism may increasingly involve the deployment of military assets against these organisations and/or against states or regimes which provide shelter to these organisations. This may include military action against the infrastructure of such organisations and against potential storage sites of weapons of mass destruction.

5. As we prepare our armed forces for a more prominent role in the fight against terrorism, it is important to note that they can be deployed against terrorist threats in two fundamentally different contexts. They may be called upon to:

I **Provide military support and assistance to civilian authorities at home**

The Ministry of Justice and the Ministry of Home Affairs bear primary responsibility for fighting terrorism at home. The Ministry of Defence mainly has a supporting and complementary role. The defence contribution in this area consists of certain military police tasks as well as civilian tasks, military intelligence support, and, upon request, rendering military assistance to civilian authorities (e.g. with special forces trained and assigned for this purpose).

11-L-0559/OSD/8116

II **Participate in counterterrorist operations abroad**

Our armed forces may be – and indeed have been – called upon to participate in international efforts to fight terrorism abroad. Military activities in this area could be targetted against terrorist organisations as well as against states or regimes which provide shelter to these organisations.

Do We Need to Give Our Armed Forces a New Mission?

6. The armed forces of The Netherlands are presently charged with three core missions:

(a) protecting the integrity of our national territory and of the territory of the Alliance;

(b) promoting the international rule of law and international stability;

(c) supporting civilian authorities in the areas of law enforcement, disaster response and humanitarian assistance.

The MoD Task Force has concluded that the addition of a new core mission for our armed forces is not required since the involvement of our armed forces in the fight against terrorism follows from each of the existing core missions.

7. Within these core missions, however, we need to give more emphasis to preparing our armed forces for the fight against terrorism. Given the nature of the terrorist threat, the Dutch armed forces will in particular need to give more serious consideration to their third mission: supporting civilian authorities. They need to actively prepare themselves for rendering effective and timely military assistance to these authorities and for their function as a "safety net". Military and civilian authorities should and can cooperate much more closely in a variety of ways.

8. The MoD Task Force has underscored that the added emphasis on the third mission does not detract from the importance of the first two missions. In order to protect the integrity of our national territory and the territory of the Alliance, our armed forces need to be able to act against terrorism abroad. Promoting the international rule of law and international stability, if necessary by the deployment of military means, remains of the utmost importance if we are to deny opportunities to terrorist organisations in the future. The fight against terrorism nonetheless sheds a new light on the nature of these two missions. This is particularly true with regard to the first mission: protecting the integrity of our national territory and of the territory of the Alliance. NATO's Ministerial Guidance 2000 stated that, while acknowledging the possibility of significant regional risks to particular Alliance members, there is no serious risk for the foreseeable future of a general offensive against NATO of the kind contemplated in the past. It also noted that while in political and legal terms the distinction between Article 5 and non-Article 5 remains significant, there is little distinction in practical terms for planning the capabilities required. The terrorist attacks of September 11th have confirmed these general guidelines as the basis for our defence planning.

What Kind of Military Capabilities Do We Need?

9. In order to establish a clear and broadly accepted frame of reference, the MoD Task Force has distinguished the following categories for identifying the types of capabilities needed for combating terrorism.

> **Antiterrorism**: defensive measures to reduce the vulnerability of persons, materiel, infrastructure, objects and information and communication systems to terrorist activities.
>
> **Counterterrorism**: offensive measures to track down, prevent, deter, and interdict terrorist activities.
>
> **Consequence management**: measures to limit the consequences of terrorist attacks and to stabilise the situation in the aftermath of such attacks.

10. In order for our forces to participate effectively in counterterrorist operations, they need to be rapidly deployable, flexible, "joint", and trained and equipped to operate with great precision. The MoD Task Force has determined that there is a significant overlap between efforts to enhance crisis management capabilities in the framework of NATO's Defence Capabilities Initiative and the EU's Headline Goal and the need to enhance military capabilities required for combating terrorism. A number of these efforts have merely gained in importance in the light of the terrorist threat, in particular those related to Unmanned Aerial Vehicles (UAVs), military satellite monitoring capabilities, precision guided munitions and NBC-protection capabilities. The MoD Task Force has furthermore concluded that reservists may play a supporting role in implementing anti-terrorist measures during a period of increased threat and in consequence management.

11. It is not enough to have forces capable of acting against terrorism. To ensure that they are successful, we must also have the following enabling capabilities:

> **Effective Intelligence**: good intelligence is a vital precondition for fighting terrorist organisations, for intervening in a timely fashion to prevent or to interdict terrorist activities and for taking appropriate protective and precautionary measures. Intelligence can be gathered with The Netherlands' own assets and through cooperation with other intelligence and security services and with investigative agencies. Our armed forces must have direct access to intelligence capabilities that provide a complete picture of an area of operations, such as reconnaissance aircraft, Unmanned Aerial Vehicles (UAVs), and Intelligence, Surveillance, Target-Acquisition and Reconnaissance (ISTAR)-units. Access to these assets can also be organised internationally through pooling.

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Clear Procedures and Command & Control: a clear distinction of tasks and responsibilities within the Ministry of Defence as well as between civilian and military authorities is a precondition for an effective response to a terrorist threat. Military units that are deployed in operations against terrorism should be under a clearly defined chain of command.

Information Security: poorly secured information and communication systems can interfere with the command and control over our forces. Well-secured data files and information and communications systems are also required as a precondition for more extensive national and international information sharing.

Force Protection and Survivability: only if the security of our armed forces and of the military infrastructure is ensured will the armed forces be able to contribute to the fight against terrorism both domestically and internationally under all circumstances.

What Measures Are Necessary?

12. As part of its broader policy review in the light of the terrorist threat, The Netherlands government has decided to strengthen the Military Intelligence Service, the Royal Constabulary (e.g. for border control) and the special forces of the Royal Marines for counterterrorist operations at home. This government review also included measures to enhance preparedness for the use by terrorists of biological, chemical or nuclear weapons. These measures are now being implemented.

13. The MoD Task Force has noted that The Netherlands has modern, well-equiped armed forces which are already capable of an effective military contribution to combating terrorism, whether through assisting civilian authorities at home or through fighting terrorism abroad. It emphasised, however, that a range of measures and adaptations is required to better prepare our forces.

14. The MoD Task Force has made recommendations in seven areas:

1) acquiring intelligence;
2) guarding the security of defence personnel, infrastructure, systems of information and communication;
3) guarding our national territory and air space;
4) protecting our forces against nuclear, radiological, biological and chemical weapons;
5) preparing and equiping forces for precision operations;
6) streamlining procedures for the deployment of armed forces in support of civilian authorities;
7) intensifying scientific research and development.

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15. The recommended measures, which have been approved by The Netherlands' government, are very diverse. They include both new policy intentions and previously formulated requirements that deserve a higher priority in the light of the terrorist threat. Some of the measures are of an organisational or a procedural nature and can be implemented at little cost in the short term. Other measures require greater expenditure or can only be realised in an international context. All measures will be implemented using the existing planning and budgeting framework.

16. Based on the recommendations from the MoD Task Force, the following measures will be implemented in the short term:

- increase the operational intelligence capability of the Chief of the Defence Staff;
- improve information-sharing between the Military Intelligence Service and the Services in the areas of counter-intelligence and security;
- expand the ability of the Military Intelligence Service to infiltrate the computer networks of terrorist organisations ("hacking");
- accelerate the development of defence wide contingency plans for all vital installations and systems;
- improve the national translation of security and protection measures related to the NATO Precautionary Systems (NPS);
- consider the establishment of an interservice centre of expertise with regard to explosives ordnance disposal (EOD) in support of the interservice EOD school;
- intensify EOD-related cooperation with the police;
- establish a combat-ready NBC company within the Royal Netherlands Army;
- consider the establishment of a interservice NBC centre of expertise and school that would also be open to civilian organisations;
- acquire remote-control explosives and digital photography and video equipment for special forces;
- intensify the cooperation between the special forces of the Commando Corps and of the Royal Netherlands Marine Corps and between those units and supporting units (including helicopters from the Royal Netherlands Navy and the Royal Netherlands Air Force);
- authorise joint exercises of procedures among military and civilian authorities and organisations such as the police, fire department and public health teams;
- intensify relevant scientific research and development.

17. In addition, the MoD Task Force has made important recommendations for measures that can only become effective over the longer term. They include the acquisition of – or participation in international projects with respect to – UAVs, military satellite observation capabilities, NBC-protection capabilities and precision guided munitions. These measures require careful elaboration. Procedures for materiel procurement will need to be considered and consultation with other countries will often be necessary.

18. The costs associated with the short-term measures are estimated at approximately €4,5 million for the financial year 2002. These are structural costs that will result in a charge of approximately €32 million on the defence budget until 2009. These costs will be accommodated within the current defence budget. As far as can be determined, the costs associated with the implementation of the longer-term measures could rise as high as between €68 million and €90 million yearly for the remainder of the period covered by the Defence White Paper 2000 (2002-2009). The implementation of the long-term measures recommended in the task force report are, therefore, dependent to a degree on arrangements made in the Government Policy Accord of the new government after the general elections of May 15th.

Strengthening International Cooperation

19. NATO is the most important forum for international cooperation in combating terrorism from a military perspective. This is underscored by NATO's decision to invoke article 5 of the North Atlantic Treaty in response to the terrorist attacks of September 11th and the support provided by NATO to the US-led campaign against Al-Qaeda.

19. During the informal meeting of Ministers of Defence in late September, The Netherlands proposed a review as to how to adapt the Alliance to the threat of international terrorism. NATO needs to respond to this new security threat by developing an effective and appropriate contribution to combating terrorism in the long term as in the short term. It provides a mechanism by which the Allies can co-ordinate the necessary adaptations to national defence policies and improve their capabilities to deal with the terrorist threat. These key findings are hence circulated within NATO as one nation's contribution to discussions among Allies on how to adapt our armed forces in the light of the terrorist threat.

20. We also need to exploit to the maximum the possibilities for international cooperation in generating the capabilities we need. The Netherlands attaches great importance to making use of opportunities for international cooperation in promoting the efficiency and effectiveness of the military contribution to combating terrorism.

Further Information

The full text of the MoD Task Force's findings as well as the letter to Parliament are available on the web site of The Netherlands' Ministry of Defence: www.mindef.nl .

****

Royal Netherlands Embassy
Ambassador's Office
4200 Linnean Avenue, N.W.
Washington, DC 20008

Ambassade van het
Koninkrijk der Nederlanden

Washington, April 9th 2002

Dear Mr. Secretary,

I have the honor to forward to you a letter from Frank de Grave, Minister of Defense of The Kingdom of the Netherlands, dated March 28th, 2002.

Please accept, Mr. Secretary, the assurances of my highest consideration.

Yours sincerely,

Boudewijn J. van Eenennaam
Ambassador of The Netherlands

The Honorable Donald H. Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

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

JUL 9 2002

NETHERLANDS

The Honorable Frank de Grave
Minister of Defence of the Netherlands
P.O. Box 20701
2500 ES The Hague

Dear Minister de Grave:

Thank you for sending me a copy of the Netherlands' Task Force Review key findings on the military's role in the fight against terrorism.

It was nice seeing you at the recent NATO Defense Ministers Meeting. I was pleased with the outcome, in particular, the agreement to develop a capabilities initiatives package for presentation to Heads of State and Government at the Prague Summit. Several of the capability initiatives -- NATO Command Structure Review, chemical and biological defense and improving Special Operations Forces -- coincide with recommendations of your Task Force. We look forward to working with you and your staff as we develop these important capabilities initiatives over the summer.

The war against terrorism will be a long campaign, involving many tools – law enforcement, intelligence, financial, diplomatic, and humanitarian aid – as well as military forces.

I appreciate the numerous contributions of the Netherlands and other coalition partners to combat terrorist organizations and the regimes that sponsor them.

Sincerely,

9 Jul 02

U10418 /02

11-L-0559/OSD/8123

S A R A H D I S K E T T E T A B L E O F C O N T E N T S
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DISKETTE RELEASING OFFICIAL'S NAME: DONALD H. RUMSFELD
ORG: SECDEF OFFICE: PHONE:
TOC FILE CRC: 9393

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SECDEF
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JUL 9 2002

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11-L-0559/OSD/8124

DTG: 020609Z JUL 02

Drafter's Name : BRIDGIT GRANT, ASST FOR NATO
Office/Phone : (b)(6)

Releaser's Info : DONALD H. RUMSFELD,SECDEF

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Info Prec : ROUTINE
Specat :

From: SECDEF WASHINGTON DC
To: AMEMBASSY THE HAGUE
USDAO THE HAGUE NL
Info: SECDEF WASHINGTON DC//CHAIRS//
SECDEF WASHINGTON DC//FILE/USDP ISP/USDP NATO POL//
SECSTATE WASHINGTON DC

TEXT FOLLOWS

UNCLAS

SUBJECT: LETTER TO NETHERLANDS MINISTER OF DEFENCE

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

2. BEGIN TEXT:
THE HONORABLE FRANK DE GRAVE
MINISTER OF DEFENCE OF THE NETHERLANDS
P.O. BOX 20701
2500 ES THE HAGUE

DEAR MINISTER DE GRAVE:

(PARA) THANK YOU FOR SENDING ME A COPY OF THE NETHERLANDS' TASK FORCE REVIEW KEY FINDINGS ON THE MILITARY'S ROLE IN THE FIGHT AGAINST TERRORISM.

(PARA) IT WAS NICE SEEING YOU AT THE RECENT NATO DEFENSE MINISTERS MEETING. I WAS PLEASED WITH THE OUTCOME, IN PARTICULAR, THE AGREEMENT TO DEVELOP A CAPABILITIES INITIATIVES PACKAGE FOR PRESENTATION TO HEADS OF STATE AND GOVERNMENT AT THE PRAGUE SUMMIT. SEVERAL OF THE CAPABILITY INITIATIVES -- NATO COMMAND STRUCTURE REVIEW, CHEMICAL AND BIOLOGICAL DEFENSE AND IMPROVING SPECIAL OPERATIONS FORCES -- COINCIDE WITH RECOMMENDATIONS OF YOUR TASK FORCE. WE LOOK FORWARD TO WORKING WITH YOU AND YOUR STAFF AS WE DEVELOP THESE IMPORTANT CAPABILITIES INITIATIVES OVER THE SUMMER.

(PARA) THE WAR AGAINST TERRORISM WILL BE A LONG CAMPAIGN, INVOLVING MANY TOOLS - LAW ENFORCEMENT, INTELLIGENCE, FINANCIAL, DIPLOMATIC, AND HUMANITARIAN AID - AS WELL AS MILITARY FORCES.

(PARA) I APPRECIATE THE NUMEROUS CONTRIBUTIONS OF THE NETHERLANDS AND

U10418 /02

11-L-0559/OSD/8125

OTHER COALITION PARTNERS TO COMBAT TERRORIST ORGANIZATIONS AND THE REGIMES THAT SPONSOR THEM.

//SINCERELY,//DONALD H. RUMSFELD

3. END OF TEXT.

U10418 /02

11-L-0559/OSD/8126

UNCLASSIFIED

THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

2002 APR 12 PM 5:07

ACQUISITION, TECHNOLOGY AND LOGISTICS

INFO MEMO

April 12, 2002, 11:00 A.M.

FOR: SECRETARY OF DEFENSE

FROM: Mr. E. C. "Pete" Aldridge, Under Secretary Of Defense (AT&L) Pete 4/12/02

SUBJECT: Robotics Programs

- Your memorandum of March 23, 2002 (Tab A) requested me to think about putting a major effort on robotics in a variety of ways.
- There already exists a Joint Robotics Program (JRP) Coordinator (residing within AT&L), who has oversight of robotic programs and efforts within DoD. I have attached some charts (Tab B) which depict the JRP structure and the ground, air and underwater robotic systems which are currently fielded or in the development stage.
- DARPA already has a major robotics program. I have attached two charts (Tab C) to illustrate the breadth of their effort.
- I think we have the robotics topic well covered.

COORDINATION: None

Attachments:
As stated

Prepared By: Colonel R. Brady, USMC, ODDRE, (b)(6) 434-2002AT

4/10

12 Apr 02

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TAB

A

snowflake

9:48 AM

TO: Pete Aldridge

FROM: Donald Rumsfeld DR

DATE: March 23, 2002

SUBJECT: **Robotics**

I think you ought to think about putting a major effort on robotics in a variety of ways and getting a little cell going in DARPA or someplace on the subject.

Thank you.

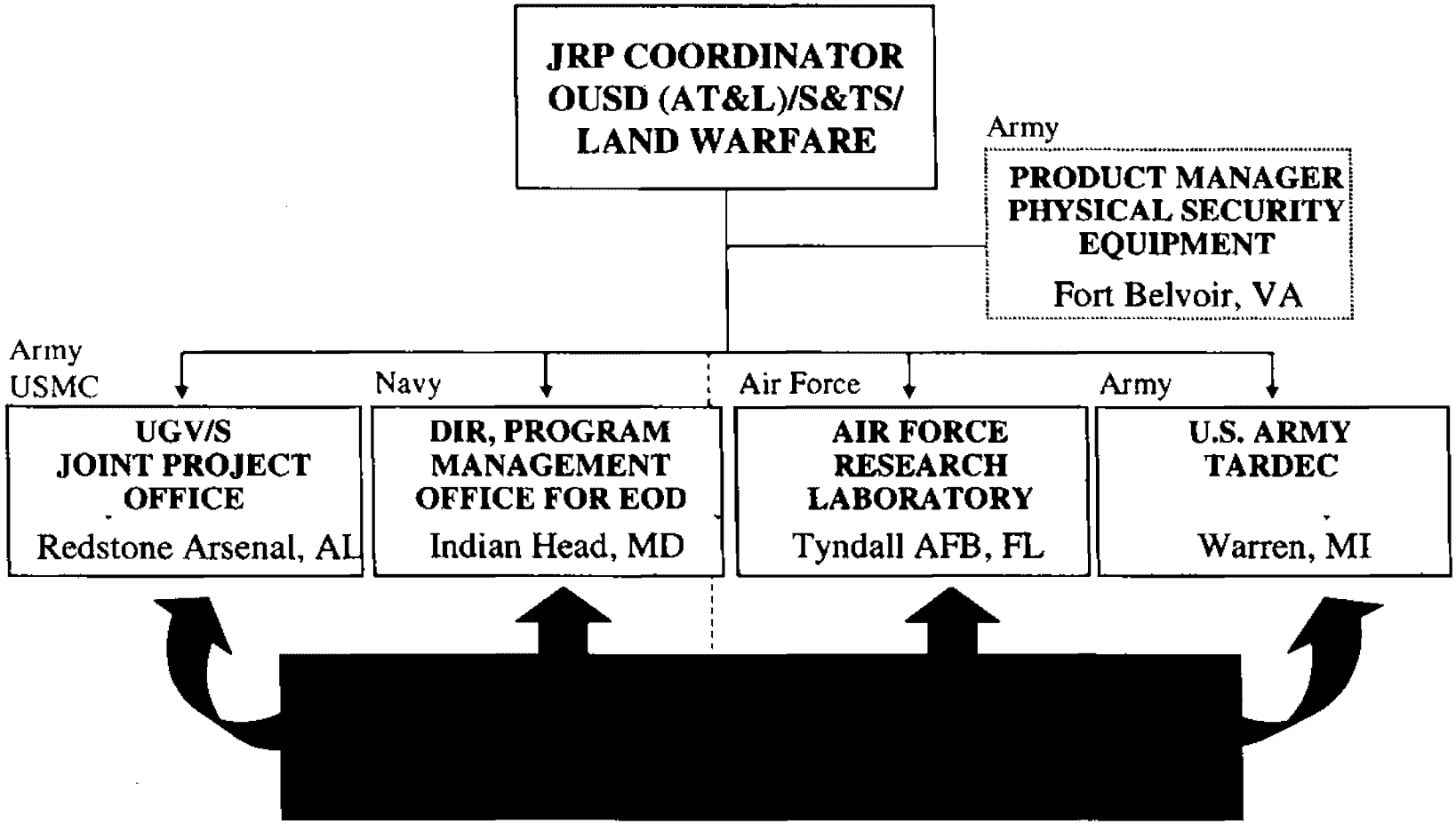
DHR/azn
032302.02

Please respond by: 3/30/02

TAB

B

JOINT ROBOTICS PROGRAM (JRP) STRUCTURE



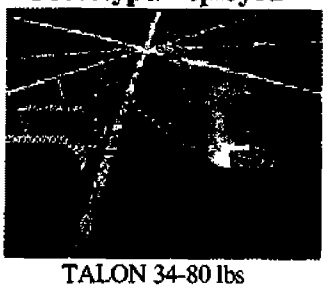
Science & Technology

Concept & Technology Development;
System Development & Demonstration

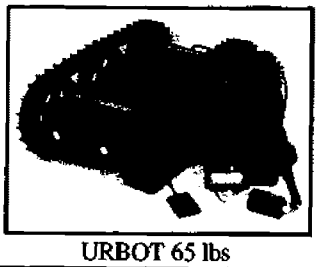
MISSION SPECIFIC UNMANNED SYSTEMS BY WEIGHT CLASS

Small (Light) 31 to 400 lbs

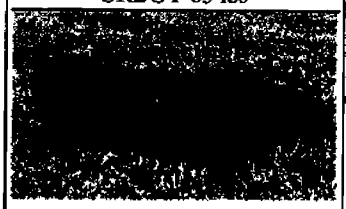
Prototype/Deployed



TALON 34-80 lbs



URBOT 65 lbs

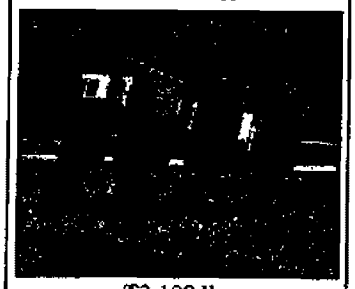


MATILDA 40 lbs

BUGS 45-60 lbs

Tech Base

ODIS 45 lbs



T3 100 lbs

Small (Med) 401 to 2,500 lbs

Fielded

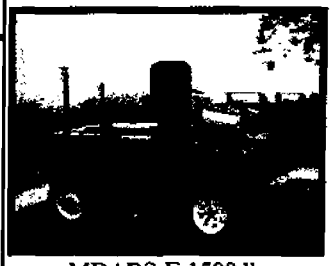
RONS 600 lbs

SDD/ Deployed

Mini-Flail/RCSS 2500 lbs

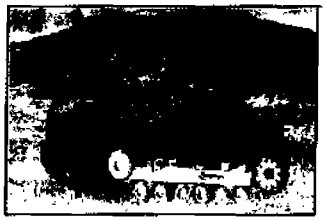
SDD

MDARS-I 600 lbs



MDARS-E 1500 lbs

Prototype



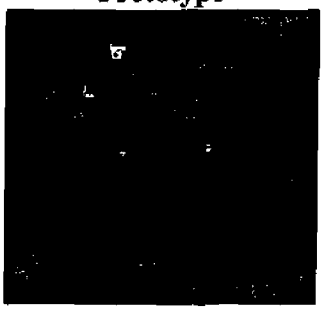
GLADIATOR 1600 lbs

Small (Heavy) 2,501 to 20,000 lbs

Fielded

ARTS 800 lbs

Prototype



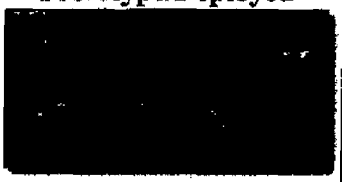
DEMO III XUV 3,000 lbs

Smoke HMMWV w/SRS 11,500 lbs

T3 Dozer w/SRS 18,600 lbs

Large Over 30,000 lbs

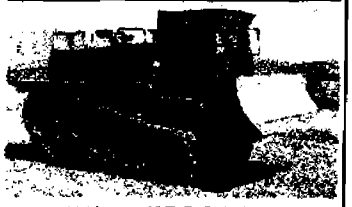
Prototype/Deployed



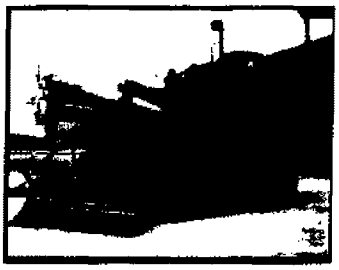
Panther w/SRS >40 tons

Abrams Panther W/SRS >40 tons

Prototype



DEUCE w/SRS 35,500 lbs



D7G w/SRS 55,500 lbs

AOE 67,000 lbs

AOE: Automated Ordnance Excavator
ARTS: All-purpose Remote Transport System (Force Protection)
BUGS: Basic Unexploded Ordnance Gathering System (for small munitions)
MDARS: Mobile Detection Assessment Response System: (I - Interior; E - Exterior) (complements Military Police activities)
ODIS: Omni Directional Inspection System (under-vehicle)
RCSS: Remote Combat Support System (Combat Engineering functions)
RONS: Remote Ordnance Neutralization System (for use in EOD applications)
SRS: Standardized Robotics System (kits that are applied to existing DoD inventory vehicles)
XUV: Experimental Unmanned Vehicle

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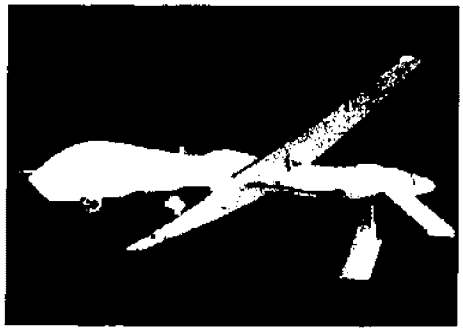
UNMANNED AERIAL VEHICLES

Fielded

Navy/Marine Corps Pioneer
Payload 450 lbs—100 nm radius

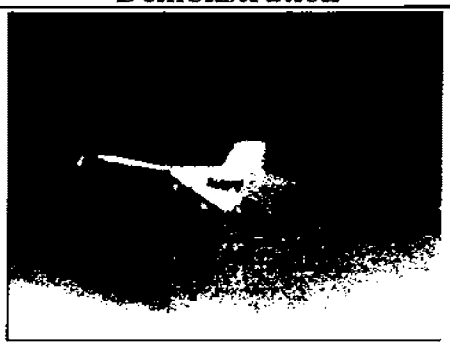


Air Force Predator
Payload 450 lbs—400 nm radius

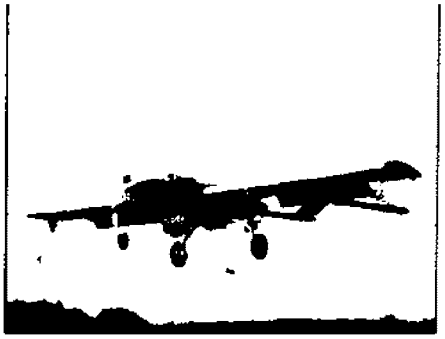
Terminated (or) Residuals-In-Use

Army Hunter
Payload 200 lbs—144 nm radius

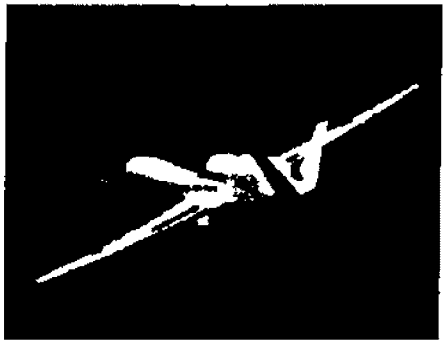
System Development & Demonstration



Navy Fire Scout Demonstration System
Payload 200 lbs—110 nm radius
No plan to field this system



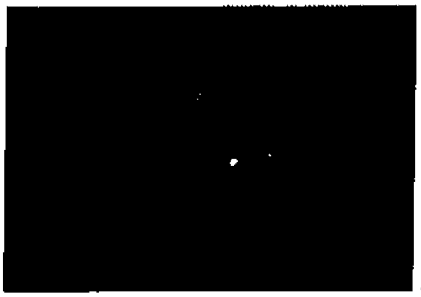
Army Shadow
Payload 60 lbs—68 nm radius
IOC FY02



Air Force Global Hawk
Payload 1950 lbs—3,000 nm radius
IOC FY05

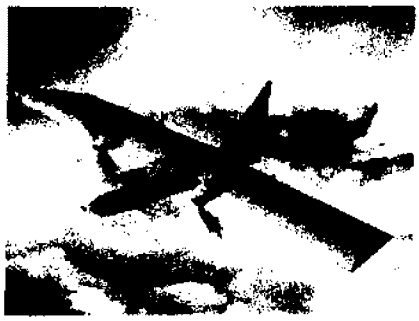
Technology Base

Air Force UCAV
Payload 2000 lbs—650 nm radius

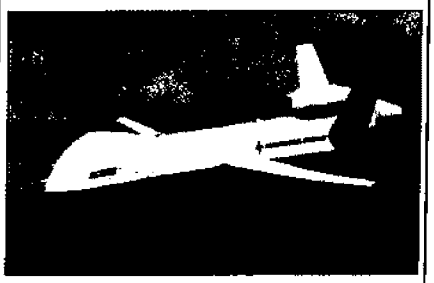


Navy UCAV
Payload 625 lbs—(TBA) nm radius

Evaluation Systems

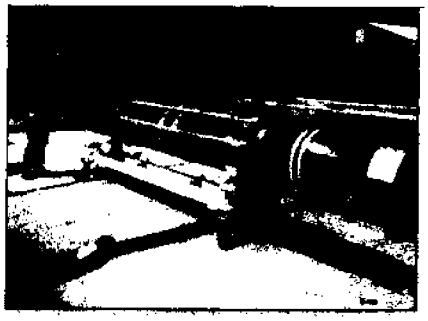
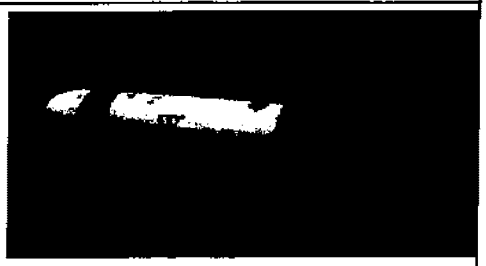
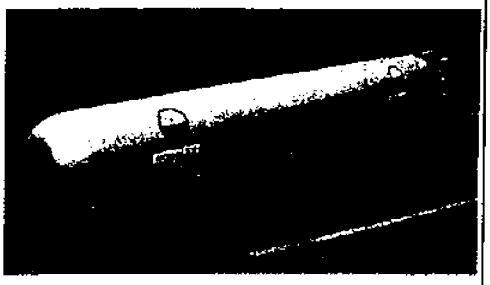


Marine Corps Dragon Eye
Payload 1 lb-6 nm radius



Air Force Predator B
Payload 750lbs-(TBD) radius

UNMANNED UNDERWATER VEHICLES

Fielded	System Development & Demonstration	Technology Base
 NMRS	SAHRV Vehicle	 REMUS UUV
	RMS	
	 SEAHORSE	

NMRS: **Near-term Mine Recon System**
- **Mine Recon**

SAHRV: **Semi-Autonomous Hydrographic Recon Vehicle**
- **Hydrographic Reconnaissance**

RMS: **Mine Recon System**
- **Mine Reconnaissance**

Seahorse:
- **Oceanographic Survey**

REMUS: **Remote Environmental Monitoring Unit System**
- **Multi-vehicle Communication**
- **Navigation system testing & payload delivery**

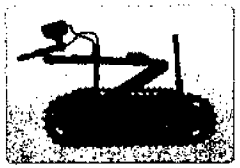
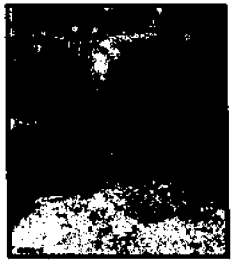
TAB

C

Robotics - Ground

DARPA

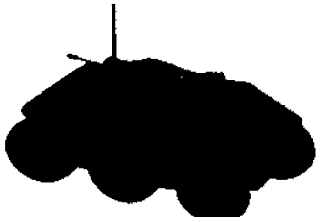
Tactical Mobile Robots

- Small ground robots for dismounted infantry
  - Used in World Trade Center recovery operations
  - Deployed to Afghanistan (Feb)
- Program end in FY02
  - Transition 15 robots to Joint Robotics Program for US Army and USMC use

Unmanned Ground Combat Vehicle

- 150 kg Payload Carriers for sensors



- 1500 kg Payload Carriers for weapons

- Supports Army Future Combat System Program
- Demonstrate versatile ground robotic platforms that can be used as autonomous sensor and weapon vehicles

Robo Rat

- Rat is good general purpose small autonomous robot platform
- Video camera payload and GPS navigation added to backpack
- Search and rescue application for inaccessible areas

Bioinspired Robotics

- Small robots that exploit capabilities of biological systems to sense, maneuver, analyze, and respond to complex environments.

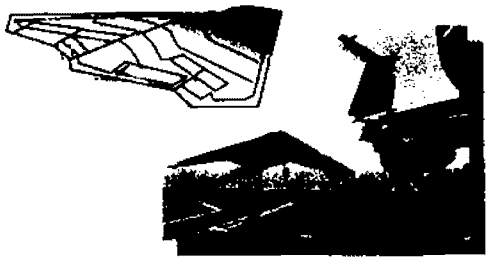
Robotics - Air

DARPA

Unmanned Combat Air Vehicle - AF

- 650 mile mission radius
- 3600 lb weapons payload
- Networked, multi-ship operations
- On-Board targeting solution
- First flight in 3 Qtr FY 02
- Program transfer to AF in FY 03

Unmanned Combat Air Vehicle - Navy



- Aircraft carrier capable
- In-flight refuelable
- Mission Areas
  - Surveillance
  - Long Range Strike
- First Flight in FY 05

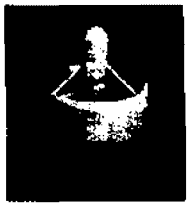
Unmanned Combat Armed Rotorcraft - Army

- Low altitude autonomous flight
- 24 hour, adverse weather capable
- On-board targeting solution
- New program, first flight in FY 06
  - May use A 160

A 160 Hummingbird

- Vertical take off and landing vehicle
- 2500 mile range, 30,000 feet, 40 hour endurance
- 300 lb payload
- Supports Army Future Combat System Program

Organic Air Vehicle - OAV



- Small, hover-capable air vehicles
- Soldier launched to provide real time, close-in reconnaissance and surveillance
- Supports Army Future Combat System Program

snowflake

9:48 AM

TO: Pete Aldridge

FROM: Donald Rumsfeld DR

DATE: March 23, 2002

SUBJECT: **Robotics**

I think you ought to think about putting a major effort on robotics in a variety of ways and getting a little cell going in DARPA or someplace on the subject.

Thank you.

DHR/azn
032302.02

Please respond by: 3/30/02

014

23 Mar 02

THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

2002 APR 15 AM 11:03

ACQUISITION, TECHNOLOGY AND LOGISTICS

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: Under Secretary of Defense (Acquisition, Technology and Logistics)
USD (AT&L) has seen APR 15 2002

SUBJECT: Question Regarding Smart Artillery Rounds

- You asked, "How do we get a smarter artillery round"?

- The Information Paper at Tab A identifies three possible alternatives for obtaining a Smart Artillery Round. These are: (1) Use of existing inventory; (2) Off-shore procurements; and (3) Completion of an existing RDT&E program.

- Within our list of possible alternatives for a "smarter artillery round," I recommend that we issue guidance to the Army to accelerate the Excalibur projectile. Excalibur's range (out to 47 kilometers), its payload options (both a unitary (high explosive) and smart, sensor-fuzed submunitions), and its guidance system (inertial navigation system and global positioning system) underscore the value of Excalibur as a "smart artillery round."

Prepared By: Walt Squire, OUSD(AT&L)/S&TS/LW, (b)(6) 00016-2002AT

April 13, 2002

To: Secretary of Defense

From: Pete Aldridge APR 15 2002

Subject: Smart Artillery Rounds

You asked the question "How do we get a smart artillery round"? The short answer is that it is coming, and it is called Excalibur.

Excalibur, currently in development, will extend the range of our 155 mm artillery to 47 km, carry either unitary or sensor-fuzed submunitions, and improve accuracy with inertial and GPS guidance. A future improvement will add target discrimination. We are asking the Army to look at accelerating Excalibur in the forthcoming Defense Planning Guidance.

We have two other "semi-smart" 155 mm artillery rounds: a) Copperhead, a round that guides on a laser spot; and, b) SADARM, a round that uses IR and radar to detect and fuse on armored targets. Also available are two non-U.S. 155 mm artillery rounds—BONUS, a French/Swedish developed sensor fused submunition, and SMArt 155, a German developed sensor fused submunition round. These are compatible with U.S. artillery pieces and could be procured for our use.

Excalibur is the smart artillery round we desire. However, the combination of Excalibur, the Guided Multiple Launch Rocket System (MLRS) and DARPA's Netfire Concept (for the Future Combat System) should get the Army on the track of acquiring the right mix of precision munitions for the future.

Action: None. Information Only.

4/1

OFFICE OF THE SECRETARY OF DEFENSE

THE SPECIAL ASSISTANT

USD(AT&L) -

Pete - This will leave him hanging. Perhaps you might pen a note to let him know whether he should be concerned whether we're on track, whether it's a problem, etc. This is just raw info to him.

Thanks

D. Rita

Larry Di Rita
4/2

U 05643-02

.411.
1585.

THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

OFFICE OF THE SECRETARY OF DEFENSE
2002 MAR 29 PM 3:17

ACQUISITION, TECHNOLOGY AND LOGISTICS

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: Under Secretary of Defense (Acquisition, Technology and Logistics)

5/29/02

SUBJECT: Question Regarding Smart Artillery Rounds

- You asked, "How do we get a smarter artillery round"?

- The Information Paper at Tab A identifies three possible alternatives for obtaining a Smart Artillery Round. These are: (1) Use of existing inventory; (2) Off-shore procurements; and (3) Completion of an existing RDT&E program.

Prepared By: Walt Squire, OUSD(AT&L)/S&TS/LW, (b)(6)

SPL ASSISTANT DI RITA	
SR MA GIAMBASTIANI	
MA BUCCI	
EXECSEC WHITMORE	4/1

INFORMATION PAPER

QUESTION: "How do we get a smarter artillery round?"

SUMMARY: There are three different ways of providing our artillery forces with a "smart" round capability. These are: (1) drawing from existing inventory; (2) off-shore procurements; and (3) completion of the RDT&E program for a "smart" projectile.

EXISTING INVENTORY:

- Copperhead: In the mid-1980's, the Army completed the development and fielded in excess of 20,000, 155mm Copperhead rounds. After launch the projectile "homes in on" a laser spot designated on the target by a ground, forward observer. The time between laser designation and projectile launch is a little less than 20 seconds. For this reason, Copperhead is not effective against moving (armored) targets.
- SADARM (Sense and Destroy Armor): The Army terminated procurement of SADARM in Fiscal Year 2000. SADARM is a 155mm, thin-wall, projectile which carries two SADARM sub-munitions to the target area. The sub-munitions have a sensor suite which utilizes Infrared and Active and Passive millimeter wave radar. SADARM is actually a counter battery weapon as moving (armored) targets would move outside of its footprint during the projectile's flight. There are 348, full-up SADARM projectiles which are approved as conditional release. The contractor is Northrop/Aerojet Electro Systems. An average unit cost in production would be $50-60K.

OFF-SHORE PROCUREMENTS: There are potential sources that could deliver spin-stablized sensor-fuzed munitions; however, the availability timelines vary.

- BONUS: BOFORS Defence and GIAT Industries have developed 155 BONUS under a common specification for the Swedish and French Armies. BONUS is a projectile carrier for two "smart" submunitions. The submunitions use a passive, multi-channel, IR-sensor, and the BONUS carrier is equipped with a base bleed for extended range. A total of 800 Bonus rounds would be purchased and delivered by mid 2003 for an estimated unit price of $25-35K.
- SMArt 155: SMArt 155 is another submunition carrier with a more robust sensor suite. The submunitions use millimeter wave radar and radiometer as well as infrared sensors. SMArt 155 is manufactured by GIWS of Nuremburg, Germany. A total of 1600 SMArt 155 rounds could be purchased and delivered by the end of 2002 for an estimated unit price of $50-60K. There are two submunitions in each SMArt, 155mm projectile.

COMPLETION OF ARMY's RDT&E PROGRAM: The Army's RDT&E program to field a precision guided "smart" artillery projectile is Excalibur. Excalibur is being developed in three blocks – block I contains a unitary (high explosive) warhead, block II adds smart, sensor-fuzed submunitions as in BONUS or SMArt 155, and block III adds

target discriminating capabilities to the unitary warhead. Given an accurate target location, the on-board guidance (GPS/INS) and navigational control system enables this projectile to come within 10 meters of the intended target (irrespective of range). This precision allows much less collateral damage. A production milestone decision for block I is scheduled for Fiscal Year 2006. Army estimates the first year unit production cost to be $90K per round; average unit production cost is estimated at $30K per round.

We are looking at accelerating Excalibur in FY04.

snowflake

Rcvd 9:15 - 3/18/02
1736

March 15, 2002 9:35 AM

LW —
#031901

TO: Pete Aldridge

FROM: Donald Rumsfeld D

SUBJECT: Artillery Round

How do we get a smarter artillery round?

Thanks.

DHR:dh
031502-18

Please respond by 04/15/02

snowflake

1:16 PM

TO: Gen. Joseph W. Ralston

FROM: Donald Rumsfeld

DATE: April 13, 2002

SUBJECT:

Thought you would enjoy the attached, but maybe not, since you obviously weren't enjoying the meeting!

With my best regards.

06051

Attach: Photographs (2)

DHR/azn
041302.03

13 Apr 02

U06770 02

011218-D-2987S-107

Secretary of Defense Donald H. Rumsfeld (left), Commander in Chief European Command, and Supreme Allied Commander Europe Gen. Joseph W. Ralston (center), U.S. Air Force, and French Minister of Defense Alain Richard (right) conduct informal talks between meetings at NATO Headquarters in Brussels, Belgium, on Dec. 18, 2001. DoD photo by Helene C. Stikkel. (Released) R-015-2002

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THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

LEGISLATIVE AFFAIRS

SECRETARIAT
MAR 21 2002

As of March 21, 2002, 9:00AM

READ AHEAD FOR SECRETARY RUMSFELD
LUNCH WITH SENATOR SESSIONS

From: Powell Moore, Assistant Secretary of Defense for Legislative Affairs

Thursday, March 21, 2002, 12:10 to 12:45PM, Your Office

You are currently scheduled to have lunch today with **Senator Jeff Sessions (R-AL)**. Jim Haynes, and I will join you. The Senator's biography is immediately under.

- As a former prosecutor, as well as a Member of both the Armed Services and Judiciary Committees, Senator Sessions has a keen interest in **military commissions**.
  - This is an excellent opportunity for us to arm him with the background information he needs to **champion this issue for us on the Hill**.
  - He was one of the first Senators to visit the detention facility at **Guantanamo Bay, Cuba**, and has been fully supportive of our efforts there.
- Overall, Senator Sessions has been a **strong supporter** of the Administration's defense priorities, particularly on the need to move forward with our **missile defense program**. He will solicit your thoughts on **how he can help** us achieve our goals.
  - His interest is driven in large part by the key role that the **Redstone Arsenal** in **Huntsville, Alabama**, plays in the development of our missile defense program.
  - He backs the Administration's position on the **ABM Treaty**, noting that it's an outdated relic of the Cold War that we need to move past.
- While he supports a reduction in **nuclear weaponry**, Senator Sessions has expressed concern that destroying warheads too quickly could risk the loss of U.S. superiority.
  - He is concerned that if we destroy these weapons totally, instead of just decommissioning them, we could end up in a situation where, without **manufacturing capability**, we can't properly defend ourselves or would not have a clear superiority that deters war.
- In addition to the above, we expect that the following **issues** could be raised:
  - Senator Sessions has expressed concern over our **shipbuilding rates**, and has suggested that we should consider **keeping some aging ships in service** to offset the shortfalls in near-term procurement.
  - He also has a great interest in Army transformation issues, particularly where Fort Rucker is concerned.
  - **Chemical weapons demilitarization** and emergency preparedness at the **Anniston Army Depot** has been a key issue for Senator Sessions.
  - Finally, on April 12, 2002, Senator Sessions will host a rollout of the Army's **Interim Armored Vehicle (IAV)** at the Anniston Army Depot.

Prepared by: CDR Jim Fraser, OSD/LA, (b)(6)

SENATOR JEFF SESSIONS (R-AL)

SASC MEMBER
Jr. Senator
1st Elected 1996

Hometown: Mobile

Born: (b)(6)

Religion: Methodist

Family: Wife, Mary Blackshear Sessions; three children

Education: Huntingdon College, B.A. 1969; U. of Alabama, J.D. 1973

Military Service: Army Reserve, 1973-86

Career: Lawyer

Committees

Armed Services (Airland; Seapower - ranking member; Strategic)
Health, Education, Labor & Pensions (Employment, Safety & Training; Public Health)
Judiciary (Administrative Oversight & the Courts - ranking member; Technology, Terrorism & Government Information; Youth Violence)
Joint Economic

SECDEF Correspondence:

10/11/01: Re: UWB technology- wants regulatory approval for the technology. Stenbit responded that DoD is working with NTIA on protecting DoD systems and promoting UWB.

Key Issues and Concerns

Supports the Administration's position concerning detainees at Guantanamo Bay, Cuba.

"I firmly believe that the al Qaeda members are not entitled to the prisoner of war status. They are plainly illegal combatants whose actions are contrary to the rules of war, and I think a good case can be made that the Taliban are not entitled to it as well."

Top priorities: train and equip our military for the challenges in the 21st Century, increase funding for R&D, and raise pay and improve housing for our military.

Programmatic Concerns

DD-X R&D

THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

LEGISLATIVE AFFAIRS

SECDEF HAS SEEN

MAR 2 1 2002

March 21, 2002 7:30 PM

READ AHEAD FOR SECRETARY RUMSFELD
SECDEF Breakfast With Rep. Jerry Lewis (R-40th-CA)

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

Thursday, March 21st, at 8:00 to 8:45 AM, SecDef Immediate Office

Attendees: Dr. Wolfowitz, Dov Zakheim, Tina Jonas and I will join you.

- Rep. **Jerry Lewis**, Chairman, House Appropriations Subcommittee on Defense (HAC-D), has been invited to join you for breakfast. The meeting is an opportunity for you to discuss the President's FY03 defense request and the $10 billion war reserve fund.

- Congressman Jerry Lewis is the third-ranking Republican on the Appropriations Committee. The Committee has jurisdiction over discretionary spending which is approximately one-third of the $1.7 trillion federal budget. Rep. Lewis' opening statement from your February 14th testimony before the HAC-D is at **Tab A.**

- Chairman Lewis has often stressed more Congressional involvement and more Executive Branch consultation on DoD budget issues. Last year, he led the effort to restructure the SBIRS-Low program after having earlier proposing funding cuts that the Department opposed. During the Feb 28th closed HAC-D Missile Defense hearing, Chairman Lewis specifically noted the collaboration on this issue.

- Congressman Lewis has a keen interest in transformation. Undersecretary Aldridge and Adm. Cebrowski testified before his transformation hearing on March 13. During that hearing Lewis sought to establish a "working definition" of transformation. In addition, Lewis expressed his belief that the DoD's procurement practices are failing the department. Chairman Lewis' opening statement can be found at **Tab B**.

- During his tenure on the Appropriations Committee, Rep. Lewis has earned a reputation for frugality. From 1995 to 1999, as head of the Veterans Affairs, Housing and Urban Development, and Independent Agencies Subcommittees, Lewis cut spending more than any other Appropriations chairman. However, as the Chairman of the HAC-D, Rep. Lewis clearly believes increased spending on Defense is necessary. However, Rep. Lewis has been skeptical of programs with cost over-runs, has questioned DoD plans to build three new tactical aircraft, and believes recent budgets have under-funded maintenance and quality of life programs.

Prepared by: Claude Chafin, Special Assistant for Congressional Research (b)(6)

I-L-0559/OSD/8153

- Chairman Lewis' other concerns include:
  - Approval of recent efforts to accurately budget for retirement, health care, readiness, and major weapons systems' costs.
  - He has made it clear that Congress will play a significant role in making specific recommendations for funding in appropriations bills. He is concerned that some executive branch officials consider Congressional initiatives and specific recommendations to be unwarranted intrusions in the budget process.
  - He is concerned that important recapitalization, modernization and procurement priorities have been deferred;
  - He believes that some could argue that hard budgetary and programmatic decisions and tradeoffs have not been made;
  - His hopes that the promise of transformation will be realized (see opening statement for March 13th hearing **Tab A**);
  - His is interested in your perspective relative to the importance of space initiatives;

- In your luncheon meeting you may seek Rep Lewis' support regarding:
  - **$10 billion contingency funds** - Seek his support to protect these funds from being designated for other purposes.
  - The President's **defense budget top line**
  - **FY03 Missile Defense Budget** – Some members already see this as a bill payer for other priorities;
  - **Transformation** – Emphasize the transformational aspects of the defense budget;
  - **Shipbuilding** – Articulate the Department's current challenges and long-term plan;

- As you know, the National Training Center at Fort Irwin is in Chairman Lewis' district. You might consider mentioning that you would like to visit that installation on a future trip to the Southwest and ask if he would like to join you.

- Rep. Lewis' bio is at **Tab C**.

Prepared by: Claude Chafin, Special Assistant for Congressional Research (b)(6)

11-L-0559/OSD/8154

TAB A

FDCH TRANSCRIPTS
Congressional Hearings
Feb. 14, 2002

House Appropriations Defense Subcommittee Holds Hearing on FY2003 Appropriations

LIST OF SPEAKERS

LEWIS:

This morning, we welcome the honorable Donald H. Rumsfeld, secretary of defense, and General Richard B. Myers, chairman of the Joint Chiefs of Staff, and accompanied by my dear friend Dr. Dov Zakheim, comptroller of the department. The official purpose of this hearing is to take your testimony on fiscal year 2003 budget requests for the Department of Defense and the posture of our armed services.

This proceeding takes place in a world that is far different than the one that existed when you last testified before the committee. The events of the last September 11 are freshly seared in everyone's minds. It's a day none of us will ever forget.

In fact, this committee was preparing to mark up your fiscal year 2002 budget request when word came that we all experienced this tragic circumstance in New York.

Since that time, we've witnessed a very able operation in Afghanistan to destroy the infrastructure of Al Qaeda, the terrorist network, and the Taliban regime that provided them with the support of an entire state.

As we sit here today, United States antiterrorist operations are continuing in that region and elsewhere in the world. We also realize that this is only the beginning of a comprehensive campaign to end the scourge of global terrorist networks.

Mr. Secretary, General Myers and Dr. Zakheim, as we go forward together, to say the least, the committee wants you to know that we appreciate both the work that you are about and we're very proud of that which the world has witnessed in Afghanistan.

We're also grateful for the professional and dedicated service of all of our personnel and the job that you've done to help build the quality as well as to sustain the quality of our personnel.

We need to remember that, in this time of crises, there is a fabulous opportunity to see the best answers to the challenges raised to our national security. So in that spirit, we look forward to

working with you in fashioning what will be the most important defense budget perhaps in our lifetime.

Before we move on, I'd like to stress once again that the final form of this budget will be a product of the Congress and the administration working together to meet the needs of the Defense Department.

It concerns us that some executive branch officials have recently been making suggestions that congressional initiatives and specific recommendations for funding and appropriations bills are unwarranted intrusions in the budget process.

This committee carefully considers the budget request presented by the department every year and makes use of innumerable sources of information and expertise.

Members of this panel, in particular, are long-serving, thoughtful and dead serious about matters of national defense and have contributed many ideas which have enhanced our security over the years. Pragmatic inputs or some of the key systems that are being used to great effect in today's battlefields originated in this subcommittee.

Oft times, in the past, some of those suggestions were implemented over the objections of the individual branches that have been affected.

Mr. Secretary, that there is recognition on your part as well as others in the Defense Department that viewpoints which discount the congressional role in this process are not conductive to achieving optimal results in the formulation of defense budget in this day or any other fiscal year.

I would now like to address the budget submission that is presently before the committee. The budget proposed by the department for fiscal year 2003 is $379 billion, a much-needed increase of $48 billion over fiscal year 2002.

It is a good first step in providing the necessary resources to continue the war against terrorism and shape the military to deal with the new threats we face in the world.

We applaud your efforts to accurately budget for Defense Department retirement and health care costs, adequately fund readiness and OPTEMPO requirements and realistically portray the true costs of major weapons systems. These steps are overdue, but nevertheless, welcome.

What causes concern, however, Mr. Secretary, is that, once again, efforts to recapitalize and modernize vital equipment have been deferred. Procurement rates for ships and tactical aircraft in fiscal year 2003 budget continue to be well below the replacement rates necessary to maintain present force structures.

It could also be argued that hard decisions and tradeoffs have not been made concerning systems that were originally conceived when the principal threats to the nation's security were vastly different from the ones that are faced today.

As we fight the first war of the 21st century, it is imperative that budget priorities be assigned to those systems that will enable our efforts to eradicate terrorism and transform the military to succeed further than funding programs that have nothing but bureaucratic initiative behind them.

We hope that the promise of the transformation process you unveiled last year will be realized and not lost simply because more resources are available to the Defense Department to fund all (ph) things.

Again, Mr. Secretary, as well as General Myers and Dr. Zakheim, we look forward to an extended discussion today. I might mention as an aside -- not exactly an aside -- that we had our first session with Don Rumsfeld, secretary of the Department of Defense, exactly five months later last year, on July 14.

Frankly, we'd like to have this bill moved early because otherwise, it oft times it gets tied up with all the rest of the process around here, and so I was a bit concerned about the prospect of a later start last year, and yet the calls for reform on the part of the Joint Chiefs and the secretary were welcomed by our committee, and so we kind of swallowed hear and look forward to those prospects.

I was particularly interested in the fact that I had heard a lot about Rumsfeld's Raiders when the secretary was a member of the House of Representatives. A gentleman who was willing, as a member of Congress, to stir the pot and to look again. A refreshing prospect for the department. And he was making a second visitation to the department and knew some of the more serious difficulties in dealing with change.

So this budget is one by where we're going to be looking very closely at real outlines for change and look forward to an ongoing discussion with this subcommittee.

Let me call, before we move forward with your testimony, upon my friend, Jack Murtha, for his remarks.

TAB B

FDCH TRANSCRIPTS
Congressional Hearings
Mar. 13, 2002

House Appropriations Defense Subcommittee Holds hearing on FY2003 Budget

LIST OF SPEAKERS

LEWIS:

The meeting will come to order. For the edification of our guests, there are a number of conflicting subcommittees as we're trying to rush this appropriations year forward, and rather than keep you waiting much longer, I think we should proceed, and we'll deal with those late-comers as they arrive.

This morning we welcome the Honorable E.C. "Pete" Aldridge, undersecretary of defense for acquisition, technology and logistics, as well as Vice Admiral Arthur Cebrowski, director the Defense Department's Office of Force Transition Transformation.

This morning, it is a bit of a departure for the committee, as we won't be taking testimony as specific budget requests for an individual service or agency. Rather, we'll be looking to engage in a discussion about the steps that are being taken to shape the forces of the United States for the threats and challenges that will be faced, not just in the months but in the many years ahead of us.

As we all know the quadrennial defense review established an Office of Force Transformation to oversee a process by which a strategy is developed to ensure the continued competitive advantage and dominance of all the services against the isometric capabilities being fielded by our adversaries today.

Unfortunately, the term transformation has become now one of those classic buzzwords that over time, unless we get a handle on it, is going to have no meaning at all.

So, one of the first goals of today's hearing is to understand a good working definition of the concept, other key questions we hope to have answered as we go forward in this discussion. It will be first, what are the

rules and logic of the department's transformation framework? What are the key metrics of transformation? How will each service's transformation road map be evaluated? And finally, what are the key acquisition budgeting reforms that need to be undertaken by the department to support transformation?

We also hope to have a discussion about what can be done to decrease the cycle time that's required to place new technology and capabilities in the hands of our war fighters, and break the tyranny of the program of record in our acquisition process. I don't think anyone will dispute that the present system is failing in that regard at least.

Again, gentlemen, welcome. This is the first appearance by both of you before the committee since I've been chairman, or this year anyway. Your biographies will be placed on the record. I think you may know that one of my colleagues, my partner Jack Murtha, has a little problem up in Pennsylvania he's actively taking care of, so he's delayed this morning, and will be represented by my friend from Washington, Mr. Dicks. Let me call on Mr. Dicks for any comments that he might have.

Rep. Jerry Lewis (R-CA) 40th

Hometown: Redlands
Born: (b)(6)
Religion: Presbyterian
Family: Wife, Arlene Lewis; four children, three stepchildren
Education: U. of California, Los Angeles, B.A. 1956 (government)
Military Service: None
Career: Insurance executive

Committees:

Appropriations (Defense - chairman; Foreign Operations & Export Financing; Legislative Branch)

SECDEF Correspondence:

District Military Facility:

Marine Corps Air Ground Combat Center, 11,008 military, 1,597 civilian; Fort Irwin (Army), 4,784 military, 3,619 civilian; Marine Corps Logistics Base, 284 military, 1,548 civilian; Naval Air Warfare Center Weapons Division, China Lake, 889 military, 3,003 civilian (shared with 21st District) (2000)

District Defense Industry:

Appropriations (Defense) Chair

Key Views

The Chairman has had consistent interest in transformation and will want to discuss its funding in the FY03 budget. He criticized the DepSecDef in a February 7th budget briefing for funding little in the way of real transformation in the FY03 budget.

Strongly supports the Joint Strike Fighter and supports production of the aircraft in his district.

Sought SBIRS-Low cuts in the DoD Appropriations Bill, a position ultimately endorsed by the Department and passed into law.

Has consistently been skeptical of DoD plans to build three new tactical aircraft. He prefers to spend more on spare parts and pilot retention.

Considers past funding shortfalls in the DHP a sign of mismanagement and may ask if the program is adequately funded in FY03.

Supports robust defense budget while skeptical of some large acquisition programs - like tactical aircraft - that deny funding to maintenance and QOL programs.

Attended the January 23rd White House meeting on defense budget with POTUS.

Wrote to encourage the Department to have the Defense Acquisition Board conform to the independent cost estimate developed by the Cost Analysis Improvement Group for F-22 accquisition. Aldridge responded that F-22 has entered Low-Rate initial Production.

Tab C

March 20, 2002, 1:30 pm

READ AHEAD FOR SECRETARY RUMSFELD:
INTERVIEW WITH *SUNDAY TIMES OF LONDON* AND *FOCUS* MAGAZINE

FROM: Torie Clarke, 703-697-9312

Date/Time: Thursday, March 21, 2002; 1:15-1:45 pm

Location: Your office

Reporter: Tony Allen Mills, *Sunday Times of London*; Peter Gruber, *Focus* Magazine

Sunday Times is a conservative, establishment paper, read throughout Europe. *Focus* is a conservative weekly magazine, widely read in Germany. Both have been generally supportive of the war against terrorism.

Objectives: Build and sustain public support for the use of military commissions, and establish their credibility as legitimate tools of justice that protect U.S. citizens and safeguard national security.

Demonstrate to the American people that the U.S. is committed to bringing those responsible for the September 11 attacks to justice.

Pre-empt and contain overreaction among European audiences with regard to the treatment of detainees.

Messages:

- Military commissions are instruments of justice in the war against terrorism.
- The Pentagon's order will ensure a fair trial for the accused. Military commissions are fair, balanced and just.
- Military commissions are better suited to handle some sensitive terrorist cases and can provide more safety to participants than other judicial systems.

Possible questions:

- What's the latest from Afghanistan? Should we be prepared for more heavy fighting?
- Are you satisfied with the military commission process? Do you feel it's fair and just?
- What took you so long?
- Why use military tribunals? Why not just try these people in criminal court?
- Will Americans and Europeans be treated differently than Arabs, Afghans, etc.?
- Will al Qaeda and Taliban prisoners be subject to possible capital punishment? Will there be a difference between treatment of al Qaeda and Taliban prisoners?
- Where will the tribunals take place? In the U.S?

Attachments:
Articles by Tony Allen Mills, *Sunday Times* (*Focus* only available in German)
OSD Policy/PA Military Commissions Fact Sheet; Q&A; Talking Points

Prepared by: Susan Wallace, Don Meyer, OASD/PA (b)(6)

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Sunday Times (London)

February 17, 2002, Sunday

SECTION: Overseas news

LENGTH: 1212 words

HEADLINE: Bush draws up battle plan to oust Saddam

BYLINE: Tony Allen-Mills Washington

BODY:

Splits show in Washington as pressure mounts for attack.

IN A quiet suburb of Virginia, a few miles across the Potomac River from the White House, an exiled Iraqi general dreams of his homeland and waits. If all goes well with President George W Bush's rapidly developing plan to overthrow Saddam Hussein, General Najib al-Salhi, a former chief of staff of the Iraqi 5th mechanised corps, might be back in Baghdad by the end of the year.

As one of the highest-ranking defectors from Saddam's elite Republican Guard and one of the founders of the Movement of Free Officers, a clandestine Iraqi opposition group, Najib believes the moment of reckoning has finally arrived for the tyrant he used to serve. "The Iraqi people are ready for action," he said last week. So, it finally seems, are the White House, the Pentagon, the CIA and the State Department. After months of restraint over America's unfinished business with Saddam, Bush and his senior aides have unleashed a barrage of belligerent rhetoric aimed at destabilising the Baghdad dictator.

The threat of a massive US military strike at a founder member of Bush's "axis of evil" was emphasised on Friday by Dick Cheney, the vice-president. He warned that America would not shrink from "aggressive action" to prevent hostile states acquiring weapons of mass destruction. Dismissing European and other concerns that Washington is going too far in its threats against Iraq, Iran and North Korea, Cheney told the Council for Foreign Relations that Washington would use "all the means at our disposal - meaning military, diplomatic, intelligence etc" to continue the war on terrorism.

"America has friends and allies in this cause, but only we can lead it," said Cheney, who is due to visit Britain and 11 Middle Eastern states next month to discuss US intentions towards Iraq.

Yet even as Pentagon planners worked on Iraqi invasion plans - and General Colin Powell, the US secretary of state, shocked many of his European admirers by endorsing Bush's views on "evil" regimes - signs were emerging of cracks in the American military carapace that rumbled to victory in Afghanistan.

For all the administration's fighting talk about "going it alone" against Baghdad, senior officials were playing down reports that 200,000 US troops were ready to pour across the Iraqi border from Kuwait.

11-L-0559/OSD/8162

Even Paul Wolfowitz, the US deputy defence secretary, who has led the charge for the overthrow of Saddam, told a Senate committee: "There's a bit too much loose talk on the subject and I don't want to add any embellishments of my own."

Behind the conflicting Washington signals lie profound differences within the administration over who should replace Saddam. There is also an unresolved military debate over the best strategy for ousting a dictator regarded by many US officials as a genius at self-preservation.

Bush announced last week that he intended to "reserve whatever options I have. I'll keep them close to my vest". Yet there was broad agreement in political and diplomatic circles that the administration is pondering at least four kinds of military pressure, two of which might provoke Saddam's fall even before a full-scale US invasion.

The first and most optimistic scenario calls for increased covert activity by CIA agents who would mount a clandestine campaign of sabotage, assassination and recruitment of defectors in the hope of either provoking a coup or at the very least preparing the ground for military action.

US officials admit such tactics have rarely produced results in the past and that Saddam has a near-mystical ability to spot would-be coup plotters. Most analysts expect any military assault to begin with a prolonged bombing campaign - once US stocks of smart munitions are replenished from the Afghan war.

A fierce debate is unfolding in Washington over the potential effectiveness on the ground of the Iraqi National Congress (INC), the leading opposition group based in London. Washington seems to lack a local partner of the calibre of Afghanistan's triumphant Northern Alliance.

The question facing the Pentagon is whether to recommend to Bush a comparatively compact assault on Baghdad by three divisions comprising 50,000 troops who could be deployed in weeks; or to adopt a long-standing invasion plan that calls for a force of 200,000 troops to be assembled over a period of up to three months.

The advantages of the smaller option are both military and diplomatic. The invading force could be assembled on US aircraft carriers and in Kuwait, and would not necessarily need to make use of bases in Turkey or Saudi Arabia, both of which have expressed concern at American intentions in Iraq.

The speed of the build-up would also reduce Saddam's ability to exploit international opposition. A force of three American divisions - one airborne, one mechanised and one marine - could strike swiftly at Baghdad, possibly provoking an immediate coup.

At the same time, the force would probably not be big enough to secure Baghdad in the face of resistance from Saddam's 100,000-strong Republican Guard. Any internal coup attempt could also present Washington with a dilemma - Saddam's replacement may turn out to be just as evil.

The only way of doing the job properly, one Pentagon faction argues, is to send enough troops to crush the Republican Guard, seize control of Baghdad and install the INC as an interim government pending free elections. The INC's leader, Ahmed Chalabi, or a respected general such as Najib, might be called on to fill what American officials describe as the Hamid Karzai role - after the post-Taliban leader of Afghanistan.

The Pentagon's longstanding war plan calls for five US divisions and the entire 18th Airborne Corps to be thrown into battle. Yet it is not at all clear that such a vast force can be amassed or protected without

11-L-0559/OSD/8163

the use of air bases in Turkey or Saudi Arabia.

Both countries have serious misgivings: the price of an American assault may be a country split into three - the Kurdish north, Sunni Muslim centre and the Shi'ite south.

The long preparations required for a 200,000-strong invasion force would also allow Saddam time for "any amount of international mischief-making", one American analyst predicted.

Washington appears ready to wait until after the United Nations security council debates a new sanctions regime in May, when further demands will be made for UN weapons inspectors to have access to Iraq; a troop build-up through the summer could also delay an invasion until the autumn. There is concern as well that Saddam, as a last resort, could load his stockpile of missiles with chemical and biological warheads.

Despite worldwide concern that the Americans have not fully considered the long-term ramifications of ousting Saddam, there is little doubt in Washington that Bush is committed to finishing the job that his father started in Kuwait.

"Saddam Hussein needs to understand I'm serious," the president said last week. Such comments are music to Najib's ears. "I hope to be in Baghdad this year. Inshallah," the exiled general said.

God - and the American president - willing.

Additional reporting: James Clark and Adam Nathan.

LOAD-DATE: February 18, 2002

Copyright 2002 Times Newspapers Limited
Sunday Times (London)

February 10, 2002, Sunday

SECTION: Overseas news

LENGTH: 679 words

HEADLINE: Blair set to back US strike on Iraq

BYLINE: Tony Allen-Mills, Washington, Uzi Mahnaimi, Tel Aviv, and James Clark

BODY:

A HARDENING of American attitudes against Saddam Hussein is increasing pressure on Tony Blair to offer public support for a US-led military strike on Iraq. Senior US officials believe that Blair will endorse any American action rather than risk an embarrassing breach with President George W Bush.

The threat of an attack on Baghdad moved perceptibly closer last week when General Colin Powell, the American secretary of state who has long been regarded as a moderating element, made clear that America was ready to go it alone to achieve a "regime change" in Iraq.

Although no action is thought to be imminent, US officials believe key European allies will support an attack on Baghdad to prevent Saddam from completing weapons of mass destruction. Israeli intelligence officials warned their American counterparts last week that Saddam might have obtained radioactive material for a "dirty bomb". Neither British nor American intelligence sources think Saddam has got that far, but Blair was said by one senior Washington source to have accepted that Iraq would "sooner rather than later" be able to target western assets with lethal warheads.

Saddam continues to defy Bush's demands for United Nations weapons inspectors to return to Iraq. In a letter to Bulent Ecevit, the Turkish prime minister, the Iraqi president gave warning last week that America might "at any moment create false pretexts or use its influence on the inspection teams to commit aggression".

Despite wide concerns about the feasibility of action against Iraq, Bush and Blair are understood to have discussed possible joint strikes. The likelihood of some form of American-led action appeared to have been enhanced by Powell's public alignment with the Pentagon hawks.

Dismissing international scepticism over Bush's "axis of evil" speech last month, Powell told Congress: "I would not like to go into any of the details of the options that are being looked at (for Iraq), but it is the most serious assessment of options that one might imagine."

He said Washington was consulting its European partners: "We recognise that there are strong points of view in Europe... and I hear them whether I appreciate them or not." But he warned that when the international community "does not agree with us, we do not shrink from doing what we think is right".

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Iraq was high on the agenda when Ariel Sharon, the Israeli prime minister, met Bush in Washington last week. Israeli sources say they agreed to create a joint military apparatus to co-ordinate any action against Iraq.

The Israeli defence minister, Binyamin Ben-Eliezer, asked his counterpart, Donald Rumsfeld, to send American soldiers to seek out missile sites threatening Israel from western Iraq once any action began.

Dani Leshem, a strategic expert from Tel Aviv, said private dealers in the former Soviet Union could have provided Saddam with nuclear waste to pack around conventional explosives. Launched on one of Iraq's Al-Hussein missiles, the resulting blast might shower radioactive material over a wide area.

American nuclear sources said US intelligence had uncovered no indication that Saddam had acquired the necessary radiological material. "But we might not know if he got it," added Gary Mulhollin, of the Wisconsin Project on nuclear weapons control.

Trampled in the rush to condemn Iraq last week was the suggestion by Jack Straw, the foreign secretary, that the "axis of evil" speech was a ruse to earn Bush's party more votes in mid-term elections.

Straw was publicly slapped down by Condoleezza Rice, Bush's national security adviser. Other American officials expressed surprise that Straw should appear "out of the loop" on Blair's dealings with Washington.

A senior US source said Bush had recently told advisers that Blair had already offered "moral support" for an attack on Iraq. Bush and Blair have been discussing ways to bring other European allies on board; the Germans remain hostile, but there have been "encouraging noises" from France, the source claimed.

LOAD-DATE: February 11, 2002

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Copyright 2002 Times Newspapers Limited
Sunday Times (London)

January 13, 2002, Sunday

SECTION: Overseas news

LENGTH: 686 words

HEADLINE: Camp X-Ray rewrites the laws of war

BYLINE: Tony Allen-Mills in Washington

BODY:

THEY looked like beings from another planet as they emerged from a giant American transporter in fluorescent orange jumpsuits, turquoise masks and blacked-out plastic goggles.

It was one small step at a time as the shackled **detainees** stumbled off their flight from Afghanistan - but a giant leap in the dark for the US military base at Guantanamo Bay in Cuba, the most unlikely stop in the American campaign against terrorism.

The arrival on Cuban soil of 20 hardcore Al-Qaeda and Taliban prisoners on Friday has opened a dramatic new phase in the crackdown on Osama Bin Laden's terror networks.

The unprecedented intercontinental transfer of a large group of suicidally murderous prisoners has created a legal and security furore that may lead to the rewriting of one of the most sacred texts in the conduct of war - the Geneva convention governing the treatment of prisoners. The opening in Cuba of America's first international terrorist detention facility - a jagged collection of cages known as Camp X-Ray after its bare-bones facilities - has raised a host of controversial questions about the treatment of captives considered so dangerous that one American general suggested they were ready to chew through hydraulic cables in order to crash the plane that was carrying them.

The extraordinary spectacle of a line of manacled prisoners lining up in the Caribbean sunshine after a 20-hour flight around the world seemed all the more remarkable yesterday as American officials admitted that they were not sure what to do with their lethal booty of Islamic fundamentalist militants.

Nor was it clear that the captives had any idea that they were standing on land which belongs to that legendary anti-American icon, Fidel Castro, the president of Cuba. Under the terms of a 1934 treaty, America leases Guantanamo Bay from Cuba.

President George W Bush now faces a series of potentially awkward challenges as his troops mop up the last pockets of Al-Qaeda resistance in Afghanistan.

Every day more prisoners land in American hands; as of Friday, US troops were holding 445 captured Taliban and Al-Qaeda fighters, many of them regarded as senior figures who might provide crucial information about Bin Laden's operations.

The first flight to Guantanamo was anything but a normal military charter. There were two armed guards for every prisoner; yet one still managed to be so unruly that he had to be sedated.

Donald Rumsfeld, the American defence secretary, said: "There are among these prisoners

people who are perfectly willing to kill themselves and other people."

The flight appears to have passed off smoothly and the men were transferred to buses for a 20-minute ride across the base to Camp X-Ray, where they slept the night on mats in single 6ft by 8ft cells with plain roofs and open chain-link fence sides. They were given portable toilets.

The men will get wet if it rains, but they were promised "culturally appropriate food" that would exclude pork. They were also given two large towels, one for use as a Muslim prayer mat.

Now American lawyers are grappling with international laws and conventions governing the treatment of prisoners who do not easily fit into existing categories of wartime combatants. Rules such as the Geneva convention were drawn up in a different age when uniformed battalions confronted each other across clearly defined front lines.

Rumsfeld said Washington regarded its **detainees** not as prisoners of war, which would entitle them to full protection under Geneva rules, but "unlawful combatants" - men who did not wear uniform or belong to a national army.

In practical terms, Rumsfeld insisted, America intended to treat the men in a way that was "reasonably consistent" with the Geneva convention.

Both government officials and human rights sources predicted that the Guantanamo saga would provoke an international drive to update current conventions. No laws or agreements yet exist to deal with a Yemeni suspect who is arrested in Afghanistan by Americans and then transported blindfolded to Cuba for trial.

LOAD-DATE: January 14, 2002

◀ prev Document 3 of 3

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Fact Sheet
Department of Defense Order on Military Commissions
3/21/2002 12:22 AM

A military commission is a war-time, military tribunal traditionally used to try violations of the laws of war. Under the President's Military Order of November 13, 2001, those tried by military commission may include:

- Members of al Qaeda
- People involved in acts of international terrorism against the United States
- People who knowingly harbored such terrorists

Commission Membership and Selection

- Commissions will consist of at least 3 but no more than 7 members, with one or two alternates.
- The Secretary of Defense may appoint members and other commission personnel, or select an Appointing Authority to choose commission personnel.
- Commission members are officers in the United States Armed Forces, including reserve personnel, National Guard members, and retired personnel recalled to active duty.
- A Presiding Officer will be chosen from among the commission members to preside over commission proceedings. The Presiding Officer will be a judge advocate of any branch of the armed forces.
    - ✓ The Presiding Officer has the authority to admit or exclude evidence.
    - ✓ The Presiding Officer also has the authority to close proceedings to protect classified information or to protect the safety of defendants, witnesses, and commission members.

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A Full and Fair Trial

- Military defense counsel will be provided for the accused. In addition, the accused may choose their own counsel: another military officer who is a judge advocate of the U.S. Armed Forces or a civilian attorney. Civilian attorneys may be pre-qualified as members of a pool of available attorneys for the defense.

- The defendant and counsel will be able to see copies of the charges in their native language in advance of the trial.

- The accused is presumed innocent until proven guilty.

- The accused may be found guilty only when commission members are convinced of guilt beyond a reasonable doubt.

- The accused may refuse to testify during trial.

- The accused will be able to obtain witnesses and documents to use in his defense.

- The accused may not be tried twice before a military commission for the same offense.

- The accused may enter into a plea agreement.

Trial Format

- Trial proceedings will be open unless otherwise determined by the Presiding Officer. The Presiding Officer may also allow attendance by the public and press. Photography, video and audio recording and broadcasting will be prohibited.

- A trial may be closed to protect:

  - ✓ Classified or sensitive information
  - ✓ The physical safety of participants
  - ✓ Intelligence or law enforcement sources, methods and activities
  - ✓ National security interests

- Commissions will be independent and impartial.

- Evidence, including previous trial testimony and written statements, will be admissible if it would have probative value to a reasonable person.

- Witnesses will testify under oath, and will be subject to direct and cross-examination.

- For witness safety, some testimony may be accepted by phone, through the use of pseudonyms, or during closed proceedings.

- Commission members will deliberate and vote on findings of guilt, innocence, and sentencing in closed conference.

- A conviction requires a vote of two-thirds of the commission.

- A death sentence requires a unanimous vote.

- Sentences may also include life imprisonment or a lesser term, fines and restitution, or any other punishment deemed appropriate.

- A three-member Review Panel, appointed by the Secretary of Defense, will review trial findings within 30 days and approve or disapprove of the outcome. The panel will include three military officers but may also include civilians temporarily commissioned as military officers.

- Findings and sentences are not final until approved by the President or Secretary of Defense, but findings of "Not Guilty" cannot be changed.

- The procedures may be amended by the Secretary of Defense to accommodate changed circumstances.

The above information, while deemed reliable, does not constitute a definitive statement of the procedures applicable to military commissions established under the President's Military Order of November 13, 2001.

Military Commission Q & A
3/21/2002 12:24 AM

Q: When will the first detainee be tried by commission?

A: There is no timeline in place for a trial. First, the commissions must be chosen by the Secretary or what is called an Appointing Authority. The first trial will commence when the law enforcement, intelligence and military experts interviewing the detainees have gathered enough evidence against one or several to bring them to trial.

Q: Who will be tried?

A: The goal of the military commissions is to bring terrorists to justice. If there is evidence gathered that any of the detainees had a hand or meaningful connection to the al Qaeda terrorist network, and enough evidence is gathered against that person, they will be tried by a commission.

Q: The first three defendants are going through the civilian court system. Why do we need commissions?

A: Each case will be handled on an individual basis. If any detainees are found to be U.S. citizens, or wanted by the FBI or other law enforcement agency, there will be discussions on what the appropriate venue is to bring that person to justice.

Q: Will the Secretary name members of the commissions himself, or will he choose an Appointing Authority?

A: The order says the Secretary may name members of the commissions or name a person to do that job. A decision has not been made.

Q: Given the international protest regarding treatment of the detainees, do you think there will be significant international opposition to these commissions?

A: People around the world are concerned about catching and prosecuting terrorists. People from 80 different nations died on September 11. Our challenge is to build enough transparency into the process to show the world that U.S. values are reflected in the proceedings, and those are: due process of law, guaranteed rights for defendants, and open government.

Q: Will they be open to the public and the press?

A: The DoD directive calls for an open trial. However, the presiding officer of each commission is given some latitude to decide whether a trial should be open or closed, based on whether there is a need to safeguard information that could damage national security. We will be working to strike a balance between those concerns and the public's need to know. It is important for the families of the victims to see the convicted terrorists brought to justice. Photography, video and audio broadcasting will not be permitted.

Q: If the trials are closed, how will we know that the trails are fair?

Everyone involved in a commission is bound by the President's Military Order and the Pentagon's subsequent directive. These directives ensure a fair trial. For the accused, there is the presumption of innocence, the right to defense, the right to avoid self-incrimination, plea bargaining, and a review process after the trial.

Q: Will commissions be in place for the duration of the war?

A: The commissions will remain in place as long as they as necessary to bring terrorists to justice.

Q: The DoD order says there must be proof in order to try a detainee by commission. What proof have you gathered against the detainees?

A: Evidence is being gathered in Cuba and Afghanistan as we speak. The type of proof presented at a trial will vary from person to person. It has been reported publicly that our forces in Afghanistan have recovered computers, videotapes, weapons, and training documents. Obviously, these are the types of items that will be scrutinized for value in prosecuting terrorists.

Q: If a detainee is sentenced to a long period of confinement, where will he be held?

A: The guidelines released do not address the location of a convicted terrorist's detention, only that they will be incarcerated if that is the sentence imposed. A decision will be made at a later date with regard to permanent detention facilities for convicted terrorists.

Q: Who will be on the panel that reviews trial verdicts?

A: The Secretary will designate members of the review panel, which may include both military officers and temporarily-commissioned civilians. When he has selected those members, an announcement will be made.

Q: Why will the military commissions allow hearsay evidence to be introduced during proceedings?

A: Evidence will be admitted by the Presiding Officer if it is determined to have probative value.

Q: If the defense counsel is excluded during a closed session, how can the detainee get a fair trial?

A: Even if the defendant chooses a civilian attorney, who may be excluded during portions of the trial, a military attorney is also provided. The order states that the military attorney will not be excluded from any portion of the trial.

Q: Aren't the review panels basically powerless to overturn decisions?

A: The review panel may return a case to the Appointing Authority for additional proceedings if it feels errors occurred in the initial judgment.

Talking Points on Military Commissions/Military Commission Order
3/21/2002 12:24 AM
Core Messages

- Military commissions are additional tools in the war against terrorism.
- The Pentagon's procedures will ensure a full and fair trial for the accused.
- Military commissions are better suited than other judicial systems to handle some sensitive terrorist cases in which the security of participants and information may be at risk.

Military commissions are additional tools in the war against terrorism.

- The President, as Commander in Chief, issued a military order on November 13, 2001, that permits certain non-U.S. citizens to be tried by military commissions. The Department of Defense has developed appropriate procedures for commissions that are balanced, thoughtful, and just, and that reflect our country's values.

- Military commissions will allow the United States to bring wrongdoers to justice without compromising national security or any aspect of the war against terrorism. To satisfy the interests of justice while furthering the war effort, military commissions will:

  - ✓ Provide a "full and fair" trial
  - ✓ Allow protection of classified and sensitive information
  - ✓ Help protect the safety of court personnel, participants and witnesses
  - ✓ Allow flexibility in the timing and location of trials
  - ✓ Allow more inclusive rules of evidence to accommodate wartime circumstances

- The war against terrorism is an unconventional war, and terrorism is not a conventional crime. Military commissions are well-suited to

11-L-0559/OSD/8174

deal with the unique process of charging and trying terrorists. They are also compatible with the principles of the United States: open government and due process of law.

The Pentagon's order will ensure a full and fair trial for the accused.

- Military commissions will be used only in select cases, and they will be structured to be as open as possible while safeguarding the national security of the United States.

- Among other procedural protections, defendants will be presumed innocent, may be represented by an attorney of their choosing, may not be compelled to testify against themselves, and may see evidence in advance of the trial.

- To ensure fairness, trial outcomes are subject to review by a special panel, as well as by the Secretary of Defense and the President.

- The procedures may be amended by the Secretary of Defense to accommodate changed circumstances.

Military commissions are better suited than other judicial systems to handle some sensitive terrorist cases in which the security of participants and information may be at risk.

- There are a number of compelling reasons for using military commissions instead of civilian courts to try unlawful belligerents in times of war, including:

  ✓ We can help protect commission participants from terrorist threats and assure security at the trial itself. Because of the ongoing threat from terrorists, the risks to commission members are of a kind that military officers are trained and prepared to confront, but that are not normally imposed on jurors in civilian trials.

    - The judge who handled the trial for the 1993 World Trade Center attack is still under 24-hour protection by federal marshals and may have to be for the rest of his life.

  ✓ Military commissions permit more inclusive rules of evidence -- flexibility critical in wartime when it may be difficult to establish

11-L-0559/OSD/8175

chains of custody for documents or to locate witnesses. Military commission procedures assist both sides by allowing those judging the case to hear all probative evidence, including evidence obtained under conditions of war.

- ✓ Military commissions allow the use of classified information without endangering sources and methods. During the course of a civilian trial, prosecutors could be faced with the choice of exposing classified information or losing a conviction.

The above information, while deemed reliable, does not constitute a definitive statement of the procedures applicable to military commissions established under the President's Military Order of November 13, 2001.

11-L-0559/OSD/8176

March 20, 2002

MEMORANDUM FOR Senior Level Review Group

FROM: Ken Krieg

SUBJECT: Revised Transformation Briefing for 3/21 (1630) SLRG Meeting on Transformation

Attached is a revised draft of the Transformation Brief following your review last Thursday. I have attempted to incorporate your comments.

Signficant Changes on First 11 Pages

Page 1 – reordered and included alliance relationships.

Page 2 – edits as discussed; added "underpinning peace and stability…" in last bullet.

Page 3 – Added alliances in description; trimmed words – question of whether objective is to "maintain" or "widen" the margin of advantage.

Page 4 – Minor edits.

Page 5 – Focused on old and new modes of war; changed title accordingly.

Page 6 – Minor edits to shorten.

Page 7 – Added a few phrases to conform to QDR; added "into military concepts of operations" to box at bottom.

Page 8 – Changed 4th line consistent with discussion (add management; change budget to programs)

Page 9 – Took out row on underfunded base force

Page 10 – Streamlined as discussed.

Page 11 – Better defined the four risk areas and highlighted risk mitigation strategies we are pursuing.

Agenda for Meeting on Thursday. – We would intend to focus on a final review of this briefing.

Making the President's Goals for America's Defense a Reality

Next Steps in Transformation

March 2002

- Deter potential adversaries and defend America from a range of changing threats
  - Countering asymmetric threats
  - Defending against ballistic and cruise missiles, and
  - Mitigating surprise
- Fight and win the war on terror
- Assure morale and readiness of the Armed Forces
- Maintain U.S. leadership role in the world and strengthen U.S. alliances during this period of change
- Transform the Department of Defense
  - Reshaping military capability for the 21st Century
  - Refocusing culture, process and organization for better results

- Shape the changing nature of military competition and cooperation
- Through new combinations of concepts, capabilities, people and organizations,
- That exploit our nation's advantages and protect against our asymmetric vulnerabilities
- To sustain our strategic position, which helps underpin peace and stability in the world.

11-L-0559/OSD/8180

Working with our friends and allies, transformation is a sustained, iterative and dynamic process that:

- Integrates new concepts, processes, technologies, and organizational designs to make previous approaches obsolete or less effective
- Rebalances capabilities and forces to yield
  - Substantial operational improvements, and
  - New ways of conducting operations.
- Seeks to:
  - **Maintain a substantial/Widen the** margin of advantage over potential adversaries,
  - Minimize opportunity for surprise, and
  - Mitigate the effects of surprise when it occurs

Transformation is not:

- A defined or unchanging blueprint
- A silver bullet
- Something done to all the force at once
- Accomplished in a short period of time
- Just about systems or platforms

- Culture
  - Balanced risk taking
  - Creativity encouraged and rewarded
  - Superior speed
  - Forward leaning and forward looking
  - Sharing information, content and awareness
  - Technology adept "digital generation"
- Operations
  - Adaptive
  - Simultaneous
  - Joint
  - Non-synchronous
  - Tailored to specific need – all capabilities available, scalable
  - Use all elements of national power
  - Information driven
- Process and Organization
  - Streamlined
  - Greater flexibility
  - Distributed
  - Timely, decision-quality information
  - Emphasis on delegation
  - Integrating processes
  - Reduced cycle times
- Systems and Capabilities
  - Integrated networks
  - Joint and interoperable
  - Faster to the point of need
    - Precision effects
  - Mix and match as needed

Conflict	Old	New
100 Years War	• Individual Warrior (Mounted Knights)	• Massed Fire Power (Archers)
World War I	• Cult of the Offense (Cavalry)	• Static Defense (Trenches, barbed wire)
World War II	• Static Defense (Maginot Line)	• Maneuver (Blitzkrieg)

Transformational innovations that lead to success in one war, often do not in the next.

As much or more about changes in concepts as in weapons.

- In a period of significant, discontinuous change with great uncertainty
  - Globalization
  - Information age
  - Homeland security
  - Non-State as well as state actors
  - Asymmetric as well as conventional threats
  - Unrestricted by conventional rules
- Falling barriers to competitive entry
  - Immediate access to highly capable, low-cost IT
  - Competitive potential in key areas – space, sea, cyberspace
- If we do not transform, our nation risks losing its competitive advantage

The real need to change is often inversely proportional to one's perception of the need.

- Protecting the homeland and other critical bases of operations
- Denying enemies sanctuary; providing persistent surveillance, tracking, and rapid engagement with high-volume precision strike
- Projecting and sustaining force in distant denied areas
- Leveraging information technology and innovative concepts in a joint manner
- Assuring information systems and conducting effective information operations
- Enhancing the capability of space systems

Effective integration into military concepts of operations is key to success

Historical World View		Future Objectives
Central Planning	To	Adaptive and Dynamic Planning
Fixed, Predictable Threat	To	Capabilities Against Shifting Threats
Mature Business and Organization	To	Mix of New and Mature Organizations
Inputs Based Management – Focus on Programs	To	Output Based Management – Focus on Results
Appropriated Funds – "Cost is Free"	To	More Market-like and price based
Segmented Information – Closed Architecture	To	Networked Information – Open Architectures
Stovepiped and Competitive Organizations – "Zero sum Enterprise"	To	Aligned Organizations with common and shared objectives

Threat Based	To	Capabilities Based
2 MTW Strategy	To	4-2-1 Planning Construct
Broad-based Theater Engagement	To	Focused Security Cooperation
Deliberate Planning	To	Adaptive Planning
Mass and Material for Ultimate Superiority	To	Targeted Effects for Early Superiority

- Foster culture of innovation and experimentation that encourages intelligent risk taking
- Make Defense a satisfying career
- Attract and retain the force needed for the 21st century
- Energize, train and focus people to produce stronger performance
  - Reinforce by rewarding the best performers
  - Focus on training as we will fight

People <u>are</u> the Department of Defense.

Force Management Risk

- **Definition:** Excessive use of personnel, infrastructure and equipment
- **Risk Mitigation**
  - Reduce time away from home in peacetime
  - Modernize infrastructure and facilities
  - Selectively modernize equipment

Future Challenges Risk

- **Definition:** Challenge of dissuading, deterring, defeating longer-term threats
- **Risk Mitigation**
  - Experiment with new concepts, capabilities and organizational designs
  - Transform the capabilities of portions of the force
  - Foster a spirit of innovation and risk taking in the culture

Operational Risk

- **Definition:** Challenge of deterring or defeating near-term threats
- **Risk Mitigation**
  - Plan and prosecute war on terror
  - Elevate role of homeland defense
  - Develop forward deterrence posture

Institutional Risk

- **Definition:** Inefficiency represented by unresponsive processes, long decision cycles, segmented information, etc.
- **Risk Mitigation**
  - Modernize financial management systems and approaches
  - Acquisition excellence initiatives
  - Improve planning and resource allocation

Trade-Off Among The Risks Will Continue and Change Over Time

11-L-0559/OSD/8189

March 20, 2002, 12:00 pm

READ AHEAD FOR DEPUTY SECRETARY WOLFOWITZ:
TAPED TV INTERVIEW, CNN "WOLF BLITZER REPORTS"

FROM: Torie Clarke, (b)(6)

Date/Time: Thursday, March 21, 2002; 2:00-2:30 pm

Location: CNN Studio, 820 First Street, N.E., Washington (behind Union Station)

Reporter: Wolf Blitzer

Objectives: Build and sustain public support for the use of military commissions, and establish their credibility as legitimate tools of justice that protect U.S. citizens and safeguard national security.

Demonstrate to the American people that the U.S. is committed to bringing those responsible for the September 11 attacks to justice.

Pre-empt and contain overreaction among European audiences with regard to the treatment of detainees.

Messages:

- Military commissions are instruments of justice in the war against terrorism.
- The Pentagon's order will ensure a fair trial for the accused. Military commissions are fair, balanced and just.
- Military commissions are better suited to handle some sensitive terrorist cases and can provide more safety to participants than other judicial systems.

Possible questions:

- What's the latest from Afghanistan? Should we be prepared for more heavy fighting?
- Are you satisfied with the military commission process? Do you feel it's fair and just?
- What took you so long?
- Why use military tribunals? Why not just try these people in criminal court?
- Will Americans and Europeans be treated differently than Arabs, Afghans, etc.?
- Will al Qaeda and Taliban prisoners be subject to possible capital punishment? Will there be a difference between treatment of al Qaeda and Taliban prisoners?
- Where will the tribunals take place? In the U.S?

Attachments:
OSD Policy/PA Military Commissions Fact Sheet; Q&A; Talking Points
Secretary Rumsfeld quotes/briefing transcripts on detainees and military commissions

Prepared by: Susan Wallace, Don Meyer, OASD/PA (b)(6)

Fact Sheet
Department of Defense Order on Military Commissions
3/20/2002 10:39 PM

A military commission is a war-time, military court convened to try war criminals charged with offenses that fall outside the normal scope of the U.S. civilian law enforcement and judiciary systems. Those tried by military commission may include:

- Members of al Qaeda
- People involved in acts of terrorism against the United States
- People who knowingly harbored terrorists

Commission Membership and Selection

- Commissions will consist of at least 3 but no more than 7 members, with one or two alternates.
- The Secretary of Defense may appoint members, or select an Appointing Authority to choose commission members.
- Commission members are officers in the United States Armed Forces, including reserve, National Guard and retired personnel recalled to active duty.
- A Presiding Officer will be chosen to preside over commission proceedings. The Presiding Officer will be a judge advocate of any branch of the armed forces.
    - ✓ The Presiding Officer has the authority to admit or exclude evidence.
    - ✓ The Officer also has the authority to close proceedings to protect classified information or protect the safety of defendants, witnesses and commission members.

A Full and Fair Trial

- Defense counsel will be provided for the accused, or the accused may choose their own counsel: a military officer who is a judge advocate of the U.S. Armed Forces or a civilian attorney. Civilian attorneys may also be pre-qualified as members of a pool of available attorneys for the defense.
- The defendant and counsel may see copies of the charges and evidence in their native language in advance of the trial.
- The accused is presumed innocent until proven guilty.
- The accused may be found guilty only when commission members are convinced of guilt beyond a reasonable doubt.

- The accused may refuse to testify during trial.
- The accused may obtain witnesses and documents to use in their defense.
- The accused may not be tried twice for the same offense.
- The accused may enter into plea agreements.

Trial Format

- Trial proceedings will open unless otherwise determined by the Presiding Officer. The Presiding Officer may also allow attendance by the public and press. Photography, video and audio recording and broadcasting will be prohibited.
- A trial may be closed to protect:
  - ✓ Classified or sensitive information
  - ✓ The physical safety of participants
  - ✓ Intelligence or law enforcement sources, methods and activities
  - ✓ National security interests
- Commissions will be independent and impartial, and will proceed quickly.
- Physical and scientific evidence will be admissible if it has value to the proceedings, as will previous trial testimony and written statements.
- Witnesses will testify under oath, and will be subject to direct and cross-examination.
- For witness safety, some testimony may be accepted by phone, use of pseudonyms and closure of the proceedings.
- Commission members will deliberate and vote on findings of guilt, innocence, and sentencing in closed session.
- Conviction requires a vote of two-thirds of the commission.
- Death sentences require a unanimous vote.
- Sentences may also include life imprisonment or a lesser term, fines and restitution, or any other punishment deemed proper.
- A three-member Review Panel, appointed by the Secretary of Defense, will review trial findings within 30 days and approve or disapprove of the outcome. The panel will include three military officers but may also include temporarily commissioned civilians.
- Findings and sentences are not final until approved by the President or Secretary of Defense.

Military Commission Q & A
3/20/2002 10:39 PM

Q: When will the first detainee be tried by commission?

A: There is no timeline in place for a trial. First, the commissions must be chosen by the Secretary or what is called an Appointing Authority. The first trial will commence when the law enforcement, intelligence and military experts interviewing the detainees have gathered enough evidence against one or several to bring them to trial.

Q: Who will be tried?

A: The goal of the military commissions is to bring terrorists to justice. If there is evidence gathered that any of the detainees had a hand or meaningful connection to the al Qaeda terrorist network, and enough evidence is gathered against that person, they will be tried by a commission.

Q: The first three defendants are going through the civilian court system. Why do we need commissions?

A: Each case will be handled on an individual basis. If any detainees are found to be U.S. citizens, or wanted by the FBI or other law enforcement agency, there will be discussions on what the appropriate venue is to bring that person to justice.

Q: Will the Secretary name members of the commissions himself, or will he choose an Appointing Authority?

A: The order says the Secretary may name members of the commissions or name a person to do that job. A decision has not been made.

Q: Given the international protest regarding treatment of the detainees, do you think there will be significant international opposition to these commissions?

A: People around the world are concerned about catching and prosecuting terrorists. People from 80 different nations died on September 11. Our challenge is to build enough transparency into the process to show the world that U.S. values are reflected in the proceedings, and those are: due process of law, guaranteed rights for defendants, and open government.

Q: Will they be open to the public and the press?

A: The DoD directive calls for an open trial. However, the presiding officer of each commission is given some latitude to decide whether a trial should be open or closed, based on whether there is a need to safeguard information that could damage national security. We will be working to strike a balance between those concerns and the public's need to know. It is important for the families of the victims to see the convicted terrorists brought to justice. Photography, video and audio broadcasting will not be permitted.

Q: If the trials are closed, how will we know that the trails are fair?

Everyone involved in a commission is bound by the President's Military Order and the Pentagon's subsequent directive. These directives ensure a fair trial. For the accused, there is the presumption of innocence, the right to defense, the right to avoid self-incrimination, plea bargaining, and a review process after the trial.

Q: Will commissions be in place for the duration of the war?

A: The commissions will remain in place as long as they as necessary to bring terrorists to justice.

Q: The DoD order says there must be proof in order to try a detainee by commission. What proof have you gathered against the detainees?

A: Evidence is being gathered in Cuba and Afghanistan as we speak. The type of proof presented at a trial will vary from person to person. It has been reported publicly that our forces in Afghanistan have recovered computers, videotapes, weapons, and training documents. Obviously, these are the types of items that will be scrutinized for value in prosecuting terrorists.

Q: If a detainee is sentenced to a long period of confinement, where will he be held?

A: The guidelines released do not address the location of a convicted terrorist's detention, only that they will be incarcerated if that is the sentence imposed. A decision will be made at a later date with regard to permanent detention facilities for convicted terrorists.

Q: Who will be on the panel that reviews trial verdicts?

A: The Secretary will designate members of the review panel, which may include both military officers and temporarily-commissioned civilians. When he has selected those members, an announcement will be made.

Q: Why will the military commissions allow hearsay evidence to be introduced during proceedings?

A: Evidence will be admitted by the Presiding Officer if it is determined to have probative value.

Q: If the defense counsel is excluded during a closed session, how can the detainee get a fair trial?

A: Even if the defendant chooses a civilian attorney, who may be excluded during portions of the trial, a military attorney is also provided. The order states that the military attorney will not be excluded from any portion of the trial.

Q: Aren't the review panels basically powerless to overturn decisions?

A: The review panel may return a case to the Appointing Authority for additional proceedings if it feels errors occurred in the initial judgment.

Talking Points on Military Commissions/Military Commission Order
3/20/2002 10:41 PM
Core Messages

- Military commissions are instruments of justice in the war against terrorism.
- The Pentagon's order will ensure a fair trial for the accused. Military commissions are fair, balanced and just.
- Military commissions are better suited to handle some sensitive terrorist cases and can provide more safety to participants than other judicial systems.

Military commissions are instruments of justice in the war against terrorism.

- The President, as Commander in Chief, issued a military order on November 13, 2001, that permits non-U.S. citizens to be tried by military commissions. The Department of Defense has developed appropriate procedures for commissions that are fair, balanced and just, and reflect our country's values.
- Military commissions will allow the United States to achieve justice without compromising national security or any aspect of the war against terrorism. To satisfy the interests of justice while furthering the war effort, military commissions will:
  - ✓ Provide a "full and fair" trial
  - ✓ Allow protection of classified and sensitive information
  - ✓ Help protect the safety of court personnel, participants and witnesses
  - ✓ Allow flexibility in the timing of trials
  - ✓ Allow more inclusive rules of evidence
- The war against terrorism is an unconventional war, and terrorism is not a conventional crime. Military commissions are well-suited to deal with the unique process of charging and trying terrorists.
- Military commissions are indispensable in defending the United States against terrorism. They are also compatible with the principles of the United States: open government and due process of law.

The Pentagon's order will ensure a fair trial for the accused. Military commissions are fair, balanced and just.

- Military commissions will be used only in select cases, and they will be structured to be as open as possible while safeguarding the national security of the United States.
- Defendants will be presumed innocent, represented by an attorney, may not be compelled to testify against themselves and may see evidence in advance of the trial.

- To ensure fairness, trial outcomes are subject to review by a special panel, the Secretary of Defense and the President.

Military commissions are better suited to handle some sensitive terrorist cases and can provide more safety to participants than other judicial systems.

- There are a number of compelling reasons for using military commissions instead of civilian courts to try unlawful belligerents in times of war, including:

  ✓ We can help protect commission participants from terrorist threats and assure the security of the trial itself. Because of the ongoing threat from terrorists, the risks to jurors are of a kind that military officers are trained and prepared to confront, but that are not normally imposed on jurors in civilian trials.

    - The judge who handled the trial for the 1993 World Trade Center attack is still under 24-hour protection by federal marshals and probably will be for the rest of his life.

  ✓ Military commissions permit more inclusive rules of evidence -- flexibility critical in wartime when it may be difficult to establish chains of custody for documents or to locate witnesses. Military commissions allow those judging the case to hear all the evidence, including evidence obtained under conditions of war.

  ✓ Military commissions allow the use of classified information without endangering sources and methods. During the course of a civilian trial, prosecutors could be faced with a situation where they would have to expose classified information.

Secretary Rumsfeld Interview with NBC Meet the Press

(EXCERPT of Interview with Tim Russert, NBC Meet the Press.)

Russert: Military tribunals. The president has given an order as commander-in-chief that military tribunals be established, if need be. What does that mean to you?

Rumsfeld: It means that the president, as was the case with George Washington, during the Civil War with Abraham Lincoln, and with Franklin Roosevelt during World War II, has said that it may that we need that option. And as a result, he has put in place and begun the work to develop the kinds of procedures and approaches that would be appropriate so that in the event that we need to have a military commission, that we would be in a place to detain a person and take control over a person that he designates. He has not designated anyone to be tried by a military commission. He may. He may not, but he may. And if he does, he wanted to get the military order out designating the secretary of Defense as the person responsible so that that work could begin.
I must say I've been interested in the press discussion and media discussion on the subject. I think it's been generally useful. It's elevated a lot of issues that are important and need to be considered. Some of it's been a little shrill given the fact that nobody's been designated yet to be tried by a military commission. But overall, those of us in the Department of Defense have found it useful, and we are working very hard with some very smart people all across the country, out of government, to try to make sure that we do this in the event it happens in a very measured, balanced, thoughtful way that reflects our country's values and approaches.

United States Department of Defense

News Transcript

On the web: http://www.defenselink.mil/news/Feb2002/t02082002_t0208sd.html
Media contact: media@defenselink.mil or +1 (703) 697-5131
Public contact: public@defenselink.mil or +1 (703) 428-0711

Presenter: Secretary of Defense Donald H. Rumsfeld Friday, February 08, 2002 - 1:30 p.m. EST

DoD News Briefing - Secretary Rumsfeld and Gen. Myers

Primary topic: status of detainees

(Also participating: General Richard Myers, Chairman, Joint Chiefs of Staff)

Rumsfeld: Good afternoon. The United States, as I have said, strongly supports the Geneva Convention. Indeed, because of the importance of the safety and security of our forces, and because our application of the convention in this situation might very well set legal precedence that could affect future conflicts, prudence dictated that the U.S. government take care in determining the status of Taliban and Al Qaeda detainees in this conflict.

The president has, as you know, now determined that the Geneva Convention does apply to the conflict with the Taliban in Afghanistan. It does not apply to the conflict with al Qaeda, whether in Afghanistan or elsewhere. He also determined that under the Geneva Convention, Taliban detainees do not meet the criteria for prisoner of war status.

When the Geneva Convention was signed in the mid-20th century, it was crafted by sovereign states to deal with conflicts between sovereign states. Today the war on terrorism, in which our country was attacked by and is defending itself against terrorist networks that operate in dozens of countries, was not contemplated by the framers of the convention.

From the beginning, the United States armed forces have treated all detainees, both Taliban and al Qaeda, humanely. They are doing so today, and they will do so in the future. Last month I issued an order to our military, which has been reaffirmed by the president, that all detainees -- Taliban and al Qaeda alike, will be treated humanely and in a manner that's consistent with the principles of the Geneva Convention.

As the president decided, the conflict with Taliban is determined to fall under the Geneva Convention because Afghanistan is a state party to the Geneva Convention. Al Qaeda, as a non-state, terrorist network, is not. Indeed, through its actions, al Qaeda has demonstrated contempt for the principles of the Geneva Convention. The determination that Taliban detainees do not qualify as prisoners of war under the convention was because they failed to meet the criteria for POW status.

A central purpose of the Geneva Convention was to protect innocent civilians by distinguishing very clearly between combatants and non-combatants. This is why the convention requires soldiers to wear uniforms that distinguish them from the civilian population. The Taliban did not wear distinctive signs, insignias, symbols or uniforms. To the contrary, far from seeking to distinguish themselves from the civilian population of Afghanistan, they sought to blend in with civilian non-combatants, hiding in mosques and populated areas. They were not organized in military units, as such, with identifiable chains of command; indeed, al Qaeda forces made up portions of their forces.

What will be the impact of these decisions on the circumstances of the Taliban and al Qaeda detainees?

And the answer, in a word, is none. There will be no impact from these decisions on their treatment. The United States government will continue to treat them humanely, as we have in the past, as we are now, and in keeping with the principles of the Geneva Convention. They will continue to receive three appropriate meals a day, medical care, clothing, showers, visits from chaplains, Muslim chaplains, as appropriate, and the opportunity to worship freely. We will continue to allow the International Committee of the Red Cross to visit each detainee privately, a right that's normally only accorded to individuals who qualify as prisoners of war under the convention.

In short, we will continue to treat them consistent with the principles of fairness, freedom and justice that our nation was founded on, the principles that they obviously abhor and which they sought to attack and destroy. Notwithstanding the isolated pockets of international hyperventilation, we do not treat detainees in any manner other than a manner that is humane.

General Myers.

Myers: Well, thank you, Mr. Secretary, and good afternoon.

I'd like to give you an update on current operations. As of just a few hours ago, we do have military personnel on the ground in the Zhawar Kili area. You may remember this was the area at the beginning of the week where we had a strike. There are over 50 personnel involved in this operation, and of course, their mission is to exploit any intelligence that can be gathered at the site.

To answer what might be the first question, no, we don't have any reports yet from the ground. This is due to the fact that it's nighttime there. That's when they were inserted. And they're going to wait 'til first light to begin their sweep.

Yesterday we received 28 additional detainees in Guantanamo Bay, and we now have a total of 186 detainees in Cuba. We hold an additional 271 detainees in Afghanistan.

And with that, we're happy to take your questions.

Rumsfeld: Charlie?

Q: Mr. Secretary, how do you respond to criticism from people who say that the reason you won't call these detainees prisoners of war is because, as prisoners of war, they might be tried by military courts martial, where their rights would be much more carefully spelled out, as opposed to possible tribunals, which the president has authorized?

Rumsfeld: Well, I'll respond factually, by saying that that's not correct. Those issues have never been discussed, nor have they ever been any part of the consideration in the determination. The considerations have been continuously, as they've been discussed by the lawyers, issues as to precedent, what is the right thing to do, what is consistent with the conventions, and what establishes a precedent that is appropriate for the future. We could try them any number of ways. And that has not been a factor at all.

The convention created rules to make soldiers distinguish themselves from civilians, and the reason for that was so that civilians would not be unduly endangered by war. The convention created, in effect, an incentive system, and it was an extremely important part of the conventions, that soldiers who play by the rules get the privileges of prisoner-of-war status. To give a POW status to people who did not respect the rules clearly would undermine the conventions' incentive system and would have the non-intuitive effect of increasing the danger to civilians in other conflicts.

Q: Mr. Secretary, can I ask you a question about Guantanamo Bay?

Rumsfeld: Sure.

Q: Are you considering any limitations, new limitations or an outright ban on TV or photo coverage of Camp X-ray?

Rumsfeld: Am I currently considering anything like that? I don't know that we are. I must say, I have found the misrepresentation of those photos to be egregious, notwithstanding the fact that we had a caption under that, I'm told, from the outset.

Q: You're talking about the original photo?

Rumsfeld: The original photo. And it has -- those people were there in the circumstance when they came out of the airplane, off the bus, off the ferry, off the bus, into that area. They were in there somewhere between 10 and 60 or 80 minutes at the maximum as they were taken individually and processed in a tent right nearby, where they were met, data gathered, and then they were placed in individual cells.

The newspaper headlines that yelled, "Torture! What's next? Electrodes?" and all of this rubbish was so inexcusable that it does make one wonder, as I said to Jamie, why we put out any photographs, if that's the way they're going to be treated, so irresponsibly.

Jamie's contention was we should put out more photos with captions. I'm not sure -- I almost always agree with Jamie, but in this case I'm not quite sure. One thought that someone has suggested, I don't know if it's still under consideration, is that we release photos but with a mandatory caption, that the caption we supply be used if someone wants to use the picture. But I haven't thought about that. I don't know if that's a good idea or a bad idea.

Q: It's a bad idea.

Rumsfeld: It's a bad idea? (Laughter.)

Q: Now you're talking about official photographs.

Rumsfeld: Yeah.

Q: I'm asking you about independent news organizations' coverage by photo or TV. Is there any?

Rumsfeld: Well, as you know, there is a -- there are -- I'm not going to say there are not rules, but there are certainly patterns and practices that have evolved since the Geneva Convention where it is frowned upon to allow photos that could be seen as being embarrassing or there's a couple other words they use, invasive of their privacy, what?

Victoria Clarke, Assistant Secretary of Defense for Public Affairs: Curiosity -- holding them up for public --

Rumsfeld: Holding them up for public curiosity. So we have to be careful about photographs that are taken.

Q: But the answer to my original question was no, you're not considering any new kind of restriction or --

Rumsfeld: Am I personally?

Q: Well, the department, you --

Rumsfeld: I have no idea about the department. We'll check with Torie. She might very well be.

(Cross talk.) Right here. Yes?

Q: Can you explain -- I know the administration has said that the Taliban do not qualify for POW status because of these four criteria -- (inaudible) -- uniforms, special insignia --

Rumsfeld: Mm-hmm.

Q: -- and yet there's another part of that that says the armed forces of any party in the conflict should qualify as a POW. Why would you not put the Taliban under that category, which does not have those four criteria?

Rumsfeld: Well, the president has said the Taliban does apply -- the convention does apply to the Taliban.

Q: It applies to the Taliban -- but not POW status.

Rumsfeld: Well, that's a different set of criteria for that.

Q: Exactly, and that's what I'm saying. The second criteria -- you have four criteria, and it's outside --

Rumsfeld: For POW status.

Q: For POW status. But one also says you --

Rumsfeld: One what?

Q: One of the articles says that you qualify for POW status if you are a member of the armed forces of a party in conflict. Why does the Taliban not qualify as POW under that? Why have you put them in this separate category, where they would be militia?

Rumsfeld: I think you're -- I may not be following the question, but I think we're mixing apples and oranges.

Q: The four criteria for militias --

Q: The four criteria are for militias. So the administration --

Rumsfeld: They're -- no. Well, the four criteria are as to whether or not they're POWs.

Q: Right.

Rumsfeld: Right.

Q: But there is another category that says they qualify for POW status if they are a member of the armed forces of the party to a conflict. I don't want to get in these big legal issues --

Rumsfeld: Yeah, because I'm not a lawyer, and --

Q: -- but that's written exactly above the militia, where the four --

Rumsfeld: We'll ask the lawyers. This was a decision not made by me, not made by the Department of the Defense. It was made by the lawyers and by the president of the United States. And we'll --

Q: But would you say the Taliban is the armed forces of that country?

Rumsfeld: We will take your question and see if the lawyers that made the decision would like to address it.

Q: Could you please provide some more detail for us about this attack on Monday -- why it occurred, who were the suspected targets, how it occurred? And also, among these 50-plus Army personnel who have arrived there today, does that include any forensics teams?

Myers: First of all, the teams that are going in there are prepared to gather whatever kind of intelligence they come across. So whether the forensics teams are with them or whether they're trained to gather the evidence and take it back to a team, I can't tell you. But I think they have -- they're aware that there may not be a lot of evidence. They may have to gather small evidence and bring it back and see if it could be evaluated.

On terms of the target itself, it was developed over a period of hours. I would say several sources of intelligence fed into that. There were lots of discussions among Central Command and other folks on the target, and it was concluded that it was a valid target and it was struck.

Q: Could you -- what does a "valid target" mean? I mean, a valid target how? Were they considered to be senior al Qaeda leaders, as has been reported?

Myers: I think all we better say right now, until we gather the evidence -- because again, this is -- we had nobody on the ground close by when this occurred, I think we better wait for this team to do their work and tell us. But -- well, let's just leave it at that.

Rumsfeld: Yes? Right here. Thelma?

Q: A Geneva question.

Rumsfeld: Right here.

Q: In Geneva --

Q: No, there were not SUVs?

Myers: There was one truck at the scene, as I understand it.

Q: One truck. Not an SUV?

Rumsfeld: Here we go.

Q: In Geneva -- back to Cuba for a second. In Geneva, a spokesman for the International Red Cross is saying that the decision falls short because the International Red Cross says that all al Qaeda or Taliban are POWs unless a competent tribunal decides otherwise. What would be your reaction to that?

And also, you didn't mention how this decision would affect them legally, such as their access to legal counsel, the way they're interrogated. Two angles to that, first the International Red Cross.

Rumsfeld: With respect to the second part of the question, I'm told it doesn't affect their legal status at all, nor does it affect how they'd be treated. And -- that is to say, it does not affect their status from the way they have been being handled prior to the decision by the White House or now. There's no change either -- to my knowledge -- in their status or how they'll be treated.

Q: Or answer questions like -- they may not give any more than their name, rank, serial number? Does it affect how they're interrogated?

Rumsfeld: That, I believe, applies to a prisoner of war, under the Geneva Convention.

With respect to the International Committee of the Red Cross, my guess is that if they have lawyers who encourage them to say what they say, that very likely the lawyers that came to the opposite conclusion will have something to say about what they said. And that's the way the world works. These kinds of things -- if we begin with the truth, and that is that it's not affecting how they're being treated, and then take this whole issue and say that it really revolves around a discussion between lawyers as to precedents for the future, it seems to me that it's appropriate to let the lawyers discuss those things. The announcement was made by the White House -- Ari Fleischer -- and I suppose that the answers to those kinds of legal questions should come from Ari Fleischer as well.

Yes.

Q: Have you made any progress that you can share with us in deciding the next step? In other words, will these people be sent to commissions, to tribunals, to the civilian justice system, back to their countries? Have you made any progress in any of that?

Rumsfeld: Sure. Sure. Sure. We are interviewing them. They've -- I forgot what the number is, but it's something like, if there were 158 down there prior to the latest [look], I think something like 105 of those have been interrogated and met with, and the intelligence information is being gathered from them. The question as to whether any of them will be subject to the presidential military order for a military commission, some people call it tribunal, but commission I think is in the order, the answer is that's up to the president. He decides whom -- which among these people -- he would want to put into the category, and he has not made any decision with respect to anyone being dealt with in that manner.

Q: But I believe you were working on a plan here at the Defense Department on what the standards were for how these people would be sorted out and treated.

Rumsfeld: We have been, you're right.

Q: Is there anything you could share with us about any progress you've made in those decisions?

Rumsfeld: Except to say we've made a lot of progress, we've cleared away a lot of underbrush, we have four or five things that I think we're reasonably well settled on that we would use. And there, obviously, has to be then discretion -- a degree of discretion -- left to the individual commissions as to how they deal with a variety of different issues.

Yes.

Q: Mr. Secretary, the Geneva Conventions of course cover many other things besides prisoners of war. They govern, for example, what's a legitimate target, what's not a legitimate target. As U.S. military operations go forward against al Qaeda in the future, will those operations be governed by any or bounded by any international legal constraints at all?

Rumsfeld: Well, I guess the phrase is, "In accordance with the laws and customs of war, that's how the men and women in the armed services are trained. That's how they conduct themselves" -- I think is the appropriate answer.

Q: Because it's your own will to conduct that way. But you don't see any laws that actually would apply to U.S. military operations against al Qaeda, I mean international laws of war that would apply to military operations against al Qaeda?

Rumsfeld: We've not noted that the al Qaeda have adhered to any international laws of war or customs. The United States does, has and will. That is how every single man and woman in the United States armed forces is trained, and they understand that.

Q: Whether it's obligated to or not?

Rumsfeld: I beg your pardon?

Q: Whether it's obligated to or not?

Rumsfeld: Yeah. I mean, we have said that as a matter of policy, that's the way we behave, that's the way we will handle people, that's the way we will function, and have been.

Q: Mr. Secretary, you mentioned one of the principles from the Geneva Convention that soldiers should be distinguishable from civilian populations. But isn't it true that you have Special Forces in Afghanistan have grown beards, they're not wearing insignia uniform? And how would you feel if a member of the U.S. Special Forces -- God forbid -- were captured in Afghanistan, but were treated humanely, would you object if they were not given prisoner of war status?

Rumsfeld: The short answer is that U.S. Special Forces -- I don't know that there's any law against growing a beard. I mean, that's kind of a strange question.

Q: Yeah, what about not wearing insignia --

Rumsfeld: What's wrong with growing a beard?

Q: Well, not wearing insignia, not --

Rumsfeld: Wait! Wait! Wait! You asked it, I'll answer it. They do wear insignia, they do wear uniforms. Those photographs you saw of U.S. Special Forces on horseback, they were in the official uniform of the United States Army, and they wear insignia and they do carry their weapons openly, and they do behave as soldiers. That's the way they're taught, that's what they do. They may have a beard, they may put a scarf over their head if there's a stand storm, but there's no rule against that.

They certainly deserve all of the rights and privileges that would accrue to somebody who is obeying the laws and customs of war. And they carry a card. You've probably got one in your pocket right now, of their Geneva Convention circumstance.

Myers: Yeah, the ID they carry are Geneva Convention cards. I mean, that's the standard.

Rumsfeld: And they all have that.

Q: Mr. Secretary --

Q: Can I follow up on that?

Rumsfeld: Yes?

Q: Can you say how many of the detainees are al Qaeda, how many are Taliban?

Rumsfeld: I don't know. I've looked at several of the forms that are being used to begin to accumulate the data. They have photographs, they have identifying features. Then they have the information that the individual has given us, that is to say their nationality, roughly when they were born, what languages they speak so you can talk to them, and a whole series of things like that. Whether they say they're al Qaeda, whether they say they were Taliban, what units -- activities they were doing, where they were trained -- those types of things. There's a form that they fill out that's the preliminary information. Whether it's true or not -- there's a lot of them who don't tell quite the truth.

Q: But haven't they been screened at this point?

Rumsfeld: Yes.

Let's -- you want to go through the screening process. Let's ... it might be useful.

Someone who is detained -- and they may be detained by Afghan forces, Pakistani forces, U.S. forces -- a sort is then taking place. The ones that we have, they will be interviewed by a team of people, three or four or five people -- sometimes Department of Justice, sometimes Army, mixture of Army, sometimes CIA, sometimes whatever. And they're met with, and they're talked to, and they're interviewed. And a preliminary discussion takes place and a preliminary decision is made.

In some cases, they just let them go. They're foot soldiers, and they -- they're going to go back into their village, and they're not going to bother anybody. In some cases, they're al Qaeda, senior al Qaeda, in which case they're treated in a totally different way, in a very careful way. In some cases, it's unclear, and they then are sent someplace, if we have custody of them, and they will go either to Bagram or they'll go to Kandahar. In one or two cases, they've gone to a ship for medical treatment. And then, in some cases, they end up at Guantanamo Bay.

If the Afghans hold them, they'll tell us what they've got, what they think they've got. And as we have time, we then send these teams in and do the same kind of a screening and make a judgment. Same thing with the Pakistanis when they have clusters of them.

There are, you know, 3(,000) or 4(,000), 5(,000), 6(,000), thousands of these people. We have relatively few that we have taken and retained custody over.

Q: But have you determined the -- of the ones that you do have, have you determined their status individually, on an individual?

Rumsfeld: Yes, indeed, individually.

Q: So you know which are al Qaeda and which are Taliban?

Rumsfeld: "Determined" is a tough word. We have determined as much as one can determine when you're dealing with people who may or may not tell the truth.

Q: Right.

Rumsfeld: So yes, we've done the best we can.

Q: So there's no need for status tribunals to decide who's Taliban and who's al Qaeda?

Rumsfeld: My understanding is that when there's -- when doubt is raised about it -- a process then is a more elaborate one, where they then are brought back into discussion and interrogation, and other people will ask about them. Well, we will ask other people in the mix who these people are and try to determine what the story is. But -- and now, once they've gone through one or two sorts like that and they're determined to be people we very likely will want to have a longer time to interrogate and want to get out of the imperfect circumstance they're in -- they may be in -- that the Pakistanis would like to get rid of them or the Afghans would like to get rid of them, or there's not enough room in Kandahar -- we take them to Guantanamo Bay as soon as the cells are made fast enough.

And there they will go through a longer process of interrogation.

Yes?

Q: General Myers, what were the assets involved in the strike on Zhawar Kili? And were there casualties that were garnered -- or gathered from subsequent intelligence? And also, are the U.S. troops accompanied by Afghan soldiers? And if I may, to add one more on there, was this believed to have been a strike on Osama bin Laden? I mean, I think that's what everybody seems to be wanting to get to. Was he believed to be at this place at that time?

Myers: The strike was on some individuals. Who, has yet to be determined. And that's what they're in there gathering the intelligence on. It was from a Predator. And as far as I know, to answer, I think, the second part of your question, there are -- I don't believe -- let me check. I do not know if there are Afghan forces with them. I don't know the answer to that.

Q: Can you address the question of why there was not a U.S. -- I gather it's a non-U.S. military Predator, and therefore -- and the question is, why would there not have been a U.S. military asset in that area, I mean if this was intelligence gathered over hours?

Myers: That gets into the tactics and the techniques, and I'm just not going to go into it.

Q: Mr. Secretary, a couple of points, since you invoked my name.

Rumsfeld: It's complimentary, though.

Q: One, I would just point out that the -- while the caption to this picture does indicate that these people are in a holding area, it doesn't provide the context that you provided immediately after its release and again today. Two, while some of the press coverage might have been, in your words, misinformed or misleading, that wasn't universally the case.

Rumsfeld: No, of course not.

Q: And some of the most egregious ...

Rumsfeld: Isolated pockets, I said.

Q: Most of the most egregious coverage, like the headline you cited, was from a foreign paper.

Rumsfeld: Exactly.

Q: Not a U.S. paper.

Rumsfeld: Exactly right.

Q: And, that said, I want to ask my question.

Rumsfeld: Yes. I agree with everything you've said again.

Q: I have a question for ...

Q: Is there any ...

(Laughter.)

Q: I know you don't know who was killed in the strike on Monday, but is there any evidence that would suggest that Osama bin Laden might have been among those killed?

Rumsfeld: We just simply have no idea.

Q: Have you ruled out that possibility?

Rumsfeld: We have not ruled in or out anything. If you lack knowledge, you don't do either. You don't tell left or right or rule out, rule in. You just say you do not know the answer.

Q: And on the question of POW status, are you confident that you're not setting a precedent here that could rebound to the disadvantage of American troops captured sometime in the future in another conflict?

Rumsfeld: Of that I -- again -- first of all, to know what kind of a precedent you're setting you have to be very, very smart and see into the future. That's hard to do. It's hard even for very smart lawyers -- which I'm not.

I am very confident that we are not doing anything to -- in any way disadvantage the rights and circumstances of the U.S. military. I think that the decision was made by the president with that very much in mind, and it was expressed by a number of the people in the deliberative process, and it was expressed over a period of time because it was very carefully dealt with. It was not a hasty decision. This took us some days.

What I cannot say about the precedent is that that decision, or any other decision, conceivably could end up having an effect, a precedental effect down the road that is difficult to anticipate now. And it was because of that caution and that concern that they wanted to apply it very carefully that so much time was taken in attempting to make that judgment. But the one thing that I am reasonably satisfied with is the question you asked, and that is that we have taken every care to ensure that the decision would not in any way adversely

affect U.S. armed forces.

Q: One more point on this, if I might. I would just argue that when you believe that there has been bad press reporting or misreporting, the solution to that is more sunshine, not less. If you become more secretive, your friends will suspect, and your enemies will believe, the worst.

Rumsfeld: Right. That's true. It's good -- fair enough. Ought to add that to Rumsfeld's Rules! (Laughter.)

Way in the back.

Q: Are the Afghan forces that are participating with the U.S. troops wearing clear uniforms, insignia and the other parts of that Geneva Convention?

Rumsfeld: You know, I can't speak to all of those units. But I certainly have seen Afghan forces that had uniforms on, and insignia, and were carrying their weapons openly, and were part of one of the various Northern Alliance elements. Have I seen them all in Afghanistan? No, so I can't answer your question as to whether there might be some. But I certainly have seen Afghan forces that do in fact comport themselves in a manner that would be consistent with the Geneva Convention.

Yes.

Q: Mr. Secretary, if I forgo my own statement, can I ask two brief ones? (Laughter.)

First ...

Rumsfeld: It's a tough crowd today, eh?

Q: ... are there not CIA agents or intelligence agents of some kind on the ground who are not wearing uniforms and insignia? And are they not in a combatant role, in other words, helping to coordinate things such as airstrikes?

Rumsfeld: I don't know of people doing that who are coordinating airstrikes. Do you?

Myers: No.

Rumsfeld: No?

Q: And secondly, on the photos, a number of lawyers who deal in international law have suggested that this is kind of an unprecedented interpretation of the restriction on photographs. In other words, that the idea was that you not parade prisoners out to a jeering public.

Rumsfeld: Right.

Q: It wasn't intended to bar incidental news photos.

Rumsfeld: Yeah, so that's why you have to be somewhat careful. And that's why we've tried to be somewhat careful. You know, should the pendulum be over here or over here? It's hard to know. This is -- this is a new set of facts for us. It's a new situation. They've been down there, these prisoners, detainees, what?, I don't know, 20 days. Something like that, 25? Not long.

Myers: And just to remind you, we have the International Committee of the Red Cross down there

essentially continuously talking to the detainees.

Q: I was just asking about the news photographs.

Rumsfeld: Yeah. I mean, I don't know the answer to all these things. What we have tried to do is to try to do it right, and we -- as we learn more and as they get more comfortable with the situation, they end up improving how they're handling things all the time. I went down there last Sunday, a week ago Sunday, and I must say my impression is that those folks are doing a darned good job under difficult circumstances. And I give them a lot of credit.

Myers: Can I say one other thing on detainees?

Rumsfeld: Mmm hmm.

Myers: You know, we get pretty far down on these arguments. We go down to the third and fourth level of detail on these arguments about the Geneva Convention and treatment and so forth, and I think we've answered those forthrightly and we've taken lots of people down. In fact, I think there's a congressional delegation down there today. But let's never forget why we have them in the first place. We have them because probably there's a good chance that one or two or all of them know of the next event. And that's -- it's our obligation, consistent with humane treatment and the Geneva Convention, to try to find that out. And I think as we have these, in some cases, more esoteric debates on this business, we're trying to find out what's going to keep another incident from happening, in this country or in our friends' and partners' countries.

Rumsfeld: Good point.

Yes.

Q: Mr. Secretary, a U.S. plane flying over the Philippines last week was shot at flying over Muzan (ph), over northern Muzan (ph). I'm wondering what kind of operations are we prepared to conduct there in the Philippines? Are we prepared to go into combat, and if so, against whom?

Rumsfeld: I think it was a helicopter that was shot at.

Q: A C-130.

Rumsfeld: Ah. What are we doing there? We are engaged in a process of training some 4(,000) or 5,000 Filipino soldiers who are embarked on the task of trying to deal with a terrorist network, particularly on the island of Basilan.

Second, in another part of the -- and there is -- this is relatively few numbers of hundreds, something less than 600, as I recall -- in another part of the island, at some point -- and at the present time, I think there's only a couple hundred people there, but it's heading --

Q: (Off mike) -- North?

Q: (Off mike.)

Rumsfeld: Let me rephrase that with greater clarity. On Basilan Island, I believe, at the present time there's 2(00), 300 people -- I don't know precisely, but it may go as many as 600 -- who are training at the battalion level.

In another part of the country, on a different island, there will be -- and I do not believe it has started -- an exercise of some sort that's going to take place later. That is what they're doing. They are not engaged in combat. They do have rules of engagement that permit them to defend themselves, if they're attacked, clearly. But their responsibilities are a training responsibility.

Yes, ma'am?

Q: Sir, could you maybe send us one of these lawyers that has made the decision? Because I think we still all have some questions about the finer points of this, and you might stop -- (chuckles) -- further questioning of you-all on this if we can get the firm answers.

Rumsfeld: Yeah. I do not have the power to deliver White House lawyers or the president of the United States, who made the decision.

Q: How about general counsel of DOD -- general counsel of DOD to interpret it for us?

Rumsfeld: I'm wondering if maybe getting an outside lawyer to come in and talk about it -- I don't know that the general counsel of the department is -- whether it is fair to put him in a position of interpreting the White House decision. It may be that could bring in an outstanding lawyer who could talk about it in some depth.

Q: It would be ideal if someone could express the government's interpretation of this, as opposed to a general interpretation.

Rumsfeld: Ari Fleischer's done that.

Q: But he's not a lawyer, and we have very specific.

Rumsfeld: But he has, to my knowledge, given the official position of the president of the United States.

Q: Well, I hope you'll take it under consideration that we still have questions, and they'll keep coming up unless we can get those final, very specific answers from someone with a legal background.

Rumsfeld: Yeah. I watched Ruth Wedgewood on the Lehrer program, and she's, I guess, a Yale lawyer. And she certainly knows an awful lot about it. There are other people who do as well.

Q: We can interview those people on our own --

Rumsfeld: Yeah.

Q: -- but what we need is somebody from the government that can say, "This was the balancing factor for us."

Rumsfeld: Then I think you ought to have your representatives at the White House ask the White House because that's where the decision was made.

Q: Mr. Secretary, you said about 105 of these people -- I think you've used the figure 105 -- have been met with, interrogated --

Rumsfeld: In Guantanamo Bay.

Q: At Guantanamo.

Rumsfeld: Right.

Q: And you said, of course, you're trying to get more information, trying to learn -- are these people being in any way cooperative? Are they being?

Rumsfeld: They are. Some are. Some are, some aren't. Varying degrees. Some are less so the first time, more so the second time. But there's no question we're gathering information.

Q: And have you gotten important information from them that has warded off attacks?

Rumsfeld: Yes. That has what?

Q: That might have warded off, might have allowed you to prevent a future attack?

Rumsfeld: I don't know that I want to say that because the information is -- it goes into a fusion cell and it's matched and mixed. And it may -- for example you might get some information from a person from pocket litter about an address some place, and you might go to that address and get some information there, or you might get tipped off to another human being, or something else. And it's all connected. And trying to track it back by threads as to exactly what enabled you to prevent a future terrorist attack is very difficult to do. We do know that there have been terrorist attacks that have been prevented.

Q: On the four criteria, and your description of why you believed the Taliban forces did not meet the criteria for POW status -- you talked about lack of differentiation from civilians, no proper unit, no real hierarchy -- but I wish we all had a dollar here for every briefing we heard during Enduring Freedom when we were told that we were attacking Taliban command and control, we were attacking identifiable Taliban forces, and that these were clearly differentiable by our Special Forces from civilians. Those seem to be rather different from your entire statement.

Rumsfeld: Well of course it's because it's of a different order. The kinds of things that the Geneva Convention talks about are the kinds of things you see when you're standing right next to a person looking at how they're handling themselves.

The kind of things that we were talking about on command and control would be communication intercepts, it would be people firing at Northern Alliance forces and attacking them, it would be concentrations of artillery or surface-to-air missiles, and those types of things that would -- and knowledge that they are not Northern Alliance. And yet you see them there and you can identify a series of things that tell you they are combatant forces that are engaged in fighting against the Northern Alliance forces, and it enabled the people on the ground and the people in the air to make those kinds of judgments.

Is that pretty --

Q: But just to pursue, wasn't it clear that the Taliban forces were operating as units? Whether they call themselves companies or platoons or ... is another matter, but they were operating as coherent military, which our air strikes could attack, and it's clear they were receiving orders down the chain of command and control, which is why we're attacking command and control.

Rumsfeld: There's no question but that on any one of those things, you might be exactly right, that you could make that case. No one, I think, could make the case on all four of those criteria.

Q: But were they the armed forces of Afghanistan at the time that the United States was attacking them? Were they considered?

Rumsfeld: That's a legal question. The president has said he is going to -- I shouldn't repeat what he said, what the statement from the White House said. You know what it said. And he applies the convention to the Taliban. And the answer to your question is, either as a matter of policy or a matter of law, they are being considered as being covered by the Geneva Convention. I don't know why you would ask the question.

Q: I asked it before and you said you'd get me an answer from Legal.

Rumsfeld: Oh, no, it was a different question you asked before.

Q: We'll go back over that.

Rumsfeld: Yeah. I think ...

Q: I think I asked -- (inaudible) -- question.

Rumsfeld: Oh, really?

Q: Can I ask --

Rumsfeld: Well, wait a second. No. Stick with this.

Q: I'm happy to go over it again if you want to. There's a section in the Geneva --

Rumsfeld: Oh, no, that's the question we'll get you the answer to.

Q: That's the question, but whether or not ...

Rumsfeld: That's a different question.

Q: The Taliban were the armed forces of Afghanistan, because if they were, they could be considered.

Rumsfeld: Oh, for the POW standard.

Q: Yes.

Rumsfeld: I see what you're saying. I'm sorry. We'll get you the answer to that.

Q: Okay.

General Myers, as long as I've got your attention, can you tell us what damage you know has been done near Zhawar Kili? I know you have people on the ground looking to see who might have been killed, but do you have a sense how many were killed? Was the truck destroyed? And you said that was the only vehicle?

Myers: It was, in a general sense, personnel and a few.

Q: (Off mike) -- and not the truck?

Myers: I don't think so.

Q: Okay.

Rumsfeld: Two questions. Yours, and yours.

Q: Thank you. The foreign minister of North Korea is quoted as saying that North Korea also has the choice of military strike, not just the United States. What is your comment on that?

Rumsfeld: Well, they have one of the largest armies in the world. They have ballistic missiles. They have artillery pieces. They have chemical, biological weapons. They've been working hard to develop a nuclear weapon. I don't know how one could disagree with what I think you said, that the foreign minister of North Korea says that they have the ability to strike somebody. Of course they do.

Q: Would you specify --

Rumsfeld: That's obvious. It's self-evident.

Q: Would you specify what kind of military measure the U.S. will take against North Korea?

Rumsfeld: The president's made no indication of anything like that. What he has said was that North Korea has the capabilities I've just said, poses a threat to South Korea, has a practice over a sustained period of time of being willing to sell almost any piece of military equipment they have to almost anybody who wants it. And that is a very dangerous thing with respect to the proliferation of weapons of mass destruction. And that was the president's point.

Last question.

Q: On a completely different matter, your general counsel has now sent a memo to all elements of the department and the military ordering the preservation of all documents, correspondence and email related to the Enron Corporation. And this letter from your general counsel came specifically because the Justice Department said they had reason to believe the department could have information related to the federal investigation.

Rumsfeld: The Justice Department said they have reason to believe this department?

Q: Yes, they did, in their letter to your general counsel. Your general counsel then sent a memo to all elements of the department ordering the preservation of all documents, correspondence and email.

Rumsfeld: Seems like a reasonable thing to do.

Q: Well, what -- do you have any reason to believe at this point, from what you know, that this department, number one, does have any information. And are you confident that so far, there has been no shredding in this building -- (laughter) -- and that all documents, email and correspondence has been preserved?

Rumsfeld: I have every reason to believe that people have behaved in a perfectly responsible and legal and ethical way. It seems to me that if there was such a letter from the Department of Justice to this department, which I happen not to have seen, and if the general --

Q: (Off mike.)

Rumsfeld: (Laughs.) Yeah, good. -- and if the general counsel sent out such a letter, it would seem to me to be a perfectly proper, responsible thing to do, that the minute one has reason to know that someone might be interested in something, that you make sure that it's preserved and not unintentionally disposed of. We all have normal process where we dispose of things, and one would not want to have done that if in fact it's conceivable that someone would like to know something that would be contained in those materials.

So I have no reason to believe anything either way.

Q: There's no reason to think you've got anything to share on the matter at the moment?

Rumsfeld: I don't know. [The General Counsel Memorandum forwarding the Department of Justice letter to U.S. Forces.]

Q: Okay.

Rumsfeld: Thank you folks.

Q: Thank you.

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http://www.defenselink.mil/news/Feb2002/t02082002_t0208sd.html

March 20, 2002, 12:00 pm

READ AHEAD FOR DEPUTY SECRETARY WOLFOWITZ:
LIVE TV INTERVIEW, PBS "NEWSHOUR WITH JIM LEHRER"

FROM: Torie Clarke, (b)(6)

Date/Time: Thursday, March 21, 2002; 6:00-6:30 pm

Location: WETA Studios, 3620 27th Street South, Arlington

Reporter: Jim Lehrer

Objectives: Build and sustain public support for the use of military commissions, and establish their credibility as legitimate tools of justice that protect U.S. citizens and safeguard national security.

Demonstrate to the American people that the U.S. is committed to bringing those responsible for the September 11 attacks to justice.

Pre-empt and contain overreaction among European audiences with regard to the treatment of detainees.

Messages:

- Military commissions are instruments of justice in the war against terrorism.
- The Pentagon's order will ensure a fair trial for the accused. Military commissions are fair, balanced and just.
- Military commissions are better suited to handle some sensitive terrorist cases and can provide more safety to participants than other judicial systems.

Possible questions:

- What's the latest from Afghanistan? Should we be prepared for more heavy fighting?
- Are you satisfied with the military commission process? Do you feel it's fair and just?
- What took you so long?
- Why use military tribunals? Why not just try these people in criminal court?
- Will Americans and Europeans be treated differently than Arabs, Afghans, etc.?
- Will al Qaeda and Taliban prisoners be subject to possible capital punishment? Will there be a difference between treatment of al Qaeda and Taliban prisoners?
- Where will the tribunals take place? In the U.S?

Attachments:
OSD Policy/PA Military Commissions Fact Sheet; Q&A; Talking Points
Secretary Rumsfeld quotes/briefing transcripts on detainees and military commissions

Prepared by: Susan Wallace, Don Meyer, OASD/PA (b)(6)

Fact Sheet
Department of Defense Order on Military Commissions
3/20/2002 11:48 PM

A military commission is a war-time, military court convened to try war criminals charged with offenses that fall outside the normal scope of the U.S. civilian law enforcement and judiciary systems. Those tried by military commission may include:

- Members of al Qaeda
- People involved in acts of terrorism against the United States
- People who knowingly harbored terrorists

Commission Membership and Selection

- Commissions will consist of at least 3 but no more than 7 members, with one or two alternates.
- The Secretary of Defense may appoint members, or select an Appointing Authority to choose commission members.
- Commission members are officers in the United States Armed Forces, including reserve, National Guard and retired personnel recalled to active duty.
- A Presiding Officer will be chosen to preside over commission proceedings. The Presiding Officer will be a judge advocate of any branch of the armed forces.
    - ✓ The Presiding Officer has the authority to admit or exclude evidence.
    - ✓ The Officer also has the authority to close proceedings to protect classified information or protect the safety of defendants, witnesses and commission members.

A Full and Fair Trial

- Defense counsel will be provided for the accused, or the accused may choose their own counsel: a military officer who is a judge advocate of the U.S. Armed Forces or a civilian attorney. Civilian attorneys may also be pre-qualified as members of a pool of available attorneys for the defense.
- The defendant and counsel may see copies of the charges and evidence in their native language in advance of the trial.
- The accused is presumed innocent until proven guilty.
- The accused may be found guilty only when commission members are convinced of guilt beyond a reasonable doubt.

- The accused may refuse to testify during trial.
- The accused may obtain witnesses and documents to use in their defense.
- The accused may not be tried twice for the same offense.
- The accused may enter into plea agreements.

Trial Format

- Trial proceedings will open unless otherwise determined by the Presiding Officer. The Presiding Officer may also allow attendance by the public and press. Photography, video and audio recording and broadcasting will be prohibited.
- A trial may be closed to protect:
  - ✓ Classified or sensitive information
  - ✓ The physical safety of participants
  - ✓ Intelligence or law enforcement sources, methods and activities
  - ✓ National security interests
- Commissions will be independent and impartial, and will proceed quickly.
- Physical and scientific evidence will be admissible if it has value to the proceedings, as will previous trial testimony and written statements.
- Witnesses will testify under oath, and will be subject to direct and cross-examination.
- For witness safety, some testimony may be accepted by phone, use of pseudonyms and closure of the proceedings.
- Commission members will deliberate and vote on findings of guilt, innocence, and sentencing in closed session.
- Conviction requires a vote of two-thirds of the commission.
- Death sentences require a unanimous vote.
- Sentences may also include life imprisonment or a lesser term, fines and restitution, or any other punishment deemed proper.
- A three-member Review Panel, appointed by the Secretary of Defense, will review trial findings within 30 days and approve or disapprove of the outcome. The panel will include three military officers but may also include temporarily commissioned civilians.
- Findings and sentences are not final until approved by the President or Secretary of Defense.

Military Commission Q & A
3/20/2002 11:48 PM

Q: When will the first detainee be tried by commission?

A: There is no timeline in place for a trial. First, the commissions must be chosen by the Secretary or what is called an Appointing Authority. The first trial will commence when the law enforcement, intelligence and military experts interviewing the detainees have gathered enough evidence against one or several to bring them to trial.

Q: Who will be tried?

A: The goal of the military commissions is to bring terrorists to justice. If there is evidence gathered that any of the detainees had a hand or meaningful connection to the al Qaeda terrorist network, and enough evidence is gathered against that person, they will be tried by a commission.

Q: The first three defendants are going through the civilian court system. Why do we need commissions?

A: Each case will be handled on an individual basis. If any detainees are found to be U.S. citizens, or wanted by the FBI or other law enforcement agency, there will be discussions on what the appropriate venue is to bring that person to justice.

Q: Will the Secretary name members of the commissions himself, or will he choose an Appointing Authority?

A: The order says the Secretary may name members of the commissions or name a person to do that job. A decision has not been made.

Q: Given the international protest regarding treatment of the detainees, do you think there will be significant international opposition to these commissions?

A: People around the world are concerned about catching and prosecuting terrorists. People from 80 different nations died on September 11. Our challenge is to build enough transparency into the process to show the world that U.S. values are reflected in the proceedings, and those are: due process of law, guaranteed rights for defendants, and open government.

Q: Will they be open to the public and the press?

A: The DoD directive calls for an open trial. However, the presiding officer of each commission is given some latitude to decide whether a trial should be open or closed, based on whether there is a need to safeguard information that could damage national security. We will be working to strike a balance between those concerns and the public's need to know. It is important for the families of the victims to see the convicted terrorists brought to justice. Photography, video and audio broadcasting will not be permitted.

Q: If the trials are closed, how will we know that the trails are fair?

Everyone involved in a commission is bound by the President's Military Order and the Pentagon's subsequent directive. These directives ensure a fair trial. For the accused, there is the presumption of innocence, the right to defense, the right to avoid self-incrimination, plea bargaining, and a review process after the trial.

Q: Will commissions be in place for the duration of the war?

A: The commissions will remain in place as long as they as necessary to bring terrorists to justice.

Q: The DoD order says there must be proof in order to try a detainee by commission. What proof have you gathered against the detainees?

A: Evidence is being gathered in Cuba and Afghanistan as we speak. The type of proof presented at a trial will vary from person to person. It has been reported publicly that our forces in Afghanistan have recovered computers, videotapes, weapons, and training documents. Obviously, these are the types of items that will be scrutinized for value in prosecuting terrorists.

Q: If a detainee is sentenced to a long period of confinement, where will he be held?

A: The guidelines released do not address the location of a convicted terrorist's detention, only that they will be incarcerated if that is the sentence imposed. A decision will be made at a later date with regard to permanent detention facilities for convicted terrorists.

Q: Who will be on the panel that reviews trial verdicts?

A: The Secretary will designate members of the review panel, which may include both military officers and temporarily-commissioned civilians. When he has selected those members, an announcement will be made.

Q: Why will the military commissions allow hearsay evidence to be introduced during proceedings?

A: Evidence will be admitted by the Presiding Officer if it is determined to have probative value.

Q: If the defense counsel is excluded during a closed session, how can the detainee get a fair trial?

A: Even if the defendant chooses a civilian attorney, who may be excluded during portions of the trial, a military attorney is also provided. The order states that the military attorney will not be excluded from any portion of the trial.

Q: Aren't the review panels basically powerless to overturn decisions?

A: The review panel may return a case to the Appointing Authority for additional proceedings if it feels errors occurred in the initial judgment.

Talking Points on Military Commissions/Military Commission Order
3/20/2002 11:49 PM
Core Messages

- Military commissions are instruments of justice in the war against terrorism.
- The Pentagon's order will ensure a fair trial for the accused. Military commissions are fair, balanced and just.
- Military commissions are better suited to handle some sensitive terrorist cases and can provide more safety to participants than other judicial systems.

Military commissions are instruments of justice in the war against terrorism.

- The President, as Commander in Chief, issued a military order on November 13, 2001, that permits non-U.S. citizens to be tried by military commissions. The Department of Defense has developed appropriate procedures for commissions that are fair, balanced and just, and reflect our country's values.
- Military commissions will allow the United States to achieve justice without compromising national security or any aspect of the war against terrorism. To satisfy the interests of justice while furthering the war effort, military commissions will:
  - ✓ Provide a "full and fair" trial
  - ✓ Allow protection of classified and sensitive information
  - ✓ Help protect the safety of court personnel, participants and witnesses
  - ✓ Allow flexibility in the timing of trials
  - ✓ Allow more inclusive rules of evidence
- The war against terrorism is an unconventional war, and terrorism is not a conventional crime. Military commissions are well-suited to deal with the unique process of charging and trying terrorists.
- Military commissions are indispensable in defending the United States against terrorism. They are also compatible with the principles of the United States: open government and due process of law.

Secretary Rumsfeld Interview with NBC Meet the Press

(EXCERPT of Interview with Tim Russert, NBC Meet the Press.)

Russert: Military tribunals. The president has given an order as commander-in-chief that military tribunals be established, if need be. What does that mean to you?

Rumsfeld: It means that the president, as was the case with George Washington, during the Civil War with Abraham Lincoln, and with Franklin Roosevelt during World War II, has said that it may that we need that option. And as a result, he has put in place and begun the work to develop the kinds of procedures and approaches that would be appropriate so that in the event that we need to have a military commission, that we would be in a place to detain a person and take control over a person that he designates. He has not designated anyone to be tried by a military commission. He may. He may not, but he may. And if he does, he wanted to get the military order out designating the secretary of Defense as the person responsible so that that work could begin.

I must say I've been interested in the press discussion and media discussion on the subject. I think it's been generally useful. It's elevated a lot of issues that are important and need to be considered. Some of it's been a little shrill given the fact that nobody's been designated yet to be tried by a military commission. But overall, those of us in the Department of Defense have found it useful, and we are working very hard with some very smart people all across the country, out of government, to try to make sure that we do this in the event it happens in a very measured, balanced, thoughtful way that reflects our country's values and approaches.

United States Department of Defense

News Transcript

On the web: http://www.defenselink.mil/news/Feb2002/t02082002_t0208sd.html
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Presenter: Secretary of Defense Donald H. Rumsfeld Friday, February 08, 2002 - 1:30 p.m. EST

DoD News Briefing - Secretary Rumsfeld and Gen. Myers

Primary topic: status of detainees

(Also participating: General Richard Myers, Chairman, Joint Chiefs of Staff)

Rumsfeld: Good afternoon. The United States, as I have said, strongly supports the Geneva Convention. Indeed, because of the importance of the safety and security of our forces, and because our application of the convention in this situation might very well set legal precedence that could affect future conflicts, prudence dictated that the U.S. government take care in determining the status of Taliban and Al Qaeda detainees in this conflict.

The president has, as you know, now determined that the Geneva Convention does apply to the conflict with the Taliban in Afghanistan. It does not apply to the conflict with al Qaeda, whether in Afghanistan or elsewhere. He also determined that under the Geneva Convention, Taliban detainees do not meet the criteria for prisoner of war status.

When the Geneva Convention was signed in the mid-20th century, it was crafted by sovereign states to deal with conflicts between sovereign states. Today the war on terrorism, in which our country was attacked by and is defending itself against terrorist networks that operate in dozens of countries, was not contemplated by the framers of the convention.

From the beginning, the United States armed forces have treated all detainees, both Taliban and al Qaeda, humanely. They are doing so today, and they will do so in the future. Last month I issued an order to our military, which has been reaffirmed by the president, that all detainees -- Taliban and al Qaeda alike, will be treated humanely and in a manner that's consistent with the principles of the Geneva Convention.

As the president decided, the conflict with Taliban is determined to fall under the Geneva Convention because Afghanistan is a state party to the Geneva Convention. Al Qaeda, as a non-state, terrorist network, is not. Indeed, through its actions, al Qaeda has demonstrated contempt for the principles of the Geneva Convention. The determination that Taliban detainees do not qualify as prisoners of war under the convention was because they failed to meet the criteria for POW status.

A central purpose of the Geneva Convention was to protect innocent civilians by distinguishing very clearly between combatants and non-combatants. This is why the convention requires soldiers to wear uniforms that distinguish them from the civilian population. The Taliban did not wear distinctive signs, insignias, symbols or uniforms. To the contrary, far from seeking to distinguish themselves from the civilian population of Afghanistan, they sought to blend in with civilian non-combatants, hiding in mosques and populated areas. They were not organized in military units, as such, with identifiable chains of command; indeed, al Qaeda forces made up portions of their forces.

What will be the impact of these decisions on the circumstances of the Taliban and al Qaeda detainees?

And the answer, in a word, is none. There will be no impact from these decisions on their treatment. The United States government will continue to treat them humanely, as we have in the past, as we are now, and in keeping with the principles of the Geneva Convention. They will continue to receive three appropriate meals a day, medical care, clothing, showers, visits from chaplains, Muslim chaplains, as appropriate, and the opportunity to worship freely. We will continue to allow the International Committee of the Red Cross to visit each detainee privately, a right that's normally only accorded to individuals who qualify as prisoners of war under the convention.

In short, we will continue to treat them consistent with the principles of fairness, freedom and justice that our nation was founded on, the principles that they obviously abhor and which they sought to attack and destroy. Notwithstanding the isolated pockets of international hyperventilation, we do not treat detainees in any manner other than a manner that is humane.

General Myers.

Myers: Well, thank you, Mr. Secretary, and good afternoon.

I'd like to give you an update on current operations. As of just a few hours ago, we do have military personnel on the ground in the Zhawar Kili area. You may remember this was the area at the beginning of the week where we had a strike. There are over 50 personnel involved in this operation, and of course, their mission is to exploit any intelligence that can be gathered at the site.

To answer what might be the first question, no, we don't have any reports yet from the ground. This is due to the fact that it's nighttime there. That's when they were inserted. And they're going to wait 'til first light to begin their sweep.

Yesterday we received 28 additional detainees in Guantanamo Bay, and we now have a total of 186 detainees in Cuba. We hold an additional 271 detainees in Afghanistan.

And with that, we're happy to take your questions.

Rumsfeld: Charlie?

Q: Mr. Secretary, how do you respond to criticism from people who say that the reason you won't call these detainees prisoners of war is because, as prisoners of war, they might be tried by military courts martial, where their rights would be much more carefully spelled out, as opposed to possible tribunals, which the president has authorized?

Rumsfeld: Well, I'll respond factually, by saying that that's not correct. Those issues have never been discussed, nor have they ever been any part of the consideration in the determination. The considerations have been continuously, as they've been discussed by the lawyers, issues as to precedent, what is the right thing to do, what is consistent with the conventions, and what establishes a precedent that is appropriate for the future. We could try them any number of ways. And that has not been a factor at all.

The convention created rules to make soldiers distinguish themselves from civilians, and the reason for that was so that civilians would not be unduly endangered by war. The convention created, in effect, an incentive system, and it was an extremely important part of the conventions, that soldiers who play by the rules get the privileges of prisoner-of-war status. To give a POW status to people who did not respect the rules clearly would undermine the conventions' incentive system and would have the non-intuitive effect of increasing the danger to civilians in other conflicts.

Q: Mr. Secretary, can I ask you a question about Guantanamo Bay?

Rumsfeld: Sure.

Q: Are you considering any limitations, new limitations or an outright ban on TV or photo coverage of Camp X-ray?

Rumsfeld: Am I currently considering anything like that? I don't know that we are. I must say, I have found the misrepresentation of those photos to be egregious, notwithstanding the fact that we had a caption under that, I'm told, from the outset.

Q: You're talking about the original photo?

Rumsfeld: The original photo. And it has -- those people were there in the circumstance when they came out of the airplane, off the bus, off the ferry, off the bus, into that area. They were in there somewhere between 10 and 60 or 80 minutes at the maximum as they were taken individually and processed in a tent right nearby, where they were met, data gathered, and then they were placed in individual cells.

The newspaper headlines that yelled, "Torture! What's next? Electrodes?" and all of this rubbish was so inexcusable that it does make one wonder, as I said to Jamie, why we put out any photographs, if that's the way they're going to be treated, so irresponsibly.

Jamie's contention was we should put out more photos with captions. I'm not sure -- I almost always agree with Jamie, but in this case I'm not quite sure. One thought that someone has suggested, I don't know if it's still under consideration, is that we release photos but with a mandatory caption, that the caption we supply be used if someone wants to use the picture. But I haven't thought about that. I don't know if that's a good idea or a bad idea.

Q: It's a bad idea.

Rumsfeld: It's a bad idea? (Laughter.)

Q: Now you're talking about official photographs.

Rumsfeld: Yeah.

Q: I'm asking you about independent news organizations' coverage by photo or TV. Is there any?

Rumsfeld: Well, as you know, there is a -- there are -- I'm not going to say there are not rules, but there are certainly patterns and practices that have evolved since the Geneva Convention where it is frowned upon to allow photos that could be seen as being embarrassing or there's a couple other words they use, invasive of their privacy, what?

Victoria Clarke, Assistant Secretary of Defense for Public Affairs: Curiosity -- holding them up for public --

Rumsfeld: Holding them up for public curiosity. So we have to be careful about photographs that are taken.

Q: But the answer to my original question was no, you're not considering any new kind of restriction or --

Rumsfeld: Am I personally?

Q: Well, the department, you --

Rumsfeld: I have no idea about the department. We'll check with Torie. She might very well be.

(Cross talk.) Right here. Yes?

Q: Can you explain -- I know the administration has said that the Taliban do not qualify for POW status because of these four criteria -- (inaudible) -- uniforms, special insignia --

Rumsfeld: Mm-hmm.

Q: -- and yet there's another part of that that says the armed forces of any party in the conflict should qualify as a POW. Why would you not put the Taliban under that category, which does not have those four criteria?

Rumsfeld: Well, the president has said the Taliban does apply -- the convention does apply to the Taliban.

Q: It applies to the Taliban -- but not POW status.

Rumsfeld: Well, that's a different set of criteria for that.

Q: Exactly, and that's what I'm saying. The second criteria -- you have four criteria, and it's outside --

Rumsfeld: For POW status.

Q: For POW status. But one also says you --

Rumsfeld: One what?

Q: One of the articles says that you qualify for POW status if you are a member of the armed forces of a party in conflict. Why does the Taliban not qualify as POW under that? Why have you put them in this separate category, where they would be militia?

Rumsfeld: I think you're -- I may not be following the question, but I think we're mixing apples and oranges.

Q: The four criteria for militias --

Q: The four criteria are for militias. So the administration --

Rumsfeld: They're -- no. Well, the four criteria are as to whether or not they're POWs.

Q: Right.

Rumsfeld: Right.

Q: But there is another category that says they qualify for POW status if they are a member of the armed forces of the party to a conflict. I don't want to get in these big legal issues --

Rumsfeld: Yeah, because I'm not a lawyer, and --

Q: -- but that's written exactly above the militia, where the four --

Rumsfeld: We'll ask the lawyers. This was a decision not made by me, not made by the Department of the Defense. It was made by the lawyers and by the president of the United States. And we'll --

Q: But would you say the Taliban is the armed forces of that country?

Rumsfeld: We will take your question and see if the lawyers that made the decision would like to address it.

Q: Could you please provide some more detail for us about this attack on Monday -- why it occurred, who were the suspected targets, how it occurred? And also, among these 50-plus Army personnel who have arrived there today, does that include any forensics teams?

Myers: First of all, the teams that are going in there are prepared to gather whatever kind of intelligence they come across. So whether the forensics teams are with them or whether they're trained to gather the evidence and take it back to a team, I can't tell you. But I think they have -- they're aware that there may not be a lot of evidence. They may have to gather small evidence and bring it back and see if it could be evaluated.

On terms of the target itself, it was developed over a period of hours. I would say several sources of intelligence fed into that. There were lots of discussions among Central Command and other folks on the target, and it was concluded that it was a valid target and it was struck.

Q: Could you -- what does a "valid target" mean? I mean, a valid target how? Were they considered to be senior al Qaeda leaders, as has been reported?

Myers: I think all we better say right now, until we gather the evidence -- because again, this is -- we had nobody on the ground close by when this occurred, I think we better wait for this team to do their work and tell us. But -- well, let's just leave it at that.

Rumsfeld: Yes? Right here. Thelma?

Q: A Geneva question.

Rumsfeld: Right here.

Q: In Geneva --

Q: No, there were not SUVs?

Myers: There was one truck at the scene, as I understand it.

Q: One truck. Not an SUV?

Rumsfeld: Here we go.

Q: In Geneva -- back to Cuba for a second. In Geneva, a spokesman for the International Red Cross is saying that the decision falls short because the International Red Cross says that all al Qaeda or Taliban are POWs unless a competent tribunal decides otherwise. What would be your reaction to that?

And also, you didn't mention how this decision would affect them legally, such as their access to legal counsel, the way they're interrogated. Two angles to that, first the International Red Cross.

Rumsfeld: With respect to the second part of the question, I'm told it doesn't affect their legal status at all, nor does it affect how they'd be treated. And -- that is to say, it does not affect their status from the way they have been being handled prior to the decision by the White House or now. There's no change either -- to my knowledge -- in their status or how they'll be treated.

Q: Or answer questions like -- they may not give any more than their name, rank, serial number? Does it affect how they're interrogated?

Rumsfeld: That, I believe, applies to a prisoner of war, under the Geneva Convention.

With respect to the International Committee of the Red Cross, my guess is that if they have lawyers who encourage them to say what they say, that very likely the lawyers that came to the opposite conclusion will have something to say about what they said. And that's the way the world works. These kinds of things -- if we begin with the truth, and that is that it's not affecting how they're being treated, and then take this whole issue and say that it really revolves around a discussion between lawyers as to precedents for the future, it seems to me that it's appropriate to let the lawyers discuss those things. The announcement was made by the White House -- Ari Fleischer -- and I suppose that the answers to those kinds of legal questions should come from Ari Fleischer as well.

Yes.

Q: Have you made any progress that you can share with us in deciding the next step? In other words, will these people be sent to commissions, to tribunals, to the civilian justice system, back to their countries? Have you made any progress in any of that?

Rumsfeld: Sure. Sure. Sure. We are interviewing them. They've -- I forgot what the number is, but it's something like, if there were 158 down there prior to the latest [look], I think something like 105 of those have been interrogated and met with, and the intelligence information is being gathered from them. The question as to whether any of them will be subject to the presidential military order for a military commission, some people call it tribunal, but commission I think is in the order, the answer is that's up to the president. He decides whom -- which among these people -- he would want to put into the category, and he has not made any decision with respect to anyone being dealt with in that manner.

Q: But I believe you were working on a plan here at the Defense Department on what the standards were for how these people would be sorted out and treated.

Rumsfeld: We have been, you're right.

Q: Is there anything you could share with us about any progress you've made in those decisions?

Rumsfeld: Except to say we've made a lot of progress, we've cleared away a lot of underbrush, we have four or five things that I think we're reasonably well settled on that we would use. And there, obviously, has to be then discretion -- a degree of discretion -- left to the individual commissions as to how they deal with a variety of different issues.

Yes.

Q: Mr. Secretary, the Geneva Conventions of course cover many other things besides prisoners of war. They govern, for example, what's a legitimate target, what's not a legitimate target. As U.S. military operations go forward against al Qaeda in the future, will those operations be governed by any or bounded by any international legal constraints at all?

Rumsfeld: Well, I guess the phrase is, "In accordance with the laws and customs of war, that's how the men and women in the armed services are trained. That's how they conduct themselves" -- I think is the appropriate answer.

Q: Because it's your own will to conduct that way. But you don't see any laws that actually would apply to U.S. military operations against al Qaeda, I mean international laws of war that would apply to military operations against al Qaeda?

Rumsfeld: We've not noted that the al Qaeda have adhered to any international laws of war or customs. The United States does, has and will. That is how every single man and woman in the United States armed forces is trained, and they understand that.

Q: Whether it's obligated to or not?

Rumsfeld: I beg your pardon?

Q: Whether it's obligated to or not?

Rumsfeld: Yeah. I mean, we have said that as a matter of policy, that's the way we behave, that's the way we will handle people, that's the way we will function, and have been.

Q: Mr. Secretary, you mentioned one of the principles from the Geneva Convention that soldiers should be distinguishable from civilian populations. But isn't it true that you have Special Forces in Afghanistan have grown beards, they're not wearing insignia uniform? And how would you feel if a member of the U.S. Special Forces -- God forbid -- were captured in Afghanistan, but were treated humanely, would you object if they were not given prisoner of war status?

Rumsfeld: The short answer is that U.S. Special Forces -- I don't know that there's any law against growing a beard. I mean, that's kind of a strange question.

Q: Yeah, what about not wearing insignia --

Rumsfeld: What's wrong with growing a beard?

Q: Well, not wearing insignia, not --

Rumsfeld: Wait! Wait! Wait! You asked it, I'll answer it. They do wear insignia, they do wear uniforms. Those photographs you saw of U.S. Special Forces on horseback, they were in the official uniform of the United States Army, and they wear insignia and they do carry their weapons openly, and they do behave as soldiers. That's the way they're taught, that's what they do. They may have a beard, they may put a scarf over their head if there's a stand storm, but there's no rule against that.

They certainly deserve all of the rights and privileges that would accrue to somebody who is obeying the laws and customs of war. And they carry a card. You've probably got one in your pocket right now, of their Geneva Convention circumstance.

Myers: Yeah, the ID they carry are Geneva Convention cards. I mean, that's the standard.

Rumsfeld: And they all have that.

Q: Mr. Secretary --

Q: Can I follow up on that?

Rumsfeld: Yes?

Q: Can you say how many of the detainees are al Qaeda, how many are Taliban?

Rumsfeld: I don't know. I've looked at several of the forms that are being used to begin to accumulate the data. They have photographs, they have identifying features. Then they have the information that the individual has given us, that is to say their nationality, roughly when they were born, what languages they speak so you can talk to them, and a whole series of things like that. Whether they say they're al Qaeda, whether they say they were Taliban, what units -- activities they were doing, where they were trained -- those types of things. There's a form that they fill out that's the preliminary information. Whether it's true or not -- there's a lot of them who don't tell quite the truth.

Q: But haven't they been screened at this point?

Rumsfeld: Yes.

Let's -- you want to go through the screening process. Let's ... it might be useful.

Someone who is detained -- and they may be detained by Afghan forces, Pakistani forces, U.S. forces -- a sort is then taking place. The ones that we have, they will be interviewed by a team of people, three or four or five people -- sometimes Department of Justice, sometimes Army, mixture of Army, sometimes CIA, sometimes whatever. And they're met with, and they're talked to, and they're interviewed. And a preliminary discussion takes place and a preliminary decision is made.

In some cases, they just let them go. They're foot soldiers, and they -- they're going to go back into their village, and they're not going to bother anybody. In some cases, they're al Qaeda, senior al Qaeda, in which case they're treated in a totally different way, in a very careful way. In some cases, it's unclear, and they then are sent someplace, if we have custody of them, and they will go either to Bagram or they'll go to Kandahar. In one or two cases, they've gone to a ship for medical treatment. And then, in some cases, they end up at Guantanamo Bay.

If the Afghans hold them, they'll tell us what they've got, what they think they've got. And as we have time, we then send these teams in and do the same kind of a screening and make a judgment. Same thing with the Pakistanis when they have clusters of them.

There are, you know, 3(,000) or 4(,000), 5(,000), 6(,000), thousands of these people. We have relatively few that we have taken and retained custody over.

Q: But have you determined the -- of the ones that you do have, have you determined their status individually, on an individual?

Rumsfeld: Yes, indeed, individually.

Q: So you know which are al Qaeda and which are Taliban?

Rumsfeld: "Determined" is a tough word. We have determined as much as one can determine when you're dealing with people who may or may not tell the truth.

Q: Right.

Rumsfeld: So yes, we've done the best we can.

Q: So there's no need for status tribunals to decide who's Taliban and who's al Qaeda?

Rumsfeld: My understanding is that when there's -- when doubt is raised about it -- a process then is a more elaborate one, where they then are brought back into discussion and interrogation, and other people will ask about them. Well, we will ask other people in the mix who these people are and try to determine what the story is. But -- and now, once they've gone through one or two sorts like that and they're determined to be people we very likely will want to have a longer time to interrogate and want to get out of the imperfect circumstance they're in -- they may be in -- that the Pakistanis would like to get rid of them or the Afghans would like to get rid of them, or there's not enough room in Kandahar -- we take them to Guantanamo Bay as soon as the cells are made fast enough.

And there they will go through a longer process of interrogation.

Yes?

Q: General Myers, what were the assets involved in the strike on Zhawar Kili? And were there casualties that were garnered -- or gathered from subsequent intelligence? And also, are the U.S. troops accompanied by Afghan soldiers? And if I may, to add one more on there, was this believed to have been a strike on Osama bin Laden? I mean, I think that's what everybody seems to be wanting to get to. Was he believed to be at this place at that time?

Myers: The strike was on some individuals. Who, has yet to be determined. And that's what they're in there gathering the intelligence on. It was from a Predator. And as far as I know, to answer, I think, the second part of your question, there are -- I don't believe -- let me check. I do not know if there are Afghan forces with them. I don't know the answer to that.

Q: Can you address the question of why there was not a U.S. -- I gather it's a non-U.S. military Predator, and therefore -- and the question is, why would there not have been a U.S. military asset in that area, I mean if this was intelligence gathered over hours?

Myers: That gets into the tactics and the techniques, and I'm just not going to go into it.

Q: Mr. Secretary, a couple of points, since you invoked my name.

Rumsfeld: It's complimentary, though.

Q: One, I would just point out that the -- while the caption to this picture does indicate that these people are in a holding area, it doesn't provide the context that you provided immediately after its release and again today. Two, while some of the press coverage might have been, in your words, misinformed or misleading, that wasn't universally the case.

Rumsfeld: No, of course not.

Q: And some of the most egregious ...

Rumsfeld: Isolated pockets, I said.

Q: Most of the most egregious coverage, like the headline you cited, was from a foreign paper.

Rumsfeld: Exactly.

Q: Not a U.S. paper.

Rumsfeld: Exactly right.

Q: And, that said, I want to ask my question.

Rumsfeld: Yes. I agree with everything you've said again.

Q: I have a question for ...

Q: Is there any ...

(Laughter.)

Q: I know you don't know who was killed in the strike on Monday, but is there any evidence that would suggest that Osama bin Laden might have been among those killed?

Rumsfeld: We just simply have no idea.

Q: Have you ruled out that possibility?

Rumsfeld: We have not ruled in or out anything. If you lack knowledge, you don't do either. You don't tell left or right or rule out, rule in. You just say you do not know the answer.

Q: And on the question of POW status, are you confident that you're not setting a precedent here that could rebound to the disadvantage of American troops captured sometime in the future in another conflict?

Rumsfeld: Of that I -- again -- first of all, to know what kind of a precedent you're setting you have to be very, very smart and see into the future. That's hard to do. It's hard even for very smart lawyers -- which I'm not.

I am very confident that we are not doing anything to -- in any way disadvantage the rights and circumstances of the U.S. military. I think that the decision was made by the president with that very much in mind, and it was expressed by a number of the people in the deliberative process, and it was expressed over a period of time because it was very carefully dealt with. It was not a hasty decision. This took us some days.

What I cannot say about the precedent is that that decision, or any other decision, conceivably could end up having an effect, a precedental effect down the road that is difficult to anticipate now. And it was because of that caution and that concern that they wanted to apply it very carefully that so much time was taken in attempting to make that judgment. But the one thing that I am reasonably satisfied with is the question you asked, and that is that we have taken every care to ensure that the decision would not in any way adversely

affect U.S. armed forces.

Q: One more point on this, if I might. I would just argue that when you believe that there has been bad press reporting or misreporting, the solution to that is more sunshine, not less. If you become more secretive, your friends will suspect, and your enemies will believe, the worst.

Rumsfeld: Right. That's true. It's good -- fair enough. Ought to add that to Rumsfeld's Rules! (Laughter.)

Way in the back.

Q: Are the Afghan forces that are participating with the U.S. troops wearing clear uniforms, insignia and the other parts of that Geneva Convention?

Rumsfeld: You know, I can't speak to all of those units. But I certainly have seen Afghan forces that had uniforms on, and insignia, and were carrying their weapons openly, and were part of one of the various Northern Alliance elements. Have I seen them all in Afghanistan? No, so I can't answer your question as to whether there might be some. But I certainly have seen Afghan forces that do in fact comport themselves in a manner that would be consistent with the Geneva Convention.

Yes.

Q: Mr. Secretary, if I forgo my own statement, can I ask two brief ones? (Laughter.)

First ...

Rumsfeld: It's a tough crowd today, eh?

Q: ... are there not CIA agents or intelligence agents of some kind on the ground who are not wearing uniforms and insignia? And are they not in a combatant role, in other words, helping to coordinate things such as airstrikes?

Rumsfeld: I don't know of people doing that who are coordinating airstrikes. Do you?

Myers: No.

Rumsfeld: No?

Q: And secondly, on the photos, a number of lawyers who deal in international law have suggested that this is kind of an unprecedented interpretation of the restriction on photographs. In other words, that the idea was that you not parade prisoners out to a jeering public.

Rumsfeld: Right.

Q: It wasn't intended to bar incidental news photos.

Rumsfeld: Yeah, so that's why you have to be somewhat careful. And that's why we've tried to be somewhat careful. You know, should the pendulum be over here or over here? It's hard to know. This is -- this is a new set of facts for us. It's a new situation. They've been down there, these prisoners, detainees, what?, I don't know, 20 days. Something like that, 25? Not long.

Myers: And just to remind you, we have the International Committee of the Red Cross down there

essentially continuously talking to the detainees.

Q: I was just asking about the news photographs.

Rumsfeld: Yeah. I mean, I don't know the answer to all these things. What we have tried to do is to try to do it right, and we -- as we learn more and as they get more comfortable with the situation, they end up improving how they're handling things all the time. I went down there last Sunday, a week ago Sunday, and I must say my impression is that those folks are doing a darned good job under difficult circumstances. And I give them a lot of credit.

Myers: Can I say one other thing on detainees?

Rumsfeld: Mmm hmm.

Myers: You know, we get pretty far down on these arguments. We go down to the third and fourth level of detail on these arguments about the Geneva Convention and treatment and so forth, and I think we've answered those forthrightly and we've taken lots of people down. In fact, I think there's a congressional delegation down there today. But let's never forget why we have them in the first place. We have them because probably there's a good chance that one or two or all of them know of the next event. And that's -- it's our obligation, consistent with humane treatment and the Geneva Convention, to try to find that out. And I think as we have these, in some cases, more esoteric debates on this business, we're trying to find out what's going to keep another incident from happening, in this country or in our friends' and partners' countries.

Rumsfeld: Good point.

Yes.

Q: Mr. Secretary, a U.S. plane flying over the Philippines last week was shot at flying over Muzan (ph), over northern Muzan (ph). I'm wondering what kind of operations are we prepared to conduct there in the Philippines? Are we prepared to go into combat, and if so, against whom?

Rumsfeld: I think it was a helicopter that was shot at.

Q: A C-130.

Rumsfeld: Ah. What are we doing there? We are engaged in a process of training some 4(,000) or 5,000 Filipino soldiers who are embarked on the task of trying to deal with a terrorist network, particularly on the island of Basilan.

Second, in another part of the -- and there is -- this is relatively few numbers of hundreds, something less than 600, as I recall -- in another part of the island, at some point -- and at the present time, I think there's only a couple hundred people there, but it's heading --

Q: (Off mike) -- North?

Q: (Off mike.)

Rumsfeld: Let me rephrase that with greater clarity. On Basilan Island, I believe, at the present time there's 2(00), 300 people -- I don't know precisely, but it may go as many as 600 -- who are training at the battalion level.

In another part of the country, on a different island, there will be -- and I do not believe it has started -- an exercise of some sort that's going to take place later. That is what they're doing. They are not engaged in combat. They do have rules of engagement that permit them to defend themselves, if they're attacked, clearly. But their responsibilities are a training responsibility.

Yes, ma'am?

Q: Sir, could you maybe send us one of these lawyers that has made the decision? Because I think we still all have some questions about the finer points of this, and you might stop -- (chuckles) -- further questioning of you-all on this if we can get the firm answers.

Rumsfeld: Yeah. I do not have the power to deliver White House lawyers or the president of the United States, who made the decision.

Q: How about general counsel of DOD -- general counsel of DOD to interpret it for us?

Rumsfeld: I'm wondering if maybe getting an outside lawyer to come in and talk about it -- I don't know that the general counsel of the department is -- whether it is fair to put him in a position of interpreting the White House decision. It may be that could bring in an outstanding lawyer who could talk about it in some depth.

Q: It would be ideal if someone could express the government's interpretation of this, as opposed to a general interpretation.

Rumsfeld: Ari Fleischer's done that.

Q: But he's not a lawyer, and we have very specific.

Rumsfeld: But he has, to my knowledge, given the official position of the president of the United States.

Q: Well, I hope you'll take it under consideration that we still have questions, and they'll keep coming up unless we can get those final, very specific answers from someone with a legal background.

Rumsfeld: Yeah. I watched Ruth Wedgewood on the Lehrer program, and she's, I guess, a Yale lawyer. And she certainly knows an awful lot about it. There are other people who do as well.

Q: We can interview those people on our own --

Rumsfeld: Yeah.

Q: -- but what we need is somebody from the government that can say, "This was the balancing factor for us."

Rumsfeld: Then I think you ought to have your representatives at the White House ask the White House because that's where the decision was made.

Q: Mr. Secretary, you said about 105 of these people -- I think you've used the figure 105 -- have been met with, interrogated --

Rumsfeld: In Guantanamo Bay.

Q: At Guantanamo.

Rumsfeld: Right.

Q: And you said, of course, you're trying to get more information, trying to learn -- are these people being in any way cooperative? Are they being?

Rumsfeld: They are. Some are. Some are, some aren't. Varying degrees. Some are less so the first time, more so the second time. But there's no question we're gathering information.

Q: And have you gotten important information from them that has warded off attacks?

Rumsfeld: Yes. That has what?

Q: That might have warded off, might have allowed you to prevent a future attack?

Rumsfeld: I don't know that I want to say that because the information is -- it goes into a fusion cell and it's matched and mixed. And it may -- for example you might get some information from a person from pocket litter about an address some place, and you might go to that address and get some information there, or you might get tipped off to another human being, or something else. And it's all connected. And trying to track it back by threads as to exactly what enabled you to prevent a future terrorist attack is very difficult to do. We do know that there have been terrorist attacks that have been prevented.

Q: On the four criteria, and your description of why you believed the Taliban forces did not meet the criteria for POW status -- you talked about lack of differentiation from civilians, no proper unit, no real hierarchy -- but I wish we all had a dollar here for every briefing we heard during Enduring Freedom when we were told that we were attacking Taliban command and control, we were attacking identifiable Taliban forces, and that these were clearly differentiable by our Special Forces from civilians. Those seem to be rather different from your entire statement.

Rumsfeld: Well of course it's because it's of a different order. The kinds of things that the Geneva Convention talks about are the kinds of things you see when you're standing right next to a person looking at how they're handling themselves.

The kind of things that we were talking about on command and control would be communication intercepts, it would be people firing at Northern Alliance forces and attacking them, it would be concentrations of artillery or surface-to-air missiles, and those types of things that would -- and knowledge that they are not Northern Alliance. And yet you see them there and you can identify a series of things that tell you they are combatant forces that are engaged in fighting against the Northern Alliance forces, and it enabled the people on the ground and the people in the air to make those kinds of judgments.

Is that pretty --

Q: But just to pursue, wasn't it clear that the Taliban forces were operating as units? Whether they call themselves companies or platoons or ... is another matter, but they were operating as coherent military, which our air strikes could attack, and it's clear they were receiving orders down the chain of command and control, which is why we're attacking command and control.

Rumsfeld: There's no question but that on any one of those things, you might be exactly right, that you could make that case. No one, I think, could make the case on all four of those criteria.

Q: But were they the armed forces of Afghanistan at the time that the United States was attacking them? Were they considered?

Rumsfeld: That's a legal question. The president has said he is going to -- I shouldn't repeat what he said, what the statement from the White House said. You know what it said. And he applies the convention to the Taliban. And the answer to your question is, either as a matter of policy or a matter of law, they are being considered as being covered by the Geneva Convention. I don't know why you would ask the question.

Q: I asked it before and you said you'd get me an answer from Legal.

Rumsfeld: Oh, no, it was a different question you asked before.

Q: We'll go back over that.

Rumsfeld: Yeah. I think ...

Q: I think I asked -- (inaudible) -- question.

Rumsfeld: Oh, really?

Q: Can I ask --

Rumsfeld: Well, wait a second. No. Stick with this.

Q: I'm happy to go over it again if you want to. There's a section in the Geneva --

Rumsfeld: Oh, no, that's the question we'll get you the answer to.

Q: That's the question, but whether or not ...

Rumsfeld: That's a different question.

Q: The Taliban were the armed forces of Afghanistan, because if they were, they could be considered.

Rumsfeld: Oh, for the POW standard.

Q: Yes.

Rumsfeld: I see what you're saying. I'm sorry. We'll get you the answer to that.

Q: Okay.

General Myers, as long as I've got your attention, can you tell us what damage you know has been done near Zhawar Kili? I know you have people on the ground looking to see who might have been killed, but do you have a sense how many were killed? Was the truck destroyed? And you said that was the only vehicle?

Myers: It was, in a general sense, personnel and a few.

Q: (Off mike) -- and not the truck?

Myers: I don't think so.

Q: Okay.

Rumsfeld: Two questions. Yours, and yours.

Q: Thank you. The foreign minister of North Korea is quoted as saying that North Korea also has the choice of military strike, not just the United States. What is your comment on that?

Rumsfeld: Well, they have one of the largest armies in the world. They have ballistic missiles. They have artillery pieces. They have chemical, biological weapons. They've been working hard to develop a nuclear weapon. I don't know how one could disagree with what I think you said, that the foreign minister of North Korea says that they have the ability to strike somebody. Of course they do.

Q: Would you specify --

Rumsfeld: That's obvious. It's self-evident.

Q: Would you specify what kind of military measure the U.S. will take against North Korea?

Rumsfeld: The president's made no indication of anything like that. What he has said was that North Korea has the capabilities I've just said, poses a threat to South Korea, has a practice over a sustained period of time of being willing to sell almost any piece of military equipment they have to almost anybody who wants it. And that is a very dangerous thing with respect to the proliferation of weapons of mass destruction. And that was the president's point.

Last question.

Q: On a completely different matter, your general counsel has now sent a memo to all elements of the department and the military ordering the preservation of all documents, correspondence and email related to the Enron Corporation. And this letter from your general counsel came specifically because the Justice Department said they had reason to believe the department could have information related to the federal investigation.

Rumsfeld: The Justice Department said they have reason to believe this department?

Q: Yes, they did, in their letter to your general counsel. Your general counsel then sent a memo to all elements of the department ordering the preservation of all documents, correspondence and email.

Rumsfeld: Seems like a reasonable thing to do.

Q: Well, what -- do you have any reason to believe at this point, from what you know, that this department, number one, does have any information. And are you confident that so far, there has been no shredding in this building -- (laughter) -- and that all documents, email and correspondence has been preserved?

Rumsfeld: I have every reason to believe that people have behaved in a perfectly responsible and legal and ethical way. It seems to me that if there was such a letter from the Department of Justice to this department, which I happen not to have seen, and if the general --

Q: (Off mike.)

Rumsfeld: (Laughs.) Yeah, good. -- and if the general counsel sent out such a letter, it would seem to me to be a perfectly proper, responsible thing to do, that the minute one has reason to know that someone might be interested in something, that you make sure that it's preserved and not unintentionally disposed of. We all have normal process where we dispose of things, and one would not want to have done that if in fact it's conceivable that someone would like to know something that would be contained in those materials.

So I have no reason to believe anything either way.

Q: There's no reason to think you've got anything to share on the matter at the moment?

Rumsfeld: I don't know. [The General Counsel Memorandum forwarding the Department of Justice letter to U.S. Forces.]

Q: Okay.

Rumsfeld: Thank you folks.

Q: Thank you.

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http://www.defenselink.mil/news/Feb2002/t02082002_t0208sd.html

March 20, 2002, 5:00 pm

READ AHEAD FOR DEPUTY SECRETARY WOLFOWITZ: INTERVIEW, THOM SHANKER & DAVID SANGER, *NEW YORK TIMES*

FROM: Torie Clarke, (b)(6)

Date/Time: Thursday, March 21, 10:45-11:00 am

Location: Your office, by phone (reporters will initiate call)

Reporters: Thom Shanker and David Sanger

Objectives: Clarify Administration policy on Indonesia and U.S./Indonesian relationship, including military-to-military relations.

Messages:

- The Department of Defense is a strong advocate of military-to-military relations; we understand their value for the long-term success of our international relationships.
- We want to work with every country, with every friend and ally that we can around the world in our efforts to fight terrorism.

Submitted questions:

- Explain the balance of interests between trying to convince the government of Indonesia to allow in more military help and training possibly even advisers, and the risk that such an action could destabilize the government.
- Tell us about the differences between trying to go after terrorists in the Philippines and the kinds of Al Qaeda-related groups believed to be in Indonesia.
- What is being done to urge Congress to lessen the military-to-military restrictions? And what kind of mil-mil relationship would you like to see?
- What discussion is the United States Government having with Indonesia?

Prepared by: Susan Wallace, OASD/PA (b)(6)

Snowflake

1:11 PM

TO: Honorable Colin Powell

CC: Vice President Richard Cheney
Honorable Condoleezza Rice

FROM: Donald Rumsfeld

DATE: April 12, 2002

SUBJECT: **Saudi Websites**

If in fact the Saudi Arabian websites say that they are giving money to martyrs for suicide bombers, we certainly have to get after the Saudi government.

It is dangerous for us to have US armed forces in a country that is encouraging suicide bombing or terror, if in fact they are doing it. My guess is that with a little encouragement they could clean up their websites. It presents a serious problem if it is true. If it is not, we need the definitive word that it is not true so we can knock down the press stories.

SAUDI ARABIA

DHR/azn
041202.20

12 April 02

snowflake

September 5, 2002 7:19 AM

TO: Steve Cambone

FROM: Donald Rumsfeld DR

SUBJECT: Intel Budget

Please take a look at this article in today's *Early Bird* on intel and explain to me what is going on.

Thanks.

Attach.
Lardner, Richard, "Lawmakers Look to Stem Flow of Personnel Funding from Intel Budget," *Inside the Pentagon*, September 5, 2002.

DHR:dh
090502-5

Please respond by _____

350.09

55902

much of a threat as the Bush administration claims." Though Americans might initially rally to military action, "that support will be very short-lived once American kids start coming home in boxes," Mr. Dean warned Wednesday as he campaigned in Iowa.

Increasing Pressure

In recent weeks, congressional debate on whether to go to war has been muted while lawmakers insisted on the right to be consulted, and while proponents and skeptics within the Bush administration conducted their own quasi-public debate. The back-and-forth over the process of consultation allowed Democrats to preserve their yearlong stance of shunning argument with the president on national security, where he enjoys overwhelming public support.

But Mr. Bush's statements Wednesday, if not resolving all procedural questions, may serve to increase pressure on his critics to take a stand. And the prospect of a U.S. invasion of Iraq without unified backing from U.S. allies, the risk of backlash from other Arab nations and uncertainty about the costs of sustaining a new regime provide a wide range of potential opposing arguments for Republican mavericks and Democratic doves.

Prediction of Support

Most analysts predict, as White House Press Secretary Ari Fleischer did Wednesday, that Congress ultimately will back military action just as it did before the Gulf War 11 years ago. The level of support will likely depend on how sweeping an endorsement Mr. Bush is looking for -- and whether the White House is also willing to seek United Nations backing before it launches any attack.

One top Democratic strategist in the Republican-controlled House forecast that a resolution of support will garner roughly 350 votes in favor -- including that of House Minority Leader Richard Gephardt, another 2004 presidential prospect. Backing for Mr. Bush might be less lopsided in the Senate, which is narrowly controlled by Democrats.

But influential Democratic moderates, including Sen. Joseph Lieberman of Connecticut, the party's 2000 vice presidential nominee, have signaled that they are likely to support the administration so long as the White House does a better job of arguing its case for action publicly.

"There's probably a persuasive case that can be made," said Sen. John Edwards of North Carolina, like Messrs. Dean and Lieberman a 2004 presidential possibility. Mr. Bush "needs to tell us what the plan is," he said, but "I do believe at the end of the day that a regime change is necessary. Saddam Hussein has to be gone."

Hours after Mr. Bush's White House meeting with congressional leaders, Defense Secretary Donald Rumsfeld went to Capitol Hill to argue the case against Iraq.

Some, like Republican Sen. Bob Bennett of Utah, credited the Pentagon chief with making the clearest presentation yet of the risks of inaction. But others said Mr. Rumsfeld offered no new information, spending much of the session briefing senators on Afghanistan, Pakistan and Iran. "It was not what we expected," said Sen. Thad Cochran (R., Miss.). Although senators raised many questions about Iraq -- some of the toughest came from Republicans, participants said -- Mr. Rumsfeld's noncommittal answers provided little reassurance. "I'm not prepared to vote on it today," said GOP Sen. Olympia Snowe of Maine, referring to the Iraq resolution.

Political Insulation

So far, Republican Sen. Chuck Hagel of Nebraska, whose Vietnam service gives him substantial political insulation, has been one of the only members of Congress to directly challenge the White House's case for military action. While back home for the August recess, Mr. Hagel said he was peppered with questions about the administration's intentions. Constituents even stopped his car in parking lots. "It's a bigger issue than I think most people [in Washington] understand," he said. "There's an uneasiness that people have. A sense that something's not right."

Louisiana Democratic Sen. John Breaux invoked Ronald Reagan's admonition to "trust but verify," noting that Congress hasn't received verification that military action is necessary.

The debate is riskiest for Democrats, who face big challenges in their effort to regain control of Congress this November and to win back the White House in 2004. Mr. Daschle, who is pondering his own White House bid, acknowledged a general concern. "There are skeptics out there who wonder to what extent the political implications of any of this may affect the elections," Mr. Daschle said.

Democratic Concerns

For Democrats, dissent on Iraq could revive traditional concerns that they are weak on national-security issues. Though most Democrats opposed the 1991 Gulf War, all three who have run on the party's national ticket since then -- Bill Clinton, Al Gore and Mr. Lieberman -- backed military action.

Democrats with strong national-security credentials enjoy greater political freedom to challenge the administration. Sen. John Kerry of Massachusetts, a decorated Vietnam veteran who serves on the Foreign Relations Committee and is also exploring a 2004 presidential bid, noted that the U.S. need not "necessarily go to war" in order for Saddam "to be brought to heel."

"There's more than quote just making the case," that Saddam is a threat, Mr. Kerry said, adding that "I can't predict" whether Mr. Bush will ultimately make a persuasive case that a pre-emptive strike is called for. He also complained that the president's statement Wednesday that Congress should act before adjourning this fall represented a "completely inappropriate" deadline that carries "political connotations" in advance of the November elections.

'Blustering' on the Matter

Mr. Gore, who lost the presidency to Mr. Bush two years ago, had no comment Wednesday, said his spokesman Jano Cabrera. But in late July he voiced strong doubts about both the wisdom of a pre-emptive strike and the competence of the Bush administration's "blustering" on the matter.

"These people were supposed to be good at foreign policy," Mr. Gore told a group of young Democrats in Washington. "I don't think they are."

Inside The Pentagon
September 5, 2002
Pg. 1

46. Lawmakers Look To Stem Flow Of Personnel Funding From Intel Budget

The Senate Select Committee on Intelligence is urging U.S. national security officials to close a loophole that allows tens of millions of dollars intended for intelligence community personnel accounts to be used by the Defense Department for other purposes. The annual funding transfers, which leave thousands of military positions within the National Foreign Intelligence Program unfilled, have lawmakers concerned that critical intelligence demands are not being met. Also, as long as the transfers continue, the amount of funding actually devoted to intelligence operations will be overstated, according to sources familiar with the issue.

The situation has existed for several years, but was first publicly outlined in May in the committee's fiscal year 2003 intelligence authorization report. According to the committee, senators have previously informed administration officials that "the military services might choose to assign personnel to intelligence positions at rates that are less than those stated in budget justification materials." While lawmakers have long opposed this practice, the ongoing demands of Operation Enduring Freedom and a possible war with Iraq have made finding a fix a top priority.

"Historically, approximately 3,000 military intelligence billets go unfilled in the NFIP by the Department of Defense each year," the committee wrote this year. "This accounts for well over $100 million that must be included

in the NFIP budget, but from which the intelligence community receives no benefit. . . . To date, however, no comprehensive solution has been worked out within the executive branch that satisfies the concerns of the Department of Defense, the intelligence community, and the Congress."

The problem stems from the esoteric budgeting practices of the Defense Department and the U.S. intelligence community. In the defense budget, personnel spending for the military services is allocated in large, lump sums. For example, in FY-02 the Army received $30.4 billion in personnel funding. From that amount, service officials have wide latitude to spend the money as part of their mandate to organize, train and equip the forces. Typically, tip-of-the spear divisions like the 101st Airborne will be staffed at higher levels of personnel and readiness, and therefore will receive more funding than a less combat-ready unit.

But in the NFIP, a broad collection of national-level intelligence programs, projects and activities, the process is different. In the NFIP budget request, which is classified but housed within the overall defense budget, a line item denotes how much funding is needed for military personnel who will fill slots directly involved in supporting human, signals, and imagery intelligence missions, sources say. When Congress approves the NFIP military personnel request, the expectation is that the full amount will be spent for that purpose. However, as the committee disclosed in its FY-03 report, the Defense Department has not been filling these billets as promised.

The money not used for NFIP military support is being spent on other defense-related activities. Congressional sources say they have no doubt the money is being used for legitimate and necessary purposes, but insist the system needs to be changed. "The problem continues to plague, in particular, the General Defense Intelligence Program, the Consolidated Cryptologic Program, and the National Imagery and Mapping Agency Program," the committee said in its report. "In light of the contributions of intelligence to the ongoing war against terrorism, the committee believes that filling intelligence billets within the NFIP should be a top priority of the Department of Defense."

In one telling example, the committee noted that more than 70 intelligence analyst slots were vacant at the Florida-based U.S. Central Command, "which is leading the fight against al Qaeda terrorists in Afghanistan." The committee called this situation "unacceptable" and added that CENTCOM chief Gen. Tommy Franks had raised the issue with Defense Secretary Donald Rumsfeld and Chairman of the Joint Chiefs of Staff Gen. Richard Myers.

CENTCOM spokesman Lt. Cmdr. Nick Balice said this week the analyst shortfall was a pre-Sept. 11 condition. Since the beginning of Operation Enduring Freedom, the command's "intelligence manning has surged to 92 percent of our requested end strength of permanent personnel." Nearly 700 reservists have been assigned to CENTCOM's intelligence directorate, known as the J-2, he added.

"The increases have significantly mitigated our peacetime shortfall and have enabled the CENTCOM J-2 to provide a myriad of products and services in support of our nation's war against terrorism," Balice said.

At the Pentagon, defense officials said the NFIP staffing issue is part of the broader problem of insufficient numbers of qualified personnel to fill what are often highly specialized positions. "The balance between budgeted military manpower levels in the National Foreign Intelligence Program and actual manning is recognized as a serious issue," spokesman Lt. Col. Ken McClellan said last week. "A directed analysis of options for resolving this and similar situations in other portions of the defense budget is expected in the near future."

The Senate intelligence committee acknowledged that DOD has been studying the problem and developed a number of options for fixing it. Lawmakers want recommendations for resolving the issue before the FY-04 defense budget request is submitted early next year.

As a first step, the committee would like to see a reprogramming process wherein the NFIP personnel account is reimbursed. DOD has not reprogrammed any NFIP funds despite indicating plans to do so, the committee said. If the money was funneled back, an intelligence agency could have the option of hiring civilian analysts to fill the billets if no military personnel were available, one congressional source noted. Under the current system that flexibility does not exist.

-- Richard Lardner

Bloomberg.com
September 4, 2002

47. General Dynamics, Northrop Would Benefit As Navy Revises Budget

By Tony Capaccio

Washington -- The U.S. Navy has revised its longterm budget to buy more warships and submarines, according to service documents. That would benefit General Dynamics Corp. and Northrop Grumman Corp., America's two largest makers of combat vessels.

The Navy asks $9.1 billion in fiscal 2004 to buy seven vessels, two more than planned, according to documents dated Sept. 3. The proposal calls for eight vessels in fiscal 2005 and in 2006 -- one more each year than planned -- then nine vessels in 2008 and 12 in 2009.

Overall, the Navy asks $72.7 billion for 52 new ships through 2009. The previous plan went to 2007 and purchased ships at a rate of about seven per year. The new plan is closer to nine and moves the Navy closer to Defense Secretary Donald Rumsfeld's goal of a 310-ship fleet, up from its current 291.

While further changes in the plan are likely, "a lot of what we see will be reflected in the final February budget submission," said Ronald O'Rourke, the naval warfare analyst for the nonpartisan Congressional Research Service. "It had been widely acknowledged that shipbuilding must increase," he said.

The Navy's plan "will produce more work for the shipbuilding industry and get them toward somewhat more efficient rates of production," O'Rourke said.

New Class of Ships

Rumsfeld's Defense Planning Guidance in May pressed the services to purchase weapons that fit the Pentagon's goal of a military that's lighter, faster and able to deploy more quickly.

He directed the Navy to pursue a new class of small, stealthy "Littoral Combatant Ships" to support troops ashore and to conduct anti-mine, intelligence and reconnaissance operations.

The Navy wants to buy eight of these ships through 2009, with the first in 2005. No contractor is currently designing the vessels so there will likely be a competition between Northrop Grumman and General Dynamics for the program.

Rumsfeld also directed the Navy to complete by 2007 the conversion of four Trident-class nuclear submarines to carry non- nuclear Tomahawk cruise missiles. The Navy proposes to spend $1.1 billion on the conversions in 2005, up from $185 million in the current plan.

Rumsfeld called for buying two new Virginia-class submarines instead of one. The submarine is made jointly by Northrop Grumman's Newport News and General Dynamics' Electric Boat units.

The Navy requests one submarine each year through 2006 before increasing to two in 2007, 2008 and 2009. The Navy plans to buy the seven submarines under a single multiyear contract it claims will save $1.4 billion because of more efficient purchases.

'Blue Water Navy'

"We've got a 'blue water' Navy" with global responsibility, Rumsfeld told Bloomberg News. "That requires a certain capability. The average age of the ships of the fleet is pretty good but the total numbers being purchased are not sufficient to keep the fleet at it cur-

CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

INFO MEMO

CM-275-02
17 April 2002

OFFICE OF THE SECRETARY OF DEFENSE
2002 APR 17 PM 4:26

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS 4/16

SUBJECT: Innovations

- In response to your question regarding selected fast track programs (TAB A), the Service Chiefs and combatant commanders were tasked to identify key developmental programs planned for implementation during their respective tenures.
- Service inputs are summarized at TAB B. The common observation among Service programs indicates projections for initial operating capability in FY2003. All have programmed resources to fulfill initial capability.
- Combatant commanders' inputs are summarized at TAB C. The majority of these identified programs is categorized as advanced concept technology demonstrations or experiments that seek to develop and demonstrate the maturity of advanced technologies. Projections for initial operating capability range from 12 to 24 months with adequate resources.
- All inputs show key innovations with great potential for quick production and fielding to warfighters. The upcoming program review cycle for FYs 2004-2009 provides a good opportunity to ensure adequate resources are available to bring greater capability to forces.
- General Ralph E. Eberhart, USAF, Commander, US Space Command, identified a special access program that will be provided separately.

COORDINATION: See TAB D.

Attachments:
As stated

Prepared By: Lieutenant General Bruce Carlson, USAF; Director, J-8; (b)(6)

11-L-0559/OSD/8244
406893 /02

snowflake

TAB A

#16

11/6

January 29, 2002 2:44 PM

TO: Gen. Myers

FROM: Donald Rumsfeld

SUBJECT: Innovations

What do you think about asking each of the Service Chiefs and CINCs to tell us one thing they have on the drawing boards—like putting a Hellfire on a Predator—that is on a fast track they are going to get accomplished during their tenure.

Thanks.

DHR:dh
012902-29

Please respond by 02/11/02

TAB A

Army	Interim Armored Vehicle	Uses existing Light Armored Vehicle III chassis and adds different applique technologies to create nine variants for use within the Interim Brigade Combat Team.	FY03
Marines	Dragon Eye Scouting System	Develops capability for unmanned air vehicles for company and detachment level reconnaissance and surveillance.	FY03
Air Force	Sniper Advanced Targeting Pod	Provides total force solution to tactical aircraft stand-off, precision attack, and time-sensitive-targeting challenges using precise coordinates and enhanced laser which allow operations at higher altitudes and longer ranges.	FY03
Navy	TBD		TBD

USCENTCOM	Agent Defeat Warhead	Demonstrates air delivered missile penetrator that destroys Chemical and Biological agents with minimal overpressure and collateral exposure.	15 mos
USEUCOM	Quick Bolt	Provides enhanced capability to engage enemy air defenses in real-time and provide near-real time weapon impact assessments for theater tactical aircraft.	FY03
USJFCOM	Joint En Route Mission Planning Rehearsal System	Demonstrates wireless, on the move, interactive, and collaborative planning system for intransit C2, situational awareness, and planning.	TBD
	Content Based Information Security	Secures information at point of origin vice whole network to enhance coalition information sharing at different clearance levels from different countries.	24 mos
USPACOM	JTF Warnet Program	Interfaces Service tactical C2 systems using a common tactical picture for collaboration and joint fires, maneuver and intelligence.	FY04
USSOUTHCOM	C-130 Roll-On-Roll-Off -Multi-Mission Sensor Suite	Integrates off-the-shelf sensors into roll-on roll-off sets to enhance intelligence, surveillance, and reconnaissance for counterterrorism and counterdrug operations.	18 mos
USSPACECOM	Special Access Program		SAP
USSOCOM	Special Operations Joint Interagency Collaboration Ctr	Exploits new technology advances in data mining and knowledge management for dynamic intergency collaborative environment responsive to DOD needs.	Achieved
	Counterterrorist Campaign Support Group	Coordinates counterterrorist plans for operational recommendations to JCS and combatant commanders.	Achieved
USSTRATCOM	Idaho Thunder	Assesses Information Operations by conducting Computer Network Attacks to enhance future operations.	FY03
USTRANSCOM	Intelligent Road/Rail Information Service	Provides near real-time intransit visibility of CONUS ammunition movements.	Achieved

TAB D

COORDINATION

Chief of Staff of the Army	General Eric K. Shinseki	1 Mar 02
Commandant of the Marine Corps	General James L. Jones	23 Feb 02
Chief of Staff of the Air Force	General John P. Jumper	22 Mar 02
USCENTCOM J-3 AO	Lt Col Rusty Sackett	undated
USCINCEUR	General Joseph W. Ralston	15 Feb 02
USCINCJFCOM	General William F. Kernan	27 Mar 02
USCINCPAC	ADM Dennis C. Blair	28 Mar 02
USCINCSOC	General Charles R. Holland	undated
USCINCSO	MG Gary D. Speer	15 Mar 02
USSPACECOM	Colonel Bonner	undated
USCINCSTRAT	ADM James O. Ellis, Jr.	25 Mar 02
USTRANSCOM	(information paper)	undated

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

COMPTROLLER

INFO MEMO

2002 APR 17 PM 5:25

April 16, 2002, 2:13 PM

FOR: SECRETARY OF DEFENSE

FROM: Dov S. Zakheim APR 17 2002

SUBJECT: Review of Military Officers Delinquent on Travel Card Debt

- April 1, 2002, the Secretary requested a report on 700 officers who supposedly defaulted on their credit card (TAB A). On March 18, 2002, Senator Grassley and Congressman Horn sent you a list of military officers who defaulted on $1.3 million of Travel Card charges. The list provided was as of December 2001. The Defense Finance and Accounting Service (DFAS) obtained an updated list (as of March 2002) from Bank of America (Bank) and conducted a review to determine the status of each account. The results of their review are as follows:

	Army	Navy	Marine Corps	Air Force	Total
Can Deduct from Current Pay	202	42	12	18	274
Can Deduct from Future Pay	8	2	0	3	13
Pay Deductions Not Possible	82	9	21	26	138
Not Submitted For Pay Action/ Request Withdrawn by Bank	198	44	14	27	283
Total	**490**	**97**	**47**	**74**	**708**

- Of the $1.0 million still delinquent as of March 2002, one-half will be collected for the Bank through payroll action by DFAS.

- The 283 accounts not submitted represent accounts paid in full between December and March, accounts where the officer agreed to a payment plan, or accounts where the Bank chose to utilize a debt collection service or write off the balance.

400.13

16 APR 02

U06897 /02

- The Services are reviewing the list to determine appropriate actions to be taken.

COORDINATION: TAB B

Prepared By: Jim Dominy, (b)(6)

COORDINATION SHEET

Army	Sandra Pack	Assistant Secretary of the Army (Financial Management & Comptroller)	April 12, 2002
Navy	Dino Aviles	Assistant Secretary of the Navy (Financial Management & Comptroller)	April 12, 2002
Air Force	Bruce Lemkin	Principal Deputy Assistant Secretary of Air Force (Financial Management & Comptroller)	April 12, 2002

snowflake

2002-4 PM 7:17

April 1, 2002 6:44 PM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Officers and Credit Cards

I need a report on the 700 officers who supposedly defaulted on their credit cards. Please find out from Dov what the status is.

Thanks.

DHR:dh
040102-50

Please respond by 04/12/02

4/9
1900

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

COMPTROLLER

2002 APR 17 PM 3:43

SECDEF HAS SEEN

APR 25 2002

ACTION MEMO

April 16, 2002, 4:00 PM

FOR: SECRETARY OF DEFENSE

DepSec Action _____

FROM: Dov S. Zakheim APR 17 2002

SUBJECT: Hurricane Hunters

322

- You inquired about the possibility of transferring the Hurricane Hunter squadron from the Air Force Reserve to the National Oceanic Atmospheric Administration (NOAA).

- Currently, the Hurricane Hunter squadron, the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, is stationed at Keesler Air Force Base, MS, and has 334 personnel and an annual budget of $23 million including $4 million of reserve personnel funding.

- From FY 1991 through FY 2001, the DoD Appropriations Acts contained a provision stating that "none of the funds ... in this act shall be used to reduce or disestablish the operations of the 53rd Weather Reconnaissance Squadron." This restrictive language was a direct result of a previous attempt by the Department to transfer the mission to NOAA. In FY 2002, the House Appropriations Committee bill contained a similar provision, but the FY 2002 DoD Appropriations Act did not contain the provision.

- The 53rd Squadron is manned by military personnel. Transfer of the resources would require coordination with Office of Management and Budget and NOAA and include the transfer of DoD topline funding. The NOAA would need to recruit and train civilian personnel and establish memoranda of agreement with DoD for aircraft support (i.e., maintenance and hangar storage).

16 Apr 02

SPL ASSISTANT DI RITA	4/23
SR MA GIAMBASTIANI	4/24
MA BUCCI	
EXECSEC WHITMORE	4/16

U06899/02

- I recommend that the transfer of the Hurricane Hunters be initiated during the upcoming FY 2004 Program and Budget review; it should be patterned after the transfer of the Non-proliferation Program to the Department of Energy that occurred in the FY 2003 budget.

RECOMMENDATION: That you approve initiation of the transfer of Hurricane Hunters via the FY 2004 Program and Budget Review.

COORDINATION: None.

SECDEF DECISION:

Approve _____ APR 25 2002

Disapprove _____

Other _____

Prepared By: John Evans (b)(6)

snowflake

April 2, 2002 6:35 AM

TO: Dov Zakheim

CC: Paul Wolfowitz

FROM: Donald Rumsfeld

SUBJECT: Hurricane Hunters

Why don't we go ahead and get that hurricane hunting group that exists down in the Caribbean moved over to NOAA, along with the airplanes that we have, and kick that responsibility over there for the future.

Thanks.

DHR:dh
040202-3

Please respond by 4/26/02

SECDEF HAS SEEN

APR 25 2002

4/23

4/24

Science attached suggests it cannot be done before next year. Recommend you approve it but press for any action that could be accomplished this year.

4/23

4/23

11-L-0559/OSD/8255

02AM029

snowflake

TAB A

#16

400.112

January 29, 2002 2:44 PM

TO: Gen. Myers

FROM: Donald Rumsfeld

SUBJECT: Innovations

What do you think about asking each of the Service Chiefs and CINCs to tell us one thing they have on the drawing boards—like putting a Hellfire on a Predator—that is on a fast track they are going to get accomplished during their tenure.

Thanks.

DHR:dh
012902-29

Please respond by 02/11/02

29Jan02

snowflake

November 23, 2002 3:33 PM

TO: David Chu

FROM: Donald Rumsfeld DR

SUBJECT: Aviation Accident Rate

I read your response to my snowflake on the aviation accident rate. I have these thoughts on what I would like you to do:

1. Revise your proposal so it includes metrics. In my view, metrics and tracking change behavior. I suggest you see that they are the right ones and are sufficiently simple and obvious that they are embarrassing and notable for those who don't do well. I need to see them when you have them fashioned.

2. Tell me what flight safety systems were downgraded or eliminated by whom and when, and to save what amount of money. That sounds crazy.

3. Run your proposal by Paul O'Neill for me and see what he thinks of it.

Thanks.

Attach.
11/05/02 USD(P&R) memo to SecDef re: Aviation Accident Rate

DHR:dh
112302.11

Please respond by 12/20/02

GENERAL COUNSEL

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

INFO MEMO

April 11, 2002 7:30AM

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel Whaynes 4/15/02

SUBJECT: Credit Card Abuse Case

400.13

- You asked how an employee could allegedly have charged personal items amounting to almost $12,000 on a government purchase card and not be prosecuted.
- According to a recent GAO report dealing with credit card abuse in DoD, handwriting analysis indicated that the employee in this case had not signed the receipts for the items in question.
- Since the employee has denied making the purchases, this could have made criminal prosecution of the case problematic.
- Although the individual in question was a Navy employee at the time of the purchases, she now works for the Army. The Army is conducting an investigation to determine whether disciplinary action should be taken against the employee.

4/17

COORDINATION: None → GC -

White: memo back to Secdef basically said it was too late to do anything. Secdef found that unfulfilling and asked for your review. Please advise. D. Rite

11 Apr 02

Prepared by: Helen Sullivan (b)(6)

FOR OFFICIAL USE ONLY

11-L-0559/OSD/8258
1106963 702

Larry Di Rita

snowflake

March 18, 2002 1:53 PM

TO: Gordon England
Tom White

CC: David Chu
Dov Zakheim
Jim Haynes

FROM: Donald Rumsfeld

SUBJECT: Credit Card Abuse

This is very troubling. How can someone charge all these items and then not be prosecuted?

Please explain.

Thanks.

Attach.
03/18/02 Brian Faler, "GAO Calls Navy Lax on Employee Fraud," *Washington Post*

DHR:dh
031802-54

Please respond by 03/29/02

U04933-02

11-L-0559/OSD/8259

Washington Post
March 18, 2002
Pg. 15

22. GAO Calls Navy Lax On Employee Fraud

Report Cites Personal Shopping Charges

By Brian Faler, Special to The Washington Post

Scores of Navy employees at two San Diego facilities have been using government credit cards to buy their groceries. And luggage. And DVD players. And almost none of them have been punished.

The General Accounting Office, the congressional watchdog agency that has been investigating employees at the two centers, reported last week that many there have been using those cards for personal shopping sprees. And, despite previous warnings, congressional hearings and investigations, the GAO said, the Navy still isn't doing enough to stop them.

The cards, which look and work much like regular credit cards, were created to help cut down on bureaucratic red tape for government purchases of goods and services.

But GAO investigators, along with several members of Congress, say the Navy has taken the program too far, distributing the cards "willy-nilly," in the words of one senator, without any credit checks and with virtually no oversight or enforcement.

"Every shred of evidence that I have seen says that internal controls at the Pentagon are weak or nonexistent," Sen. Charles E. Grassley (R-Iowa) told the House government efficiency subcommittee last week. "That means there is an army . . . authorized to spend money with no checks and balances. The potential for abuse and fraud is virtually unlimited."

Grassley and Rep. Stephen Horn (R-Calif.), chairman of the House panel, have asked the GAO to expand its probe in the Defense Department to determine whether there is a larger problem of credit card abuse. The GAO has reported on similar problems at the Education Department.

Officials representing the Defense Department, as well as others representing the two Navy centers, acknowledged at the subcommittee hearing that credit card fraud continues to be a problem among employees, but they said they are clamping down on the abuses.

"We are painfully aware of the issues of purchase cards, and I am here personally to commit that we will make sure these cards are used appropriately," said Deidre Lee, a defense procurement official.

Lee and other defense officials blamed the two naval facilities' previous management for the lax enforcement and said that officials have since reduced the number of cards circulating and have expanded the offices responsible for overseeing the accounts.

There are now 1.7 million Defense Department cards in circulation. Cards were used during fiscal 2001 to ring up $9 billion in charges. Some charges are billed directly to the federal government; most are sent to the individual cardholder, who, after paying the bill, is supposed to be reimbursed by his or her agency. Most cards have a credit limit of $2,500 per transaction.

At last week's hearing, Grassley cited one woman, Tanya Mays, as a particularly egregious offender at the Navy Public Works Center in San Diego. He said that, according to GAO records, Mays charged almost $12,000 to her government card -- including a personal computer, a kitchen range, gift certificates and clothing. Both the Navy and the U.S. attorney in San Diego declined to pursue her case, Grassley said, and Mays transferred to the Army, where she is now a budget analyst. She was not asked to repay the money, he said.

Mays could not be reached for comment. The Post e-mailed her and asked the Army's press office to forward its requests to her. The office declined to provide Mays's phone number, saying it was private. They added that because she was never prosecuted, they have no record of the alleged improprieties.

Grassley said he named Mays out of frustration, adding, "When you put one of these cards under the microscope, it seems like the whole problem comes into much sharper focus."

Los Angeles Times
March 17, 2002
Pg. 30

23. U.S. To Resume Vieques Training

By Reuters

SAN JUAN, Puerto Rico -- The Navy will conduct a new round of training exercises on the island of Vieques in a few weeks, a move that protest groups said Saturday would reactivate their civil disobedience campaign.

A press assistant for the governor's office said that Secretary of State Ferdinand Mercado received a letter from the U.S. Navy Friday informing him that it would conduct about 22 days of training from as early as April 1.

Groups opposing the use of the 23,000-acre island as a Navy training and bombing range said they would try to disrupt the maneuvers through by sneaking onto the bombing range during the training.

The protests would be the first since the civil disobedience campaign was halted after Sept. 11.

Washington Times
March 18, 2002
Pg. 8

24. Hit By Inmate, X-Ray Guards Reassigned

GUANTANAMO BAY NAVAL BASE, Cuba (AP) — Two guards at Camp X-ray, the detention center holding 300 al Qaeda and Taliban guerrillas, were transferred after an inmate struck one of them, military officials said yesterday.

Two male soldiers at the field hospital were reassigned after a detainee hit one of them while being escorted to the bathroom, said Pat Alford, commander for the fleet hospital. The guards usually travel in pairs.

The detainee, who was being treated for bone loss in his forearm, was sedated for one night after the disruption.

Earlier yesterday, Capt. Shimkus, commanding officer of the Guantanamo Bay Naval Base, said the soldiers were reassigned after "breaking the rules." But "the initial report provided by a military official was incorrect," spokeswoman Maj. Rumi Nielson-Green said.

The two men were reassigned to Camp X-ray and could eventually return to the fleet hospital.

Since the first captives arrived at this remote outpost in January, some have spat on or yelled at the guards. One inmate bit a soldier.

A hunger strike that began on Feb. 27 but has since fizzled apparently was prompted by a guard who stripped an inmate of a towel he put on his head for morning Islamic prayers.

Detainees later said the strike was also to protest their indefinite detention.

On Saturday, five detainees skipped dinner, 12 skipped lunch and seven skipped breakfast.

Military officials also said yesterday that two other male soldiers at the hospital were reassigned after requesting a transfer.

The two men were moved to administrative duties shortly after the first batch of inmates arrived in January, said Marine Maj. Stephen Cox, a spokesman for the detention mission.

The two men "simply were uncomfortable in that environment," Maj. Cox said.

The captives, accused of having links to either the fallen Taliban regime in Afghanistan or Osama bin Laden's al Qaeda terrorist network, are expected to be moved from the hastily built Camp X-ray to Delta Camp by next month.

Delta Camp will be equipped with toilets, beds and ventilation and eventually could be expanded to hold more than 2,000 detainees.

New York Times
March 18, 2002
<u>News Analysis</u>

25. Bush Finds That Ambiguity Is Part Of Nuclear Deterrence

By David E. Sanger

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

GENERAL COUNSEL

SECRETARY OF DEFENSE
2002 MAY -3 PM 3:26

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Info Memo

April 29, 2002 4:20 PM

400.13

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel

SUBJECT: Credit Card Abuse Case

- You asked for my review of the Secretary of the Army's response to your question on how an employee could have allegedly charged personal items amounting to almost $12,000 on a government purchase and not be prosecuted.
- Although the case was not prosecuted, Army is investigating to determine what administrative action, if any, it should take in this case.
  - According to a recent GAO report dealing with credit card abuse in DoD, handwriting analysis indicated that the employee in this case had not signed the receipts for the items in question. Since the employee has denied making the purchases, this could have made criminal prosecution of the case problematic.
- Since this is still an open case, I suggest that you treat it as you would any other on-going investigation. You may receive reports on the progress of the investigation, but should not express a view on the ultimate outcome.

COORDINATION: None

Prepared by: Helen Sullivan, (b)(6)

29 APR 02

FOR OFFICIAL USE ONLY

11-L-0559/OSD/8261

U07757 /02

Snowflake

Draft

March 29, 2002 8:34 AM

TO: Vice President Richard B. Cheney
Honorable Colin Powell
Honorable Condoleezza Rice

FROM: Donald Rumsfeld

SUBJECT: NATO Enlargement

NATO 092

I don't know what will finally be decided by NATO with respect to enlargement, but the United States could have a significant influence if we decide what we want.

I favor enlargement. I suspect it is possible at this stage to pretty well figure out which countries will likely be included in the coming round.

If that is the case, I think that if the U.S. were visibly seen now as the "champion" for bringing those countries into NATO, it would strengthen our position in NATO with those countries. Newer countries can be quite helpful to us in a variety of different ways, given the behavior of some of the older NATO members.

Second, I think it might be worth considering having the U.S. provide leadership by urging they meet a list of things they need to do to be ready. Then, if they don't get in, they can be prospects for later, and they can use that pressure to encourage their people to be willing to take the kinds of steps that will make them acceptable.

29 Mar 02

Thanks.

DHR/dh
032702-21

Draft

11-L-0559/OSD/8262 U06980 /02

snowflake

4/9/02

April 8, 2002 9:07 AM

TO: Tom White

CC: Paul Wolfowitz
David Chu
Larry Di Rita

FROM: Donald Rumsfeld DR.

SUBJECT: Increase in End Strength

320.2

I just saw the *Early Bird* page 36, item 45, from today. You may not have been in the meeting, but I have not authorized an increase in end strength for any of the Services.

What I have said is that we can consider the use of the two percent flex, but only if I see a plan from any Service that wishes to do so that persuades me that they have a plan to get down below any portion of the flex they use within a reasonable period of time.

You may want to get that clip cleaned up and make sure your folks understand the facts.

Thanks.

DHR:dh
040802-18

Please respond by 04/19/02

8 Apr 02

tary so powerful. But Rumsfeld is riding high after Afghan-istan; the White House may not want to take him on. Scowcroft, the CIA and the White House declined to comment; the Pentagon did not return three calls seeking comment.
— *John Barry*

U.S. News & World Report
April 15, 2002
43. Washington Whispers
By Paul Bedard

Job well done

The capture or killing of al Qaeda boss Osama bin Laden could result in some delayed shuffling in the Bush administration. Insiders say some are staying on just to finish the hunt for bin Laden and would leave soon after. Such as: CIA Director George Tenet, who'd probably go into private work, and State spokesman Richard Boucher, who'd like another ambassadorial posting.

Bullish on green

Merrill Lynch is bullish on GIs. In a note sent to clients, defense analyst Byron Callan observes that mayhem in the Mideast could bring important lessons for U.S. military planners. While Israel has used bombs and rockets against Palestinian targets, he says, soldiers going into basements "provide a degree of precision, surveillance, and presence that is simply not afforded by GPS guided bombs." That could undercut enthusiasm for "smart" weapons and other high-tech gizmos: "If the Army and Marine Corps were stocks, we would have buys on them."

Washington Times
April 8, 2002
Pg. 4
44. Faced With Enron Flap, White Digs In
By Rowan Scarborough, The Washington Times

Army Secretary Thomas E. White is in survival mode these days, fighting to save prized weapons from Pentagon budget cutters while watching his flank for those who want him ousted over the Enron debacle.

Mr. White, the son of a Detroit bus driver who rose to the rank of Army general and then earned millions during 11 years at Enron Corp., has become a key target in the Democrats' probe of the Houston energy firm.

Asked in an interview if he will remain Army secretary despite scrutiny of his Enron ties, Mr. White said: "I intend to."

"I came back here with a very simple objective, that was to try to do something good for soldiers and their families," he said. "And we have done a lot of good things for soldiers and their families in addition to fighting this war that has come upon us. And I'm excited about staying."

Sitting in his Pentagon office, the decorated Vietnam veteran said the Army has made great progress in recruiting young soldiers and in transforming the force into a lighter, faster one.

"When I walked in the door, we were still arguing about berets. We're no longer arguing about berets," he said, referring to the political brouhaha over changing Army headgear. "We have focused on what's important, and transformation is important. And I made it clear to everybody since day one, 'It ain't optional. We got to get on with it.'"

The Enron questions come on two fronts: Was he late in selling Enron stock options, as demanded by the Senate Armed Services Committee as a requirement for his confirmation last summer? And, in his 70 to 80 contacts with former Enron colleagues, did he get any inside information on the corporation's financial collapse?

Mr. White, who ran Enron's Energy Services division, said the calls he made were prompted by compassion for the many friends he had made in Houston. He said he has completed stock sales, except for two private funds in which he is a limited partner and so cannot control the liquidation timing.

"They know what remains to be done and we're very clear on that," he said, referring to Senate Armed Services Chairman Carl Levin, Michigan Democrat, and Sen. John W. Warner of Virginia, the panel's senior Republican.

Mr. White faced his first criticism from a Republican lawmaker when Mr. Warner co-signed a letter with Mr. Levin scolding the Army secretary for not selling all his Enron stock. "We do not believe that your actions satisfied the requirements of this committee," the two wrote on March 1.

Meanwhile, Pentagon Inspector General Joseph Schmitz is examining trips Mr. White took to Florida and Colorado since he became Army secretary last year. In both cases, he mixed personal business with official work but says he strictly followed legal requirements.

On a stopover in Aspen, Co., to sell a home, he was on rotation in the classified "continuation of government" program and was required to be out of Washington. In Florida, he took personal leave and rented a car to visit a home he owns.

"In my opinion, we followed the rules," Mr. White said. "Now, the issue is going to be a matter of perception because the rules come down to whether there is a perception of misuse of government resources. People inside the department, the department ethics officers are very comfortable with where we're at. In our view, we have acted consistent with the regulation."

The bad press alarms Mr. White's allies on Capitol Hill. Conservatives view the West Point graduate as a needed "old school" ex-officer who can reorient the Army back to basics after years of "political correctness."

Mr. White, 59, served two tours in Vietnam. As a platoon leader in 1969, he was awarded a Silver Star for rescuing a wounded soldier amid intense enemy fire.

"It would be a shame to lose a guy like this while the Army is engaged in the war on terrorism," said a senior congressional defense aide.

Mr. White has the backing of the man who counts most — Defense Secretary Donald H. Rumsfeld. They talked privately two weeks ago. Mr. Rumsfeld is said to have counseled Mr. White and inquired on how he was holding up. Mr. White said he was weathering the attacks but would quit if the investigations distracted him from running the Army.

"Secretary Rumsfeld is a great boss and he's been in this town a long, long time, so I pay very close attention to his counsel," Mr. White said.

The Army secretary also has communicated with longtime friend Secretary of State Colin L. Powell. As a brigadier general, Mr. White served as Mr. Powell's executive assistant when the latter was chairman of the Joint Chiefs of Staff. Mr. White retired from that post in 1990.

"He's a great friend and provides very sound advice and the advice is, 'Hang in there,'" Mr. White said.

As Rep. Henry A. Waxman, California Democrat, stepped up his inquiry into Mr. White's Enron contacts, the Army's top civilian largely remained silent. But in recent weeks, as some friends came to believe his job was hanging in the balance, Mr. White began telling his side.

"I tried to stay focused on running the Army and hoped the other stuff would subside," he said. "But it hasn't subsided."

Inside The Army
April 8, 2002
Pg. 3
45. Army To Increase End Strength By 9,600 Over Next Two Years

Faced with an extremely high personnel tempo and unprecedented levels of deployment, the Army intends to increase its end strength by 9,600 personnel over the next two years, said Army Under Secretary Les Brownlee.

The Army's active-duty end strength cap, which is set by Congress, is 480,000 people. The Army is permitted to differ from that ceiling by 2 percent, or 9,600 personnel, without seeking an additional authorization from the legislature. According to Brownlee, the Army wants to utilize that flexibility in the next 24 months to help address the

crushing pace of operations and a widely recognized personnel shortage. The service will attempt to recruit half of the 9,600 in fiscal year 2002 and the rest in fiscal year 2003.

Chief of Staff Gen. Eric Shinseki, Army Secretary Thomas White and Vice Chief of Staff Gen. John Keane "decided the most prudent course for the Army was to proceed to try to do about 1 percent of that 2 percent each year, this year and next year, and then to see where we go from there," Brownlee said at an April 4 breakfast sponsored by the Association of the U.S. Army. "If we can add 9,600 people over the next two years to the Army end strength, that would help a lot."

According to Brownlee, Defense Secretary Donald Rumsfeld has agreed to let the Army expand its end strength by 1 percent this year.

The Army and others have estimated its real personnel requirements are much greater than 9,600. To fill completely the service's force structure requirement, some estimates indicate the service may need between 30,000 and 40,000 more people, Brownlee said. However, while that range may be valid, the Army could not achieve it, he stated.

"I would suggest to you that, if the Army had an authorization to do that tomorrow, they probably couldn't recruit it," he commented.

The goal of 4,800 new soldiers this year, and another 4,800 next year, is attainable, he stated.

"I think that's achievable in terms of recruiting and it's probably affordable . . . even if we have to take it out of our own budget and we probably will," Brownlee said.

The cost of 4,800 new accessions in FY-02 would be at least $270 million, he added.

The current stop-loss order does "distort" the Army's end strength picture, Brownlee noted. Since the war on terrorism began, the service has barred personnel in several specialties from leaving active duty.

"We're going to continually evaluate that and, if there are some of those skills that turn out that we don't need as much and we can release those people, then my suggestion would be that we do it," he stated. "But this is something that is watched very closely and monitored every day."

Despite the stop-loss, many categories of personnel and warfighting units are stretched "pretty bad." Earlier this year, Brownlee took a 10-day trip abroad, stopping in Germany, Kosovo, Bosnia, Italy, Kuwait, Pakistan, Uzbekistan, and Afghanistan. "Virtually everywhere I went, I found the 10th Mountain Division," he remarked. Provided the United States wants to maintain these commitments, adding end strength is the best solution, according to the under secretary.

-- *Erin Q. Winograd*

Aviation Week & Space Technology
April 8, 2002
Pg. 30

46. Navy Enlists NASA In The War On Terror

NASA military support is growing, especially to the Navy, where the satellite imagery is used for strike operations

By Craig Covault, Cape Canaveral

The U.S. Navy is leading an initiative to exploit advanced new NASA and commercial environmental satellite imagery and data to aid time-critical strike planning--including weapons selection--for Afghanistan and potential other target areas in the Middle East, such as Iraq.

Navy sources said the data also are likely to be helping to support the overall U.S. overhead intelligence operations in the Middle East in connection with the Israeli/Palestinian crisis.

The initiative especially underscores the growing role of NASA in real-time space support to U.S. military forces in the war on terrorism. That backing, however, could also raise questions in Congress about adherence to the agency's civilian space charter.

THE NASA TERRA spacecraft, the commercial Orbimage/ NASA SeaWiFS sensor and the NASA Quikscat spacecraft are the new systems most involved in the effort. The NASA Aqua spacecraft about to be launched will also be used. The initiative is also in line with more joint military space operational support, which is the focus of a special report that begins on p. 77.

Military air and fleet operations involving Afghanistan and preparations for other actions in the region are benefiting from the new NASA/commercial and NOAA data flowing in real time to the Navy. The Navy is converting the information for military use, then transmitting it to the fleet and to other military users.

In addition to enabling greater precision for safer helicopter operations in dynamic conditions, the data are providing better insight for determining whether laser or GPS-guided weapons should be called in against specific targets, said Capt. Robert L. Clark of the Naval Warfare Systems Command (Spawar) in San Diego, Calif.

Clark is responsible for "migrating civilian space capability to military uses on a tactical and strategic level." He is the Spawar program manager for meteorological and oceanographic systems.

NASA data support for operational military needs is increasingly "a success story," he said. This new marriage of Navy, NASA and commercial capabilities is being forged by Spawar and the Naval Research Laboratory (NRL) in Monterey, Calif.

Archived NASA and commercial Spot and Landsat imagery has been used for years by the Defense Dept., and hyperspectral imagery from NASA's EO-2 satellite is being studied by USAF for its military utility (AW&ST Jan. 21, p. 36). But the new Navy initiative is pouring far more real-time NASA and commercial imagery and data to the deployed forces.

This NASA/commercial imagery and data are often combined with classified military reconnaissance satellite data and NOAA and Air Force weather satellite information. "We have a substantial investment in cooperative black programs [with the new NASA capabilities] and results are very impressive," Clark said.

The SeaWiFS and Modis spacecraft are differentiating wind, fog, dust and cloud conditions at precise altitudes and locations so strike planners and air crews can plan the best angles and altitudes from which to stage attacks and factor in weapons selection.

Aviation Week & Space Technology's current front cover is a striking illustration of the capability. It shows a fierce crescent-shaped duststorm blowing up just west of Kandahar, Afghanistan, streaming south across Pakistan and into the Arabian Sea. Another major dust storm farther west is streaming out of Iran. The Afghan, Iranian and Pakistani national borders have been drawn in by NRL Monterey technicians, who combined this SeaWiFS imagery with NASA Terra spacecraft "Modis" radiometer data to create the image.

The dust affected initial U.S. ground operations in Afghanistan and is the kind of information commanders have been using to plan the best weapons employment.

The massive Afghan dust tentacles blown into the Arabian Sea were also a concern to four U.S. Navy carrier battle groups, including the USS Enterprise, USS Independence, USS Roosevelt and USS Kitty Hawk. The fleet needed to avoid the dust, which was beginning to cause problems on the ships. The image was specifically used to steer the USS Independence away from an especially severe plume, while also keeping it clear of weather from a nearby tropical cyclone (see the "CVIN" and "TC" annotations on p. 77).

The Modis imaging radiometer data are proving especially valuable in differentiating low clouds from fog--a key factor in flying helicopters through isolated valleys, the Navy managers said. The imagery is being transmitted color-coded to show what types of features lie at which altitudes.

Spawar/Dell upgrades to the meteorological computer suites on key Navy carriers and

THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

2002 APR 17 AM 12:43

INFORMATION MEMO

FOR: SECRETARY OF DEFENSE

FROM: UNDER SECRETARY OF DEFENSE (AT&L) 4/10/02

SUBJECT: Response to your question on C-130 Sales

- You asked: "What do you have to do to get the C-130 on that munitions list so we can sell it?"

- As defense articles, C-130s are on the munitions list and can be sold, but only to allied/friendly governments under State Department policy.

- Under the export control reform review of the munitions list, DoD has recommended transfer of cargo aircraft, including C-130s older than the current C-130J model, to the export control jurisdiction of Commerce Department, provided they are demilitarized and provided there already is a commercial equivalent controlled by Commerce. The Lockheed L-100 is the commercial version of the C-130. State and DoD/Policy (supported by Air Force) are discussing this proposal.

- C-130s as military aircraft are not certified by civil aviation authorities (FAA in the U.S. and ICAO internationally) and such certification would be an issue and expense in the purchasing country. Although, presumably, Lockheed could help ameliorate it.

- Munitions list items cannot be sold to China without a Presidential waiver of U.S. Tiananmen Square sanctions.

Prepared By: OD(IC), Marvin Winkelmann, (b)(6)

11-L-0559/OSD/8266 1106994 /02

snowflake

April 2, 2002 6:33 AM

TO: Pete Aldridge

FROM: Donald Rumsfeld DR

SUBJECT: C-130 on Munitions List

What do you have to do to get the C-130 on that munitions list so we can sell it?

Thanks.

DHR:dh
040202-2

Please respond by 04/19/02

2669-2002

snowflake

April 2, 2002 6:33 AM

TO: Pete Aldridge

FROM: Donald Rumsfeld

SUBJECT: C-130 on Munitions List

What do you have to do to get the C-130 on that munitions list so we can sell it?

Thanks.

DHR:dh
040202-2

Please respond by 04/19/02

2 Apr 02

THE SECRETARY OF STATE
WASHINGTON

April 16, 2002

SECRETARY OF DEFENSE
2002 APR 19 PM 2:50

Dear Don:

Your note of April 8 questions whether the United States should contribute to the costs of setting up and maintaining an Afghan National Army. You note correctly that the United States has funded most of the costs of Operation Enduring Freedom, and suggest that others should pick up these new expenses.

I am naturally sympathetic to this argument, which applies to the entire task of reconstruction, not just that in the security sphere. Nevertheless, recognizing that others are unlikely to shoulder these burdens adequately unless the United States leads the way, we have pledged to do our fair share. In doing so, we have particularly staked out the security sphere, to include building a national army and a national police as areas where the United States intends to be heavily involved.

There can be no reconstruction in Afghanistan without security. Recognizing this, President Bush committed the United States to take the lead in training a new national army. The Administration has been actively working with other donors to urge them to reorient their assistance priorities to give adequate attention to the security sector. We have also submitted a supplemental budget request to the Congress to fund our training program and to make a contribution to other police and military costs. I very much hope this request will continue to receive your full support.

Sincerely,

Colin L. Powell

The Honorable
Donald H. Rumsfeld,
Secretary of Defense.

SENSITIVE BUT UNCLASSIFIED
11-L-0559/OSD/8269

U07014 /02

Snowflake

April 8, 2002 7:18 AM

TO: Honorable Colin Powell

CC: Honorable Condoleezza Rice

FROM: Donald Rumsfeld

SUBJECT: U.S. Financial Commitment

I was concerned that at the Principals' meeting the other day Dobbins said he had committed the U.S. to give 20 percent of all the costs for the training of the Afghan army.

The U.S. spent billions of dollars freeing Afghanistan and providing security. We are spending a fortune every day. There is no reason on earth for the U.S. to commit to pay 20 percent for the Afghan army.

I urge you to get DoS turned around on this—the U.S. position should be zero. We are already doing more than anyone.

Thanks.

DHR:dh
040602-10

Snowflake

April 8, 2002 7:18 AM

TO: Honorable Colin Powell

CC: Honorable Condoleezza Rice

FROM: Donald Rumsfeld

SUBJECT: U.S. Financial Commitment

I was concerned that at the Principals' meeting the other day Dobbins said he had committed the U.S. to give 20 percent of all the costs for the training of the Afghan army.

The U.S. spent billions of dollars freeing Afghanistan and providing security. We are spending a fortune every day. There is no reason on earth for the U.S. to commit to pay 20 percent for the Afghan army.

I urge you to get DoS turned around on this—the U.S. position should be zero. We are already doing more than anyone.

Thanks.

DHR:dh
040602-10

U 06330-02

Snowflake

April 8, 2002 7:18 AM

TO: Honorable Colin Powell

CC: Honorable Condoleezza Rice

FROM: Donald Rumsfeld

SUBJECT: U.S. Financial Commitment

I was concerned that at the Principals' meeting the other day Dobbins said he had committed the U.S. to give 20 percent of all the costs for the training of the Afghan army.

The U.S. spent billions of dollars freeing Afghanistan and providing security. We are spending a fortune every day. There is no reason on earth for the U.S. to commit to pay 20 percent for the Afghan army.

I urge you to get DoS turned around on this—the U.S. position should be zero. We are already doing more than anyone.

Thanks.

DHR:dh
040602-10

U06330-02

Snowflake

*226

Afghanistan

April 1, 2002 6:47 PM

TO: Gen. Myers

FROM: Donald Rumsfeld

SUBJECT: Training Afghanistan Army

Have we thought of using Marines to train the soldiers and border patrol in Afghanistan instead of Special Forces? Why should Special Forces do it? They are in short supply, and Marines and Army people are not.

Thanks.

DHR:dh
040102-52

Please respond by 04/19/02

1APR02

U07102 /02

Tab A

OFFICE OF THE
SECRETARY OF DEFENSE

2002 APR 23 AM 9: 28

April 19, 2002

To: Secretary of Defense

From: Pete Aldridge

Subject: Travel/Purchase Cards

You are absolutely correct that we should not have a lax attitude with regard to travel or purchase card abuse. Not only must we come down on the individual who does the abuse, we must be firm with the supervisors and agency managers who are providing the lack of leadership, un-ethical attitude and permissive environment that permits this to happen. I would expect that we would find that organizations with lax leaders are the ones with a high rate of incidence. This will be part of our initiative to improve control.

For your information, the government is not charged interest for those using the travel cards. The travel charges, or any other charges, are billed directly to the individual and they are responsible for payment and any accumulated late payment charges. The individuals are only reimbursed for travel costs which have been submitted through a travel expense report associated with approved travel orders. The government never sees the credit card bill. That is why it is so hard to "police" these actions.

Action: None. Information only.

U07128 /02

11-L-0559/OSD/8274

snowflake

1:54 PM

TO: Jim Haynes

CC: Pete Aldridge
Dov Zakheim

FROM: Donald Rumsfeld DR

DATE: April 17, 2002

SUBJECT:

I just read this memo from Jim Haynes on credit card abuse. Seems to me it is important to remember that when you are in arrears, you are charging the government interest, and when you charge the government interest for personal things you have charged on the government credit card, you are stealing money from the government.

I don't think that a lax attitude about this is the proper thing. It reflects misunderstanding about the cost of money.

Thank you.

DHR/azn
041702.26

Attach: Haynes response to snowflake (3/15/02) Re: Credit Card Abuse 4/8/02

Please respond by: 4/22/02

snowflake

March 15, 2002 8:33 AM

TO: Jim Haynes

FROM: Donald Rumsfeld

SUBJECT: Credit Card Abuse

What is the story on the $62 million of credit card waste and officers using the cards to make personal rather than official purchases?

Thanks.

DHR:dh
031502-8

Please respond by 03/29/02

3/18 — 3/16

Sec Def —

Jackson and Aldridge recently announced a series of steps to tighten procedures improve accountability, and intensify action against violators, too.

11-L-0559/OSD/8276

GENERAL COUNSEL

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

INFO MEMO

April 3, 2002, 12:05PM

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel WJHaynes 4/3/02

SUBJECT: Credit Card Abuse

- You asked about the $62 million of credit card waste and card misuse. There are two different charge card programs with different issues.
  - The travel card program
    - Senator Grassley said that DoD personnel defaulted on $62 million in "official" travel expenses. We believe this figure is generally correct.
    - The contractor reported debts on individual cards of $60 million (M). It collected $22M and asked DoD to collect $35M through salary offset. DoD is now collecting most of this through salary offset.
    - Senator Grassley and Representative Horn provided to you a list of 709 officers who reportedly were in arrears on their travel cards. There is no allegation of misuse – rather, Grassley and Horn allege payments are late.
    - Cardholders are personally responsible for card debts although they sign an agreement to use the card only for official travel expenses.
    - The Military Departments are investigating and will prepare a response.
  - The purchase card program
    - There are allegations that both civilian and military personnel used the purchase card for personal purchases.
    - It appears that there has been an uneven record of the use of internal controls, although efforts are underway to rectify this.
  - Both programs: USD(AT&L)(purchase card proponent) and USD(C)(travel card proponent) are developing initiatives to provide better internal controls over both the purchase and travel card programs.

COORDINATION: None

Prepared by: Elizabeth Buchanan (b)(6)

Snowflake

4/12
1:00

6:08 PM

EF1244

Georgia

TO: Paul Wolfowitz
Doug Feith

FROM: Donald Rumsfeld

Larry DL Pipes
4/19

DATE: April 12, 2002

SUBJECT: **Georgia**

What do you propose we do about this Russian action in Georgia? I think the U.S. ought to do something. Let's get a memo up.

Thanks.

DHR/azn
041202.19

Please respond by: 4/18/02

SECDEF HAS SEEN
APR 22 2002 4/22

CROUCH RESPONSE ATTACHED.
W/R
Ed

12APR02

APR 16 02 09:19

U07146 /02

04-16-02 09:19 IN

snowflake

April 22, 2002 9:24 AM

TO: Honorable Colin Powell

CC: Vice President Richard B. Cheney
Honorable George Tenet
Honorable Condoleezza Rice

FROM: Donald Rumsfeld D. R.

SUBJECT: International Criminal Court

015

Enclosed is a letter from Henry Hyde and other Members of Congress suggesting a practical action we might take soon with respect to the International Criminal Court. Henry proposes that we seek to indemnify our peacekeepers against potential legal action during the negotiations taking place at the United Nations to extend the mandate for Bosnia.

It seems a sensible and timely idea. I have asked Doug Feith to go to work on it with your people to see what can be done.

The Members also propose that we declare our opposition to future U.S. military participation in peacekeeping operations if our forces are not granted immunity. I agree.

Thanks.

Attach.
Hyde Letter

DHR:dh
042202-15

22 Apr 02

HENRY J. HYDE, ILLINOIS
Chairman

BENJAMIN A. GILMAN, New York, Chairman Emeritus
JAMES A. LEACH, Iowa
DOUG BEREUTER, Nebraska
CHRISTOPHER H. SMITH, New Jersey
DAN BURTON, Indiana
ELTON GALLEGLY, California
ILEANA ROS-LEHTINEN, Florida
CASS BALLENGER, North Carolina
DANA ROHRABACHER, California
EDWARD R. ROYCE, California
PETER T. KING, New York
STEVEN J. CHABOT, Ohio
AMO HOUGHTON, New York
JOHN M. McHUGH, New York
JOHN COOKSEY, Louisiana
THOMAS G. TANCREDO, Colorado
RON PAUL, Texas
NICK SMITH, Michigan
JOSEPH R. PITTS, Pennsylvania
DARRELL E. ISSA, California
ERIC CANTOR, Virginia
JEFF FLAKE, Arizona
BRIAN D. KERNS, Indiana
JO ANN DAVIS, Virginia
MARK GREEN, Wisconsin

THOMAS E. MOONEY
Staff Director/General Counsel

JOHN WALKER ROBERTS
Deputy Staff Director

STEPHEN G. RADEMAKER
Deputy Staff Director/Chief Counsel

TOM LANTOS, California
Ranking Democratic Member

HOWARD L. BERMAN, California
GARY L. ACKERMAN, New York
ENI F.H. FALEOMAVAEGA, American Samoa
DONALD M. PAYNE, New Jersey
ROBERT MENENDEZ, New Jersey
SHERROD BROWN, Ohio
CYNTHIA A. MCKINNEY, Georgia
EARL F. HILLIARD, Alabama
BRAD SHERMAN, California
ROBERT WEXLER, Florida
JIM DAVIS, Florida
ELIOT L. ENGEL, New York
WILLIAM D. DELAHUNT, Massachusetts
GREGORY W. MEEKS, New York
BARBARA LEE, California
JOSEPH CROWLEY, New York
JOSEPH M. HOEFFEL, Pennsylvania
EARL BLUMENAUER, Oregon
SHELLEY BERKLEY, Nevada
GRACE F. NAPOLITANO, California
ADAM B. SCHIFF, California
DIANE E. WATSON, California

ROBERT R. KING
Democratic Staff Director

PETER M. YEO
Democratic Deputy Staff Director

DAVID S. ABRAMOWITZ
Democratic Chief Counsel

One Hundred Seventh Congress

Congress of the United States

Committee on International Relations

House of Representatives
Washington, DC 20515

(202) 225-5021

http://www.house.gov/international_relations/

April 11, 2002

The Honorable Donald H. Rumsfeld
Secretary
U.S. Department of Defense
The Pentagon, Room 3E880
Washington, D.C. 20301

Dear Mr. Secretary:

Today's announcement that 60 countries have ratified the Rome Statute of the International Criminal Court (ICC) is a regrettable setback for the promotion of international peace and security. Supporters of the ICC have persuaded themselves that the threat of U.N. prosecution will deter the Saddam Husseins and Slobodan Milosevics of the world. But we know you agree with us that dictators with the blood of thousands on their hands will scoff at the threat that, if ever removed from power, apprehended, and successfully prosecuted by the ICC, they may be forced to spend the rest of their lives in a Scandinavian prison. Rather, the real deterrent effect of the ICC will be on nations like our own that respect the rule of law and will, in the future, hesitate to act in situations like we faced in Kosovo in 1999.

We are confident that history ultimately will judge the Rome Statute as another sad example of good intentions run amok. Like the Kellog-Briand Pact of 1928 – which began as a well-meaning effort to outlaw war but wound up encouraging the Axis Powers and contributing to the outbreak of World War II – the ICC is more likely to hinder than help efforts to prevent genocide, war crimes, and crimes against humanity. Clearly, however, at least 60 countries have failed to recognize the court's obvious flaws, and the ICC will be an international fact of life for the foreseeable future. Accordingly, the United States must begin now to implement policies to protect against the unintended consequences that will flow from establishment of the ICC.

On May 24th of last year, two of us wrote to you to suggest a number of concrete steps that should be taken in this regard. We stand by the recommendations in that letter, but wish to draw your attention to one recommendation made in that letter which is time-sensitive.

Even supporters of the ICC have conceded that some countries may hesitate to participate in future U.N. peacekeeping operations if their military personnel are at risk of criminal prosecution by the ICC for activities undertaken by them on behalf of the United Nations. The solution to this problem is for the United Nations Security Council to routinely include in Security Council resolutions establishing U.N. peacekeeping operations a grant of permanent immunity from ICC jurisdiction for personnel participating in the operation. Indeed, we would oppose any future U.S. military participation in U.N. peacekeeping operations where the Security Council refuses to grant such immunity to our personnel.

In this connection, we note that, under Security Council Resolution 1357 (2001), the U.N. mandate of the peacekeeping operation in Bosnia will expire on June 21st of this year. We understand that there is a general expectation that the mandate of the Bosnia peacekeeping operation will be extended by the Security Council once again, as it has been every year since 1996. In connection with the renewal of that mandate, we strongly encourage the Bush Administration to insist that this year's Security Council Resolution include a permanent grant of immunity from ICC jurisdiction for, at a minimum, the approximately 3,000 U.S. service-members serving in Bosnia as part of that operation. Once this issue is raised, it would also make sense to seek a permanent grant of immunity from the jurisdiction of the International Criminal Tribunal for the Former Yugoslavia (ICTY), particularly in view of the ICTY's decision three years ago to investigate the United States and other NATO allies for possible war crimes in the Kosovo operation in 1999.

No one can regard this as an unreasonable demand by the United States. The Dayton Accords, which provided for the establishment of the Bosnia peacekeeping operation, included a provision exempting personnel participating in that operation from the criminal jurisdiction of the courts of Bosnia and Herzegovina. Clearly this provision was included in the Dayton Accords because potential troop-contributing countries (including most importantly the United States) considered such an exemption important to their ability to deploy forces to Bosnia. Now that the government of Bosnia is poised to ratify the Rome Statute, thereby imposing ICC criminal jurisdiction on those same forces, it is perfectly reasonable to ask the Security Council to grant immunity from ICC and ICTY jurisdiction corresponding to the grant of immunity from Bosnian criminal jurisdiction provided in the Dayton Accords.

Moreover, such action by the Security Council would further the objective of Security Council Resolution 1353 (2001), which directed the United Nations to take a number of steps to make it more attractive for countries to contribute forces to U.N. peacekeeping operations. The United States should make clear that, like the other measures described in Resolution 1353, obtaining immunity from the criminal jurisdiction of the ICC and other U.N. criminal tribunals is important to continued U.S. participation in U.N. peacekeeping operations.

The Honorable Donald H. Rumsfeld
April 11, 2002
Page 3

Mr. Secretary, there is no reason to delay establishing the principle that the U.S. will not participate in U.N. peacekeeping operations in cases where the U.N. Security Council refuses to grant U.S. forces participating in such operations immunity from the criminal jurisdiction of U.N. tribunals. Because renewal of the Bosnia peacekeeping operation will be the first such case to present itself after entry into force of the Rome Statute, we urge the Bush Administration to assert and insist upon this principle in the case of Bosnia.

Sincerely,

Henry J. Hyde 1306
Mr. Chairman

Jesse Helms 3301

Bob Stump 0303

Zell Miller 1006

Tom DeLay 4322
Tom

John W. Warner 4601

Christopher H. Smith 3004

HJH:sjr/mco

SEC

2002 APR 23 PM 1:42

As of April 16, 2002; 12:00 P.M.

READAHEAD FOR SECRETARY RUMSFELD:
IMPROVED READINESS REPORTING

From: David S.C. Chu, USD(P&R) (b)(6) David S.C. Chu 16 apr 02

Date: April 18, 2002 **Time:** 9:30-11:00 a.m. **Location:** SECDEF Conf Room

Briefers: Paul W. Mayberry, DUSD (Readiness)

Attendees: Deputy Secretary of Defense, Service Secretaries, Service Chiefs, Aldridge

Purpose: Brief the results of our DPG directed study on improved readiness assessment.

Discussion:

- In the 2001 QDR, we briefed that DoD needs to improve the way we measure and assess readiness. The new system needs to be able to:
  - Answer "Ready for What?"
  - Provide for goal setting, metric analysis, and accurate reporting
  - Leverage information technology to enable rapid analysis and to reduce workload
- We have worked with the Military Departments, Combatant Commanders, and a number of think tanks over the past few months to specify a new system. Key elements include:
  - Reporting readiness for missions as assigned in the Defense and Contingency Planning Guidance
  - Improving the assessment process by linking to resourcing forums and including all stakeholders
  - Enhancing reporting and assessment tools
- A prototype of the system will be demonstrated in October 2002, with a planned initial operational capability in 2004. The system will be fully operational in 2007.
- The study also identifies language to include in the 2004 Defense Planning Guidance. This language assigns readiness standards by DPG mission areas and programming funds necessary to implement the new system.
- Attachment 1 is the short briefing on the study; Attachment 2 is a copy of the proposed DoD Directive on readiness reporting; Attachment 3 is a short summary of the key features, policy and responsibilities of the system.

Recommendation: Approve study.

Prepared by: Maria K. Hughes/RP&A (b)(6)

322

16 Apr 02

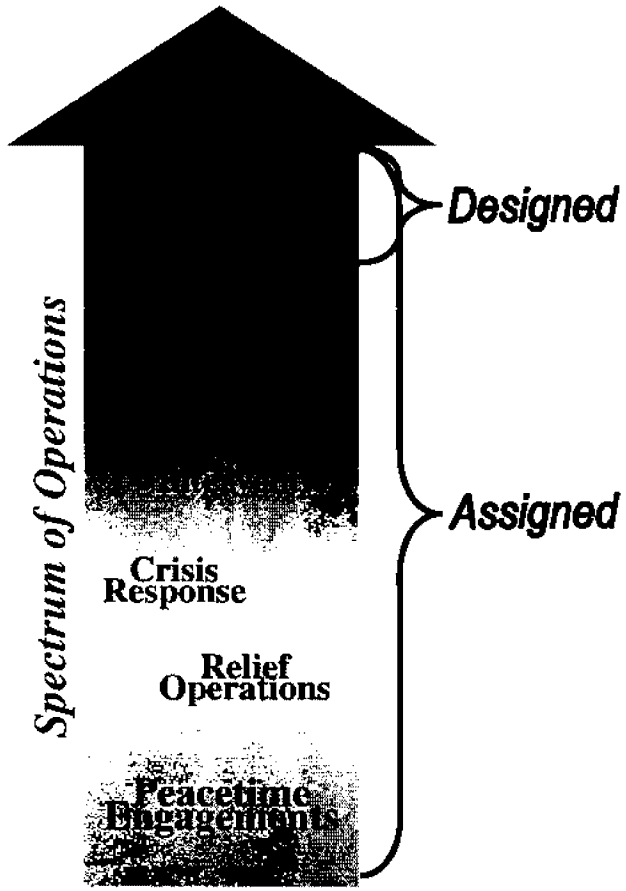
U07180 /02

11-L-0559/OSD/8283

QDR Study for Improving DoD Readiness Reporting

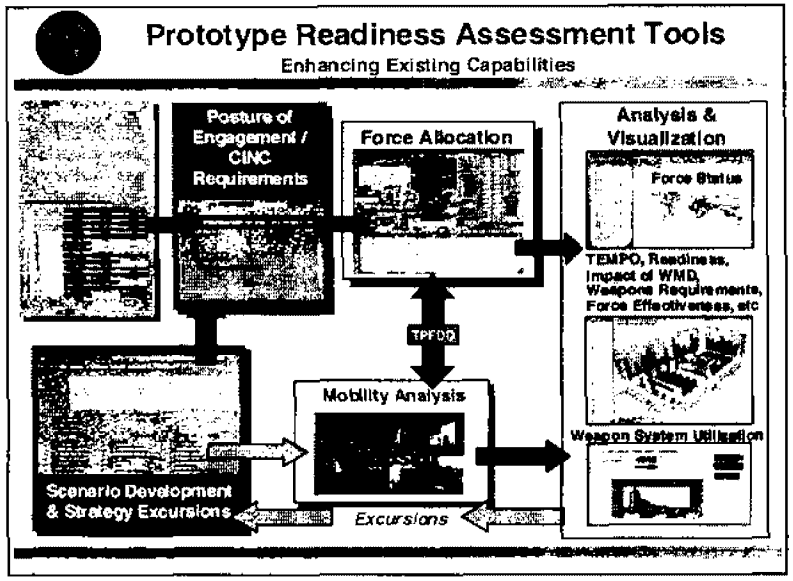
Key Characteristics of Improved Readiness Assessment

- *Answers "Ready for what?"*
  - Focuses on key military capabilities for a range of scenarios and force postures
  - Captures readiness for assigned and designed missions
- *Provides for goal setting, metric analysis, and accurate reporting*
  - Uses functional data systems
  - Centers on outcomes
- *Leverages information technology.*
  - Allows near real-time access
  - Enables rapid, low cost development
  - Reduces reporting burdens



A New Construct for Readiness Assessment

- ***Report readiness for missions assigned in Defense and Contingency Planning Guidance***
  - **Assign readiness standards in DPG**
  - **Use Mission Essential Tasks**



- ***Improve DoD assessment processes***
  - **Explicitly tie to resourcing forums**
  - **Increase visibility; include all stakeholders**

- ***Enhance reporting and assessment tools***
  - **Employ scenario modeling:**
    - Provides quick, objective analysis for crisis situations and deliberate planning
  - **Fuse DoD transactional databases for unit/organizational status**
    - Near real-time reporting; trends and variance from standards

Improved Tools and Outputs

	Assessment Tools	Outputs
Strategic / Operational	[redacted] "Ready For What?" • Crisis or deliberate Plans • Integrate forces with readiness status	• *Risk areas and metrics* • *Capability shortfalls* • *Force sustainment* • *Rapid analysis*
Tactical	[redacted] • Personnel • Equipment • Ordnance • Training • Sustainment	• *Key unit / organization resource shortfalls* • *Variance from standards* • *Real time data*

Information Technology Is the Enabler

Output Metrics & Risk

- *Meeting CINC Requirements -- Operational Risk*
  - Force Availability
    - Shortfalls by mission capability (ISR, C2, etc.)
    - Shortfalls by unit type (SOF teams, MEUs, etc.)
    - Is Reserve call-up required - - if so; how large?
  - Force Closure
    - Delays in force arrival due to capacity of Mobility system
  - Force Substitution Analysis
    - Within service and across service lines
  - Gaps in coverage
    - CVBGs/ARGs moved out of one CINC's AOR to support a contingency in another CINC's AOR
- *Monitoring forces -- Force Management Risk*
  - OPTEMPO / PERSTEMPO rates and goals
  - Reserve component deployment rates and force deployment predictability
  - Status of Low-Density / High-Demand Assets

Implementing Change

- ***Demonstrate Prototype system in October 2002***
- ***Plan for Initial Operational Capability 2004: Full Operations in 2007***
- ***Include language in FY 2004 Defense Planning Guidance***
  - **Assign readiness standards for DPG mission areas**
  - **Program funds to implement revised readiness system**
- ***Present DoD Directive on Readiness Reporting System by May***
  - **Coordinate through Service, Combatant Commanders, and Defense Agencies by April 26, 2002**
- ***Upon signature of DoD directive, transmit Independent Assessment to Congress***

Back-ups

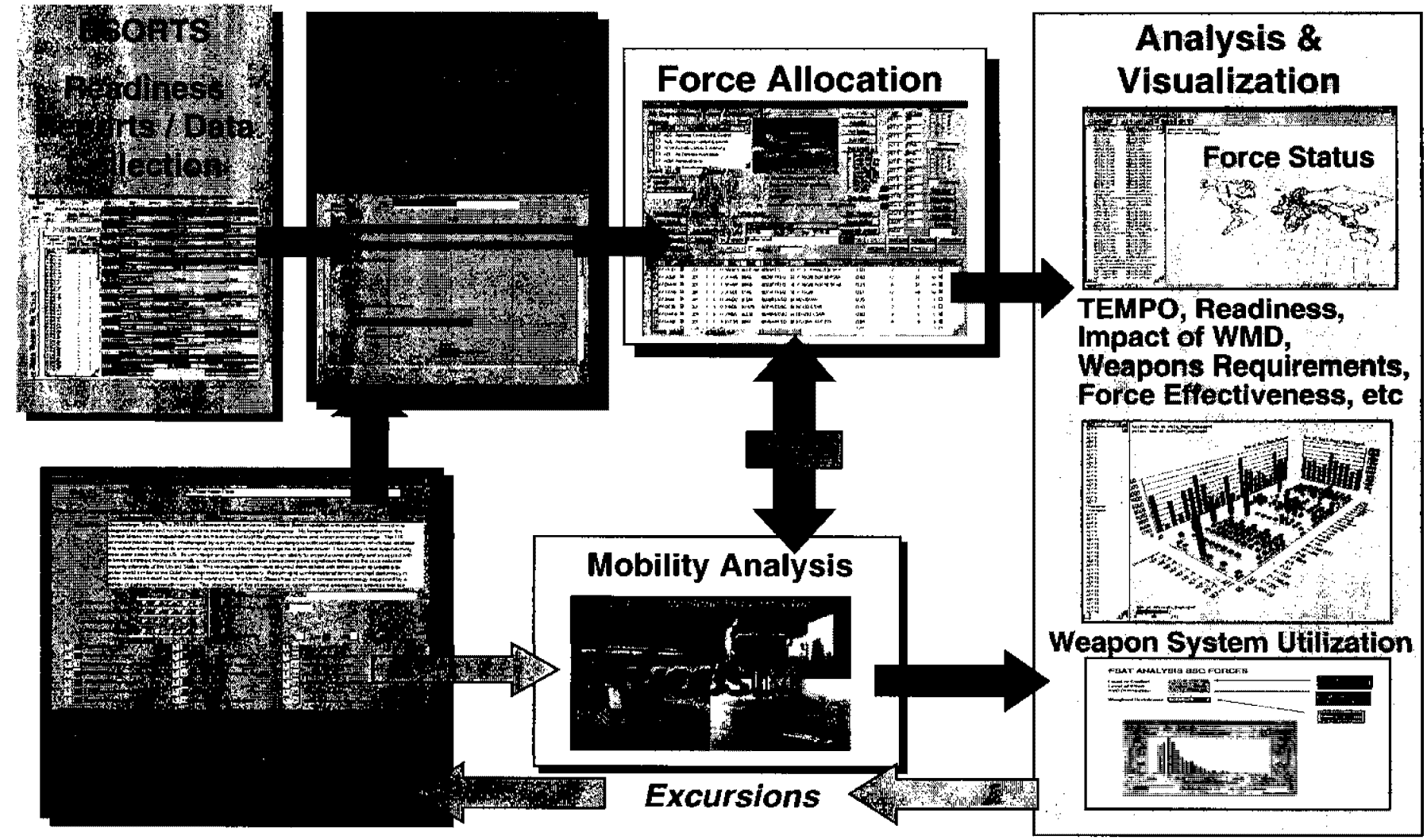
11-L-0559/OSD/8290

The IDA Independent Study

- ***Congressional mandate to conduct an independent study of requirements for a comprehensive readiness reporting system.***
- ***Principal Findings and Recommendations***
  - **Current system need improvements. It needs to:**
    - Increase coverage of key elements of the National Security Strategy, National Military Strategy and the Defense and Contingency Planning Guidance.
    - Cover essential Combatant Commander/Service/Defense Agency missions and tasks
    - Enhance comprehensiveness, uniformity and timeliness.
    - Expand reporting to all readiness related entities in DoD and to the full spectrum of Defense and Contingency Planning Guidance assigned missions.
    - Have units report based on Mission Essential Tasks.
    - Be web based and near real time.

Prototype Readiness Assessment Tools

Enhancing Existing Capabilities



2

Department of Defense

DIRECTIVE

NUMBER XXXX.X

DATE

SUBJECT: Department of Defense Readiness Reporting System (DRRS)

References: (a) Title 10, United States Code, as amended

(b) DoD Instruction XXXX.X, (TBD), "DoD Readiness Reporting System Procedures"

(c) DoD Directive 5149.2, February 4, 1999, "Senior Readiness Oversight Council (SROC)"

1. PURPOSE

1.1. Pursuant to the authority vested in the Secretary of Defense by Section 117 of reference (a), this Directive establishes the Department of Defense Readiness Reporting System (DRRS) for assessing and reporting the readiness of the Department to carry out the missions assigned in the Defense Planning Guidance (DPG)/Contingency Planning Guidance (CPG). This Directive establishes a capabilities-based, adaptive, near real-time readiness reporting system for the Department of Defense. The system will elucidate the readiness of military forces and the supporting infrastructure to meet missions and goals assigned by the Secretary of Defense.

1.2. Nothing in this Directive limits or otherwise affects the authority, direction and control of the Secretary of Defense over the Department of Defense, or the oversight responsibilities of the Office of the Secretary of Defense in relation to the Defense Agencies and DoD Field Activities, or the authority and responsibilities of the Chairman of the Joint Chiefs of Staff, as established in reference (a).

2. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense, the Military Departments, the Joint Staff, the Combatant Commands, and the Defense Agencies (Defense Intelligence Agency (DIA), Defense Information Systems Agency (DISA), Defense Logistics Agency (DLA), Defense Threat Reduction Agency (DTRA), Defense Advanced Research Projects Agency (DARPA), National Imagery and Mapping Agency (NIMA), National Reconnaissance Office (NRO), Defense Finance and Accounting Office (DFAS) and the National Security Agency

(NSA) (herein referred to as "the DoD Components"). This directive also applies to the Coast Guard for purposes of readiness reporting.

3. DEFINITIONS

Terms used in this Directive are defined in Enclosure 1.

4. POLICY

The Department of Defense Readiness Reporting System (DRRS) is the primary means by which the Chain of Command reports to the Secretary of Defense the Department's readiness to conduct the missions assigned in the Defense and Contingency Planning Guidance. The DRRS is comprehensive. It measures the readiness of the Department of Defense, its Components, and subordinate units and organizations to execute the full range of missions assigned by the Secretary of Defense. The DRRS will use information technology to collect near real time information about the readiness of United States forces, supporting organizations, and defense agencies to perform assigned missions, while reducing the workload on reporting units

Three major elements comprise the DRRS: The Senior Readiness Oversight Council (SROC), the Joint Quarterly Readiness Review (JQRR), and the Enhanced Status of Resources and Training System (ESORTS).

The Senior Readiness Oversight Council, reference (c), will serve to advise the Secretary of Defense on matters pertaining to DoD readiness, oversee readiness related activities, provide recommendations to the Secretary of Defense on readiness policy matters, and provide reports on current and projected readiness issues.

The Joint Quarterly Readiness Review will conduct timely, scenario-based readiness assessments on a quarterly basis to identify capability shortfalls and risks associated with missions in support of the Defense and Contingency Planning Guidance.

The Enhanced Status of Resources and Training System (ESORTS) will capture both resource standards and current status for operational forces and support organizations. The metrics will serve to highlight systematic deficiencies in the areas of unit training, personnel, equipment, ordnance, and sustainment. Variations from standards will be identified and assessed in terms of performing mission essential tasks.

5. RESPONSIBILITIES

5.1. The Under Secretary of Defense (Personnel and Readiness) shall:

5.1.1. Exercise oversight of the DRRS to ensure accuracy, responsiveness and continued modernization with adequate resources.

5.1.1.1 Issue implementing instructions for the DRRS.

5.1.1.2 Ensure that DoD meets all the requirements of reference (a) for reporting readiness to the Congress.

5.1.1.3 Develop, field, and maintain, Enhanced Status of Resources and Training System (ESORTS) for all DoD Components in accordance with this directive.

5.1.2 Co-Chair the Joint Quarterly Readiness Review with the Vice-Chairman of the Joint Chiefs of Staff.

5.1.2.1 Propose, in coordination with the Vice Chairman, JCS, scenarios to be used in the Joint Quarterly Readiness Review, to the Deputy Secretary of Defense for approval.

5.1.3 Provide oversight, through the Senior Readiness Oversight Council, of actions being taken to address readiness deficiencies identified by the DRRS.

5.2. The Under Secretaries of Defense and the ASD(C3I) shall:

5.2.1. Review and provide oversight of those aspects of the Component mission readiness reports that fall within the scope of their responsibilities.

5.2.2. Will recommended readiness metrics and mission essential tasks to be included in ESORTS for agencies under their auspices.

5.2.3. Ensure deficiencies identified by the DRRS that fall within the scope of their responsibilities are addressed in program/budget planning and other DoD management systems.

5.3. The Chairman of the Joint Chiefs of Staff shall:

5.3.1. Conduct the Joint Quarterly Readiness Review (JQRR) in accordance with reference (b). The JQRR shall:

5.3.1.1. Conduct timely, scenario-based readiness assessments that identify capability shortfalls and risks associated with missions in support of Defense and Contingency Planning Guidance.

5.3.1.2. Be co-chaired by the Vice Chairman of the Joint Chiefs of Staff and the Under Secretary of Defense for Personnel & Readiness.

5.3.1.3. Include Combatant Commanders and representatives from the USDs, the Military Services, and other DoD components.

5.3.1.4 Be held quarterly or as needed to provide relevant and timely readiness information.

5.3.2. Submit the results of the Joint Quarterly Readiness Review, including any identified deficiencies, to the Senior Readiness Oversight Council in accordance with reference (b).

5.3.3. Review monthly the reported readiness since the previous Joint Quarterly Readiness Review. The Chairman shall nominate appropriate measures to reduce risk associated with any readiness changes that affect the ability to carry out the defense and contingency planning guidance.

5.3.4. Ensure that Service and Defense Agency Mission Essential Task (METs) tie to the Joint Mission Essential Tasks (JMETs) of the Combatant Commanders

5.3.5. Fully integrate ESORTS information into deliberate and crisis action planning systems and processes. The Chairman shall develop and maintain a registry of apportioned forces to report in ESORTS.

5.3.6. Maintain the Global Status of Resources and Training System until the Enhanced SORTS becomes operational.

5.4. The Secretary of each Military Department shall:

5.4.1. Develop Service Mission Essential Tasks in support of their responsibilities to Combatant Commanders and U.S. Code Title 10 functions as described in reference (a) and report readiness to execute these tasks in the context of the JQRR scenario assessments.

5.4.2. Include as measured units within ESORTS operational and support organizations within the scope of their responsibilities needed to execute mission essential tasks in support of Combatant Commanders and Service assigned missions.

5.4.3. Develop resource and training standards for all organizations designated for inclusion in ESORTS according to prescribed guidelines in reference (b).

5.4.4. Identify critical readiness deficiencies and develop strategies for redressing these deficiencies.

5.4.5. Issue supplementary instructions, as required. Supplementary instructions must comply with Public Law, policy contained in this Directive, and procedures contained in reference (b).

5.5. The Commander of each of the Combatant Commands shall:

5.5.1. Develop Mission Essential Tasks in support of assigned missions and report readiness to execute these tasks in the context of the JQRR scenario assessments. These Mission Essential Tasks will be based on tasks derived from the Universal Joint Task List (UJTL) or from the Service task lists.

5.5.1.1. Base their Mission Essential Task on capabilities required to perform missions assigned by the Secretary of Defense and missions derived from their responsibilities to support other DoD Components.

5.5.1.2. Include as measured units within ESORTS joint operational and support organizations under their command that are needed to execute mission essential tasks.

5.6. The Directors of each Defense Agency shall:

5.6.1. Develop Mission Essential Tasks in support of assigned missions and report readiness to execute these tasks in the context of the JQRR scenario assessments. These Mission Essential Tasks will be based on tasks derived from the Universal Joint Task List (UJTL), from the Service task lists, or from unique Agency tasks as appropriate.

5.6.2. Include as measured units within ESORTS those operational and support organizations within their organizations that are needed to execute mission essential tasks.

5.6.3. Propose and monitor ESORTS metrics to measure the Agency's readiness to execute its essential tasks in support of assigned missions.

6. EFFECTIVE DATE

This Directive is effective immediately.

Signed
Deputy Secretary of Defense

Enclosures

E1. Definitions

E1. ENCLOSURE 1

DEFINITIONS

E1.1. Department of Defense Readiness Reporting System (DRRS). The Department of Defense Readiness Reporting System (RRS) is the means to monitor the readiness of the DoD and its Components to provide capabilities to the CINCs as specified in the defense and contingency planning guidance.

E1.2. Enhanced Status of Resources and Training System (ESORTS). Automated, near real time readiness reporting system that provides resource standards and current readiness status for operational forces and defense support organizations in terms of their ability to perform their Mission Essential Tasks. Establishes a relationship between resource and training inputs and readiness to perform a specific MET based on standards established by the parent DoD Component.

E1.3. Joint Quarterly Readiness Review (JQRR). Conducts timely, scenario-based readiness assessments that identify capabilities and risks associated with missions in support of the DPG, and CPG.

E1.4. Measured Unit. Any entity that is registered and measured in ESORTS. A measured unit may be a ship or squadron, a headquarters, a large organization, or an installation. It may be military or civilian.

E1.5. Mission. The task, together with the purpose, that clearly indicates the action to be taken and the reason therefore.

E1.6. Mission Essential Task. Tasks based on mission analysis and approved by the commander that are absolutely necessary, indispensable, or critical to the success of a mission.

E1.7. Readiness - DoD. A measure of DoD's ability to provide the capabilities needed to execute the missions specified in the defense and contingency planning guidance.

E1.8. Senior Readiness Oversight Council (SROC). The SROC is an executive committee of the Office of the Secretary of Defense, and is made up of the Deputy Secretary of Defense, the Chairman of the JCS, the Chiefs of the Services, the Undersecretaries of Defense and of the Military Departments, and other senior OSD officials with an interest in readiness. The SROC meets periodically to review significant readiness topics/issues. Details are contained in reference (c).

E1.9. Universal Joint Task List (UJTL). A menu of capabilities (mission-derived tasks with associated conditions and standards) that may be selected by a joint force commander to accomplish an assigned mission. Once identified as essential to mission accomplishment, the tasks are reflected within the command as part of the joint mission essential task list (JMETL).

(3)

April 10, 2002 11:00 a.m.

POINT PAPER

SUBJECT: Defense Readiness Reporting System (DRRS)

This paper provides additional information on a Defense Readiness Reporting System which includes or expands on the information and intent of the draft DoD Directive.

Purpose

- Establish a capabilities-based, adaptive, near real-time readiness reporting system for the Department of Defense.
- System will elucidate readiness of military forces and the supporting infrastructure to meet missions and goals assigned by the Secretary of Defense.

Key Features

- Applies across the DoD enterprise.
- Capabilities based, in terms of mission essential tasks and core competencies.
- Provides for web-based, near-real-time readiness reports and reduced staff work.
- Formalizes scenario-based readiness assessments and tools in support of Defense Planning Guidance / Contingency Planning Guidance.
- Provides for direct involvement fo Combatant Commanders.
- Leverages legacy systems with commercial technology.
- Uses existing DoD transactional databases.

Policy

- DRRS is the primary means by which Defense components -- Combatant Commands, Services, Agencies and their subordinate elements and units -- report their readiness.
- System will comprehensively measure readiness of the Department's components to execute the full range of missions assigned by the Secretary of Defense.
- There are three major elements to DRRS:
    - Senior Readiness Oversight Council (SROC) advises the Secretary of Defense on matters pertaining to DoD readiness.
    - Joint Quarterly Readiness Review (JQRR) conducts timely, scenario-based readiness assessments on a quarterly basis to identify capability shortfalls and risks associated with assigned missions in support of Defense Policy Guidance / Contingency Planning Guidance.
    - Enhanced Status of Resources and Training System (ESORTS) captures resource standards and current status for operational forces and support organizations measured with respect to assigned mission essential tasks.

Responsibilities

- Critical responsibilities to support the development of the system include:
  - Secretaries of the Military Departments
    - Develop Service Mission Essential Tasks in support of their responsibilities to Combatant Commanders and U.S. Code Title 10 functions and report readiness to execute these tasks in the context of the JQRR scenario assessments.
  - Chairman of the Joint Chiefs of Staff
    - Conduct the Joint Quarterly Readiness Review (JQRR).
    - Submit the results of the Joint Quarterly Readiness Review, including any identified deficiencies, to the Senior Readiness Oversight Council.
  - Commanders of the Combatant Commands
    - Develop Mission Essential Tasks in support of assigned missions and report readiness to execute these tasks in the context of the JQRR scenario assessments.
    - Include as measured units within ESORTS joint operational and support organizations under their command that are needed to execute mission essential tasks.
  - Directors of the Defense Agencies
    - Develop Mission Essential Tasks in support of assigned missions and report readiness to execute these tasks in the context of the JQRR scenario assessments.
    - Include as measured units within ESORTS those operational and support organizations within their organizations that are needed to execute mission essential tasks.
  - Under Secretaries of Defense for Personnel and Readiness
    - Exercise oversight of the DRRS.
    - Develop, field, and maintain, Enhanced Status of Resources and Training System (ESORTS) for all DoD Components.
  - Under Secretaries of Defense and the ASD(C3I)
    - Review and provide oversight of those aspects of the Component mission readiness reports that fall within the scope of their responsibilities.

Implementation

- The goal is to achieve initial operational capability in FY 2004 with full implementation of the improved system in FY 2007.
- This system will be a distributed system using the SIPRNET.
- The system will provide for stand-alone capability for each Component Command in the event of loss of connectivity.
- Maximum use will be made of existing databases maintained by the Services and Defense Agencies.
- Maximum use will be made of commercially available software.

snowflake

March 15, 2002 8:33 AM

TO: Jim Haynes

FROM: Donald Rumsfeld

SUBJECT: Credit Card Abuse

What is the story on the $62 million of credit card waste and officers using the cards to make personal rather than official purchases?

Thanks.

DHR:dh
031502-8

Please respond by 03/29/02

9/8 - 4/16

Sec Def -

Pentagon and Aldridge recently announced a series of steps to tighten procedures, improve accountability, and intensify action against violators, too.

15 Mar 02

ACQUISITION, TECHNOLOGY AND LOGISTICS

THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

INFO MEMO

April 22, 2002, 10:00 AM

FOR: SECRETARY OF DEFENSE DepSec Action _____

FROM: E. C. Aldridge, Jr., UNDER SECRETARY OF DEFENSE (AT&L) 22 APR 2002

SUBJECT: Asymmetrical Threats

- In an April 1, 2002 memo you wrote, "I hope you have some folks working on how to deal with suicide bombers and asymmetrical threats of that type" (TAB B).
- The point paper at TAB A provides information regarding your concerns.

RECOMMENDATION: For information. No action required.

The short answer is that we do, but it is just getting started
Pete

Attachments:
As stated

Prepared By: Michael Toscano, (b)(6) 2857-2002AT

Information Paper
on the
Mitigation of Asymmetrical Threats

BACKGROUND: The SECDEF, in an April 1, 2002 memo to the USD(AT&L), wrote "I hope you have some folks working on how to deal with suicide bombers and asymmetrical threats of that type."

- Numerous technologies have been developed for the protection of entry points and buildings from terrorist bombs. Individuals and vehicles passing through portals as they enter installations and buildings can be searched for explosives:
  - Trace explosive detection
  - Advanced X-Ray systems

- The evaluation and performance testing of several commercial products are underway:
  - Three types of commercial Large Vehicle Inspection Systems
  - Two types of Personnel Screening Portal Systems

- USD(AT&L), under the auspices of the DoD Physical Equipment Action Group (PSEAG), has evaluated several commercial hand-held explosive detection devices and is funding an R&D project to detect explosives from a distance.

- ASD SO/LIC, under the auspices of the Combating Terrorism Technical Support (CTTS) Program and the Technical Support Working Group (TSWG) is examining the potential of millimeter wave technology to detect concealed weapons at a distance.

- As a result of the escalation of the violence in the Middle East and the threat to troops outside their installation, the CTTS program has undertaken additional initiatives to combat this threat:
  - Evaluating trace explosive detectors to determine their environmental limitations (adversely impacted by the desert environment within the CENTCOM AOR)
  - Evaluating personnel screening system using x-rays
  - Evaluating the start of a cooperative research effort with Israel in suicide bomber detection and defeat under SOLIC's cooperative R&D agreement with Israel's Ministry of Defense.
  - The Combating Terrorism Technology Support Office will be participating in a Suicide Bomber Detection Workshop in May 2002 in Israel.

April 1, 2002 5:21 PM

041602 (2)

TO: Pete Aldridge

CC: Paul Wolfowitz
Gen. Myers
Gen. Pace

FROM: Donald Rumsfeld DR

SUBJECT: Asymmetrical Threats

I hope you have some folks working on how to deal with suicide bombers and asymmetrical threats of that type.

Thanks.

DHR:dh
040102-44

Please respond by 04/19/02

snowflake

April 23, 2002 7:58 AM

100.5

TO: Under Secretaries
Service Secretaries
Chairman, JCS
Vice Chairman, JCS
Service Chiefs
PDUSD(P)

FROM: Donald Rumsfeld DR

SUBJECT: PPB System

Attached is a chart that was used in a briefing recently to explain the Defense PPB system.

When I saw it, I asked if it was a joke. It turns out it is apparently not meant to be a joke.

It struck me that those of us in the Senior Review Group ought to think about whether maybe it is a joke, even though it is not intended to be one.

Regards,

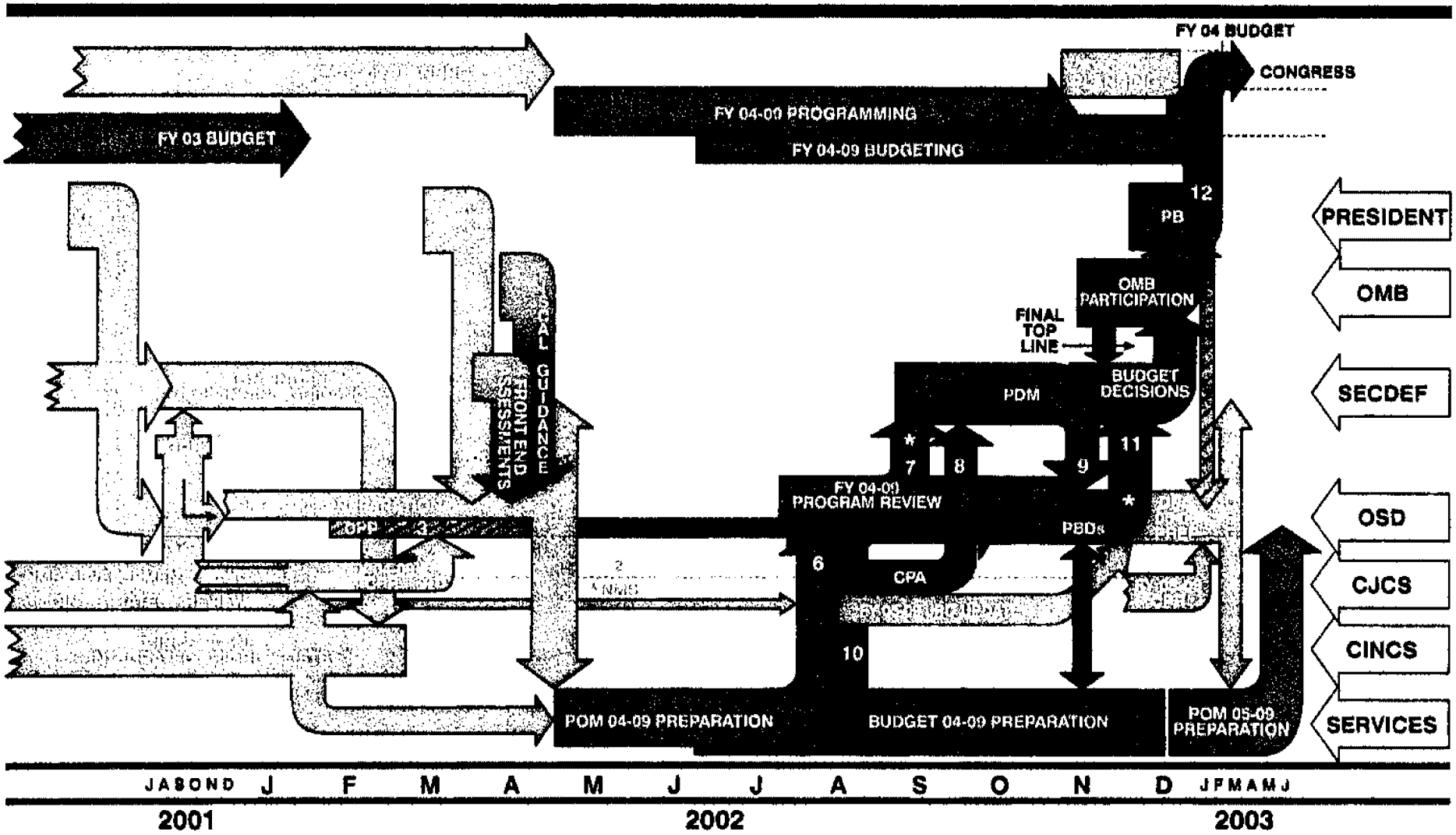
Attach.
2/02 Defense PPB System slide

DHR:dh
042302-1

Please respond by _____

23APR02

DEFENSE PPB SYSTEM



President's Strategic Guidance
National Security Strategy
JSR/National Military Strategy
Defense Program Projection
Joint Warfighting Capabilities Assessment
Chairman's Program Recommendations

6. Defense Planning Guidance
6. Program Objectives Memoranda
7. Program Review
8. Chairman's Program Assessment

9. Program Decision Memoranda
10. Budget Estimate Submissions
11. Program Budget Decisions
12. President's Budget

* Potential Defense Resources Board (DRB)/Expanded DRB

* Quadrennial Defense Review (QDR) & Revised NMS

2/02 QS

11-L-0559/OSD/8306

snowflake

March 19, 2002 7:47 AM

4S2F

TO: Pete Aldridge

CC: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: JSF

I think it would be helpful if I had a note for the President telling him what the JSF is, what we are doing by way of getting other countries involved, and then what countries have agreed to do what and what countries are still pending.

That way, if he is talking to someone who has agreed to participate, he can say something nice about it. If he is inclined, he can say something to those that are still considering it.

Thanks.

Attach.
03/15/02 USD(AT&L) memo to SecDef re: JSF International Participation

DHR:dh
031902-8

Please respond by 04/05/02

19 MAR 02

U07241 /02

11-L-0559/OSD/8307

TAB B

SECDEF HAS SEEN

MAR 19 2002

March 15, 2002

Larry Di Rita 3/18

To: Secretary of Defense
Deputy Secretary of Defense
Doug Feith

From: Pete Aldridge

Subject: JSF International Participation

We are continuing to make progress on bringing on non-US partners for the JSF development. Here is where we stand now:

UK—on-board for $2 billion

Canada—on-board for $150 million

Netherlands—recommendation to their Parliament for a $800 million investment, with decision in early April 2002. However, we are getting word of some political pressure not to approve the partnership. Amb. Sobel says this is still a 50-50 call.

Italy—recommendation to their Parliament for a $1 billion investment, with a final decision by late April 2002.

Turkey—will announce on Monday, March 18, their decision to join at $175 million

Denmark—press announcement on March 13 of their intention to join at $125 million.

Norway—expected to join at $125 million. Expect visit by Norway MOD next month

Australia—still discussing, but looking at $150 million contribution

Singapore—no industrial participation, but some type of information sharing.

Israel, Greece and Poland—based on informal discussions, possible FMS participation.

Action: None. Information Only

snowflake

April 22, 2002 4:15 PM

TO: Honorable George Tenet

FROM: Donald Rumsfeld DR

SUBJECT: International Criminal Court

If I were you, I would get heavily engaged on the international criminal court. The I.C. has every bit as much interest as does DoD—or more.

It is going to take some more push. Please help.

Thanks.

DHR:dh
042202-38

015

22 Apr 02

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301-1200

HEALTH AFFAIRS

INFO MEMO

April 17, 2002, 5:00 p.m.

FOR: SECRETARY OF DEFENSE

THROUGH: UNDER SECRETARY OF DEFENSE (P & R)

FROM: ASSISTANT SECRETARY OF DFEENSE (HEALTH AFFAIRS)

SUBJECT: Congressman Ortiz – VA and Naval Hospital Corpus Christi

This memorandum provides a follow up per your note at Tab A.

- Navy Medicine continues to work proactively with the VA to seek solutions to VA patient health care access problems.

- On 15 March, VADM Cowan, Surgeon General, U.S. Navy, met with VA Corpus Christi Primary Service Area Director and staff from Congressman Ortiz's office to facilitate collaboration.
  - Discussion focused on developing short-term deliverables. VA was requested to develop a patient needs assessment for short term options for collaboration.

- Current Options:
  - Short term: Navy can provide outpatient spaces within its facility for VA specialty providers to see VA patients with VA supporting resources.
  - Mid-term:
    - Establish interoperability of DoD and VA IT systems to facilitate patient scheduling
    - Examine resource sharing options under the current TRICARE contract allowing VA patients to be seen by TRICARE providers and/or contract specialty providers
    - Purchase additional diagnostic, radiology or specialty laboratory capital equipment for VA and DoD patients if justified by the combined patient population.
  - Long term: Consider joint Federal facility for both DoD and VA patients including a wide range of specialty outpatient and inpatient services

- Next Steps
  - ASD (HA) will work with the Undersecretary for Health (VA) to establish a timetable for implementation of options

1107284 /02

snowflake

March 25, 2002 1:54 PM

TO: Larry Di Rita

CC: Powell Moore

FROM: Donald Rumsfeld DR

SUBJECT: Hospital Issue (Ortiz)

Are we following up on the Ortiz hospital issue?

Thanks.

DHR.dh
032502-43

Please respond by 04/05/02

4/5/

→ Secdef –

We are. PM
have more for you
when available.

cc: Dr Winkenwerder
ASD/HA

Larry Di Rita

snowflake

March 25, 2002 1:54 PM

TO: Larry Di Rita

CC: Powell Moore

FROM: Donald Rumsfeld DR

SUBJECT: Hospital Issue (Ortiz)

Are we following up on the Ortiz hospital issue?

Thanks.

DHR:dh
032502-43

Please respond by 04/05/02

4/5/

→ Jeckel -
We are. I'll have more for you when available.

cc: Dr Winkenwerder
ASD/HA

Larry Di Rita

25 Mar 02

U07285 /02

4/26
1330

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

SECDEF HAS SEEN

PERSONNEL AND READINESS

ACTION MEMO

April 19, 2002; 10:00 AM

FOR: SECRETARY OF DEFENSE DepSec Action _____

FROM: David S. C. Chu, USD (P&R) David S.C. Chu 20 Apr 02

SUBJECT: Military Promotions – Air Force Predator Pilots

- In a March 23rd Memo, you asked about the promotion of Air Force officers flying Predators (**TAB A**).
- Promotion eligibles from the Predator community are so small that rate differences are statistically insignificant. Moreover, some officers selected to fly Predator have troubled performance prior to assignment; there is evidence that some are one-time non-selects for promotion before they reach Predator.

Promotion Rates Between 1996-2001

		Primary Zone to Major			Primary Zone to Lieutenant Colonel		
		ELIGIBLES	SELECTS	Promotion Rate	ELIGIBLES	SELECTS	Promotion Rate
Pilots	UAV at Board	18	12	67%	3	2	67%
	Past UAV	9	8	89%	6	3	50%
	Other Pilots	5180	4282	83%	3277	2310	71%
Navigators	UAV at Board	3	3	100%	0	N/A	N/A
	Past UAV	0	N/A	N/A	2	2	100%
	Other Navigators	1798	1506	84%	2025	1187	59%
OVERALL BOARD		16116	13410	83%	13033	8372	64%

- The Air Force is considering ways to allow a pilot to get cockpit time during a Predator tour. It is also studying how to credit Predator years toward flight pay.
- To change the culture, I recommend we begin by ensuring the commander is a "comer," and that he/she be given some latitude to request the best people in a by-name basis. (We should add incentives to make this attractive.)
- In addition, it will be critical to monitor (informally) the subsequent careers of those assigned to the unit. That could begin with those currently assigned. While this should be the Air Force's responsibility, it would be constructive if you (or I) reviewed the results on an annual basis.
- If you wish to raise a different cultural issue, you could also ask why the Air Force uses commissioned officers for this role, but the other Services use enlisted personnel or warrant officers....

SPL ASSISTANT DI RITA	
SR MA GIAMBASTIANI	
MA BUCCI	SPS 5/1
EXECSEC WHITMORE	4-25

snowflake

3/24/02

10:27 AM

TO: David Chu

FROM: Donald Rumsfeld DR

DATE: March 23, 2002

SUBJECT: **Military Promotions**

Larry Di Rita

We need to talk about the problem of certain service people not getting promoted if they are involved in the Air Force and they are flying predators. I am told that a lot of the people ask to be transferred because they know that those are not promotion billets.

What do we do to change the culture?

Thank you.

DHR/azn
032302.01

Please respond by: 3/30/02

CHU RESPONSE ATTACHED. 5/1

V/R
EL 5/1

snowflake

10:27 AM

TO: David Chu

FROM: Donald Rumsfeld DR

DATE: March 23, 2002

SUBJECT: **Military Promotions**

We need to talk about the problem of certain service people not getting promoted if they are involved in the Air Force and they are flying predators. I am told that a lot of the people ask to be transferred because they know that those are not promotion billets.

What do we do to change the culture?

Thank you.

DHR/azn
032302.01

Please respond by: 3/30/02

211

23 Mar 02

4/22 1310

GENERAL COUNSEL

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

INFO MEMO

April 19, 2002, 9:00 A.M.

2504

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel WJHaynes II 4/19/02

SUBJECT: 2002 Amendments to the Manual for Courts-Martial, United States

- You have asked for information regarding the recently announced amendments to the Manual for Courts-Martial (MCM), signed April 11th. They will take effect May 15th. The President promulgated these amendments in an Executive order.

- By E.O., the MCM implements the Uniform Code of Military Justice (UCMJ). The Secretary of Defense participates in this Presidential rule-making responsibility by conducting an annual review of the MCM to ensure the MCM stays current with developments in the law established by statute or case law decisions. The review also affords DoD an opportunity to make improvements in the military justice system's utility and efficiency.

- The Joint Service Committee on Military Justice, comprised of representatives of the Military Services, my office, and the U.S. Court of Appeals for the Armed Forces, performs this annual review (and other duties as assigned) under my direction under DOD Directive 5500.17.

- This E.O. is the result of the 2001 consolidation of four previous packages proposing changes to the MCM: the DoD annual reviews for 1998, 1999, 2000, and a separate package implementing 1999 legislation that increased the jurisdiction of special courts-martial to impose terms of confinement from six months to one year. OMB had not forwarded any of these packages to President Clinton.

- Attached is a summary of the major E.O. provisions and focus of the April 14 *Washington Post* article.

COORDINATION: NONE

Prepared By: Robert E. Reed, ODGC(P&HP), (b)(6)

Attachment
As stated

19APR02

2002 Amendments to the Manual for Courts-Martial, United States

- By Executive order, dated April 11, 2002, the President promulgated amendments to the Manual for Courts-Martial, United States (MCM). The MCM implements the Uniform Code of Military Justice (UCMJ). This E.O. consolidates four previous DoD packages proposing changes to the MCM: the DoD annual reviews for 1998, 1999, 2000, and a separate package implementing 1999 legislation that increased the jurisdiction of special courts-martial to impose terms of confinement from six months to one year.

- On April 14, the *Washington Post* focused an article on the E.O. provisions that authorize sentences to confinement for life without the possibility of parole; guidance regarding the offense of adultery under Article 134, UCMJ; and a military judge's authority to issue protective orders, i.e., "gag orders," to trial participants and witnesses to preclude them from making public comments that might be prejudicial to a fair trial.

  - The "life without parole" provisions were MCM conforming changes to the 1998 enactment of Article 56a, UCMJ, establishing that for all offenses for which life imprisonment was authorized, such imprisonment may be adjudged without the possibility of parole.

  - In 1997, Secretary Cohen directed a review of the adequacy of existing MCM guidance regarding the offense of adultery. The review followed publicity about Lt Flinn's court-martial and a matter involving General Ralston, then Vice Chairman of the Joint Chiefs of Staff. During the review, commanders requested guidance on when such conduct was "prejudicial to good order and discipline or service discrediting" – an essential element of proof for all Article 134, UCMJ, offenses. The guidance provides factors to consider from Courts of Criminal Appeals and U.S. Court of Appeals for the Armed Forces decisions.

  - The provisions authorizing military judges to issue "gag orders" follows military appellate court decisions and makes specific provision within the MCM for such orders.

- The most significant change to the military justice system – the increase in special court-martial jurisdiction to allow for confinement to be adjudge for up to one year – was not mentioned in the *Washington Post* article. The E.O. also establishes an offense for credit/debit card offenses, defines a "civilian conviction" for use in courts-martial sentencing deliberations, increases to $500 the dollar threshold for certain offenses for which increased punishments are authorized, and makes other technical, administrative changes.

snowflake

7:51 AM

TO: Jim Haynes

FROM: Donald Rumsfeld

DATE: April 15, 2002

SUBJECT: ***Washington Post* Article**

Please tell me what this article from the Sunday April 14, 2002 *Washington Post* is about; "Military Courts Get New Powers from White House."

Thanks.

DHR/azn
041302.05

Attach: *Washington Post* "Military Courts Get New Powers" 4/14/02

Please respond by: _____

Military Courts Get New Powers

Life Sentences, Adultery Prosecutions Among Rules Bush Invoked

Associated Press

Military courts could sentence some criminals to life without parole and forbid witnesses to talk to reporters under changes to the manual for courts-martial issued by the White House.

The changes also spell out for the first time rules for prosecuting members of the military for adultery. The rules say the adultery must either damage military order and discipline or hurt the military's reputation.

The new rules, issued Friday, take effect May 15. As commander in chief, President Bush has the power to write regulations controlling military courts.

Bush's new rules allow military courts to sentence defendants to life in prison either with or without parole for serious crimes such as murder, rape and kidnapping. Previously, the courts could sentence those criminals to a life sentence with no determination of whether parole would be allowed.

The new rules also allow military judges to issue "gag orders" prohibiting witnesses or parties to a case from discussing the case outside the courtroom. Civilian courts sometimes issue such orders to prevent public statements judges believe could improperly influence jurors.

Eric Seitz, a California lawyer who has been involved with more than 1,000 court-martial cases, said the gag order could be unconstitutional, depending on how broadly it is applied.

FILE PHOTO/BY PATRICK HAGERTY FOR THE WASHINGTON POST

In 1997, Lt. Kelly Flinn quit the Air Force rather than face court-martial for adultery.

"I suppose that in the military people can be ordered not to communicate to people outside the command structure," Seitz said. "But outside of that, there may be a problem with a military judge ordering civilians not to talk."

Adultery by a member of the military is a crime that can lead to a dishonorable discharge and up to one year in prison.

The new rules state that adultery "is clearly unacceptable conduct" but that to be a crime it "must either be directly prejudicial to good order and discipline or service discrediting." That means the adultery must have a divisive effect on a military unit or be so well known that it dishonors the military.

In deciding whether to charge someone with criminal adultery, commanding officers should consider circumstances including the rank of the offenders, the misuse of government time or resources, whether the adultery persisted despite orders to halt it and its impact on the military unit.

"The way in which adultery is pursued as a crime has been vastly unfair for years," Seitz said. "High-ranking officials have affairs in full view of other officials and then the military decides to make an example of a private. If these rules create a more fair situation, I am for it."

Earlier rules had said that adultery must damage military discipline or hurt the military's reputation to be a crime, but they did not spell out how that was to be determined.

The military had several public cases of adultery during the late 1990s. In 1997, Lt. Kelly Flinn, the Air Force's first female B-52 pilot, resigned rather than face adultery charges for an affair with the husband of another Air Force member.

Flinn's case led to charges by critics that there was a double standard that shielded male officers from adultery charges.

Since then, at least four generals and admirals have been punished for adultery and related offenses. They include retired Maj. Gen. David Hale, the highest-ranking Army officer to face a court-martial since 1952, and Sergeant Major of the Army Gene C. McKinney, then the Army's highest-ranking enlisted soldier.

2002 APR 25 AM 9:18

250.4.

→ GC

OFFICE OF THE SECRETARY OF DEFENSE
THE SPECIAL ASSISTANT

4/23

Jim - A little unclear.
This suggests that President Bush is signing off on changes proposed by Cohen and others.
Presumably your 2001 review revalidated all of these? If so, you should state Dillute

19 Apr 02

11-L-0559/OSD/8320 U07299 /02

GENERAL COUNSEL

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

INFO MEMO

April 29, 2002, 4:00 P.M.

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel WJHaynes 5/6/02

SUBJECT: 2002 Amendments to the Manual for Courts-Martial, United States

- You have asked for information regarding the recently announced amendments to the Manual for Courts-Martial (MCM), signed April 11th. They will take effect May 15th. The President promulgated these amendments in an Executive order.

- By E.O., the MCM implements the Uniform Code of Military Justice (UCMJ). The Secretary of Defense participates in this Presidential rule-making responsibility by conducting an annual review of the MCM to ensure the MCM stays current with developments in the law established by statute or case law decisions. The review also affords DoD an opportunity to make improvements in the military justice system's utility and efficiency.

- The Joint Service Committee on Military Justice (JSC), comprised of representatives of the Military Services, my office, and the U.S. Court of Appeals for the Armed Forces, performs this annual review (and other duties as assigned) under my direction under DOD Directive 5500.17.

- Complying with OGC instructions, the JSC consolidated four previous packages being held at OMB that proposed changes to the MCM: the DoD annual reviews for 1998, 1999, 2000, and a separate package implementing 1999 legislation that increased the jurisdiction of special courts-martial to impose terms of confinement from six months to one year. Pursuant to White House Chief of Staff guidance, as a Bush Administration PAS officer I approved this 2001 consolidation package.

- Attached is a summary of the major E.O. provisions and focus of the April 14 *Washington Post* article.

COORDINATION: NONE

Prepared By: Robert E. Reed, ODGC(P&HP) (b)(6)

Attachment
As stated

250.4

19 APR 02

snowflake

7:51 AM

TO: Jim Haynes

FROM: Donald Rumsfeld DR

DATE: April 15, 2002

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DHR/azn
041302.05

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Please respond by: _____

we have attached

2504

15APR02

Military Courts Get New Powers

Life Sentences, Adultery Prosecutions Among Rules Bush Invoked

Associated Press

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

2002 APR 25 AM 10: 24

PERSONNEL AND READINESS

INFO MEMO

April 22, 2002

FOR: SECRETARY OF DEFENSE

FROM: David S. C. Chu, USD(P&R) David S. C. Chu 24 Apr 02

SUBJECT: National Guard and *USA Today* Articles

- This responds to SecDef question on situation in the National Guard, in view of subject articles on alleged Guard force mismanagement and personal misconduct.
- March 12, USD(P&R) letters to Chairman and Ranking Minority, HASC Subcommittee on Military Personnel, responded to their joint request concerning strength accounting, personal misconduct of general officers and whistleblower protections in the Guard.
- Based on DoD response, GAO review of military personnel strengths in the Army Guard and a number of briefings and discussions, Military Personnel Subcommittee Staff issued its report of preliminary findings on April 16. Findings included:
- Strength accounting in Army National Guard has improved significantly over the last several years. No evidence of widespread inflation of unit strengths by commanders. Need to continue oversight of strength accounting reforms now being implemented.
- Constitution and law entrusts control and oversight of Guard in state status to governors. However, inspectors general of DoD, Army, and Air Force are able to investigate allegations of misconduct by senior Guard officers in either state or federal status. Federal recognition assesses the federal qualifications of Guard general officers, including adjutants general. (This Administration has imposed a high standard for officers recommended for federal recognition.)
- IG system provides means for Guard personnel to raise allegations of reprisal for investigation. Statutory framework for protecting whistleblowers appears to be working, although absent more data, the staff deferred a final conclusion as to whether whistleblowers are adequately protected.
- The Military Personnel Subcommittee Staff report, the DoD response and the GAO review have all been made available for viewing by the public on the HASC website.

COORDINATION: NONE

Prepared By: Mr. Wayne Spruell, OASD/RA, (b)(6)

U07309 /02

TAB

B

OFFICE OF THE SECRETARY OF DEFENSE

THE SPECIAL ASSISTANT

4/17

2002 APR 18 PM 3:53

Dr Chu -

Please advise.

D. Rita

Larry Di Rita
4/18

U06957 /02

snowflake
snowflake

114
150

April 4, 2002 10:23 AM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: National Guard

What is the situation on the National Guard? I keep reading these articles. This may be a time to release all of that, let it out and make the changes we want to make in the Guard.

Please see me about it.

Thanks.

Attach.
04/04/02 Dave Moniz and Jim Drinkard, "4 More Guard Leaders Probed," *USA Today*

DHR:dh
040402-2

Please respond by 04/12/02

Among those arrested was Wahidullah Zahabaun, the former finance minster for the Northern Alliance and a former member of Mr. Hekmatyar's Islamic Party, which was known for its extreme religious doctrines and its virulently anti-Western views. A government official said that Mr. Zahabaun had been released but that his whereabouts were unknown.

A spokesman for the American Embassy said tonight that the staff did not know about the arrests.

Mr. Karzai's government, cobbled together during a meeting in Germany while the fighting was still raging in Afghanistan, has been plagued by infighting since it took office.

In February, Abdul Rahman, the civil aviation minister, was killed by a mob, and three members of Mr. Karzai's government, including the deputy intelligence minister, were arrested. Mr. Karzai charged that Mr. Rahman had been assassinated as part of a conspiracy. The three men are awaiting trial.

Last month, Zahir abruptly postponed his scheduled return to the country amid concerns about his security. A Western diplomat said the former king faced the threat of assassination.

His trip is meant to rally support for the government.

The alleged conspiracy comes two months before the convening of the loya jirga, a planned gathering of the nation's political and religious leaders to choose a new government.

The maneuvering for that convention has already begun, with persistent reports that an alliance of Islamic fundamentalists, including Mr. Hekmatyar and others, would try to unseat Mr. Karzai and form a more strictly Islamist government.

Mr. Karzai could not be reached for comment today, but a senior adviser suggested that he might have had little to do with the arrests, and that the arrests might have been carried out without his approval.

Mr. Karzai's critics see him as a compromise choice, and little more than a puppet of the Tajiks who control the Foreign Affairs, Interior and Defense Ministries.

"This is a deeply divided government," said the Karzai adviser, who spoke on condition of anonymity. "I am not sure that he signed off" on the arrests.

The arrests follow the decision by the Bush administration last month to oppose the expansion of the 4,500-man international security force now patrolling the streets of Kabul.

Mr. Karzai had urged Western governments to expand the force to other Afghan cities, saying that without a national army, his government was powerless to fight remnants of the Taliban or quash restless warlords.

The administration argued that the nations now supplying troops, like Britain and France, had military commitments elsewhere and were not willing to contribute any more. The Bush administration is cautious about the force, for one reason because it has said it does not want to be put in the position of having to evacuate it should fighting make that necessary.

At a ceremony in Kabul today, the Afghan government marked the graduation of the first 600 members of the national army, a force intended to bring Afghanistan's many ethnic groups together under a unified command.

"We will not allow groups of armed men call themselves armies," Mr. Karzai said.

Also today, the new American ambassador to Afghanistan, Robert P. Finn, presented his credentials to Mr. Karzai at Gulkhana Palace. Mr. Finn is the first American ambassador to serve here since Adolph Dubs was kidnapped and murdered by leftist extremists here in 1979.

While Kabul appears relatively calm under the watchful eyes of the international force, the scene outside of capital is markedly different. The most serious threats have come in the north, where the private armies of Gen. Ostad Atta Muhammad and Gen. Abdul Rashid Dostum, the deputy defense minister, have clashed repeatedly in recent weeks.

Although he has pledged his loyalty to the Karzai government, General Dostum may be preparing to challenge it. A United Nations official and members of the interim government say General Dostum is receiving guns and money from Iran. Gen. Dostum recently invited two former associates of Mr. Hekmatyar to set up operations in the large areas of northern Afghanistan where the general exerts nominal control.

Mr. Hekmatyar rose to prominence in the 1980's as a leader in the American-backed effort to oust the invading forces of the Soviet Union. Despite his extremist views, he received more American money than any other warlord.

After the Soviet Union withdrew in 1989 and civil war engulfed the country, Mr. Hekmatyar's fortunes declined. Despite continued backing from Pakistan, his army stalled outside Kabul, and his forces began a series of rocket attacks on the city that lasted through the mid-1990's. As many as 50,000 civilians were estimated to have been killed.

Mr. Hekmatyar met his match in the Taliban, whose forces defeated his on the battlefield. Mr. Hekmatyar went into exile, but many of his followers joined the Taliban.

USA Today
April 4, 2002
Pg. 1

5. 4 More Guard Leaders Probed

Pentagon disclosures point to misconduct by brass in 13 states

By Dave Moniz and Jim Drinkard, USA Today

WASHINGTON — The Pentagon has acknowledged four more cases of misconduct by top National Guard commanders, which brings to at least 13 the number of states where the highest-ranking Guard official violated military rules or state or federal laws over the past decade.

The disclosures came in response to a Freedom of Information Act request by USA TODAY. The military refused to identify the generals involved or their states and refused to say whether any additional state commanders have committed misconduct.

All four were Army Guard generals, known as adjutants general, who ran the National Guard in their states. The Army provided summaries of the internal investigations, but it says releasing identities would violate privacy rights. It's not known whether the generals received punishments.

The disclosures amplify questions about the quality and character of some of the top leaders of the 470,000-member Guard, which is being counted on to play a major role in homeland defense and is in line for a boost in federal funding.

The extent of misconduct among top Guard generals is unknown because the Pentagon refuses to release complete records. The four new cases came in response to a request for records involving Oregon, Idaho, West Virginia, Connecticut, New Jersey, South Carolina and the District of Columbia.

Among the findings:

*A March 2001 Army probe determined that an adjutant general had a five-year sexual relationship with an enlisted woman in his state while he was married. The military prohibits adultery, which for generals is typically a career-ending offense.

*An August 1996 Army investigation determined that an adjutant general had "coerced, harassed and threatened" officers who did not join the National Guard Association, a powerful lobbying group.

*A March 1997 investigation found that an adjutant general improperly used money intended for soldiers to purchase gifts for officers in his command, Guard officers in other states and active duty military officers. The report also said the adjutant general ignored purchasing rules to furnish his office.

In a series of articles in December, USA TODAY outlined chronic misconduct among adjutants general across the United States. Over the past decade, these state-appointed National Guard commanders committed offenses that include embezzlement, perjury and misuse of government property.

TAB

C

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

PERSONNEL AND
READINESS

MAR 12 2002

The Honorable John M. McHugh
Chairman, Subcommittee on Military Personnel
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515-6035

Dear Mr. Chairman:

This is to follow up on my letter of January 15, 2002, that acknowledged your request of December 18, 2001, for information regarding a series of articles that appeared in *USA Today* alleging force mismanagement and personal misconduct in the National Guard. You specifically requested the written reaction of the National Guard Bureau to the allegations in the articles, assistance in understanding the legal boundaries regarding protecting whistleblowers in the National Guard and summaries of National Guard investigations over the past five years. Enclosed are responses from the National Guard Bureau, the Office of the Department of Defense (DoD) General Counsel, and the Department of Defense and Military Department Inspectors General on those issues.

You will note that the summaries provided by the DoD Inspector General do not include the results of the investigation being conducted by the Defense Criminal Investigative Service into alleged "ghost soldiers in the Arizona Army National Guard" as you requested. That investigation is still open, and therefore it would not be appropriate to release any information concerning the investigation at this time. Once the investigation is complete, we will provide you the findings.

In addressing allegations of force mismanagement, the National Guard Bureau notes that a non-validation of pay report, tracking non-participation in the Guard, was developed almost ten years ago by the Guard to provide leadership at all levels with a tool for gauging drill attendance, managing the force, recording trends and providing oversight, which although not perfect serves as an excellent management tool. The Bureau's response emphasizes that there is no real incentive to hold a non-productive soldier in a unit because budget and force structure allocations with the Guard are based on actual participation rates. The Bureau disputes the assertion that states are gaining some advantage by not discharging personnel. The enclosure from the Bureau also comments on various types of allegations of personal misconduct by The Adjutants General.

In responding to your request for assistance in understanding the legal boundaries between the National Guard and the Department of Defense, the Office of DoD General Counsel states that officer and enlisted members of the National Guard when in either a duty or training status under either title 10 or title 32, United States Code, receive the same military whistleblower protections as regular officers and enlisted members on active duty. However, federal military whistleblower protections do not apply to officer and enlisted members of the National Guard when in state active duty status. Their protections, if any, derive from state law.

The DoD Inspector General's assessment of the effectiveness of IG investigations into National Guard matters is consistent with the views of the Military Department Inspectors General. That is, no unusual or significant impediments to investigative efforts or the effective processing of National Guard complaints have been encountered. Regarding the investigation summaries, the DoD Inspector General cautions that these documents have not been reviewed for public release and may be exempt from release under the Freedom of Information Act and protected under the Privacy Act. All documents are being provided to you in your capacity as the Subcommittee Chairman and should be considered "FOR OFFICIAL USE ONLY."

You also asked for the Secretary's assessment of the allegations and his intended course of action in response to those allegations. First, the Department shares your concern over allegations of force mismanagement and personal misconduct, and takes such allegations very seriously.

With respect to force management, the Department was working closely with the U.S. General Accounting Office (GAO), months before the series of *USA Today* articles appeared, to produce a systematic and accurate comparison of Army Guard strength and pay information for review and to initiate any needed corrective measures. These efforts are continuing. Articles in the *USA Today* on "ghosting" soldiers—delaying removal transactions to inflate State Guard or unit strength—appear to be based principally on anecdotal information from interviews with Guardsmen and former Guardsmen. The Department prefers to base its conclusions on actual data. The most recent data indicates a 97 percent participation rate throughout the Army National Guard with only a 3 percent non-participation rate. This is consistent with the latest GAO information and with the Army National Guard Non-Participation Summary Report included in the National Guard Bureau enclosure. The National Guard's current objective is a 98 percent participation rate.

We have examined the potential readiness impact of non-participating soldiers. Even if up to 3 percent of Army National Guard soldiers were listed as non-participants, this would have limited impact on readiness reports—for two reasons. First, because P-level (personnel) threshold bands are separated by margins of about 10 percent, 3 percent (or less) over-reporting of assigned strength has little impact. More significantly, unit commanders have regulatory authority to subjectively upgrade or downgrade, if in their opinion the change more accurately portrays the actual readiness of the unit. This has far more impact on the overall readiness report than a 3 percent shift in assigned strength.

As the National Guard Bureau response notes, there are both acceptable (e.g., medical convalescence) and unacceptable (e.g., unexcused absences) reasons for non-participation. In addition to the various reasons described in the Bureau response, we found some delays in the process for establishing a pay record for new accessions and Guard members moving from active duty back to a drilling status, along with processing delays for members being discharged or transferred from the National Guard. To address these and any related strength accounting problems, a standing DoD working group has developed an action plan that is now being implemented. The plan will involve further evaluation and analysis of non-pay record files and reconciliation of pay and personnel records by all Reserve components. The goal is to improve the timeliness in processing personnel transactions and the accuracy of personnel and strength accounting.

With respect to misconduct, the Department, including the Military Services takes all allegations very seriously as documented in the compendium of the investigations conducted over the past five years. The information contained in the *USA Today* articles concerning specific misconduct cases, while for the most part factual, is dated. This Administration has exercised positive control and oversight through a rigorous federal recognition process and by establishing a very high standard for officers who have been recommended for promotion or federal recognition. The intent is not to deter officers from taking a risk—the "zero defects" mentality—but rather to establish the standard that conduct which does not uphold the highest personal and professional standards of the armed services will not be condoned. In addition to recommending the removal of officers with serious substantiated allegations from federal recognition or promotion lists, this Administration routinely returns the nominations of officers who have been involved in incidents with potentially serious moral and ethical implications to the Secretaries of the Military Departments for more thorough review.

The cadre of our Army National Guard units are professional leaders and soldiers. Our Nation relies increasingly upon our Army National Guard soldiers, as we have seen through their deployment to missions in the Balkans and their roles in homeland defense. The future holds much more for the Army National Guard, as we face future threats to our security. The soldiers of the Army National Guard and their leaders earn the trust, confidence and appreciation of the American people each day—they need our continued support.

Sincerely,

David S. C. Chu

Enclosures:
As stated

(b)(6)

P.009

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
1411 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3231

25 Jan 2002

MEMORANDUM FOR THE PRINCIPAL DEPUTY, ASSISTANT SECRETARY OF DEFENSE FOR RESERVE AFFAIRS

SUBJECT: National Guard Bureau Reaction to Allegations Raised by the *USA Today*

Thank you for giving me the opportunity to respond to issues of force mismanagement and misconduct by National Guard officers that appeared in the December 18, 19 and 20 editions of the *USA Today*. Attached is a detailed discussion of those issues.

We are an institution with a proud history of outstanding service to this nation – a level of service achieved by learning from our past and making improvements on a continuous basis. This understanding and commitment to improvement has enabled us to build an organization based on integrity, excellence and service to the Citizens, Governors and the President. I am profoundly proud of the men and women that serve in the National Guard and their record of excellence when it comes to public service and mission accomplishment. It concerns me deeply that these matters have risen to this level. I believe this response will prove the National Guard's commitment to the obligations we undertake and demonstrate our efforts to be a good steward of the public trust.

If you need to discuss this response, please have your staff contact Mr. Dan Donohue, Chief, Office of Public Affairs and Community Support at (b)(6) to make the necessary arrangements. Again, thank you for the opportunity to respond.

RUSSELL C. DAVIS
Lieutenant General, USAF
Chief, National Guard Bureau

Attachment:
Detailed Response to Allegations

➢ ***Response to Allegations of Force Mismanagement.***

Opening

- Our ability to maintain readiness and meet world-wide mission requirements is directly related to having available, qualified soldiers participating in our program. Strength and drill participation is, and always has been, an area of continued emphasis and oversight. It is important to clarify the statutory and regulatory requirements for drill attendance, the reports and actions we have taken in this critical area, and our ongoing initiatives to address the areas in question. In spite of the issues raised in the USA Today series concerning National Guard non-validation reporting, the National Guard Bureau (NGB) has adequate oversight in this area and is working hard to correct any deficiencies that remain.

Drill Attendance Requirement

- The commander of a unit has the responsibility to account for all assigned and attached personnel in the unit and to ensure accounting for personnel and attendance per National Guard Regulation (AR) 680-1. The integrity of the data is as good as the commander's attention to maintaining sound personnel record keeping. The process is as follows: the commander codes soldiers on an automated pay report, DA Form 1379, Unit Record of Reserve Training, which the commander signs certifying the performance categories of soldiers within the unit. Title 32, United States Code 502 requires soldiers to attend 48 drill periods and 15 days of annual training yearly and Title 10 United States Code 12732 requires a soldier to obtain at least 50 points within a year for the year to count for retirement. The 50 points are credited on the following basis: one point for each drill period or equivalent instruction (48 points per year), 15 points a year for being a member in the reserves, a minimum of 15 points for annual training attendance (depending on the duration of annual training), and one point per day of active service performed throughout the year.

- The regulation provides commanders limited flexibility to excuse soldiers from drills, allow for constructive attendance, and allow soldiers to perform the drills prior to, or after the day of the unit's scheduled assembly. Commanders routinely exercise this discretion because of issues unique to the National Guard and selective reserve - call up by the Governor for extended state active duty, schooling, work-related conflicts, etc.

- A number of the performance categories in the Army National Guard (ARNG) do not allow payment to the soldier. Some of these are within the soldier's control

There are a number of acceptable reasons why a soldier may be excused from a drill. Relocation to another state (such as cross country employment transfers) sickness, medical convalescence, family hardship, and unscheduled work conflict are just a few. Most absences are short-term in nature, but some are not. Despite the varied reasons, these soldiers are still under contract – and are subject to being called to active duty whether or not they are attending drill at the time. This issue goes to the heart of the readiness argument. We believe the impacts to National Guard readiness by no-val reporting are overstated or misrepresented in the *USA Today* series.

- The leadership selectively manages soldiers who refuse to attend drill, classified as an unexcused absence, as they represent an investment of time and resources. Commanders of soldiers carried in this category, must, by regulation, begin the separation process after nine unexcused absences within a 12-month period. As a part of the separation process, commanders at the unit level take a number of actions to bring soldiers back to a drilling status - certified letters, contact teams, and use of local law enforcement when authorized. Commanders will often exhaust all avenues in order to keep a soldier in the unit. This is because of the training, investment of time and public resources, and the commitment these individuals made when they signed their contracts. When all avenues are exhausted, a commander will then process the soldier for discharge. Given the attention required to bring a soldier back to drilling status and the lack of full time support personnel to develop and process the paperwork for discharge, this process can be lengthy. Soldiers who are discharged for non-attendance are placed in the individual ready reserve, and remain subject to mobilization through the United States Army Reserve.

- When soldiers have not been paid after three consecutive months, regardless of the reason - acceptable or unacceptable, they will be reflected on the non-validation of pay report or no-val report. It should be clarified that no-val means "non-validation for pay" as opposed to a "no value" soldier, as characterized in the *USA Today* series.

Non-Validation (No-Val) of Pay Report

- Over the years, there have been a number of tools developed by National Guard Bureau (NGB) for commanders and leaders to use in their oversight responsibilities for pay and drill attendance. The non-validation of pay report was developed almost a decade ago to provide National Guard leadership at all levels a way to gauge drill attendance and manage the force, record trends, and provide a degree of oversight at the national level. The no-val report must be reviewed and utilized in the framework for which it was developed. "No-val" is the term used for any

There are times when critical review and common sense must be applied to the review process. For example, soldiers activated under the authority of the Governor on prolonged state active duty will not be performing their required drill assemblies, yet may be reflected on the non-validation of pay report.

- The non-validation of pay report is developed by taking the pay data from the Defense Finance and Accounting System (DFAS) and comparing it to the monthly strength tape, which is a roll-up comprised of the soldiers authorized to drill during that time. This identifies soldiers who are required to drill but have not received pay in three months.

- The non-validation of pay report (enclosed as part of this attachment) was developed as an internal tool for the leadership; the target goals are self-imposed and, in fact, we believe other services are looking at how they might track similar data and trends by instituting similar reports. An important point to make; there is no real incentive to hold a non-productive soldier in the unit. This is because the budget and force structure distribution process we utilize today takes into account actual participation rates. The idea that states are somehow gaining an advantage by not discharging personnel is completely fallacious.

➢ Response to Allegations of Personal Misconduct.

Leadership Qualifications

- The Adjutants General (TAGs) must meet state and Federal requirements for appointment.
- State requirements are normally a function of state law and vary from state to state.
- Federal requirements are imposed through either Army or Air Force regulations.
- The Federal recognition process is the procedure to which each TAG nomination is subjected prior to granting federal recognition at the grade for which the individual is qualified.
- Many states require the Governor to nominate and the state legislature to confirm the state appointment as the Adjutant General.
- Federal recognition is granted to an TAG after being nominated by a respective Governor, recommended by a Federal Recognition Board, approved by the respective Service Secretary, and forwarded by the Secretary of Defense to the President of the United States for nomination to the U.S. Senate for confirmation of their appointment in the higher grade. Federal recognition is denied (no promotion) if any of these criteria are not met.
- Appropriate corrective action was taken in every case cited by the articles.

TAG Pay

- Federal pay of an Adjutant General is based upon federal military pay rates at the federally recognized grade of the respective officer.
- TAGs are paid at their federally recognized grade/years of service.
- TAGs receive federal pay only for days on which federal duties are performed.
- TAG state salaries are established in state law and vary by jurisdiction.
- Federal pay records are public documents.

Nepotism/Cronyism

- Training, selection and promotion policies and procedures are designed to offer equal opportunity to all.
- Procedures ensure each soldier/airman is treated with respect and is able to avail himself/herself of every opportunity to succeed and grow.
- Allegations of nepotism and cronyism are promptly investigated.

Reprisals

- National Guardsmen, like other members of the Armed Forces, are protected against reprisal under the DOD Directive 7050.6 (Military Whistleblower Protection) for preparing and or making a protected communication.

Fiscal Management

- National Guard funding is approximately 95% federal and 5% state.
- There are a series of fiscal control, discipline and audit policies and procedures to ensure responsible resource stewardship.
- The Army National Guard budget execution by the respective states this year was within one percent of the Army's priorities.
- Unites States Property and Fiscal Officers (USPFOs) are the responsible federal agents (serving in a Title 10 U.S.C. status) in each state sworn to oversee federal funding and to ensure it is spent for the purpose for which it was provided to the state.
- The National Guard has a continual fiscal audit process to include oversight by appropriate DOD and service agencies.
- The National Guard Bureau, the CONUSA Inspector General and/or the gaining Air Force Major Command, and the Army Audit Agency and/or the Air Force Audit Agency make periodic inspections of the USPFO offices.

Inspectors General

- TAGs, along with all other general officers, are subject to investigation by the DOD and respective service Inspectors General, not the state National Guard Inspector General.
- TAGs subscribe to being held to the highest levels of accountability by both state and federal government.
- Inspector General (IG) investigations are conducted on TAGs; the results of the investigations are provided to the respective Governors for appropriate action. If substantiated, Army National Guard general officers are subject to administrative disciplinary action by the Vice Chief of Staff, U.S. Army. Air National Guard TAGs are subject to disciplinary action by their respective Governors.
- All states have an IG; most are active duty Army officers. All are authorized an active Army officer as an IG (either a Colonel or Lieutenant Colonel) depending on the force structure within the state.

- State level IGs investigate matters within the respective state National Guard as directed by the state leadership (or NGB) in response to complaints.

- General officer investigations, to include TAGs, are conducted by the Departments of the Army, Air Force, or DoD respectively.

- The state IG program is overseen by the Department of the Army IG and the National Guard Bureau IG. To date, this is one of the most successful integration efforts by the Army.

Political Appointments

- TAGs are appointed by the Governors (except elected by popular vote in South Carolina, elected by the legislature in Vermont and appointed by the President in the District of Columbia).

- Like the Chairman of the Joint Chiefs, Service Chiefs and all other officers on active duty as well as the Cabinet secretaries and deputies nominated and appointed by the commander-in-chief, the President; the Adjutant General is appointed by the state commander-in-chief of the National Guard in a respective jurisdiction, the highest elected official in the state—the Governor.

- After appointment, by the Governor, and confirmation by the state legislature as appropriate, a TAG's nomination is forwarded to the DOD for review and approval and then forwarded to the President of the United States for U.S. Senate confirmation.

- Like an active duty general officer, a National Guard officer must be qualified, have the trust of the elected civilian leadership, be supported through the nomination process, and successfully gain confirmation.

- Because of the National Guard's unique state/federal status an officer in the National Guard is subjected to the process at both the state and federal level.

- Typically, as a cabinet level appointee of the Governor, the TAG is accountable at both state and federal level.

- There are politics in state government just as there are in the federal government.

- TAGs are highly visible state officials and unlike active duty officers residing on and working at active duty installations, are subjected to continuous public and political scrutiny.

- TAGs work in the "court of public opinion" every day.

TAGs may exercise their personal political preferences; make contributions as private citizens, and vote as their conscience dictates.

- TAGs are subject to the federal joint ethics regulation, and corresponding states rules governing a wide range of conduct including political activity.

Unit Vacancy Promotions

- The unit vacancy promotion system as authorized by Congress recognizes the delicate balance that must be maintained between the civilian job, community obligations and National Guard duty.

- Unlike the active force, the National Guard is a community-based organization.

- Members work at their civilian jobs in the communities where they reside and pursue their National Guard duty in that community.

- The unit vacancy promotion system is designed to select the fully qualified enlisted and officer members to fulfill more senior positions and responsibilities.

- The readiness of the National Guard, its worldwide performance and the diversity of its missions is proof of the efficacy of the unit vacancy promotion system.

National Guard Bureau

- All National Guard members assigned to the National Guard Bureau are on federal active duty and are subject to the UCMJ.

- All National Guard members on federal active duty at the National Guard Bureau are subject to the same rules, regulations and procedures as apply to any other service member on federal active duty.

Readiness

- The National Guard has demonstrated it's more ready than at any other time in its history.

- Readiness is determined using the identical standards established by the respective active components of the services.

- National Guard personnel and units must meet the same standards as the active forces.

The National Guard is deployed worldwide. Last year the Guard deployed than 60 countries in support of the respective geographical and unified Commanders-in-Chief's (CINCs) American interests.

Every day of the year, the National Guard averages approximately more than 3, members deployed to the warfighting CINCs, 3,000 people supporting law enforcement in the war on drugs, more than 1,200 a day conducting youth programs, 715 members a day in support of our state mission and more than 81,000 a day preparing the National Guard for its full range of federal missions.

- Since September the 11th, the National Guard has responded to every mission tasked by both the President and the respective Governors. Those missions to date have included: Airport Security, Combat Air Patrol Missions over our nation, protecting high-value assets from coast to coast, providing trained and ready forces to Operation ENDURING FREEDOM, patrolling "no-fly zones" in northern Iraq, keeping the peace in Bosnia, training the nation's fighting forces in mountain warfare, or responding to a natural disaster.

11-L-0559/OSD/9244

y N al Guard

Non-Par pati ummary ort

State	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
AK	1756	101	5.75%	1756	113	6.44%	0	-12	-0.68%
AL	13107	339	2.59%	3123	353	2.69%	16	-14	-0.10%
AR	8223	237	2.88%	8322	255	3.06%	99	-18	-0.18%
AZ	3952	67	1.70%	3954	66	1.67%	-2	1	0.03%
CA	16132	518	3.21%	16128	526	3.26%	4	-8	-0.05%
CO	3192	76	2.38%	3229	107	3.31%	-37	-31	-0.93%
CT	3957	254	6.42%	3972	282	7.10%	-15	-28	-0.68%
DC	1454	59	4.06%	1458	57	3.91%	-4	2	0.15%
DE	1667	41	2.46%	1680	39	2.32%	-13	2	0.14%
FL	10130	291	2.87%	10129	308	3.04%	1	-17	-0.17%
GA	8325	211	2.53%	8262	212	2.57%	63	-1	-0.03%
GU	769	7	0.91%	771	8	1.04%	-2	-1	-0.13%
HI	2976	63	2.12%	2975	58	1.95%	1	5	0.17%
IA	7450	152	2.04%	7473	170	2.27%	-23	-18	-0.23%
ID	2802	44	1.57%	2801	48	1.71%	1	-4	-0.14%
IL	10072	329	3.27%	10013	331	3.31%	59	-2	-0.04%
IN	11395	388	3.41%	11487	520	4.53%	-92	-132	-1.12%
KS	5905	205	3.47%	5887	227	3.86%	18	-22	-0.38%
KY	6359	103	1.62%	6387	103	1.61%	-28	0	0.01%
LA	10079	174	1.73%	10106	163	1.61%	-27	11	0.11%
MA	7499	190	2.53%	7520	221	2.94%	-21	-31	-0.41%
MD	6371	215	3.37%	6358	221	3.48%	13	-6	-0.10%
ME	2251	62	2.75%	2242	61	2.72%	9	1	0.03%
MI	8773	245	2.79%	8732	256	2.93%	41	-11	-0.14%
MN	9731	262	2.69%	9728	254	2.61%	3	8	0.08%
MO	8085	233	2.88%	8236	271	3.29%	-151	-38	-0.41%
MS	9407	108	1.15%	9404	127	1.35%	3	-19	-0.20%
MT	2420	62	2.56%	2398	66	2.75%	22	-4	-0.19%
NC	10202	389	3.81%	10192	427	4.19%	10	-38	-0.38%
ND	3210	22	0.69%	3222	21	0.65%	-12	1	0.03%
NE	3189	43	1.35%	3166	37	1.17%	23	6	0.18%
NH	1677	21	1.25%	1674	22	1.31%	3	-1	-0.06%
NJ	6984	397	5.68%	7013	497	7.09%	-29	-100	-1.40%
NM	3143	154	4.90%	3129	145	4.63%	14	9	0.27%
NV	1743	40	2.29%	1759	48	2.73%	-16	-8	-0.43%
NY	11573	427	3.69%	11592	451	3.89%	-19	-24	-0.20%
OH	10387	140	1.35%	10265	152	1.48%	102	-12	-0.13%
OK	7361	177	2.40%	7332	174	2.37%	29	3	0.03%
OR	5860	106	1.81%	5849	121	2.07%	11	-15	-0.26%
PA	16341	480	2.94%	16314	496	3.04%	27	-16	-0.10%
PR	8634	229	2.65%	8587	227	2.64%	47	2	0.01%
RI	2310	70	3.03%	2353	83	3.53%	-43	-13	-0.50%
SC	9283	234	2.52%	9253	218	2.36%	30	16	0.16%
SD	3348	45	1.34%	3340	47	1.41%	8	-2	-0.06%
TN	10831	220	2.03%	10825	235	2.17%	6	-15	-0.14%
TX	16031	361	2.25%	16810	1249	7.43%	-779	-888	-5.18%
UT	5007	170	3.40%	4966	169	3.40%	41	1	0.01%
VA	7500	204	2.72%	7522	233	3.10%	-22	-29	-0.38%
VI	714	20	2.80%	714	23	3.22%	0	-3	-0.42%
VT	2929	104	3.55%	2918	101	3.46%	11	3	0.09%
WA	5704	229	4.01%	5704	228	4.00%	0	1	0.02%
WI	7460	210	2.82%	7511	185	2.46%	-51	25	0.35%
WV	4080	52	1.27%	4079	72	1.77%	1	-20	-0.49%
WY	1408	47	3.34%	1419	49	3.45%	-11	-2	-0.12%
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

[redacted]

DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

March 1, 2002

MEMORANDUM FOR PRINCIPAL DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR RESERVE AFFAIRS

SUBJECT: The National Guard and Whistleblower Protection under Federal Law

Attached is the information you requested to assist in preparing your responses to Congressmen John McHugh and Vic Snyder.

Paul S. Koffsky
Deputy General Counsel
(Personnel and Health Policy)

Attachment

DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

March 1, 2002

INFORMATION PAPER

SUBJECT: The National Guard and Whistleblower Protection under Federal Law

- The militia clause of the U. S. Constitution (clause 16, section 8 of article I) reflects our founding fathers' original concept of the militia as a part time, non-professional, local military force under the exclusive authority of state officials. In this status, the Guard is under the command of the governor of the state and his principal deputy for Guard administration, the state adjutant general.

- In 1933, Congress vested the National Guard with dual status. In continuation of its original status, the Guard remained first and foremost a state instrumentality as a state militia. Simultaneously, Congress vested the National Guard with federal status as one of the elements of the reserve components of the armed forces of the Untied States.

- Federal status is operative only when the Guard is called or ordered into federal service. When so called or ordered, it is known as the National Guard of the United States and is subject to the authority of the President, the Secretary of Defense and other authorities, civilian and military, of the federal defense establishment.

- One byproduct of this organizational arrangement is that federal officials do not have direct control over actions taken by state officials in administering the Guard when it is in state status. This organizational arrangement also means that there is a limit on the extent to which current Federal law may be relied upon to protect National Guard personnel who are substantiated whistleblowers.

- Congress has codified military whistleblower protection at section 1034 of title 10, United States Code. The Department of Defense has implemented this statute in Department of Defense Directive 7050.6, "Military Whistleblower Protection."

  - Section 1034 applies to members of the armed forces. The Directive defines members of the armed forces as "All Regular and Reserve component officers (commissioned and warrant) and enlisted members of the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard (when it is operating as a Military Service in the Navy) on active duty; and Reserve component officers (commissioned and warrant) and enlisted members in any duty or training status (includes officers and enlisted members of the National Guard)."

•• Officers and enlisted members of the National Guard when in either a duty or training status under either title 10 or title 32, United States Code, receive the same military whistleblower protections as regular officers and enlisted members on active duty.

•• Federal military whistleblower protections do not apply to officer and enlisted members of the National Guard when in state active duty status. Their protections, if any, derive from state law.

• A federal whistleblower protection investigation may identify both federal and state remedial actions. The Secretaries of the Military Departments or the Secretary of Defense may direct appropriate federal remedies but may not direct state action. Remedies requiring state action must be referred to the states for their consideration and action they deem appropriate.

Office of the DoD General Counsel
(Personnel and Health Policy)

JAN 22 2002

MEMORANDUM FOR PRINCIPAL DEPUTY ASSISTANT SECRETARY OF DEFENSE (RESERVE AFFAIRS)

SUBJECT: Investigations into National Guard Matters

This is in response to your memorandum of January 2, 2002, that requested summaries of investigations conducted over the last 5 years by this office and the Service Inspectors General (IGs) into National Guard matters. In addition, you requested assessments of the effectiveness in conducting those investigations and a summary of any legal or other barriers encountered.

Attached at Tab 1 are summaries of three closed investigations completed by the Defense Criminal Investigative Service (DCIS). Your memorandum specifically requested the results of the DCIS investigation into alleged "ghost soldiers in the Arizona Army National Guard." That investigation is still open and therefore it would be inappropriate to release any information concerning it at this time.

The remaining attachments provide single-sheet summaries of all investigations into National Guard matters that were conducted by this office or by the Service IGs over the past 5 years. Investigations that were conducted by local IGs (that is, State IGs or IGs at National Guard installations) with no higher level involvement are not included. The following additional explanation is provided:

- At Tab 2 are summaries of all investigations into National Guard matters that were processed through our DoD Hotline data base. These include investigations that were conducted by this office as well as investigations into National Guard matters that were conducted by the

Service IGs in response to a referral from our office.[1] At a minimum, the single-sheet summaries provide a description of the allegations and the result of the investigation. ("NS" indicates that none of the allegations were substantiated. "SU" indicates that all allegations were substantiated, while "PS" indicates that some but not all of the allegations were substantiated.)

- At Tab 3 are summaries of investigations involving senior National Guard officials that were initiated and conducted by the Army or Air Force IGs. We provide oversight on such investigations and maintain a separate data base for them.

- Tab 4 contains summaries of all Army investigations into National Guard matters that were not included under Tabs 2 and 3. Please note that the Army could not provide information on "not-substantiated" cases completed before September 30, 1998. The Army cover letter also provides an assessment of investigative effectiveness.

- Tab 5 is a similar response from the Air Force IG.

Our assessment of the effectiveness of IG investigations into National Guard matters is consistent with views expressed by the Service IGs (Tabs 4 and 5). We have not encountered any unusual impediments. Occasionally issues may arise concerning the applicability of Federal statutes to National Guard members because of their dual Federal-state role. However, we are aware of no instance where the dual-status of National Guard members has significantly impeded investigative efforts.

Because some of the attached documentation may be exempt from public release under the Freedom of Information Act and the Privacy Act, all attachments should be considered "FOR OFFICIAL USE ONLY." While the attachments can be provided to the Chairman and Ranking Member of the Subcommittee on Military Personnel, House Armed Services Committee, as the Subcommittee possesses the legal jurisdiction, it is requested that the transmittal of the attachments to the Subcommittee contain an

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[1] We conduct an investigation into alleged misconduct by senior National Guard officers or allegations of military reprisal when the nature of the allegations or the seniority of the subject require our direct involvement. We receive and reviewd investigations conducted by the Service IGs as part of our oversight responsibilities.

advisement that the materials have not been reviewed for public release and may contain names and other privacy protected information.

If you have any questions regarding this matter, please contact me or Mr. John R. Crane, Director, Office of Congressional Liaison, at (b)(6)

Robert J. Lieberman
Deputy Inspector General

Attachments

DEPARTMENT OF THE ARMY
OFFICE OF THE INSPECTOR GENERAL
1700 ARMY PENTAGON
WASHINGTON DC 20310-1700

REPLY TO
ATTENTION OF

SAIG-AC (20-1b) 14 January 2002

MEMORANDUM FOR Inspector General, Department of Defense, ATTN: Office of Departmental Inquiries (Mr. Broome), 400 Army Navy Drive, Arlington, VA 22202-4704

SUBJECT: Request for Information Concerning Allegations into National Guard Matters

1. Attached are Department of the Army Inspector General (DAIG) summaries concerning investigations into National Guard matters.

2. Single sheet summaries are provided in most instances. However, on several occasions, the summary sheet is longer than one page, due to the number of allegations and/or the magnitude of the investigation. Additionally, no summary is provided for investigations completed 30 September 1998 and earlier in which the findings were 'Not Substantiated' or 'Neither Substantiated Nor Refuted;' these categories of cases have been purged from our database.

3. We consider our investigative actions of National Guard matters to be very effective. Although corrective actions for 'Substantiated' allegations are a command responsibility, we conduct follow up as part of case closure in accordance with our policies and procedures.

4. You may contact Captain Zimmerman at (b)(6) with any questions.

FOR THE INSPECTOR GENERAL

Encls

John J. Ryneska
Major General, U.S. Army
Deputy The Inspector General

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DEPARTMENT OF THE AIR FORCE
OFFICE OF THE INSPECTOR GENERAL
WASHINGTON DC

15 JAN 2002

MEMORANDUM FOR INSPECTOR GENERAL, DEPARTMENT OF DEFENSE

FROM: SAF/IGQ
1140 Air Force Pentagon
Washington DC 20330-1140

SUBJECT: Request for Information Concerning Investigations into National Guard Matters

As requested, summaries of investigations on Air National Guard (ANG) matters are attached. SAF/IGQ deals with IG matters for subjects at the GS-15, colonel or below level. AFI 90-301, *Inspector General Complaints*, requires that only certain findings be reported to SAF/IGQ. These include findings in 10 USC 1034 and mental health cases, investigations in which the ranks listed above are involved as subjects, and high-level inquiries. As requested in your memorandum, investigations already reported to IG, DoD are omitted.

Your memorandum also asked us to comment on the effectiveness of the investigations process into Air National Guard complaints. Since 1998, SAF/IGQ has provided oversight on all Air National Guard complaint matters involving the special categories listed above pursuant to Air Force Instruction 90-301. Although there are exceptions, most ANG investigations have proceeded in a timely manner. When IG involvement was not warranted, our ability to assist or refer complainants to the appropriate agencies has been extremely effective. We are aware of no impediments to our ability to effectively process Air National Guard complaints.

If you have any questions or concerns, please feel free to contact me (b)(6) or Colonel Stephanie Walsh, the ANG Advisor to the Inspector General (b)(6)

JAMES N. WORTH, Colonel, USAF
Director, Inquires Directorate

Attachment:
Report Summaries

FOR OFFICIAL USE ONLY

11-L-0559/OSD/8350

TAB

D

March 20, 2002

The Honorable John McHugh
Chairman
The Honorable Vic Snyder
Ranking Member
Military Personnel Subcommittee
Committee on Armed Services
House of Representatives

Subject: Military Personnel Strengths in the Army National Guard

The accuracy of reported personnel strength and training participation rates has a direct impact on the reliability of the Army National Guard's budget and the allocation of funds to individual states. If either the reported strength levels or the participation rates for a given fiscal year are more or less than the actual numbers, the funds required to pay Guard personnel will be either overstated or understated. Congressional concerns about the reported military personnel strengths of the Army National Guard have emerged as a result of recent media coverage of the Guard's so-called ghost soldiers.[1]

As a result of those concerns, you asked us to provide information on (1) the Guard's personnel strength levels and training participation rates and (2) the Guard's efforts to improve the accuracy of reported strength levels and participation rates. To respond to your request, we drew on findings from our annual review of the Department of Defense's military personnel budget requests and the Army National Guard's military personnel data for fiscal years 2000 and 2001 and the first quarter of fiscal year 2002. The scope and methodology for our review is discussed on page 5.

Results in Brief

The Army National Guard's fiscal years 2000 and 2001 funding requests were overstated by $42.9 million and $31.6 million, respectively, because the Guard used inaccurate military strength and participation rates to develop its projected and actual military force levels. Additionally, to develop its training budget needs, it used a mathematically derived training participation rate based on expected program costs rather than on the actual number of personnel being trained. By using these inaccurate figures, the Guard overstated its overall military personnel strength and

[1] "Ghost soldier" is a slang term used for soldiers who remain on strength reports but who are, in fact, no longer participating in training and who should be removed from these reports.

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11-L-0559/OSD/8352

the amount of its annual funding requests to Congress.

The Army National Guard is currently taking steps to correct these overstatements. It is placing more emphasis on an existing personnel database reporting system that identifies the personnel who are assigned to a unit but have not been paid for inactive duty training for 3 months or more. By doing this, the Guard can ensure that unit commanders remove these personnel from unit strength reports if they are no longer determined to be drilling reservists.[2] The Guard has also improved the method it uses to calculate inactive duty training participation rates, now basing the rate on the number of people who have actually been paid for training.

Personnel Strength Figures and Training Participation Rates Were Overstated

Our analyses of the Army National Guard's military strength projections for fiscal years 2000 and 2001 showed that the Guard overstated its personnel strength because it relied on inaccurate military personnel strength data, which included individuals who should not have been considered in the calculation of strength numbers for inactive duty training. As a result, we estimated that the budget requests for those two fiscal years were overstated by $42.9 and $31.6 million, respectively.

The Guard can remove an individual from strength reports after 3 months if it determines that the person is no longer in the program. In order to help commanders identify these individuals, the Guard publishes a monthly Non-Validation of Pay Report (NO-VAL). Unit commanders review the status of individuals on this report and determine if they should be excused, removed, or reclassified to a non-drilling status in the Guard's strength reports. Because each personnel action is unique, there is little guidance as to how long a unit commander's review and the processing of paperwork should take. We used the 7-month rather than the 3-month period to estimate the accuracy of reported strength for drilling personnel because there are a number of circumstances that would cause a person not to be paid for more than three months and still be included in unit strength figures. These reasons include their movement from one unit to another, their inability to perform training for medical reasons, and their being paid late for training performed. Guard officials agreed that it would be reasonable to expect unit commanders to adjust unit strength if an individual has not been paid for at least 7 months or more.

Our analysis of the Army National Guard's military personnel database used to develop the NO-VAL showed that about 4,048, or 1.3 per cent, of the 301,140 drilling reservists should have been dropped from the fiscal year 2000 end strength and about 4,254, or 1.4 per cent, of the 296,430 drilling reservists should have been removed from the fiscal year 2001 end strength. Enclosure I shows the number of personnel,

[2] An individual required to perform 2 weeks of annual training and weekend drills (inactive duty training).

11-L-0559/OSD/8353

by state, who were not p for 3 and 7 or more consecutive months as of the fiscal years 2000 and 200

In looking at the Army National Guard 's method for calculating its inactive duty training participation rates, we found that in the past the rates were inaccurate because they did not correctly identify the actual number of personnel who were, in fact, in training. Instead, the Guard relied on a mathematically derived participation rate, which was based on expected program costs, estimated training costs, and military strength figures, to come up with a total number of military personnel who were expected to train. This method resulted in inactive duty training participation rates that were higher than they should have been. For example, when we examined the Guard's fiscal year 2001 budget, we found that the Guard had determined—using mathematically derived rates from fiscal year 1999 numbers—that about 91 percent of its officers and 84 percent of its enlisted personnel would participate in inactive duty training. However, when we compared the number of personnel who had actually been paid for inactive duty training in 1999 with the mathematically derived numbers, we found that 88.7 percent of officers and 81.3 percent of enlisted personnel had actually trained.

Steps Underway to Improve the Accuracy of Military Personnel Strengths and Training Participation Rates

The Army National Guard's methods of determining military personnel strength and inactive duty training participation rates have improved.

In the course of our budget work we made a number of suggestions on how the Army National Guard could improve its budget formulation methods. As a result, the Guard has changed the method it uses to calculate inactive-duty training participation rates and is now basing them on the number of people who have actually been paid for training. In addition, the Guard has placed more command attention on the accuracy of reported military personnel strength and the number of NO-VAL personnel retained in the reporting system. Between October 31, 1999, and December 31, 2001, the number of individuals reported on the Guard's NO-VAL report has declined from 16,264 to 9,627. Enclosure II shows this trend.

Our review of the December 2001 military personnel database indicates that some state commanders are using the NO-VAL report to identify inaccuracies in reported personnel strength. For example, between November and December 2001, the number of assigned drilling personnel was reduced from 297,846 to 297,226, or less than 1 percent, while personnel on the NO-VAL report declined from 11,133 to 9,627, or about 14 percent. The state of Texas had the largest decrease in both strength and NO-VAL personnel. Its assigned drilling personnel strength numbers fell from 14,522 to 13,695, about 6 percent, and its personnel on the NO-VAL report declined from 1249 to 361, a 70 percent reduction.

11-L-0559/OSD/8354

Scope and Methodology

To provide information on the Guard's personnel strength and participation rates, we drew on our prior work and analyzed DOD's military personnel budgets, comparing requests for fiscal years 2000 and 2001 to actual personnel data for October 1999 to December 2001. In addition, we obtained and analyzed the database used to produce the monthly NO-VAL reports for fiscal years 2000 and 2001. We also discussed our observations with Army National Guard officials at the headquarters level and officials at the Office of the Secretary of Defense, Reserve Affairs. Additionally, although we utilized the Guard's data in our analyses, we did not test this data to ascertain its accuracy.

Agency Comments

We discussed a draft of this letter with Army National Guard officials. They generally agreed with our observations and stated that, in the past, reported personnel strength levels might have been unintentionally overstated. The Guard stressed that it has recognized the problems it had in calculating participation rates and in adjusting military personnel strength levels and is taking action, as discussed above, to correct both.

The Office of the Secretary of Defense, Reserve Affairs, generally agreed with our observations. We will continue to work with the Guard and the Office of the Secretary of Defense, Reserve Affairs, to improve the accuracy of reported strength and participation rates used in the budget formulation process.

As arranged with your office, unless you announce its contents earlier, we plan no further distribution of this report until 30 days after the date on this letter. At that time, we will make copies of this letter available to other appropriate congressional committees and place a copy on GAO's home page at http://www.gao.gov. If you have any questions concerning the information provided, please call me on (b)(6) or R. L. Furr on (b)(6)

Derek B. Stewart

Derek B. Stewart
Director, Defense Capabilities
and Management

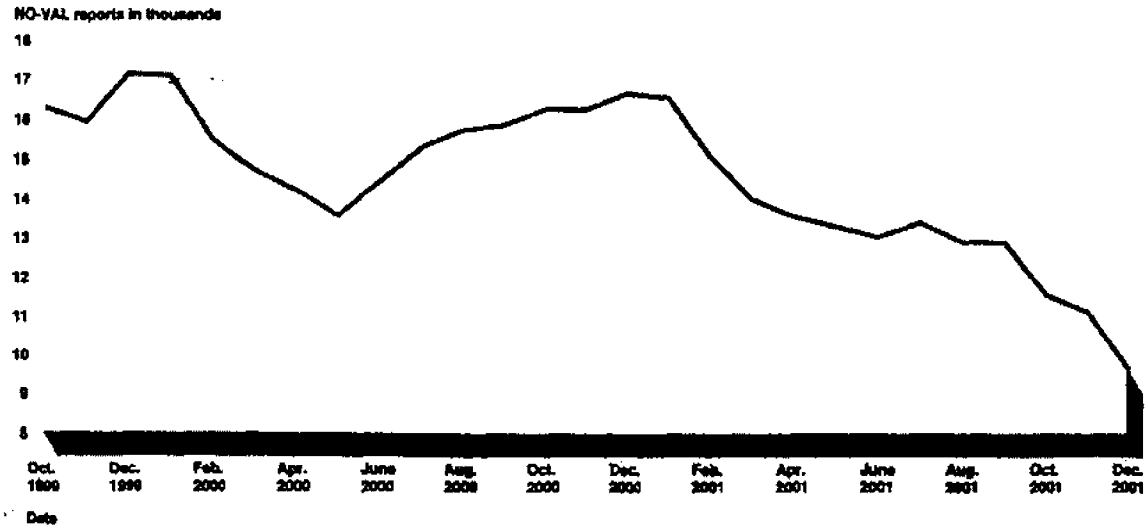
Enclosures – 2

11-L-0559/OSD/8355

Number of Army National Guard Members Not Paid for 3 and 7 or More Consecutive Months										
	September 30, 2000					September 30, 2001				
State	Assigned*	3 months	%	7 months	%	Assigned*	3 months	%	7 months	%
Alabama	11,837	368	3.1	132	1.1	11,184	274	2.4	132	1.2
Alaska	1,457	179	12.3	77	5.3	1,356	107	7.9	65	4.8
Arizona	3,276	70	2.1	7	0.2	3,239	34	1.0	8	0.2
Arkansas	7,090	200	2.8	70	1.0	7,139	246	3.4	118	1.7
California	13,965	444	3.2	112	0.8	13,918	524	3.8	238	1.7
Colorado	2,703	68	2.5	19	0.7	2,586	50	1.9	11	0.4
Connecticut	3,173	71	2.2	28	0.9	3,193	177	5.5	90	2.8
Delaware	1,410	42	3.0	11	0.8	1,388	30	2.2	9	0.6
District of Columbia	1,333	83	6.2	35	2.6	1,269	43	3.4	17	1.3
Florida	8,584	382	4.5	178	2.1	8,485	276	3.3	142	1.7
Georgia	7,556	340	4.5	114	1.5	7,178	192	2.7	81	1.1
Guam	534	4	0.7	0	0.0	548	4	0.7	0	0.0
Hawaii	2,427	74	3.0	34	1.4	2,436	54	2.2	25	1.0
Idaho	2,190	18	0.8	3	0.1	2,156	28	1.3	10	0.5
Illinois	8,439	326	3.9	115	1.4	8,162	242	3.0	116	1.4
Indiana	10,099	574	5.7	218	2.2	10,794	472	4.4	221	2.0
Iowa	6,191	120	1.9	43	0.7	6,078	128	2.1	56	0.9
Kansas	5,429	220	4.1	48	0.9	5,128	169	3.3	85	1.7
Kentucky	5,509	153	2.8	62	1.1	5,563	107	1.9	30	0.5
Louisiana	8,317	122	1.5	50	0.6	8,379	112	1.3	62	0.7
Maine	1,931	36	1.9	4	0.2	1,930	43	2.2	16	0.8
Maryland	5,434	261	4.8	100	1.8	5,249	195	3.7	100	1.9
Massachusetts	6,534	245	3.7	82	1.3	6,145	150	2.4	62	1.0
Michigan	7,404	190	2.6	68	0.9	7,441	172	2.3	77	1.0
Minnesota	8,145	177	2.2	30	0.4	8,000	123	1.5	47	0.6
Mississippi	8,015	140	1.7	50	0.6	7,840	98	1.3	42	0.5
Missouri	6,574	227	3.5	78	1.2	6,614	198	3.0	90	1.4
Montana	2,099	44	2.1	16	0.8	1,989	35	1.8	15	0.8
Nebraska	2,835	142	5.0	41	1.4	2,643	21	0.8	8	0.3
Nevada	1,389	46	3.3	7	0.5	1,466	21	1.4	5	0.3
New Hampshire	1,455	22	1.5	6	0.4	1,431	19	1.3	8	0.6
New Jersey	6,170	682	11.1	282	4.6	5,984	659	11.0	437	7.3
New Mexico	2,562	89	3.5	22	0.9	2,601	103	4.0	27	1.0
New York	10,368	460	4.4	172	1.7	9,831	262	2.7	103	1.0
North Carolina	8,572	393	4.6	132	1.5	8,580	379	4.4	216	2.5
North Dakota	2,753	16	0.6	5	0.2	2,728	17	0.6	7	0.3
Ohio	8,124	132	1.6	31	0.4	8,594	110	1.3	25	0.3
Oklahoma	6,184	192	3.1	81	1.3	6,055	132	2.2	42	0.7
Oregon	5,046	182	3.6	82	1.6	4,915	100	2.0	52	1.1
Pennsylvania	13,748	349	2.5	140	1.0	13,719	362	2.6	204	1.5
Puerto Rico	7,471	149	2.0	72	1.0	7,497	148	2.0	68	0.9
Rhode Island	2,198	110	5.0	38	1.7	2,018	63	3.1	29	1.4
South Carolina	8,279	397	4.8	208	2.5	7,826	159	2.0	87	1.1
South Dakota	2,917	34	1.2	8	0.3	2,859	32	1.1	12	0.4
Tennessee	9,422	238	2.5	107	1.1	9,310	167	1.8	99	1.1
Texas	14,546	1,259	8.7	505	3.5	14,138	865	6.1	490	3.5
U.S. Virgin Islands	640	36	5.6	18	2.8	606	25	4.1	16	2.6
Utah	4,005	117	2.9	30	0.7	3,923	105	2.7	39	1.0
Vermont	2,689	138	5.1	58	2.2	2,555	99	3.9	48	1.9
Virginia	6,339	225	3.5	92	1.5	6,256	165	2.6	95	1.5
Washington State	4,728	227	4.8	62	1.3	4,680	175	3.7	82	1.8
West Virginia	3,404	66	1.9	18	0.5	3,407	50	1.5	22	0.6
Wisconsin	6,418	104	1.6	29	0.5	6,228	152	2.4	54	0.9
Wyoming	1,243	46	3.7	18	1.4	1,193	28	2.3	14	1.2
Total	301,140	11,025	3.7	4,048	1.3	296,430	8,701	2.9	4,254	1.4

*Assigned includes only Army National Guard members required to perform 2 weeks of annual training and weekend drills.

Army National Guard Monthly
NO-VAL Reports on Individuals Not Paid for Inactive Duty Training
for 3 Months or More
(October 31,1999 to December 31, 2001)



Note: The graph shows a decline from 16,264 in October 1999 to 9,627 in December 2001.

Source: U.S. Army National Guard monthly NO-VAL reports.

(350173)

(A) Army Emergency Relief.

(B) Air Force Aid Society, Inc.

(C) Navy-Marine Corps Relief Society.

(D) Coast Guard Mutual Assistance.

(3) An entity described in this paragraph is an entity that is not operated for profit and is any of the following:

(A) An entity that regulates and supports the athletic programs of the service academies (including athletic conferences).

(B) An entity that regulates international athletic competitions.

(C) An entity that accredits service academies and other schools of the armed forces (including regional accrediting agencies).

(D) An entity that (i) regulates the performance, standards, and policies of military health care (including health care associations and professional societies), and (ii) has designated the position or capacity in that entity in which a member of the armed forces may serve if authorized under subsection (a).

(E) An entity that, operating in a foreign nation where United States military personnel are serving at United States military activities, promotes understanding and tolerance between such personnel (and their families) and the citizens of that host foreign nation through programs that foster social relations between those persons.

(c) PUBLICATION OF DESIGNATED ENTITIES AND OF AUTHORIZED PERSONS.—A designation of an entity under subsection (b), and an authorization under subsection (a) of a member of the armed forces to participate in the management of such an entity, shall be published in the Federal Register.

(d) REGULATIONS.—The Secretary of Defense, and the Secretary of Transportation in the case of the Coast Guard when it is not operating as a service in the Navy, shall prescribe regulations to carry out this section.

(Added P.L. 105–85, §593(a)(1), Nov. 18, 1997, 111 Stat. 1762; amended P.L. 106–65, §583, Oct. 5, 1999, 113 Stat. 634.)

§ 1034. Protected communications; prohibition of retaliatory personnel actions [1]

(a) RESTRICTING COMMUNICATIONS WITH MEMBERS OF CONGRESS AND INSPECTOR GENERAL PROHIBITED.—(1) No person may

[1] Section 843 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (P.L. 102–190; 105 Stat. 1449) provides:

SEC. 843. WHISTLEBLOWER PROTECTIONS FOR MEMBERS OF THE ARMED FORCES.

(a) REGULATIONS REQUIRED.—The Secretary of Defense shall prescribe regulations prohibiting members of the Armed Forces from taking or threatening to take any unfavorable personnel action, or withholding or threatening to withhold a favorable personnel action, as a reprisal against any member of the Armed Forces for making or preparing a lawful communication to any employee of the Department of Defense or any member of the Armed Forces who is assigned to or belongs to an organization which has as its primary responsibility audit, inspection, investigation, or enforcement of any law or regulation.

(b) VIOLATIONS BY PERSONS SUBJECT TO THE UCMJ.—The Secretary shall provide in the regulations that a violation of the prohibition by a person subject to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is punishable as a violation of section 892 of such title (article 92 of the Uniform Code of Military Justice).

(c) [omitted].

restrict a member of the armed forces in communicating with a Member of Congress or an Inspector General.

(2) Paragraph (1) does not apply to a communication that is unlawful.

(b) PROHIBITATION OF RETALIATORY PERSONNEL ACTIONS.—(1) No person may take (or threaten to take) an unfavorable personnel action, or withhold (or threaten to withhold) a favorable personnel action, as a reprisal against a member of the armed forces for making or preparing—

(A) a communication to a Member of Congress or an Inspector General that (under subsection (a)) may not be restricted; or

(B) a communication that is described in subsection (c)(2) and that is made (or prepared to be made) to—

(i) a Member of Congress;

(ii) an Inspector General (as defined in subsection (i)) or any other Inspector General appointed under the Inspector General Act of 1978;

(iii) a member of a Department of Defense audit, inspection, investigation, or law enforcement organization; or

(iv) any other person or organization (including any person or organization in the chain of command) designated pursuant to regulations or other established administrative procedures for such communications.

(2) Any action prohibited by paragraph (1) (including the threat to take any action and the withholding or threat to withhold any favorable action) shall be considered for the purposes of this section to be a personnel action prohibited by this subsection.

(c) INSPECTOR GENERAL INVESTIGATION OF ALLEGATIONS OF PROHIBITED PERSONNEL ACTIONS.—(1) If a member of the armed forces submits to an Inspector General an allegation that a personnel action prohibited by subsection (b) has been taken (or threatened) against the member with respect to a communication described in paragraph (2), the Inspector General shall take the action required under paragraph (3).

(2) A communication described in this paragraph is a communication in which a member of the armed forces complains of, or discloses information that the member reasonably believes constitutes evidence of, any of the following:

(A) A violation of law or regulation, including a law or regulation prohibiting sexual harassment or unlawful discrimination.

(B) Gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

(3)(A) An Inspector General receiving an allegation as described in paragraph (1) shall expeditiously determine, in accordance with regulations prescribed under subsection (h), whether there is sufficient evidence to warrant an investigation of the allegation.

(B) If the Inspector General receiving such an allegation is an Inspector General within a military department, that Inspector General shall promptly notify the Inspector General of the Depart-

ment of Defense of the allegation. Such notification shall be made in accordance with regulations prescribed under subsection (h).

(C) If an allegation under paragraph (1) is submitted to an Inspector General within a military department and if the determination of that Inspector General under subparagraph (A) is that there is not sufficient evidence to warrant an investigation of the allegation, that Inspector General shall forward the matter to the Inspector General of the Department of Defense for review.

(D) Upon determining that an investigation of an allegation under paragraph (1) is warranted, the Inspector General making the determination shall expeditiously investigate the allegation. In the case of a determination made by the Inspector General of the Department of Defense, that Inspector General may delegate responsibility for the investigation to an appropriate Inspector General within a military department.

(E) In the case of an investigation under subparagraph (D) within the Department of Defense, the results of the investigation shall be determined by, or approved by, the Inspector General of the Department of Defense (regardless of whether the investigation itself is conducted by the Inspector General of the Department of Defense or by an Inspector General within a military department).

(4) Neither an initial determination under paragraph (3)(A) nor an investigation under paragraph (3)(D) is required in the case of an allegation made more than 60 days after the date on which the member becomes aware of the personnel action that is the subject of the allegation.

(5) The Inspector General of the Department of Defense, or the Inspector General of the Department of Transportation (in the case of a member of the Coast Guard when the Coast Guard is not operating as a service in the Navy), shall ensure that the Inspector General conducting the investigation of an allegation under this subsection is outside the immediate chain of command of both the member submitting the allegation and the individual or individuals alleged to have taken the retaliatory action.

(d) INSPECTOR GENERAL INVESTIGATION OF UNDERLYING ALLEGATIONS.—Upon receiving an allegation under subsection (c), the Inspector General receiving the allegation shall conduct a separate investigation of the information that the member making the allegation believes constitutes evidence of wrongdoing (as described in subparagraph (A) or (B) of subsection (c)(2)) if there previously has not been such an investigation or if the Inspector General determines that the original investigation was biased or otherwise inadequate. In the case of an allegation received by the Inspector General of the Department of Defense, the Inspector General may delegate that responsibility to the Inspector General of the armed force concerned.

(e) REPORTS ON INVESTIGATIONS.—(1) After completion of an investigation under subsection (c) or (d) or, in the case of an investigation under subsection (c) by an Inspector General within a military department, after approval of the report of that investigation under subsection (c)(3)(E), the Inspector General conducting the investigation shall submit a report on the results of the investigation to the Secretary of Defense (or to the Secretary of Transportation in the case of a member of the Coast Guard when the Coast

Guard is not operating as a service in the Navy) and shall transmit a copy of the report on the results of the investigation to the member of the armed forces who made the allegation investigated. The report shall be transmitted to the Secretary, and the copy of the report shall be transmitted to the member, not later than 30 days after the completion of the investigation or, in the case of an investigation under subsection (c) by an Inspector General within a military department, after approval of the report of that investigation under subsection (c)(3)(E).

(2) In the copy of the report transmitted to the member, the Inspector General shall ensure the maximum disclosure of information possible, with the exception of information that is not required to be disclosed under section 552 of title 5. However, the copy need not include summaries of interviews conducted, nor any document acquired, during the course of the investigation. Such items shall be transmitted to the member, if the member requests the items, with the copy of the report or after the transmittal to the member of the copy of the report, regardless of whether the request for those items is made before or after the copy of the report is transmitted to the member.

(3) If, in the course of an investigation of an allegation under this section, the Inspector General determines that it is not possible to submit the report required by paragraph (1) within 180 days after the date of receipt of the allegation being investigated, the Inspector General shall provide to the Secretary of Defense (or to the Secretary of Transportation in the case of a member of the Coast Guard when the Coast Guard is not operating as a service in the Navy) and to the member making the allegation a notice—

(A) of that determination (including the reasons why the report may not be submitted within that time); and

(B) of the time when the report will be submitted.

(4) The report on the results of the investigation shall contain a thorough review of the facts and circumstances relevant to the allegation and the complaint or disclosure and shall include documents acquired during the course of the investigation, including summaries of interviews conducted. The report may include a recommendation as to the disposition of the complaint.

(f) CORRECTION OF RECORDS WHEN PROHIBITED ACTION TAKEN.—(1) A board for the correction of military records acting under section 1552 of this title, in resolving an application for the correction of records made by a member or former member of the armed forces who has alleged a personnel action prohibited by subsection (b), on the request of the member or former member or otherwise, may review the matter.

(2) In resolving an application described in paragraph (1), a correction board—

(A) shall review the report of the Inspector General submitted under subsection (e)(1);

(B) may request the Inspector General to gather further evidence; and

(C) may receive oral argument, examine and cross-examine witnesses, take depositions, and, if appropriate, conduct an evidentiary hearing.

(3) If the board elects to hold an administrative hearing, the member or former member who filed the application described in paragraph (1)—

(A) may be provided with representation by a judge advocate if—

(i) the Inspector General, in the report under subsection (e)(1), finds that there is probable cause to believe that a personnel action prohibited by subsection (b) has been taken (or threatened) against the member with respect to a communication described in subsection (c)(2);

(ii) the Judge Advocate General concerned determines that the case is unusually complex or otherwise requires judge advocate assistance to ensure proper presentation of the legal issues in the case; and

(iii) the member is not represented by outside counsel chosen by the member; and

(B) may examine witnesses through deposition, serve interrogatories, and request the production of evidence, including evidence contained in the investigatory record of the Inspector General but not included in the report submitted under subsection (e)(1).

(4) The Secretary concerned shall issue a final decision with respect to an application described in paragraph (1) within 180 days after the application is filed. If the Secretary fails to issue such a final decision within that time, the member or former member shall be deemed to have exhausted the member's or former member's administrative remedies under section 1552 of this title.

(5) The Secretary concerned shall order such action, consistent with the limitations contained in sections 1552 and 1553 of this title, as is necessary to correct the record of a personnel action prohibited by subsection (b).

(6) If the Board determines that a personnel action prohibited by subsection (b) has occurred, the Board may recommend to the Secretary concerned that the Secretary take appropriate disciplinary action against the individual who committed such personnel action.

(g) REVIEW BY SECRETARY OF DEFENSE.—Upon the completion of all administrative review under subsection (f), the member or former member of the armed forces (except for a member or former member of the Coast Guard when the Coast Guard is not operating as a service in the Navy) who made the allegation referred to in subsection (c)(1), if not satisfied with the disposition of the matter, may submit the matter to the Secretary of Defense. The Secretary shall make a decision to reverse or uphold the decision of the Secretary of the military department concerned in the matter within 90 days after receipt of such a submittal.

(h) REGULATIONS.—The Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, shall prescribe regulations to carry out this section.

(i) DEFINITIONS.—In this section:

(1) The term "Member of Congress" includes any Delegate or Resident Commissioner to Congress.

TT-L-0559/OSD/8362

(2) The term "Inspector General" means any of the following:

(A) The Inspector General of the Department of Defense.

(B) The Inspector General of the Department of Transportation, in the case of a member of the Coast Guard when the Coast Guard is not operating as a service in the Navy.

(C) Any officer of the armed forces or employee of the Department of Defense who is assigned or detailed to serve as an Inspector General at any level in the Department of Defense.

(3) The term "unlawful discrimination" means discrimination on the basis of race, color, religion, sex, or national origin.

(Aug. 10, 1956, ch. 1041, 70A Stat. 80; Oct 19, 1984, P.L. 98-525, § 1405(19), 98 Stat. 2622; revised in its entirety P.L. 100-456, § 846(a), Sept. 29, 1988, 102 Stat. 2027; P.L. 101-225, § 202, Dec. 12, 1989, 103 Stat. 1910; P.L. 103-337, § 531(a)-(g), Oct. 5, 1994, 108 Stat. 2756-2758; P.L. 105-261, § 933, Oct. 17, 1998, 112 Stat. 2107; P.L. 106-398, § 1[903], Oct. 30, 2000, 114 Stat. 1654, 1654A-224.)

§ 1035. Deposits of savings

(a) Under joint regulations prescribed by the Secretaries concerned, a member of the armed forces who is on a permanent duty assignment outside the United States or its possessions may deposit during that tour of duty not more than his unallotted current pay and allowances in amounts of $5 or more, with any branch, office, or officer of a uniformed service. Amounts so deposited shall be deposited in the Treasury and kept as a separate fund, and shall be accounted for in the same manner as public funds.

(b) Interest at a rate prescribed by the President, not to exceed 10 percent a year, will accrue on amounts deposited under this section. However, the maximum amount upon which interest may be paid under this subsection to any member is $10,000, except that such limitation shall not apply to deposits made on or after September 1, 1966, in the case of those members in a missing status, during the Vietnam conflict, the Persian Gulf conflict, or a contingency operation. Interest under this subsection shall terminate 90 days after the member's return to the United States or its possessions.

(c) Except as provided in joint regulations prescribed by the Secretaries concerned, payments of deposits, and interest thereon, may not be made to the member while he is on duty outside the United States or its possessions.

(d) An amount deposited under this section, with interest thereon, is exempt from liability for the member's debts, including any indebtedness to the United States or any instrumentality thereof, and is not subject to forfeiture by sentence of a court-martial.

(e) The Secretary concerned, or his designee, may in the interest of a member who is in a missing status or his dependents, initiate, stop, modify, and change allotments, and authorize a withdrawal of deposits, made under this section, even though the member had an opportunity to deposit amounts under this section and elected not to do so. Interest may be computed from the day the

snowflake

April 2, 2002 6:35 AM

TO: Dov Zakheim

CC: Paul Wolfowitz

FROM: Donald Rumsfeld

SUBJECT: Hurricane Hunters

322

Why don't we go ahead and get that hurricane hunting group that exists down in the Caribbean moved over to NOAA, along with the airplanes that we have, and kick that responsibility over there for the future.

Thanks.

DHR:dh
040202-3

Please respond by 4/26/02

SECDEF HAS SEEN

APR 25 2002

→ Sec Def

4/23

4/24

Response attached suggests it cannot be done before next year. Recommend you approve it, but press for any action that could be accomplished this year.

4/23

4/23

11-L-0559/OSD/8364 U07349 /02

THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

ACQUISITION, TECHNOLOGY AND LOGISTICS

INFO MEMO

April 25, 2002, 1:00 PM

FOR: SECRETARY OF DEFENSE

DepSec Action_____

FROM: E. C. Aldridge, Jr., UNDER SECRETARY OF DEFENSE (AT&L)

SUBJECT: Suicide Bombers

- You commented "How to deal with suicide bombers is something that ought to be in the DPG." (TAB A) Here are some thoughts.

- Generally speaking, we need a number of elements to deal with suicide bombers.

  - Intelligence before it happens or attribution to groups afterward.
  - Physical protection which consists of detection and hardening.

- The intelligence portion is being addressed via the various counter-terrorism initiatives. Physical security including detection and hardening is being addressed for similar reasons. What is missing are technology efforts that could provide explosives stand-off detection for uncooperative objects. (We can now detect certain size explosives very well when objects are being scanned, as we do in airports for passenger and baggage checks, and the objects pass through circular scanners.)

- I propose putting something in the DPG that encourages research for explosives stand-off sensors. We already have a good start there in trying to locate and defeat non-metallic mines and new research could serve both purposes.

- I have submitted the following proposed DPG language:
  "The Military departments, with Army lead, shall embark on a stand-off explosives detection technology program and present a technology plan to USD(AT&L)/DDR&E by September 2002. The remote sensors will address the terrorist bomber threat."

RECOMMENDATION: For information. No action required.

Prepared By: Dr. Spiros G. Pallas, Acting D,S&TS (b)(6)

snowflake

April 8, 2002 7:54 AM

TO: Pete Aldridge

FROM: Donald Rumsfeld

SUBJECT: Suicide Bombers

Please take a look at this memo I sent Steve Cambone.

Would you please get back to me on that subject?

Thanks.

Attach.
04/01/02 SecDef memo to PDUSD(P), "Suicide Bombers" [040102-43] 2800-2002

DHR:dh
040802-12

Please respond by 04/26/02

snowflake

April 1, 2002 5:19 PM

TO: Steve Cambone

CC: Paul Wolfowitz
Gen. Myers
Gen. Pace

FROM: Donald Rumsfeld

SUBJECT: Suicide Bombers

How to deal with suicide bombers is something that ought to be in the DPG. We need to get people working on that. That is an asymmetrical threat that we are going to have trouble with in the years ahead.

Thanks.

DHR:dh
040102-43

Please respond by 04/19/02

snowflake

April 8, 2002 7:54 AM

TO: Pete Aldridge

FROM: Donald Rumsfeld

SUBJECT: Suicide Bombers

Please take a look at this memo I sent Steve Cambone.

Would you please get back to me on that subject?

Thanks.

Attach.
04/01/02 SecDef memo to PDUSD(P), "Suicide Bombers" [040102-43] 2800-2002

DHR:dh
040802-12

Please respond by 04/26/02

000.5

8 Apr 02

snowflake

April 1, 2002 5:19 PM

TO: Steve Cambone

CC: Paul Wolfowitz
Gen. Myers
Gen. Pace

FROM: Donald Rumsfeld

SUBJECT: Suicide Bombers

How to deal with suicide bombers is something that ought to be in the DPG. We need to get people working on that. That is an asymmetrical threat that we are going to have trouble with in the years ahead.

Thanks.

DHR:dh
040102-43

Please respond by 04/19/02

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

COMPTROLLER

INFO MEMO

April 25, 2002, 6:12 PM

FOR: SECRETARY OF DEFENSE

FROM: Dov S. Zakheim APR 26 2002

SUBJECT: Officers Travel Card Debt

- As you will recall, in mid-March you tasked me to look into charge card problems within the Department. In response, I established a Task Force to examine our charge card operations and recommend reforms. The Task Force includes representatives from the Military Services, OSD, DoD Inspector General, Defense Criminal Investigation Service, Office of Management and Budget, Office of Personnel Management, and Department of Justice. We are making excellent progress, and we will provide you a complete report by the end of May.

- Following are areas that the Task Force is pursuing (more details are at Tab A):

  - Compliance – strengthen internal controls to prevent misuse of charge cards, and ensure the appropriate disciplinary and criminal processes are in place to punish misuse. Specific priorities include:

    - Expand and enforce pecuniary liability for cardholders and supervisors;

    - Strengthen compliance language in regulations, including making charge card abuse a crime under the UCMJ;

    - Increase use of automated surveillance techniques and data mining;

- Examine additional avenues to prosecute cases of fraud.

➢ Process – improve internal processes to enhance charge card management. For example, not all DoD organizations are using available electronic billing tools, even though these tools could aid in reducing payment delinquencies and improving supervisory oversight.

➢ Culture and Workforce – make changes in the Department's culture or workforce that will improve the management of charge card programs; ensure our workforce is properly trained and shaped to provide skills commensurate with the responsibilities assigned under these programs.

- Our previous Info Memo to you showed that, of the 708 officers who were delinquent on their accounts, Bank of America is not pursuing salary offset on 283 accounts (Tab B). Among the reasons the Bank would not request salary offset are: the account was paid in full subsequent to the submission of its original delinquent list in December 2001 (we know this is the case with 31 accounts); the Bank has submitted the account to a private debt collection service; the Bank and cardholder reached a repayment agreement; or the account was of small dollar value, and the Bank wrote it off.

- I will investigate and respond to your suggestion on retroactive changes to the discharge of an officer who has an outstanding travel card balance.

COORDINATION: None.

Attachment: As stated

Prepared By: Jim Dominy, (b)(6)

TAB

A

Charge Card Task Force – Status
As Of April 22, 2002

Purchase Card Concept of Operations Study

- Meetings held April 9-11, 2002, number of action items being worked
- Will report out Purchase Card PMO/ Task Force around May 9, 2002
- End-to-end look at process is providing many insights into problem areas

Status of Ongoing Charge Card Action Items

- Pecuniary Liability
  - Legislation to apply pecuniary liability to accountable officials sent to Congress
  - OGC working to define legal responsibilities of certifying & accountable officials
    - Duplicate payments, goods not received, etc. (GSA)
    - Inappropriate use
  - Appropriate FMR revisions drafted and being staffed
  - Need to complete discussion on who should grant relief from liability

- Strengthen Compliance Language in Existing Regulations
  - Second draft of FMR changes prepared, comments due back in one week
  - Includes punitive language for misuse of travel and purchase cards (to include making credit card abuse a crime under UCMJ)

- Surveillance/Data Mining
  - Initial focus on Purchase Card
  - Initial set of 38 indicators
  - Selected 13,393 transactions ($38 million) from 2,066 cardholders for review
    - Field reviews of transactions May 6 – July 31, 2002
  - Focus Fraud Group meeting April 23, 2002 will look at how similar process can be applied to Travel Cards

- Offsets Against Civilian Retirees
  - Language drafted and reviewed, to be forwarded to Legislative Reference Service this week

- Metrics/Success Factors
  - Working with Data Mining group to derive more incisive metrics

Charge Card Task Force – Status
As of April 22, 2002

Purchase Card Concept of Operations Study

- Meetings held April 9-11, 2002, number of action items being worked
- Will report out Purchase Card Program Management Office/Task Force around May 9, 2002
- End-to-end look at process is providing many insights into problem areas

Status of Ongoing Charge Card Action Items

- Pecuniary Liability
  - Legislation to apply pecuniary liability to accountable officials sent to Congress
  - Office of the General Counsel (OGC) working to define legal responsibilities of certifying & accountable officials
    - Duplicate payments, goods not received, etc. (General Services Administration)
    - Inappropriate use
  - Appropriate revisions to the Financial Management Regulation (FMR) drafted and being staffed
  - Need to complete discussion on who should grant relief from liability

- Strengthen Compliance Language in Existing Regulations
  - Second draft of FMR changes prepared, comments due back in one week
  - Includes punitive language for misuse of travel and purchase cards (to include making credit card abuse a crime under the Uniformed Code of Military Justice (UCMJ)

- Surveillance/Data Mining
  - Initial focus on Purchase Card
  - Initial set of 38 indicators
  - Selected 13,393 transactions ($38 million) from 2,066 cardholders for review
    - Field reviews of transactions May 6 – July 31, 2002
  - Focus Fraud Group meeting April 23, 2002 will look at how similar process can be applied to Travel Cards

- Offsets Against Civilian Retirees
  - Language drafted and reviewed
  - Will be forwarded to Legislative Reference Service (LRS) by April 26, 2002

- Metrics/Success Factors
  - Working with Data Mining group to derive more incisive metrics

11-L-0559/OSD/8374

- Increased Prosecution of Cases of Fraud
  - Defense Criminal Investigative Service (DCIS) has solicited support of numerous U.S. attorneys throughout the United States, who are receptive to considering purchase card cases for criminal prosecution
  - In instances where cases may not be prosecuted by a local U.S attorney, cases may be referred to Public Integrity Section, Department of Justice
  - Cases declined for criminal prosecution may be pursued for civil action under Affirmative Civil Enforcement Division of local U.S. Attorneys
  - Civil prosecution may also be undertaken by DoD itself under Program Fraud Civil Remedies Act
    - Procedures in place
    - OGC working with the Office of Personnel Management (OPM) to identify Administrative Law Judges (ALJs) from other agencies who are available on a reimbursable basis
    - Attempting to determine potential number of cases, then negotiating Memoranda of Understanding (MOUs) for use of ALJs
  - Other prosecution options available include:
    - Suspension/debarment against vendors engaged in fraudulent activity
    - Prosecution under UCMJ
    - Prosecution in state and local courts

- Accelerated Electronic Billing for Purchase Cards
  - Letter drafted, in coordination
  - Concern about making this mandatory (especially Navy), when other planned systems may provide same/enhanced capability
  - Decision deferred until completion of Purchase Card Concept of Operations Study

- Culture/Command Interest
  - Letter from Secretary of Defense has completed first round of coordination
  - Will go out for second round coordination on April 26, 2002

- Workforce Development
  - Being worked in Purchase Card Concept of Operations

- Electronic Training Material
  - Initial funding ($30,000 – $60,000) being identified
  - Meeting to be set up to work out formats, etc

11-L-0559/OSD/8375

- Suspension of Security Clearances
  - Procedures are in place to suspend/revoke/deny security clearances in cases of financial improprieties
  - Agreement that security clearance actions are not to be used as punishment, but may be the consequence of charge card abuse
  - Work still ongoing to determine if appropriate feedback loops exist to notify security managers of cases of credit card abuse

- Definition of Infrequent Traveler
  - Survey of Services/Agencies determined that only Navy, The Joint Staff, DoD Inspector General, and DoD Education Activity support changing definition
  - These agencies will submit formal request for waiver to raise definition of infrequent traveler from two trips per year to four

Emerging Issues

- Additional Audits
  - General Accounting Office performing audits of Army, Air Force
  - Army Audit due June 2002
    - Requested details on 50 travel vouchers
    - Looking at travel for conferences

- Office of Management and Budget (OMB) Letter, Use of Government Purchase and Travel Cards (April 18, 2002)
  - Addressed charge card abuse government-wide
  - Actions required
    - Review adequacy of internal controls
    - Immediate administrative action against employee found to have abused purchase or travel card privilege
    - Prepare remedial action plan, to include examination of number of cards issued (due June 1, 2002)

Status of Legislation

- Departmental Accountable Officials in DoD: Sent to Congress (Sec. 911)
- Mandatory Salary Offset: Treasury now concurs. LRS is checking with OMB to see if they have received Treasury's concurrence
- Mandatory Split Disbursement: LRS is waiting for authorization to forward to OMB (should go by April 26, 2002)
- Salary Offset for Civilian Retirees: Legislation being drafted by Office of the Under Secretary of Defense (Personnel and Readiness); should go to LRS by April 26, 2002

11-L-0559/OSD/8376

TAB

B

snowflake

April 23, 2002 8:32 AM

TO: Dov Zakheim

CC: Jim Haynes
Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Delinquent Travel Card Debt

With the people who have left the service and have no current or future pay due, therefore we cannot deduct pay, I suggest we give consideration to notification and possible changes in the nature of their honorable discharges. People who welch on debts should not have an honorable discharge. Notification to that effect might lead to prompt repayment.

I don't understand the fourth category—please explain.

This process needs to be tightened up. Your memo does not propose the actions that are needed. I don't know who is in charge. Larry, please find out who is, and tell them this is not satisfactory. We need an action plan fast.

Thanks.

Attach.
04/19/02 USD(C) info memo to SecDef re: Review of Military Officers Delinquent on Travel Card Debt

DHR:dh
042302-7

Please respond by 05/17/02

449
1730

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

SECDEF HAS SEEN

APR 23 2002

INFO MEMO

COMPTROLLER

April 19, 2002, 5:08 PM

FOR: SECRETARY OF DEFENSE

FROM: Dov S. Zakheim

SUBJECT: Review of Military Officers Delinquent on Travel Card Debt

- April 1, 2002, the Secretary requested a report on 700 officers who supposedly defaulted on their credit card. On March 18, 2002, Senator Grassley and Congressman Horn sent you a list of military officers who defaulted on $1.3 million of Travel Card charges. The list provided was as of December 2001. The Defense Finance and Accounting Service (DFAS) obtained an updated list (as of March 2002) from Bank of America (Bank) and conducted a review to determine the status of each account. The results of their review are as follows:

	Army	Navy	Marine Corps	Air Force	Total
Can Deduct from Current Pay	202	42	12	18	274
Can Deduct from Future Pay	8	2	0	3	13
Pay Deductions Not Possible*	82	9	21	26	138
Not Submitted For Pay Action/ Request Withdrawn by Bank	198	44	14	27	283
Total	**490**	**97**	**47**	**74**	**708**

we should tighten this. Dirkte

*Members left service with no current or future pay due to member.

- Of the $1.0 million still delinquent as of March 2002, one-half will be collected for the Bank through payroll action by DFAS.

- The 283 accounts not submitted represent accounts paid in full between December and March, accounts where the officer agreed to a payment plan, or accounts where the Bank chose to utilize a debt collection service or write off the balance.

snowflake

2002 APR -4 AM 7:17

April 1, 2002 6:44 PM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Officers and Credit Cards

4/22 Larry Di Rita

I need a report on the 700 officers who supposedly defaulted on their credit cards. Please find out from Dov what the status is.

Thanks.

DHR:dh
040102-50

Please respond by 04/12/02

4/19
Response attached

Larry Di Rita
4/22 4/22

snowflake

April 23, 2002 8:32 AM

TO: Dov Zakheim

CC: Jim Haynes
Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Delinquent Travel Card Debt

2487

With the people who have left the service and have no current or future pay due, therefore we cannot deduct pay, I suggest we give consideration to notification and possible changes in the nature of their honorable discharges. People who welch on debts should not have an honorable discharge. Notification to that effect might lead to prompt repayment.

I don't understand the fourth category—please explain.

This process needs to be tightened up. Your memo does not propose the actions that are needed. I don't know who is in charge. Larry, please find out who is, and tell them this is not satisfactory. We need an action plan fast.

Thanks.

Attach.
04/19/02 USD(C) info memo to SecDef re: Review of Military Officers Delinquent on Travel Card Debt

DHR:dh
042302-7

Please respond by 05/17/02

23APR02

snowflake

2

April 25, 2002 8:49 AM

015

TO: Honorable Colin Powell
Honorable George Tenet
Honorable Condoleezza Rice

FROM: Donald Rumsfeld

SUBJECT: ICC

Attached is an article from today's paper that points up the risks of the International Criminal Court and what we are facing.

Thanks.

Attach.
"Kissinger: Errors Possibly Made"

DHR:dh
042502-1

25APR02

U07443 /02

EUROPE

Kissinger: Errors Possibly Made

LONDON—Former secretary of state Henry A. Kissinger said it was "quite possible" that mistakes were made by administrations in which he served but questioned whether it was appropriate to revisit those errors in court.

As Kissinger addressed a business convention in London, dozens of protesters demonstrating outside the conference hall accused him of war crimes for his role in Vietnam, Laos and Cambodia.

Kissinger said at the gathering that it would be impossible for him to remember all of the thousands of decisions he made in office.

"No one can say that he served in an administration that did not make mistakes," he said. "The decisions made in high office are usually 51-49 decisions, so it is quite possible that mistakes were made."

"The issue is whether 30 years after the event courts are the appropriate means by which determination is made," he said.

Kissinger, who is resisting a request by Spain for questioning about his alleged knowledge of a plot by Latin American dictators to eliminate dissidents in the 1970s and 1980s, ignored protesters waving a large effigy of him and chanting "war criminal."

Associated Press

April 27, 2002

To: Secretary of Defense

From: Pete Aldridge

Subject: Request from Senator Kyl

You asked for a "fill-in" when we figured out how we were going to respond to Senator Kyl's request. That request was related to restructuring the SBIRS-Low space system (Tab A).

You may recall that we found that SBIRS-Low was not executable program on its then current schedule and funding profile. Congress cut the FY02 funds from $385 million to $250 million. Senator Kyl has a high interest in this program and wanted to ensure that it was adequately funded. He had suggested that we request additional funds in the FY02 Supplemental, but we decided that the supplemental was not appropriate for this purpose.

In the meantime, we have restructured SBIRS-Low, formed a new contractor team, implemented an evolutionary, spiral development acquisition strategy, and developed a new schedule and funding profile. This new program does require an additional $13.4 million in FY02. The Missile Defense Agency will reprogram this amount from their existing resources.

I have informed Senator Kyl of this plan and he seems satisfied. I have also informed Cong. Lewis, who has had high interest in this program, and he too is satisfied.

Action: None. Information only.

Attachment

snowflake

March 15, 2002 8:49 AM

TO: Pete Aldridge

FROM: Donald Rumsfeld DR

SUBJECT: Request from Senator Kyl

Please give me a fill-in when you figure out how you are going to respond to the request Jon Kyl made.

Thanks.

DHR:dh
031502-15

Please respond by 04/02/02

re: Paying for NBCP low shortfall ($30M) from MDA appropriations

snowflake

March 15, 2002 8:49 AM

TO: Pete Aldridge

FROM: Donald Rumsfeld DR

SUBJECT: Request from Senator Kyl

Please give me a fill-in when you figure out how you are going to respond to the request Jon Kyl made.

Thanks.

DHR:dh
031502-15

Please respond by 04/02/02

re: Paying for BRAC law shortfall ($50m) from MILCON reprogramming

47146

15 Mar 02

snowflake

April 24, 2002 8:02 AM

TO: Honorable George Tenet

FROM: Donald Rumsfeld

SUBJECT: Drugs

I think you might give some thought to working with the UK to see if we can interdict some of the drugs that are going to be leaving Afghanistan. If I can be helpful, please let me know.

Apparently, we are having uneven success with respect to the goal of destroying the crop. That suggests that some of the crop is going to be moving out, and I would think we would want to try to stop it. The Brits have the biggest interest in doing that.

Regards.

DHR:dh
042402-2

000.5

24APR02

April 29, 2002 2:35 PM

via Cable

TO: ADM Blair

FROM: Donald Rumsfeld

Thanks so much for the helpful cable on your meeting with PRC VP Hu Xintao.

Regards,

DHR:dh
042902.19

3355D

20 Apr 02

U07494 /02

Snowflake

#227

April 3, 2002 11:41 AM

JS

TO: Gen. Myers
Doug Feith

FROM: Donald Rumsfeld DR

SUBJECT: Backfill

Yesterday in the PC, we discussed why, given the war on terrorism, we have not used backfill for Kosovo and Bosnia, when so many countries offered to help us.

Let's get CENTCOM and EUCOM focused on this and figure out what we do to take advantage of it fast.

Thanks.

DHR:dh
040302-12

Bosnia

Please respond by 04/12/02

3 Apr 02

02 APR 5 7:22 AM

Tab A

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

INFO MEMO

May 1, 2002, 1:00 PM

FOR: SECRETARY OF DEFENSE

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

SUBJECT: Inspector General Support to the Business Initiative Council

- Under the Inspector General Act, the Inspector General of the Department of Defense is "the principal advisor to the Secretary of Defense for matters related to the prevention and detection of fraud, waste, and abuse in the programs and operations of the Department." Given the obvious overlap of this statutory role with the mission of your Business Initiative Council (BIC), I have already informally offered my office's resources to assist the BIC in its efforts "to improve the efficiency of the Department of Defense business operations by identifying and implementing business reform actions which allow savings to be reallocated to higher priority efforts" (BIC Charter, dated August 9, 2001).

- In addition to suggesting management improvement initiatives, the knowledge and capabilities of this office could be highly useful to the BIC in terms of evaluating the merit of proposed initiatives and providing advice on the management controls and performance measures needed for successful implementation.

- As you acknowledged in your September 10, 2001, Bureaucracy to Battlefield speech:

  > "Change is hard. It's hard for some to bear and it's hard for all of us to achieve . . . . The old adage that you get what you inspect, not what you expect, or put differently, that what you measure improves, is true."

- As your Inspector General and "principal advisor . . . for matters related to the prevention and detection of fraud, waste, and abuse in the programs and operations of the Department," I am proactively committed to improving the prospects for management reform success. My office is prepared to provide independent feedback on the status of individual initiative implementation efforts, ways to overcome barriers to implementation, and actual results.

- The attachment demonstrates the direct overlap of a number of BIC initiatives with recent activities of my office.

COORDINATION: USD(AT&L), April 30, 2002

Attachment:
As stated

SUBJECT: Inspector General Support to the Business Initiative Council

cc: Secretary of the Army
Secretary of the Navy
Secretary of the Air Force
Under Secretary of Defense (Acquisition, Technology and Logistics)
Under Secretary of Defense (Comptroller)
Under Secretary of Defense (Personnel and Readiness)
Vice Chairman, Joint Chiefs of Staff

Examples of Inspector General, DoD, Activities Related to BIC Initiatives

BIC Initiative 4: Recovery Auditing

Description: Use contingency fee audit services contracts to identify and recover overpayments in Working Capital Funds to providers of goods and services.

IG Activity: IG staff, along with OUSD(Comptroller) and Defense Contract Audit Agency representatives, are on an Office of Management and Budget task force on recovery auditing. Careful monitoring of DoD efforts to expand recovery auditing will be needed, because pilot programs were not particularly successful.

BIC Initiative 6: Web-based Invoice/Receipt Processing

Description: To reduce the occurrence of incorrectly prepared or missing receiving reports and to move toward a paperless process, use existing automated systems so that DFAS can pay vendors more quickly and accurately.

IG Activity: In IG Audit Report D-2002-018, Development and Implementation of Wide Area Workflow - Receipts and Acceptance, November 2001, we discussed implementation problems encountered by the computer application that had been under development since 1997 for this purpose. We plan continuing audit coverage of DoD disbursement operations.

BIC Initiative 15: Improve Interservice Product Quality Deficiency Report (PQDR) Business Process

Description: Develop and implement a methodology to seamlessly share PQDR data across all Services and Agencies.

IG Activity: The IG has been recommending improvements to the PDQR business process since 1994 and there have been numerous audit reports on related issues. Currently we are conducting a new series of audits on continued problems in reacting promptly and effectively to indications of poor quality equipment and supplies in DoD inventories. Given the poor track record for PQDR reforms over the years, close monitoring of this BIC initiative's implementation would be particularly advisable.

BIC Initiative 22: Streamline Contract Close-Out Process

Description: Initially close 400 contracts that are overdue for close-out and, using lessons learned, develop new business practices for the contract close-out community.

IG Activity: We have issued three audit reports during the past six months on contract close-out problems in various DoD organizations. The findings and recommendations may be helpful in developing lessons learned. Accelerating the close-out process is a very worthwhile goal, but it will be important to avoid statutory violations and other pitfalls. Therefore continued audit coverage of this initiative's progress and the effectiveness of applicable management controls would be useful.

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

PERSONNEL AND READINESS

INFO MEMO

May 1, 2002 – 12:00 PM

FOR: SECRETARY OF DEFENSE

FROM: DAVID S. C. CHU, UNDER SECRETARY OF DEFENSE (PERSONNEL AND READINESS) David S. C. Chu 2 May 02

SUBJECT: PPB a Joke?

- A third of the "plumbing" in the chart you circulated (Tab A) reflects not PPB but a variety of documents whose content might usefully be considered in its deliberations (most of the entries in red). There's a useful question whether all those are needed, or needed so frequently (e.g., National Security Strategy – once an administration should ordinarily be enough).

- The chart is also more complex than it need be by trying to show how three sequential budgets intersect (03, 04, and 05), and by trying to show processes, actors, and products on one page. The underlying process is actually quite simple: you (and the President) give your guidance, the Military Departments submit their program proposals (POMs), you review them (program review), and a budget is produced.

- But the burdens could be substantially reduced if we moved to a biennial budget (tried before, rejected by the Congress), and automated production of the budget based on your program decisions (there's no reason to reproduce these manually as the Budget Estimate Submission, as is currently the case).

RECOMMENDATION: None required.

COORDINATION: None required.

Attachment: As Stated

Prepared by: Captain Stephen Wellock, (b)(6)

11-L-0559/OSD/8394 1107677 /02

TAB

A

snowflake
snowflake

April 23, 2002 7:58 AM

TO: Under Secretaries
Service Secretaries
Chairman, JCS
Vice Chairman, JCS
Service Chiefs
PDUSD(P)

FROM: Donald Rumsfeld DR

SUBJECT: PPB System

Attached is a chart that was used in a briefing recently to explain the Defense PPB system.

When I saw it, I asked if it was a joke. It turns out it is apparently not meant to be a joke.

It struck me that those of us in the Senior Review Group ought to think about whether maybe it is a joke, even though it is not intended to be one.

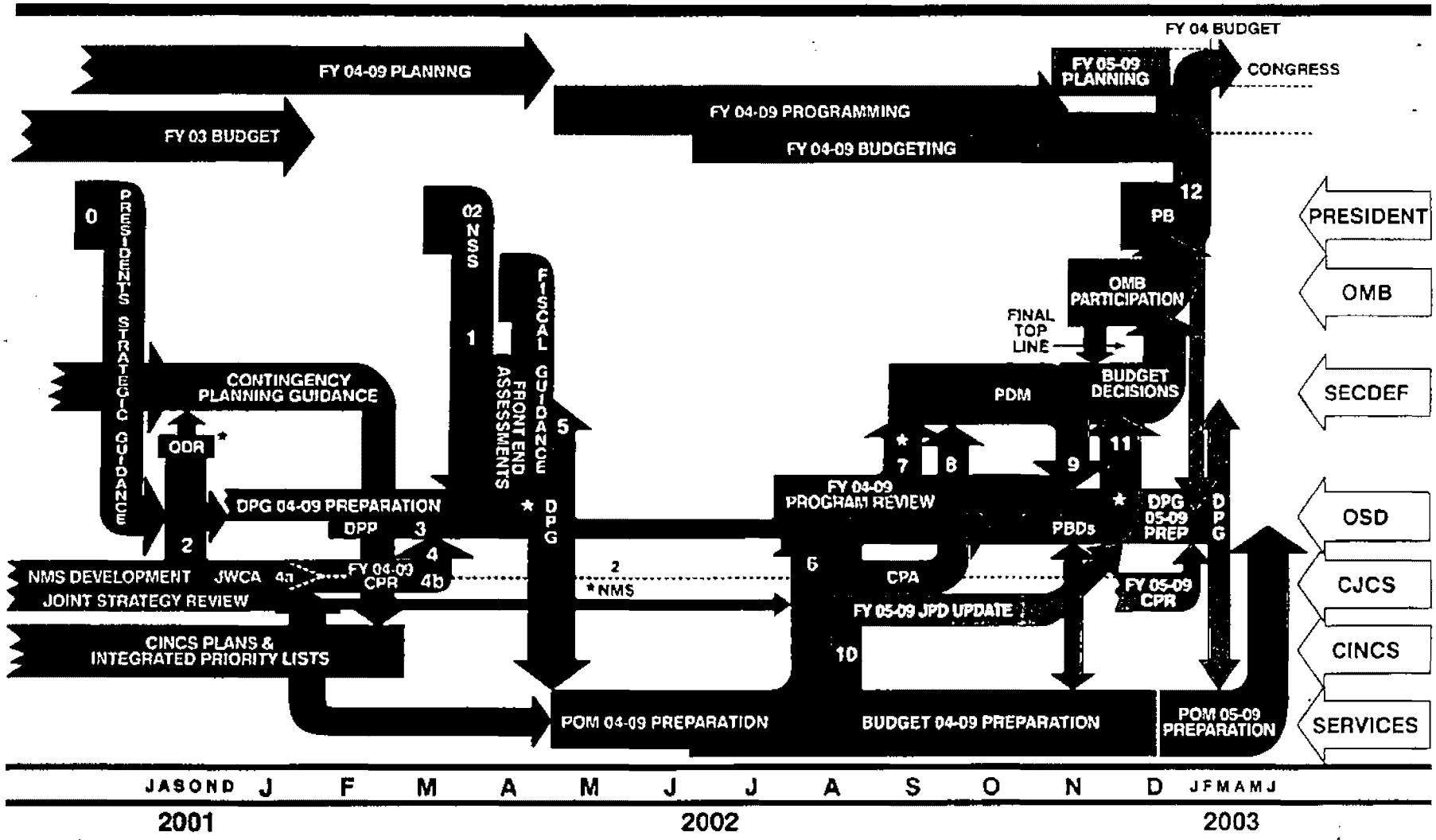
Regards,

Attach.
2/02 Defense PPB System slide

DHR:dh
042302-1

Please respond by _____

DEFENSE PPB SYSTEM



0. President's Strategic Guidance
1. National Security Strategy
2. JSR/National Military Strategy
3. Defense Program Projection
4a. Joint Warfighting Capabilities Assessment
4b. Chairman's Program Recommendations

5. Defense Planning Guidance
6. Program Objectives Memoranda
7. Program Review
8. Chairman's Program Assessment

9. Program Decision Memoranda
10. Budget Estimate Submissions
11. Program Budget Decisions
12. President's Budget

★ Potential Defense Resources Board (DRB)/Expanded DRB
★ Quadrennial Defense Review (QDR) & Revised NMS

2/02 GS
OUSD
OUSD
ODPA&E
OUSD(C)

snowflake

4/10/02

April 9, 2002 9:56 AM

TO: David Chu

FROM: Donald Rumsfeld DR

SUBJECT: Promotion Process

210

I am concerned about the promotion process—from the Services, to the OSD, to me, to the White House, to the Hill.

I have a feeling we have a zero defect mentality, and it is going to create a cadre of senior uniformed officers who aren't going to be the right ones.

Please come back to me and describe the process, and what we can do to fix it.

Thanks.

DHR:dh
040902-11

Please respond by 05/03/02

9 Apr 02

Snowflake

EF1010

March 29, 2002 7:58 AM

UK

TO: Doug Feith

FROM: Donald Rumsfeld

SUBJECT: U.S. and UK

I want to make sure the U.S. and the UK are wired together before we go to this next NATO meeting. We ought to do that on as many issues as possible.

I should have some correspondence and possibly a phone call with Geoff Hoon beforehand, so we are on the same wavelength.

Thanks.

DHR:dh
032902-13

Please respond by 04/12/02

4/5

To: USD(P)

Also, are there any other NATO allies we should spend some additional time with (Italy?, Poland?) Secdef asked about it and we should consider as prep for the June meetings.

04-03-02 15:50 IN

Larry Di Rita

29 MAR 02

11-L-0559/OSD/8399

Snowflake

May 9, 2002 2:22 PM

TO: Doug Feith

FROM: Donald Rumsfeld DR

SUBJECT: Portugal

NATO 322

I just looked at this J.D. Crouch memo. I have amended it at the bottom.

I thought we put in place a process to solve this through NATO. The letter seems not to know that. Why not?

Thanks.

Attach.
04/30/02 ASD(ISP) Action Memo to SecDef, Letter to Portuguese Minister of Defense [U07718/02]

DHR dh
050902-10

Please respond by [illegible]

9 May 02

11-L-0559/OSD/8400 U07718A/02

ASSISTANT SECRETARY OF DEFENSE
2600 DEFENSE PENTAGON
WASHINGTON, DC 20301-2600

INTERNATIONAL SECURITY POLICY

SECDEF HAS SEEN 2002 MAY -3 PM 12:43

MAY 09 2002

~~005326~~
I-02/~~006051-NATO~~
I-02/006051

ACTION MEMO

TO: SECRETARY OF DEFENSE

FROM: J.D. CROUCH, II, ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY POLICY

APR 30 2002

SUBJECT: Letter to Portuguese Minister of Defense

- Portuguese Minister of Defense Rui Pena sent you a letter expressing concern over the Unified Command Plan (UCP), and the extent to which it will affect the NATO Strategic Allied Command Atlantic (SACLANT). (TAB B)
- In particular, Minister Pena believes that an American General Officer should continue as SACLANT so as to demonstrate U.S. commitment to NATO's Integrated Command Structure.
- Minister Pena opined also that a decision to eliminate SACLANT and have a single strategic command located in Europe would produce negative results for NATO decision-making on military issues generally.
- Attached for your review and signature is a draft reply to Minister Pena. (TAB A)
  - The draft response expresses our commitment to have NATO decide the future of SACLANT.
  - I suggest you use the response as an opportunity to garner Mr. Pena's support for our position.

RECOMMENDATION: Sign the attached letter to Minister Pena.

SecDef Decision:

_____ Agree (Sign the Letter)

_____ Other

Attachments

TAB B: Portuguese MOD Letter
TAB A: Letter to Portuguese MOD
TAB C: Coordinations

SPL ASSISTANT DI RITA	
SR MA GIAMBASTIANI	5/9
MA BUCCI	
EXECSEC WHITMORE	5/6

PRS/PRD ITEMS
DATE RECEIVED IN OSD: 4/4/02
SUSPENSE DATE: 4/12/02
RECEIVED IN C&D: 5/3/02
DAYS LATE: 21

U07718 /02
04-30-02 14:22 IN
04-30-02 08:50 IN

Prepared by: Brice F. Harris, ISP/NATO, (b)(6)

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

His Excellency
Rui Pena
Minister of National Defence
Portugese Republic

Dear Minister Pena:

Thank you for your letter regarding NATO and the future of the Alliance's Command Structure.

The changes to the Unified Command Plan (UCP) that I announced on April 17 will realign and streamline the U.S. military structure to better address 21st century requirements. Under the UCP, U.S. Joint Forces Command (JFCOM) no longer will have responsibilities for homeland defense, but will focus on transformation.

Although it is our intention to divest the Commander, JFCOM of his duties as NATO Supreme Allied Commander Atlantic (SACLANT), we recognize that SACLANT is a NATO Command and its future must be decided ~~by consensus~~ within the Alliance.

I look forward to seeing you at the Defense Ministerial in June.

Sincerely,

We have consulted with Secretary General Robertson and are putting in place a process within NATO to work through this issue.

We have consulted with Secretary General Robertson and are putting in place a process within NATO to work through this issue.

(b)(6)

OFFICE OF THE
SECRETARY OF DEFENSE
T-460 P.003/005 F-133
2002 APR -4 PM 3:26

S. R.

MINISTÉRIO DA DEFESA NACIONAL

GABINETE DO MINISTRO

Lisbon, 04 April 2002

His Excellency
Mr. Donald Rumsfeld
Secretary of Defence
United States of America

Dear Colleague

After SEP 11, the International Community has been confronted with some major changes, aimed at a better security environment both within the Alliance and the United States.

Due to the US domestic imperatives, the implementation of the new Unified Command Force Structure, disengaging JFCOM from ACLANT, may be one of the options, however, this option will cause the Commander to lose his SACLANT capacity with the foreseeable consequences to the current and future NATO Command Structure.

SACLANT has retained the attentions of the smaller European maritime powers for 50 years, and decisions over its future will particularly shape these countries' approaches to the Alliance.

Besides, SACLANT's phasing-out might cast some doubts in the Atlantic Allies' minds regarding the US resolve to its Transatlantic Link.

MSS. 915

S. R.

MINISTÉRIO DA DEFESA NACIONAL

GABINETE DO MINISTRO

Therefore, for the sake of this link, it is of paramount importance to have a NATO Strategic Command on United States soil. This will highlight the US permanence within the Integrated Military Structure with the subsequent stability and visibility.

Furthermore, the concentration in SHAPE of all the tasks presently committed to SACLANT, would entail the transfer of all the naval expertise to the SHAPE. This would result in an extension of the time necessary to the decision-making as well as in an increase of the bureaucratic procedures. In addition, SACLANT, as an alternative to SHAPE, provides a valuable check on military advice offered to NATO HQ.

At a time when it is foreseeable that several countries will adhere to NATO during the forthcoming Prague Summit, it is my opinion that a new setting of the military structures might have a negative impact on the NATO's cohesion.

My concern shouldn't be taken as an attempt to interfere with America's right to decide on the best way to implement the structure of its Armed Forces. However due to the consequences of this important eventual structural change, the approach should be discussed at 19.
I believe that maintaining the actual Strategic Command, ACLANT, with its Regional Structure, would be a positive solution.

S. R.

MINISTÉRIO DA DEFESA NACIONAL

GABINETE DO MINISTRO

Let me conclude by saying that I will be looking forward to the further discussion of this issue within NATO with all the Allies.

Please accept, Dear Colleague, the assurances of my highest consideration and esteem

Rui Pena
Minister of National Defence

COORDINATIONS PAGE

	Initials/Date
Deputy Assistant Secretary of Defense for European and NATO Affairs (Ian Brzezinski)	4/26
Deputy Assistant Secretary of Defense for Strategy (Andy Hoehn)	
Director of NATO Policy (Leo Michel)	LM 4/19

MAY - 2 2002

PDUSDP for USDP

ASSISTANT SECRETARY OF DEFENSE
2900 DEFENSE PENTAGON
WASHINGTON, DC 20301-2900

INFO MEMO

INTERNATIONAL SECURITY POLICY

I: 02/006355-CACERP

FOR: SECRETARY OF DEFENSE

FROM: ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY POLICY (J.D. Crouch II) APR 30 2002

SUBJECT: U.S.-Kazakhstan Bilateral Defense Consultations

- As a follow-on to your December 19 meeting with Kazakhstan's Minister of Defense Altynbaev in Brussels, Altynbaev hosted DASD Eurasia in Almaty for U.S.-Kazakhstan Bilateral Defense Consultations on April 19.
- Altynbaev viewed the consultations as an important step in increasing cooperation, and emphasized our mutual interest in Caspian security.
- Other priority areas are: increasing the mobility of their forces and education.
- Main Outcome. Agreement to focus cooperation on:
  - Development of mobile forces that are interoperable and capable of responding to Caspian energy/infrastructure security;
  - base refurbishment at Atyrau, future home of an Army Motorized Rifle Brigade in the Military Western District;
  - further professional development of Officers and Non-Commissioned Officer Corps, e.g., English language training and education; and
  - acquisition of NATO-compatible equipment.
- These activities will be funded by increased Foreign Military Financing ($5.75M in FY02 and $3M in FY03 – previous years' allocations averaged only about $2M per year) and by other DoD and State accounts.
- Next Bilateral Defense Consultations: Spring 2003.

for DASD EURASIA (Ricardel)

Prepared by Ms. Lorna Jon (b)(6) April 22, 2002

11-L-0559/OSD/8407 1107744 /02

COORDINATION PAGE

Under Secretary of Defense for Policy (Douglas Feith) 5/3/02

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

GENERAL COUNSEL

2002 MAY -3 PM 3:26

FOR OFFICIAL USE ONLY

Info Memo

April 29, 2002 4:20 PM

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel

SUBJECT: Credit Card Abuse Case

- You asked for my review of the Secretary of the Army's response to your question on how an employee could have allegedly charged personal items amounting to almost $12,000 on a government purchase and not be prosecuted.
- Although the case was not prosecuted, Army is investigating to determine what administrative action, if any, it should take in this case.
  - According to a recent GAO report dealing with credit card abuse in DoD, handwriting analysis indicated that the employee in this case had not signed the receipts for the items in question. Since the employee has denied making the purchases, this could have made criminal prosecution of the case problematic.
- Since this is still an open case, I suggest that you treat it as you would any other on-going investigation. You may receive reports on the progress of the investigation, but should not express a view on the ultimate outcome.

COORDINATION: None

Prepared by: Helen Sullivan, (b)(6)

FOR OFFICIAL USE ONLY

11-L-0559/OSD/8409

U07757 /02

GENERAL COUNSEL

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

INFO MEMO

April 11, 2002 7:30AM

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel WJHaynes 4/12/02

SUBJECT: Credit Card Abuse Case

- You asked how an employee could allegedly have charged personal items amounting to almost $12,000 on a government purchase card and not be prosecuted.
- According to a recent GAO report dealing with credit card abuse in DoD, handwriting analysis indicated that the employee in this case had not signed the receipts for the items in question.
- Since the employee has denied making the purchases, this could have made criminal prosecution of the case problematic.
- Although the individual in question was a Navy employee at the time of the purchases, she now works for the Army. The Army is conducting an investigation to determine whether disciplinary action should be taken against the employee.

4/17

COORDINATION: None → GC -

White: memo back to Secdef basically said it was too late to do anything. Secdef found that unfulfilling and asked for your review. Please advise. D. Rita

Prepared by: Helen Sullivan (b)(6)

FOR OFFICIAL USE ONLY

11-L-0559/OSD/8410
000963 702

Larry Di Rita

snowflake

March 18, 2002 1:53 PM

TO: Gordon England
Tom White

CC: David Chu
Dov Zakheim
Jim Haynes

FROM: Donald Rumsfeld

SUBJECT: Credit Card Abuse

This is very troubling. How can someone charge all these items and then not be prosecuted?

Please explain.

Thanks.

Attach.
03/18/02 Brian Faler, "GAO Calls Navy Lax on Employee Fraud," *Washington Post*

DHR:dh
031802-54

Please respond by 03/29/02

U04933-02

11-L-0559/OSD/8411

Washington Post
March 18, 2002
Pg. 15

22. GAO Calls Navy Lax On Employee Fraud

Report Cites Personal Shopping Charges

By Brian Faler, Special to The Washington Post

Scores of Navy employees at two San Diego facilities have been using government credit cards to buy their groceries. And luggage. And DVD players. And almost none of them have been punished.

The General Accounting Office, the congressional watchdog agency that has been investigating employees at the two centers, reported last week that many there have been using those cards for personal shopping sprees. And, despite previous warnings, congressional hearings and investigations, the GAO said, the Navy still isn't doing enough to stop them.

The cards, which look and work much like regular credit cards, were created to help cut down on bureaucratic red tape for government purchases of goods and services.

But GAO investigators, along with several members of Congress, say the Navy has taken the program too far, distributing the cards "willy-nilly," in the words of one senator, without any credit checks and with virtually no oversight or enforcement.

"Every shred of evidence that I have seen says that internal controls at the Pentagon are weak or nonexistent," Sen. Charles E. Grassley (R-Iowa) told the House government efficiency subcommittee last week. "That means there is an army . . . authorized to spend money with no checks and balances. The potential for abuse and fraud is virtually unlimited."

Grassley and Rep. Stephen Horn (R-Calif.), chairman of the House panel, have asked the GAO to expand its probe in the Defense Department to determine whether there is a larger problem of credit card abuse. The GAO has reported on similar problems at the Education Department.

Officials representing the Defense Department, as well as others representing the two Navy centers, acknowledged at the subcommittee hearing that credit card fraud continues to be a problem among employees, but they said they are clamping down on the abuses.

"We are painfully aware of the issues of purchase cards, and I am here personally to commit that we will make sure these cards are used appropriately," said Deidre Lee, a defense procurement official.

Lee and other defense officials blamed the two naval facilities' previous management for the lax enforcement and said that officials have since reduced the number of cards circulating and have expanded the offices responsible for overseeing the accounts.

There are now 1.7 million Defense Department cards in circulation. Cards were used during fiscal 2001 to ring up $9 billion in charges. Some charges are billed directly to the federal government; most are sent to the individual cardholder, who, after paying the bill, is supposed to be reimbursed by his or her agency. Most cards have a credit limit of $2,500 per transaction.

At last week's hearing, Grassley cited one woman, Tanya Mays, as a particularly egregious offender at the Navy Public Works Center in San Diego. He said that, according to GAO records, Mays charged almost $12,000 to her government card -- including a personal computer, a kitchen range,gift certificates and clothing. Both the Navy and the U.S. attorney in San Diego declined to pursue her case, Grassley said, and Mays transferred to the Army, where she is now a budget analyst. She was not asked to repay the money, he said.

Mays could not be reached for comment. The Post e-mailed her and asked the Army's press office to forward its requests to her. The office declined to provide Mays's phone number, saying it was private. They added that because she was never prosecuted, they have no record of the alleged improprieties.

Grassley said he named Mays out of frustration, adding, "When you put one of these cards under the microscope, it seems like the whole problem comes into much sharper focus."

Los Angeles Times
March 17, 2002
Pg. 30

23. U.S. To Resume Vieques Training

By Reuters

SAN JUAN, Puerto Rico -- The Navy will conduct a new round of training exercises on the island of Vieques in a few weeks, a move that protest groups said Saturday would reactivate their civil disobedience campaign.

A press assistant for the governor's office said that Secretary of State Ferdinand Mercado received a letter from the U.S. Navy Friday informing him that it would conduct about 22 days of training from as early as April 1.

Groups opposing the use of the 33,000-acre island as a Navy training and bombing range said they would try to disrupt the maneuvers through by sneaking onto the bombing range during the training.

The protests would be the first since the civil disobedience campaign was halted after Sept. 11.

Washington Times
March 18, 2002
Pg. 8

24. Hit By Inmate, X-Ray Guards Reassigned

GUANTANAMO BAY NAVAL BASE, Cuba (AP) — Two guards at Camp X-ray, the detention center holding 300 al Qaeda and Taliban guerrillas, were transferred after an inmate struck one of them, military officials said yesterday.

Two male soldiers at the field hospital were reassigned after a detainee hit one of them while being escorted to the bathroom, said Pat Alford, commander for the fleet hospital. The guards usually travel in pairs.

The detainee, who was being treated for bone loss in his forearm, was sedated for one night after the disruption.

Earlier yesterday, Capt. Shimkus, commanding officer of the Guantanamo Bay Naval Base, said the soldiers were reassigned after "breaking the rules." But "the initial report provided by a military official was incorrect," spokeswoman Maj. Rumi Nielson-Green said.

The two men were reassigned to Camp X-ray and could eventually return to the fleet hospital.

Since the first captives arrived at this remote outpost in January, some have spat on or yelled at the guards. One inmate bit a soldier.

A hunger strike that began on Feb. 27 but has since fizzled apparently was prompted by a guard who stripped an inmate of a towel he put on his head for morning Islamic prayers.

Detainees later said the strike was also to protest their indefinite detention.

On Saturday, five detainees skipped dinner, 12 skipped lunch and seven skipped breakfast.

Military officials also said yesterday that two other male soldiers at the hospital were reassigned after requesting a transfer.

The two men were moved to administrative duties shortly after the first batch of inmates arrived in January, said Marine Maj. Stephen Cox, a spokesman for the detention mission.

The two men "simply were uncomfortable in that environment," Maj. Cox said.

The captives, accused of having links to either the fallen Taliban regime in Afghanistan or Osama bin Laden's al Qaeda terrorist network, are expected to be moved from the hastily built Camp X-ray to Delta Camp by next month.

Delta Camp will be equipped with toilets, beds and ventilation and eventually could be expanded to hold more than 2,000 detainees.

New York Times
March 18, 2002
<u>News Analysis</u>

25. Bush Finds That Ambiguity Is Part Of Nuclear Deterrence

By David E. Sanger

11-L-0559/OSD/8412

12/29/20

Snowflake

September 21, 2002 2:41 PM

TO: Doug Feith

CC: Gen. Myers
Paul Wolfowitz

FROM: Donald Rumsfeld DR

SUBJECT: Shifting Forces

We should start fashioning the basis for shifting some level of forces out of Germany to a location where they will be welcome and effective. Poland and Hungary are leaning forward as possibilities. Also, some could be located in the U.S.

Short of a large-scale withdrawal, there may be units we can move soon should we decide we will need them in the near future. For example, there may be chem/bio units or other unique specialties we want to think about shifting around.

Please come to me with a plan.

Thanks.

DHR:dh
092102-4

Please respond by 10/04/02

RESPONSE ATTACHED 10/29

11/15

USD(P)

Doug — Is this working as an element of your Theater Engagement Plan? If so, we should consider this done/working. v. DiRita

Larry Di Rite 11/19

20 Sep 02

09-25-02 14:07 IN

snowflake

May 3, 2002 7:52 AM

TO: Hank Crumpton, CIA

FROM: Donald Rumsfeld DR

SUBJECT: Speaking Up

350.09

When I told you I wanted you to speak up, I meant it.

You know a whale of a lot about this subject, and every once in a while I see you in the back of the room looking reticent. That doesn't help me at all! I need you to step up and say, "Have you thought of this?" or "What about that?" or "I think differently."

I am very comfortable with that. You may not want to do it to some of the other principals, but I am delighted to have you do it to me.

Thanks.

DHR:dh
050302-3

3 May 02

snowflake

May 3, 2002 8:16 AM

TO: Honorable George Tenet

FROM: Donald Rumsfeld

SUBJECT: Edit of Paper

350 09

You might want to get Hank to edit the paper I passed out at the meeting, so we can see where he differs or where you differ.

Thanks.

DHR:dh
050302-8

3 May 02

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

NOV 17 2002

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
UNDER SECRETARY OF DEFENSE (ACQUISITION, TECHNOLOGY AND LOGISTICS)
UNDER SECRETARY OF DEFENSE (COMPTROLLER)
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
CHIEF, NATIONAL GUARD BUREAU

SUBJECT: Land Acquisition and Leasing of Office Space in the United States

I am concerned with the acquisition of real property throughout the United States and particularly with the concentration of Defense activities in the Washington, DC, area. I am therefore revising and expanding the existing land acquisition moratorium policy, currently reflected in memoranda from the Deputy Secretary of Defense dated September 13, 1990, and December 1, 1994. This memorandum supercedes those memoranda and any other memoranda inconsistent with the guidance reflected herein.

Effective immediately, no major land acquisition proposals within the Washington, DC, area may be made public through a request for proposals, notice of intent to perform environmental analysis, request for legislation or budget line item, press release, or other official notice without my approval or that of the Deputy Secretary. All previously approved or announced major land acquisitions within the Washington, DC, area for which binding documents have not been executed, as of the date of this memorandum, may not proceed until approved by me or the Deputy Secretary, after review by the Under Secretary of Defense (Acquisition, Technology, and Logistics) (USD(AT&L)). In addition, no major land acquisition proposals outside the Washington, DC, area may be made public, in the manner discussed above, without the approval of the USD(AT&L).

National Guard major land acquisitions which are to be funded in whole or in part by Federal funds are subject to the moratorium. Civil Works programs managed by the U.S. Army Corps of Engineers shall not be subject to the moratorium. Renewals of existing leases, withdrawals, permits, or other use agreements (other than those at bases being closed or realigned) are not subject to the moratorium.

11-L-0559/OSD/8416

U07802 /02

Additionally, effective immediately, no proposals for relocating into or within the Washington, DC, area that exceed $500,000 in relocation costs may be made public, in the manner discussed above, without approval by me or the Deputy Secretary. Requests for approval of such relocations shall be submitted to the Director, Washington Headquarters Services (WHS), who shall submit such requests for my approval, through USD(AT&L). All previously approved or announced relocations that have not occurred as of the date of this memorandum may not proceed until approved by me or the Deputy Secretary, after review by the USD(AT&L).

Finally, the authority of the Director, WHS to administer the DoD Administrative Space Management Program within the National Capital Region, granted by DoD Directive 5110.4 and specifically described in DoD Instruction 5305.5, is hereby expanded to the Washington, DC, area.

A major land acquisition is defined as the purchase, withdrawal from public domain, lease or permit from individuals or government entities, or any other type of use agreement involving more than 1,000 acres, or land whose estimated purchase price or annual lease price exceeds $1 million. The Washington, DC, area is defined generally as the geographic area that falls within 100 miles of the Pentagon.

The USD(AT&L) shall issue such instructions or implementing memoranda as may be necessary to implement this policy, including a specific delineation of those jurisdictions to which it applies. In implementing these policies, USD(AT&L) shall obtain the coordination of the USD(Comptroller) and the DoD General Counsel before submitting actions for approval as described herein.

cc:
Chairman of the Joint Chiefs
Under Secretary of Defense (Personnel and Readiness)
Under Secretary of Defense (Policy)
Director, Defense Research and Engineering
Assistant Secretaries of Defense
Inspector General of the Department of Defense
Director, Operational Test and Evaluation
Assistants to the Secretary of Defense
Directors of Defense Agencies
Directors of DoD Field Activities

THE UNDER SECRETARY OF DEFENSE
3000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-3000

ACQUISITION AND TECHNOLOGY

ACTION MEMO

April 30, 2002 10:00 AM

FOR: SECRETARY OF DEFENSE DepSec Action_____

FROM: Mr. E.C. "Pete" Aldridge, USD(AT&L) 5/3/02

SUBJECT: Land Acquisition and Leasing of Office Space in the United States

- In response to SecDef direction that "no land will be purchased within 100 miles of Washington, DC, and no buildings will be leased without the approval of somebody", the memorandum at TAB A prescribes new policy for acquiring land and leasing buildings.

- The memorandum at TAB A: (1) prohibits, without SecDef approval, major land acquisitions in the Washington, DC, area (defined as within a 100-mile radius of the Pentagon – see map at TAB C). This prohibition includes all pending actions; (2) prohibits, without USD(AT&L) approval, major land acquisitions outside the Washington, DC, area; (3) prohibits, without SecDef approval, relocations with costs in excess of $500,000 into or within the Washington, DC, area; and (4) expands the authority of the Director, WHS, to administer the DoD Administrative Space Management Program from the NCR to the larger Washington, DC, area.

- Current policy requires USD(AT&L) approval for all major land acquisitions, including those in the National Capital Region (NCR). (TAB D)

- I also recommend that SecDef separately establish, within the BRAC 05 process, a cross Service team to conduct a comprehensive analysis of the Washington, DC, area to determine what organizations are properly located therein. We will provide something separately for SecDef signature following official kick-off of the BRAC 05 process.

RECOMMENDATION: SecDef sign the memorandum at TAB A.

COORDINATION: TAB E

SPL ASSISTANT DI RITA	
SR MA GIAMBASTIANI	
MA BUCCI	
EXECSEC WHITMORE	

Attachments:
As stated

Prepared by: Steven Kleiman, ODUSD(I&E)/IRM (b)(6) April 19, 2002

U07802 /02

11-L-0559/OSD/8418

snowflake

6:09 PM

OFFICE OF THE SECRETARY OF DEFENSE

2002 MAR -7 AM 8:09

TO: Larry Di Rita

FROM: Donald Rumsfeld

DATE: February 14, 2002

SUBJECT:

I would like to have instruction given to the DoD that no land will be purchased within 100 miles of Washington DC and no buildings will be leased without the approval of somebody. We have simply got to stop the concentration of government in the Washington DC area.

Thank you.

DHR/azn
021402.01

Please respond by: 2/18/02

2/25

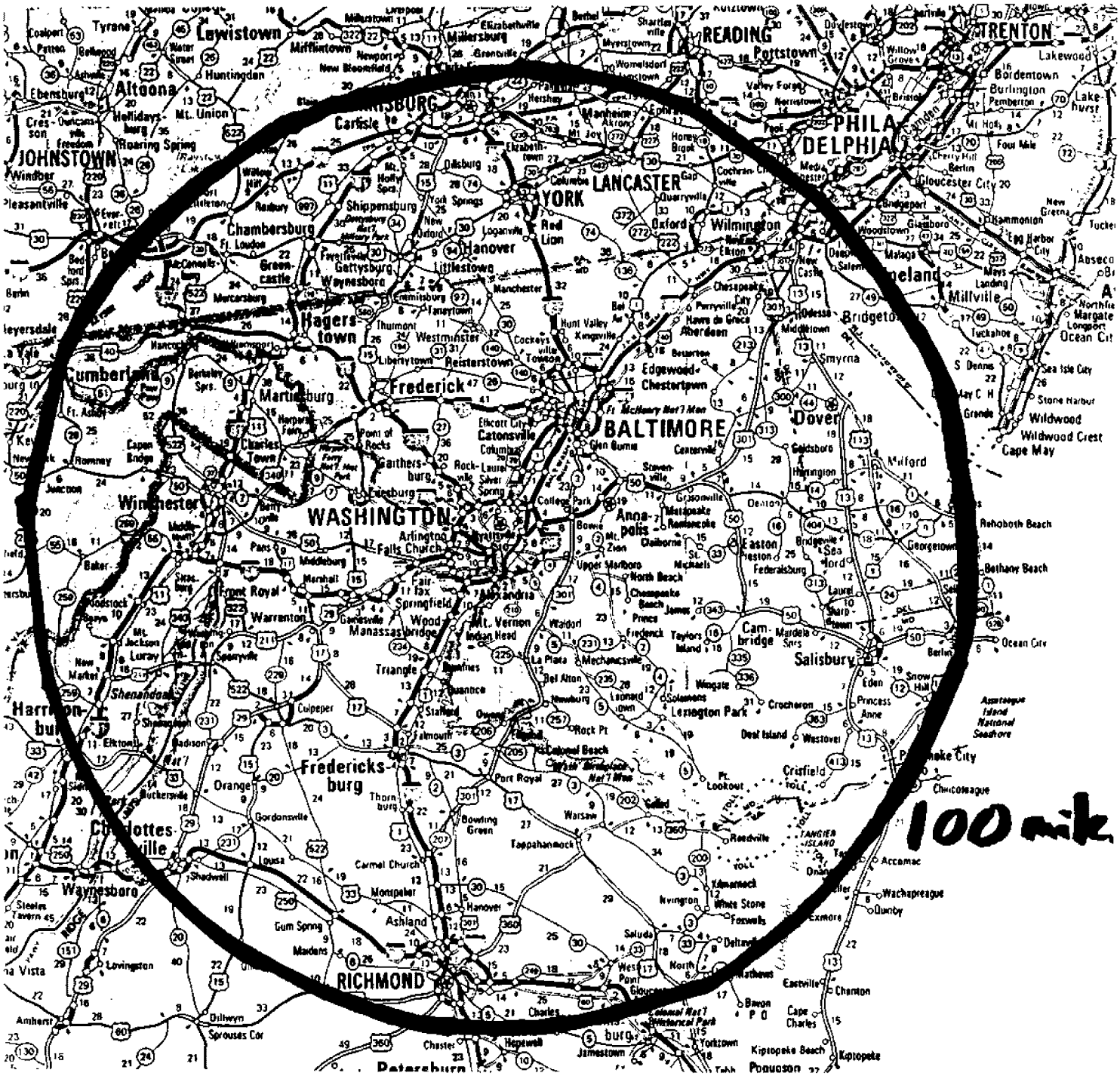
→ Exec Sec:

Please task this from SecDef to USD(AT&L) (I assume) via C&D.

Tight suspense / not more than a couple of weeks. D.R.

U04164 /02

11-L-0559/OSD/8419



Major Military Bases Within the 100 mile Region

Pennsylvania	**Delaware**	**Maryland**
Letterkenny AD	Dover AFB	Aberdeen Proving Ground
Carlisle Barracks		Edgewood Arsenal
DDRE, New Cumberland		Ft. Meade
DDD, Susquehanna		Ft. Detrick
		NSWC White Oak
District of Columbia	**Virginia**	USN Academy
Ft. McNair	Ft. Myer	NOS, Indian Head
Walter Reed AMC	Ft. Belvoir	Andrews AFB
Washington Navy Yard	Ft. A.P. Hill	
Anacostia Naval Annex	NSWC Dahlgren	**West Virginia**
Naval Dist. Wash., NW	Patuxent River ATC	None
Bolling AFB	MCCDC, Quantico	

THE DEPUTY SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

September 13, 1990

MEMORANDUM FOR THE SECRETARIES OF THE MILITARY DEPARTMENTS
UNDER SECRETARY OF DEFENSE (ACQUISITION)
ASSISTANT SECRETARY OF DEFENSE (PRODUCTION & LOGISTICS)
DIRECTORS OF ADMINISTRATION AND MANAGEMENT

SUBJECT: Land Acquisition in the United States

The Secretary of Defense and I want to change fundamentally the way the Department of Defense acquires land in the future and to place a moratorium on acquisitions that are currently in process. As we reshape our forces and close or realign bases, the Department must ensure that we propose the acquisition of land only where there is a clearly demonstrated need.

Effective immediately, no major land acquisition proposals may be made public through a request for proposals, notice of intent to perform environmental analysis, or other official notice without the approval of the Secretary or the Deputy Secretary of Defense.

To permit the Secretary and me to review major land acquisitions, I am establishing a moratorium on such acquisitions. Effective immediately, no action shall be taken without my approval (including Records of Decision for an Environmental Impact Statement) to accomplish a major land acquisition. You may request exceptions to this moratorium for urgent military requirements or when, on balance, application of the moratorium would have an adverse effect on the Department's ability to perform its mission.

National Guard major land acquisitions which were to be funded in whole or in part by Federal funds shall be subject to the moratorium. Civil works programs managed by the U.S. Army Corps of Engineers shall not be subject to the moratorium. Renewals of existing withdrawals, leases, permits or other use agreements other than those at bases being closed or which are candidates for closure shall not be subject to the moratorium.

Major land acquisition is defined for the purposes of this memorandum as the purchase, withdrawal from public domain, lease or permit from individuals or government entities, or any other type of use agreement involving more than 1,000 acres, or land whose estimated purchase price or annual lease price exceeds $1 million.

The Assistant Secretary of Defense for Production and Logistics may issue such instructions as may be necessary to implement this memorandum.

THE DEPUTY SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

1 DEC 1992

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
UNDER SECRETARY OF DEFENSE (ACQUISITION AND TECHNOLOGY)
ASSISTANT SECRETARY OF DEFENSE (ECONOMIC SECURITY)
DIRECTOR OF ADMINISTRATION AND MANAGEMENT

SUBJECT: Land Acquisition in the United States

On September 13, 1990, the Deputy Secretary of Defense issued the attached memorandum instituting the moratorium on major land acquisitions in the United States. It requires that all major land acquisition proposals be reviewed and approved by the Secretary or Deputy Secretary before any public action is taken. This is to ensure that, in this period of downsizing, land is acquired only when there is a clearly demonstrated need.

As the Department continues to downsize, proposals to acquire more land still merit senior Office of the Secretary of Defense oversight. However, I feel it is no longer necessary for the Secretary or Deputy Secretary to review each proposal.

Effective immediately, proposals for the acquisition of 1,000 or more acres of land, or land whose estimated purchase price or annual lease price exceeds $1 million, shall be submitted to the Assistant Secretary of Defense (Economic Security) for review and approval. All other definitions and restrictions set forth in the September 13, 1990, memorandum remain in effect.

Attachment

22801

Coordination Summary Page

Subject: Land Acquisition and Leasing of Office Space in the United States

General Counsel	Mr. Dell'Orto	April 23, 2002 Accepted comments
Comptroller	Dr. Dov Zakheim	April 26, 2002 Accepted comments
WHS	Mr. Cooke	April 24, 2002 Accepted comments

Coordination Sheet

Subject: "Land Acquisition and Leasing of Office Space in the United States

Suspense: April 24, 2002

GC _____

USD (Comptroller) _____

Director (WHS) _____

Prepared by: Steven Kleiman/ODUSD(I) (b)(6)
FAX (b)(6)

B Ee
C3

ASSISTANT SECRETARY OF DEFENSE

2400 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-2400

INTERNATIONAL SECURITY AFFAIRS

INFO MEMO

2002 MAY -6 PM 1:01

MAY 1

EF-1154
I-02/005544

FOR: SECRETARY OF DEFENSE

FROM: Assistant Secretary of Defense, International Security Affairs
(Peter W. Rodman) (b)(6)

03 MAY 2002

SUBJECT: Middle East Relations

- You asked how we can comply with the Vice President's guidance that over the next year we not only travel to the Middle East, but invite people from the Middle East to visit here.

- We conduct a comprehensive mil-to-mil bilateral consultative schedule (Tab A) with meetings chaired at the Under Secretary/Assistant Secretary and General/Flag Officer level. The meetings are held either in the Middle East or here - you might recall your brief meeting with the Omani delegation the first week of April.

- The Chairman visits the region on a routine basis to visit deployed service members. His last two visits were in December 2001 and January this year.

- Many of your counterparts regularly schedule visits to Washington, such as the United Arab Emirates' Chief of Armed Forces and de facto Defense Minister, Muhammad bin Zayid, who will meet with you and the Chairman in May.

- Outside the framework of scheduled bilateral meetings, we recommend (Tab B):

  - During your visits to the region: (1) inviting counterparts to the Pentagon, and (2) inviting senior military officers for an office call on their next visit to Washington to see the Chairman.

  - For those senior officials you are not scheduled to visit during the next few months, sending a letter inviting them to visit the Pentagon during their next scheduled trip to Washington.

  - Conducting a drop-by during bilateral meetings hosted in the Pentagon.

COORDINATION: Tab C.

05-03-02 14:52 IN

11-L-0559/OSD/8425 1107808 /02

Attachments:
As stated

Prepared by: COL Bob Drumm (USA), ISA/NESA, (b)(6)

DASD

1/2
6 30

Snowflake

EF11542
02/005544-OSDP

March 27, 2002 9:00 AM

ISA / NESA

TO: Larry Di Rita

FROM: Donald Rumsfeld DR.

SUBJECT: Middle East Relations

The Vice President thinks it is important that over the next 6, 8, 10, 12 months we travel to the Middle East and that we invite people from the Middle East to the United States.

Please see me and come up with a template as to how we might do that.

Thanks.

DHR:dh
032702-15

Please respond by 04/05/02

4/9

4/5

USD/P —
Please advise.
Dilite

VSDP —
ISA has lead. Suspense is 4/12. (we received this 4/9.)
V/R
CA

Larry Di Rita

04-09-02 20:15 IN

TAB A

NESA UPCOMING EVENTS CALENDAR

May 2, 2002
11:00AM

JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
7-11 USDC trip to UAE, Pak 21 MLK Bday	6 Israel MOD visit 18 **President's Day**	3-6 Bahrain MCC 28 **Passover** 31 **Easter**	2-3 Oman JMC (US) 20-23 Egypt MFO (PPD) * 23 Cairo 24-25 Israel DPAG (PPD) 28-29 Jordan JMC (PPD) 23 King of Morocco-US	10 Qatar Foreign Minister HBJ (T) 13-17 US-UK Bilats on Diego Garcia 16 UAE Chief of Armed Forces MBZ 20-26 USDP to Israel, Egypt and Jordan(T) 21-22 India DPG (US) Saudi JPC (T) 27 **Memorial Day**	2-4 Morocco DCC 5-7 Tunisia JMC 8-9 Algeria SD Trip Pakistan DCG
JULY	**AUGUST**	**SEPTEMBER**	**OCTOBER**	**NOVEMBER**	**DECEMBER**
4 **Independence Day**		2 **Labor Day** Kuwait MCC (T) 24-25 Qatar (US)	14 **Columbus Day** UAE MCC (T)	6 **Ramadan Begins** 11 **Veterans' Day** 28 **Thanksgiving Day**	5 **Ramadan Ends** 6-9 **Eid ul-Fitr** 25 **Christmas Day**

NOTES:
(1) Bilaterals will be held in the respective country unless annotated "(US)".
(2) 16 Apr 02: Egypt MFO meetings, Israel DPAG, and Jordan JMC postponed. Possible 20-26 May.

* PPD = postponed

DEFINITIONS:
DCC: Defense Consultative Committee
DCG: Defense Consultative Group
DPAG: Defense Policy Advisory Group
DPG: Defense Policy Group
JMC: Joint Military Commission
JPC: Joint Planning Committee
MCC: Military Consultative Committee

TAB B

May 2, 2002
11:00 AM

MIDDLE EAST CONSULTATION TEMPLATE

COUNTRY	CONSULT WITH	LAST MEETING	NEXT MEETING/*Recommendations*
Bahrain	King Hamad		SecDef trip – Jun 02 (T)
	Crown Prince Salman	USD(P)/Oct 01 Bahrain	SecDef trip – Jun 02 (T)
	Gen (Shaykh) Khalifa	PDASD(ISA)/Apr 02 Bahrain (MCC)	SecDef trip – Jun 02 (T) *Recommend SecDef Office Call on next visit to CJCS*
Egypt	President Mubarak	SecDef/Oct 01 Egypt	*Recommend SD visit to Egypt in fall*
	MOD Tantawi	SecDef/Oct 01 Egypt	*USD(P) @ MFO Meeting, May 02 in Cairo (T)* *Recommend SD invite Tantawi to U.S. once proliferation issues resolved*
Israel	MOD Ben Eliezer	SecDef/Feb 02 Israel	USD(P) @ U.S.- Israel DPAG, May 02 in Israel (T) Ben Eliezer is expected to resign and run for Prime Minister. *Recommend holding off on any specific invites until after the elections.*
	LTG Mofaz, Chief of the General Staff	SecDef/Feb 02 Israel	USD(P) @ U.S.- Israel DPAG, May 02 in Israel (T) Mofaz being replaced by Moshe Yaalon in late April. *Recommend invite for office call on next visit to CJCS*
Jordan	King Abdullah II	USD(C)/Jan 02 UAE	SecDef meeting with King Abdualla 6 May 02 *Recommend SecDef visit to Jordan in the fall.*
	MOD Ragheb		Ragheb holds the portfolio in name only and travels with the King. *No action recommended.*
	LTG Saraireh (CJCS)	USD(P)/Oct 01 Jordan	USD(P) @ U.S.- Jordan JMC, May 02 in Jordan (T) *Recommend invite for office call on next visit to CJCS*
Kuwait	Amir Jabir		SecDef trip – Jun 02 (T) No further action recommended
	PM Jabir	USD(P)/Oct 01 Kuwait	SecDef trip – Jun 02 (T) *Recommend invite to Pentagon on next visit to U.S.*
	MOD Sabah	USD(P)/Oct 01 Kuwait	SecDef trip – Jun 02 (T) *Recommend extending invite to U.S. during SecDef visit in June*

	LTG Mumin, Chief of Staff	USD(P)/Oct 01 Kuwait	SecDef trip – Jun 02 (T) *Recommend invite for office call on next visit to CJCS* U.S.-Kuwait MCC, Sep 02 in Kuwait (T)
Oman	Sultan Qaboos	SecDef/Oct 01 Oman	*If Qaboos conducts state visit to U.S., invite to Pentagon*
	MOD Busaidi	SecDef/Oct 01 Oman	*Recommend letter inviting to Pentagon on next visit to U.S*
	LTG Kilbani, Chief of Staff	SecDef/Oct 01 Oman	*Recommend invite for office call on next visit to CJCS*
	Air Vice Marshall Ardhi	Oman MCC/Apr 02 Washington	*Recommend invite for office call on next visit to CJCS*
Qatar	Amir Hamad		SecDef trip – Jun 02 (T) *Recommend invite to Pentagon on next visit to U.S.*
	Crown Prince Jasmin	USD(P)/Oct 01 Qatar	SecDef trip – Jun 02 (T) *Recommend invite to Pentagon on next visit to U.S.*
	Foreign Minister Hamad bin Jasim	DepSecDef/Jan 02	DepSecDef meeting 10 May (T) SecDef trip – Jun 02 (T)
	MG Attiyah, Chief of Staff	USD(P)/Oct 01 Qatar	SecDef trip – Jun 02 (T) U.S.-Qatar JMC Sep 02 in Washington *Recommend pass-through during JMC*
Saudi Arabia	Prince Sultan, Minister of Defense and Aviation	SecDef/Oct 01 Saudi Arabia	CJCS @ U.S.- Saudi JPC, Date TBD in Saudi Arabia (T) *Recommend fall invite to U.S.*
	Gen Muhayya, Chief of Staff	SecDef/Oct 01 Saudi Arabia	CJCS @ U.S.-Saudi JPC, Date TBD in Saudi Arabia (T) *Recommend invite for office call on next visit to CJCS*
United Arab Emirates	Defense Minister Rashid,	USD(C)/Jan 02 UAE	*Recommend letter inviting to Pentagon on next visit to U.S*
	Chief of Staff & de facto Defense Minister Zayid	USD(C)/Jan 02 UAE	Scheduled to meet SecDef, 16 May 02 in Pentagon U.S.-UAE MCC, Oct 02 in UAE (T)
Yemen	MOD Alaywah		*Recommend invite to Pentagon on next visit to U.S.*
	BG Qasami, Chief of Staff		*Recommend invite for office call on next visit to CJCS*

TAB C

Coordination Page

Under Secretary of Defense (Policy)	Mr. Douglas J. Feith	
Principal Deputy Assistant Secretary (ISA)	Mr. Peter C. W. Flory	_____

Snowflake

EF11542A
02/005544-OSDP

March 27, 2002 9:00 AM

ISA / NESA

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Middle East Relations

Middle East

The Vice President thinks it is important that over the next 6, 8, 10, 12 months we travel to the Middle East and that we invite people from the Middle East to the United States.

Please see me and come up with a template as to how we might do that.

Thanks.

DHR:dh
032702-15

Please respond by 04/05/02

4/9

4/5

USD/P —
Please advise.
Dilete

USDP —
ISA has lead. Suspense is 4/12. (We received this 4/9.)
V/R
CA

Larry Di Rita

2 Mar 02

04-09-02 20:15 IN

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

MAY 7 2002

The Honorable Daniel K. Inouye
Chairman
Subcommittee on Defense
Committee on Appropriations
United States Senate
Washington, DC 20510-6028

Dear Senator Inouye:

I value highly the discussions that we have had with you and Senator Stevens about the changes to the Unified Command Plan (UCP). You have impressed me with your arguments about the importance of sending the right signals to the Asia-Pacific region. Like you, I agree that this important and dynamic region is likely to be one of the most challenging arenas for the U.S. military in the coming decades. It is critical that we not only have the capabilities we need to meet those challenges – which I assure you we fully intend to do -- but that our friends and our potential adversaries see clearly that we do have that kind of strength.

Accordingly, the Chairman of the Joint Chiefs of Staff, the Chief of Naval Operations, and I have concluded that no changes will be made in the assignment of West Coast forces for the duration of UCP 2002 or in the FY 2002 or FY 2003 "Forces For" memoranda.

Further, I have asked the Chairman of the Joint Chiefs of Staff to work with Office of the Secretary of Defense staff to examine the range of possible changes that might be made beyond FY 2003 to ensure that the combined effect of any changes we might make will show no net decrease but preferably an increase in our perceived presence and capability in the Pacific.

I have written to Senator Stevens in this regard as well and will keep both of you apprised of the course of that analysis. It is a great strategic asset for the United States to have two states that are so clearly part of the Asia-Pacific region, as our country enters what could be several challenging decades in that vast region. I appreciate the leadership you and Senator Stevens have shown in this matter.

Sincerely,

11-L-0559/OSD/8436

U07866 02

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

MAY 7 2002

The Honorable Ted Stevens
Ranking Member
Subcommittee on Defense
Committee on Appropriations
United States Senate
Washington, DC 20510-6028

Dear Senator Stevens:

I value highly the discussions that we have had with you and Senator Inouye about the changes to the Unified Command Plan (UCP). You have impressed me with your arguments about the importance of sending the right signals to the Asia-Pacific region. Like you, I agree that this important and dynamic region is likely to be one of the most challenging arenas for the U.S. military in the coming decades. It is critical that we not only have the capabilities we need to meet those challenges – which I assure you we fully intend to do -- but that our friends and our potential adversaries see clearly that we do have that kind of strength.

Accordingly, the Chairman of the Joint Chiefs of Staff, the Chief of Naval Operations, and I have concluded that no changes will be made in the assignment of West Coast forces for the duration of UCP 2002 or in the FY 2002 or FY 2003 "Forces For" memoranda.

Further, I have asked the Chairman of the Joint Chiefs of Staff to work with Office of the Secretary of Defense staff to examine the range of possible changes that might be made beyond FY 2003 to ensure that the combined effect of any changes we might make will show no net decrease but preferably an increase in our perceived presence and capability in the Pacific.

I have written to Senator Inouye in this regard as well and will keep both of you apprised of the course of that analysis. It is a great strategic asset for the United States to have two states that are so clearly part of the Asia-Pacific region, as our country enters what could be several challenging decades in that vast region. I appreciate the leadership you and Senator Inouye have shown in this matter.

Sincerely,

U07866 02
11-L-0559/OSD/8437

GENERAL COUNSEL

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

INFO MEMO

April 29, 2002, 4:00 P.M.

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel

SUBJECT: 2002 Amendments to the Manual for Courts-Martial, United States

- You have asked for information regarding the recently announced amendments to the Manual for Courts-Martial (MCM), signed April 11th. They will take effect May 15th. The President promulgated these amendments in an Executive order.

- By E.O., the MCM implements the Uniform Code of Military Justice (UCMJ). The Secretary of Defense participates in this Presidential rule-making responsibility by conducting an annual review of the MCM to ensure the MCM stays current with developments in the law established by statute or case law decisions. The review also affords DoD an opportunity to make improvements in the military justice system's utility and efficiency.

- The Joint Service Committee on Military Justice (JSC), comprised of representatives of the Military Services, my office, and the U.S. Court of Appeals for the Armed Forces, performs this annual review (and other duties as assigned) under my direction under DOD Directive 5500.17.

- Complying with OGC instructions, the JSC consolidated four previous packages being held at OMB that proposed changes to the MCM: the DoD annual reviews for 1998, 1999, 2000, and a separate package implementing 1999 legislation that increased the jurisdiction of special courts-martial to impose terms of confinement from six months to one year. Pursuant to White House Chief of Staff guidance, as a Bush Administration PAS officer I approved this 2001 consolidation package.

- Attached is a summary of the major E.O. provisions and focus of the April 14 *Washington Post* article.

COORDINATION: NONE

Prepared By: Robert E. Reed, ODGC(P&HP), (b)(6)

Attachment
As stated

OFFICE OF THE
SECRETARY OF DEFENSE
2002 APR 25 AM 8:18

→ GC

OFFICE OF THE SECRETARY OF DEFENSE
THE SPECIAL ASSISTANT

4/23

Jim - A little unclear.
This suggests that
President Bush is signing
off on changes proposed
by Cohen and others.
Presumably, your 2001
review revalidated all of
these? If so, you should
state that.

4/22 1315

GENERAL COUNSEL

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

INFO MEMO

April 19, 2002, 9:00 A.M.

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel WJHaynes II 4/19/02

SUBJECT: 2002 Amendments to the Manual for Courts-Martial, United States

- You have asked for information regarding the recently announced amendments to the Manual for Courts-Martial (MCM), signed April 11th. They will take effect May 15th. The President promulgated these amendments in an Executive order.

- By E.O., the MCM implements the Uniform Code of Military Justice (UCMJ). The Secretary of Defense participates in this Presidential rule-making responsibility by conducting an annual review of the MCM to ensure the MCM stays current with developments in the law established by statute or case law decisions. The review also affords DoD an opportunity to make improvements in the military justice system's utility and efficiency.

- The Joint Service Committee on Military Justice, comprised of representatives of the Military Services, my office, and the U.S. Court of Appeals for the Armed Forces, performs this annual review (and other duties as assigned) under my direction under DOD Directive 5500.17.

- This E.O. is the result of the 2001 consolidation of four previous packages proposing changes to the MCM: the DoD annual reviews for 1998, 1999, 2000, and a separate package implementing 1999 legislation that increased the jurisdiction of special courts-martial to impose terms of confinement from six months to one year. OMB had not forwarded any of these packages to President Clinton.

- Attached is a summary of the major E.O. provisions and focus of the April 14 *Washington Post* article.

COORDINATION: NONE

Prepared By: Robert E. Reed, ODGC(P&HP) (b)(6)

Attachment
As stated

2002 Amendments to the Manual for Courts-Martial, United States

- By Executive order, dated April 11, 2002, the President promulgated amendments to the Manual for Courts-Martial, United States (MCM). The MCM implements the Uniform Code of Military Justice (UCMJ). This E.O. consolidates four previous DoD packages proposing changes to the MCM: the DoD annual reviews for 1998, 1999, 2000, and a separate package implementing 1999 legislation that increased the jurisdiction of special courts-martial to impose terms of confinement from six months to one year.

- On April 14, the *Washington Post* focused an article on the E.O. provisions that authorize sentences to confinement for life without the possibility of parole; guidance regarding the offense of adultery under Article 134, UCMJ; and a military judge's authority to issue protective orders, i.e., "gag orders," to trial participants and witnesses to preclude them from making public comments that might be prejudicial to a fair trial.

  - The "life without parole" provisions were MCM conforming changes to the 1998 enactment of Article 56a, UCMJ, establishing that for all offenses for which life imprisonment was authorized, such imprisonment may be adjudged without the possibility of parole.

  - In 1997, Secretary Cohen directed a review of the adequacy of existing MCM guidance regarding the offense of adultery. The review followed publicity about Lt Flinn's court-martial and a matter involving General Ralston, then Vice Chairman of the Joint Chiefs of Staff. During the review, commanders requested guidance on when such conduct was "prejudicial to good order and discipline or service discrediting" – an essential element of proof for all Article 134, UCMJ, offenses. The guidance provides factors to consider from Courts of Criminal Appeals and U.S. Court of Appeals for the Armed Forces decisions.

  - The provisions authorizing military judges to issue "gag orders" follows military appellate court decisions and makes specific provision within the MCM for such orders.

- The most significant change to the military justice system – the increase in special court-martial jurisdiction to allow for confinement to be adjudge for up to one year – was not mentioned in the *Washington Post* article. The E.O. also establishes an offense for credit/debit card offenses, defines a "civilian conviction" for use in courts-martial sentencing deliberations, increases to $500 the dollar threshold for certain offenses for which increased punishments are authorized, and makes other technical, administrative changes.

snowflake

7:51 AM

TO: Jim Haynes

FROM: Donald Rumsfeld DR

DATE: April 15, 2002

SUBJECT: ***Washington Post* Article**

Please tell me what this article from the Sunday April 14, 2002 *Washington Post* is about; "Military Courts Get New Powers from White House."

Thanks.

DHR/azn
041302.05

Attach: *Washington Post* "Military Courts Get New Powers" 4/14/02

Please respond by: 4/23/02

4/23

Response attached

Military Courts Get New Powers

Life Sentences, Adultery Prosecutions Among Rules Bush Invoked

Associated Press

Military courts could sentence some criminals to life without parole and forbid witnesses to talk to reporters under changes to the manual for courts-martial issued by the White House.

The changes also spell out for the first time rules for prosecuting members of the military for adultery. The rules say the adultery must either damage military order and discipline or hurt the military's reputation.

The new rules, issued Friday, take effect May 15. As commander in chief, President Bush has the power to write regulations controlling military courts.

Bush's new rules allow military courts to sentence defendants to life in prison either with or without parole for serious crimes such as murder, rape and kidnapping. Previously, the courts could sentence those criminals to a life sentence with no determination of whether parole would be allowed.

The new rules also allow military judges to issue "gag orders" prohibiting witnesses or parties to a case from discussing the case outside the courtroom. Civilian courts sometimes issue such orders to prevent public statements judges believe could improperly influence jurors.

Eric Seitz, a California lawyer who has been involved with more than 1,000 court-martial cases, said the gag order could be unconstitutional, depending on how broadly it is applied.

FILE PHOTO/BY PATRICK HAGERTY FOR THE WASHINGTON POST

In 1997, Lt. Kelly Flinn quit the Air Force rather than face court-martial for adultery.

"I suppose that in the military people can be ordered not to communicate to people outside the command structure," Seitz said. "But outside of that, there may be a problem with a military judge ordering civilians not to talk."

Adultery by a member of the military is a crime that can lead to a dishonorable discharge and up to one year in prison.

The new rules state that adultery "is clearly unacceptable conduct" but that to be a crime it "must either be directly prejudicial to good order and discipline or service discrediting." That means the adultery must have a divisive effect on a military unit or be so well known that it dishonors the military.

In deciding whether to charge someone with criminal adultery, commanding officers should consider circumstances including the rank of the offenders, the misuse of government time or resources, whether the adultery persisted despite orders to halt it and its impact on the military unit.

"The way in which adultery is pursued as a crime has been vastly unfair for years," Seitz said. "High-ranking officials have affairs in full view of other officials and then the military decides to make an example of a private. If these rules create a more fair situation, I am for it."

Earlier rules had said that adultery must damage military discipline or hurt the military's reputation to be a crime, but they did not spell out how that was to be determined.

The military had several public cases of adultery during the late 1990s. In 1997, Lt. Kelly Flinn, the Air Force's first female B-52 pilot, resigned rather than face adultery charges for an affair with the husband of another Air Force member.

Flinn's case led to charges by critics that there was a double standard that shielded male officers from adultery charges.

Since then, at least four generals and admirals have been punished for adultery and related offenses. They include retired Maj. Gen. David Hale, the highest-ranking Army officer to face a court-martial since 1952, and Sergeant Major of the Army Gene C. McKinney, then the Army's highest-ranking enlisted soldier.

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

PERSONNEL AND READINESS

INFO MEMO

May 7, 2002 - 4:00 PM

FOR: SECRETARY OF DEFENSE

FROM: DAVID S. C. CHU, UNDER SECRETARY OF DEFENSE (PERSONNEL AND READINESS) David S.C. Chu 7 May 02

SUBJECT: Personnel Movements and Unit Cohesion -- "Snowflake"

- You asked if keeping people together their entire careers, as in the British regimental system, could enhance unit cohesion and improve combat readiness and capability (Tab A).

- The short answer is, "not necessarily." There are no empirically demonstrated problems today with unit cohesion. Moreover, our interest is in task cohesion (not social cohesion). The research literature shows that effective leadership is vital for developing task cohesion and assuring successful performance.

- Keeping people together in units increases depth of experience, but this trades off against other worthwhile goals; e.g., developing breadth in individuals and spreading expertise across the force. The Army experimented with a unit management approach in the 1980s in a program called COHORT. Evaluations of this effort were inconclusive.

- Attached at Tab B is our computation of average time at station (a crude measure of stability), for all personnel, officer and enlisted. The Air Force consistently does better than its sister services—but the Marine Corps, with the least stability, is argued by some to be more "cohesive"!

COORDINATION: NONE

Attachments: As Stated

Prepared By: Dr. John D. Winkler (DASD/M&P), (b)(6)

TAB

A

snowflake

3/27/02

March 27, 2002 10:59 AM

TO: David Chu

FROM: Donald Rumsfeld DR

SUBJECT: Unit Cohesion

I would like some kind of an analysis of unit cohesion.

My recollection is that the Brits used to keep people together their entire careers. I have a feeling we move people around so fast that there isn't any unit cohesion at all, and the inevitable effect is that combat readiness and combat capability is degraded.

What are the facts?

Thanks.

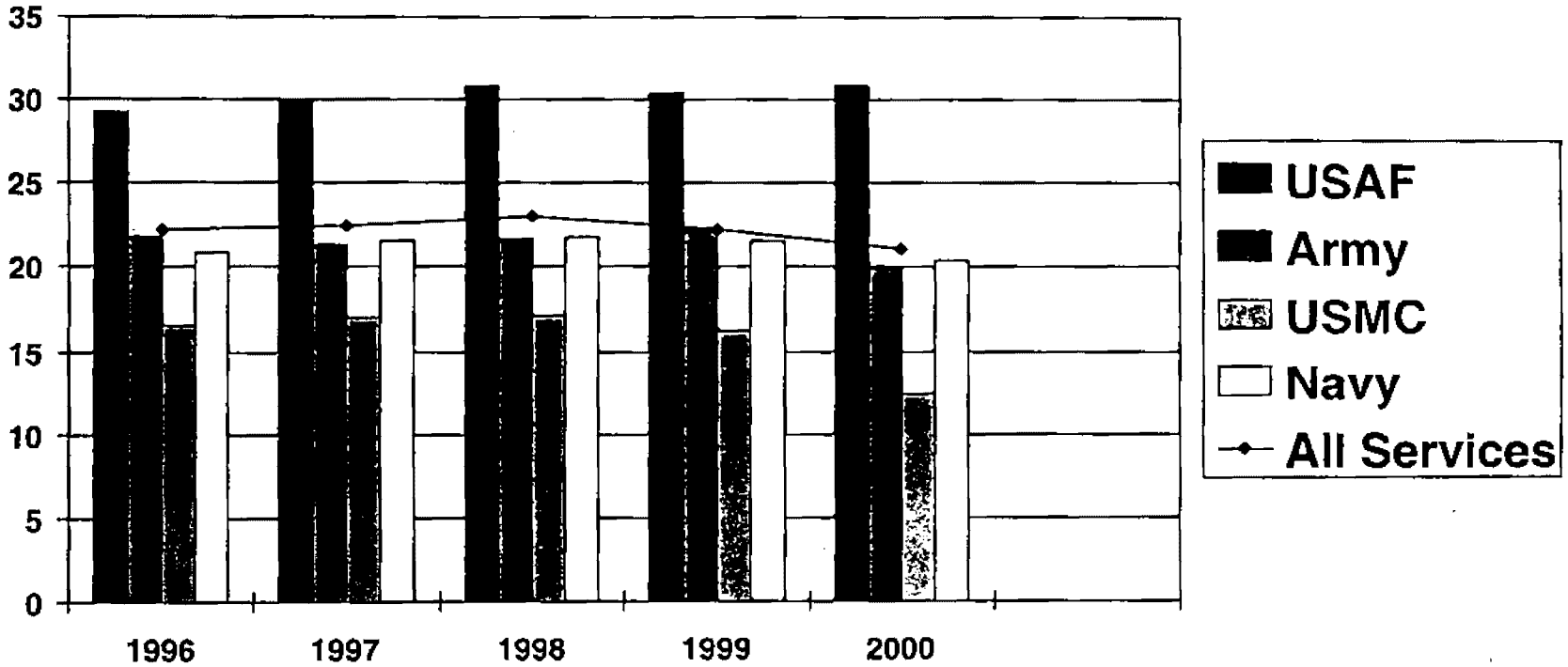
DHR:dh
032702-22

Please respond by 04/19/02

TAB

B

Average Months at Station



Source: Defense Manpower Data Center

snowflake

3/27/02

March 27, 2002 10:59 AM

TO: David Chu

FROM: Donald Rumsfeld DR

SUBJECT: Unit Cohesion

322

I would like some kind of an analysis of unit cohesion.

My recollection is that the Brits used to keep people together their entire careers. I have a feeling we move people around so fast that there isn't any unit cohesion at all, and the inevitable effect is that combat readiness and combat capability is degraded.

What are the facts?

Thanks.

DHR:dh
032702-22

Please respond by 04/19/02

27 Mar 02

snowflake

March 25, 2002 2:06 PM

560

TO: VADM Giambastiani

FROM: Donald Rumsfeld DR

SUBJECT: Boarding Ships

Did we ever get legal authority to actually board ships?

Thanks.

DHR:dh
032502-49

Please respond by 04/05/02

4/30

SECDEF—
RESPONSE ATTACHED
V/R
Ed

25 MAR 02

U08003 /02

11-L-0559/OSD/8450

GENERAL COUNSEL

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

SECDEF HAS SEEN

INFO MEMO

April 29, 2002, 8:20 AM

400.13

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel WJ Haynes 4/30/02

SUBJECT: Credit Card Abuse

- After reading our memorandum on credit card abuse, you expressed concern that arrears result in interest charges to the Government (TAB A).
- The current delinquencies are almost entirely a problem with the travel card program, and not the purchase card program.
- Under the travel card program, cardholders are personally responsible for card debts although they sign an agreement to use the card only for official travel expenses. The Government does not pay interest under the travel card program.
- The cardholder is personally responsible for any late fees that might accrue under the travel card program, except in very unusual and limited circumstances related to mission-critical travel.
- I agree that we cannot have a lax attitude, and Dr. Aldridge and Dr. Zakheim have an extensive process ongoing to review and improve management controls for both the purchase card and travel card programs.

COORDINATION: None

Attachment:
As stated

Prepared by: Elizabeth Buchanan, (b)(6)

cc: USD (AT+L)
USD (Comptroller)

29APR02

snowflake

1:54 PM

TO: Jim Haynes

CC: Pete Aldridge
Dov Zakheim

Larry Di Rita

FROM: Donald Rumsfeld DR

DATE: April 17, 2002

SUBJECT:

I just read this memo from Jim Haynes on credit card abuse. Seems to me it is important to remember that when you are in arrears, you are charging the government interest, and when you charge the government interest for personal things you have charged on the government credit card, you are stealing money from the government.

I don't think that a lax attitude about this is the proper thing. It reflects misunderstanding about the cost of money.

Thank you.

DHR/azn
041702.26

Attach: Haynes response to snowflake (3/15/02) Re: Credit Card Abuse 4/8/02

Please respond by: 4/23/02

4/30
Haynes response attached
DS/2

Larry Di Rita
5/1

GENERAL COUNSEL

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

INFO MEMO

April 3, 2002, 12:05PM

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel WJHaynes 4/3/02

SUBJECT: Credit Card Abuse

- You asked about the $62 million of credit card waste and card misuse. There are two different charge card programs with different issues.
  - The travel card program
    - Senator Grassley said that DoD personnel defaulted on $62 million in "official" travel expenses. We believe this figure is generally correct.
    - The contractor reported debts on individual cards of $60 million (M). It collected $22M and asked DoD to collect $35M through salary offset. DoD is now collecting most of this through salary offset.
    - Senator Grassley and Representative Horn provided to you a list of 709 officers who reportedly were in arrears on their travel cards. There is no allegation of misuse – rather, Grassley and Horn allege payments are late.
    - Cardholders are personally responsible for card debts although they sign an agreement to use the card only for official travel expenses.
    - The Military Departments are investigating and will prepare a response.
  - The purchase card program
    - There are allegations that both civilian and military personnel used the purchase card for personal purchases.
    - It appears that there has been an uneven record of the use of internal controls, although efforts are underway to rectify this.
  - Both programs: USD(AT&L)(purchase card proponent) and USD(C)(travel card proponent) are developing initiatives to provide better internal controls over both the purchase and travel card programs.

COORDINATION: None

Prepared by: Elizabeth Buchanan (b)(6)

snowflake

March 15, 2002 8:33 AM

TO: Jim Haynes

FROM: Donald Rumsfeld DR

Larry Di Rita

SUBJECT: Credit Card Abuse

What is the story on the $62 million of credit card waste and officers using the cards to make personal rather than official purchases?

Thanks.

DHR:dh
031502-8

Please respond by 03/29/02

3/8 — 3/16

SecDef —

Rukheim and Aldridge recently announced a series of steps to tighten procedures, improve accountability, and intensify action against violators, too. ~~[illegible]~~

~~[illegible]~~

DR

11-L-0559/OSD/8454

U07189-02

Snowflake

May 8, 2002 8:30 AM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: PM Sharon Materials

Here are the Sharon documents that supposedly indict the Palestinian Authority. I cannot read them—much of the key material is in Arabic. Please give them to the people here in the Department who ought to have them.

Thanks.

Attach.
PM Sharon Materials

DHR:dh
050802-20

Exec Sec — 5/8

Please respond by — Please Get Them logged and Pass to USD(P) FAA.

D.R.

C&D,
Pls control and task to USD(P) FAA
Thx,
WHM

11-L-0559/OSD/8455 U08018 /02

Snowflake

May 7, 2002 7:00 AM

TO: VADM Giambastiani

FROM: Donald Rumsfeld DR

SUBJECT: PM Sharon Documents

Please give me the documents that Prime Minister Sharon left for me. No one ever gave them to me. There were two documents that explain what is going on in the Palestinian Liberation Authority.

Thanks.

DHR:dh
050702-2

Please respond by 05/07/02

SECDEF— 5/7

DOCUMENTS ATTACHED.
THESE ARE THE ONLY COPIES.

V/R
Ed

The Involvement of Arafat, PA Senior Officials and Apparatuses in Terrorism against Israel, Corruption and Crime

Prepared by a team headed by
Dani Naveh
Minister of Parliamentary Affairs

11-L-0559/OSD/8457

U08018 /02

688/0037
מזכ"צ ראה"מ

3 May 2002
TR2-350-02

Large Sums of Money Transferred by Saudi Arabia to the Palestinians are Used for Financing Terror Organizations (particularly the Hamas) and Terrorist Activities (including Suicide Attacks inside Israel)

11-L-0559/OSD/8458

U08018 /02

02/006611-USDP
EF1396

April 24, 2002 8:05 AM

TO: Doug Feith

FROM: Donald Rumsfeld

SUBJECT: Egyptian MoD

Tom Franks recommended that we invite the Egyptian Minister of Defense to visit the U.S. sometime after the Crawford meeting with Abdullah is over. Has he been here yet?

Thanks.

DHR:dh
042402-3

Please respond by 05/03/02

Egypt

24 Apr 02

U08044 /02

Snowflake

11:47 AM

#232

4-17

TO: Gen. Dick Myers
Gen. Pete Pace
Paul Wolfowitz
Gen. Larry Welch

SECRET

2002 MAY -2 PM 12:14

FROM: Donald Rumsfeld

DATE: April 15, 2002

SUBJECT:

Attached is a note I just received from Howell Estes, and I think it is well worth all of our considering as we worry our way through the issues on SPACECOM and STRATCOM.

Please let me know what you think of his suggestions.

Thank you.

DHR/azn
041502.26

Attach: Memorandum from Gen. Estes

Please respond by: _____

Spacecom

15 Apr 02

U08072 /02

snowflake

September 3, 2002 8:04 AM

0005

TO: Gen. Jones

FROM: Donald Rumsfeld DR

SUBJECT: Hemingway Article

Many thanks for sending me the article from *VFW* magazine.

Attach.
08/21/02 CMC memo to SecDef re: "At the Tip of the Anti-Terrorism Spear," *VFW*, August 2002

DHR:dh
090302-3

Please respond by _____

3 Sep 02

U08080 /03

COMMANDANT OF THE MARINE CORPS

21 August 2002

etary,

ou'd like to see a copy of Al Hemingway's article

ie Anti-Terrorism Spear, which recently appeared in VFW

provides an excellent overview of recent advancements in the

anti-terrorism and force protection capabilities.

Semper Fidelis,

JAMES L. JONES

Al Hemingway

gh little known, the U. S. Marines

tain special anti-terrorism units.

e date back nearly 15 years, and

new brigade has been up and

ng for almost a year.

sm Spear

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"I was tapped to command the brigade 10 days after the World Trade Center and Pentagon attacks," O'Dell adds. His command includes Fleet Anti-Terrorism Security teams, the Chemical-Biological Incident Response Force and Security Guard detachments. Presently, the 3rd Bn., 8th Marines, serves as the anti-terrorism core. All told, 6,000 Marines and sailors comprise the 4th MEB.

Missions varied considerably for the FAST Marines in Panama. "I went from Arraijan [a town near Howard Air Base] to working with the police to helping provide security at the ambassador's residence," Staff Sgt. Paul May recalled. "We were going from jungle patrolling to guard duty in one day—it was very diversified. And when Vice President Quayle came later, we provided his security."

One of FAST's most high-profile operations occurred in East Africa in August 1998 after the U.S. embassies there were bombed by Osama bin Laden's terror network. The 2nd FAST Company sent its 2nd Platoon to Dar es Salaam, Tanzania, and its 1st Platoon to Nairobi, Kenya. Each platoon consisted of 45 men.

Team members worked shifts of 16 hours straight filling sandbags, stringing razor wire and setting up communications. They also guarded and patrolled tense embassy perimeters.

The devastation they witnessed was overpowering. "I was in shock," Sgt. Shane Cook recalled. "I was just a kid when the bombing in Beirut took place. Words can't describe the destruction caused by the bombing." His horror was shared by all the Marines who experienced the bombed-out sites firsthand.

FAST units also have been involved in the Persian Gulf, Liberia, Somalia, Haiti, Macedonia and Yemen (because of the *USS Cole* bombing in 2000). Most recently, they provided security for the hospital ship *USNS Comfort* docked in New York Harbor following the World Trade Center terrorist attacks last September.

A FAST company usually comprises 52 "hand-picked" men. The screening process is rigid. Any infraction of rules is grounds for being disqualified from the training program or later, the unit.

Lance Cpl. Joshua Whatley, a new FAST Marine stationed at King's Bay, Ga., remarked: "I joined because to me it's a step

11-L-0559/OSD/8462

USMC PHOTO BY SGT. [illegible]

A Marine briefs his platoon during a close quarters battle training exercise on Sept. 27, 2001 at Chesapeake, Va.

above the normal grunt [infantryman]. I was real proud when I was selected."

Training for FAST Marines is conducted at Chesapeake, Va. As the crack of 9mm rounds reverberated in the background, Capt. Drew Knight explained: "Marines here go through extensive weapons training. Everything from 9mm Beretta pistols to shotguns to M-4 carbines.

"Quite a bit of focus also is placed on close combat training. They practice the proper method of entering a room, negotiating stairwells and high-level entries.

"Targets are placed at various points so the men can identify a 'terrorist' from a 'friendly.' We use a one- and a three-story building for different situations. The one-story structure has walls that can be moved to create a more challenging environment for the Marines."

Lt. Col. M.J. Popovich, FAST Battalion executive officer, emphasized, "Everything we do is anti-terrorism, not counter-terrorism. In simple terms, anti-terrorism measures are defensive. Counter-terrorism measures are offensive in nature."

When a FAST platoon is "down range," or deployed, platoon commanders deal directly with the fleet commander.

FAST platoons are located worldwide to react quickly to any emergency. "A typical deployment lasts six months," continues Popovich. "We have platoons at Kings Bay, Ga., and Bangor, Wash., guarding strategic weapons. Another one is at Patuxent River, Md., providing security for strategic aircraft.

"One platoon is at Guantanamo Bay, Cuba, protecting the old fence line. Also, we guard nuclear subs during their refuel and defuel operations. Right now, we are in the process of consolidating our units in London; Naples, Italy; Rota, Spain; and Keflavik, Iceland, under Marine Corps Security Force Company, Europe. At Yokusaka, Japan, we have a FAST platoon ready to assist the fleet there."

Stateside, 1st FAST Company has seven platoons located at Norfolk, Va. The 2nd FAST Company has six platoons and is headquartered at Naval Weapons Station, Yorktown, Va. "At any one time," Popovich says, "three quarters of our platoons are deployed on some type of mission."

CHEMICAL & BIOLOGICAL THREATS

The Chemical-Biological Incident Response Force (CBIRF), based at Aberdeen Proving Grounds in Maryland, is another arm of the brigade. Formed in 1996 after the Sarin gas attack in a Tokyo subway, it is trained to respond to chemical or biological terrorist attacks.

Some of its duties include: coordinating initial relief efforts, security and isolation of an affected site (when authorized), detection, identification, limited decontamination of personnel and equipment, and providing medical advice and service support assistance.

CBIRF has been called out on numerous occasions: the 1996 Olympic Games in Atlanta, the 1997 Presidential Inauguration, the Summit of Eight in Denver, the 1998 State of the Union Address and the 50th Anniversary of NATO summit in 1999 in Washington.

"The CBIRF was sent to Sen. Tom Daschle's (D-S.D.) office during the recent anthrax scare," O'Dell said. "It did a marvelous job in biological decontamination of his office and the House of Representatives and Senate buildings. The unit was deployed five times during that period."

A fourth component may soon be added to the Marine anti-terrorism effort, according to the *Los Angeles Times*. The elite Force Recon could be committed to the U.S. Special Operations Command. The Marines' answer to special forces, members of the 800-man unit recently demonstrated their prowess as "hunter-killer" teams in Afghanistan.

Marine Corps' anti-terrorism capabilities are continually evolving. "We are still crawling here," O'Dell said. "We just can't get up and sprint out of the box. The different branches of the service must learn to work closely with each other if we are to be victorious in this new war against terrorism."

Popovich underscored the enthusiasm for that mission among Marines: "These young men come here because they want to be on the tip of the spear." ✪

AL HEMINGWAY, *a VFW member based in Connecticut, is a frequent contributor.*

11-L-0559/OSD/8463

snowflake

September 3, 2002 11:10 AM

000.9

TO: Doug Feith

FROM: Donald Rumsfeld DR

SUBJECT: Foreign Students

I think you ought to take a look at this piece on foreign students. There is no question something has to be done.

Why don't you come up with a proposal as to how we get the interagency going on it.

Thanks.

Attach.
Borjas, George J, "Rethinking Foreign Students," *National Review*, June 17, 2002.

DHR:dh
090302-9

Please respond by 09/27/02

35ep02

U08080 /03

ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301-1400

PUBLIC AFFAIRS

August 2, 2002

TO: SECDEF
DEPSEC
Larry DiRita

FROM: Torie Clarke

SUBJECT: Foreign Students

Attached is a recent *National Review* article regarding foreign students in the United States. Maybe it is time to open a new front on the war on terrorism--on college campuses.

this peace, provided only that they obey the common law.

Islamist terrorism is founded on a holy law that does not exist in order to resolve conflicts peacefully, still less to offer terms to the unbeliever. Nor is it defined over territory. Islamic law is strictly speaking an extra-territorial, indeed, an extra-terrestrial law, which marshals human society with a loud voice from the heavens. Islam means "submission," and peace (*salm*) comes only when all opposition to divine command is vanquished. From the earliest days of the Prophet's exile in Medina, to the Islamist movements of today, this extra-terrestrial law has been called down to form the law of a new and conflict-free society. There will be no conflict in this new society, the Islamist believes, not because conflict is resolved but because the general submission to God's will means that conflicts cannot even begin.

Such a conception of society, when elevated to a political doctrine, is inimical to the spirit of negotiation. It accepts compromise only as a tactic, and regards the opponent as having no real right to his opinions, still less to his way of life. It cannot abide discussion, and learns nothing from those who disagree with it. It is hardly surprising, therefore, that people who have internalized the Islamic conception of law find it difficult to integrate into Western societies. For integration is possible only by becoming a citizen, and citizens must see themselves as such. In other words, they must confine their religious and ethnic loyalties to the private sphere, and be fellow citizens with people from other families, other tribes, and other faiths.

■

It is hardly surprising that people who have internalized the Islamic conception of law find it difficult to integrate into Western societies.

■

It is not possible for citizens to endure the rival and inimical loyalties of non-negotiating immigrants without at some point becoming affronted. This is what we are beginning to see in Europe. And while our native institutions—including the churches—are constantly extending messages of peace and conciliation to the Islamic newcomers, the newcomers themselves for the most part remain silent, comprehending neither the gesture nor the culture that extends it. Indeed, for many of them this gesture is really a form of cultural imperialism, like the repressive tolerance described by Herbert Marcuse. Unwilling to pay the price of reciprocity, Muslims frequently retreat into the ghetto, where the writ of citizenship does not run.

How we in the West are to deal with this, I do not know. But one thing is certain, which is that we must learn to confront the new realities, and not to censor those who draw attention to them. For this, too, is part of our Enlightenment heritage: that we seek to resolve our conflicts by discussing them. And discussion is useless, if it hides the truth. NR

Rethinking Foreign Students

A question of the national interest

GEORGE J. BORJAS

MANY foreign leaders—the Philippines' Corazon Aquino and Israel's Ehud Barak, to name just two—obtained part of their education in the United States. Such training may be one of America's highest valued exports: By giving future foreign leaders firsthand exposure to our system of government, we are presumably building a safer, freer, and more prosperous world.

Another foreign student, Hani Hasan Hanjour, got a visa to study English at ELS Language Centers, a Berlitz-owned school that leases space at a local college in Oakland, Calif. He did not attend a single class. Instead, he became one of the terrorists in the plane that crashed into the Pentagon on September 11. And two other terrorists were waiting for the official approval of their student visas to attend flight school—an approval that the Immigration and Naturalization Service dutifully mailed out six months after the attacks.

In 1971, the State Department issued only 65,000 student visas. By 2000, it was issuing 315,000 such visas, and there may now be as many as 1 million foreign students in the U.S. The increase in the size of this program has transformed the typical American university, and the impact is especially striking in particular fields: Foreign students receive 35 percent of the doctorates awarded in the physical sciences, and 49 percent of those in engineering.

The program is now so large, so riddled with corruption, and so ineptly run that the INS simply does not know how many foreign students are in the country or where they are enrolled. It has grown explosively without anyone asking the most basic questions: Is such a large-scale foreign-student program in our interests? What does it cost us? And what does it buy us?

A TICKET TO THE U.S.

A foreigner who wishes to study in the U.S. starts by applying for admission to an educational or vocational institution. To qualify for a student visa, he must be accepted by an INS-approved school; he must enroll in it full-time; and he must have sufficient funds for self-support.

When the student is admitted into a program, the school sends him a Form I-20 ("Certificate of Eligibility for Nonimmigrant Student Status"). The student takes this form to the local consulate. A consular official interviews him and reviews the application before deciding whether to grant a

Mr. Borjas is a professor of public policy at the John F. Kennedy School of Government at Harvard.

11-L-0559/OSD/8466

visa. If the student was accepted by several U.S. schools, as is common, that student has received several I-20s. Inevitably, there are numerous reports of a black market for the unused I-20s in many countries.

But once a student enters the U.S., there is practically no monitoring of him: The schools do not even have to report whether the student actually enrolled. Recently, the Bush administration has proposed an Internet-based system to track these students: Each school would record any changes in a student's address, major, or enrollment status. But this approach will probably not be very effective, since the INS lacks the resources to take any action if, for example, the University of Southern California reports that ten of its foreign students dropped out in the past semester. There are already 10 million illegal aliens in the country; does anyone believe that the INS can somehow find those extra ten?

Indeed, many foreigners want to study in the U.S. precisely because a student visa buys them a ticket into the country. Between 1971 and 1991, just over 3 million persons received student visas, and 393,000 of them were able to eventually adjust their immigration status and obtain a "green card," or permanent-residence visa. Only about 13 percent of the students remain here in this legal manner; others remain illegally, and the lax monitoring system has surely encouraged many to do so. Around 10 percent of the 3 million illegal aliens who received amnesty in the late 1980s were persons with temporary visas, many of them foreign students, who had remained in the country after their visas had expired.

Although it might seem that a student visa does not buy much of a chance of moving permanently to the U.S., the chances would be far smaller without it. Foreigners have very few options for migrating legally to the U.S. unless they already have relatives residing here. One potential avenue is to enter the "diversity lottery," in which 50,000 permanent-residence visas are raffled off each year. The last lottery attracted 10 million applicants, so the chance of winning a green card was only 0.5 percent, far smaller than the chances provided by a student visa.

It would seem that a major roadblock in obtaining a student visa is that the applicant must be admitted by an INS-approved educational institution. There are, however, around 73,000 schools that are certified to hand out I-20s. It is eye-opening to browse through the actual list. In the San Diego area alone, the INS grants its seal of approval to nearly 400 institutions, ranging from the University of California at San Diego to Avance Beauty College, the College of English Language (where new courses start every Monday), the Asian American Acupuncture University, and the San Diego Golf Academy. Because there are so many INS-approved institutions, anyone with the money can buy a student visa to enter the U.S. America has effectively delegated the task of selecting immigrants to thousands of privately run entities whose incentives need not coincide with the national interest.

Consider the financial incentives of large research universities. These institutions need workers to staff their science labs and teaching assistants to assign to large undergraduate classes, and they would prefer to fill these positions at low salaries. Foreign students provide an almost limitless supply of willing workers. Similarly, the owners of privately run vocational schools benefit by having more tuition-paying students, and they have a huge incentive to sell visas under the guise of a foreign-student program.

There are widespread reports that the program has corrupted the admission and education standards at some schools. A well-publicized example involved a San Diego-area businessman who received between $200,000 and $300,000 to procure student visas for Middle Eastern students. In this intricate scheme, an admissions officer accepted bribes to admit the students, and professors at three different colleges sold passing grades.

America has effectively delegated the task of selecting immigrants to thousands of privately run entities whose incentives need not coincide with the national interest.

There is even more corruption abroad. Because the foreign-student program provides a rare opportunity for migrating to the U.S., there is a thriving industry of consulting firms that grease the wheels of the process. The demand for student visas by Chinese nationals is so strong that, according to a U.S. consular official in Beijing, a fee of $10,000 buys phony letters of recommendation, false evidence of economic support, and even professional actors to stand in during the interview with consular officials.

The Internet has numerous websites of firms that guide prospective students for a fee. In India, the Foreign Studies Service Bureau (www.fssbusa.com) will guarantee an I-20 form for about $800, and they even list the schools where the potential student can be enrolled. The list of 92 schools is topped by the University of Wisconsin at Milwaukee and Southern Illinois University at Carbondale. (The FSSB removed the fee information from its website soon after the first draft of this article began circulating.)

There is healthy competition among these firms. A South Korean immigration attorney (www.visas-usa.com/library/foreign_students_ch1_e.htm) gives some fatherly advice: "There are probably hundreds of 'YooHakWon' in Seoul, all specializing in helping students find a school in the United States . . . There are advantages and disadvantages in retaining their services. The advantage is that they will probably help you obtain an I-20 Form . . . The disadvantage is that the school chosen for you may not be the right school for you . . . All 'YooHakWons' in Korea receive a commission from a school in the United States when they introduce a student to them . . . They may try to introduce you to a school from which they receive a commission, rather than finding a school which is right for you."

In short, the INS relegated the vetting of prospective students to an amazingly large number of institutions that benefit financially from the presence of foreign students, and to foreign consultants who brazenly misuse, distort, and pervert the system. This corrupt outcome has little to do with whatever noble goals motivate the program's existence.

THE ACADEMY SCAM

And to whose benefit? A study by the National Academy of Sciences concluded that *all* of the immigration over the past few decades increased the income accruing to natives by less than $10 billion a year. Of that $10 billion contribution, very little—less than $1 billion—can be attributed to foreign students, who account for less than 2 percent of all permanent immigrants.

The net gain to the country may be small—but the higher-education industry can benefit substantially. Foreign students are an important part of the workforce in many universities. Wages and salaries in this sector are around $50 billion annually. If the huge influx of foreign-student workers lowered wages by only 5 percent, the payroll savings would be around $2 billion each year, transferring a significant amount of wealth from workers to management in that industry.

The typical discussion of foreign students' contributions tends to remain on the level of sweeping platitudes.

Taxpayers also lose. The tuition that colleges charge is not typically enough to cover the cost of an education. Gordon Winston, former provost of Williams College, estimates that the average per-student subsidy is $6,400 in private universities and $9,200 in public universities. The 275,000 foreign students enrolled in public institutions are subsidized to the tune of $2.5 billion a year. This subsidy is so large that the foreign-student program may actually generate a net loss for the U.S.

The typical discussion of foreign students' contributions tends to remain on the level of sweeping platitudes. For example, Michael Becraft, former acting deputy commissioner of the INS, has said: "Foreign-student programs have been found to serve U.S. foreign-policy objectives by exposing nationals of other countries to the institutions and culture of the United States, by helping to cement alliances with other countries, and by transferring knowledge and skills to other countries, particularly developing countries." And David Ward, president of the American Council on Education, recently testified: "Without exception, I found [foreign students] to be diligent and hard-working individuals who . . . helped expose American-born students to the world that they would encounter after graduating from college."

There is, in fact, little evidence to support any of these claims. If exposure to foreign students is so valuable to American students—preparing them for "the world that they would encounter after graduating"—why do we not see foreign countries offering thousands of dollars to induce Americans to attend foreign universities? Those countries have much more to gain by exposing *their* students to Americans. We are the world's largest market, and our culture and politics dominate world affairs. Yet France has managed with fewer than 12,000 American students, and Germany with fewer than 5,000.

There is also the argument that the U.S. gains because the foreign-student program lets us skim the best talent from other countries. But over half of the foreign students who end up staying in the country do so not because of exceptional skills or because they are swamped by job offers after graduation, but simply because they marry an American. And the methods foreigners use to obtain student visas, and the ones American institutions use to recruit them, do not boost our confidence that only the best and the brightest show up on our doorstep.

One could plausibly argue that foreign students have *lowered* the quality of undergraduate education. Undergraduates often charge that the poor English of many foreign-born teaching assistants impede their understanding of the material. And there is evidence that foreign-born teaching assistants do indeed have an adverse effect on the academic achievement of U.S.-born undergraduates, as measured by student grades and test scores.

BREACH OF SECURITY

But the issue that generated the most concern in the wake of the September 11 attacks was not that the benefits of the foreign-student program are greatly exaggerated; it was that foreign students might be a physical threat to Americans. Hence the INS's development of the computerized system to track the students.

Yet the security problems would not be solved even if it were possible to track every single student most of the time. By delegating the responsibility for selecting students to 73,000 private entities, the INS persists in *creating* security problems. To take just one example, 14 Syrian men with student visas arrived in the Dallas-Fort Worth airport in October 2001. They were all to be enrolled in a flight school, Delta-Qualiflight Aeronautics, which enrolls a very large number of Middle Eastern students. In fact, Arabic is the main language spoken at that school. That school's admission policy would surely raise concerns if it were reviewed by an independent agency; but there is no independent review.

The September attacks raise an even more important question about the student-worker program. The U.S. has traditionally banned the export of goods that it considers vital to national security, such as supercomputers, encryption technology, and material that can be used to produce weapons of mass destruction. *Yet no similar ban exists on the knowledge that can be acquired in American universities and exported abroad.* And the potential for this kind of abuse is not hypothetical: Consider the history of Dr. Rihab

11-L-0559/OSD/8468

Rashida Taha. She obtained a Ph.D. in biology at the University of East Anglia in the United Kingdom. Her studies were funded by the Iraqi ministry of higher education, and her doctoral research was on plant poisons. Upon returning to Iraq, "Dr. Germ," as she is now known in the British tabloids, became the head of Saddam Hussein's bio-terrorism team.

Professor Paula Stephan of Georgia State University recently compiled statistics on doctorates awarded to students originating in countries targeted for increased security monitoring, including Algeria, Egypt, Iran, Iraq, Saudi Arabia, and Yemen. Between 1981 and 1999, students from those countries received 111 doctorates in nuclear and organic chemistry, with 40 of them going to Iraqi students; 434 doctorates in chemical and nuclear engineering, with 106 going to Iraqis; and 112 doctorates in atomic and nuclear physics, with 31 going to Iraqis.

The Bush administration recently proposed that a government panel review the applications of foreign students who want to study in sensitive areas; but this is likely to be an ineffective response. The panel may need to screen as many as 2,000 applications per year, and it will get little cooperation from the universities: According to the Associated Press, a lobbyist for the universities—seemingly oblivious to the potentially catastrophic cost of a security breach—is complaining that the panel's review "could delay entry into the country and prevent people from enrolling at the beginning of a school term."

Eventually, the U.S. will have to confront an unpalatable policy decision: Should foreign students belonging to particular national-origin groups be barred from entering particular types of educational programs?

OUT OF CONTROL

The foreign-student program has been spinning out of control for years. The terrorist attacks motivated California Democratic senator Dianne Feinstein to propose a six-month moratorium on student visas, giving the INS a breathing period to put the program under tighter control. After intense lobbying by the nation's universities, however, Feinstein withdrew her proposal.

It's not politically correct to say so, but the foreign-student program may not be all that beneficial. Once we stop humming the Ode to Diversity that plays such a central role in the modern secular liturgy, we will recognize that the time has come for a fundamental reevaluation of the program: Why should American taxpayers subsidize the tuition of the hundreds of thousands of foreign students enrolled in public universities? Is it sensible to give so many different institutions the authority to admit foreign students? Can we afford to ignore the national-security rationale for keeping some educational programs off-limits to students from particular countries? The remarkably powerful combination of INS ineptitude and the greed of the higher-education sector has perverted what seemed to be a sensible and noble effort into an economically dubious proposition and a national-security fiasco. The foreign-student program shows yet again how our immigration policy has failed to serve the national interest. NR

Interviewing a Nuremberg Killer

WILLIAM F. BUCKLEY JR.

Nuremberg, September 1945

Concentration Camp Commander Kurt Waldemar Amadeus is examined by the U.S. prosecutor.

He was seated in a two-armed wooden chair, the seat and back lined with leather turned shiny over the years. The defendant wore his metallic-gray SS jacket, shorn from Day One at Nuremberg of any identifying features indicating rank or military order. The pants matched his jacket and he wore boots that rose to a few inches from his knee. An MP guard stood at either side, in the parade-rest position. When the door opened, he rose and the guards snapped to attention.

He looked first at Sebastian, who walked at the head of the little procession to his seat opposite. Sebastian was followed by Captain Carver and Sergeant Hempstone. Carver nodded curtly and sat down. He waited for the portly Sergeant Hempstone to set up her stenotype machine. She moved her chair and her stand deftly and turned an experienced glance at Captain Carver: She was ready.

Carver cleared his throat and read out for the record: *We will proceed with the interrogation of Defendant Kurt Waldemar Amadeus.*

"General Amadeus," the defendant corrected, revealing at least enough familiarity with English to recognize that his rank had not been acknowledged.

"We do not use rank," Carver said offhandedly, looking down at his notes. Then, "That you attained the rank of brigadier general will be revealed in the interrogatory."

Sebastian interpreted, his rendition only once requiring the telltale pause of the alien phrase going from one language to another.

Amadeus turned his eyes to Sebastian, a hint of curiosity on his face at the young man's fluency.

"You are charged . . ."

Captain Carver read out Counts Three and Four from the London Agreement, and then launched into the step-by-step interrogatory. This was tedious because he already had the answers to the preliminary material. Such, he sighed inwardly, would always figure in encounters with the law. He knew that from experience. Time wasted, but perhaps necessarily.

"You were born in Essen, Germany, in 1909." The questions were rapidly interpreted and answered.

"You attended the Technical Institute of Berlin where you studied civil engineering and architecture. You graduated in

Mr. Buckley is editor-at-large of NATIONAL REVIEW. This is an excerpt from his new novel, *Nuremberg: The Reckoning* (Harcourt, 366 pp., $25), reviewed in this issue.

TOP SECRET

Snowflake

September 3, 2002 10:15 AM

IRAQ

ADVANCE COPY GIVEN TO COL. B

TO: Col. Bucci

FROM: Donald Rumsfeld DR

SUBJECT: Talking Points

(DDCI)

Please make sure I get John McLaughlin's talking points from the regional strategies meeting held just before I left for Crawford. I believe the subject was Iraq, terrorists and WMD.

Thanks.

DHR:dh
090302-5

Please respond by 09/06/02

initials

Response Attached/Sep 02
SPB
9/3

TOP SECRET

ATTACHMENT IN SAFE

U08090 /03

snowflake

September 3, 2002 11:34 AM

380.01

TO: (b)(6)

FROM: Donald Rumsfeld DR

SUBJECT: Family Security

I have no sense of what the problems might be, but as you, Joyce and I have talked, we do have a child, (b)(6)
(b)(6)

I would appreciate being kept posted if you think there is any reason we should alter their behavior.

Thanks.

DHR:dh
090302-13

Please respond by 09/13/02

3Sep02

U08092 /03

Snowflake

September 3, 2002 11:41 AM

Middle East

TO: Larry Di Rita

CC: Powell Moore

FROM: Donald Rumsfeld DR

SUBJECT: Senator Hagel

I do not want to find out that Chuck Hagel is angry because he wasn't briefed on what he asked to be briefed on or because he feels we briefed him differently than other agencies briefed him.

We need to screw our heads into this and make sure we do it right. This is dangerous stuff, and it is important for us to be properly responsive to the Congress.

Thanks.

Attach.
08/16/02 ASD(LA) Summary of briefings to Senator Hagel

DHR:dh
090302-15

Please respond by 09/13/02

3 Sep 02

U08093 /03

Snowflake

August 20, 2002 5:57 PM

TO: Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Briefing Senator Hagel

I don't feel like I am being kept up to date on how we are briefing Hagel—who is doing it, where it is being done, whether or not I am aware of it before it happens, what the topics are, and who is sitting in.

I need to be on top of that. It is important, and I do not feel like anyone is getting back to me.

Thanks.

DHR:dh
082002-17

Please respond by 09/03/02

SECDEF HAS SEEN
SEP 03 2002

8/29

Summaries of briefing activity attached.

DR

C 8/30

SCB 8/30

THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

LEGISLATIVE AFFAIRS

~~TOP SECRET/SCI~~

SECDEF HAS SEEN

SEP 03 2002

INFO MEMO

August 16, 2002, 1330

FOR: SECRETARY OF DEFENSE

FROM: Powell Moore, Assistant Secretary of Defense for Legislative Affairs

SUBJECT: Ops/Intel Briefing on Iran, Iraq, and Saudi Arabia to Senator Chuck Hagel (R-Neb.)

- At the request of Senator Hagel, we provided an Ops/Intel briefing for him at 1100, 15 August 2002 in S-407, The Capitol. Senator Hagel was present with no staff. In attendance from DoD was Peter Rodman, ASD/ISA; Powell Moore, ASD/LA; Col Jeff Burton, JCS/J-2(Deputy); Mr. Bob Ross, JSC/J-2 Iraq Analysis; Mr. Paul Wolfe, JCS/J-2 Iran Analysis; Mr. Jon LaPointe, JCS/J-2 Saudi Arabia Analysis; and Lt Col Keith Zuegel, JCS/LA.

- The JCS/J-2 briefing to Senator Hagel was conducted almost entirely by the analysts (**Tab 1**). There are no pending requests for additional briefings for the Senator, but we offered to brief him at a future date on our views on combating terrorism and weapons of mass destruction.

- Additionally, we have found that Senator Hagel had asked and received similar briefings from CIA and DoS. We are contacting both to obtain additional information on briefers and materials presented. A list of topics requested of CIA (**Tab 2**) and DoS (**Tab 3**) from the Senators office is attached.

COORDINATION: ASD/ISA

Attachment:
As Stated

~~TOP SECRET/SCI~~

Unclassified upon removal of attachments

Prepared by: Lt Col Leo Clark, ASD/LA, (b)(6)

11-L-0559/OSD/8474

X02648-02

THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

LEGISLATIVE AFFAIRS

UNCLASSIFIED

INFO MEMO

August 14, 2002 6:30 PM

FOR: SECRETARY OF DEFENSE

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

SUBJECT: Briefing for Senator Chuck Hagel (R-Nebraska)

- Senator Chuck Hagel made a request to the Joint Staff for an intelligence briefing on Thursday, August 15 at 11:00 a.m. on Iraq, Iran and Saudi Arabia. General Shaffer, the J-2, is scheduled to go up and conduct this briefing in Room S-407, the Capitol's secure room, but at my request, Peter Rodman will accompany him. It has been our practice for a representative from the Policy operation to participate in briefings like this. Doug Feith, Peter Rodman and I thought that you should be advised of this briefing.

CIA

(U)

- Iran's support for terrorist groups operating inside Israel.
- Iran's role in Afghanistan.
- The domestic situation inside Iran; the reform movement; the relative strengths of Khatami, Khamenei, Rafsanjani, and other key figures.
- The extent of Azeri separatism in Iran. Role of Mehmet Chechregani.
- Iran's policies toward Iraq, the Iraqi opposition, and a possible US invasion of Iraq.
- Any initiatives to improve US-Iran relations.
- US-Russian initiatives re: Iran's nuclear programs.

- US policy toward the Iraqi opposition. The recent meetings in Washington.
- Our assessment of the role/capabilities of the opposition inside and outside of Iraq.
- What likely comes after Saddam Hussein in Iraq.
- The status of our diplomatic efforts at the UN and in the Arab world to support our policy of regime change toward Iraq.
- Iraq's diplomatic initiatives in the Arab world.
- Iraq's support for terrorism, especially against Israel and the United States.
- Iraq's links to al-Qaeda.

- The status of the US-Saudi relationship.
- Saudi links to terrorist groups.
- Saudi support for the war on terrorism, Israeli-Palestinian peace, and regime change in Iraq.

DOS

(4)

Iran

- General threat assessment of Iran (Nuclear, Chemical, biological and missile capabilities)
- Iran's support for terrorist groups operating inside Israel.
- Iran's role in Afghanistan / al Qaeda (recent turnover of Al Qaeda to Saudi Arabia)
- The domestic situation inside Iran; the reform movement; the relative strengths of Khatami, Khamenei, Rafsanjani, and other key figures.
- The extent of Azeri separatism in Iran.
- Iran's policies toward Iraq, the Iraqi opposition, and a possible US invasion of Iraq.
- Any initiatives to improve US-Iran relations.
- US-Russian initiatives re: Iran's nuclear programs (Bushehr)

Iraq

- Threat assessment of Iraq - (Nuclear, Chemical, biological and missile capabilities)
- Capabilities of Iraq's conventional forces (both in the no-fly zones and in the heart of Iraq)
- US policy toward the Iraqi opposition. The recent meetings in Washington.
- Our assessment of the role/capabilities of the opposition inside and outside of Iraq.
- What likely comes after Saddam Hussein in Iraq.
- The status of our diplomatic efforts at the UN and in the Arab world to support our policy of regime change toward Iraq.
- Iraq's diplomatic initiatives in the Arab world.
- Iraq's support for terrorism, especially against Israel and the United States.
- Iraq's links to al-Qaeda.
- Regional support necessary for successful military operation in Iraq (overflight rights, refueling rights, intelligence, border control, basing rights, etc.)

Saudi Arabia

Note: The press has reported that at a meeting of the Defense Policy Group, RAND analyst Laurent Murawiec stated, "The Saudis are active at every level of the terror chain, from planners to financiers, from cadre to foot-soldier, from ideologist to cheerleader," and "Saudi Arabia supports our enemies and attacks our allies."

- The status of the US-Saudi relationship.
- Saudi links to terrorist groups.
- Saudi support for the war on terrorism, Israeli-Palestinian peace, and regime change in Iraq.

snowflake

September 3, 2002 11:13 AM

151

TO: Steve Cambone

FROM: Donald Rumsfeld DR

SUBJECT: Stryker

Here is a piece on the Stryker. Would you please find out what the actual facts are and let me know?

Thanks.

Attach.
Muradian, Vago and Naylor, Sean, "Pentagon Ups Pressure on Stryker," *Army Times*, September 2, 2002.

DHR:dh
090302-10

Please respond by 09/27/02

3 Sep 02

U08094 /03

above. Survivors who found the higher exit signs virtually useless suggested the change.

"The jet fuel left a black smoke that was coming down as you moved forward," said Lt. Col. Franklin Childress, a public affairs officer who interviewed many survivors. "People were yelling, 'Get down! Get down!' "

Childress lost 24 of his colleagues in the Army's second-floor personnel office. He attributes his survival to "divine intervention": He had been on the job just one week and was at his home a mile away to meet the moving van, a day late for its scheduled Sept. 10 delivery.

To accompany the new exit signs, there are additional exits. Each piece of limestone on the building's facade has been replaced or cleaned--except one, with "September 11, 2001" etched into the charred stone. Perhaps the most noticeable change for the occupants is a starker blast of air-conditioning, kept cooler inside better-insulated walls.

At the time of the attack, renovations to the 400,000-square-foot section were being completed. Project managers essentially tore everything down and rebuilt.

This time, building to withstand a terrorist assault was "standard operating procedure," said Jean Barnak, the Pentagon's deputy project manager for the renovation. Many of the subtle innovations in the refurbished area, such as the lowered exit signs, will likely be included as other parts of the building are renovated, she said.

Then there are the memorials. In the second floor of the outer ring, workers are moving stained glass from the third floor to a new chaplain's office, already adorned by a stained-glass eagle superimposed over the five-sided building with the script, "United in Memory, Sept. 11, 2001." In the next room, the wall reads "America's Heroes," above a space reserved for the victims' names.

Outside, John Deere tractors and concrete rollers rush to smooth the ground where a memorial ceremony will be held on the anniversary of the attack. Nearby, workers clear the site for a permanent memorial.

The project is not due to be finished until spring, but the construction has marked a refreshing change for anyone who has waited for contractors to complete a job. With some workers voluntarily spending Thanksgiving, Christmas and other holidays on the site, some portions of the renovation have been as much as a month ahead of schedule.

"There was such a common cause here. Everyone did what they were supposed to do when they were supposed to do it--or even earlier," Barnak said as a worker rolled paint on the window sill behind her. "I would have workers come over and say how proud they were to have worked on the project. They'd come over and thank you for being allowed to work on it."

Army Times
September 2, 2002
Pg. 10

18. Pentagon Ups Pressure On Stryker

Questions loom over limits in airlifting vehicle

By Vago Muradian and Sean Naylor

Senior Pentagon officials, considered that the Army's multibillion dollar Stryker armored vehicle may be too difficult to airlift, are questioning the program's future, according to top officials.

"We've got a lot of questions the Army needs to answer," one senior official said.

The Stryker is the centerpiece of the Army's Stryker Brigade Combat Teams, designed to usher in the Army's transformation to a lighter, more mobile force. Army leaders want to buy more than 2,000 Strykers to outfit six brigades — at a cost of $1.5 billion per brigade — the first of which would be fielded in January 2003 and be designated "combat ready" four months later.

Senior Army officials said they were unaware of any move to kill the Stryker program.

"I am certainly aware of no effort to cancel Stryker," said Army spokesman Maj. Gen. Larry Gottardi. "As a matter of fact, I think we have all been very impressed by the Stryker Brigade Combat Team and Stryker vehicle performance during Millennium Challenge 2002. The performance and the improvements in capability that it gives the soldiers in [brigades] is pretty impressive. I personally, as a combat arms officer, have been very impressed by its performance."

"I'm stunned," said another senior Army officer in the Pentagon. "This is the first I've heard about it."

Stryker, which will come in two main versions — an infantry carrier and a mobile gun version equipped with a 105 mm weapon — is being developed by GM GDLS, an industrial team comprising General Motors Canada, and General Dynamics Land Systems, Sterling Heights, Mich.

The ability to transport Stryker by C-130 is a top requirement given the plane is the Air Force's key airlifter, sources said.

"It barely fits into a C-130 [Air Force transport plane] with inches to spare. Plus, it's so heavy that most of the time we may need two 130s to carry each Stryker — one for the vehicle and the other for fuel, ammunition and crew. One [Stryker] with all that stuff can go on a 130, but then the plane can't fly very far.

"It's not that it won't perform well when it's on the ground," the official added. "It's actually pretty good. But if we can't move it easily, that's a big handicap."

Timetable still uncertain

It remains unclear when Pentagon officials will rule on Stryker's fate, sources said. The program is among a number of major weapons efforts now under review by Rumsfeld and his staff for cancellation or major cuts, among them the Comanche armed reconnaissance helicopter, the V-22 tiltrotor aircraft, and the F-22 fighter jet.

Senior Pentagon leadership met with President George W. Bush on Aug. 21 at his ranch in Crawford, Texas, to discuss defense strategy, including long-range defense spending, military transformation efforts and program cancellations.

Should Stryker be terminated, it would be the second major Army weapons program to be snuffed out by Rumsfeld. In April, he canceled the service's Crusader self-propelled howitzer program for a variety of reasons, among them that the vehicle was too heavy to be easily airlifted.

Rapid deployment is a key criterion for Rumsfeld as he works to transform the U.S. military into a more powerful and flexible force, a requirement that has gained importance as the United States fights a global war against terrorism.

Pentagon officials have asked the Air Force for data on the cargo capabilities of the C-130 and C-17, sources said. A central Pentagon concern is whether Stryker is simply too large for the C-130. Because Stryker takes up virtually all the space inside a C-130's fuselage, the Air Force has issued a waiver to enable the planes to move the vehicle.

Once aboard the plane, the Stryker uses its "height management system" — which includes tire inflation — to lower the vehicle to allow aircrew members to move more easily over the top of the vehicle to gain access to the rear of the airplane, a key consideration in the event of an in-flight emergency.

No stranger to skepticism

Controversy has swirled around Stryker since it was selected as the winner of the Army's Interim Armored Vehicle competition in 2000. Some critics were pessimistic because Stryker is a wheeled combat vehicle, the first in decades. Others questioned whether the new vehicle could be easily air transported and whether its chassis was strong enough to absorb the recoil from the 105 mm gun some models are to carry. Because of structural limitations — Stryker is based on GM's Light Armored Vehicle that was introduced three decades ago — a 105 mm "soft recoil" gun will have to be used that may require new ammunition.

A senior Army officer in the Pentagon said ammunition wasn't the only issue regarding

the Stryker's mobile-gun system.

"On the 105 program, the frustration everybody has is that right now it's not C-130 transportable," the officer said. "It's too tall."

Army officials and industry executives stress that the vehicle exceeds the service's requirements, and amply demonstrated its capabilities at the three-week Millennium Challenge 02 war game that recently concluded. Stryker debuted during the war game at exercises at the National Training Center Calif.

Army officials and soldiers operating the vehicles lauded their new mounts' capabilities, particularly its ability to rapidly cross rough terrain, achieving speeds as high as 68 mph, and for its long operating range.

To address questions regarding the air transportability of the Stryker, during the exercise one vehicle was delivered to the National Training Center aboard a C-130, rolling smoothly off the aircraft and joining other vehicles already there.

"Stryker has been tested by the Army and the Air Force, and both are satisfied that it can be transported by a C-130," said General Dynamics spokesman Kendell Pease. "And we have repeatedly transported it by C-130 and have had no issues.

"When we started development, we conducted tests to see how well Stryker would fit on a C-130. We saw it would be tight and the Air Force asked us to drop the height of the vehicle once aboard to allow its loadmasters to get to the back of the plane, and our height management system allows us to do that. We meet or exceed all requirements, including transport on a C-130."

Another general in the Pentagon said that a move by Rumsfeld's office to kill Stryker would not be a bolt from the blue.

"I would not be surprised if that were the case," he said. "My guess is it would be couched in terms of 'why put money in an interim solution if that money could be used to bring forward the Objective Force quicker?' Now our own analysis says you can't get there quicker than you're going. You have a requirement right now, and you need to invest in fulfilling that requirement. That was the reason for buying the Stryker to begin with.

Regarding accusations that the Stryker is a tight fit on the C-130, the general answered "What isn't?"

"If you're gonna stick a vehicle on a C-130 it's gonna be a tight squeeze," he said. "Either it fits or it doesn't fit. To the best of my knowledge, there isn't a 'kinda fits' category."

The general said that although the original version of the mobile gun system that GM/GDLS had been marketing to other countries did not meet the C-130 transportability requirement, he understood that these technical hurdles had been overcome in the version that the Army had agreed to buy.

Canceling the Stryker would be a major snub to the Army leadership. "It flies in the face of what we have defined [as a requirement]," the general said.

Fayetteville (NC) Observer
August 27, 2002

19. Bragg Deaths Draw Concern

By Henry Cuningham, Military editor

The Army's No. 2 civilian leader visited Fort Bragg on Monday to express concern about recent murders involving military couples.

Les Brownlee, the undersecretary of the Army, also looked at deployment policies for the war on terrorism.

Brownlee said he had planned to come to Fort Bragg, but he moved up his trip because of the murders.

"The Army is a family," he said. "The family is very concerned when you have incidents like this, which are so tragic."

Brownlee, a retired Army colonel who was in the 173rd Airborne Brigade in the Vietnam War, spoke at a press conference at Pope Air Force Base. His duties include overseeing day-to-day operations and acquisitions for the Army.

"We don't know why these incidents happened in a cluster at Fort Bragg," Brownlee said. "We can't find a causal factor that says, 'Aha, that's what it is."'

Three of the four soldiers who are accused of killing their wives were assigned to the U.S. Army Special Operations Command at Fort Bragg. Two of those soldiers committed suicide after shooting their wives in the head.

Support for families

Brownlee said the Army will look at support for military families, which have to cope with soldiers' frequent absences for training and deployments.

"What we want to do, if we can, is identify causal factors and do whatever we can to institute changes to avoid these kinds of incidents happening in the future," he said.

The Army surgeon general sent an epidemiology team to Fort Bragg to investigate the medical aspects of the deaths. The investigation will look at Lariam, a preventative drug routinely prescribed to soldiers in malaria-risk countries such as Afghanistan. Three of the soldiers accused of killing their wives served in Afghanistan. Some Lariam users have blamed the drug for causing psychotic symptoms. The Army has not said if the husbands took Lariam.

"Most of the medical people that I have talked to have indicated they don't believe it is (the cause) in this case," Brownlee said. "We want to be sure. We may not be able to determine if it is the factor, but maybe we can take it off the list."

Keeping troops ready

During the visit, Brownlee met with Lt. Gen. Doug Brown, commander of U.S. Army Special Operations Command. They discussed what it will take to keep a force of highly trained, rigorously selected soldiers when they are in heavy demand in a war that will go on "indefinitely."

U.S. Army Special Operations Command has headquarters at Fort Bragg and oversees the training, manning and equipping of Special Forces, Rangers, special operations aviation and secretive commando units.

"Early in the war, what turned out to be the indispensable element in that war were Army Special Forces, the 'A' detachments for sure," Brownlee said. "Their ability to operate on the ground with the northern alliance forces enabled us to coordinate airstrikes and the movement of the northern alliance against the Taliban-al-Qaida forces. I think that's when we started to see that force crumble."

The soldiers used high-tech electronic gear and sometimes rode on horseback, he said.

"I became convinced that in this global war on terrorism, these guys are going to be more and more valuable," he said.

The Army has to establish policies on how long and how often soldiers will deploy to maintain the all-volunteer force, he said.

The requirements may call for more Special Forces, military police and military intelligence soldiers, he said.

"You can't do that overnight," he said. "Then you have to accept some exceptions to your own policy in the near term while you reorganize your forces."

Washington Times
August 27, 2002
Pg. B8

20. Forestville Freshmen Adjust To Army Ways

By Stephen Manning, Associated Press

The 14-year-old slumped in his desk chair, sinking into his baggy jeans and oversized T-shirt, was trying to talk back, but retired Army Sgt. Charles Moore wasn't listening.

"It's 'Yes sir' or 'No sir.' Is that so hard to explain?" Sgt. Moore barked at the teen, who slouched lower with each word. "You're going to have to start getting used to it."

Things are different this year for the roughly 400 ninth-graders, boys and girls alike, who started school yesterday at Forestville Military Academy,

Snowflake

September 3, 2002 11:45 AM

Cuba

TO: Peter Rodman

FROM: Donald Rumsfeld

SUBJECT: Cuba-Iraq

Thanks for your note on Cuba-Iraq intelligence cooperation—good work!

Thanks.

DHR:dh
090302-16

Please respond by _____

3 Sep 02

U08095 /03

snowflake

September 3, 2002 12:55 PM

TO: VADM Giambastiani

FROM: Donald Rumsfeld DR

SUBJECT: Gingrich's Seven Points

At some point I want to get a meeting with you, Gen. Myers, Gen. Pace and Paul Wolfowitz and sit down and talk about Newt Gingrich's seven points.

Thanks.

DHR:dh
090302-25

Please respond by 09/06/02

0516.000

35e02

U08097 /03

snowflake

September 3, 2002 1:29 PM

000.5

TO: Steve Cambone

FROM: Donald Rumsfeld DR

SUBJECT: CIA Questions

Where do we stand on finding out about the questions the CIA has been asking Abu Zabayda.

Thanks.

DHR:dh
090302-27

Please respond by 09/13/02

3Sep02

U08098 /03

snowflake

September 3, 2002 1:34 PM

TO: Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: Follow Up to Questions

I was asked some key questions on Monday and Tuesday when I was visiting with the troops, and even on Wednesday after I left Crawford—all three of those days. Who is responsible for telling me what those questions were, what the answers were that I didn't know and what we are doing about them.

Thanks.

DHR:dh
090302-29

Please respond by 09/04/02

9/3

SecDef -
I have tasked out the Ft Hood questions (attached) and will do the same with the California questions. Will get responses to you before we send them to the Commanders.

Dirt

August 25, 2002

MEMO TO UNDERSECRETARY (PERSONNEL AND READINESS)

From: Di Rita

Subj: Follow-up to SecDef Visit to Ft. Hood
August 21, 2002

During the Town Hall meeting at Ft Hood last week, SecDef said he would provide follow-up on the following issues that military and/or dependents raised with him:

1. What provisions are we making for military spouses/dependents to have access to on-line college programs?

2. Are we considering any changes to dental or vision health coverage?

3. What is the status of proposals that would make Korea a tax-free zone, or for any other monetary offsets for soldiers stationed there?

4. What is the status of making unused Montgomery G.I. Bill benefits available to spouses and other dependents?

Please provide a short response to these questions that we can provide back to the Corps Commander.

Thanks.

Snowflake

September 3, 2002 2:55 PM

Afghanistan

TO: Vice President Richard B. Cheney

FROM: Donald Rumsfeld D.R.

SUBJECT: Decisions

Attached is the paper I pulled together on threads, with respect to the war on terrorism. It is quite a different approach from the interview with Woodward I just read.

Attach.
05/10/02 Major Directional Decisions—9/11/02 et seq.

DHR:dh
090302-31

3Sep02

U08100 /03

May 10, 2002 11:42 AM

SUBJECT: Major Directional Decisions—9/11/01 et seq.

1. Despite the September 11th terrorist attacks or attacks that may occur in the future, the U.S. will not pull back or withdraw - the U.S. will stay engaged in the world.

2. When attacked, the U.S. will be "leaning forward, not back." When the U.S. is seen as faint-hearted or risk-averse, the deterrent is weakened.

3. Terrorism: it is not possible to defend against terrorism in every place, at every time, against every conceivable technique. Self-defense against terrorism requires preemption - taking the battle to the terrorists wherever they are and to those who harbor terrorists.

4. The war against terrorism will be "broad-based, applying pressure and using all elements of national power—economic, diplomatic, financial, intelligence, law enforcement and military, both overt and covert."

5. The campaign against terrorism will be "long, hard and difficult." Terrorists do not have armies, navies or air forces to attack, so we must go after them where they are and root them out.

6. The U.S. will not rule out anything—including the use of ground forces. This will not be an antiseptic, "cruise missile war." The U.S. is ready and willing to put boots on the ground when and where appropriate.

7. Coalitions: "The mission must determine the coalition; coalitions must not determine missions"; missions must not be dumbed down to the lowest common denominator by coalition pressure.

8. The U.S. wants help from all countries, in every way they consider appropriate; we recognize that to get maximum support, it is best for each country, rather than the U.S., to characterize how and in what ways they are assisting the overall effort.

9. Declaratory policy: the U.S. is against global terrorists and countries that harbor terrorists—"you are either with us or against us."

10. The U.S. recognizes it must be willing to accept risks. There are causes so important that they require putting lives at risk - fighting terrorism is one.

11. Avoid personalizing the war against terrorism by focusing excessively on UBL or Omar. The task is bigger and broader than any one individual. We must root out the terrorist networks.

12. Because Afghanistan is "anti-foreigner," the U.S. emphasized the truth, that the U.S. is not there to stay; rather, we are there to help fight terrorism, liberate the Afghan people from the Al Qaeda and the Taliban, assure that it does not harbor terrorists in the future, assist with humanitarian assistance and help establish the conditions to ensure the new Afghan government has the opportunity to succeed.

13. The link between global terrorist networks and the nations on the terrorist list that have active WMD capabilities is real, and poses a serious threat to the world; it points up the urgency of the effort against terrorism.

14. September 11th resulted in a major shift in the world, offering opportunities to establish new relationships and to reorder institutions in ways that will contribute to our goals of peace and stability for decades to come.

15. Victory on the ground was crucial to the success of the information campaign—because strength is respected throughout the world, and particularly in the Arab world, but also because liberation of the Afghan people has been one of the most powerful stories on our side.

16. The U.S. can be effective when we leverage the capabilities of others.

17. Perhaps most important of all, we leveraged the Achilles heel of our opponents, which was the fact that the Taliban regime and the terrorists were so widely hated by the people they oppressed. More generally, every government that supports terrorism also rules by terror, and the people they terrorize are our potential allies.

18. Momentum is crucial, and it was important to pursue the campaign relentlessly—no pauses to negotiate, no pauses for Ramadan, no pauses outside Kabul.

19. The campaign had to include humanitarian operations (and information operations) from the very beginning. Moreover, humanitarian operations had to be viewed in a strategic way, focused on helping those people who were on our side.

20. Military force can have political effect only if it is militarily effective or threatens to be militarily effective. Merely blowing things up, without affecting events on the ground, becomes a symbol of impotence.

21. Finally, success required recognizing that defeating the Taliban regime had to be a goal, rather than preserving it to avoid chaos in Afghanistan or separating "good" Taliban from bad ones. Afghan reconstruction (and rehabilitation of "good" Taliban) could only come after the defeat of the Taliban regime.

22. Unified commanders are expected to develop military options void of preconceived political constraints. First determine what is possible, then let folks in Washington worry about what can be achieved. (CINC can certainly voice his opinion about the advisability of options.)

23. Setting the bar higher—we should list our expectations of countries based on what we want them to do rather than what we think they are willing to do.

24. Special reconnaissance operations (SRO)—focus changed to a proactive mode that places value on our adversaries knowing we are doing it. Some will remain unseen, others will be coercive.

25. Even though we are engaged in a large conflict, we must continue to transform in order to emerge from this current operation with the quality of our force intact and ready to meet the many challenges of the 21st century.

Donald Rumsfeld

DHR:dh
SD Memos/Current MFRs/Major Decisions.0501

11-L-0559/OSD/8488

snowflake

September 4, 2002 1:47 PM

TO: Gen. Myers

FROM: Donald Rumsfeld DR

SUBJECT: Plan

As soon as you get the plan polished on the "top 2+7" please brief me before we take it to the NSC process.

The President, the Vice President and Condi were happy with it, as you saw, so it is just a matter of getting it right.

Thanks.

DHR dh
090402-2

Please respond by 09/20/02

U08101 /03

snowflake

September 5, 2002 7:32 AM

032

TO: Powell Moore

FROM: Donald Rumsfeld DR

SUBJECT: Hill Briefing Follow-Up

I assume you have all those key questions that were asked at the briefing on the Hill yesterday. I need to see a list soon of those questions and who asked them.

Thanks.

DHR:dh
090502-7

Please respond by 09/13/02

5 Sep 02

U08102 /03

Snowflake

115
1500

Done

September 5, 2002 7:34 AM

Afghanistan

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Foreign Aid for Afghanistan

Yesterday Senator Leahy asked about OMB saying they wanted zero foreign aid for Afghanistan for next year. That can't be right. Please find out the facts.

Thanks.

DHR:dh
090502-9

Please respond by 09/13/02

9/9

→ Dr Zakheim -

Please advise.

D. Rita

5 Sep 02

Larry Di Rita
9/9

U08103 /03

INFO MEMO

September 10, 2002, 4:00 PM

FOR: Larry Di Rita

FROM: Dov S. Zakheim

SUBJECT: Foreign Aid for Afghanistan

- OMB staff supports foreign aid for Afghanistan in FY 2003.
- State did not request FY 2003 foreign aid funding specifically for Afghanistan. The International Military Education/Training (IMET), Foreign Military Financing (FMF), and Economic Support Fund (ESF) State FY 2003 budget request are all "TBD".
- An amendment to the budget or a reprogramming will need to be initiated by State to realign funds in FY 2003 to support foreign aid in Afghanistan.
- There is an unfunded ANA Training Program requirement in FY 2003 of $292M. I have pressed State to get funding for this program. As an alternate plan, Steve Cortese, Senate Appropriations Committee, has agreed to add $100 million in DoD FY 2003 drawdown authority for this effort. The funding will be addressed in an FY 2003 supplemental request.

COORDINATION: None.

Prepared By: Heidi Grant, (b)(6)

Doug Blanqfield of State says they will pay ANA salaries out of its PKO (peacekeeping op's) account for 03.

snowflake

C 9/9

September 5, 2002 7:56 AM

230

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Senior Career Civilians

Someone suggested I meet with the senior career civilians sometime. What is your reaction to that?

Thanks.

DHR.dh
090502-10

Please respond by 09/13/02

SECDEF HAS SEEN

SEP 09 2002

→ Sec Def 9/9

Good idea. We considered an option for a little later this month and thought it would be better for Deputies given all that's on your plate. Perhaps a separate Town Hall focused on them. Will advise.

D. Rita

5 Sep 02

SPD 9/9

Larry Di Rita 9/9

11-L-0559/OSD/8493

snowflake

September 5, 2002 4:44 PM

015

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: ICC Slides

Please get me a copy of the ICC slides that were presented by Feith today at the CINC conference.

Thanks.

DHR:dh
090502-11

Please respond by 09/13/02

5 Sep 02

U08106 /03

snowflake

September 5, 2002 4:46 PM

015

TO: Doug Feith

FROM: Donald Rumsfeld

SUBJECT: ICC

You ought to write an op-ed column on the ICC (or get someone else to) that uses the material from those slides today.

Thanks.

DHR:dh
090502-12

Please respond by 09/13/02

5 Sep 02

U08108 /03

snowflake

September 5, 2002 4:48 PM

337

TO: Doug Feith

FROM: Donald Rumsfeld DR

SUBJECT: Armitage

You should tell Paul about the Armitage flap you are engaged in that was described to you by one of the folks at the CINC conference today.

Thanks.

DHR:dh
090502-13

Please respond by 09/13/02

5 Sep 02

U08109 /03

snowflake
snowflake

September 6, 2002 9:22 AM

TO: Larry Di Rita
Col. Bucci

ADVANCE COPY GIVEN TO CDR SETTELE

CC: (b)(6)

FROM: Donald Rumsfeld DR

SUBJECT: Calendar

(b)(6) wants to see me in six weeks, so we need to work with his office and make a schedule.

(b)(6)s going to be in Monday and Tuesday for therapy.

Thanks.

DHR:dh
090602-5

Please respond by 09/09/02

000.71 SD

6 Sep 02

U08110 /03

snowflake

Done 10/25/02

September 9, 2002 9:39 AM

337

TO: ADM Giambastiani

CC: Gen. Myers

FROM: Donald Rumsfeld DR

SUBJECT: Follow-Up from CINCs Conference

A What do you think about pulling together the budget information I mentioned in the meeting with the combatant commanders—with respect to exercises and training? Please see if we can categorize it as service-centric, joint and combined.

B Another interesting question that came up there was that each command had their own distinctively different suite. That is worrisome.

Someone also said that they don't train on their own suite, and that it should be treated as a weapon system, which it isn't.

Thanks.

DHR:dh
090902-7

Please respond by 10/15/02 10/25/02

SECDEF —

RESPONSE TO A AND B ATTACHED.

V/R
EP

9 Sep 02

02 SEP 11 11

TOTAL P.02

U08111 /03

October 25, 2002

To: Secretary of Defense

CC: Gen Myers

From: ADM Giambastiani V/R Ed

SUBJECT: Follow-Up From Combatant Commanders Conference

A. Exercises and Training Budgets. The short answer to part (A) for exercises is listed below (source JCS J8).

	Service-Sponsored ($M)			Joint ($M)		
	FY 01	FY 02	FY 03	FY 01	FY 02	FY 03
Major Exercise Costs	433.3	450.4	462.7	567.8	568.0	608.8

For training, we've found it's too hard to cull out the relevant information without applying a significant effort due to the way the services have the data coded. The ability to capture dollars spent on the various types of training may provide a useful "Jointness" metric. However, building on my Navy experience, a change in the mindset of our component commanders in building their exercise and training plans may be a useful method of approaching the problem. Service force providers typically meet service training requirements first, using remaining assets to populate Joint exercises. A better construct may be to reverse this priority – meeting Joint training requirements first. Services would then look for ways to meet some portion of their unit level training requirements, where feasible, in the context of Joint exercises. Remaining training assets could then be placed against whatever additional service-centric training is considered necessary. General Larry Ellis, the Commanding General of U.S. Army Forces Command and my Army Component Commander, has given just such intent to his exercise planners. I plan on exploring this initiative with my other component commanders. While I'm not sure it will work across the board, I think it's a path to explore.

B. Command and Control Suites. To no one's surprise, combatant commanders have developed distinctively different command and control suites or stand-alone capabilities because of the lack of any joint system of meeting their needs -- something we recognize is a priority to fix. I agree that command and control suites should be treated as weapons systems and battle staffs need to be trained on them. The Standing Joint Force Headquarters (SJFHQ) initiative -- with concurrently developed personnel, procedures, and materiel -- will provide the

core solution. A prototype has been stood up, and we are moving out on developing the SJFHQ. The Deployable Joint Command And Control (DJC2) system will provide a significant part of the sustained material and technical solution. Funding is approved for DJC2 and its program office will open in January 03. The Joint Enroute Mission Planning and Rehearsal System developed by the JFCOM Joint Battle Center demonstrated an interoperable and robust, end-to-end command and control system easily integrated yet adaptable to commander's unique requirements. The Joint Enroute Mission Planning and Rehearsal System shows what we can do today with innovation and technology - this is the sort of thing that we need. Right now it is being tailored for use by General Franks and his staff and used on his recent flight to the theater. We will transition this capability to the other combatant commanders this fiscal year, as well as put it in the SJFHQ and at the Joint Communications Support Element (JCSE) in Tampa, FL -- your on-call JTF commander's command and control provider. Additionally, LTG McNeill is using the training and procedures he received in preparation for Millennium Challenge for Joint Task Force 180's current mission in Afghanistan. I expect we will be able to provide all future JTF commanders with these capabilities prior to deployment, in addition to providing the requisite training.

11-L-0559/OSD/8500

snowflake

September 9, 2002 7:38 AM

TO: Jim Roche

FROM: Donald Rumsfeld DR

SUBJECT: Book

Here is the book back. It is wonderful. Needless to say, I recall a good number of those quotes and knew many of the people who wrote comments in the opening. Quite a man he was—he did our city proud. Thanks for the nice thought.

Regards.

Attach.
Book

DHR:dh
090902-7

Please respond by _____

9 Sep 02

U08112 /03

snowflake

September 9, 2002 7:49 AM

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Op-Ed

On this article, I am sure we'll use it soon. Here is a fix on it that I think is important. We don't want to say just soldiers, sailors and marines.

Thanks.

Attach.
Op-Ed

DHR:dh
090902-10

Please respond by _____

OS 7,000

9 Sep 02

U08113 /03

BY DONALD H. RUMSFELD

As Americans reflect on the anniversary of the Sept. 11 attacks, we can take comfort in this knowledge: The world is safer than it was one year ago. While thousands of terrorists remain at large and still pose a threat, it is more difficult for them to plan, communicate, raise funds and cross borders.

Yet somehow we do not feel safer. And that is understandable. Last year's tragedy made us all more aware of our vulnerabilities, more conscious of the new dangers emerging in the 21st century.

There is a powerful demand today to discuss the next steps in the war on terror—specific countries and how best to deal with them. We will have that debate in the days and weeks ahead. But first we must address a larger question: how do we defend our nation in an era in which a number of terrorist states and networks will have the capability to visit catastrophic destruction upon others, near and far?

Today's security environment is dramatically different from the one to which we had grown accustomed over the past half-century. Many of the world's most irresponsible regimes are aggressively pursuing the means to attack our citizens where they live and work. The threat posed by these regimes was once confined largely to their own regions—they could wreak havoc on neighbors, and threaten Western interests, but they possessed modest capacity to take their wars to our cities and streets. Today, that is no longer the case. In a world of international finance, communications, and transportation, even relatively small, isolated countries, organizations and individuals can have global reach.

Today, our margin of error is much smaller. In the 20th century, we were dealing largely with conventional weapons that tended to kill hundreds or even thousands of people. In the 21st century, we are dealing with weapons

of mass destruction—chemical, biological and nuclear—that can kill potentially hundreds of thousands of people.

Because our margin of error has changed, so has the calculus for defensive action. In the past, democratic nations ~~generally did not initiate wars. We~~ could relied on diplomacy, economic sanctions and traditional deterrence. If those failed, we could absorb an attack, recover, take a deep breath and go out and defeat our attackers. Today, we may no longer have that luxury. To wait until we are attacked would mean that those killed would ~~not just be soldiers, sailors, airmen and marines—they would be~~ include many innocent men, women and children. who cannot defend themselves.

?

We are also living in an age when new threats can emerge suddenly with little or no warning. Terrorist movements and states have large appetites for weapons of mass destruction, and active programs to feed their desires. They are finding ways to gain access to those capabilities. This is a certainty. We also know that they are willing to use the capabilities at their disposal. They have said as much:

Al-Qaeda spokesman Abu Ghaith recently declared in a web posting: "We have the right to kill four million Americans, two million of them children, and wound and cripple hundreds of thousands. Furthermore, it is our right to fight them with chemical and biological weapons." In 1986, after the United States bombed terrorist camps in Libya, Libyan leader Muammar Khadaffi declared: "if we had possessed missiles that could reach New York, we would have hit [the U.S.] at the same moment." In 1990, Saddam Hussein stated: "We do not have missiles that can reach Washington. If we did, we would strike there as the need arose." Earlier this year, North Korean leader Kim Jong Il declared: "The United States' heart

11-L-0559/OSD/8504

can be hit by a thunderbolt. If the DPRK is broken, the United States and the earth will be broken."

We are all on notice: another attack can occur at any time. The only question is when and by what technique. It could be months, it could be a year, or it could be several years. But it will happen.

Thus the question before us is this: Is it our duty to wait for a chemical, biological or nuclear 9/11? Or is it the responsibility of free people to prevent such an attack—to take anticipatory action in our self-defense? And what evidence should we have before we act? Must there be ironclad proof that a terrorist state or network plans to launch a weapons of mass destruction attack in the next week, day or hour? Or, when tens of thousands of lives are at stake, should we take the risk of acting to stop a threat before it emerges? These are not easy calls.

There are risks to acting, and there are risks to not acting. Imagine that we faced a situation in which we believed there was a 90 percent chance of a conventional attack that could kill several hundred people. One might decide that the odds of such an attack justified the risks and disadvantages of preventive military action. By contrast, if the chances of such an attack were only 20 percent, we might decide differently. But what if there were a 20 percent chance of an attack in which tens of thousands of people might be killed? Or hundreds of thousands? In this age when adversaries possess WMD, the balance of risks changes dramatically.

In our society, it has been customary to seek evidence that would prove guilt beyond a reasonable doubt in a court of law. But when it comes to defending our nation against the closed societies and shadowy networks that threaten us in the 21st century, expecting to find that standard of evidence is not realistic.

11-L-0559/OSD/8505

I know of a man whose wife was being harassed by a neighbor. They asked a court to issue a restraining order. Within weeks, the woman was murdered by the neighbor. As the husband returned home after the funeral, the mailman arrived and delivered a notice from the court, denying the restraining order because there wasn't solid enough evidence that the individual harassing his wife was dangerous. I suspect the court officials were sorry, but it was too late to be sorry.

We have not, will not, and cannot know everything that is going on in the world. Over the years, even our best intelligence has repeatedly underestimated the weapons capabilities of a variety of countries of concern to us. We have had gaps of two, four, six or eight years between the time a country first developed a specific capability and the time we finally learned about it.

Before the Persian Gulf War, we did not know that Iraq had weaponized biological agents. After Desert Storm, we discovered that Iraq had filled 157 aerial bombs with biological agents, and had covertly deployed them near two airstrips awaiting the order to use them against coalition forces.

In 1994, we thought North Korea's Taepodong 1 missile was just a medium range ballistic missile. We were wrong. In 1998, North Korea test-launched that missile over Japan with a previously unknown third-stage—giving it the potential range to deliver chemical and biological weapons to targets in portions of the United States.

We do know this: At this moment, almost every country listed as a "state sponsor" of terrorism—those nations that harbor, fund or otherwise assist terrorist networks as a matter or government policy—is also pursuing weapons of mass destruction and systems to deliver them. Iran has stockpiles of chemical weapons—blister, blood, choking and nerve agents.

It is developing ballistic missiles of increasing range, and is pursuing nuclear weapons. At this moment, Iran is flaring off—wasting—four times as much natural gas energy as its so-called "civilian" nuclear reactor program at Bushehr will be able produce. Iran needs nuclear power for energy, like it needs more sand.

Libya is seeking chemical weapons and has tried to use blister agents against Chad's military. Libya is also pursuing biological weapons, and has an active interest in nuclear weapons. Libya today possesses SCUD B missiles and, with continued foreign assistance, is likely to eventually have ballistic missiles that can deliver chemical and biological agents to targets in Europe.

Syria has an active chemical weapons development and testing program, and has stockpiled the nerve agent Sarin. With foreign help, Syria appears to be developing more toxic and persistent chemical agents, including VX nerve agent. Syria is also pursuing an offensive biological weapons capability. Syria has hundreds of SS-21 and other rockets with which it could hit U.S. allies and deployed forces with WMD, and is producing SCUD missiles with North Korea's help.

North Korea is the world's foremost proliferator of ballistic missile technology. As you read this, there is in all likelihood a plane enroute from North Korea carrying missile parts, materials and know-how to those who should not have them. We believe that North Korea has a large stockpile and production capability of chemical weapons, as well as an active biological weapons program. North Korea is developing a two-stage Taepo Dong-2 missile with an estimated range of 6,250 miles—enough to reach most of the western and central United States. If North Korea adds a third stage to the

11-L-0559/OSD/8507

TD-2 missile, it could strike all of the continental United States. We believe that North Korea has fissile material for at least one nuclear weapon.

Iraq has weaponized chemical agents and maintains an active biological weapons program. After the Persian Gulf War, the West discovered to our surprise that Iraq was much closer than we thought to having nuclear weapons. We have good reason to believe that Iraq is actively pursuing nuclear weapons today. Iraq also has short-range ballistic missiles, and chemical and biological warheads that could be used against U.S. forces, friends and allies in the region—and is pursuing ballistic missiles of increasing range.

In Operation Enduring Freedom, we have discovered that the al-Qaeda network was seeking WMD and engaged in a research, development and procurement program. Recently discovered videotapes show gruesome al-Qaeda WMD tests. Coalition forces discovered that al-Qaeda had set up a biological warfare research laboratory at Tarnak Farms, and found evidence detailing their WMD procurement efforts. We know that Al-Qaeda is at this moment operating in Iran and Iraq, and has at least a transitory presence in several other terrorist states—although we do not know the extent of their WMD cooperation with these regimes. Other terrorist groups are also known to be pursuing WMD.

This is what we know. But there is much more we don't know. Like an iceberg, the true picture of the WMD threat has been proven over time to be largely below the surface.

Some rationalize that the leaders of terrorist regimes can be counted on to avoid actions that could lead to their own destruction. This is a dangerous calculation. That logic did not stop the Taliban regime from harboring al-Qaeda as it executed repeated attacks on the United States. Why did the

11-L-0559/OSD/8508

Taliban take actions that resulted in the destruction of their regime? We may never know. But regimes without checks and balances are prone to grave miscalculations. Saddam Hussein has no real check on his decision-making authority. There is a risk in staking our people's lives on the hope that such a dictator would not make the same miscalculations as the Taliban.

Some regimes may not believe that using WMD against us would be suicidal. There are ways they could conceal their responsibility for an attack. A terrorist state could deploy "sleeper cells" armed with biological weapons to attack from within—and then deny connection to the attacks. Or a terrorist state could put a WMD-tipped missile on a "commercial" cargo vessel, sail it within range of our coast, fire, and then melt back into the commercial shipping traffic before we knew what hit us. Finding that ship would be like searching for a needle in a haystack—like finding a single terrorist.

Terrorist regimes could achieve many of their goals without ever using the weapons in their possession. If they can hold our people hostage to blackmail, they might successfully prevent Western nations from projecting force to stop aggression. They may calculate that the West would be reluctant to trade New York or London for Kuwait City. Indeed, they may hope to drive us into a policy of forced isolationism.

The question is whether defending our people in the age of WMD may require us to act, at times, before an attack has been launched. In the 21st century, we may need to rely on an old tenet of international law—the doctrine of anticipatory self-defense. This does not mean that we should or would take military action against terrorist states that possesses or are pursuing WMD. Preventive action in one area of the world may well deter other states. After driving the Taliban from power in Afghanistan, we have already seen a change in behavior in certain regimes. Moreover, dealing with

11-L-0559/OSD/8509

some states will almost certainly not call for military action. In some cases, change could come from within.

Our country's history is one of seeking peace. But if one looks at what terrorist regimes are doing to their own people, the dangerous capabilities we know they are developing, the even more deadly capabilities we are almost certainly still unaware of, and what they openly say they want to do to other nations, it should be increasingly clear that they are not being nominated for regime change—they are nominating themselves.

Before several wars in the past, countries ignored rising threats, hoping that aggressors would not do what they said. Millions died because of those miscalculations. The aggressors might have been stopped early—at a minimal cost of lives—had world leaders not decided at that time that the risks of acting were greater than the risks of not acting.

We face somewhat different but equally tough challenges today. Those who would argue for preemption must carefully weigh the risk of action. Let there be no doubt, those risks are real and serious. But those who would argue for delay, absolute proof and worldwide support, may wish to ask themselves how they would feel if another, vastly more lethal, attack occurs. The cost of miscalculation would be great. This is the discussion President Bush has called for. This is the issue he has proposed to the U.S. Congress. This is the issue he will raise at the United Nations later this week. It is the first critical, indeed momentous, debate of the 21st century. History will judge us all on the quality of that debate, as well as the outcome.

11-L-0559/OSD/8510

snowflake

September 9, 2002 8:08 AM

230.8

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Evey's Retirement

Apparently the fellow who headed up the construction, I think his name is Evey, is retiring on September 16. We ought to figure out what we want to do for him.

Thanks.

DHR:dh
090902-13

Please respond by 09/13/02

9 Sep 02

U08114 /03

snowflake

September 9, 2002 8:13 AM

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Book Titles

After World War II and after other wars, there were a whole series of titles of books about what went wrong, "why England slept," Pear Harbor and how we messed up.

Please get me a series of those book titles. I think it would be a good thing for me to cite as what generally happens after people wait too long.

Please do it as fast as you can.

Thanks.

DHR:dh
090902-15

Please respond by 09/13/02

U08115 /03

11-L-0559/OSD/8512

snowflake

September 9, 2002 9:02 AM

000.7

TO: Torie Clarke

FROM: Donald Rumsfeld DR

SUBJECT: Op-Ed

What do you think about giving that op-ed piece we did that the *Washington Post* didn't print to the *New York Times* sometime later this week, after the President does his UN speech?

One other thought would be to take the Schieffer interview and use the material from that and put that into an article. It is probably more relevant and better than the op-ed piece—if we just took what I actually said in the Schieffer piece.

Any thoughts?

Thanks.

DHR:dh
090902-19

Please respond by 09/12/02

9Sep02

U08116 /03

Snowflake

September 9, 2002 9:02 AM

IRAQ

TO: Torie Clarke

FROM: Donald Rumsfeld DR

SUBJECT: Senator Miller

You ought to coordinate with somebody to see that the Administration sends Zell Miller the answers to these questions. If no one else wants to do it, we ought to do it.

Thanks.

Attach.
Miller, Zell, "Questions for the Commander in Chief," *Washington Post*, September 8, 2002, p. B7.

DHR:dh
090902-20

Please respond by 09/27/02

9Sep02

U08117 /03

Zell Miller

Questions for the Commander in Chief

When it comes to showing deference to our president in a time of war, I doubt there are many who have more respect for him as a leader and an individual than I do. As a Marine, I was taught to say, "Aye, aye, sir," do an about-face and go do the job my commander in chief ordered me to do.

That's just my nature, and that's why I'm with the president 100 percent on his homeland security bill now in the Senate.

I also believe he has gathered together the finest national security team since Harry Truman had George Marshall.

So, when it comes to expanding the war on terrorism to Iraq, I stand with the president and I will not criticize his judgment. He has already made the case with me, and I am convinced that Saddam Hussein has to go.

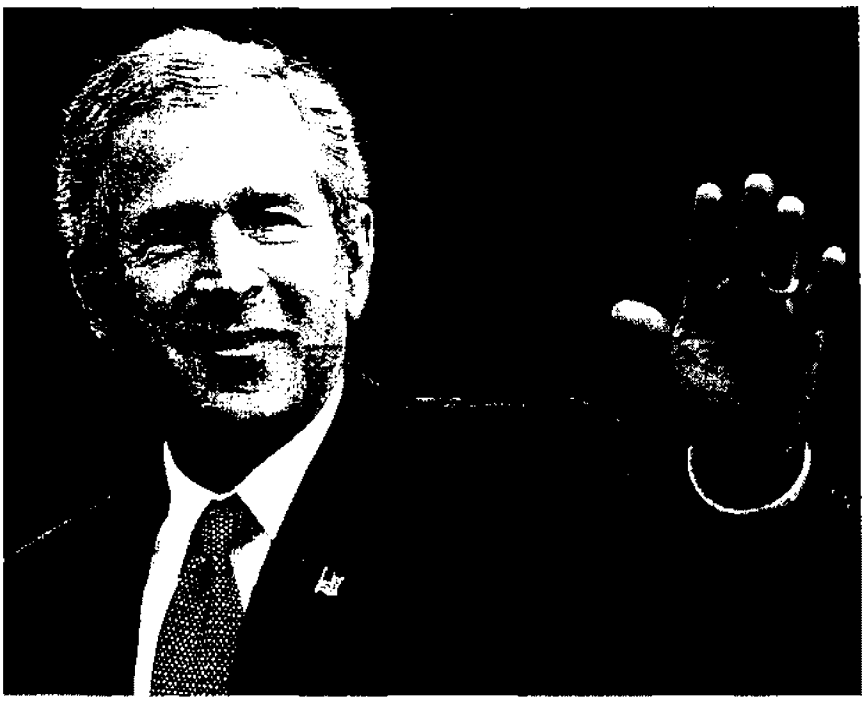
But I always like to run things by my focus group back home, and lately the comments from my focus group tell me that the folks out there in Middle America, sitting around their kitchen tables, have questions that need to be answered before we march our soldiers into Iraq.

Now, my focus group is not one of those formal meetings where you pay people to sit around a conference table in an office building. It's a very informal chat with the regulars at Mary Ann's Restaurant, up the street from my home in rural Young Harris, Ga. They are construction workers, retired teachers, farmers, preachers and the waitresses who chime in with their opinions as they pour coffee and bring more biscuits. Several of these folks have previously worn the uniform of this country, some in combat. Not an Ivy Leaguer in the bunch. Not a single one reads the New York Times, The Washington Post or the Weekly Standard. And their television time is devoted mainly these days to the evening news and to watching the Braves, who are close to clinching another division pennant.

I jotted down some of the questions that they want the president to answer in building a case for going to Iraq.

(1) Even if Hussein has nukes, does he have the capability to reach New York or Los Angeles or Atlanta?

(2) The old Soviet Union had thousands of nuclear missiles for decades, many of them capable of reaching our major cities, and yet we didn't get into a war with the Soviets. The president needs to explain why Iraq is different.



ASSOCIATED PRESS

(3) Who will join with us in this war and what share will they be willing to bear? (There was also some grumbling about our boys in Afghanistan "just doing guard duty" to protect those warlords.)

(4) What happens after we take out Hussein? How long will our soldiers be there? And, again, with whose help?

(5) There is concern about too much deployment. We've got our soldiers stationed all over the world. Someone needs to bring us up to date on where they all are, why they are there and how long our commitment to keep them there is.

(6) How does our plan in Iraq fit in with the whole Middle East question? How will it affect Israel? How will it affect our war on terrorism? Does taking Saddam out help or hurt that entire messy situation?

(7) At Mary Ann's Restaurant, Tony is all right. But Putin is not. Why are we putting so much trust in him? Is he still with us in the war on terrorism, or was that just so much talk at a photo op?

(8) The people at Mary Ann's know very well who fights our wars—the kids from the middle-class and blue-collar homes of America. Kids like their grandchildren. They want to hear the president say that he knows and understands that.

(9) Forgive my bluntness, but these folks also want to hear the president and the vice president say that this war is not about oil.

(10) They also want to hear an explanation of why we didn't take care of this in the Persian Gulf War, and why it is on our doorstep again so soon.

None of the above in any way should be interpreted as my backing down in my support of the president's effort. His position and his principles have already made the case with me. I write this in the spirit of trying to get a better explanation for the folks back home and the folks across Middle America. Those folks who love their country very much and who respect their president, but who need a few more answers.

The writer is a Democratic senator from Georgia.

George F. Will

Lessons of 9/11—and 1977

11-L-0559/OSD/8515

snowflake

September 9, 2002 9:33 AM

ADVANCE COPY GIVEN

TO: Torie Clarke

FROM: Donald Rumsfeld

SUBJECT: Karen Ballard

I saw Karen Ballard over the weekend, and she said she would like to shadow me on September 11. As far as I am concerned, that is fine. Please noodle it and get back to her.

Thanks.

DHR.dh
090902-23

Please respond by 09/10/02

000715D

9 Sep 02

U08118 /03

Snowflake

September 9, 2002 10:38 AM

IRAQ

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Draft Testimony

ADVANCE COPY GIVEN

When will I see a draft of my testimony? We ought to use of that material from Sunday's *Face the Nation.*

Thanks.

DHR:dh
090902-27

Please respond by 09/13/02

I need to see it fast

9Sep02

U08119 /03

September 9, 2002 12:35 PM

IRAQ

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Draft Testimony

I do need to know when I am going to see a draft of the testimony, and the sooner the better. It needs to take all of those questions that are getting raised. Zell Miller had a list of questions in the *Wall Street Journal*, some of which may be worth answering.

Thanks.

DHR:dh
090902-34

Please respond by 09/10/02

9Sep02

U08120 /03

snowflake

September 9, 2002 12:43 PM

032

TO: Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld DR-

SUBJECT: Congressional Opportunity

Here is a note from Newt Gingrich. I think he is right on the opportunity we have. We should get all of our legislative changes arranged and ready to go—and push hard.

Thanks.

Attach.
09/07/02 Gingrich e-mail to SecDef re: Congressional Opportunity

DHR dh
090902-35

Please respond by 09/20/02

9Sep02

U08121 /03

From Newt Gingrich

(b)(6) CIV, OSD

cc DiRita
Dan Craddock

SECDEF HAS SEEN
SEP 09 2002

From: Thirdwave2@aol.com
Sent: Saturday, September 07, 2002 9:51 AM
To: (b)(6) .pentagon.mil; Ed.Giambastiani@osd.pentagon.mil; Larry.DiRita@osd.pentagon.mil
Cc: stephen.cambone@OSD..mil; Torie.Clarke@OSD.Mil; jaymie.durnan@osd.pentagon.mil; John.Craddock@OSD.Pentagon.mil; ken.krieg@osd.pentagon.mil; pete.geren@osd.pentagon.mil.
Subject: congressional opportunity

for secdef, depsecdef
from newt 9/08/02

congressional opportunity

A very senior congressional staffer commented to me yesterday that DOD could get virtually any changes it wants in the near future. This is a window that should not be underestimated.

There should be a plan to have to state of the union include wholsesale reform of procurement, logistics, overhead etc and then fight for very bold changes in the spring. This is an unusual opportunity and we are currently only seeking about 5% of the ground which could be captured.

Snowflake

September 9, 2002 2:34 PM

IRAQ

TO: (b)(6)

FROM: Donald Rumsfeld

SUBJECT: Bill Eagleton

Please send the following e-mail to Bill Eagleton:

Bill,

Thanks so much for your note. It was good to hear from you.

If you have written things on the subject of our mutual interest, I would sure be delighted to read them. The fax that comes right into my secretary (b)(6) (b)(6)

I may also have Bill Luti or one of his associates give you a call. They are working this problem for me.

Best to all,

Regards,

DHR:dh
090902-37

Please respond by _____

9 Sep 02

U08122 /03

Sent via email to Sec Def

William L. Eagleton
(b)(6)

SECDEF HAS SEEN

09 2002

August 30, 2002

Dear Don (and Joyce)

From Taos and Spain Kay and I have admired your clear TV presentations and your steadfastness on a necessary change in Baghdad! I spent several weeks in Iraqi Kurdistan in July and found the two leaders and others there very positive about their partnership with the U.S. I do not share the view that their support is unreliable.

I also met with leaders of Kurdish tribes (my special interest since serving in Kirkuk 1954-55). They have a small but useful role to play in assuring a friendly reception for our forces in their areas of influence.

If any of your people need info on the tribes, I can be contacted at (b)(6) **until September 17 and after that in Spain at** (b)(6) (b)(6)

Yours,

Bill Eagleton

Snowflake

September 9, 2002 2:37 PM

IRAQ

TO: Bill Luti

FROM: Donald Rumsfeld DR

SUBJECT: Bill Eagleton

Bill Eagleton is a former ambassador to Iraq or Syria, I can't remember which. He is a career foreign service officer. You might have the right person give him a call and see what he has to say.

Thanks.

DHR:dh
090902-38

Please respond by 09/27/02

9 Sep 02

U08123 /03

Sent via email to Sec Def

William L. Eagleton
(b)(6)

SECDEF HAS SEEN
09 2002

August 30, 2002

Dear Don (and Joyce)

From Taos and Spain Kay and I have admired your clear TV presentations and your steadfastness on a necessary change in Baghdad! I spent several weeks in Iraqi Kurdistan in July and found the two leaders and others there very positive about their partnership with the U.S. I do not share the view that their support is unreliable.

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If any of your people need info on the tribes, I can be contacted at (b)(6) until September 17 and after that in Spain at (b)(6) (b)(6)

Yours,

Bill Eagleton

snowflake

September 10, 2002 8:28 AM

210

TO: Larry Di Rita

CC: VADM Holcomb (Ret.)

FROM: Donald Rumsfeld DR

SUBJECT: General/Flag Officers

What do you think about asking the Services to tell us the top five or ten one- or two-stars they have and give us the background sheets? We could then have them talk with us about what they are doing to see that they are moved around in the right way. This is what we do in corporations, so that senior managers get a sense of who the top prospects are and can then find an opportunity to get to know them. My instinct would be to do it with all four Services in the room at the same time.

Any thoughts?

Thanks.

DHR:dh
090902-39

Please respond by 09/27/02

10 Sep 02

U08124 /03

snowflake

September 9, 2002 4:37 PM

W 84

TO: Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: Anticipatory Self-Defense

Questions posed:

John Kerry—"This will be the first time of anticipatory self-defense against a state."

Not so. He claims we've done it against terrorist groups in Afghanistan, but not a state. We did it against Afghanistan. We did it in Panama.

Where else have we done it?

Thanks.

DHR:dh
090902-42

Please respond by 09/27/02

9 Sep 02

U08125 /03

September 9, 2002 4:57 PM

RUSSIA

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Ivanovs and POTUS

It looks like there will be a meeting with the President, both Ivanovs, Colin and me sometime during that day they are both in town.

Thanks.

DHR:dh
090902-45

Please respond by 09/13/02

9 Sep 02

U08126 /03

Snowflake

#292

Done per USJS at 9/11 Mtg. #.

September 9, 2002 5:00 PM

CentCom

TO: Gen. Pace

FROM: Donald Rumsfeld DR

SUBJECT: Proposal of Gen. Franks on Afghan..

Is the joint staff aboard on Tom Franks' proposal?

Should I send it around to Condi, Colin and George Tenet to look at and see what they think of it?

Thanks.

DHR:dh
090902-46

Please respond by 09/20/02

9Sep02

U08127 /03

Snowflake

September 10, 2002 9:01 AM

IRAQ

TO: Larry Di Rita

CC: Powell Moore

FROM: Donald Rumsfeld

SUBJECT: Iraq Resolution

I saw John Warner last night. He said Carl Levin is pushing for stuff in terms of the Iraq resolution that Senator Warner doesn't think is good, and he won't approve it until he talks to us.

Levin and some others, including Daschle, are trying to delay it until after the election. I told Warner that would be terrible. Warner said when it's over, he'll be with us.

Thanks.

DHR:dh
091002-4

Please respond by 09/20/02

10 Sep 03

U08128 /03

5/22, 1700

snowflake

C 5/28

April 1, 2002 5:21 PM

5000

TO: Pete Aldridge

CC: Paul Wolfowitz
Gen. Myers
Gen. Pace

Jaymie Durnan
5/21

FROM: Donald Rumsfeld

SUBJECT: Asymmetrical Threats

I hope you have some folks working on how to deal with suicide bombers and asymmetrical threats of that type.

Thanks.

5/22/03
ALDRIDGE FOLLOW-UP RESPONSE ATTACHED.
VR

DHR:dh
040102-44

Please respond by ~~ASAP~~

5/15

MAY 28 2003

See Rumsfeld's chap is working and briefed Mr. Aldridge a couple of months ago

1 Apr 03

U08158 /03

11-L-0559/OSD/8530

5/28

snowflake

7:48 AM

TO: Jim Haynes
Paul Wolfowitz

CC: Doug Feith

FROM: Donald Rumsfeld DR

DATE: April 15, 2002

SUBJECT: **ICC**

I visited with Henry Kissinger about the ICC. He thinks that former officials from the day the treaty goes into force, may have to have some sort of "diplomatic mission standing" to be protected if they travel overseas, both while they are in the government, and after they leave, for the rest of their lives.

Would you put some people on this? There is no point in waiting for a year to go by, and then have someone get charged or arrested and be surprised. He said a diplomatic passport would not be good enough, but that they would have to be on a mission of some kind for the government to be protected.

He thought that the ICC treaty was written in a way that it would not apply to people who may be charged with crimes that occurred prior to the time that the treaty entered into force. Please check that.

Please get back to me with your proposals. Thanks.

DHR/azn
041502.20

Please respond by: _____

015

15 Apr 02

snowflake

September 10, 2002 11:54 AM

000.5

TO: Newt Gingrich

FROM: Donald Rumsfeld DR

SUBJECT: Krepinevich Article

You ought to read this article by Krepinevich. You might want to talk to him on the Stryker.

Thanks.

Attach.
Krepinevich, Andrew F. Jr., "A New War Demands a New Military," *Wall Street Journal*, September 10, 2002.

DHR:dh
091002-6

10Sep02

U08184 /03

Wall Street Journal
September 10, 2002

A New War Demands A New Military

By Andrew F. Krepinevich Jr.

Even dominant militaries must avoid the trap of preparing for the last war, and the U.S. military is no exception. The war on terrorism, waged since the tragic events of last Sept. 11, provides sobering evidence of the need to transform America's armed forces.

The threat posed by terrorism is ancient in its origins, yet new in its form and intensity. The enemy we confront boasts a global network of terrorist cells that derive protection not from their size or strength, but by operating in the shadows, blending into the societies they intend to attack. The threat they pose is far greater than hijacked airliners turned into human-guided cruise missiles. Of larger concern is their potential access to weapons of mass destruction -- chemical, biological and even nuclear weapons.

We're not ready to take them on yet. Geared to fight traditional wars against conventional enemies, our military must make significant, and in some cases, radical changes in the way it organizes, equips, and operates its forces if we are to win the war on terrorism.

When terrorists are located, we must be able to react rapidly, before intelligence on their whereabouts is compromised, or becomes dated. This requires forces that can strike quickly, over long distances, and without warning. As last fall's operations in Afghanistan demonstrated, we cannot count on foreign countries to provide us with prompt access to their bases. Our best bet is to use long-range aircraft, such as Air Force B-2 bombers, carrier-based aircraft, or cruise missiles. Unmanned aircraft, like the Predator drone, which performed well in Afghanistan, can scout and strike without risking pilots. All must be stealthy, to guard against an unfriendly country detecting the attack in progress. Unfortunately, we have but a handful of these aircraft.

In some cases (when we identify a terrorist leader and need confirmation), we will use Special Operations forces in commando-style raids. But this may prove risky without stealthy, long-range transport aircraft. Our odds are better if the target is along the coast: The Navy is converting four of its giant Trident ballistic missile submarines to carry Special Forces, and is developing mini-submarines that will enable them to strike targets along the shore without warning.

Aside from striking at the terrorists themselves, we must be prepared to seize or destroy terrorist weapons of mass destruction. The Air Force is working on advanced precision-guided bombs designed to penetrate the deep underground facilities, such as caves, where these weapons would likely be kept. In some cases, Special Forces may be used to perform the mission, either to seize weapons or confirm their destruction.

We will also have to get good at nation-building. Terrorist organizations flourish in countries where the government is too weak to maintain control over its own territory and people, as is the case in Afghanistan, Somalia and Sudan, and most likely in a post-Saddam Iraq. Winning the war on terrorism may only happen when these failed states have strong, stable, legitimate governments that refuse to harbor terrorists.

We have our work cut out for us. The American military thus far sports a spotty track record in stability operations. The challenge of improving that record falls principally on the Army, which will be most

01-L-0559/OSD/8533

responsible for training foreign militaries and providing security against insurgent elements until the local government can stand on its own. This means more Army Special Forces, who are both expert at training foreign militaries and combating insurgents. The Army's soon-to-be-fielded Stryker brigades, using light armored vehicles instead of tanks to enhance their ability to move quickly to threatened areas, and eventually helicopters, unmanned aircraft and even robot vehicles to scout out trouble at a distance, may prove invaluable in this regard.

To reduce the "culture clash" that often arises when foreign troops are involved in stability operations, as well as to minimize the danger to our troops, the Pentagon is looking for ways to keep our presence ashore at a minimum. Converting an old aircraft carrier to carry Army and Special Operations forces and helicopters could help. A long-term solution may be found in a plan that would exploit offshore oil-platform technology to construct a Mobile Offshore Base, a floating mobile sea platform capable of functioning as an air base, a port for cargo ships, and a military headquarters.

While the military takes the war to the enemy abroad, it must also play an important role defending at home against weapons of mass destruction. The National Guard, whose Cold War mission called for extended mobilization for deployment overseas to fight Soviet tank armies, needs to recapture its Minuteman heritage and prepare to respond at a moment's notice. Forces must become capable of moving quickly to bring order to an area devastated by attack. Guard units will need advanced sensors to detect the presence of chemical, biological or radiological weapons at the greatest distance possible, as well as decontamination equipment. During times of heightened alert, they may be needed to help state and local authorities secure our borders. They will need ground sensors to detect movement along the border, unmanned aircraft to patrol large areas quickly, and helicopters to move quickly to any trouble spots.

Adapting our military to meet the challenge posed by global terrorism will not be easy, but it can be done. A major review of military programs and forces is now underway in the Pentagon. It provides the opportunity for change and we need to seize it. We don't have the luxury of ignoring the lessons of the war on terrorism in the hope that somehow our enemies will fight in ways more to our liking.

Mr. Krepinevich is executive director of the Center for Strategic and Budgetary Assessments in Washington.

11-L-0559/OSD/8534

Snowflake

1:16 PM

TO: Torie Clarke

FROM: Donald Rumsfeld DR

DATE: September 11, 2002

SUBJECT:

Where did this article in the Japanese paper here come from? Did you piece that together from things I've said?

Thanks.

DHR/azn
091102.01

Attach: Point of View: "The Price If Inaction Can Be Truly Catastrophic"

Please respond by: 9/20/02

Learn to read Japan
I read it
Did you? D

1/13
Yes, but after you reviewed it. You were in TAOS - we cleared it through WH. They placed it. D.Rita

11Sep02

U08185 /03

FBIS

POINT OF VIEW/Donald Rumsfeld: The price of inaction can be truly catastrophic

Tokyo Asahi Shimbun (Internet version-WWW) in English 10 Sep 02

This week, America paused to remember the Sept. 11 attack on America-the innocent victims, the unexpected heroes, the courageous survivors, and the hundreds of millions of Americans whose unity and determination in the face of unprecedented evil have once again defined the spirit of America for all to see.

It is important to remember that Sept. 11 was not an attack on America alone but an attack on people everywhere throughout the world who believe in freedom, who practice tolerance, and who defend the inalienable rights of man. Those precepts are the direct antithesis of terrorism which seeks to intimidate, dominate and subjugate free men and women through fear and devastation.

The history of terrorism is long.

It is not a new phenomenon, as many other nations know well. What is new is the level to which terrorists are willing to take their murderous deeds to ensure that the death and destruction they visit upon the innocent is greater than ever. What is new, as we saw in Afghanistan, is the ability of terrorist organizations to completely take over and occupy a country, co-opt a culture, and oppress an entire people.

What's new is the nexus between terrorist networks, terrorist states, and weapons of mass destruction that, when combined with missile technology, can make mighty adversaries of small or impoverished states or even relatively small groups of individuals.

Left unchecked in a world where the global nature of finance, communications, and transportation makes it possible for even isolated individuals or organizations to have global reach, terrorism presents the potential for destabilization on a scale unmatched in previous eras.

Such is the nature of terrorism today. It is, as U.S. President George W. Bush has said, ``a threat with no precedent"-a threat that cannot be appeased, cannot be ignored, and must not be allowed to dominate our future or the future of the world.

Last year, in a bold and courageous act that recognized both its deep roots and its terrible potential, President Bush declared war on terrorism-not just against the perpetrators of the deadly attacks on America on Sept. 11, but against terrorists and their organizations and sponsors worldwide.

His was an act, backed by a united citizenry, that recognized America's role and responsibility (to lead the world in Freedom's defense). And, worldwide, freedom-loving nations joined us in the fight. To date, 90 countries-nearly half of all the nations in the world-have taken Freedom's side, seizing terrorist assets and sharing intelligence; providing airlift, basing and over-flight rights; clearing mines and contributing forces, some of whom have already paid the ultimate price.

To be sure, there are those who question whether such a war is necessary, who hope, beyond all evidence to the contrary, that the terrorists are few in number, that the violence will not spread, that the acts will not escalate in number or intensity, that the weapons to be used in the future will not be more terrible than those used in the past, that deterrence or diplomacy or worse-appeasement-will somehow succeed where it has already failed.

But indications are otherwise, leaving the solemn realization that sometimes the consequences of not acting can be more terrible than choosing to act, even if the act is war.

There are several things we know for certain: We know that weapons of mass destruction are appropriately named. We know that we live in a world in which these weapons not only exist but are proliferating. We know there are terrorist states that currently posses weapons of mass destruction, and other terrorist states that are actively seeking to develop or acquire them. We know that these states have relationships with terrorist groups and terrorist networks. And we know that neither terrorist groups nor terrorist states would hesitate to use weapons of mass destruction if they believed it would serve their purpose.

We also know that, unlike wars of the past, in which time was required to amass and position great armies or navies to defeat an enemy, weapons of mass destruction can be developed in secret and deployed without warning, leaving little time for the targeted nation to discern intentions or formulate a response.

If this were to be the case, then a decision about whether or not we are at war could already have been taken. But even if it were not, recognizing a risk so great, and a margin for error so small, what is the responsible course of action for free nations-waiting until, not thousands, but tens of thousands of innocent people have been killed, or acting in anticipatory self-defense to prevent such an event from occurring?

On Sept. 11, the terrorists who perpetrated their evil deeds against America successfully accomplished exceedingly complex and exquisitely timed acts of terrorism but, despite their precision, they made a huge miscalculation. They concluded that Americans would cower and hide, that the government of the United States would not undertake a worldwide response, using all the financial, diplomatic, economic, and military resources at its disposal. They believed that their financial networks were secure, that their sanctuaries would protect them, and that the world would have no stomach for such a fight.

They were wrong on all counts.

The author is the U.S. Secretary of Defense. He contributed this comment to The Asahi Shimbun.

[Description of Source: Tokyo Asahi Shimbun (Internet version-WWW) in English -- Internet version of Asahi Shimbun, one of three big, mass-circulation dailies]

FBIS

FBIS' Japan Program notes that Secretary Rumsfeld's op-ed piece *"The Price of Inaction Can Be Truly Catastrophic"* was reprinted in the Internet version of *Asahi Shimbun*, one of three big Japanese mass-circulation dailies.

snowflake

September 11, 2002 6:31 AM

Advance Copy
Given to LTG Craddock

337WH

TO: LTG Craddock

FROM: Donald Rumsfeld DR

SUBJECT: POTUS Meet w/Chiefs

The President said he would like to meet with the Chiefs, and I would include in that the Chairman, the Vice Chairman and the four Chiefs. From the civilian side, I would include Paul and me.

The President has specifically requested the meeting. Please contact Andy Card and let him know this is a response to the President's indication the last time we met that he would like to do that. The subject will be Iraq, but keep the Iraq piece of it confidential, so it doesn't show up on people's calendars.

Thanks.

DHR:dh
091102-2

SECDEF HAS SEEN 9/13

Please respond by 09/13/02

SEP 13 2002

SECDEF
SPOKE WITH ANDY CARD YESTERDAY & TODAY. HE ACKNOWLEDGES THE PRESIDENT'S REQUEST. WE ARE WORKING TO GET A DATE AS SOON AS POSSIBLE. THE DIRECTOR, JOINT STAFF IS INFORMED.

V/R
Craddock

115ep02

U08187 /03

Snowflake

1:41 PM

TO: Marc Thiessen

CC: Torie Clarke
Larry Di Rita

FROM: Donald Rumsfeld DR

DATE: September 11, 2002

SUBJECT:

Cuba

Here is an interesting note from my friend Newt Minow. He is right on the Cuban missile crisis. That is how it was avoided by acting before the fact.

Thanks.

DHR/azn
091102.02

Attach: Info Memo from William Haynes Re: Message from Newt Minow

Please respond by: _____

11 Sep 02

U08188 /03

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

GENERAL COUNSEL

2002 SEP 10 PM 12:55

INFO MEMORANDUM

September 9, 2002, 5:00 p.m.

For: SECRETARY OF DEFENSE

From: William J. Haynes II, General Counsel 9/9/02

Subject: Message from Newt Minow

- Newt sent me the following email today:

> When I saw DR on Face the Nation yesterday, I was reminded of my own service in the 1962 Cuban Missile Crisis. We did not wait until nuclear missiles were actually installed in Cuba; we stopped the delivery of Soviet materials to preempt what would have endangered our nation. That point (including my old boss's (Adlai E Stevenson) UN presentation are relevant today. please pass this on to DR to use as an example, along with his point about connecting the dots before it is too late.

9/11

Copy to: Marc Thiessen
Done - 9/11 SE

PL ASSISTANT DI RITA	9/11
MA GIAMBASTIANI	9/11
A BUCCI	9/11
EXECSEC WHITMORE	9/10

Snowflake

10:03 AM

TO: Paul Wolfowitz

FROM: Donald Rumsfeld

DATE: September 14, 2002

SUBJECT:

Afghanistan

If we should have a John McCoy for Iraq, why shouldn't we have one for Afghanistan? Someone is going to have to take that over and do it right, and it is not getting done right.

Any thoughts?

Thanks.

DHR/azn
091102.03

Please respond by: 9/30

14 Sep 02

U08189 /03

snowflake

September 11, 2002 7:55 AM

040 STATE

TO: Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: State Department Detailees

I would like to make sure we get those 50 people for the State Department done as fast as possible. Colin asked me about it again yesterday. What is the status? Let's get it done if it is possible to do so responsibly.

Thanks.

DHR:dh
091102-4

Please respond by 09/13/02

11 Sep 02

U08190 /03

snowflake

7:31 AM

TO: Dov Zakheim

CC: Paul Wolfowitz

FROM: Donald Rumsfeld

DATE: September 12, 2002

SUBJECT:

received 9/13 11:36 Am

copy to JR

10.011

I saw Mitch Daniels. He says there is an issue on the $10 billion, but we have to get the appropriations bill through this year. I asked Paul Wolfowitz to get into it. If he hasn't, please get him into it, fast.

Thanks.

DHR/azn
091202.15

Please respond by: 9/17

Jaymie - here's my paper again. We need to talk to Robin ASAP.
- Dov

12 Sep 02

U08271 /03

$10 Billion Budget Request
FY 2003 War on Terrorism

O $10 billion is intended to finance operational costs of on-going war on terrorism

O If $10 billion is not appropriated, the cost of war expense will have to be "cash flowed" within the Operation and Maintenance and Military Personnel accounts

- The $10 Billion request includes funding for munitions and classified programs
- Procurement, RDT&E and Military Construction are line item/project appropriated
  --We cannot move money to other requirements without reprogramming action

O The total Operation and Maintenance request is $130 million (excluding the DERF)

O Total Military Personnel request is $94 billion

O Total O&M + MilPers FY 2003 request is $224 billion

O $10 billion represents over 4% of that request

O On-going monthly Operation and Maintenance and Military Personnel requirements will consume at least $150 billion by May, 2003.

- That leaves only approximately $74 billion available for remainder of year.
- The Services control less than $70 billion of that funding (remainder in Defense-wide accounts).
  --- Over $30 billion of that amount is for personnel compensation, leaving only $40 billion that is relatively discretionary at that point.

- **The $10 billion "cash flowed" up to May represents 13% of the available total O&M/MilPers funding through the remainder of the fiscal year.**
- **Since the Services will have to cover their military personnel costs, the $10 billion actually represents 25% of their final four months funds availability.**

O The Services will be faced with difficult decisions in the April/May time frame to ensure they have enough funding to get through the year.

O Cash flowing $10 billion will leave over 13% of the June-September operational requirements at risk.

- The Services will have to cancel training and exercises planned for the **third quarter** of FY 03. This represents a significant departure from the recent past, when only fourth quarter training was at risk.

snowflake

September 12, 2002 8:49 AM

LARRY DIRITA

TO: ~~Steve Cambone~~

FROM: Donald Rumsfeld DR

SUBJECT: Air Defense

373.24

Did you ever get back to me on this June 25 memo on air defense? What do you think we ought to do on it?

Thanks.

Attach.
062502-20 SecDef memo to Cambone re: Air Defense

DHR:dh
091202-16

Please respond by 10/04/02

12 Sep 02

U08273 /03

snowflake

June 25, 2002 8:26 AM

TO: Steve Cambone

FROM: Donald Rumsfeld

SUBJECT: Air Defense

Please take a look at the attached from Newt Gingrich on air defense. He suggests we ask for an assessment of the largest ground threat we might face from Iran, North Korea, Iraq, etc.

Why don't you get that fashioned for me and I will sign it.

Thanks.

Attach.
05/11/02 Gingrich e-mail to SecDef re: Air Defense

DHR:dh
062502-20

Please respond by _____

U16326-02

(b)(6) CIV, OSD

SECDEF HAS SEEN

JUN 25 2002

From: Thirdwave2@aol.com
Sent: Saturday, May 11, 2002 5:23 PM
To: (b)(6) .pentagon.mil; Ed.Giambastiani@osd.pentagon.mil;
Subject: for secdef,depsecdef-a truly bold idea on air defense

for secdef,depsecdef
from newt may 11,2002

a truly bold proposal on air defense

you should ask someone to assess the total forces spent on organic air defense and the likely threats it is sized against.

Other than the first few weeks in Korea in 1950 I know of no occassion in the last half century where the United States ground forces had to worry about an overhead air threat. Thee may have been one or two occasions in Viet Nam but I do not remember them.

During the Cold War it made sense to have an organic ground anti-air capability because the Soviet Union was so large that the air to air assets could not stop Soviet air for the first week or so of an all out wear in Central Europe.

You might ask for an assessment of the largest air to ground threat that we might face from Iran, North Korea, Iraq, etc. Our JOINT doctrine is to win air superiority and have airpower (we have three fixed wing air forces and the Army and Marines also have rotary air forces) kill enemy air threats.

There might be some limited anti-air capability you would want to keep. Maybe some in Korea. A handful of battalions that could move with expeditionary forces and would serve as a strategic reserve (but even then I doubt if you would need more than four battalions for every contingency outside Korea).

If those resources were diverted from anti-air to anti-missile capabilities it would make a lot of sense. There are a lot of places where we could face a very dangerous anti-missile capability and we prbably need more anti-missile assets since air superiority cannot shoot down missiles and in the opening weeks we cannot have any faith that air power can defeat mobile scuds.

The ground forces (army and marine) ought to own the anti-missile forces so we are not talking about a cut in their assets but rather a shift from anti-air to anti-missile.

snowflake

September 12, 2002 9:04 AM

333 SD

TO: STEVE CAMBONE

FROM: Donald Rumsfeld DR

SUBJECT: IBCTs

Please see me on this memo I sent Paul on June 26 on the IBCTs.

Thanks.

Attach.
062602.01 SecDef memo to Wolfowitz

DHR:dh
091202-17

Please respond by 09/30/02

12 Sep 02

U08274 /03

snowflake

1:07 PM

TO: Paul Wolfowitz

FROM: Donald Rumsfeld

DATE: June 26, 2002

SUBJECT: **Attached**

Attached are some thoughts that were sent to me as a result of a visit to Ft. Lewis.

Please let me know what you think of it.

Thanks.

DHR/azn
062602.01

Attach: Memorandum dated 6/26/02

Please respond by: 6/17/02

U16364-02

MEMORANDUM

June 26, 2002

Equipment

LAVs are cast off models from Canada and are nearly 10 tons lighter than the prototypes coming off the assembly line now. In addition, the LAVs that the CSA want carry no armament other than a 50 CAL MG (used in WWI) or a 40 mm Grenade Launcher.

Mobile Gun System (105 on LAV) will not be available until 2004 or 2005. Worse still, the ammunition for this soft recoil must be developed independently because the gun cannot fire existing 105mm ammunition. In addition, the MGS will be 18 inches taller than an M1A1 tank and have to stop to shoot. Wheels cannot provide a stable platform – some RMA! Other variants – engineer C2 and so on face considerable problems. Variants will not be C130 capable. Current 23 ton LAV variant of IAV has trouble with C130 deployability and must deflate tires.

British Army declined to participate in the future scout combat system program because the UK insisted on racks for survivability and mobility. UK rejected wheeled solution for combat.

Communications

LAVs have flat panel displays mounted in them to convey the impression of high-tech battle command. However, all of the communications are legacy and single service – nothing new.

IBCT organization. Nothing new.

IBCT is a motorized rifle brigade of 3700 troops. It is part of 17,000 man interim division. Joint C4ISR capability does not exist inside the IBCT. As a result, the Joint C4ISR connectivity runs through the division, not directly to the Joint Task Force. In addition, the Colonel that commands the brigade has the same staff structure as a normal brigade and must depend heavily on division headquarters for command and control. Plan is to deploy an MG with a division headquarters to any future JTF. Purpose is to maneuver the 3700 man IBCT.

IBCT is acutely lacking in sustainment. It cannot operate independently for more than a couple of days. Its fire support is a man-intensive towed 155mm battalion. This is dinosaur technology – the 155mm howitzer was originally developed in 1905.

IBCT has no aviation component and would depend on division to provide that. This means IBCT is untrained to integrate Army aviation let along USAF aviation.

IBCT is calling its reinforced scout company of 250 men in turret less LAVs a reconnaissance, surveillance, targeting acquisition squadron. However, there is nothing to validate a superior reconnaissance capability based on its equipment now or in the future. Most important, the RSTA unit cannot perform armed reconnaissance. By the way, in the USMC, the 25mm automatic cannon on the ALVIII is referred to as a disengagement weapon because the platform cannot engage in direct fire combat and survive. This is why the USMC relied heavily on tanks and AAAVs in its MEUs and MAGTFs.

Mission Profile

The IBCT permanently converts combat troops to peacekeeping constabulary troops. To disguise this reality, the CSA says the unit is designed for the "high end of small scale conflict." In Army parlance, that is peace enforcement. However, given the inability of wheeled armor in Mogadishu to break through and rescue troops on the ground, the notion of peace enforcement is open to serious question as well.

TACTICS

The tactics being practiced are a mix of dismounted attacks with fire support on the 1960s Vietnam model or kicking down doors in Sarajevo and Brcko to arrest thugs.

SOLUTION

Buy 200 LAVs and put them in a pool. Let units assigned to peacekeeping duties draw them as necessary for use. This is what the British Army does in Cyprus and Ulster and it saves money. It also avoids the permanent conversion of war fighting formations to peacekeeping. By the way, rotational readiness makes this quite easy and cost effective.

snowflake

September 12, 2002 9:08 AM

TO: Paul Wolfowitz
Doug Feith

FROM: Donald Rumsfeld DR

SUBJECT: Acheson Quotes

You might be interested in these quotes from Dean Acheson's book, *Present at the Creation.*

Thanks.

Attach.
Acheson quotes

DHR:dh
091202-18

Please respond by _____

461

12 Sep 02

U08275 /03

of choices an enemy will strike is a different matter. The high command, civil and military, had no doubt in 1941 that an attack—Mr. Hull called it "some deviltry"—was coming. Several spots on Siamese, Malayan, British, and Dutch territory seemed more likely to be struck than any on ours. Of all points, our bastion at Pearl Harbor did not seem a likely target. Nine years later, in June 1950, Korea did not seem the most likely trouble point. In 1941 Ambassador Grew in Tokyo took notable exception to the prevailing opinion; he believed that Pearl Harbor was not only a possible but the probable target. Whether or not the government was negligent in not being prepared for an attack on Pearl Harbor, it was not stupid in not expecting it to fall there. The thesis that the President offered the fleet for sacrifice to bring on a war seems to me utterly preposterous.

If the Army and Navy were unprepared for war, the State Department was no less so. It never did seem to find its place. As I shall relate later, the Secretary's ebbing energy was drained off into that legacy of the nineteenth century, the United Nations; many of us spent inordinate time in bureaucratic warfare either for survival—as it seemed then—or to preserve prerogatives—as it seems now; others did *ad hoc* jobs in aid of economic warfare and raw-material supply—and did them with professional skill—or, in aid of military operations, such as dealings with the Free French, the antifascist Italians, or the future occupation zones in a defeated Germany, without noticeable brilliance; still others were caught up in preparatory conferences to deal with such postwar problems as food, agriculture, relief, and monetary arrangements. Few made any contribution to the conduct of the war or to the achievement of political purposes through war. *Silent leges inter arma*. Diplomacy, it seems, was here as silent as law. Yet there was room for something a little more modern and percipient than FDR's adoption of General Grant's "unconditional surrender" or Henry Morgenthau's conception of Germany as a group of agrarian states. In justice to my colleagues, I must plead as guilty as any of escaping into immediate busywork to keep from the far harder task of peering into a dim future, which, of course, should be one of a diplomatist's main duties.

As I look back upon the period to which I now turn, my memory (perhaps an unfair or incomplete one) is of a department without direction, composed of a lot of busy people working hard and usefully but as a whole not functioning as a foreign office. It did not chart a course to be furthered by the success of our arms, or to aid or guide our arms. Rather it seems to have been adrift, carried hither and yon by the currents of war or pushed about by collisions with more purposeful craft.

5. ECONOMIC WARFARE AT HOME

ON MONDAY MORNING, December 8, Washington awoke, a capital at war. The indecisions, hesitations, and doubts of the past year, the pretenses and fumblings, were gone. Argument over, the country and its capital turned to what Americans like and do best, action. In a few months half a continent and a hundred and thirty million people were transformed into the greatest military power the world had seen. Amid this burst of energy the State Department stood breathless and bewildered like an old lady at a busy intersection during rush hour. All around it vigorous, effective people were purposefully on their way to do jobs that needed doing. Nowhere was this more true than in making and executing plans for economic dealings with friends, enemies, and neutrals all over the world. The object was to corner all useful materials for our side and preclude the enemy from getting them. These were not operations for which State Department officers were trained or fitted, though they reeked of foreign policy.

As we entered the war, these functions, as already suggested, were scattered all over Washington and all over the Department of State. It was inevitable, even in a disorderly administration, that they should be drawn together; it was also important that the State Department should not be cut off from making a contribution to the foreign policy aspects of these decisions and their execution. The British from their experience had made this clear to us, but we had not had their training in Cabinet coordination. Our vigorous Cabinet men—Morgenthau, Jesse Jones, Henry Wallace—were empire builders, impatient with what seemed to them State Department fussiness and diplomatic obstruction. The result of the conflict of these forces was altogether predictable: more and more the State Department fought desperately for a shrinking place. In this battle it fell to me to champion State—hazardous work, as I nearly got shot by my own side when the Secretary and Breck Long interpreted the struggle as one between radicals and conservatives, classifying me among the former. However, I can say with Abbé Sieyès, when asked what he did during the French Revolution: "I survived."

HENRY WALLACE'S GREAT INVASION

For us in State the Washington war began before we enlisted in the international one, and began with a minor victory to be followed by a crushing defeat. For some time axis subversion in Latin America had been carried on by persons of German, Italian, or Japanese ancestry, some still nationals of those

PRESENT AT THE CREATION

My Years in the State Department

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11-L-0559/OSD/8556

Snowflake

September 12, 2002 9:16 AM

Iraq

TO: Paul Wolfowitz
Doug Feith
Bill Luti

FROM: Donald Rumsfeld DR

SUBJECT: Shultz Article

Attached is a piece by George Shultz on Iraq. I think we ought to get it fed into the interagency process.

Thanks.

Attach.
Shultz, George, "Iraq: After Victory, What?"

DHR:dh
091202-20

Please respond by 10/04/02

12 Sep 02

U08276 /03

HOOVER INSTITUTION
ON WAR, REVOLUTION AND PEACE

GEORGE P. SHULTZ
DISTINGUISHED FELLOW

7/29

To. SecDef
Copy to: USD(P) Feith
DepSec done 7/30
7/3

VIA FACSIMILE
(703) 697-8339

Larry Di Rita
SECDEF HAS SEEN
SEP 12 2002

July 29, 2002

The Honorable Donald Rumsfeld
U.S. Secretary of Defense
Department of Defense
1000 Defense Pentagon, Room 3E880
Washington, D.C. 20330

Dear Don:

Here are some thoughts about what to do in Iraq after victory. It is the product of discussions I have had with Harry Rowen and Charlie Hill, and we hope it will be helpful. I have sent this statement along to the President this morning.

With my respect and admiration,

Sincerely yours,

George P. Shultz

Enclosure

SPS 7/30

STANFORD UNIVERSITY • STANFORD, CA 94305-6010 • TEL: (b)(6) • FAX (b)(6)

HOOVER INSTITUTION
ON WAR, REVOLUTION AND PEACE

IRAQ:
After Victory, What?

A desirable sense of inevitability born of necessity has taken hold about a military operation to bring about a change in the Iraqi regime. Congressional support is critical and obtainable. Many Democrats remember and rue their negative vote against Desert Storm.

As we will be taking preemptive action, specific details will have to be provided to demonstrate that Saddam Hussein is at present conducting an ongoing and worsening act of aggression against the national security of the United States. With each passing day, his actions do further damage to American interests. Making this case will require tough decisions about releasing information acquired through intelligence collection. But as the operation will bring an end to the Iraqi regime, there will be no need to preserve some channels for future use. To judge just from the publicly available record, the case seems airtight.

What is far less clear, and what Congress will focus on, is what will happen in Iraq after Saddam? What will we do to ensure that the end of his regime will not result in something even worse?

This is a wholly legitimate concern. We can respond to it by making clear that following the end of the present Iraqi regime, a new governmental structure will take shape based on the principles that:

- Iraq will remain a territorially integral sovereign state.
- A federal-style form that respects the traditional Kurdish, Sunni, and Shia communities will emerge.
- A set of phased transitional steps, including referendums and elections, will be carried out and involve the range of Iraqi political parties, factions, and groups in exile and internally opposed to the Saddam Hussein regime over the years.

As a long-standing illegitimate and brutally repressive dictatorship, the regime's departure will leave no usable structure of governance in its wake. A major international effort at nation building will be required.

To oversee and assist in this effort, the present septet of external parties now cooperating to help establish the foundations for a Palestinian state could also act in concert with regard to the reconstruction of Iraq (United States, European Union, Russia, the United Nations, and key members of the Arab League: Egypt, Saudi Arabia, and Jordan).

This group would act in the recognition that the problems of Iraq and the Israeli-Palestinian situation are inextricably linked. Iraq's role as a violent opponent of any peace in the latter case means that no phased approach can succeed; approaches to both must go forward together.

The reconstruction of Iraq will require an international effort of the first magnitude. The United Nations' effort in Cambodia from 1992 to 1994 provides an example of the scale of undertaking required. Just as an international conference in Paris set out the design for the UN mission in Cambodia then, you would propose a similar conference and a similar UN transitional authority for Iraq now.

I am suggesting that we use the UN for this purpose because in the early 1990s the UN was given, and, with adult supervision, effectively performed, some difficult and large-scale post conflict nation-building missions. Cambodia was the biggest one; others were Namibia, Mozambique, and El Salvador. Then, of course, the peacekeeping function was devastated by its misuse in Bosnia.

The impact of our victory in Iraq can have a profoundly positive effect on the entire Middle East region if it is followed by a sustained and internationally supported reconstruction effort. The Arab League, as a recognized "regional arrangement" under the UN Charter, could be part of this from the planning stages and would benefit from being challenged to some greater cause than being anti-Israel. Most importantly, our operation will break up the terrorist-rejectionist connection that runs from Iran across Iraq to Syria into south Lebanon and the West Bank. The present regimes in Tehran and Damascus will be further isolated and closer to collapse, and Lebanon could emerge as whole and independent for the first time since occupied by Syria in 1978. Jordan will benefit from an end to the Saddam threat on its border. The same should be true for Saudi Arabia, but the pathologies that recent events have revealed in the kingdom make its future less certain, with or without Saddam Hussein.

The stakes here are high, not only for the region of the Middle East but for the international system as a whole. As was made clear in "The Arab Human Development Report 2002" released by the UN in Cairo on July 1, 2002, Arab societies "are being crippled by a lack of political freedom, the repression of women, and an isolation from the world of ideas that stifles creativity." The international system of states has been weakened in the past decade by political neglect, by economic, social, and cultural

changes accompanying globalization, and by a tendency among intellectuals to declare the state outmoded and to look for new forms in the future. The reality is that the state, the international system of sovereign states, and the United Nations, which is the world organization of its member states, are the foundation stones of international cooperation and progress. This is what we have to work with; we need to make it work better. The Arab states, as the UN report specifies, are in immediate need of reform and renovation. The establishment of a legitimate state and government in Iraq, along with that of a State of Palestine, and universal recognition of the State of Israel, are urgent and vital tasks before us.

What I am proposing here is not only a way to bring Congress to support strongly our operation in Iran, but also a big organizing principle for our whole foreign policy. A new and responsible government in Iraq, brought to maturity through skillful use of the UN, can change the entire Middle East scene. By getting to work on this diplomatically now, we can provide a vision for a strengthened international system overall, and do much to gain support around the world, and especially from the Europeans and at the UN, for our decision on Iraq.

July 29, 2002

snowflake

September 12, 2002 9:34 AM

000.5

TO: Doug Feith

FROM: Donald Rumsfeld DR

SUBJECT: Coalition Contributions

I just looked over this material on what all the countries have done. Your people in Policy should have that for me every time I meet with a foreigner. I need to know that when I am sitting down with people.

Thanks.

Attach.
07/26/02 SecDef memo and 08/13/02 PA reply

DHR:dh
091202-21

Please respond by 09/27/02

12 Sep 02

U08277 /03

snowflake

July 26, 2002 4:22 PM

TO: Torie Clarke
Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Japan

Larry DI Rita 8/26

We want to mention Japan from time to time. I thought they put some destroyers in the Indian Ocean, didn't they?

Thanks.

DHR:dh
072602-18

Please respond by 08/09/02

Don't forget your Policy folks should have this info for me by Cabinet when I am meeting w/ foreign vos — like Hon Today

C 8/29
SR 8/28

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U19316-02

SECDEF HAS SEEN

SEP 12 2002

TO: SECDEF

FROM: Torie Clarke

CC: Doug Feith

DATE: 13 August 2002

SUBJECT: Japan

As with other coalition partners, we have mentioned Japan's contributions on a couple of occasions. Attached, is the most recent Coalition Fact Sheet that includes the most comprehensive list of the support Japan is providing – and yes, they did provide three destroyers along with fleet refueling capability in the CENTCOM AOR.

We continue to work closely with Policy and CENTCOM to keep this current as it is a document that frequently changes and is often requested by the media, coalition members and senior defense officials. It is available on both DEFENSELINK and the CENTCOM web sites. I've also included excerpts from two press briefings in which Brig.Gen. Rosa and I addressed Japan's contributions specifically.

Per your direction, we will continue to update this document regularly in order to highlight contributions by our coalition partners, and will address Japan's specific contributions whenever we have the chance.

Fact Sheet
June 7, 2002
(revised June 14, 2002)

Office of Public Affairs
(b)(6)

International Contributions to the War Against Terrorism

Coalition partners from across globe are fighting against evil of terrorism.
The terrorism of September 11th was not just an attack on the United States; it was an attack on the world. Citizens from more than 80 countries died that day – innocent men, women and children from across the globe. Within hours of the tragedy, coalitions involving many nations assembled to fight terrorism – literally hundreds of countries have contributed in a variety of ways – some militarily, others diplomatically, economically and financially. Some nations have helped openly; others prefer not to disclose their contributions.

The United States began building the coalition on September 12, 2001, and there are currently 69 nations supporting the global war on terrorism. To date, 20 nations have deployed more than 16,000 troops to the U.S. Central Command's region of responsibility. This coalition of the willing is working hard every day to defeat terrorism, wherever it may exist.

In Afghanistan alone, our coalition partners are contributing more than 8,000 troops to Operation Enduring Freedom and to the International Security Assistance Force in Kabul – making up over half of the 15,000 non-Afghan forces in Afghanistan. The war against terrorism is a broad-based effort that will take time. Every nation has different circumstances and will participate in different ways. This mission and future missions will require a series of coalitions ready to take on the challenges and assume the risks associated with such an operation.

Below is a partial list of military contributions to the war on terrorism from some of the countries that have lent their support. This list is not intended to be all-inclusive but to give the reader a sense of the important role played by the coalition of coalitions in the global war on terrorism. This list will be updated monthly.

Albania
- Granted overflight rights to all NATO aircraft in support of Operation Enduring Freedom (OEF).
- Opened seaports for refueling and maintenance support for the war against terrorism.

Armenia
- Provides overflight rights.

Australia
- Australian Special Operations Forces (SOF) are currently in Afghanistan performing the full spectrum of SOF missions. A second rotation of these forces has occurred and demonstrates Australia's ongoing support of operations in Afghanistan.
- Australia has deployed two dedicated KB-707 refueling aircraft to Manas, Kyrgyzstan to conduct day and night flight missions with U.S. and French aircraft. The deployment also includes a significant number of support personnel.

- The Royal Australian Air Force is filling a key wing leadership position (Operations Group Commander) at Manas.
- Australia has three ships deployed to the Central Command (CENTCOM) AOR supporting naval operations. They are HMAS Manoora, HMAS Canberra, and HMAS Newcastle. They are conducting Maritime Interception Operations (MIO) in the Arabian Gulf, enforcing UN sanctions against Iraq.
- The National Command Element, lead by Brigadier Gary Bornholt, is forward-deployed in the region providing command and control for deployed forces.
- Australia suffered the first non-U.S. military fatality on February 16, 2002 -- Sgt. Andrew Russell was killed in action as the result of a land mine explosion. Previously, another member of Australia's Special Forces lost his foot in another land mine incident. He is recovering in Australia.
- Fighter aircraft were deployed to perform Combat Air Patrol (CAP) missions at Diego Garcia in support of Pacific Command.

Azerbaijan

- Offered to provide "whatever necessary" to assist the U.S. in OEF.
- Provides blanket overflight rights.
- Will provide military forces to the International Security Assistance Force (ISAF).

Belgium

- Belgium is providing one officer to the Coalition Intelligence Center (CIC) at CENTCOM and one officer to the Regional Air Movement Control Center (RAMCC) as deputy chief of operations.
- Belgium Air Force C-130 aircraft delivered a high protein food supplement (UNIMIX) from Denmark to Dushanbe, Tajikistan and an A-310 (Airbus) delivered 250,000 vaccinations for children under the United Nations Children's fund (UNICEF) program.
- Belgium led the largest multinational Humanitarian Assistance (HA) mission, which included Belgium, Spain, Netherlands and Norway. This mission provided 90 metric tons of UNIMIX to feed starving children in Afghanistan and set the standard for follow-on HA operations.
- Belgium contributed four people to Operation Noble Eagle supporting U.S. homeland security efforts at Tinker AFB.
- In support of ISAF, a Belgian C-130 with aircrew and maintenance crew (25 people) arrived in Karachi on April 10, 2002. They will stay in Karachi and execute part of the 400 dedicated C130 flight hours for ISAF. The crew and aircraft are working on a one-month rotation schedule.

Bulgaria

- Will provide basing and overflight rights upon request – standard clearance authority for overflights.
- Provided basing for six KC-135 aircraft to support humanitarian flights into Afghanistan during November and December 2001.
- Provided 40-person Nuclear, Biological, Chemical (NBC) decontamination unit to support ISAF.
- Bulgaria recently offered the following equipment in support of the GWOT:
    - 2 TMM Heavy Mechanized Bridges
    - 2 Bulldozer BAT
    - 2 Excavator E-305 BV
    - 50 Generator Sets (1KW), 50 Generator Sets (1-45KW), 50 Generator Sets (8-30KW)
    - 1 MAFS (Filtration system)
    - 6 Trucks ZIL-131

Canada

- Contributed the first coalition Task Group to arrive in CENTCOM AOR.
- Canada currently has 2,100 personnel in the CENTCOM AOR (1,100 land, 200 air and 800 naval personnel). To date, 3,400 personnel have deployed in support of OEF.
- The Canadian Naval Forces have been engaged in Maritime Interception Operations, Leadership Interdiction Operations (LIO), escort duties and general maritime surveillance between the North Arabian Gulf and the North Arabian Sea. Seven ships deployed to OEF from October 2001 to April 2002.
- Canadian Air Force CC 150 Polaris (Airbus) and three CC130 (Hercules) aircraft have conducted strategic and tactical airlift. They have moved more than 10.4 million pounds of freight to date.
- Two CP 140 Aurora (P3C) aircraft are employed in MIO/LIO as part of Carrier Task Force 57. Eighty-four missions and 746 flight hours have been logged to date. Organic helicopter assets have flown 930 missions for more than 2,900 hours.
- Special Operations Forces are currently in Afghanistan performing the full spectrum of missions.
- HMCS TORONTO, while operating in the North Arabian Sea, intercepted a small vessel laden with 4,500 pounds of hashish (valued at more than $60 million). Its crew abandoned the vessel during the interception. The cargo and vessel were subsequently destroyed.
- Canada's Light Infantry Battle Group deployed as part of TF Rakkasan with 828 personnel and 12 COYOTE armored reconnaissance vehicles. These forces have been deployed to Qandahar for security and combat operations. Their successes include:
  - Lead Operation Harpoon from March 13-16, 2002. Investigated 30 caves and four mortar positions. Action resulted in three enemy KIA.
  - Conducted patrol on March 18, 2002 in the Kandahar region that uncovered a cache of weapons (including three thermobaric launchers).
  - Continuing to conduct Civil Military Cooperation (CIMIC) efforts in the Kandahar area.
  - Provided the Quick Reaction Force that deployed from Kandahar to secure the site of Apache helicopter that crashed on April 10, 2002.

Czech Republic

- Country representatives arrived at CENTCOM on Nov. 9, 2001. Currently, there are four officers at CENTCOM.
- The Czech Republic is providing basing and overflight permission for all coalition and U.S. forces.
- There are 251 personnel deployed to Camp Doha, Kuwait to perform local training as well as AOR-wide Consequence Management (CM) support.
- The Czech Republic has donated 1,000 military uniforms to support the Afghan National Army (ANA).
- The 6th Field Hospital, consisting of 150 personnel, is deployed to Bagram, Afghanistan to provide medical support to the International Security Assistance Force (ISAF).
- The air force is providing one TU-154 aircraft with a mission to support NATO Airborne Early Warning (AEW). The aircraft has conducted 46 flights, transporting 733 persons and 11 tons of cargo.

Denmark

- Approximately 100 Special Operation Forces personnel have deployed to the AOR as part of a multinational unit under U.S. command.
- Denmark suffered three killed and three wounded in action supporting ISAF operations.

11-L-0559/OSD/8567

- The Danish Air Force is providing one C-130 aircraft with 77 crew and support personnel. Additionally, the Danish Air Force will deploy four F-16 aircraft in an air-to-ground role with pilots and support personnel in October. These assets are on standby in Denmark.

Djibouti

- Signed agreements securing overflight, landing, seaport and basing rights and supports maritime interception operations (MIO).
- Preparing to send liaison officer to CENTCOM.
- French Level III medical facilities made available for use as needed.

Egypt

- Provided overflight permission for all U.S. and coalition forces.
- Country representatives arrived at CENTCOM on Nov. 28, 2001. There are currently two personnel at CENTCOM.

Eritrea

- Country representatives arrived at CENTCOM on June 1, 2002. Currently, there are two personnel at CENTCOM.

Estonia

- Following Sept. 11, Estonia declared its national support for the Global War on Terrorism.
- Approved unconditional overflight and landing rights for all U.S. and coalition partners.
- Offered two explosive detection dog teams for airbase operations.
- Offered 10 cargo handlers as part of Danish contingent deployed to Manas, Kyrgyzstan.

Ethiopia

- Agreed to all requests for support to OEF.
- Offered access for basing, overflights and site surveys.
- Sent liaison officers to CENTCOM in May 2002.

Finland

- The Finnish Military Liaison team at CENTCOM continues to concentrate especially on civil-military operations with an objective to facilitate cooperation and coordination between ISAF, Operation Enduring Freedom (OEF) and UN operations in Afghanistan.
- Finland is currently assisting the Afghan administration, non-governmental humanitarian organizations, and military forces in Afghanistan in an effort to promote the long-term reconstruction of the country.
- Finland is providing the largest Civil-Military Cooperation (CIMIC) unit in Kabul in support of ISAF. This unit currently consists of nearly 50 officers.

France

- There are more than 4,200 French military personnel currently operating in the CENTCOM AOR.
- The French Air Force, deploying C-160 and C-130 aircraft to Dushanbe, Tajikistan, have provided humanitarian assistance as well as national and coalition airlift support. Two KC-135 aircraft have deployed to Manas, Kyrgyzstan to provide aerial refueling. Six Mirage 2000 fighter aircraft have also deployed to Manas to provide close air support (CAS) capability.

11-L-0559/OSD/8568

- French engineers helped construct runways, a tent city and a munitions storage facility at Manas. France also provided airfield security (with dogs), a field mess unit, a deployable weather bureau, and a Civil Military Operations (CMO) team.
- France deployed an infantry company to Mazar-e-Sharif to provide area security up to December 2001.
- Two French officers are currently serving as air coordinators at the RAMCC.
- Atlantique aircraft deployed in Djibouti under national control are participating daily in Intelligence, Surveillance and Reconnaissance (ISR) missions.
- France provided its only Carrier Battle Group to support combat operations in the North Arabian Sea. Aircraft from this Battle Group have flown more than 2,000 hours for OEF to date, supporting the coalition with air reconnaissance, strike and AEW missions. France's naval contribution to OEF accounts for approximately 24 percent of their entire naval forces.
- France is the only coalition country to be flying fighter aircraft from Manas airfield in Kyrgyzstan. Their Mirage and tanker aircraft actively supported the coalition during Operation Anaconda in March and are maintaining their full combat and support capabilities for further operations.
- Kabul Medical Institute: The World Health Organization, French Embassy, Loma Linda (NGO) and French forces (500 personnel) inserted into ISAF are working to make major improvements to the Kabul Medical Institute - with equipment, books and a new curriculum. The student body of about 2,800 includes 544 women.

Georgia

- Offered to provide "whatever necessary" to assist the U.S. in OEF.
- Provides blanket overflight rights.
- Cooperating with U.S. to train and equip Georgian military forces for counter-terrorist missions.

Germany

- There are 2,800 German personnel currently operating within the CENTCOM AOR.
- Germany has taken the lead in the establishment and training of the Afghan police force.
- German Special Operations Forces are currently in Afghanistan performing the full spectrum of SOF missions.
- The German Navy has had three Frigates, one Fast Patrol Boat Group (five units) and four supply ships operating out of Djibouti, in the Gulf of Aden area, since Jan. 2002. Additionally, there are two German Sea King helicopters based in Djibouti.
- A German A-310 (Airbus) aircraft is on alert in Germany for use as a medevac platform.
- Germany is leading and supporting the Kabul Multinational Brigade (KMNB) by providing its commander, a majority of the KMNB staff, one battalion-sized Infantry task Force, field hospital and other combat support troops. This force is supported by an air transport element operating out of Uzbekistan.
- Employment of afghan war widows -- USAID and CJCMOTF are planning to employ Afghan war widows to make uniforms for the Kabul police force, a micro-industry proposal made possible by a German contribution of 10 million Euros to help train and equip the police force.
- Germany is conducting air transport flights in support of Humanitarian Assistance missions primarily in Afghanistan.
- This is the first time German ships and maritime patrol aircraft have been operationally involved in a Middle East deployment in more than 50 years. Three German maritime patrol aircraft began conducting reconnaissance operations from Mombassa, Kenya.
- Germany conducted HA flights to support relief efforts for earthquake victims in Afghanistan.

11-L-0559/OSD/8569

Greece

- Greek Frigate Psara has been in CENTCOM's AOR since March 15th, conducting operations under the operational control of Coalition Forces Maritime Component Commander (CFMCC). This frigate is of MEKO type and one of the most sophisticated vessels in Greece's inventory. It is manned with a crew of 210 and carries one S-70 BA Aegean Hawk helicopter and one Special Forces team. It has the ability to perform and execute a large variety of missions. It will be replaced in three months by another frigate of the same type, so there will be constant Greek naval presence in the area of interest.
- The facilities of the Greek Naval Base and Airbase of Souda, Crete, are used as forward logistic sites to support ships and aircraft moving in the area, as well as other basing settlements across the country.
- One Air Force officer is going to be assigned as an operations officer of the RAMCC, and one Navy liaison officer will deploy to Bahrain.
- Greece is very active in International Security Assistance Force (ISAF) operations:
  - One Greek Engineer Company of 112 men and 64 engineering vehicles has been operating in Kabul.
  - Two C-130 transport aircraft with a support security team of 56 personnel have deployed to Karachi, Pakistan, for tactical airlift in support of ISAF operations.
  - Greek staff officers have been assigned to Permanent Joint Headquarters (PJHQ) in Great Britain and to ISAF HQ in Kabul.
- NATO Operations in the Mediterranean Sea:
  - One Greek frigate and a counter-mine ship have been conducting surveillance and mine sweeping operations respectively in East Mediterranean Sea.
  - Additionally, Greece has offered two more vessels and a number of Air Force sorties in support of Operation Active Endeavour against international terrorism.

India

- Provided frigate for escorting coalition shipping through the Straits of Malacca.
- Made shipyards available for coalition ship repairs.
- Opened ports for naval port calls.

Italy

- The Italian Air Force is planning to deploy one C-130 plus one Boeing 707 to Manas airfield following initial force rotation.
- Italian self-deployment of a 43-man Engineer Team to Bagram for the repairing of the runway is complete.
- Italian personnel are committed to both OEF and ISAF operations. A 400-man regimental task force was deployed on Jan. 15, 2002 in order to provide ISAF area and site security in the Kabul area. Italy is providing three C130 (two operating from Abu Dhabi) and leasing one B-707, one AN-124, and one IL-76 in support of ISAF.
- Italy provided its only Carrier Battle Group to support combat operations in the North Arabian Sea. They deployed more than 13 percent of their entire naval forces for use in OEF. The "De La Penne" Group (one destroyer and one frigate) relieved the Carrier Battle Group on March 15, 2002. Italian frigate "Euro" transited the Suez Canal on May 8 to relieve both combatants on station.
- Italy moved more than 17,000 lbs. (27 cubic meters) of supplies and equipment from Brindisi to Islamabad, Pakistan on March 19, 2002. Supplies/equipment included a forklift and equipment from the World Food Program.

11-L-0559/OSD/8570

- On April 18, Italian aircraft and security force transported former King Mohammed Zahir Shah and AIA leader Hamid Karzai from Rome to Kabul without incident.

Japan

- Provided fleet refueling capability, placing two refueling/replenishment ships and three support/protection destroyers in the AOR. Through mid-May, this force has conducted 75 at-sea replenishments of coalition ships and provided 34.1 million gallons of F-76 fuel to U.S. and UK vessels.
- Also as of mid-May, six C-130 aircraft had completed 51 missions consisting of 166 sorties with 773 tons of cargo and 123 passengers in support of resupply and transport requirements within the Pacific Command (PACOM) AOR.
- On May 17, the Government of Japan approved a six-month extension of the Basic Plan authorizing the Self Defense Forces to continue these efforts.

Jordan

- An "Aardvark" mine clearing unit and personnel are currently deployed to Qandahar, and has cleared mines from more than 70,000 square meters in both Bagram and Qandahar.
- Jordan has provided basing and overflight permission for all U.S. and coalition forces.
- As of June 6, 2002, the Jordanian hospital in Mazar-e-Sharif helped 68,811 patients:
  - Military: 1,055
  - Civilian:
    - Women – 26,763
    - Men – 22,930
    - Children – 18,063
  - Performed 798 surgeries

Kazakhstan

- Has provided overflight rights and allowed transshipment of supplies to U.S. forces in Uzbekistan and Kyrgyzstan.

Kenya

- Has continuously offered support to OEF operations, including access, overflight, basing and supporting MIO.
- Sending LNO to CENTCOM in June 2002.

Kuwait

- Kuwait has provided basing and overflight permission for all U.S. and coalition forces.
- Country representatives arrived at CENTCOM on Feb.14, 2002. There are currently three personnel at CENTCOM to support current operations in OEF.

Kyrgyzstan

- Has provided basing and overflight rights for U.S. and coalition personnel.
- Under the United Nations World Food Program, Kyrgyzstan -- along with Russia and Tajikistan -- has delivered 16,500 tons of flour and wheat to the northern provinces of Afghanistan.

Latvia

- Following Sept. 11, Latvia declared its national support for the Global War on Terrorism.
- Approved use of airspace, airfields and ports for GWOT.
- Offered 10 cargo handlers as part of Danish contingent deployed to Manas, Kyrgyzstan.

11-L-0559/OSD/8571

- As part of backfill, has offered to double (to two infantry companies) SFOR contributions and more than double (to 25 soldiers) KFOR contributions.

Lithuania

- Following Sept. 11, Lithuania declared its national support for the Global War on Terrorism.
- Approved use of airspace, airfields and ports for GWOT.
- Offered 10 cargo handlers as part of Danish contingent deployed to Manas, Kyrgyzstan.
- Scheduled to deploy an ambulance with medics as part of a Czech Republic contingent.
- Offered SOF platoon, military divers, translators, minesweeper, aircraft and maintenance support to SFOR/KFOR.

Malaysia

- Has approved all requests for overflight clearance since Sept. 11.
- Has provided access to Malaysian intelligence.

Netherlands

- An Air Force KDC-10 is currently deployed to Al Udeid, Qatar. To date, C-130 aircraft have completed three HA flights under national flag. The Netherlands will soon deploy one C-130 aircraft to Manas to assist with the logistics hub movement of cargo from that airport.
- Dutch F-16s will be deployed to Manas in October.
- Two Dutch naval frigates are currently operating in the CENTCOM AOR. Other naval ships, along with Air Force P-3s, will relieve U.S. units in the U.S. Southern Command AOR.
- The Netherlands has contributed more than 220 troops to ISAF.
- On March 27, 2002, an NLD officer, filling the role as a planner, arrived at the RAMCC.
- To date, Netherlands Civil Military Operations (CMO), in coordination with Netherlands armed forces and Afghanistan Interim Authority, have rebuilt three schools in Kabul.
- Netherlands CMO has built a playground at Lycee Botkhak elementary school in Kabul.
- Netherlands Ministries of Foreign Affairs and Development Aid continue to plan and finance Humanitarian Assistance projects such as schools and water supply facilities.

New Zealand

- New Zealand Special Air Service (SAS) troops work alongside the forces of other nations in Afghanistan. They fill an important role, as part of the international effort, to stabilize the area. *Note: NZ has a policy of neither confirming nor denying the specific location, mission or techniques of the NZ SAS troops.*
- New Zealand provided logistics and humanitarian airlift support in Afghanistan with Air Force C-130 aircraft. These aircraft were made available to help move the backlog of equipment and supplies needed for OEF.
- A seven-person Air Loading Team (ALT) was deployed to support ISAF.
- New Zealand has deployed officers to staff the ISAF headquarters.

Norway

- Norway has deployed 162 personnel to support operations in Afghanistan.
- Norwegian Hydrema 910 mine clearing vehicles and personnel have been responsible for clearing more than 750,000 square meters of terrain on Qandahar and Bagram airfields and surrounding areas since their deployment on Jan 1, 2002. A total of 1,600 – 1,700 mines and approximately 7,000 pieces of unexploded ordnance (UXO) have been cleared from both airfields.

- Norway is supporting ISAF operations in Kabul with staff personnel, an EOD team, and a movement control team.
- SOF self-deployed into Afghanistan and are currently providing a full spectrum of missions there.
- Norwegian Air Force C-130 aircraft is providing intra-theater tactical airlift support and support to OEF, operating from Manas airbase. On a national basis, the C-130 has conducted re-supply missions for Norwegian SOF forces and HA missions to Afghanistan.
- Norway will deploy F-16's to Manas in October.
- Norway's SOF exploitation missions have yielded valuable intelligence. Additionally, Norway has provided 15 hardened vehicles ($1.5 million) that are currently supporting SOF missions and providing leadership transport. In the unified effort to rebuild the Afghan Army, Norway has donated personal items and equipment for a 700-man light infantry battalion.
- As a result of the Tokyo Donation Conference, Norway has donated $30 million to support the rebuilding effort in Afghanistan.

Pakistan

- Pakistan has provided basing and overflight permission for all U.S. and coalition forces.
- Pakistan has deployed a large number of troops along the Afghanistan border in support of OEF.
- Pakistan has spent a large portion of its logistical reserves to support the coalition.
- Country representatives arrived at CENTCOM on March 14, 2002. There are currently five personnel at CENTCOM.
- The Inter-services Intelligence (ISI) has helped in various phases of operations.

Philippines

- Granted unconditional blanket overflight clearance.
- Offered bases for transit of U.S. forces used in OEF.
- Offered medical and logistical support for OEF.

Poland

- Polish combat engineers and logistics platoon forces have deployed to Bagram to assist in construction and fortification work and provide logistical support for coalition forces.
- Eight AN-124 flights were coordinated with the RAMCC to move the engineering and logistics forces. Since their arrival in mid-March, these engineers have cleared mines from more than 4,000 square meters of land.
- A Polish SOF unit is deployed in CENTCOM's AOR and is engaged in Maritime Interdiction Operations (MIO) and leadership Interdiction Operations (LIO).
- Logistic support ship "Kontradmiral X. CZERNICKI will deploy to AOR.

Portugal

- Country representatives arrived at CENTCOM on Dec. 13, 2001.
- Currently under ISAF control, Portugal has a medical team of eight people and a C-130 with a maintenance team of 15 people.

Republic of Korea

- A Republic of Korea naval vessel transported more than 1,000 tons of critical construction material from Singapore to Diego Garcia to support the demand for OEF building materials. Additionally, they have pledged more than $45 million to aid in the reconstruction of Afghanistan.
- Republic of Korea has deployed a Level II hospital to Manas.

11-L-0559/OSD/8573

- South Korean Air Force C-130s have flown 18 flights between Seoul, Korea and Diego Garcia, as well as five flights to Islamabad. These flights were responsible for transporting more than 45 tons of humanitarian relief supplies valued at $12 million.

Romania

- On Sept. 19, 2001, the Romanian Parliament approved basing and overflight permission for all U.S. and coalition partners.
- Three liaison officers arrived at CENTCOM on Dec. 10, 2001. One of them is working in the Coalition Intelligence Center.
- Romania will soon deploy one infantry battalion into Afghanistan. Additionally, one Infantry Mountain Company, one Nuclear, Biological, Chemical Company (NBC), four MiG 21-Lancer, and medical personnel have been offered.
- For ISAF, Romania has deployed one Military Police Platoon, and one C-130 aircraft.
- Romanian Government has delivered a large quantity of training equipment for the Afghan National Guard.
- The Romanian Parliament recently approved the deployment of a 405-person motorized infantry battalion, a 70-person NBC company, and 10 staff officers.
- Romania has donated the following items in support of the Afghan National Army (ANA):
  1,000 AK-47 assault rifles
  300,000 rounds of ammunition
  Magazines and cleaning sets

Russia

- Russia started providing humanitarian assistance to the population of Afghanistan in October 2001. Russia has supported HA operations by transporting more than 420,296 tons of food commodities, 2,198 tons of medicines, 15,282 beds, 1,200 heaters, 13 mini electric power stations, 780 tents, 11,000 blankets, 49,674 bedding kits, 11,000 pieces of kitchen utensils, and nine tons of detergents.
- In December 2001, Russian personnel started reconstruction of the Salang tunnel, a major transport structure connecting the northern and southern provinces of the Afghanistan. In January 2002, the Salang tunnel was officially opened for regular traffic.
- In January 2002, as a result of a joint Russian-German project, pontoon passage across Pianj River was put into service. Together with the Salang tunnel it allowed the organization of a continuous route from Tajikistan to central region of Afghanistan for delivery of international humanitarian assistance.
- Russia provided the first coalition hospital in Kabul on Nov. 29, 2001. The hospital treated more than 6,000 patients before Russia turned the facility over to the local population on Jan. 25, 2002.
- On March 29, 2002, EMERCOM (Russia's Emergency Response Organization) deployed its mobile hospital to Nakhreen and began medical assistance to the victims of the earthquake in Afghanistan. Thus far, EMERCOM has delivered over 100 metric tons of HA supplies to the Nakhreen area to include: provisions, medicines and means for cleaning water. Additionally, Russian rescue teams have conducted search and rescue operations throughout the area.
- On April 24, 2002 Russia presented Afghan government 42 special vehicles, including 37 tracked, two fuel, two maintenance vehicles and two 4-wheel drive vehicles.

Slovakia

- On Sept. 18, 2001, Slovakia notified the U.S. that it would grant blanket overflight and basing rights to all coalition partners.
- Dispatched a liaison officer to Central Command HQ on Mar. 10, 2002.

11-L-0559/OSD/8574

- Will deploy an engineering unit into Afghanistan. Additionally, Slovakia has offered a special forces regiment, NBC reconnaissance units and a mobile field hospital.

Spain

- Country representatives arrived at CENTCOM on Nov. 2, 2001. Currently, there are one Flag officer and eight personnel at CENTCOM.
- Provided standard clearance authority for landing at air bases and overflight rights.
- Two Navy officers are serving as national liaisons with the Coalition Forces Maritime Component Command (CFMCC) in Bahrain. One Air Force officer is serving as national representative at Manas, Kyrgyzstan. One Army officer is serving as national representative at ISAF, Kabul.
- Spanish staff officers have been assigned to PJHQ in Great Britain and USEUCOM in Germany.
- One battalion-sized task force is operating in Kabul as part of ISAF.
- Spain has deployed one P-3B to Djibouti, two C-130s to Manas, and one C-130, which accomplished its mission and is back in Spain. Two naval frigates and one supply ship deployed to the CENTCOM AOR to support continued operations in OEF.
- Spanish maritime patrol aircraft began conducting reconnaissance operations from French base in Djibouti. Spain deployed SAR helos to Manas on April 12.
- As of June 6, 2002, the Spanish Hospital in Bagram has helped 7,644 patients
  Military: 1,300
  Civilian:
    Women – 1,550
    Men – 2,085
    Children – 2,709
  Performed 86 surgeries

Sweden

- Country representatives arrived at CENTCOM on Mar. 28, 2002. There are currently two personnel at CENTCOM.
- An intelligence unit consisting of 45 personnel has been deployed to ISAF headquarters .
- Deployed two C-130 transport aircraft in support of ISAF.
- Provided logistics support for humanitarian aid distribution provided by the Swedish Rescue Services Agency.
- Bilateral humanitarian and reconstruction assistance amounting to $100 million for the period 2002-2004, with an emphasis on health care and primary education.

Tajikistan

- Provided overflight rights and allowed basing of U.S. forces to coordinate HA operations and airlift control.

Turkmenistan

- Providing land corridor for HA shipments to Afghanistan. Providing refueling support to U.S. personnel conducting HA operations.
- Granted overflight permission for planes carrying Humanitarian Assistance.

Turkey

- Country representatives arrived at CENTCOM on Oct. 10, 2001. There are currently three personnel at CENTCOM headed by a brigadier general.

11-L-0559/OSD/8575

- Turkey is providing one officer to PJHQ, three officers and one non-commissioned officer to ISAF headquarters and two officers to KMNB headquarters.
- Turkish Special Forces LNO working with Combined Joint Special Operations Task Force – Afghanistan.
- Turkey has provided basing and overflight permission for all U.S. and coalition forces.
- One Turkish officer is scheduled to work as a planning officer at the RAMCC.
- Turkey continues to provide KC-135 aerial refueling support for OEF and Operation Northern Watch.
- Turkey has five ships participating in NATO counter terrorism operations in the Med. Aksaz Naval Base and Antalya Sea Port are being used to support these ships.
- Turkey will assume the position as lead nation for the second phase of ISAF operations in Afghanistan increasing their personnel to a battalion.
- One infantry unit, along with one EOD team amounting to 269 personnel, is operating in Kabul as part of the International Security Assistance Force (ISAF).
- Turkish personnel are directly involved in the training and equipping 1 BANG.
- Air Force Command personnel conducted site surveys for possible airfields in Tajikistan, Kazakhstan and Krygyzstan to be used in HA, CAS and airbourne operations flights.

Ukraine

- Has provided overflight permission for all U.S. and coalition forces.
- Offered access to three air bases to U.S. forces.
- Proposed to lease an IL-76 aircraft for humanitarian airlift.

United Arab Emirates

- Country representatives arrived at CENTCOM on Nov. 1, 2001. There are currently four personnel at CENTCOM.

United Kingdom

- Country representatives arrived at CENTCOM on Sept. 18, 2001. There are currently 40 personnel at CENTCOM. The UK also has staff attached to every major U.S. component command.
- MG Fry serves as deputy commander for all coalition naval forces in theatre, responsible for coordinating extensive operations. British forces have participated in MIO and Tomahawk Land Attack Missile (TLAM) operations.
- The Royal Air Force has provided aircraft throughout the region and contributed high-value assets in the critical areas of aerial refueling, Airborne Early Warning (AEW), and Intelligence, Surveillance and Reconnaissance (ISR).
- UK ground forces have participated in both OEF and ISAF missions. A company of Royal Marines from 40-Commando deployed to Kabul and has contributed to airfield security and mine clearing operations, including the provision of special equipment at both Bagram and Kabul International airports.
- UK was the first nation to send military representatives and campaign planners to CENTCOM.
- The UK has deployed the largest naval task force since the Gulf War to support OEF. Additionally, they have provided the only coalition TLAM platforms to launch missiles during the commencement of OEF hostilities.
- UK assumed the lead for the initial ISAF operation.
- UK deployed a 1,700 person infantry battlegroup to Afghanistan, built around 45-Commando, Royal Marines. These arctic and mountain warfare-trained troops are now operating as part of a U.S.-led brigade.

11-L-0559/OSD/8576

Uzbekistan

- Uzbekistan has provided basing and overflight permission for U.S. and coalition forces.
- Country representatives arrived at CENTCOM on Dec. 26, 2001. There are currently four personnel at CENTCOM.

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United States Department of Defense

News Transcript

On the web: http://www.defenselink.mil/news/Mar2002/t03012002_t0301asd.html
Media contact (b)(6) or (b)(6)
Public contact or

Presenter: Victoria Clarke, ASD PA Friday, March 1, 2002 - 10:45 a.m. EST

DoD News Briefing - ASD PA Clarke and Brig. Gen. Rosa

(Also participating was Brig. Gen. John W. Rosa, Jr., deputy director for operations, Joint Chiefs of Staff.)

Clarke: Good morning. A couple of things, and then I'm going to turn it over to our new face in the briefing room.

Earlier this week, the secretary was briefing on the contributions of our coalition partners in the war on terrorism. And as we said then, it's an evolving list, it's a list that's going to grow every day. We are always erring on the side of caution in terms of making sure the information we put out was absolutely what the countries participating wanted us to put out. We put out fact sheets; we have added to them, we've changed them. We'll continue to do that.

Today I want to call your attention to Japan, who has put together a very comprehensive package of support to help the United States and the rest of the world combat terrorism. And their efforts have included dispatching three destroyers and two supply ships to the Indian Ocean, where they are refueling at sea U.S. and British naval vessels, at their own expense. About half of Japan's fleet of C-130s and U-4 aircraft are also providing airlift support to Operation Enduring Freedom. And just as a reminder of our appreciation for Japan's help on this effort, I want to read to you just a little bit of what President Bush said when he spoke to the Japanese Diet on February 18th -- and I quote: "Japan and America are working to find and disrupt terrorist cells. Your diplomats" -- speaking to Japan -- "helped build a worldwide coalition to defend freedom. Your self-defense forces are providing important logistical support, and your generosity is helping to rebuild a liberated Afghanistan."

I think that very accurately reflects how much we appreciate what Japan has done and is continuing to do.

And now, in keeping with our efforts to keep things interesting around here, I'd like to introduce Air Force Brigadier General John W. Rosa, Jr., deputy director for operations on the Joint Staff. He is a former commandant of the Air Command and Staff College. He is a command pilot who has served previously as an operations group commander, and three times as wing commander. He has more than 3,600 flying hours in eight different kinds of combat aircraft. He has extraordinary experience and knowledge, and we are very appreciative that he volunteered to join us. (Laughter.) And as of last week, he is also a two-

11-L-0559/OSD/8578

United States Department of Defense

News Transcript

On the web: http://www.defenselink.mil/news/May2002/t05032002_t0503asd.html
Media contact: (b)(6) or (b)(6)
Public contact: or

Presenter: Victoria Clarke ASD (PA) Friday, May 3, 2002 - 10:30 a.m. EDT

DoD News Briefing - ASD PA Clarke and Brig. Gen. Rosa

(Also participating was Air Force Brig. Gen. John W. Rosa, Jr., deputy director for current operations, Operations Directorate, the Joint Staff.)

CLARKE: Good morning everybody. I really don't have any opening remarks. I just wanted to add my comments to the secretary and others that have talked about May being Military Appreciation Month. And there are so many incredible people in uniform who do hard, dangerous work every single day. And I, like a lot of people, appreciate what they do.

So with that ... Sir.

ROSA: Thank you. In Afghanistan, coalition forces are operating along the border with Pakistan under Operation Mountain Lion searching for al Qaeda and former Taliban while also trying to prevent the enemy from regrouping, moving and operating freely in this region as we eliminate their sanctuaries.

At Guantanamo Bay, we now have a total of 331 detainees in the new detention facility, which we call Camp Delta.

Q: Camp who?

ROSA: Delta.

And with that, we'll take your questions.

CLARKE: Charlie.

Q: Torie, are either the Army's inspector general or the Pentagon inspector general investigating the Army's conduct in connection with the intended cancellation of --

CLARKE: Crusader.

Q: -- Crusader.

CLARKE: The Army inspector general does have an investigation underway. I think it is

11-L-0559/OSD/8579

Q: And what did it hit?

ROSA: I can't tell you what it hit. It hit in the vicinity of the Khost airfield. I don't know what particularly it hit. We have some troops in that Khost area, but fortunately, none of our folks were injured.

Q: Were others injured?

ROSA: Don't know.

CLARKE: Let's go back here. Yes, sir?

Q: What do you say on Japanese support in the war against terrorism so far? Did leadership of this building specifically request Japanese government P-3 and Aegis destroyers?

CLARKE: You know, being in the region last week, we were constantly reminded about one of the great strengths of this effort; that's been the support of so many different countries, including Japan. Very quickly after September 11th, they stepped up to the plate and really pitched in in terms of support for the coalition. It includes some airlift capability. I believe we've got two destroyers and one oiler in the Northern Arabian Sea. It's been very helpful, it has been very useful in the war. Deputy Secretary Wolfowitz has met recently with some of the Japanese leaders, and I believe Doug Feith is meeting with some today, and they're having discussions about how to continue that kind of participation, which has been so wonderful.

And you're right, Aegis ships and some P-3 aircraft are the things -- some of the things under consideration that we think would be helpful.

I'm sorry, go ahead.

Q: Is it a request or just saying it's helpful?

CLARKE: I was not in the meeting, so I don't know exactly the tick-tock of the conversation, but I know we have expressed the views that those things -- those kinds of things would be helpful, in addition to everything that was already done.

Tony?

Q: Torie, I came in a little late, so excuse me if this has already been asked. But on this Army "talking points," can you clarify whether Secretary Rumsfeld asked Secretary White to have the Army IG look into the circumstances surrounding the document?

CLARKE: My understanding is that Secretary White initiated the Army IG investigation.

Q: Now, can I follow up? The Army IG -- traditionally, those reports are not released to the public; the Army has traditionally not given them up. Can we get some assurance from you that whatever they come up with will be released, given the gravity of the situation and the fact that it involves defending a multi-billion-dollar weapons program?

CLARKE: I can't do it right now, but we can take the question and we'll look into it, see what we can do.

Q: (Off mike) -- If you can, just look.

11-L-0559/OSD/8580

September 12, 2002 9:53 AM

OK

TO: J.D. Crouch

CC: Doug Feith

FROM: Donald Rumsfeld DR

SUBJECT: UK and Missile Defense

Hoon tells me that anytime after the Labor Conference in mid-October we can talk to him about missile defense—probably sometime in November or early December would be best.

He also said they would like to cooperate, but they would like it to be without having to contribute to R&D—that is to say, like the Trident, where they simply pay for hardware.

Thanks.

DHR:dh
091202-24

Please respond by 10/04/02

12 Sep 02

U08278 /03

Snowflake

September 12, 2002 2:23 PM

Afghanistan

TO: Honorable Condoleezza Rice

FROM: Donald Rumsfeld

SUBJECT: Afghanistan Reconstruction

Where do we stand on Eikenberry and Dov Zakheim?

Is the State Department is opposed? I thought there was a big urgency to getting money and help to Afghanistan for security. The Principals Committee said that. The President said that. So I went ahead and tried to move on Zakheim and Eikenberry, but there seem to be roadblocks.

What's happening? Are you against it?

DHR:dh
091202-25

12 Sep 02

U08279 /03

snowflake

September 12, 2002 10:14 AM

TO: Larry Di Rita
Col. Bucci

ADVANCE COPY GIVEN TO Bucci

FROM: Donald Rumsfeld DR

SUBJECT: WMD Briefing

I want to have the Cabinet, maybe their deputies, FEMA, DEA and some senior White House folks over for the WMD classified briefing soon. Please put the proposal together and show me.

Thanks.

DHR:dh
091202-28

Please respond by 10/04/02

470

12 Sep 02

U08280 /03

Snowflake

EF2801CLA MP
02/013618

September 12, 2002 10:16 AM - USDP

ISA / NESA Afghanistan

TO: Paul Wolfowitz
Doug Feith

FROM: Donald Rumsfeld

Larry Di Rita 10/14

SUBJECT: Ambassador from Afghanistan

Don't you think we ought to get a relationship with the new ambassador from Afghanistan to the U.S.? The President says he seems like a good man. He might be a way we can affect things from here and get better information.

Thanks.

DHR:dh
091202-29

Please respond by 10/04/02

Policy Response Attached 10/7

12 Sep 02

U08281 /03

09-13-02 10:49 IN

~~FOR OFFICIAL USE ONLY~~ VA OCT 4 2002 RM

ASSISTANT SECRETARY OF DEFENSE

2400 DEFENSE PENTAGON
WASHINGTON, DC 20301-2400

INFO MEMO

INTERNATIONAL SECURITY AFFAIRS

I-02/013618
EF 2801
USDP copy provided 10/7

FOR: SECRETARY OF DEFENSE DepSec Action_____

FROM: Assistant Secretary of Defense, International Security Affairs
(Peter W. Rodman, (b)(6) 07 OCT 2002

SUBJECT: Ambassador from Afghanistan

- You asked our thoughts on building closer relations with the new ambassador from Afghanistan to the U.S.
- The new ambassador from Afghanistan, Ishaq Shahryar, is a successful businessman and scientist (holds patents for photovoltaic solar cells) with 30-plus years of residency in California before becoming the first Afghan ambassador to the US since 1978.
- His close relations with President Karzai and the former king make him a valuable conduit of information—in both directions—as well as a point of leverage.
- He is interested in forging closer relations with the DoD. He met with DepSecDef in September.
- DASD Luti's office has frequent contact with the ambassador and can help to strengthen our ties further on key issues of interest including security, reconstruction, and political matters.
- I will also begin periodic meetings with the ambassador in order to build on existing ties with DoD. We will keep you informed of key issues that come out of these meetings with appropriate recommendations.

COORDINATION: Next under

Attachments: As stated

Prepared by: Mustafa Popal, ISA/NESA, (b)(6)

DASD 10/4 PDASD/ISA

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10-07-02 09:59AM

Coordination Page

DASD (SO/LIC Stability Operations)	Dr. Joseph Collins	02 Oct 2002

Snowflake

May 13, 2002 10:32 AM

TO: Gen. Franks

CC: Gen. Myers

FROM: Donald Rumsfeld

SUBJECT: Pakistan

Pakistan

It appears that you, through your liaison in Islamabad, are giving talking points for the Ambassador to discuss with Musharraf on the relationship.

It seems to me that those talking points and the difficulties ought to be communicated to the Pentagon and to me, so that I am aware of what is going on. I don't think CENTCOM ought to be dealing with the Ambassador on policy matters about Pakistan's relationship with us, above the detail and administrative level, without our at least being informed.

Thanks.

DHR dh
051302-27

Please respond by 05/10/02

13 May 02

U08282 /02

Snowflake

September 12, 2002 2:19 PM

Iraq

TO: Marc Thiessen

FROM: Donald Rumsfeld DR.

SUBJECT: UN

Koffi Annan, "striking a defiant pose against the Bush administration," says that the United States acting against Iraq without the support of the UN would be "a grave mistake and a blow to international law."

I wonder if he thinks Iraq's defiance of the UN resolutions is a blow to international law. He has never said so.

Thanks.

DHR/dh
091202-32

Please respond by _____

12 Sep 02

U08282 /03

Snowflake

May 13, 2002 10:07 AM

TO: Ambassador Evan Galbraith

FROM: Donald Rumsfeld

SUBJECT: Kosovo

Thanks so much for your piece on Kosovo. I appreciate it.

Next time you are back, let's have lunch. We need a good visit.

I apologize for the delay in getting back to you on the memo you gave me the last time we met in Europe, but I do have some folks working on it.

Thanks for your help.

Regards,

DHR dh
051302-22

Serbia

13 May 02

U08283 /02

Snowflake

September 12, 2002 3:23 PM

Iraq

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Repercussions

One other thing—Diane Feinstein is saying she is against unilateral action by the United States because it would unify the Arab world against us.

Thanks.

DHR.dh
091202-39

Please respond by _____

12 Sep 02

U08283 /03

Snowflake

May 13, 2002 9:58 AM

TO: Gen. Franks

CC: Gen. Myers
Doug Feith

FROM: Donald Rumsfeld DR

SUBJECT: Italy

Italy says it will contribute more to OEF. They have offered more than has been accepted so far. Their parliament has already authorized it. Why don't we take a look at what they have authorized that we have not accepted and see if we have need for it?

For your information, if they end up taking the lead of KFOR, they won't be able to lead the ISAF after Turkey, but they will certainly stay on until the end of the year.

Thanks.

DHR dh
051302-20

Please respond by 05/31/02

Italy

13 May 02

U08284 /02

snowflake

September 12, 2002 3:26 PM

335 SD

VIA FACSIMILE
(202) 737-0693

TO: Chris Williams

FROM: Donald Rumsfeld DR

SUBJECT: Your Note

Thanks so much for your thoughtful note. I do appreciate it.

Regards.

DHR:dh
091202-40

12 Sep 02

U08284 /03

snowflake

September 12, 2002 8:27 AM

LARRY DI RITA

TO: ~~Doug Feith~~

FROM: Donald Rumsfeld

SUBJECT: Foreign Legion

What is the status of this memo I sent ~~you~~ DOUG FEITH on April 2?

Thanks.

Attach.
040202-9 SecDef memo to Doug Feith

DHR:dh
091202-11

Please respond by 09/30/02

322

12 Sep 02

U08286 /03

snowflake

April 2, 2002 7:57 AM

TO: Doug Feith

FROM: Donald Rumsfeld

SUBJECT: U.S. "Foreign Legion"

I would like you to pull together some folks and think through how the U.S. might fashion a peacekeeping unit. My guess is it would be mostly foreigners.

We would train them, probably fund part of it, and then make them available for peacekeeping operations as an adjunct to the Department of Defense, but not as part of our regular military. They might include trainers to train local people in the countries they go into how to do police work or border patrol, but only common non-military types of activities.

Here is an article on the subject. I have been thinking about for a couple of years. Let me know what you think.

Thanks.

Attach.
03/25/02 Peter Schweizer, "A Foreign Legion Could Answer USA's Military Needs," *USA Today*

DHR:dh
040202-9

Please respond by 05/03/02

4/8/2

U11984-02

ated Press Online reported the murders the day they were committed, attributing the news to "a Cali police official." The only American newspaper account was a one-paragraph AP report in the March 17 Orlando (Fla.) Sentinel.

In response to my questions, the State Department said that the United States is "cooperating with Colombian authorities" in investigating the murders. In fact, the State Department has ignored Americans held prisoner and murdered in Colombia, dating back to three missionaries abducted by the FARC nine years ago and probably killed.

The missionaries' families have been frustrated in failing to receive a report needed to obtain death certificates. "These families have suffered enough and should not be held hostage to the bureaucratic indifference that would further delay this overdue notification," Dan Burton, chairman of the House Government Reform Committee, wrote the State Department on Dec. 15.

"Bureaucratic indifference" has been the watchword. With Reich's assumption of command delayed by the Democratic-controlled Senate, Clinton holdovers remain in key posts. News about the Cali killing was suppressed by the Bogota embassy on orders of Ambassador Anne Patterson, who held Latin American policymaking posts in the Clinton administration and was nominated for the Colombian post by Bill Clinton in his last months as president.

The decision at the White House not to extend the war on terrorism to Colombia has yet to be reversed. On March 6 a bipartisan resolution was introduced by the Republican chairman and senior Democrat on the House International Relations Committee—Reps. Henry Hyde (Ill.) and Tom Lantos (Calif.)—calling for a change in policy. "Any attack on an American citizen is an attack on America," George W. Bush has declared. So far, however, Colombia is excluded.

USA Today
March 25, 2002
Pg. 15

57. A Foreign Legion Could Answer USA's Military Needs

By Peter Schweizer

Now that Operation Anaconda in Afghanistan has been declared basically completed and a success, the next phase of the war on terrorism is set to begin. Which American troops will carry out this coming phase — and the next one, and the one after that?

Any fighting that needs to be done clearly will be in another exotic locale. As has been the case since the end of the Cold War, most of our armed forces need to be prepared to wage warfare in foreign lands populated by people with unusual languages and radically different cultures.

This is likely to tax the American military forces heavily. In fact, the leaders of our Pacific and European commands recently said that the war on terrorism has overtaxed our military and that we do not have enough troops to carry out all of our operations.

So we need to consider alternatives — such as starting an American foreign legion.

When U.S. forces performed peacekeeping operations in the Balkans, we were very short of soldiers who spoke Serbian or Croatian. When American soldiers went into Haiti, there were precious few who spoke Creole. Forces from the United States now based in Afghanistan are largely dependent on locals to translate and provide information on local customs.

One ally who has managed to overcome some of these problems is France. During peacekeeping duties in the Balkans, it had soldiers who spoke Serbian. In the Gulf War, it had Arab soldiers who knew the customs and spoke Arabic. When France operated in Africa, it had soldiers who were familiar with the area. The reason: Since 1831, it has maintained the enigmatic and legendary French Foreign Legion.

The concept behind the French Foreign Legion is simple: In exchange for five years of service in the French military, soldiers from other countries are granted French citizenship. Commanded by French military officers, the force numbers about 8,000. It recruits about 1,700 people a year and can be very selective. The chance to get French citizenship is so attractive that people from around the world clamor to get in. Over the years, they have served France faithfully.

Since its founding, more than 30,000 in the legion have died in battle. In addition to serving in the Gulf War and in the Balkans, more recently the French Foreign Legion has conducted sensitive military operations in African countries such as Chad.

Contrary to the legend that violent criminals make up the ranks of the Foreign Legion, today's recruits are required to pass an Interpol security check and detailed security screening by French authorities. They also need to pass medical exams and psychological tests. Once in the unit, members are largely isolated from the general populace, limiting the possibility that one could somehow be a spy for one of France's enemies.

They also are required to abide by a strict code of ethics. Among the points: "Every Legionnaire is your brother-at-arms, irrespective of his nationality, race or creed." And, "in combat, you will act without passion and without hate; you will respect the vanquished enemy; you will never abandon your dead or wounded and never surrender your arms." The recruits also receive instruction in French history and culture.

If the United States created its own foreign legion, it could prove to be a valuable resource on the battlefield. Soldiers from the far corners of the world could provide valuable language skills and information about local customs and traditions. They could also provide valuable intelligence contacts around the world.

Many French recruits have chosen to return to their home countries to retire on their pensions. (It is said that one can live well in Morocco on a sergeant's pension.) Many of these retirees maintain informal contacts with their former colleagues and are sometimes contacted for advice or information.

The French Foreign Legion has received some of the toughest assignments and is usually one of the first of the country's units to respond to hot spots around the world. The fact that it is a foreign legion means that the French government can give it particularly difficult assignments, knowing that it will be immune from some of the political pressures that usually come with assigning soldiers overseas. If the war on terrorism gets messy, this could prove to be helpful to any American president.

An American foreign legion would help an already stretched U.S. military. The war on terrorism now joins peacekeeping operations and other strategic responsibilities in placing demands on the armed forces. With military recruitment and retention rates still generally low, the Pentagon has increasingly needed to turn to reserves to make up for a manpower shortage, particularly during a time of crisis. This only further reduces retention rates as the families of reservists weigh the costs of extended times apart.

An American foreign legion of perhaps 8,000 troops could help in the war against terrorism, or take over peacekeeping operations or routine duties in, say, South Korea, thereby freeing up other units that might be needed. And creating an American foreign legion would bring added benefits to our immigration policy. Having received extensive instruction in American history and values while serving in combat for the United States, foreign legion members could prove to be model immigrant citizens.

The war on terrorism truly is a global war. If the United States is to fight it effectively, it must consider all of the options to make sure that it is a global effort.

Peter Schweizer is a research fellow at the Hoover Institution.

Snowflake

May 13, 2002 7:36 AM

TO: Honorable George Tenet

FROM: Donald Rumsfeld DR

SUBJECT: Strategy

The paper you gave me on adopting a political diplomatic strategy for Afghanistan was helpful. Thanks so much.

DHR:dh
051302-4

Afghanistan

13 May 02

11-L-0559/OSD/8596

U08292 /02

414
0800

Snowflake

2:24 PM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

DATE: May 11, 2002

SUBJECT: **NATO**

Tell Crouch and that crowd that I do want to meet with the new Defense Minister of France Michele Alliot-Marie when I go to NATO.

Thanks.

NATO 337

OFFICE OF THE SECRETARY OF DEFENSE
THE SPECIAL ASSISTANT

TO:

USD(P)

DHR/azn
051102.01

Please r

Larry Di Rita
5/15

5/13
- To: USD(P)

Larry Di Rita
5/15

11 May 02

U08350 02

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

OFFICE OF THE SECRETARY OF DEFENSE
2002 MAY 15 PM 1:08

INFO MEMO

May 13, 2002, 5:30 PM

FOR: SECRETARY OF DEFENSE

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

SUBJECT: DoD Guidance on Use of Military Aircraft--Secretary White Inquiry

- Today my staff interviewed Secretary White regarding allegations that he misused military aircraft (MilAir). I intend to provide you our tentative factual conclusions by 20 May (pending a final report on all three Service Secretaries).

- In my Info Memo to you of April 16, 2002 (Tab 1), I advised you that if, during the course of an inquiry, I discover that a standard of conduct was improperly prescribed or promulgated I will make recommendations for remedy. I have tentatively identified four such issues during this investigation:

  - First, my staff has found inconsistent interpretations regarding the official nature of travel in connection with Continuity of Operations (COOP); we understand that the COOP policy is currently under review;

  - Secondly, a March 15, 2002, memo from the Deputy Secretary (Tab 2) states that instances of family members accompanying senior officials on MilAir "should be the rare exception, not the rule"; the existing standard (DoD Directive 4500.56, MilAir travel policy) establishes criteria for family member travel, but does not address the issue of travel frequency;

  - Third, DoD Directive 4500.56 is unclear regarding the approval authority for unofficial travel by MilAir in the case of Service Secretaries and Commanders of Combatant Commands; and

  - Fourth, travel standards are unclear regarding the special situation of "mixed-use" travel by required users of MilAir (e.g., traveling from a leave location to a temporary duty location via MilAir).

- I intend to coordinate with those engaged in amending DoDD 4500.56 to ensure that any and all standards of conduct are prescribed and promulgated in the most public (as appropriate) and perspicuous manner.

COORDINATION: NONE
Attachments: As stated
cc: USD (P); USD (AT&L); GC
Prepared by: Joseph E. Schmitz (b)(6)

U08355 /02
11-L-0559/OSD/8598
FOR OFFICIAL USE ONLY

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

INFO MEMO

April 16, 2002, 8:10 AM

FOR: SECRETARY OF DEFENSE

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

SUBJECT: Process for Investigating Allegations Against Senior DoD Officials

- The DoD Office of Inspector General staff recently briefed me on the process we follow in addressing allegations against senior DoD officials. Attached is a slide from that brief, entitled "The Process" (Tab A). I am satisfied that we generally provide more than adequate "due process" to officials accused of misconduct, and I would be glad to provide our Investigative Policies and Procedures Manual or to discuss the process in more detail with any senior official concerned.

- As your Inspector General (and a former Adjunct Professor of Law specializing in advanced constitutional law), I am deeply committed to the principle that "professional reputation" is within those fundamental liberty rights entitled to protection by the "due process of law." U.S. Const., amend. V ("No person shall be . . . deprived of life, liberty, or property, without due process of law.").

- "Due Process" requires, *inter alia*, that rules be "prescribed" and promulgated "in the most public and perspicuous manner; not like Caligula, who (according to Dio Cassius) wrote his laws in small character, and hung them up upon high pillars, the more effectually to ensnare the people." 1 Blackstone's Commentaries 46 (1765).

- On receipt of adverse information about senior DoD officials (e.g., the *Washington Post* articled that appeared Saturday, March 23, entitled, "White Used Military Jet for Colorado Visit"), my staff conducts a preliminary review to determine whether an independent investigation by this office is warranted. In the course of this review, we determine whether the allegations are credible, whether the alleged conduct violates an established standard, and whether the information is sufficient to enable a focused inquiry.

- If in the course of any investigation we discover that a standard was improperly prescribed or promulgated, we will make recommendations for remedying any such deficiency along with our recommendations for resolving the allegations.

COORDINATION: DoD General Counsel, Mr. William J. Haynes II; April 15, 2002
Attachment: As stated
Prepared By: Joseph E. Schmitz (b)(6)

The Process

- Receipt of Incoming Complaint: inquiry required? who condı
- Open case: make notifications, obtain counsel from OGC
- Conduct fieldwork: sworn/taped testimony, documentary evi (email/computer/telephone searches, subpoenas when need
- Draft report of Investigation
- Issue "Tentative Conclusion" letter (if misconduct substantial
- Finalize report and closure correspondence (to managemen complainants, members of Congress)
- Compile underlying documentation ("back-up books")
- Assemble case files (frequently FOIA'd)

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

15 MAR 2002

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
COMMANDERS OF THE COMBATANT COMMANDS

SUBJECT: Travel By Family Members

Department of Defense Directive 4500.56, DoD Policy on the Use of Government Aircraft and Air Travel, outlines procedures for funded travel by family members accompanying DoD personnel on official business, whether on military or commercial carrier. In essence, travel should only be approved when there is an unquestionable official function in which the family member participates or when the travel is in the United States' interest because of diplomatic or public affairs benefit. When one of these criteria is met, travel is allowed on a noninterference basis and must be supported with invitational travel orders. As Code 2 civilians or 4-star general/flag officers, you have the authority to approve, on a case-by-case basis, these invitational travel orders.

The directive also has a provision for unofficial travel on military aircraft, where a family member may accompany a senior DoD official (SES or general/flag officer) who is traveling on official business. There are several restrictions as outlined in paragraph E2.2.3. Unofficial Travel., including the requirement that the Government be reimbursed at the full coach fare (the senior official shall attach to his or her travel voucher a personal check made payable to the Treasurer of the United States and shall include a travel office printout that reflects the full coach fare). Unofficial travel shall be strictly controlled and requires approval in writing in advance by the individuals identified in paragraph E2.4. of the directive.

Invitational travel orders for family members and unofficial travel by family members should be the rare exception, not the rule. We are stewards of taxpayer's funds, and our actions should be beyond reproach. Please ensure you are complying with the spirit and intent of this guidance.

Paul Wolfowitz

11-L-0559/OSD/8601 U04731-02

THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

ACQUISITION, TECHNOLOGY AND LOGISTICS

UNCLASSIFIED

INFO MEMO

May 14, 2002

FOR: SECRETARY OF DEFENSE

FROM: Mr. E. C. "Pete" Aldridge, Under Secretary of Defense (AT&L) Pete 5/14/02

SUBJECT: Info Memo Rapid Fire Metal Storm

Snowflake at TAB A.

METAL STORM BACKGROUND

- Mike O'Dwyer, an Australian inventor, developed and demonstrated a technology that stacks projectiles and propellant in a gun barrel. The projectiles can be fired electronically with variable timing between rounds. He named the technology and his company Metal Storm.
- Metal Storm technology has been shown to fire 9mm projectiles at ½ tactical muzzle velocities at rates exceeding 1 million rounds per minute. This was accomplished prior to any DARPA investment.

DARPA INVOLVEMENT

- In FY00, DARPA initiated a program to develop a Metal Storm-based weapon system with tactically useful muzzle velocities, dispersion and armor penetration at significant ranges. The program pursued the development of a 0.50 caliber sniper rifle as a meaningful first step towards tactical realization.
- DARPA funded three parallel activities:
  1. A Metal Storm / SAIC team to develop and demonstrate single and multi-barreled 0.50 caliber sniper rifles.
  2. An Australian Government Defence Science and Technology Organisation (DSTO) effort to explore alternative technical approaches to the 0.50 caliber rifle.
  3. A Metal Storm / SAIC effort to study three Metal Storm technology weapon concepts:
     - 40mm grenades stacked in a Gun Pod for use as a ground-based Area Denial System
     - Assess feasibility of using Metal Storm as a replacement for the Phalanx, Close-in Weapon System
     - 20mm Metal Storm Gun Pods on Unmanned Air Vehicle and Unmanned Ground Vehicle platforms

CURRENT STATUS

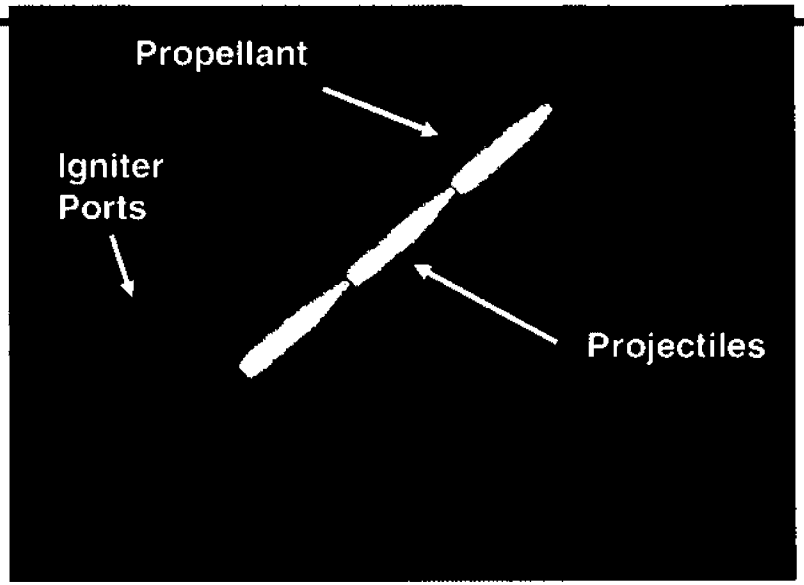
- In February of 2002, DARPA ended the SAIC / Metal Storm team. The team's technical approach was not successful.
- The parallel Australian DSTO technical approach for a 0.50 caliber stacked gun system was successfully demonstrated. DARPA is negotiating an agreement with DSTO to extend the 0.50 caliber technology to a 50mm direct fire weapon system
- The final reports for the Metal Storm / SAIC weapon concepts were reviewed by DARPA and not pursued further.

NEWS ARTICLE

- DARPA did not receive any inquiries from the Washington Times prior to the publication of the article. In our view, we don't see how anyone could have suggested that Metal Storm could be a replacement for Crusader. Also, we are not aware of any research that supports the claim Metal Storm technology will "accelerate out-of-atmosphere ballistic missile interdiction as well as biological and chemical cloud neutralization."

Attachment: Metal Storm Program Power Point Slide at TAB B.
Prepared by: Mr. Ron Kurjanowicz, Special Assistant, DARPA, (b)(6)

Metal Storm Program

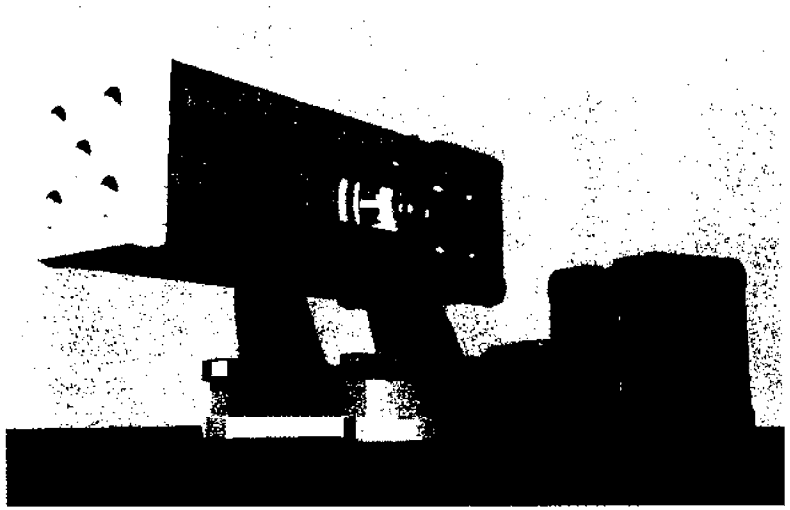


0.50 cal Test Barrel

Australian DSTO Approach

0.50 caliber Sniper Rifle Concept

50mm DARPA Concept



ficials say still falls a little short of the target price cut.

"But Boeing is willing to make an additional cut in the price," said a senior Defense Ministry official.

"If it cuts the price by $200 million, the deal is highly likely," he said on condition of anonymity.

In recent price negotiations, Boeing proposed to lower the price from $4.46 billion to $4.29 billion, but the Defense Ministry insisted on a further discount.

The ministry aims to lower the price to between $4.27 billion and $4.25 billion, saying that the price cut is essential to mollify critics of the fighter project.

Dassault Aviation SA of France reportedly proposed to build a new fleet of 40 fighters at the cost of $4.27 billion at the last minute, while Boeing raised the price to $4.46 billion this year from last year's proposal price of $4.25 billion without readjusting the proportion of its offset package.

However, last month, South Korea picked Boeing as the contractor for the project in consideration of its longstanding military alliance with the U.S.

Though he did not rule out the possibility that the Defense Ministry will reach an agreement on the price, the official acknowledged that it might push for further price cuts by curtailing the scope of options for the F- 15K.

To make the competition fair and transparent for all four foreign bidders, the Defense Ministry called for the same level of fighter jet options, some unnecessary for the F-15K, he explained.

"We are looking at the issue as part of an effort to ease defense budget constraints," he said.

During the negotiations, Boeing also committed to exceeding the 70 percent required offset package, saying that its program will provide further incentives in local work and manufacturing, he said.

In an effort to ease public concern about continued parts supply, the Defense Ministry demanded that the supply of replacement parts be covered by the U.S. government-guaranteed Foreign Military Sales (FMS) program, the official added.

Washington Times
May 14, 2002
Pg. 3

45. Rapid-Fire Metal Storm Technology Usurps Crusader

By Arnaud de Borchgrave, The Washington Times

A new type of ballistic technology that can fire more than 1 million rounds per minute from a 36-barrel weapon is one of the reasons Defense Secretary Donald H. Rumsfeld has canceled the $11 billion Crusader artillery system.

The technology is known as "Metal Storm," which is also the name of the Australian research and development company that owns it.

The fastest weapons today are mechanical Gatling guns that can fire at a rate of some 6,000 rounds per minute. Infantry rifles average 600 rounds per minute, which is the firing rate for a magazine of 15 to 30 rounds.

The chairman of the board of Metal Storm is retired Adm. Bill Owens, a former deputy chairman of the Joint Chiefs of Staff and author of "Lifting the Fog of War," a book about defense modernization.

With multimillion-dollar contracts, Metal Storm works closely with the U.S. Defense Advanced Research Projects Agency and the Australian Defense Science and Technology Organization. The company's new chief corporate officer is Chuck Vehlow, a former general manager of the Boeing Helicopter Division. Mr. Vehlow, who has a master of science degree from Massachusetts Institute of Technology, has negotiated big-ticket procurement contracts and technology-licensing agreements with the Pentagon.

Most of Metal Storm's work is top-secret. Under development are systems that include an unmanned aerial combat vehicle that will carry twelve 40 mm mortar boxes comprising a total of 1,200 tubes, and armed with 7,200 grenades. The system's unprecedented firing capabilities can lay down a continuous 50-yard-wide carpet of grenades for two miles, firing all its grenades simultaneously with 5-yard separation on impact.

Another gun under development for a small combat aerial vehicle is multibarreled and can fire 270 rounds onto a target in 0.001 seconds without stress on the airframe or any drop in air speed.

The company's Advanced Individual Combat Weapon program, says Chief Executive Officer Mike O'Dwyer, is destined to replace small arms among Western allies. The prototypes under development have a dual-barrel capability to fire both 20 mm and 40 mm bursting munitions and standard 5.56-mm NATO ammunition. The weapon also will fire nonlethal projectiles for riot control. The future infantry weapons hardware replacement program for Australia's small defense forces alone is estimated to be worth $700 million.

Metal Storm's submachine gun will be capable of firing multiple-barrel, rapid-fire bursts at 45,000 rounds per minute per barrel. The technology is entirely electronic and nonmechanical. Its electronically variable rate of fire has been confirmed to 1 million rounds per minute.

The technology allows barrels to be grouped in any configuration required for a particular application because it has no moving parts, other than bullets or other projectiles. It also has no separate magazine and no ammunition feed or ejection system. Next to Metal Storm's firepower, said a senior Pentagon acquisition official, the lumbering, 45-ton Crusader artillery tube would be obsolete.

At the core of the technology is a projectile design that enables multiple high-pressure ammunition to be stacked in a barrel, and then electronically fired in sequence. In turn, multiple barrels can be grouped to form compact weapons systems of unprecedented conventional firepower.

These new weapons will have all-electronic access control systems to ensure that only authorized personnel use them. The dual function will allow on-board selection at the press of a button between a nonlethal response capability and the kind of lethality that will deny an area to the enemy without having to use anti-personnel land mines.

Vle is a handgun with a 64-digit electronic keying system that conceals a transponder. An electronic message confirms when the weapon is set to fire and which fire setting is selected. Pentagon specialists have witnessed tests in which the Vle has fired single shots, double-tap shots at 45,000 rpm, triples at 60,000 rpm, and a high-energy double-tap burst at 500,000 rpm.

Sources at the advanced research project agency said the Metal Storm technological breakthrough will produce a new generation of weapons that will "accelerate out-of-atmosphere ballistic missile interdiction as well as biological and chemical cloud neutralization."

Arnaud de Borchgrave is editor at large of The Washington Times, as well as an editor at large of United Press International. His account also appears on the UPI wire.

Dallas Morning News
May 14, 2002

46. Lockheed Flying Solo On JSF Project

Contract winner was urged to share, but Boeing appears to be shut out

By Katie Fairbank, The Dallas Morning News

Even before Lockheed Martin Aeronautics Co. was awarded a winner-take-all contract to build the Joint Strike Fighter, moves were afoot to get the company to share the $200 billion bounty with rival Boeing Co.

Top brass at the Pentagon said it would be "politically astute" for Lockheed to bring Boeing on board.

A Lockheed Martin executive said the company would have to be prepared to give "noble work" to its competitor.

Even Congress got into the act, pushing in two legislative proposals for some work to go Boeing's way.

snowflake

May 14, 2002 7:54 AM

TO: VADM Giambastiani

FROM: Donald Rumsfeld

SUBJECT: Technology

Please find out what this "rapid-fire metal storm" technology is about today, so I will know.

Thanks.

Attach.
Arnaud de Borchgrave, "Rapid-Fire Metal Storm Technology Usurps Crusader," *Washington Times*, 05/14/02

DHR:dh
051402-3

Please respond by 05/14/02

5/14

SECDEF—
Aldridge reply is attached
For info, I ~~had~~ looked at this technology while on the Navy Staff. It's a wonderful idea but has very limited applicability.

V/R
EJ

11-L-0559/OSD/8606

snowflake

#234

TAB

April 25, 2002 12:16 PM

TO: Gen. Myers

CC: Paul Wolfowitz
Gen. Pace
VADM Giambastiani

FROM: Donald Rumsfeld DR

SUBJECT: Approval of Deployment Orders

Larry DiRita

370

I am told that if a request from a CINC on a deployment order isn't approved by the Joint Staff, it never gets up to me. That is not the way it ought to work. I don't know if it is true, but if it is, I think we ought to look at that process and get it ironed out.

If there is a disagreement between a CINC and the Joint Staff, that is fine, but that doesn't mean that the Joint Staff wins, the deployment order just gets stopped and the CINC loses.

I need to know what those differences are and not allow ~~some~~ staff to stop it.

Thanks.

DHR:dh
042502-26

Please respond by 05/17/02

5/14

CJCS respond attached.
W/R
Ed

Tab

02 MAY 1 11:04

U08387 /02

11-L-0559/OSD/8607

INFORMATION MEMO

May 14, 2002, 8:00 a.m.

FOR: Secretary of Defense
Deputy Secretary of Defense

FROM: Peter F. Verga, Special Assistant for Homeland Security V/R PFVerga

SUBJECT: National Guard Draw Down from the Airport Security Mission:

- As of 13 May 02, sixteen States and Territories have transitioned their NG personnel from all Airports. NG personnel have departed from 219 of the original 442 Airports since 20 Mar 02.

- As of 13 May 02, there were a total of 4864 National Guard (NG) personnel performing duties related to the Airport security mission including:

  - 2152 personnel at 223 Airports nationwide.
  - 1788 Command and Control / Support Element / Demobilization, and 894 on leave status.

- Total percentage of NG personnel actually in the Airports has been reduced by 65.6% since 20 Mar 02.

- Mission termination date of 31 May 02 remains firm. Mission termination defined as all NG personnel on Title 32 status supporting the Airport Security Mission off orders NLT 2359 Hours 31 May 02.

- At the request of the New York City Port Authority, 85 NG personnel will remain in place at New York's LaGuardia Airport in a State Active Duty status until relieved by Port Authority or Federal law Enforcement personnel.

- The $69.47M provided by TSA to date should be sufficient to complete the Security Mission based on funding requirements provided by States and projections made on past expenditure data.

Attachments:
None

Prepared by: LCDR Jeffrey Wooden (b)(6)

CC: SECARMY
PDUSD (P)

U08392 /02

snowflake

SECRETARY OF DEFENSE

May 14, 2002 10:45 AM

2002 MAY 16 PM 2:26

TO: Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: Cap

Please let me know about the cap on legislative liaison people at 50 people.

Thanks.

DHR dh
051402-18

Please respond by 05/24/02

5/16 –

Larry Lanzillotta –

Please provide a summary of the "Cortese Amendment" from last year that stole LA's people and gave them to you. Thanks

D. Rita

Larry Di Rita
5/16

U08412 /02

11-L-0559/OSD/8609

snowflake

7:20 AM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

DATE: September 12, 2002

SUBJECT:

311 CCC

Get Ken Kreig, Hoen, Thomas, Jamie Durnan or somebody to look at this question of merging these operation centers. The attached answers don't give me any good reason to not merge them. There are no specifics there.

I would think we might even be able to merge them all into one that is overall for DoD, Joint Staff and OSD, and then one that is for all the services. I would think we would all have better situational awareness if we had two instead of six or more.

Thanks.

DHR/azn
091202.11

Attach: Letter to SD from Gen. Jones 8/27/02re: Marione Corps Operations Center

Please respond by: 9/26

12 Sep 02

U08417 /03

OFFICE OF THE SECRETARY OF DEFENSE
2002 SEP -4 AM 8:48

DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

IN REPLY REFER TO

27 AUG 2002

The Honorable Donald Rumsfeld
Secretary of Defense
Pentagon, Room 3E880
Washington, DC 20350-1000

Dear Mr. Secretary:

Although Secretary England has already provided you his response on this subject, I felt it important to add my own thoughts in support of retaining separate service operations centers.

The intent of having a Marine Corps Operations Center (MCOC) is to provide me the ability to fulfill two critical requirements: first, my Title 10 responsibilities as a Service Chief, and second, my joint responsibilities to the Department of Defense, to include you and your staff, the Chairman and the Joint Staff, and the Combatant Commanders. I do not believe centralization of these functions will improve my ability to accomplish my mission taskings to you and the Department of Defense.

Separate service operations centers acknowledge the differences between the services, whether they are cultural or procedural. Additionally, they support my belief that command and control cannot be homogenized. My ability to provide service-specific advice to yourself, the Secretary of the Navy, the Joint Staff, and Combatant Commanders, while functioning in coordination with other organizational structures, is the primary strength of retaining a service operations center capability. I recommend we retain separate service operations centers.

Semper Fidelis,

Jim Jones

JAMES L. JONES
General, U.S. Marine Corps
Commandant of the Marine Corps

SPL ASSISTANT DI RITA	9/6
SR MA CRADDOCK	9/9
MA BUCCI	9/9
EXECSEC WHITMORE	9/1

11-L-0559/OSD/8611

U14261 /02

OFFICE OF THE
SECRETARY OF DEFENSE

2002 AUG -8 AM 6:49

August 7, 2002

To: Secretary of Defense

Fr: Gordon England, Secretary of the Navy

Subj: Operations Centers

- In lieu of separate service operations centers, the centers could be either collocated within one facility or centralized into one integrated center. Collocating would not yield meaningful benefits except it might save some small amount of overhead but likely not enough to justify the disruption and relocation cost.

- I vote against centralization. While centralization does promise savings at the time of initiation, those savings almost always start to erode quickly. In industry, centralized organizations tend to continue to grow in scope and bureaucracy while providing less service to their customers. Customers then tend to build up shadow organizations to meet their needs that are no longer being met by the centralized function. This situation is even more pronounced in the DoD. Look at our centralized defense agencies as examples. They are too big, too costly and need to be downsized or outsourced.

- My vote is to keep separate service operations centers.

40017

7 Aug 02

U13020 /02

11-L-0559/OSD/8612

snowflake

June 28, 2002 5:50 PM

TO: Tom White
Gordon England
Jim Roche

CC: Paul Wolfowitz
Pete Aldridge

FROM: Donald Rumsfeld

SUBJECT: Ops Centers

Please take a look at the ops center your Service has and tell me why it needs to exist, what its function is that cannot be readily done by a departmental ops center.

I ask the question because, in a traditional sense, the Services today don't have operations as such. I recognize the need to keep track of assets, but that is being done in several other places, I would think.

Let me know what you think.

Thanks.

DHR:dh
062802-14

Please respond by 08/02/02

SECDEF HAS SEEN
AUG 12 2002

8/9

SECDEF —
All 3 Service Secretary responses are attached.

U13404 /02

11-L-0559/OSD/8613

snowflake

September 12, 2002 8:36 AM

LARRY DIRITA

TO: ~~Steve Cambone~~

FROM: Donald Rumsfeld DR

SUBJECT: Special Forces as Trainers

What is the answer to this memo I sent ~~you~~ STEVE CAMBONE on August 13? Do we have something moving in the process to solve that?

Thanks.

Attach.
081302-13 SecDef memo to Cambone re: Special Forces as Trainers

DHR:dh
091202-14

Please respond by 09/30/02

322

12 Sep 02

U08419 /03

snowflake

August 13, 2002 1:51 PM

TO: Steve Cambone

FROM: Donald Rumsfeld DR

SUBJECT: Special Forces as Trainers

I want someone to do a study to see how we could stop having Special Forces people be trainers all over the world. Why can't the Army, Navy, Air Force and Marines become trainers?

Thanks.

DHR:dh
081302-13

Please respond by 09/06/02

U00499-03

snowflake

#294

September 12, 2002 8:47 AM

300.8

TO: Gen. Myers

FROM: Donald Rumsfeld

SUBJECT: Directives to Combatant Commanders

Here is a note I sent to Ed Giambastiani before he left. What I had in mind was a desire on my part to have a sense of what directives go to CINCs that are old and need to be rewritten.

Maybe there is a set of generic directives that go to the combatant commanders. Maybe we ought to look at a parcel of one of the combatant commanders and what he is operating under, list them, show the date they were written, who the persons were who signed them, which Secretary of Defense, and how far back they go. Then maybe if I can skim it, I can figure out if we want to put a little team on them to see how comfortable we are with it.

Thanks.

Attach.
080502-17 SecDef memo to Giambastiani re: Directives to CINCs

DHR:dh
091202-15

Please respond by 10/04/02 10/15

12 Sep 02

→ SecDef –
CJCS response attached. We should get our Exec sec and his counterparts at Joint Staff to pull this together. If Chairman's numbers are accurate, we need to do some work. Also, maybe you [illegible] of him

U08420 /03

02 SEP 16 [illegible] 10/11

11-L-0559/OSD/8616

CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

INFO MEMO

CM-524-02
3 October 2002

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS

SUBJECT: Directives to Combatant Commanders

- In response to your request (TAB A), OSD and I publish directives, instructions, and manuals as guidance to combatant commanders (TAB B).
- Of the 1335 DOD directives and instructions, approximately 400 have applicability to combatant commands; 600, or 45 percent, have been updated within the past 5 years.
- Of the 260 CJCS directives, manuals and instructions, approximately 243 have primary applicability to combatant commands; 234, or 90 percent, have been updated within the past 5 years.
- Both organizations have established rules to keep guidance current.
  - DOD directives require review by OSD Principal Staff Assistants for need and currency 6 months from the directive date and at 5-year intervals thereafter.
  - CJCS directives, manuals and instructions are reviewed annually to determine need for change, reissue or cancellation and every 5 years thereafter.
- In the upcoming months, we will place special emphasis on directives applicable to USNORTHCOM, USSTRATCOM and USJFCOM to incorporate Unified Command Plan changes.
- I continue to work to keep the instructions, manuals and notices under my purview current with a process for annual review and have also directed my staff to do a holistic review with an eye toward streamlining the numbers and contents.

COORDINATION: NONE

Attachments:
As stated

Prepared By: BG Mark P. Hertling, USA; Director for Operational Plans and Joint Force Development; (b)(6)

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licable	CJCSM 6230.05.01	S	Joint HAVE QUICK Planners' Manual (U) Technical Supplement, 15 May 1996
licable	CJCSM 6230.05.02	C	Joint HAVE QUICK Planners' Manual (U) NATO Procedures, 15 May 1996
licable	CJCSM 6231.01B	U	Manual for Employing Joint Tactical Communications - Joint Systems Management, 17 Nov 00
licable	CJCSM 6231.02A	U	Manual for Employing Joint Tactical Communications - Joint Voice Communications Systems, 1 Aug 98
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licable	CJCSM 6231.07C	U	Manual for Employing Joint Tactical Communications - Joint Network Management and Control, 1 Aug 01
licable	CJCSM 6721.01	U	Global Command and Control System (GCCS) Functional Requirements Evaluation Procedures, 15 Mar 97

Snowflake

7:21 AM

TO: Andy Marshall

FROM: Donald Rumsfeld

DATE: September 12, 2002

SUBJECT:

China

Thanks for your piece on understanding Chinese military calculations. It's helpful.

DHR/azn
091102.09

Please respond by: _____

12 Sep 02

U08421 /03

snowflake

September 12, 2002 7:29 AM

TO: Doug Feith

FROM: Donald Rumsfeld DR

SUBJECT: International Peacekeeping Force

Please prepare a memo that fashions what a U.S.-sponsored international peacekeeping force would look like if we provided some leadership, intel, lift and training, and the people of other countries did the work.

Thanks.

DHR:dh
091202-2

Please respond by 10/04/02

322

12 Sep 02

U08423 /03

snowflake

September 12, 2002 7:32 AM

381

TO: Torie Clarke

FROM: Donald Rumsfeld DR

SUBJECT: Guidelines for Going to War

How could we put my guidelines paper into some sort of an article?

Thanks.

DHR:dh
091202-3

Please respond by 09/30/02

12 Sep 02

U08424 /03

snowflake

September 12, 2002 7:54 AM

353

TO: Steve Cambone

FROM: Donald Rumsfeld

SUBJECT: Millennium Challenge

When is the next Millennium Challenge going to be? Is it two years from now? Shouldn't there be something in between, like next year?

Thanks.

DHR:dh
091202-7

Please respond by 10/04/02

12 Sep 02

U08425 /03

Snowflake

September 12, 2002 7:56 AM

Iraq

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Testimony

If you haven't seen this memo for the testimony, you ought to be aware of it.

Thanks.

Attach.
090502-8 SecDef MFR re: Questions on Iraq

DHR:dh
091202-8

Please respond by _____

12 Sep 02

U08426 /03

September 5, 2002 7:43 AM

SUBJECT: Questions on Iraq

Out of the briefing for the 70 senators Wednesday, September 4, 2002 came the following:

1. We need to get Saddam Hussein's threatening statements prepared and periodically released to Members of the House and Senate and the press.

2. We need an answer on the question Senator Conrad asked on what is different from the former Soviet Union, the PRC and North Korea.

3. The question is going to be asked by Senator Warner: Are we ready to do it? Do we have the weapons, etc.?

4. How much will it cost?

5. How fast can it be done?

6. What will follow? Will the new Iraq regime be better than the old one?

DHR:dh
090502-8

snowflake

September 13, 2002 12:36 PM

032

HOT

TO: Doug Feith

CC: Paul Wolfowitz
Larry Di Rita
Powell Moore

FROM: Donald Rumsfeld

SUBJECT: Hill Expectations

We need to think through the problem of Congressional expectations. When I briefed in the Senate Intelligence room, the invitation said we would brief on Afghanistan. When we arrived, the Senators expected me to brief on Iraq, because of the President's meeting with the leadership. Needless to say, their expectation wasn't met, because their expectation was wrong. If the expectation is set wrong, then you will fail to meet it.

With respect to my coming testimony, we need to set expectations right. Possibly in a written document that goes beforehand, or in a press briefing, we should explain what I was asked to do, what I intend to do and what I don't intend to do, so the Congress doesn't set inaccurate expectations.

Specifically, the President has not recommended invading Iraq. Therefore, I do not think I should go up and make the case for invading Iraq.

Second, the President has asked the UN to consider his speech. I can speak to that, but the U.S. has not submitted a UN resolution, so I can't testify on that.

Third, the intelligence case should be made by the intelligence community, not me.

DHR:dh
091302-6

13 Sep 02

Please respond by 09/16/02

U08427 /03

Snowflake

10:27 AM

EF1506
02/007104-USDP
ISA

TO: Doug Feith

FROM: Donald Rumsfeld DR

DATE: May 4, 2002

SUBJECT:

I think it might be worthwhile to brief former Senator Pat Moynihan about the Indonesian mil-to-mil relationship. He offered to help with Senator Leahy. We might even get him to write an article. The entrée is just by using my name. He is a very good friend.

Thanks.

Indonesia

DHR/azn
050402.10

Please respond by: Soon

5/7

5/8/02 → Pete
This must be done by you or me personally. Let's discuss.
DST
4 May 02

USDP -
ISA has lead. I will have them make contact w/ Moynihan's office by 5/10.
V/R LK

MAY 7 02 08:30

U08428 /02

Snowflake

ADVANCE
UNSIGNED

September 13, 2002 8:58 AM

Iraq

TO: Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: Paper on Iraq

Larry Di Rita
9/13

The *New York Times* is reporting that the White House released a paper yesterday on Iraq. Would you please see if you could get me a copy fast?

Thanks.

DHR:dh
091302-8

Please respond by _____

13 Sep 02

U08428 /03

A Decade of Deception and Defiance

Saddam Hussein's Defiance of the United Nations

September 12, 2002

PREFACE

A Decade of Deception and Defiance serves as a background paper for President George W. Bush's September 12th speech to the United Nations General Assembly. This document provides specific examples of how Iraqi President Saddam Hussein has systematically and continually violated 16 United Nations Security Council resolutions over the past decade. This document is not designed to catalogue all of the violations of UN resolutions or other abuses of Saddam Hussein's regime over the years.

For more than a decade, Saddam Hussein has deceived and defied the will and resolutions of the United Nations Security Council by, among other things: continuing to seek and develop chemical, biological, and nuclear weapons, and prohibited long-range missiles; brutalizing the Iraqi people, including committing gross human rights violations and crimes against humanity; supporting international terrorism; refusing to release or account for prisoners of war and other missing individuals from the Gulf War era; refusing to return stolen Kuwaiti property; and working to circumvent the UN's economic sanctions.

The Administration will periodically provide information on these and other aspects of the threat posed to the international community by Saddam Hussein.

11-L-0559/OSD/8654

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SADDAM HUSSEIN'S DEFIANCE OF UNITED NATIONS RESOLUTIONS

Saddam Hussein has repeatedly violated sixteen United Nations Security Council Resolutions (UNSCRs) designed to ensure that Iraq does not pose a threat to international peace and security. In addition to these repeated violations, he has tried, over the past decade, to circumvent UN economic sanctions against Iraq, which are reflected in a number of other resolutions. As noted in the resolutions, Saddam Hussein was required to fulfill many obligations beyond the withdrawal of Iraqi forces from Kuwait. Specifically, Saddam Hussein was required to, among other things: allow international weapons inspectors to oversee the destruction of his weapons of mass destruction; not develop new weapons of mass destruction; destroy all of his ballistic missiles with a range greater than 150 kilometers; stop support for terrorism and prevent terrorist organizations from operating within Iraq; help account for missing Kuwaitis and other individuals; return stolen Kuwaiti property and bear financial liability for damage from the Gulf War; and he was required to end his repression of the Iraqi people. Saddam Hussein has repeatedly violated each of the following resolutions:

UNSCR 678 – NOVEMBER 29, 1990

- Iraq must comply fully with UNSCR 660 (regarding Iraq's illegal invasion of Kuwait) "and all subsequent relevant resolutions."
- Authorizes UN Member States "to use all necessary means to uphold and implement resolution 660 and all subsequent relevant resolutions and to restore international peace and security in the area."

UNSCR 686 – MARCH 2, 1991

- Iraq must release prisoners detained during the Gulf War.
- Iraq must return Kuwaiti property seized during the Gulf War.
- Iraq must accept liability under international law for damages from its illegal invasion of Kuwait.

UNSCR 687 – APRIL 3, 1991

- Iraq must "unconditionally accept" the destruction, removal or rendering harmless "under international supervision" of all "chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities."
- Iraq must "unconditionally agree not to acquire or develop nuclear weapons or nuclear-weapons-usable material" or any research, development or manufacturing facilities.
- Iraq must "unconditionally accept" the destruction, removal or rendering harmless "under international supervision" of all "ballistic missiles with a range greater than 150 KM and related major parts and repair and production facilities."
- Iraq must not "use, develop, construct or acquire" any weapons of mass destruction.
- Iraq must reaffirm its obligations under the Nuclear Non-Proliferation Treaty.
- Creates the United Nations Special Commission (UNSCOM) to verify the elimination of Iraq's chemical and biological weapons programs and mandated that the International Atomic Energy Agency (IAEA) verify elimination of Iraq's nuclear weapons program.
- Iraq must declare fully its weapons of mass destruction programs.
- Iraq must not commit or support terrorism, or allow terrorist organizations to operate in Iraq.
- Iraq must cooperate in accounting for the missing and dead Kuwaitis and others.
- Iraq must return Kuwaiti property seized during the Gulf War.

UNSCR 688 – April 5, 1991

- "Condemns" repression of Iraqi civilian population, "the consequences of which threaten international peace and security."
- Iraq must immediately end repression of its civilian population.
- Iraq must allow immediate access to international humanitarian organizations to those in need of assistance.

UNSCR 707 – August 15, 1991

- "Condemns" Iraq's "serious violation" of UNSCR 687.
- "Further condemns" Iraq's noncompliance with IAEA and its obligations under the Nuclear Non-Proliferation Treaty.
- Iraq must halt nuclear activities of all kinds until the Security Council deems Iraq in full compliance.
- Iraq must make a full, final and complete disclosure of all aspects of its weapons of mass destruction and missile programs.
- Iraq must allow UN and IAEA inspectors immediate, unconditional and unrestricted access.
- Iraq must cease attempts to conceal or move weapons of mass destruction, and related materials and facilities.
- Iraq must allow UN and IAEA inspectors to conduct inspection flights throughout Iraq.
- Iraq must provide transportation, medical and logistical support for UN and IAEA inspectors.

UNSCR 715 – October 11, 1991

- Iraq must cooperate fully with UN and IAEA inspectors.

UNSCR 949 – October 15, 1994

- "Condemns" Iraq's recent military deployments toward Kuwait.
- Iraq must not utilize its military or other forces in a hostile manner to threaten its neighbors or UN operations in Iraq.
- Iraq must cooperate fully with UN weapons inspectors.
- Iraq must not enhance its military capability in southern Iraq.

UNSCR 1051 – March 27, 1996

- Iraq must report shipments of dual-use items related to weapons of mass destruction to the UN and IAEA.
- Iraq must cooperate fully with UN and IAEA inspectors and allow immediate, unconditional and unrestricted access.

UNSCR 1060 – June 12, 1996

- "Deplores" Iraq's refusal to allow access to UN inspectors and Iraq's "clear violations" of previous UN resolutions.
- Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.

UNSCR 1115 – JUNE 21, 1997

- "Condemns repeated refusal of Iraqi authorities to allow access" to UN inspectors, which constitutes a "clear and flagrant violation" of UNSCR 687, 707, 715, and 1060.
- Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.
- Iraq must give immediate, unconditional and unrestricted access to Iraqi officials whom UN inspectors want to interview.

UNSCR 1134 – OCTOBER 23, 1997

- "Condemns repeated refusal of Iraqi authorities to allow access" to UN inspectors, which constitutes a "flagrant violation" of UNSCR 687, 707, 715, and 1060.
- Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.
- Iraq must give immediate, unconditional and unrestricted access to Iraqi officials whom UN inspectors want to interview.

UNSCR 1137 – NOVEMBER 12, 1997

- "Condemns the continued violations by Iraq" of previous UN resolutions, including its "implicit threat to the safety of" aircraft operated by UN inspectors and its tampering with UN inspector monitoring equipment.
- Reaffirms Iraq's responsibility to ensure the safety of UN inspectors.
- Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.

UNSCR 1154 – MARCH 2, 1998

- Iraq must cooperate fully with UN and IAEA weapons inspectors and allow immediate, unconditional and unrestricted access, and notes that any violation would have the "severest consequences for Iraq."

UNSCR 1194 – SEPTEMBER 9, 1998

- "Condemns the decision by Iraq of 5 August 1998 to suspend cooperation with" UN and IAEA inspectors, which constitutes "a totally unacceptable contravention" of its obligations under UNSCR 687, 707, 715, 1060, 1115, and 1154.
- Iraq must cooperate fully with UN and IAEA weapons inspectors, and allow immediate, unconditional and unrestricted access.

UNSCR 1205 – NOVEMBER 5, 1998

- "Condemns the decision by Iraq of 31 October 1998 to cease cooperation" with UN inspectors as "a flagrant violation" of UNSCR 687 and other resolutions.
- Iraq must provide "immediate, complete and unconditional cooperation" with UN and IAEA inspectors.

UNSCR 1284 – DECEMBER 17, 1999

- Created the United Nations Monitoring, Verification and Inspections Commission (UNMOVIC) to replace previous weapon inspection team (UNSCOM).
- Iraq must allow UNMOVIC "immediate, unconditional and unrestricted access" to Iraqi officials and facilities.
- Iraq must fulfill its commitment to return Gulf War prisoners.
- Calls on Iraq to distribute humanitarian goods and medical supplies to its people and address the needs of vulnerable Iraqis without discrimination.

ADDITIONAL UN SECURITY COUNCIL STATEMENTS

In addition to the legally binding UNSCRs, the UN Security Council has also issued at least 30 statements from the President of the UN Security Council regarding Saddam Hussein's continued violations of UNSCRs. The list of statements includes:

- UN Security Council Presidential Statement, June 28, 1991
- UN Security Council Presidential Statement, February 5, 1992
- UN Security Council Presidential Statement, February 19, 1992
- UN Security Council Presidential Statement, February 28, 1992
- UN Security Council Presidential Statement, March 6, 1992
- UN Security Council Presidential Statement, March 11, 1992
- UN Security Council Presidential Statement, March 12, 1992
- UN Security Council Presidential Statement, April 10, 1992
- UN Security Council Presidential Statement, June 17, 1992
- UN Security Council Presidential Statement, July 6, 1992
- UN Security Council Presidential Statement, September 2, 1992
- UN Security Council Presidential Statement, November 23, 1992
- UN Security Council Presidential Statement, November 24, 1992
- UN Security Council Presidential Statement, January 8, 1993
- UN Security Council Presidential Statement, January 11, 1993
- UN Security Council Presidential Statement, June 18, 1993
- UN Security Council Presidential Statement, June 28, 1993
- UN Security Council Presidential Statement, November 23, 1993
- UN Security Council Presidential Statement, October 8, 1994
- UN Security Council Presidential Statement, March 19, 1996
- UN Security Council Presidential Statement, June 14, 1996
- UN Security Council Presidential Statement, August 23, 1996
- UN Security Council Presidential Statement, December 30, 1996
- UN Security Council Presidential Statement, June 13, 1997
- UN Security Council Presidential Statement, October 29, 1997
- UN Security Council Presidential Statement, November 13, 1997
- UN Security Council Presidential Statement, December 3, 1997
- UN Security Council Presidential Statement, December 22, 1997
- UN Security Council Presidential Statement, January 14, 1998
- UN Security Council Presidential Statement, May 14, 1998

SADDAM HUSSEIN'S DEVELOPMENT OF WEAPONS OF MASS DESTRUCTION

Saddam Hussein has continued to defy UN weapons inspectors for more than a decade, and he continues his efforts to develop or acquire weapons of mass destruction – including biological, chemical and nuclear weapons, and prohibited long-range missiles – and other means to deliver them.

BIOLOGICAL WEAPONS

- In 2001, an Iraqi defector, Adnan Ihsan Saeed al-Haideri, said he had visited twenty secret facilities for chemical, biological and nuclear weapons. Mr. Saeed, a civil engineer, supported his claims with stacks of Iraqi government contracts, complete with technical specifications. Mr. Saeed said Iraq used companies to purchase equipment with the blessing of the United Nations – and then secretly used the equipment for their weapons programs.[1]

- Iraq admitted to producing biological agents, and after the 1995 defection of a senior Iraqi official, Iraq admitted to the weaponization of thousands of liters of anthrax, botulinim toxin, and aflatoxin for use with Scud warheads, aerial bombs and aircraft.[2]

- United Nations Special Commission (UNSCOM) experts concluded that Iraq's declarations on biological agents vastly understated the extent of its program, and that Iraq actually produced two to four times the amount of most agents, including anthrax and botulinim toxin, than it had declared.[3]

- UNSCOM reported to the UN Security Council in April 1995 that Iraq had concealed its biological weapons program and had failed to account for 3 tons of growth material for biological agents.[4]

- The Department of Defense reported in January 2001 that Iraq has continued to work on its weapons programs, including converting L-29 jet trainer aircraft for potential vehicles for the delivery of chemical or biological weapons.[5]

- The al-Dawrah Foot and Mouth Disease Vaccine Facility is one of two known biocontainment level-three facilities in Iraq that have an extensive air handling and filtering system. Iraq has admitted that this was a biological weapons facility. In 2001, Iraq announced that it would begin renovating the plant without UN approval, ostensibly to produce vaccines that it could more easily and more quickly import through the UN.

- Saddam Hussein continues its attempts to procure mobile biological weapons laboratories that could be used for further research and development.

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[1] "Secret Sites: Iraqi tells of Renovations at Sites for Chemical and Nuclear Arms," *The New York Times*, December 20, 2001
[2] UNSCOM Report, January 25, 1999
[3] Ibid.
[4] Ibid.
[5] *Proliferation: Threat and Response*; Department of Defense; January 2001

CHEMICAL WEAPONS

Saddam Hussein launched a large-scale chemical weapons attack against Iraq's Kurdish population in the late 1980s, killing thousands. On at least 10 occasions, Saddam Hussein's military forces have attacked Iranian and Kurdish targets with combinations of mustard gas and nerve agents through the use of aerial bombs, 122-millimeter rockets, and conventional artillery shells. Saddam Hussein continues his efforts to develop chemical weapons:

- Gaps identified by UNSCOM in Iraqi accounting and current production capabilities strongly suggest that Iraq maintains stockpiles of chemical agents, probably VX, sarin, cyclosarin and mustard.

- Iraq has not accounted for hundreds of tons of chemical precursors and tens of thousands of unfilled munitions, including Scud variant missile warheads.[6]

- Iraq has not accounted for at least 15,000 artillery rockets that in the past were its preferred vehicle for delivering nerve agents, nor has it accounted for about 550 artillery shells filled with mustard agent.[7]

- Iraq continues to rebuild and expand dual-use infrastructure that it could quickly divert to chemical weapons production, such as chlorine and phenol plants.

- Iraq is seeking to purchase chemical weapons agent precursors and applicable production equipment, and is making an effort to hide activities at the Fallujah plant, which was one of Iraq's chemical weapons production facilities before the Gulf War.

- At Fallujah and three other plants, Iraq now has chlorine production capacity far higher than any civilian need for water treatment, and the evidence indicates that some of its chlorine imports are being diverted for military purposes.

NUCLEAR WEAPONS

Saddam Hussein had an advanced nuclear weapons development program before the Gulf War and continues his work to develop a nuclear weapon:

- A new report released on September 9, 2002 from the International Institute for Strategic Studies – an independent research organization – concludes that Saddam Hussein could build a nuclear bomb within months if he were able to obtain fissile material.[8]

- Iraq has stepped up its quest for nuclear weapons and has embarked on a worldwide hunt for materials to make an atomic bomb. In the last 14 months, Iraq has sought to buy thousands of specially designed aluminum tubes which officials believe were intended as components of centrifuges to enrich uranium.

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[6] UNSCOM Report, January 25, 1999

[7] Ibid.

[8] *Iraq's Weapons of Mass Destruction: A Net Assessment*; September 9, 2002; The International Institute for Strategic Studies

- Iraq has withheld documentation relevant to its past nuclear program, including data about enrichment techniques, foreign procurement, weapons design, experimental data, and technical documents.

- Iraq still has the technical expertise and some of the infrastructure needed to pursue its goal of building a nuclear weapon.

- Saddam Hussein has repeatedly met with his nuclear scientists over the past two years, signaling his continued interest in developing his nuclear program.

BALLISTIC MISSILES

- Iraq is believed to be developing ballistic missiles with a range greater than 150 kilometers – as prohibited by the UN Security Council Resolution 687.

- Discrepancies identified by UNSCOM in Saddam Hussein's declarations suggest that Iraq retains a small force of Scud-type missiles and an undetermined number of launchers and warheads.[9]

- Iraq continues work on the al-Samoud liquid propellant short-range missile (which can fly beyond the allowed 150 kilometers). The al-Samoud and the solid propellant Ababil-100 appeared in a military parade in Baghdad on December 31, 2000, suggesting that both systems are nearing operational deployment.

- The al-Rafah-North facility is Iraq's principal site for testing liquid propellant missile engines. Iraq has been building a new, larger test stand there that is clearly intended for testing prohibited longer-range missile engines.

- At their al-Mamoun facility, the Iraqis have rebuilt structures that had been dismantled by UNSCOM that were originally designed to manufacture solid propellant motors for the Badr-2000 missile program.

[9] UNSCOM Report

SADDAM HUSSEIN'S REPRESSION OF THE IRAQI PEOPLE

UNSCR 688 (April 5, 1991) "condemns" Saddam Hussein's repression of the Iraqi civilian population -- "the consequences of which threaten international peace and security." UNSCR 688 also requires Saddam Hussein to end his repression of the Iraqi people and to allow immediate access to international humanitarian organizations to help those in need of assistance. Saddam Hussein has repeatedly violated these provisions and has: expanded his violence against women and children; continued his horrific torture and execution of innocent Iraqis; continued to violate the basic human rights of the Iraqi people and has continued to control all sources of information (including killing more than 500 journalists and other opinion leaders in the past decade). Saddam Hussein has also harassed humanitarian aid workers; expanded his crimes against Muslims; he has withheld food from families that fail to offer their children to his regime; and he has continued to subject Iraqis to unfair imprisonment.[10]

REFUSAL TO ADMIT HUMAN RIGHTS MONITORS

- The UN Commission on Human Rights and the UN General Assembly issued a report that noted "with dismay" the lack of improvement in the situation of human rights in Iraq. The report strongly criticized the "systematic, widespread, and extremely grave violations of human rights" and of international humanitarian law by the Iraqi Government, which it stated resulted in "all-pervasive repression and oppression sustained by broad-based discrimination and widespread terror." The report called on the Iraqi Government to fulfill its obligations under international human rights treaties.

- Saddam Hussein has repeatedly refused visits by human rights monitors and the establishment of independent human rights organizations. From 1992 until 2002, Saddam prevented the UN Special Rapporteur from visiting Iraq.[11]

- In September 2001 the Government expelled six UN humanitarian relief workers without providing any explanation.[12]

VIOLENCE AGAINST WOMEN

- Human rights organizations and opposition groups continued to receive reports of women who suffered from severe psychological trauma after being raped by Iraqi personnel while in custody.[13]

- Former Mukhabarat member Khalid Al-Janabi reported that a Mukhabarat unit, the Technical Operations Directorate, used rape and sexual assault in a systematic and institutionalized manner for political purposes. The unit reportedly also videotaped the rape of female relatives of suspected oppositionists and used the videotapes for blackmail purposes and to ensure their future cooperation.[14]

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[10] *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[11] Page 2-3, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[12] Ibid, Page 6
[13] Ibid, Page 5
[14] Ibid, Page 5

- In June 2000, a former Iraqi general reportedly received a videotape of security forces raping a female family member. He subsequently received a telephone call from an intelligence agent who stated that another female relative was being held and warned him to stop speaking out against the Iraqi Government.[15]

- Iraqi security forces allegedly raped women who were captured during the Anfal Campaign and during the occupation of Kuwait.[16]

- Amnesty International reported that, in October 2000, the Iraqi Government executed dozens of women accused of prostitution.[17]

- In May, the Iraqi Government reportedly tortured to death the mother of three Iraqi defectors for her children's opposition activities.[18]

- Iraqi security agents reportedly decapitated numerous women and men in front of their family members. According to Amnesty International, the victims' heads were displayed in front of their homes for several days.[19]

TORTURE

- Iraqi security services routinely and systematically torture detainees. According to former prisoners, torture techniques included branding, electric shocks administered to the genitals and other areas, beating, pulling out of fingernails, burning with hot irons and blowtorches, suspension from rotating ceiling fans, dripping acid on the skin, rape, breaking of limbs, denial of food and water, extended solitary confinement in dark and extremely small compartments, and threats to rape or otherwise harm family members and relatives. Evidence of such torture often was apparent when security forces returned the mutilated bodies of torture victims to their families.[20]

- According to a report received by the UN Special Rapporteur in 1998, hundreds of Kurds and other detainees have been held without charge for close to two decades in extremely harsh conditions, and many of them have been used as subjects in Iraq's illegal experimental chemical and biological weapons programs.[21]

- In 2000, the authorities reportedly introduced tongue amputation as a punishment for persons who criticize Saddam Hussein or his family, and on July 17, government authorities reportedly amputated the tongue of a person who allegedly criticized Saddam Hussein. Authorities reportedly performed the amputation in front of a large crowd. Similar tongue amputations also reportedly occurred.[22]

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[15] Page 7, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[16] Ibid, Page 5
[17] Ibid, Page 2
[18] Ibid, Page 3
[19] Ibid, Page 3
[20] Ibid, Page 4
[21] Ibid, Page 6
[22] Ibid, Page 4-5

- Refugees fleeing to Europe often reported instances of torture to receiving governments, and displayed scars and mutilations to substantiate their claims.[23]

- In August 2001 Amnesty International released a report entitled *Iraq -- Systematic Torture of Political Prisoners*, which detailed the systematic and routine use of torture against suspected political opponents and, occasionally, other prisoners. Amnesty International also reports "Detainees have also been threatened with bringing in a female relative, especially the wife or the mother, and raping her in front of the detainee. Some of these threats have been carried out."[24]

- Saad Keis Naoman, an Iraqi soccer player who defected to Europe, reported that he and his teammates were beaten and humiliated at the order of Uday Saddam Hussein for poor performances. He was flogged until his back was bloody, forcing him to sleep on his stomach in the tiny cell in Al-Radwaniya prison.[25]

EXECUTIONS AND REPRESSION OF POLITICAL OPPOSITION

- Former UN Human Rights Special Rapporteur Max Van der Stoel's report in April 1998 stated that Iraq had executed at least 1,500 people during the previous year for political reasons.

- The government continues to execute summarily alleged political opponents and leaders in the Shi'a religious community. Reports suggest that persons were executed merely because of their association with an opposition group or as part of a continuing effort to reduce prison populations.[26]

- In February 2001, the Government reportedly executed 37 political detainees for opposition activity.[27]

- In June 2001, security forces killed a Shi'a cleric, Hussein Bahar al-Uloom, for refusing to appear on television to congratulate Qusay Saddam Hussein for his election to a Ba'th Party position. Such killings continue an apparent government policy of eliminating prominent Shi'a clerics who are suspected of disloyalty to the government. In 1998 and 1999, the Government killed a number of leading Shi'a clerics, prompting the former Special Rapporteur in 1999 to express his concern to the government that the killings might be part of a systematic attack by government officials on the independent leadership of the Shi'a Muslim community. The government did not respond to the Special Rapporteur's letter.[28]

- There are persistent reports that families are made to pay for the cost of executions.[29]

- Saddam Hussein destroyed the southern Iraqi town of Albu 'Aysh sometime between September 1998 and December 1999.[30]

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[23] Page 4, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[24] *Iraq – Systematic Torture of Political Prisoners*; Amnesty International; web.amnesty.org
[25] Page 4, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[26] Ibid, Page 1
[27] Ibid, Page 2
[28] Ibid, Page 2
[29] Ibid, Page 4
[30] *Iraq – Systematic Torture of Political Prisoners*; Amnesty International; web.amnesty.org

- Iraq has conducted a systematic "Arabization" campaign of ethnic cleansing designed to harass and expel ethnic Kurds and Turkmen from government-controlled areas. Non-Arab citizens are forced to change their ethnicity or their identity documents and adopt Arab names, or they are deprived of their homes, property and food-ration cards, and expelled.

SADDAM HUSSEIN'S ABUSE OF CHILDREN

- Saddam Hussein has held 3-week training courses in weapons use, hand-to-hand fighting, rappelling from helicopters, and infantry tactics for children between 10 and 15 years of age. Camps for these "Saddam Cubs" operated throughout the country. Senior military officers who supervised the courses noted that the children held up under the "physical and psychological strain" of training that lasted for as long as 14 hours each day. Sources in the opposition report that the army found it difficult to recruit enough children to fill all of the vacancies in the program. Families reportedly were threatened with the loss of their food ration cards if they refused to enroll their children in the course. The Supreme Council for the Islamic Revolution in Iraq reported in October 1999 that authorities were denying food ration cards to families that failed to send their young sons to Saddam Cubs compulsory weapons-training camps. Similarly, authorities reportedly withheld school examination results to students unless they registered in the Fedayeen Saddam organization.[31]

- Iraq often announces food ration cuts for the general population, blaming US or UK actions. Among the most controversial have been cuts in baby milk rations. Iraq has blamed the shortages on US and UK contract rejections, although the UN has approved all baby milk contracts submitted.

- Child labor persists and there are instances of forced labor.

- There are widespread reports that food and medicine that could have been made available to the general public, including children, have been stockpiled in warehouses or diverted for the personal use of some government officials.[32]

DISAPPEARANCES

- Amnesty International reported that Iraq has the world's worst record for numbers of persons who have disappeared or remain unaccounted for. [33]

- In 1999, the UN Special Rapporteur stated that Iraq remains the country with the highest number of disappearances known to the UN: over 16,000.

BASIC FREEDOMS: FREEDOM OF SPEECH, FREEDOM OF THE PRESS, FREEDOM OF INFORMATION

- In practice, Saddam Hussein does not permit freedom of speech or of the press, and does not tolerate political dissent in areas under its control. In November 2000, the UN General Assembly criticized Saddam Hussein's "suppression of freedom of thought, expression, information, association, and assembly." The Special Rapporteur stated in October 1999 that citizens lived "in a climate of fear," in

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[31] Page 1, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[32] Ibid, Page 16
[33] Ibid, Page 3

which whatever they said or did, particularly in the area of politics, involved "the risk of arrest and interrogation by the police or military intelligence." He noted that "the mere suggestion that someone is not a supporter of the President carries the prospect of the death penalty."[34]

- In June 2001, the Human Rights Alliance reported that Saddam Hussein had killed more than 500 journalists and other intellectuals in the past decade.[35]

- Saddam Hussein frequently infringes on citizens' constitutional right to privacy. Saddam routinely ignores constitutional provisions designed to protect the confidentiality of mail, telegraphic correspondence, and telephone conversations. Iraq periodically jams news broadcasts from outside the country, including those of opposition groups. The security services and the Ba'th Party maintain pervasive networks of informers to deter dissident activity and instill fear in the public.[36]

- Foreign journalists must work from offices located within the Iraqi ministry building and are accompanied everywhere they go by ministry officers, who reportedly restrict their movements and make it impossible for them to interact freely with citizens.[37]

- The Iraqi Government, the Ba'th Party, or persons close to Saddam Hussein own all print and broadcast media, and operate them as propaganda outlets. They generally do not report opposing points of view that are expressed either domestically or abroad.[38]

- In September 1999, Hashem Hasan, a journalist and Baghdad University professor, was arrested after declining an appointment as editor of one of Uday Hussein's publications. The Paris-based Reporters Sans Frontieres (RSF) sent a letter of appeal to Uday Hussein; however, Hassan's fate and whereabouts remained unknown at year's end.[39]

- Saddam Hussein regularly jams foreign news broadcasts. Satellite dishes, modems, and fax machines are banned, although some restrictions reportedly were lifted in 1999.[40]

- In government-operated Internet cafes, users only are permitted to view web sites provided by the Ministry of Culture and Information.[41]

- In 1999, Uday Hussein reportedly dismissed hundreds of members of the Iraqi Union of Journalists for not praising Saddam Hussein and the Government sufficiently.[42]

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[34] Page 9, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[35] Ibid, Page 9
[36] Ibid, Page 7
[37] Ibid, Page 9
[38] Ibid, Page 9
[39] Ibid, Page 10
[40] Ibid, Page 10
[41] Ibid, Page 10
[42] Ibid, Page 10

WITHHOLDING OF FOOD

- Relatives who do not report deserters may lose their ration cards for purchasing government-controlled food supplies, be evicted from their residences, or face the arrest of other family members. The Supreme Council for the Islamic Revolution in Iraq reported in October and December 1999 that authorities denied food ration cards to families that failed to send their young sons to the "Saddam's Cubs" compulsory weapons training camps.[43]

CRIMES AGAINST MUSLIMS

- The Government consistently politicizes and interferes with religious pilgrimages, both of Iraqi Muslims who wish to make the Hajj to Mecca and Medina and of Iraqi and non-Iraqi Muslim pilgrims who travel to holy sites within the country. For example, in 1998 the UN Sanctions Committee offered to disburse vouchers for travel and expenses to pilgrims making the Hajj; however, the Government rejected this offer. In 1999 the Sanctions Committee offered to disburse funds to cover Hajj-related expenses via a neutral third party; the Government again rejected the offer. Following the December 1999 passage of UN Security Council Resolution 1284, the Sanctions Committee again sought to devise a protocol to facilitate the payment for individuals making the journey. The Sanctions Committee proposed to issue $250 in cash and $1,750 in travelers checks to each individual pilgrim to be distributed at the U.N. office in Baghdad in the presence of both U.N. and Iraqi officials. The Government again declined and, consequently, no Iraqi pilgrims were able to take advantage of the available funds or, in 2000, of the permitted flights. The Government continued to insist that these funds would be accepted only if they were paid in cash to the government-controlled central bank, not to the Hajj pilgrims.[44]

More than 95 percent of the population of Iraq are Muslim. The (predominantly Arab) Shi'a Muslims constitute a 60 to 65 percent majority:

- The Iraqi government has for decades conducted a brutal campaign of murder, summary execution, and protracted arbitrary arrest against the religious leaders and followers of the majority Shi'a Muslim population. Despite nominal legal protection of religious equality, the Government has repressed severely the Shi'a clergy and those who follow the Shi'a faith.[45]

- Forces from the Mukhabarat, General Security (Amn Al-Amm), the Military Bureau, Saddam's Commandos (Fedayeen Saddam), and the Ba'th Party have killed senior Shi'a clerics, desecrated Shi'a mosques and holy sites, and interfered with Shi'a religious education. Security agents reportedly are stationed at all the major Shi'a mosques and shrines, where they search, harass, and arbitrarily arrest worshipers.[46]

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[43] Page 8, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[44] Ibid, Page 11-12
[45] Ibid, Page 11
[46] Ibid, Page 11

- The following government restrictions on religious rights remained in effect during 2001: restrictions and outright bans on communal Friday prayer by Shi'a Muslims; restrictions on the loaning of books by Shi'a mosque libraries; a ban on the broadcast of Shi'a programs on government-controlled radio or television; a ban on the publication of Shi'a books, including prayer books and guides; a ban on funeral processions other than those organized by the Government; a ban on other Shi'a funeral observances such as gatherings for Koran reading; and the prohibition of certain processions and public meetings that commemorate Shi'a holy days. Shi'a groups report that they captured documents from the security services during the 1991 uprising that listed thousands of forbidden Shi'a religious writings.[47]

- In June 1999, several Shi'a opposition groups reported that the Government instituted a program in the predominantly Shi'a districts of Baghdad that used food ration cards to restrict where individuals could pray. The ration cards, part of the UN oil-for-food program, reportedly are checked when the bearer enters a mosque and are printed with a notice of severe penalties for those who attempt to pray at an unauthorized location.[48]

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[47] Page 11, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[48] Ibid, Page 11

SADDAM HUSSEIN'S SUPPORT FOR INTERNATIONAL TERRORISM

Iraq is one of seven countries that have been designated by the Secretary of State as state sponsors of international terrorism. UNSCR 687 prohibits Saddam Hussein from committing or supporting terrorism, or allowing terrorist organizations to operate in Iraq. Saddam continues to violate these UNSCR provisions.[49]

- In 1993, the Iraqi Intelligence Service (IIS) directed and pursued an attempt to assassinate, through the use of a powerful car bomb, former U.S. President George Bush and the Emir of Kuwait. Kuwaiti authorities thwarted the terrorist plot and arrested 16 suspects, led by two Iraqi nationals.

- Iraq shelters terrorist groups including the Mujahedin-e-Khalq Organization (MKO), which has used terrorist violence against Iran and in the 1970s was responsible for killing several U.S. military personnel and U.S. civilians.[50]

- Iraq shelters several prominent Palestinian terrorist organizations in Baghdad, including the Palestine Liberation Front (PLF), which is known for aerial attacks against Israel and is headed by Abu Abbas, who carried out the 1985 hijacking of the cruise ship *Achille Lauro* and murdered U.S. citizen Leon Klinghoffer.[51]

- Iraq shelters the Abu Nidal Organization, an international terrorist organization that has carried out terrorist attacks in twenty countries, killing or injuring almost 900 people. Targets have included the United States and several other Western nations. Each of these groups have offices in Baghdad and receive training, logistical assistance, and financial aid from the government of Iraq.[52]

- In April 2002, Saddam Hussein increased from $10,000 to $25,000 the money offered to families of Palestinian suicide/homicide bombers. The rules for rewarding suicide/homicide bombers are strict and insist that only someone who blows himself up with a belt of explosives gets the full payment. Payments are made on a strict scale, with different amounts for wounds, disablement, death as a "martyr" and $25,000 for a suicide bomber. Mahmoud Besharat, a representative on the West Bank who is handing out to families the money from Saddam, said, "You would have to ask President Saddam why he is being so generous. But he is a revolutionary and he wants this distinguished struggle, the *intifada*, to continue."[53]

- Former Iraqi military officers have described a highly secret terrorist training facility in Iraq known as Salman Pak, where both Iraqis and non-Iraqi Arabs receive training on hijacking planes and trains, planting explosives in cities, sabotage, and assassinations.

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[49] *Patterns of Global Terrorism 2001: Overview of State-Sponsored Terrorism*, US Department of State; May 21, 2002.
[50] Ibid.
[51] Ibid.
[52] Ibid.
[53] "Jenin Families Pocket Iraqi Cash"; *The Washington Times: London Daily Telegraph*; May 31, 2002.

SADDAM HUSSEIN'S REFUSAL TO ACCOUNT FOR GULF WAR PRISONERS

UNSCRs 686, 687 and others require Saddam Hussein to release immediately any Gulf War prisoners and to cooperate in accounting for missing and dead Kuwaitis and others from the Gulf War. Saddam has continued to violate these resolutions.

- Saddam Hussein has failed to return, or account for, a large number of Kuwaiti citizens and citizens of other countries who were detained during the Iraqi occupation of Kuwait and continues to refuse to cooperate with the Tripartite Commission to resolve the cases.

- Of 609 cases of missing Gulf War POWs/MIAs representing 14 nationalities – including one American pilot – under review by the Tripartite Commission on Gulf War Missing, only 4 have been resolved. Because of continued Iraqi obfuscation and concealment, very few cases have been resolved since the Gulf War. Saddam Hussein denies having any knowledge of the others and claims that any relevant records were lost in the aftermath of the Gulf War.

- In a December 2001 report to the UN Security Council, the UN Secretary-General criticized the Iraqi Government's refusal to cooperate with the U.N. on the issue of the missing POWs/MIAs citizens. Iran reports that the Iraqi Government still has not accounted for 5,000 Iranian POW's missing since the Iran-Iraq War.

- "Secretary General reiterates little progress on the issue of repatriation or return of all Kuwaiti and third country nationals or their remains, as Iraq refused to cooperate with the Tripartite Commission."[54]

- In August 2001, Amnesty International reported that Saddam Hussein has the world's worst record for numbers of persons who have disappeared and remain unaccounted for. [55]

- The Iraqi Government continued to ignore the more than 16,000 cases conveyed to it in 1994 and 1995 by the UN, as well as requests from the Governments of Kuwait and Saudi Arabia to account for the whereabouts of those who had disappeared during Iraq's 1990-91 occupation of Kuwait, and from Iran regarding the whereabouts of prisoners of war that Iraq captured in the 1980-88 Iran-Iraq War.[56]

- "Security Council regrets that no progress made on return of Kuwaiti national archives, reiterate need for Iraq to immediately fulfill all requirements under the relevant resolutions, including repatriation or return of all Kuwaiti and third country nationals or their remains."[57]

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[54] Vorontsov Report; UN SG/2002/931 on Iraqi Non-Compliance With UNSCR 1284
[55] Page 3, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[56] Ibid, Page 3
[57] Vorontsov Report; UN SG/2002/931 on Iraqi Non-Compliance With UNSCR 1284

SADDAM HUSSEIN'S REFUSAL TO RETURN STOLEN PROPERTY

Iraq destroyed much stolen property before it could be returned, and Kuwait claims that large quantities of equipment remain unaccounted for:

- The UN and Kuwait say Iraq has not returned extensive Kuwaiti state archives and museum pieces, as well as military equipment, including eight Mirage F-1 aircraft, 245 Russian-made fighting vehicles, 90 M113 armored personnel carriers, one Hawk battery, 3,750 Tow and anti-tank missiles, and 675 Russian-made surface-to-air missile batteries.

SADDAM HUSSEIN'S EFFORTS TO CIRCUMVENT ECONOMIC SANCTIONS AND IMPEDE THE OIL-FOR-FOOD PROGRAM

- Saddam Hussein has illegally imported hundreds of millions of dollars in goods in violation of economic sanctions and outside of the UN's Oil-for-Food program. For example, Iraq has imported fiber optic communications systems that support the Iraqi military.

- Iraq has diverted dual-use items obtained under the Oil for Food program for military purposes. For example, Iraq diverted UN approved trucks from humanitarian relief purposes to military purposes, and has used construction equipment to help rebuild WMD-affiliated facilities.

- The Iraqi regime illicitly exports hundreds of thousands of barrels of oil each day in flagrant violation of UNSCRs and blatant disregard for the humanitarian well-being of the Iraqi people. In so doing, it has deprived the Iraqi people of billions of dollars in food, medicine, and other humanitarian assistance that would have been provided if the regime had exported the oil under the UN Oil-for-Food program. Instead, Saddam Hussein has used these billions to fund his WMD programs, pay off his security apparatus, and supply himself and his supporters with luxury items and other goods.

- In January 2002, President Bush reported to Congress that "as most recently stated in a November 19 UN report, the government of Iraq is not committed to using funds available through the Oil for Food program to improve the health and welfare of the Iraqi people...Iraq's contracting delays, cuts in food, medicine, educational and other humanitarian sector allocations, government attempts to impede or shut down humanitarian NGO operations in northern Iraq, and Baghdad's delays in the issuance of visas for UN personnel demonstrate that the Iraqi regime is trying to undermine the effectiveness of the program."[58]

- Saddam Hussein spends smuggled oil wealth on his lavish palaces and inner circle, rather than on the humanitarian needs of the Iraqi people.

- Saddam Hussein has used water pumps, piping, and other supplies that could have been used to repair urban sewer and water systems in order to construct moats and canals at his palaces.

[58] President's Report to Congress; January 2002; under P.L. 102-1

UNITED NATIONS GENERAL ASSEMBLY
THE PRESIDENT'S ADDRESS AND PLANNED MEETINGS
SEPTEMBER 12-13, 2002

- President Bush speaks tomorrow to the United Nations General Assembly and begins a series of important meetings with world leaders.
- The President's address will challenge the international community to deal with the outlaw regime in Iraq.
- Saddam's regime poses a serious threat to peace and stability in the world. For 11 years, this regime has defied the United Nations. Saddam is systematically and continually violating 16 UN Security Council resolutions.
- The President will call attention to Saddam's cruelty to his own people, his aggressive pursuit of weapons of mass destruction, his support for terror, and his repression of minorities within Iraq. In each of these, Saddam flouts the UN.
- After a decade of deception and defiance, the President sees this as a problem that has festered too long.
- Saddam Hussein and his regime are not just problems for the United States, but problems for international peace and stability.
- President Bush has not decided on a particular course of action, but he will say that there must be action to eliminate the threat Saddam poses. He is consulting with world leaders, as he is with members of Congress, on what action is necessary.
- A growing number of leaders are echoing that we can't wait any longer to take action against Saddam Hussein.
- While in New York, the President will work on a wide range of issues, including poverty, AIDS, regional stability and Afghan reconstruction. He will meet with ten Central African leaders, President Karzai (Afghanistan), Prime Minister Koizumi (Japan), President Musharraf (Pakistan), Prime Minister Vajpayee (India), and United Nations Secretary General Annan.

11-L-0559/OSD/6674

Snowflake

September 13, 2002 2:23 PM

TO: Marc Thiessen

FROM: Donald Rumsfeld

SUBJECT: Iraq Testimony

Please don't forget we are already using military force, military capability, in Iraq with Operation Northern Watch and Operation Southern Watch. We might want to mention that.

Thanks.

DHR:dh
091302-12

Please respond by 09/17/02

13 Sep 02

U08431 /03

Snowflake

September 13, 2002 2:25 PM

Centcom

TO: Gen. Franks

CC: Gen. Myers

FROM: Donald Rumsfeld DR

SUBJECT: Turnover

Do you worry about turnover happening too fast in CENTCOM, in a way that could damage your warfighting capability?

Thanks.

DHR:dh
091302-13

Please respond by 09/27/02

13 Sep 02

U08432 /03

9/12 **Snowflake**

September 13, 2002 2:26 PM

Afghanistan

TO: Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: E-mail

Larry Di Rita 9/13

(couldn't make out)

Let me read Paris's e-mail.

Thanks.

DHR:dh
091302-14

Please respond by _____

13 Sep 02

U08433 /03

Copy to: Marie Clarke
Original STM

Roger Pardo-Maurer
DASD (ISA) on Leave

COMBINED JOINT SPECIAL OPERATIONS TASK FORCE
COALITION COORDINATION CELL
KANDAHAR, AFGHANISTAN

August 11-15, 2002

Hey kids.

Greetings from scenic Kandahar.
Formerly known as "Home of the Taliban".
Now known as "Miserable Rat-Fuck Shithole".
Sister city of Fayetteville, NC.

I proffer humble apologies for not writing sooner but I've been moving too much, working too hard, or just plain harried worn out and catching Z's. This is just a monstruous catch-up broadside to let you know I'm still alive, and hope all is well back in the land of the free and the brave. Please forgive my using the one-size-fits-all format, but this is the first chance I've had to get back in touch, and the only way I can reach all my friends at one time. I should be able to check this email address sporadically for the next month or so, and promise to catch up with the whole gang of you one-at-a-time.

For those who didn't get the word, I got activated in June and am taking a leave of absence (without pay) from the Pentagon to join my unit ---"B Company, 3rd Battalion, 20th Special Forces" also known as "The Forgotten Company" of Virginia, which after being mustered from Qatar to Kabul has finally circled the wagons in Southeast Afghanistan, in the original Taliban stronghold of Kandahar.

Heat, Wind, Sun, Rock and Dust

What can I tell you about Kandahar.

The best description of the joys of Kandahar comes from our redoubtable training NCO, Sergeant First Class Mark Maine, who says that Kandahar is like sitting in a sauna and having a bag of cement shaken over your head.

There is the heat. 120 degrees. I know you self-pitying Potomac sweathogs will scoff that "it's DRYYYYY heat" to which I respond that 120 degrees in the shade will occupy one's full attention any day of the week, and you don't stay dry for long when you are the Lobster Thermidor inside a carapace of about 50 lbs. of Kevlar and ceramic plate armor, with a sweltering chamber pot on your head, especially if there is no hope of shade for the next 20 miles. This week it finally cooled to a balmy 110 degrees, so the brain switch is ON again---the only reason I am able to babble with some degree of coherence and without short-circuiting this laptop.

Then there is the dust. No account of Kandahar is complete without mention of the dust. It's what geologists,refer to as "Old Dirt" from the smug comfort of their impenetrable academic cubbyholes. "Old Dirt" means grit so finely dadblasted by the aeons that it takes on the attack properties of virulent subatomic particles with scary names, like "Terminal Hyperionic Cesium" and "Bone-Seeking Strontium". I peered out of the Hercules C-130 the other day as we in from the central highlands, and even at 22,000 feet the dust was thick as Indiana Pea Soup. Heaven help you if you are on the ground. To watch a Hum-vee come at you through the stuff is sickening---it plows up a bow wave you could surf on up and trails a pillar that would flatten Moses and scatter the 12 Tribes of Israel. Even on the calmest, clearest day, the dustdevils will suddenly howl out of the blue and chase you like flesh-eating harpies.

And then there is the wind. We're just at the height of the "120 Days of the Afghan Wind," a freak of nature which scours the appalling Dasht-e-Margow desert to our south, slurps up the last molecule of moisture from the Kandahari dustpans, and then hurls it all back with a vengeance on the flanks of the Hindu Kush, in flash floods such as just washed away a convoy of our Hum-vees at Jalalabad.

Put it all together, and you have a quasi-Venusian sub-Martian environment of heat, dust, and parched air that stuns you, rasps your corneas, produces constant sinus-clogging migraines and nosebleeds, and crackles your skin in weird tender places. If there is a landscape less welcoming to humans anywhere on earth, apart from the Sahara, the Poles, and the cauldrons of Kilauea, I cannot imagine it, and I certainly don't intend to go there.

Kandahar: a Little History goes a Long Way

The Arabic for Alexander is Iskander, whence Kandahar in Pashtun, the local palaver. Kandahar was Alexander the Great's last big urban development scam before he sat on the bank of the Indus to sob because he had run out of real estate to conquer. Now that I've actually been here, I'll take issue with Plutarch. I've no doubt that what *really* happened with Alexander, cultured alumnus of Aristotle that he was, is that he took one look at the place and invoked that oft-overlooked verse from the Odyssey,

κακα ποοποο μεγα βοοβοο, τον οενοσ! οενοσ! και εξοδοσ!

(Rendered in Pope's chaste hexameters as "*strengthen my flight, O wine, from foul fathomless pit*", or, for a loose translation more evocative to the modern ear, "*this place is a shithole. Get me a drink and get me outta here*".) If Alexander were to rise from the dead he'd bellowing for his goblet, flabbergasted to learn the dump was still a going concern, and appalled to find they'd named it after him.

Apart from the Kandaharis, a crusty lot of downtrodden moochers who are as plentiful and indestructible as rocks, there is left little to ruin in Kandahar after a quarter century of war.

The city's chief item of interest these days is "*The Cloak of The Prophet*". Now every one knows that prophets are about as common as dustdevils in these parts, and none has been sighted preaching in the buff since John the Baptist. You can be sure the mangiest of them had cloaks to out-Karzai Karzai. Yet give them credit: somehow the hometown mullahs got their clutches on the genuine 100% Natural-Fiber Accept-no-Substitutes Limit-One-Per-Prophet wonder-working article, and they haven't let go. In an epic moment of high Mahometan camp, Mullah Omar ----he with the $10 million tag on his FBI "Most Wanted" poster ---wrapped himself in The Cloak, clambered the walls of the fort, and proclaimed the Age of Taliban to the gaping Pathan horde.

And why not? If you simply want to hang out in the madrassa, wish a little death on the USA, and trample your backsliding brethren, I say why not slip into something a little more comfortable. But all that is history. The venerable heathen dishtowel is now safely stuffed back in the hamper. And if the good mullahs know what's good for them, they'd better keep it there for about the next 1,000 years, or at least as long as there are New Yorkers. Speaking as a disgruntled Pentagon employee in the area, I'd just as soon set it on fire myself, and with the selfsame torches that great-to-the-nth-power-grandpappy Aznar Pardo used back in Anno Domini 1212, when he burned down the *palenque* of the *Al-Muhaddi* at the battle of Navas de Tolosa. Let none say we haven't picked up a tip or two over the last millennium on how to handle the Hajjis.

B Company

So here we are, at the very fountainhead of the mayhem, the epicenter of the madness smack dab in the Taliban bullseye. "B" Co's bailiwick is the City of Kandahar itself, but we also have the vast expanse to the south and east---the provinces of Kandahar, Zabul, Oruzgan, Ghazni, and Paktika--- right up to the baffling mountain passes on the Pakistani borderland.

Our job is the usual SF bag of tricks and black art----slaying dragons, storming castles, sparing damsels, scourging warlords, and consulting wizards, not to mention wholesale liberation of the oppressed. Throw in a little long-range reconnaissance, mounted/dismounted patrols, cordon, search, and interdiction, snatch-&-grab ops, and interminable indescribable ineluctable drudgery ---and you've got just about all I'm allowed to tell you before the censor (of whom more, anon) wields his fasces.

While recovering from the field "B" Company guys also run the "Coalition Coordination Cell" at Kandahar Air Field. Now that nomenclature sure has a grand ring to it. You'd think that nothing less than the fate of the Civilized World depended on it. Maybe it does, maybe it doesn't, but you'd think that the Civilized World could at least spare a few more bucks for the effort than will just barely get you a roof and a floor on a teetering plywood shack with a lot of junk piled outside, and that wouldn't look a whit out of place along Rural Route 40 of West Virginia. I grant Sergeant Major Balz's point that the captured Chinese ZSU-23 14.7 mm Anti-Aircraft Artillery piece and the Russian howitzer do add a little special something to the décor.

This shack is the nerve center (in the same sense that the walnut-sized brain in the tail of a Stegosaurus is also a "nerve center") for the "Coalition", i.e. the combined Special Forces units of the US and its allies, currently Germany, Canada, and New Zealand. Its job is to plan special operations, coordinate close air support, and in Pentagon-parlance "deconflict" missions so our gunships don't light up friendlies. It is stacked to the rafters with heaps of grenades and shoulder-launching rockets (try that instead of a NO SMOKING sign), spindly ankle-grabbing tangles of space-age antennas, and crate upon crate of *always* the wrong damn maps. And dust. It is staffed by 5 or 6 very sleepy guys snarling at the million-dollar high-speed laptop which of course just croaked from dust in the A: drive, and always just as some snotty F-18 pilot is second-guessing your 10-digit grid coordinates. *"Oh BAGRAM! No wonder there's Triple-A, are you sure you didn't say BAGHDAD?"*

It Takes a Village...

The "SF Village" as it is called, is home to all these folks, including your Humble Obt. Svt.: a multitude of tents arrayed round the airy, pleasant, and bullet-riddled courtyards of the Airfield's old quarters. The previous tenants, the Taliban, left some murals that are remarkable chiefly for their fervor and execrable artistic merit, but overall, the last good lick of paint here was applied by the tenant before them, the Soviet Air Force.

It's far better than our first setup, at Bagram Air Base. I was only too happy to leave that place behind! With a main road running right through it, I simply don't see how Bagram is defensible. I hope it never happens but that place is simply begging to be a front page headline in the Washington Post. Nor would it be the first time. While digging a drain through the kitchenyard, our guys unearthed longbones believed to be from a company of Soviet engineers who got massacred there. Talk about *baaaaaad* Feng Shui.

We have a formidable pack here. The US has one battalion of Army Green Berets, a squadron of Navy SEALS, and a couple wings of the 160th Special Operations Aviation Regiment, the "Night Stalkers" celebrated in Blackhawk Down ---my heroes, having seen them in action! Down the road from SF Village are some Rangers and a brigade of the 82nd Airborne. There might possibly also be a unit whose existence we can neither confirm nor deny. And let me put in a disparaging word for those crude vainglorious chumps from Langley---they have done absolutely nothing for us but drive up the price of local handicrafts.

Across the board, the quality, dedication, and professionalism is just what you would expect: impressive beyond words. I know that years hence I shall marvel at what a privilege it was to mix it up with them. It is humbling to work with these fellows ----by definition the finest soldiers in the world.

It is a relaxed, low-key, and soft-spoken bunch. Nothing could be more remote from crass Hollywood stereotypes of the ultimate warrior. OK---we'll make an exception for the SEALS, the youngest of the lot, and whose rowdy conceits are generally indulged if for no other reason than their high entertainment value.

Informality rules. All is on a first-name basis, and there is no saluting, except in jest ("Sniper check, Sir!"). To the consternation of the 82nd Airborne's spit-&-polish officialdom, bushy beards are the norm and rank is rarely worn---much of the time we don't even wear uniforms. About once a week the 82nd marches a little embassy of lieutenants up the road to complain about our latest outrage against Army Regulation 670-Dash-Whatever and proper dress, grooming, and military courtesy. We just stare. Eventually they go away. And the SF guys stroll around in Tevas and Aloha shirts looking as grubby and copacetic as if they had just driven back from a long fishing holiday on the Outer Banks.

But with wicked firepower. My personal outfit consists of a 9mm Beretta and an M-4 carbine fitted with a 40mm grenade launcher, flash suppressor, and silencer---the whole shebang looks so scary I'm almost afraid to touch it. By edict, everyone is armed, all the time. And I mean *all the time*. That makes sense out in the field---you'd want nothing less. But it strikes me as laying it on a little thick back at Kandahar Air Field. I shudder to imagine the crossfire if so much as the shadow of a Taliban flits across this place, what with every lock-'n'-load cook, clerk, meteorologist and grease monkey of the 82nd armed and a-quiver. If it comes to a shootout, I'll be the one diving like a prairie dog for the nearest ditch.

As for our partners, for my money the New Zealand SAS deliver the best bang-for-buck in the business. They vanish into Al-Qaedaland for weeks on end, groaning with ammo but unburdened by fripperies such as food supplies and water. Yet they always return looking fatter than when they left, and....shall we put it delicately.... "satisfied". The Bad Guys always go very quiet after they've dropped in for a chat. It's probably just as well that no one asks too many questions about what the Kiwis do ---least of all their Prime Minister. The Kiwis have nothing if not style. They have transformed their courtyard into something reminiscent of the garden of a small Cambridge college, albeit one that the porters have neglected to water since the days of Henry the VIIIth. The tea and digestive biscuits are wonderful, and there is usually plenty of beer. Alas, this civility is all off-limits to the young SEALS, those louts. They were banished by the Kiwi commander, Steve, after an excess of festiveness in which they tried to uproot his rose bushes, break things, eat the goldfish in his fountain, and set his pet snakes loose.

Canada's Joint Task Force - 2, a unit that officially does not exist (and which is the equivalent of a US unit that officially does not exist and may or may not be here) may or may not be here. This is an especially happy association, since the Special Forces actually began as a US-Canada joint venture ---the legendary "Devil's Brigade" of WWII. The Canucks are quite likely the deadliest bunch in town, but also the friendliest. They'll ring up Pizza Hut in Dubai and have their resupply flight haul in 100 deep-dish pies to share with their pizza-starved allies. Their Colonel himself takes to the griddle to cook up gigantic buttery flapjack breakfasts drowned in maple syrup, come-one-come-all.

The Germans deserve an honorable mention. Their KsK, or "Kommando Spezialkräfte," is their first unit to go into combat since WWII. (B Company, by the way, is the first Virginia unit to go into combat since WWII. My old Virginia National Guard unit, A Co.

of the 3/116th Infantry, last ran into Fritz at Omaha Beach on D-Day). And here we are, together under the palms and bawling "Lili Marlene" and "Ze Ballad of ze Grün Beret" to the crescent moon. "Ja", confided one of their officers in a beery moment "ve don't schtart any vors any more, but are hoping you inwite us to all of yours". What a difference a day makes.

Lest there is any doubt that there is such a thing as Western Civilization, I'm pleased to report to all Thanes and Toledo Lounge Lizards back home that the centerpiece to the décor of the Canadian compound is a shrine to Elvis, while that of the Germans--- the "Talibar"--- is a Jim Beam escutcheon, which the chaplain himself lovingly carved off a long-gone case of that sweet elixir. Indeed, inspired by such auspicious emblems, even as I write plans are being laid for the Kandahar SF Beam Dinner, to close out the upcoming "Southeast Afghanistan Elvis Commemorative Croquet Tournament." Grisly details to follow.

The ones who have gotten the short end of the stick are the poor 82nd Airborne. Those poor guys (and gals---yes there are a few, and I take back everything I ever said about women in the field, if not in combat--- they are doing a great job) are bored out of their minds. The basic problem is that the Taliban and Al Qaeda have learned they can't fight us in formations, and have thus reverted to the local specialties of small-scale ambush and harassment. The 82nd Airborne is a bludgeon, a mattock, a pounding block---a jillion-ton anvil that drops from the sky. To employ them for manhunts is like using a steamroller to kill fleas. The maneuver phase is past, yet here is the Airborne, all dressed up and nowhere to go except on delicate blocking and escort operations. At least they are taking it in stride, with discipline and good humor, even though they are the ones who lately seem to be taking most of the casualties.

A Tirade

Now, gentle reader, I beg of you to indulge me as I rant against the sinister encroaching Puritanism of our times.

Consider the kids from the 82nd. I say kids, because that is exactly what they look like. (You know you are getting too old for this when not only do the soldiers, but even their officers look like babies). Whatever they do back at Ft. Bragg, out here they behave with a commendable maturity. Yet we somehow feel that even though we can trust them with awesome life-or-death decisions and responsibilities, and dreadful weapons, but in their off-duty hours we cannot trust them with 12 ounces of Bud Lite.

By official fiat the US and Canada("blame it on NAFTA!") are dry. In SF Village they are lucky even to have their tiny cafés, the "BushHog"and "Cougar" respectively, to quench their thirst. The allies, by contrast, operate generous honest-to-god no-kidding grog bars, with footrests, stools, coasters, and Old World charm and where anything weaker than 5% is used to soak feet or wash the dishes. Nay, far from frowning, they actually *bless* these establishments----the German chaplain himself lent a hand in building the KsK's splendid "Talibar".

So as you see, the coalition really is essential to the maintenance of morale. (Rule #3 of the 3 Rules of War: "*Maintenance of Morale*"). There is some concern now that the Norwegians and the Danes have left, taking with them our main pipeline to the sterner stuff. It is now up to the Germans to keep the tap open and support the allies. It's always a close call though--- the Europeans' chronic airlift woes are an open scandal in NATO, and sure enough last week Jerry's resupply plane went kaput so all SF Village is temporarily dry.

The only good thing I can say about this situation is that it forces our troops to leave their tents and forage for refreshment, bye-the-bye developing real camaraderie (and good intel-sharing) with the allies. Even if we were to have beer, you can bet it would be pisspoor standard-issue US Quartermaster-Lite, probably laced with saltpeter on advice of the Surgeon General in order to diminish the libido. Our soldiers would have to guzzle by the gallon just for a buzz, and would be so bloated they'd never roll outside the wire. None but outcasts and the desperate would visit us---certainly no self-respecting German from the land of Reinheitsgebot. Our teetotal policy may well be a good one in the end, but as with anything in the Army that make sense I am sure it is unintentional.

Let me not forget to inveigh against the censor, referred to above, whose chief business is not to preserve operational secrecy, but rather to pull the plug on the avalanche of naughty JPGs streaming in over the Internet. I take no great interest in pornography, since my approach to life is generally that of the sportsman, rather than the spectator. And as far as I am concerned, what transpires between the purveyors and consumers of smut is a matter purely of their own concern. I do wish to point out that the proper care and feeding of this killjoy costs you, dear taxpayer, about $50,000 a year---and wait till you see the bill you'll get from the Veterans Administration once he's eligible for the VFW lodge!

Here endeth the tirade.

It Ain't over Till it's Over

One of the reigning platitudes concerns how the media now beams war straight into US living rooms, with much airy speculation of the effect on public opinion, etc. etc. etc. But that news is so stale---- real-time reporting has been going on at least since Viet Nam. What you may not realize is that the *soldiers*, too, now get to see what the media and the folks at home are saying about them---as it happens. That is a distinctive new dynamic in this war, and we haven't learned how to manage it.

US network news (yes Jamie, Fox is the #1 favorite) now beams in over satellite. The soldiers get pummeled with it non-stop. What they hear is a lot of horseshit about how the war is all but over, apologies for accidental bombings of civilians, the need to hand out flip-flops and bags of flour, and similar drivel.

Let's consider our attack on Deh Rawod back in June, probably the most controversial incident in the war thus far. We may have hit a wedding party, but we did not hit it by accident. Bad Guys (and Girls) get married just like anyone else. They're still Bad Guys (and Girls). And when they try to kill us, they are fair game. That particular village is an infamous Taliban sanctuary, a vicious opium and heroin pit, a known terrorist hideout and scourge to half of Oruzgan province. The locals spent the previous weeks and days festively shooting up our planes with bullets the size of bananas. The team who called in the strike with eyes-on-target were my tent neighbors last week, and I got that much of the story directly from them. It is all on camera.

The Central Americans are no slouches when it comes to world-class intrigue and Great Power manipulation, and I have seen some of that in my time. But I have to hand the Afghans the palm. They were simply waiting to pounce on something like the Deh Rawod incident, and when it came, they exploited it masterfully, a win-win for all, for it gave the local warlords leverage over President Karzai, and Karzai leverage over us.

None was swifter than our good friend the Governor of Kandahar, who organized the 5 neighboring governors faster than you can say "Jimmy Hoffa" to declare that they wanted all future US operations to be cleared through them first. How convenient...and how much do you think terrorists and smugglers and drugdealers would pay for that information. Of course we told them to get stuffed, and Karzai then poised himself as the honest broker. The wedge was in. The result of this incident, with its attendant media reverberations and procession of investigators and lawyers and United Nations high muckety-mucks was to petrify every US field grade officer and disgust every US soldier in Afghanistan. Operations virtually froze for a month while the Al Qaeda and Taliban patiently reconsolidated out of Pakistan. Now you begin to understand Afghanistan.

Time is of essence here. The situation we're in now is that Al Qaeda have licked their wounds and are regrouping in the Southeast, with the connivance of a few disgruntled junior warlords and the double-dealing Pakistanis. The shooting match is still very much on. Along the border provinces you can't kick a stone over without Bad Guys swarming out like ants and snakes and scorpions. It's amazing how many are foreigners. The locals are only too happy to see us come by and squash them, and will trudge for days through heat and hellish terrain in order to drop a dime on them.

If anything, it's heating up a little, now that the Loya Jirga is behind us, and the Afghans have had time to sort out who the winners and the losers are. A good rule of thumb is that are no good Afghani winners, and all Afghani losers are sore. You will never hear about most of the goings on, since the news coverage ---of both good AND bad guys--- has been a joke. But after about six months of holding back, they're getting up close and personal again.

Our trusty C-130 Hercules resupply pilots were complaining about the AAA fire in Khowst, a particularly rough neighborhood near the border, to which the SF team leader just shrugged saying, "not to worry, there's always rounds floating around in Khowst". Not two hours before I tapped out these lines someone left a bomb in our flight terminal,

about 100 yards away from where I write. Out in the field our so-called "safehouses" get shot up all the time, and rocket strikes and command-detonated mines are almost too common to be worthy of mention. My Master Sergeant had 2 hand grenades chucked at him over a wall last weekend. And one of our guys got shot in the face while shopping in Kandahar bazaar---the round went right through both cheeks, without even a dint to his tooth enamel. Talk about a lucky shot! Even though everybody hates the body armor, it has saved a lot of lives, and so far we've been lucky with limbs. It also helps that for the most part, the Bad Guys are spectacularly bad shots.

So Johnny goes marching on...hurrah. One always is hot, filthy, thirsty, hungry and tired, tired, tired, tired, tired. There is no rhythm to the day, certainly no routine, and one's elemental sense of the clock is turned upside down and inside out. I'm never quite sure if I've slept 4 hours or 8 1/2. At least out in the field one can live by the sun, but here one sometimes sits down to dinner as sun rises and rises from breakfast as it sets, and one catches the US evening news in the morning and the morning news at night. One of these days I expect I'll wake up before I've gone to bed. It is circadian bewilderment of the type inflicted on mice and pigeons in medical experiments targeted by PETA. We work on both Zulu (GMT) and local time. Like many soldiers I now sport TWO wristwatches, one for each time zone. (So far it has only made me twice as unpunctual.) Zulu is 4 hours ahead of the East Coast, and to confound the matter Afghanistan is 4 ½ hours ahead of Zulu. Nobody can figure out how that aggravating 30 minutes slipped into the equation, but it is consistent with the general time-warp and cosmic wormhole that is Afghanistan.

The Bottom Line

So are we winning? You should definitely sleep better at night. We're way ahead of the game, and making strides every day. It's slow slogging, but with the help of the locals we're uprooting caches of weapons and bombs every day, and rounding up Taliban troublemakers, along with plenty of Saudi, Yemeni, Chechen, and Pakistani Al Qaeda ---- yes, that selfsame irksome riffraff you've seen a million times swinging from the monkey bars in the overplayed video from Al Jazeera.

We should still be getting more for our money's worth. One look at Bagram, that grotesque burgeoning carbuncle, that self-licking ice cream cone that is our main HQ and staff chateau-bunker, will convince you that the spirit of McLellan is alive and well in Afghanistan. It is the same old story of every war we've fought since the dawn of the Republic: too many peacetime paper commandos focused on process rather than results, by-the-book belligerents who complain there is never enough to support their perfect plans, and who, when at length indulged with men and materiel, insist on yet providing for contingencies to the contingencies before ever they ever make a move. This is the mentality that says if 6,000 troops are good, then 10,000 must be better.

The number one *military* mistake we could make here is to "go conventional" in this war. So long as we keep to the shadows, in an unconventional war fought by tiny Special Forces units with local Afghan forces, we shall be welcome here--- fighting along the

Afghans, rather than against them. As the Afghans harvest their melons and bake their bread, as they play checkers and music and paint their toenails and fly their kites (all forbidden under the Taliban) they are savoring the first sweet fruits of peace in nearly a quarter century, indeed, since most of the population is under 21, the first surcease from atrocities that most of them have ever known. (The life expectancy, by the way, is 45 years for males---just about the world's lowest). My guess is that 90% of the common Afghan folk are overjoyed to have us here. That figure would probably rise to 99% if we explicitly adopted a policy of taking all confirmed Taliban leaders out back and shooting them like rabid dogs.

The number one *political* mistake we can make here is to actually believe that this place is a country, and that there is such a thing as an Afghan. It is not and there is not. Not the Taliban, nor Al Qaeda, nor any Pakistani, Iranian, Uzbek, Turkoman, Hazara, Afridi, Pushtun, Tajik or what-have-you succumbs to that delusion. It seems only certain folks at the State Department do. Afghanistan is the place where the world saw fit to stash all the tribes it could not handle elsewhere. We must not waste effort on "nation-building" here. It will never work. Just give the common Afghan yeoman a chance to mind his own business unmolested for a change and he will soon enough figure out how to get flip-flops and bags of flour on his own.

Maybe it's just the Central American side of me, but it really is not that complicated. What can work here is for a benign empire (Iran, Russia, India, and Pakistan need not apply) to get a loose grip on the tribal balance-of-power here, without qualms, hesitation, or apologies, and keep an eagle eye on the place with an olive branch in one talon and arrows in the other. The key to understanding the maze of Afghanistan's Byzantino-Machiavelli-Hobbesian politics is the ongoing power play between President Karzai and his Defense Minister, Fahim Khan. And remember that Fahim *personally* has more and better troops at his disposal, than does his Ministry. So watch that space. It encapsulates the struggle among the hopelessly-divided Pashtun warlords, and between them and all the other ethnicities and would-be warlords, who must band together since their numbers are inadequate to allow for pillage and oppression on a proper national scale.

For now, none of the Chico Banditos has the puissance to overthrow his neighbor...not without a whack from Uncle Sam. As long as we are in the neighborhood they must make nice with each other.

This is progress. It means we have accomplished one of our chief objectives, which is to make politics matter here, as opposed to the dumb brute clash of guns. Of course, the Afghan view of what constitutes political activity is rather more expansive than ours, running as it does the gamut from debate and dialectics to ambush and assassination. It will be quite some time before we get much further than a bullet away from a change of policy. But so far so good--- and as long as we don't put our trust in any one man here we'll be able to dodge that bullet.

None put it better than Pacha Khan, the prickliest of the Chico Banditos, that ever-quotable scourge of reason who holds sway over the Smuggler's Paradise that is Paktia,

along the remote eastern border with Pakistan. Pacha's nemesis is the Honorable Hakim Tanewal, a scholarly gent with progressive notions about taxation and irrigation and who knows how to tie a necktie. Hon. Tanewal would be the 5th supplicant duly-appointed by President Karzai in as many months, but unfortunately the job is on hold, at least till ol' Pacha deigns to disband his militias and hand over the keys to the Governor's palace.

Egged on by Kabul, the Hon. Tanewal has been issuing increasingly shrill statements,. This week's manifesto declared that "the time for warlords is over". To which Pacha snarled, in an interview to the Christian Science Monitor: "You must not call us warlords. *If you call us warlords we will kill you*".

Pacha must have a direct line to the State Dept., for as I left D.C. the wisdom from Foggy Bottom was that now that Afghanistan is on the yellow brick road to democracy, the former "warlords" are to be officially referred to as "regional leaders". Meanwhile, Hon. Tanewal cools his heels on the curb outside the Governor's palace, his hat on his knees, waiting for Pacha to give the nod.

Speaking of Warlords...

There are about 100 of these warlords, and they shakily hold Afghanistan together, like rivets in the boiler of some awful contraption from the age of steam. Our intel guy, Weatherford, and I recently enjoyed the hospitality of one of them, the local Chico Bandito, Major General Razik Shirzai. Along with some 500 of his close friends, and their relatives, and their flies, we supped off a long squalid roll of cheesecloth unfurled on the dirt patio of the General's little fort. The repast was truly tasty ---a hearty chicken and potato stew with flat bread--- and was laid on with no less form than if it had been the Annual Members' Dinner of the Metropolitan Club.

This particular general is the Big Fish in this particular Little Pond. Lest his appearance lead you to doubt this fact, as it might, he wields his satrapy with scant regard for nuance or subtlety. Your first taste of this comes as you walk into his office and your sensibilities get mugged by two dazzling golden massively overframed photographs of himself, one backslapping General Tommy Franks, our very own Gringo Warlord Supremo, and the other, a tad grainy but still convincing, in an appropriately groveling stance before the ex-King, Zadir Shah.

General Shirzai is to be counted among the most enterprising of our new friends. When not (as one can only suspect) kidnapping the locals or shaking down smugglers, he is diligently enforcing his end of his contract with the USA, which involves providing the security for the environs of Kandahar Airfield---surely the biggest legitimate money-spinner between Kabul and the Indian Ocean.

And by the luckiest of coincidences the General's elder brother just happens to be our old friend, the Governor of Kandahar Province!

Lunch done, the jolly swagman surveyed his turbaned clientele from the vantage of a camp stool. They squatted and sprawled in a semicircle at his feet, prostrate from the meal and the heat, languorously swatting at flies. Time passed with a subdued chatter. Little winged carcasses began to accumulate in drifts. I began to get drowsy, and Weatherford began to wonder if we shouldn't excuse ourselves. But presently the assembly was called to order and the General complacently announced the most recent plunder.

Today's contraband was boxes upon boxes of cologne --- Eternity, in case you wonder. As for the provenance of this cargo, one must speculate. The most obvious candidates for extortion would be the Pakistani smugglers who negotiate their jingle trucks across the border at Spin Boldak, weary diesel caravans crawling to the emporiums of Central Asia.

The chico banditos spritzed and sniffed one another approvingly, like debutantes at a ball. The General basked in the esteem, but presently it began to wear a little thin. The buzz of flies again obtruded. And so, with a flourish, he commanded a cupboard be flung open to reveal a cache of... Rolaids. An admiring gasp erupted from throng. As if on cue, two grizzly henchmen stepped forth to dispense the pills, one per chico bandito, as somberly and reverently as if they were windowdressers laying out the choicest Mikimoto pearls at the 5th Avenue Tiffany's. One pill rolled to the floor and two of the younger badmashes lunged for it like park pigeons after a smitch of popcorn, but a sharp kick from the General's flip-flop put an end to *that* unseemly kerfluffle.

With an apologetic cough the General then summoned for a metallic briefcase and proceeded to the main business of the day. He fumbled with the combination, and brought forth the goods: dog-eared wads of greasy Pakistani rupees for the superior lackeys, and thick blue bricks of crisp and worthless Afghanis, which were flung to the common sort. (The greenback stash presumably wends its way UP the chain-of-command). Nor were Weatherford and I disregarded. As commanded by *Pashtunwali*, the native code, each of us was sent on his merry way with a slab amounting to some hundreds of thousands of Afghanis, or about $3. This served me later in the Kandahar bazaar for the purchase of an embroidered skullcap, two clay water jug, and three watermelons.

All our foreign aid to Afghanistan will be distributed in this manner.

The General turned out to be a canary-fancier and on that basis we got along famously. He showed off his prize bird: a good songster in a clean cage, which he rattled tenderly with his fingernail while blowing kisses through his whiskers, like a walrus in heat. His birds, claimed the General, were imported from Germany, though once we had developed a certain intimacy he confessed to serious doubts about the trustworthiness of the supplier. Through the interpreter, we held a lengthy but inconclusive discussion on the relative merit of Gloucesters versus Harz Rollers. We agreed to disagree on the tradeoff between hardiness and melodiousness, but heartily concurred that plumage and form were merely superficial considerations, and song was all.

By no means does the General strike one as a bad man, rather, as simply a man who is in no hurry to rise above his circumstances. And as much can be said for the rest of the Afghans. Rough as they are, they set great store by delicate and ephemeral things: roses, songbirds, scent, a sigh. Gesture is real, and substance fleeting. There is ample material there for us to work with.

Keeping in Touch

But I digress... the main point is finally to say hello and let you know that all is well. Please send news!!! If you want to send a "Care Package" it will get shared with the guys of SF Village. We have a fine Bolshevik kibbutz going here and everything gets passed around. Big winners: homemade cookies and brownies, good coffee (instant or ground), powerbars, beef jerky, trailmix, magazines, Copenhagen. From the cheap seats, our Master Sergeant La Morte growls "tell 'em some hollow point 9mm ammo would be nice". (No I could never make that up, that really is his name) Other than that, as Sergeant Maine sums it up, "anything that doesn't melt" will be cause for celebration.

The APO address, which goes for the rate of regular US mail, is as follows:

Roger Pardo-Maurer
Coalition Coordination Cell
CJSOTF-A (2/3)
APO AE 09355

That stands for Combined (i.e. multinational) Joint (i.e. Army/Navy/Air Force) Special Operations Task Force-Afghanistan.

Also, if you (or your office) want to take up a good cause and send goodies for the kids out in the villages, I will be only too happy to hand them out for you. (My camera gave up the ghost during a sandstorm, but I'm trying to get new one, and if possible will take pictures for you.) The kids mob you at every turn, and it seems that a horde of orphans is ust waiting for you wherever you go. The villagers usually send them out first to greet the Americans, in order to break the ice and no doubt also to test our intentions. Just about anything from the dollar store will be a huge hit----these folks have nothing and expect nothing. Big winners: pens, crayons, little notepads. I brought a couple dozen Matchbox cars with me, and only wish I had brought a crateload.

I will be checking into Kandahar sporadically, and will have access to email when I am here. The mail service is fast and reliable. 10 days from stateside seems to be the norm, but mail has been arriving in as little as 5 days. I am starved for chit-chat from home. Please send news----I have made many new friends here, but think all the time of those back home.

How I wish you could see your troops in action, especially those kids from the 82nd! Don't believe a single word from the chattering classes that suggests the Nintendo

generation somehow isn't up to the snuff. From what I have seen of their good nature, their dedication, their courage, and their high spirits, they are worthy inheritors of the Republic, and it is safely in their trust. You should be reassured by their good work here, and very proud of how they represent you.

Yours aye,
RPM
B/3/20th Special Forces Group (Airborne)
"De Oppresso Liber"

snowflake

4:28 PM

TO: Stacer Holcomb

FROM: Donald Rumsfeld DR

DATE: September 14, 2002

SUBJECT:

210 Army

I would like to see a piece of paper that shows the top 30 army people in rank, and whether they are heavy, armor or light or airbourne with special forces.

Thanks.

DHR/azn
091402.17

Please respond by: 9/27

14 Sep 02

U08434 /03

snowflake

10:45 AM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

DATE: September 14, 2002

SUBJECT:

032

Get me the letter that invited me to testify to the House and the Senate so I can read what they think I am supposed to testify on.

Thanks.

DHR/azn
091402.02

Please respond by: 9/17

14 Sep 02

U08437 /03

snowflake

10:28 AM

TO: Marc Thiessen

FROM: Donald Rumsfeld

DATE: September 14, 2002

SUBJECT: **Testimony**

032

The testimony has to urge a vote by the Congress promptly (I don't know if we want to say it, but that means before the UN action).

Thanks.

DHR/azn
091402.07

Please respond by: _____

14 Sep 02

U08438 /03

snowflake

May 15, 2002 10:11 AM

TO: Honorable Colin Powell

CC: Honorable George Tenet
Honorable Condoleezza Rice

FROM: Donald Rumsfeld DM

SUBJECT: ICC

015

At your NATO ministerial meetings, I think it would be terrific if you could lay the groundwork for the effort to follow to get appropriate countries and institutions to exempt our people from the International Criminal Court.

It seems to me it is important to get that up on the table early, because we are going to have to go to many countries and get them to support us in reducing the risks to us from the ICC Treaty.

Those risks will affect the cost-benefit calculations we make about military deployments and operations around the world, and it is important that the ICC Treaty not become a powerful reason for the U.S. to refrain from actions that we might otherwise want to take. As you know, I see a danger that the Treaty could reinforce U.S. isolationist tendencies unless we succeed in putting markers down quickly and strongly.

Thanks.

DHR:dh
051302-30

15 May 02

U08439 /02

Snowflake

10:31 AM

TO: Marc Thiessen

FROM: Donald Rumsfeld

DATE: September 14, 2002

SUBJECT:

Iraq

A lot of these people are saying that the evidence has to make a compelling case to the American public that the threat is imminent. The way to handle that is to talk about the fact that we have been consistently wrong about the severity of the threat, and if you wait until it is imminent, and you are wrong by seven years like we were on the Iraqi nuclear program the last time, it is not imminent, it's over.

Thanks.

DHR/azn
091402.08

Please respond by: _____

14 Sep 02

U08439 /03

snowflake

10:33 AM

TO: Torie Clarke

FROM: Donald Rumsfeld DR

DATE: September 14, 2002

SUBJECT: **Press Briefing**

On the press briefing this week, if I do one, I think we ought to do that irregular behavior and that we are not going to explain everything, and the message we are sending the governors that I've dictated to Doug Feith.

We also want to say that they are going to keep asking questions, I suppose, about what we are doing by way of force flow to the Middle East, but we are not going to talk about it.

Thanks.

DHR/azn
091402.09

Please respond by: _____

14 Sep 02

U08440 /03

Snowflake

12:47 PM

TO: Paul Wolfowitz
Doug Feith

CC: Gen. Dick Myers

FROM: Donald Rumsfeld DR.

DATE: September 14, 2002

SUBJECT: **Iraq**

Iraq

I think we've got to pull together the names and photographs of positions and aliases of the people that we consider to be part of the regime in Iraq.

We keep talking about regime change. We had better begin nailing down what it means and what it doesn't mean.

Thanks.

DHR/azn
091402.14

Please respond by: 9/18

14 Sep 02

U08441 /03

snowflake

September 16, 2002 7:26 AM

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Testimony

Please respond to [illegible] JMT

032

In connection with the testimony, one of the questions that gets raised is that "the generals are concerned." We ought to have an answer for that.

Thanks.

DHR:dh
091602-3

Please respond by 09/17/02

16 Sep 02

U08442 /03

snowflake

September 16, 2002 7:45 AM

Advance copy sent to MT

0005

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Testimony II

One of the things that has to be in the open testimony is the question, "What will this do to the global war on terrorism—will we be able to do it?" The answer is yes, and we need to set that out.

Thanks.

DHR:dh
091602-6

Please respond by 09/16/02

16 Sep 02

U08443 /03

snowflake

September 16, 2002 7:49 AM

032

TO: Torie Clarke

FROM: Donald Rumsfeld DR

SUBJECT: Input for Testimony

copy and to TC

Please give Marc Thiessen the radio interview I did. I think there was some good material in there, particularly on what the Middle East would be like without Saddam Hussein.

Thanks.

DHR:dh
091602-7

Please respond by 09/16/02

16 Sep 02

U08444 /03

snowflake

September 16, 2002 7:50 AM

032

TO: Torie Clarke
Larry Di Rita

Larry + Torie
Copy sent to
Torie

FROM: Donald Rumsfeld DR

SUBJECT: Suggested Input for Testimony

What do you think about attaching my guidelines for going to war to my testimony?

Thanks.

DHR:dh
091602-8

Please respond by 09/16/02

16 Sep 02

U08445 /03

Snowflake

September 16, 2002 7:56 AM

Morocco

TO: Doug Feith

FROM: Donald Rumsfeld DR

SUBJECT: Ambassador from Morocco

I saw the ambassador from Morocco here the other night, and he said he has been trying to see me. Do you know anything about that? Maybe he said he wanted to see me.

Thanks.

DHR:dh
091602-10

Please respond by 10/04/02

16 Sep 02

U08447 /03

Snowflake

September 16, 2002 8:10 AM

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Testimony III

Advance copy sent to Hill

Here are some good comments by Bob Kerrey that you ought to take into account in the testimony.

Thanks.

Attach.
Kerrey, Bob, "Finish the War, Liberate Iraq," *Wall Street Journal* 09/12/02

DHR/db
091602-13

Please respond by 09/16/02

16 Sep 02

U08448 /03

million barrels less than its capacity, largely because of a dispute with the United Nations over an oil-for-food program that limits how Iraq can use oil revenue.

If the sanctions were lifted, Iraq might add a million barrels a day to the market quickly, which could shave $1 to $2 off the price of a barrel of oil, depending on whether other oil exporters cut production to offset the new Iraqi supply. Oil is trading at around $30 a barrel.

Iraqi oil development still would be lucrative for oil firms. Russian and French firms have been cutting deals with Iraq to develop its oil resources, although they are unlikely to proceed unless the U.N. lifts restrictions on Iraqi oil sales. U.S. companies must wait on the sidelines because the government bars them from doing business with Iraq.

New York Times
September 12, 2002

46. France: Billions More For The Military

The cabinet approved a 36 percent increase in military spending on new equipment, maintenance and research and development, in line with promises made by President Jacques Chirac during his campaign for re-election in the spring. The increase, to about $16.5 billion a year from about $12.1 billion, includes money for a second aircraft carrier to project French military might more effectively. The number of people in the armed forces, including the paramilitary gendarmerie, is to rise to 446,000 by 2008, from 437,000.
John Tagliabue (NYT)

Wall Street Journal
September 12, 2002

47. Finish The War. Liberate Iraq.

By Bob Kerrey

Once again Americans are debating whether we should go to war. Once again we are confused and ambivalent as we consider the necessity of using violent, deadly means to accomplish a peaceful objective. And once again the object of our concern is Iraq. Not since 1991, when the United States led an international coalition that included over 500,000 of our armed forces to drive Iraq out of Kuwait, has Iraq commanded so much of the world's attention and concern.

An Ongoing Conflict

Some of the confusion is due to forgetfulness. Here are a few facts and dates:

*On Aug. 2, 1990, Iraq invaded Kuwait. The U.S. led and participated in a United Nations and congressionally sanctioned military intervention to reverse Iraq's invasion. The war ended on Feb. 28, 1991, with the withdrawal of all Iraqi forces.

*On April 3, 1991, U.N. Security Council Resolution 687 was passed requiring Iraq, among other things, to disclose fully and permit the dismantlement of its weapons of mass destruction programs and submit to long-term monitoring and verification of such dismantlement. The U.S. has participated in this effort, which includes a multilateral diplomatic, economic and military intervention to contain Iraq's threat to her neighbors.

*On April 7, 1991, and Aug. 27, 1992, the U.S., Britain and for a time France began enforcing a no-fly zone in northern and southern Iraq. This multilateral military intervention in Iraq has by all accounts kept thousands of Iraqi Kurds and Shiites from being killed by their own military.

*From 1991 to 1998, Iraq denied U.N. weapons inspectors open access to suspected sites, continued to build its capability of using weapons of mass destruction, engaged in ethnic cleansing of its Kurdish minority, attempted the assassination of former President George H.W. Bush, and finally, in 1998, denied the U.N. further access to do its work.

*On Oct. 31, 1998, President Clinton signed the Iraq Liberation Act into law, which changed the policy objective of the U.S. in Iraq from containment to regime change.

*On Sept. 11, 2001, the U.S. was attacked by criminals who murdered 3,000 innocent people at the World Trade Center and Pentagon. There is credible evidence that Iraqi intelligence personnel met with one of the leaders of this attack. This attack has changed forever the political and military calculations of national security. The U.S. now has an independent interest in reducing the threat of terrorism.

From just this information we should take care not to forget that in a very real way the war against Iraq did not end in 1991. Following the Gulf War the U.N. authorized the use of a multilateral military intervention to enforce an embargo on Iraq. It has also allowed the U.S. and Britain to intervene in Iraqi airspace in order to enforce a no-fly zone to protect Iraqi Kurds in the north and Iraqi Shiites in the south. Furthermore, Arab nations in the region -- most notably Saudi Arabia and Kuwait -- have permitted the forward deployment of U.S. military personnel as a deterrent against Iraq's army.

As a consequence, the U.S. has spent more than $1 billion a year on a very real and very risky military intervention against Iraq for the past 11 years. That intervention cost us 19 airmen at Khobar towers in 1996. Although it is now believed that Iran was the culprit in that murderous assault, our troops' presence so close to Mecca and Medina has inflamed anti-American sentiment among radical Islamists including Osama bin Laden.

These two military deployments -- to enforce the no-fly zones and the embargo -- have put the U.S. in a dilemma that is faced by no other country except Britain. The dilemma is that we must continue these military efforts at considerable risk to us until Saddam Hussein is no longer a military risk to his own people and his neighbors. To be precise: He has stationed seven divisions of soldiers in northern Iraq and five in the south. He would kill a lot of Iraqi Kurds and Shiites if we were to stop our military intervention.

To listen to some, you would think we weren't already militarily engaged in the task of making Iraq less dangerous. Following a telephone call from President Bush, a spokesman for Russia's President Vladimir Putin expressed "serious doubts that there are grounds for the use of force in connection with Iraq from the standpoint of international law or from a political standpoint." On the same day it was reported that France's president, Jacques Chirac, insisted anew that any military action had to come with the approval of the U.N. And U.N. Secretary-General Kofi Annan himself said "it would be unwise to attack Iraq now."

All three of these statements encourage a false-choice debate about Iraq. We presume incorrectly that the choice is between an invasion or nothing when the truth is that our current multilateral military effort already qualifies as an invasion of Iraq. The real choice is between sustaining a military effort designed to contain Saddam Hussein and a military effort designed to replace him.

In my mind the case for the second choice is overwhelming. At the very least the U.S. should increase its military support to Iraqi opposition groups so that they have a fighting chance on the ground to succeed in regime change. At most the U.S. should be trying to convince our allies that we cannot afford the current military effort to contain Iraq. Regime change is the only way we can safely reduce our military commitment to the region. But regime change will unquestionably require a different -- and probably larger -- military effort than the one we are currently using.

Finally, it is very important that we American civilians instruct our military to tell us what they believe will be needed to accomplish this mission. We should not attach political requirements that make military success less likely. By this I mean that we civilians must be prepared for our military leaders to say to us: This is what we need for success. Given all the other assignments -- particularly the war in Afghanistan which is by no means over, and the risk of conflict between Pakistan and India, which has by no means passed -- we are not ready to conduct a successful war to liberate the people of Iraq.

The Cost of Freedom

snowflake

September 16, 2002 8:19 AM

032

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

Advance copy sent to MT

SUBJECT: Testimony IV

Here are some Winston Churchill quotes. One I marked is not bad, where it says everyone hopes that if they feed the crocodile enough, the crocodile will eat them last. Another one quoting Churchill—you could say "we are fighting by ourselves alone, but we are not fighting for ourselves alone."

Also attached are a couple more questions, one by Dianne Feinstein and one by Gephardt that you might want to respond to.

Thanks.

Attach.
09/06/02 OSD-ISA-NESA "Winston Churchill & Seizing the Initiative"
Hayes, Stephen F., "Democrats for Regime Change," *Weekly Standard*, 09/16/02

DHR:dh
091602-15

Please respond by 09/16/02

16 Sep 02

U08449 /03

OSD-ISA-NESA
6 September

SECDEF HAS SEEN
SEP 16 2002

Winston Churchill & Seizing Initiative

Listed below are some instances/quotes of Winston Churchill seeking to take the initiative against threats to the survival of Britain and Western civilization. Perhaps some can be cited or utilized in making a public case about Iraq.

Facing Reality

- 1935, Churchill warned about German menace, *"It would be folly for us to act as if we were swimming in a halcyon sea, as if nothing but balmy breezes and calm weather were to be expected and everything were working in the most agreeable fashion."*

Compelling Victory

- Spring 1940, during Phoney War, Lord of Admiralty Churchill wrote to Halifax, *"Considering the discomfort & sacrifice imposed upon the nation, public men charged with the conduct of the war sh'd [should] live in a continual stress of soul. Faithful discharge of duty is no excuse for Ministers: we have to contrive & compel victory."*

Against Neutrality, For United Action

- January 1940, in broadcast to nation, about neutral nations: *"Each one hopes that if he feeds the crocodile enough, the crocodile will eat him last. All of them hope that the storm will pass before their turn comes to be devoured. But I fear, I fear greatly, that the storm will not pass. It will rage and it will roar, ever more loudly, ever more widely.... There is no chance of a speedy end, except through united action."*

Standing in the Breach

- July 1940, Battle of Britain, Churchill said to the nation: *"We are fighting by ourselves alone; but we are not fighting for ourselves alone."*

Preemption

- *Supporting Anti-Bolsheviks in Russian Civil War*
  - 1920, Churchill said publicly: *"No one can tell what will emerge from the immense and horrible catastrophe of Russia, except that it will probably be something very menacing to civilization and very dangerous to the peace of Europe and Asia. We may abandon--the Allies may abandon--Russia, but Russia will not abandon them."*

- *Violating Neutrality, WWII*
  - Lord of Admiralty Churchill wanted to cripple German arms manufacturing by cutting off its Swedish ore imports. Since the Cabinet and public

opposed invading a neutral nation, he sought to occupy Narvik, Norway, through which the ore was shipped in the winter, under the cover of helping out Finland (as the League of Nations called for) in its defensive fight against Soviet Union.

- Churchill wrote memo to Cabinet in December 1939,
  "The final tribunal is our own conscience. We are fighting to re-establish the reign of law and to protect the liberties of small countries. Our defeat would mean an age of barbaric violence, and would be fatal not only to ourselves, but to the independent life of every small country in Europe."
  "Acting in the name of the Covenant [of the League], and as virtual mandatories of the League and all it stands for, we have a right, and, indeed, are bound in duty, to abrogate for a space some of the conventions of the very laws we seek to consolidate and reaffirm....The letter of the law must not in supreme emergency obstruct those who are charged with its protection and enforcement. It would not be right or rational that the Aggressor Power should gain one set of advantages by tearing up all laws, and another set by sheltering behind the innate respect for law of their opponents. Humanity, rather than legality, must be our guide."

- *Attacking Soviets if they do not agree to a settlement, before they get A-bomb.*
  - Churchill considered it in May 1945, and 1946-1949 while in Opposition.

  - September 1948, during Berlin crisis, Churchill wrote Eden "It is obvious that the Kremlin have no intention to come to a friendly all-round agreement. If one cause of quarrel is adjusted another will be fomented....I have felt misgivings and bewilderment which is latent but general in thoughtful circles about the policy of delaying a real showdown with the Kremlin till we are quite sure they have got the atomic bomb. Once that happens nothing can stop the greatest of all world catastrophes."

Prepared by: Michael Makovsky, Action Officer, ISA-NESA, (b)(6)

SECDEF HAS SEEN
SEP 16 2002

the weekly Standard

Democrats for Regime Change
ADVANCE COPY from the September 16, 2002 issue: The president has some surprising allies.
by Stephen F. Hayes
09/16/2002, Volume 008, Issue 01

THE PRESIDENT mulls a strike against Iraq, which he calls an "outlaw nation" in league with an "unholy axis of terrorists, drug traffickers and organized international criminals." The talk among world leaders, however, focuses on diplomacy. France, Russia, China, and most Arab nations oppose military action. The Saudis balk at giving us overflight rights. U.N. secretary general Kofi Annan prepares a last-ditch attempt to convince Saddam Hussein to abide by the U.N. resolutions he agreed to at the end of the Gulf War.

Administration rhetoric could hardly be stronger. The president asks the nation to consider this question: What if Saddam Hussein

"fails to comply, and we fail to act, or we take some ambiguous third route which gives him yet more opportunities to develop his program of weapons of mass destruction and continue to press for the release of the sanctions and continue to ignore the solemn commitments that he made? Well, he will conclude that the international community has lost its will. He will then conclude that he can go right on and do more to rebuild an arsenal of devastating destruction."

The president's warnings are firm. "If we fail to respond today, Saddam and all those who would follow in his footsteps will be emboldened tomorrow." The stakes, he says, could not be higher. "Some day, some way, I guarantee you, he'll use the arsenal."

These are the words not of President George W. Bush in September 2002 but of President Bill Clinton on February 18, 1998. Clinton was speaking at the Pentagon, after the Joint Chiefs and other top national security advisers had briefed him on U.S. military readiness. The televised speech followed a month-long build-up of U.S. troops and equipment in the Persian Gulf. And it won applause from leading Democrats on Capitol Hill.

But just five days later, Kofi Annan struck yet another "deal" with the Iraqi dictator--which once more gave U.N. inspectors permission to inspect--and Saddam won again.

OF COURSE, much has changed since President Clinton gave that speech. The situation has gotten worse. Ten months after Saddam accepted Annan's offer, he kicked U.N. weapons inspectors out of Iraq for good. We complained. Then we bombed a little. Then we stopped bombing. Later, we stepped up our enforcement of the no-fly zones. A year after the inspectors were banished, the U.N. created a new, toothless inspection regime. The new inspectors inspected nothing. If Saddam Hussein was a major threat in February 1998, when President Clinton prepared this country for war and U.N. inspectors were still inside Iraq, it stands to reason that in the absence of those inspectors monitoring

11-L-0559/OSD/8709

his weapons build-up, Saddam is an even greater threat today.

But not, apparently, if you're Tom Daschle. The Senate majority leader and his fellow congressional Democrats have spent months criticizing the Bush administration for its failure to make the "public case" for military intervention in Iraq. Now that the Bush administration has begun to do so, many of these same Democrats are rushing to erect additional obstacles.

"What has changed in recent months or years" to justify confronting Saddam, Daschle asked last Wednesday after meeting with President Bush. Dick Gephardt wants to know what a democratic Iraq would look like. Dianne Feinstein wants the Israeli-Palestinian conflict settled first. Bob Graham says the administration hasn't presented anything new. John Kerry complains about, well, everything.

Matters looked different in 1998, when Democrats were working with a president of their own party. Daschle not only supported military action against Iraq, he campaigned vigorously for a congressional resolution to formalize his support. Other current critics of President Bush--including Kerry, Graham, Patrick Leahy, Christopher Dodd, and Republican Chuck Hagel--co-sponsored the broad 1998 resolution: Congress "urges the president to *take all necessary and appropriate actions* to respond to the threat posed by Iraq's refusal to end its weapons of mass destruction programs." (Emphasis added.)

Daschle said the 1998 resolution would "send as clear a message as possible that we are going to force, one way or another, diplomatically or militarily, Iraq to comply with international law." And he vigorously defended President Clinton's inclination to use military force in Iraq.

Summing up the Clinton administration's argument, Daschle said, "'Look, we have exhausted virtually our diplomatic effort to get the Iraqis to comply with their own agreements and with international law. Given that, what other option is there but to force them to do so?' That's what they're saying. This is the key question. And the answer is we don't have another option. We have got to force them to comply, and we are doing so militarily."

John Kerry was equally hawkish: "If there is not unfettered, unrestricted, unlimited access per the U.N. resolution for inspections, and UNSCOM cannot in our judgment appropriately perform its functions, then we obviously reserve the rights to press that case internationally and to do what we need to do as a nation in order to be able to enforce those rights," Kerry said back on February 23, 1998. "Saddam Hussein has already used these weapons and has made it clear that he has the intent to continue to try, by virtue of his duplicity and secrecy, to continue to do so. That is a threat to the stability of the Middle East. It is a threat with respect to the potential of terrorist activities on a global basis. It is a threat even to regions near but not exactly in the Middle East."

Considering the views these Democrats expressed four years ago, why the current reluctance to support President Bush?

Who knows? But if the president continues to run into stronger-than-expected resistance from Democrats on Capitol Hill, he can always just recycle the arguments so many Democrats accepted in 1998:

"Just consider the facts," Bill Clinton urged.

"Iraq repeatedly made false declarations about the weapons that it had left in its possession after the Gulf War. When UNSCOM would then uncover evidence that gave the lie to those declarations, Iraq

11-L-0559/OSD/8710

would simply amend the reports. For example, Iraq revised its nuclear declarations four times within just 14 months and it has submitted six different biological warfare declarations, each of which has been rejected by UNSCOM. In 1995, Hussein Kamal, Saddam's son-in-law, and chief organizer of Iraq's weapons-of-mass-destruction program, defected to Jordan. He revealed that Iraq was continuing to conceal weapons and missiles and the capacity to build many more. Then and only then did Iraq admit to developing numbers of weapons in significant quantities and weapon stocks. Previously, it had vehemently denied the very thing it just simply admitted once Saddam Hussein's son-in-law defected to Jordan and told the truth."

Clinton was on a roll:

"Now listen to this: What did it admit? It admitted, among other things, an offensive biological warfare capability--notably 5,000 gallons of botulinum, which causes botulism; 2,000 gallons of anthrax; 25 biological-filled Scud warheads; and 157 aerial bombs. And might I say, UNSCOM inspectors believe that Iraq has actually greatly understated its production.

Next, throughout this entire process, Iraqi agents have undermined and undercut UNSCOM. They've harassed the inspectors, lied to them, disabled monitoring cameras, literally spirited evidence out of the back doors of suspect facilities as inspectors walked through the front door. And our people were there observing it and had the pictures to prove it. "

More Clinton: "We have to defend our future from these predators of the 21st century," he argued. "They will be all the more lethal if we allow them to build arsenals of nuclear, chemical, and biological weapons and the missiles to deliver them. We simply cannot allow that to happen. There is no more clear example of this threat than Saddam Hussein."

What more needs to be said?

Stephen F. Hayes is a staff writer at The Weekly Standard.

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11-L-0559/OSD/8711

snowflake

September 16, 2002 9:05 AM

VIA FACSIMILE

032

TO: Chairman Levin and Senator Warner

FROM: Donald Rumsfeld

SUBJECT: Testimony

I was disappointed that when I briefed in the Senate Intelligence room a number of Members of the Senate went out saying that I hadn't discussed Iraq fully. Of course, the reason for the briefing was Afghanistan, and it had been set a month before.

To avoid false expectations with respect to my coming testimony, I do not intend to give an intelligence brief, either in the open or in the closed session.

Therefore, I strongly suggest that you get Director Tenet to come up and brief the committee, as he is doing for many other committees, today or tomorrow before I testify. I am sure that he or John McLaughlin would be happy to come up and brief the committee and give them the baseline intelligence assessment.

Regards.

DHR:dh
091602-16

16 Sep 02

U08450 /03

snowflake

September 16, 2002 9:48 AM

032

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Testimony ?

Please copy sent

What about putting in the testimony someplace:

If the worst happens, and tens of thousands of people are killed, not one of us here today will be able to honestly say it is a surprise, because it will not be a surprise. We are on notice.

We have connected the dots as well as it is humanly possible before the fact. Only waiting until after the event can we have proof positive. The dots are there for all to see. The dots are there for all to connect. If they aren't good enough, they will only be good enough after another disaster of still greater proportions.

Thanks.

DHR:dh
091602-22

Please respond by 09/16/02

16 Sep 02

U08451 /03

Snowflake

September 16, 2002 9:51 AM

TO: Marc Thiessen

FROM: Donald Rumsfeld

SUBJECT: Testimony VI

I feel very strongly that we do not want to personalize this in Saddam Hussein. We want to talk about the regime, Saddam Hussein's regime, and the Iraqi regime, but we don't want to get into the same thing George Bush 41 did, talking about "Saddam," "Saddam," "Saddam."

I say that for the same reason I tried to make sure this administration didn't talk about "Osama," "Osama," "Osama." Unfortunately, I was not fully successful.

Thanks.

DHR:dh
091602-23

Please respond by 09/16/02

U08452 /03

snowflake

September 16, 2002 10:21 AM

032

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

advance copy sent

SUBJECT: Testimony VII

I think we ought to give some thought to putting up front in the testimony what it is and what it isn't. It is not a CIA brief, and it is not a U.S. Department of State discussion of what is happening at the UN. Is a discussion about the case the President has beyond the intel, and a response to the questions that have been raised.

Thanks.

DHR:dh
091602-25

Please respond by 09/16/02

16 Sep 02

U08453 /03

Snowflake

September 16, 2002 10:17 AM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR -

SUBJECT: Closed Session

Iraq

I think the closed session and we should probably tell the Congress this is what is going to happen, should be the following:

1. Iraq's capabilities today vs. 1991. Myers to brief.

2. U.S. capabilities vs. 1991. Lessons learned in Afghanistan. Myers to brief.

3. Intel on Iraq's connection to Al Qaeda and to terrorism and Iraq's WMD. Jake Jacoby, Shaeffer or McLaughlin, preferably McLaughlin or Tenet.

4. I will want to discuss Levin's comment that the generals are all against the war and the civilians are for it.

5. I may want to talk about my guidelines for going to war.

6. I may want to talk about all the things that could go wrong.

I think what I ought to do is open the meeting by pointing out that the last time we met in classified session, within 23 hours Tom Ricks called the Pentagon and quoted things to me I had said in the meeting. Therefore, there should be no staff and no people drifting in and out. There should be a fixed period of time—one hour—and I would prefer that members not come and leave, that they be there for the whole time.

Thanks.

16 Sep 02

DHR:dh
091602-26

Please respond by _____

U08454 /03

snowflake

September 16, 2002 10:23 AM

032

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

advance copy

SUBJECT: Testimony VIII

One of the things that is not in the testimony that has to be is the subject of the fact that no matter what it is we know in the intel case, the situation is undoubtedly worse—it always has been.

Thanks.

DHR:dh
091602-27

Please respond by 09/16/02

16 Sep 02

U08455 /03

Snowflake

September 16, 2002 10:27 AM

NATO 337

TO: Doug Feith

FROM: Donald Rumsfeld

SUBJECT: Intel Briefing in Warsaw

Who is going to give the intel briefing at the NATO ministerial meetings in Warsaw?

Thanks.

DHR:dh
091602-29

Please respond by 09/18/02

16 Sep 02

U08457 /03

snowflake

September 16, 2002 10:31 AM

HOT

OSD 7,000

TO: Torie Clarke

FROM: Donald Rumsfeld DR

SUBJECT: Press Briefings

I think I ought to try to do press on Wednesday Thursday, Friday and Saturday before I leave the country, because I will be fully up to speed after getting ready for the testimony on Wednesday and Thursday. So let's pack it in and take advantage of it.

Thanks.

DHR:dh
091602-30

Please respond by 09/17/02

16 Sep 02

U08458 /03

September 16, 2002 10:34 AM

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Testimony IX

Advance copy sent

Hold

We need an answer as to the timing of the war—is it "wag the dog."

It seems to me the answer to that is that it is Saddam Hussein who has set the timetable.

Thanks.

DHR:dh
091602-31

Please respond by 09/16/02

16 Sep 02

U08459 /03

Snowflake

September 16, 2002 10:36 AM

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Testimony X

Someone ought to pull together what Carl Levin and other senior Democrats in the House and the Senate said when Clinton was saying that Iraq was so bad and doing such terrible things, in connection with that resolution that was passed, I think in 1998.

Thanks.

DHR:dh
091602-32

Please respond by 09/16/02

Iraq

16 Sep 02

U08460 /03

Snowflake

September 16, 2002 11:29 AM

Iraq

TO: Doug Feith

CC: Paul Wolfowitz
Gen. Myers

FROM: Donald Rumsfeld

SUBJECT: Supplying Iraq

Why don't you fashion an approach for a diplomatic initiative seeking information from other countries as to what dual-use and other troublesome equipment and material they have sold to Iraq since the Gulf War? It would be useful to know that.

Seems like a worthy project for the Deputies Committee.

Thanks.

DHR:db
091602-33

Please respond by 10/04/02

16 Sep 02

U08461 /03

Snowflake

September 16, 2002 1:36 PM

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Testimony #11

The answer to what would follow Saddam Hussein: a leadership that would keep a single Iraq, without weapons of mass destruction, not threatening its neighbors, and with respect for minority and ethnic interests in the country.

A commitment on the part of the international community, including the United States, for a period of time thereafter to assure that the Iraqi people would have some voice in what would follow.

Given the viciousness and repressiveness of the regime, most observers believe that there would be substantial defections from the army, a great many people who would flee and turn against the regime, and the relief at liberation would create an environment that would be hospitable to that kind of a process.

Thanks.

DHR:dh
091602-35

Please respond by 09/16/02

16 Sep 02

U08462 /03

Snowflake

296

September 16, 2002 3:14 PM

Done 10/28/02

Czech Republic

TO: Gen. Myers

FROM: Donald Rumsfeld DR

SUBJECT: Prague Summit

We need to figure out what kind of protection we are willing to provide for the Prague summit. I am concerned about it. I don't want confused chains of command.

Thanks.

DHR:dh
091602-37

Please respond by 10/04/02

16 Sep 02

U08463 /03

snowflake

September 16, 2002 5:56 PM

TO: Doug Feith

FROM: Donald Rumsfeld

SUBJECT: Read-aheads for Foreign Visits

When I have a meeting with any foreign visitor, I would like to know what they are doing on the global war on terrorism. I would also like a paper that reminds me what the population of the country is, what their GDP per capita is, and hat they're spending on defense as a percentage of GDP.

People are not giving me those things.

Thanks.

DHR:dh
091602-39

Please respond by 09/27/02

16 Sep 02

U08464 /03

snowflake

September 16, 2002 6:18 PM

470

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: WMD Briefing

Do you think we ought to give the WMD briefing to all the lower level presidential appointees, in other words below the Under Secretary level—not even the Assistant Secretaries that I see all the time, but all those Service Assistant Secretaries and people. There is a whole group I never see at staff meetings and never meet, maybe even including the political appointees who are not Senate confirmed.

I wonder if we ought to gather them someday for the WMD briefing, and then I could come in, say hello and answer questions or something.

Thanks.

DHR.dh
091602-44

Please respond by 10/2/02

16 Sep 02

U08465 /03

9/19
3:00
Snowflake

September 16, 2002 6:20 PM

Afghanistan

TO: Larry Di Rita

FROM: Donald Rumsfeld

SUBJECT: Afghan Embassy Event

I do not plan to make any remarks at the Afghan Embassy. It says that I may be asked to do it. I don't plan to unless you think it's necessary, in which case I would just like a paragraph to say.

Please see me about it before you talk to anyone here or make any decisions.

Thanks.

DHR:dh
091602-45

Please respond by 09/17/02

Done 9/19

Larry Di Rita

16 Sep 02

U08466 /03

snowflake

September 17, 2002 9:25 AM

470

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: M-60

Please see if you can figure out what Mark Kirk's comment about an M-60 is about and let me know. Have someone give me a paper on it.

Thanks.

Attach.
U.S. News and World Report, "Rummy asked to rescue Rambo's favorite gun," September 23, 2002

DHR:dh
091702-10

Please respond by 10/04/02

17 Sep 02

U08467 /03

Washington Whispers

BY PAUL BEDARD

Rummy asked to rescue Rambo's favorite gun

Doesn't this sound like the old Pentagon that Defense Secretary **Donald Rumsfeld** came back to fix: Instead of spending $5,000 each to upgrade thousands of battle-tested but aging M-60 machine guns favored by special ops and security teams in the antiterrorism war, the Navy is dropping millions to develop a $15,000 replacement weapon—by 2004. "That's no help," says Rep. **Mark Kirk.** "We need a reliable weapon *now*." What can a rookie House member do about it besides rant when Rummy visits the Hill this week? Kirk knows the Pentagon reformer from when Rummy had Kirk's job as the Illinois district's representative in the 1960s. "I'm going straight to Rumsfeld," he says. "This is straight up his alley." You might know the portable M-60 as **Rambo**'s gun. It fell out of favor because of parts problems, but the new maker, U.S. Ordnance, says that's been fixed. If all goes well, Kirk hopes to help the Nevada gun maker compete with the Belgian firm set to get the future Navy business for its South Carolina plant.

Harbor lights

Tests by Coast Guard "red teams" of security in major U.S. harbors reveal problems. Reviewing the results from tests in Boston; Portland, Maine; San Diego; and Corpus Christi, Texas, **Tony Regalbuto,** acting director of port security for the Coast Guard, says, "We're very vulnerable." But some of the results can't be shown to port bosses because they don't have the proper security clearances. "It's a ridiculous security system," complains former Coast Guard Cmdr. **Steve Flynn,** now with the Council on Foreign Relations. To help, some info is being reclassified and released.

A Jewish cause

Much has been made in recent weeks about how Jewish voters are annoyed that some Dems have been sounding too pro-Palestinian. Well, Democrats want to remind Jewish voters that they might have a historic first—a Jewish speaker—if they get behind the bid to take control of the House from the Republicans. With Minority Leader **Dick Gephardt** eyeing the presidency, Jewish Rep. **Martin Frost** is campaigning for the post against Rep. **Nancy Pelosi,** a Catholic.

Little Rock rant

Arkansas Gov. **Mike Huckabee,** who is in the fight of his political career, wants **President Bush** to start paying attention to his fundraising needs. State GOP insiders say the guv's team thinks Bush is spending too much time aiding embattled Sen. **Tim Hutchinson.** Huckabee hopes help comes soon: **Jimmie Lou Fisher** is getting most everything she needs from ex-**President Clinton.**

Subpoena, anyone?

The House Energy and Commerce Committee

on't laugh, but House Democratic leader **Dick Gephardt** may have found the secret to raising the money he needs for his 2004 presidential bid while obeying new campaign finance laws. Yes, *concerts.* But not with the likes of 'NSync or Aerosmith. Kids are cheap. He's talking $500 to $5,000, dinner included. That means targeting boomers and the AARP crowd. The bait . . . **Barbra Streisand** and **Barry Manilow.** "This is one way to collect hard-dollar contributions," says an adviser. Manilow crooned at an earlier Gephardt concert and is teaming with Streisand and more than 50 other stars at a Hollywood gala later this month. The duo is even teaming in a rare duet for the event, expected to raise $5 million for Democratic House candidates. Aides say it's all Gephardt's idea, one he hatched in a call to the retired Streisand nearly two years ago. Babs's support means Gephardt is golden in Tinseltown, locking down one key to the White House. "She can deliver Hollywood to Dick," says an ally.

ILLUSTRATION BY RICHARD THOMPSON FOR USN&WR

Snowflake

September 18, 2002 6:57 AM

NATO 322

TO: J.D. Crouch

FROM: Donald Rumsfeld DR

SUBJECT: NATO

Here is an unimpressive article on the U.S. role in NATO.

What a bunch of whiners. I love that this one ambassador says, "We're waiting to see what kind of this and what will it cost and what will the mission be." There is leadership.

Thanks.

Attach.
Sciolino, Elaine, "U.S. Pressing NATO for Rapid Reaction Force," *New York Times*, September 18, 2002.

DHR:dh
091802-2

Please respond by _____

18 Sep 02

U08468 /03

U.S. Pressing NATO for Rapid Reaction Force

By ELAINE SCIOLINO

PARIS, Sept. 17 — The United States will press NATO to create a permanent rapid reaction force to help improve the alliance's combat readiness in the face of terrorist threats, senior American and European officials said today.

The proposal is expected to be presented by Defense Secretary Donald H. Rumsfeld at an informal meeting of the 19 NATO defense ministers in Warsaw next week, the officials said. The goal of the consultations there is to win formal approval at the NATO summit meeting in Prague in November.

The initiative comes at a time when NATO is in the midst of an identity crisis, uncertain of its role, its future and even who its members will be. It also coincides with a redefinition by the United States, which spends more than twice as much on defense as the other 18 members combined, of what constitutes a military threat in the post-9/11 era.

A senior Pentagon official said the NATO rapid reaction force would be separate from the European Union's 60,000-member rapid reaction force, which is to be operational next year. The European force would be focused "on the low end of peacekeeping," while the NATO force would have to be involved in "high intensity" conflict," he said.

Foreign diplomats and military officers at NATO complained that the proposal was vague and the timing suspect. Senior diplomats said they had not been briefed in any detail by the Americans about the proposal and even some senior military officers at the Pentagon said they did not know what Mr. Rumsfeld would be presenting.

"We are waiting to see what kind of military requirements are involved," said one ambassador to NATO. "What will be the cost? What will be its mission? Its command arrangements? NATO is in the middle of expanding. Will this add to its burden and complicate the issue?"

The ambassador noted that the goal of the summit meeting had repeatedly changed because of the Bush administration. "First it was enlargement, then it was all about capabilities, now it's all about a reaction force," he said.

American proponents of the new force said it would consist of troops already part of standing armies and would work with the United States. It would function in small and highly mobile units under a new command to carry out combat missions on short notice outside of Europe.

"Can we develop in NATO a force that would be capable of rapid deployment, that would have the ability to respond to a crisis and be able to integrate with U.S. forces and have the technical capabilities necessary to do that?" said Gen. George A. Joulwan, a former NATO commander, who has written and spoken extensively on the issue. "What I gather Rumsfeld will put on the table is a way to do that."

Mr. Rumsfeld, a former ambassador to NATO, has made no secret of his skepticism about whether NATO has much of a military role to play. Asked by phone from Washington about Mr. Rumsfeld's mission, Victoria Clarke, the Pentagon spokeswoman, said: "The secretary is going to have a lot of discussions. He's just not keen on us previewing his conversations."

For some time, Bush administration officials have broadly criticized NATO for its shortcomings. The administration wants to change the military structure of NATO so that it can react better and faster to the emerging global threats.

Senior administration officials denied that the American initiative was aimed at garnering support from America's NATO allies for a military offensive against Iraq. One pointed out that NATO was already creating a high-readiness force involving tens of thousands of troops that would be operational by the end of the year.

But the administration's decision to push the issue now dovetails with its campaign against terror and its war planning against Iraq. The initiative comes just days after President Bush's speech at the United Nations calling on member states "to show some backbone" on Iraq. A number of senior officials at NATO said that they expected Iraq to overshadow next week's ministers' meeting and the summit meeting nine weeks from now.

"There is a clear confluence of interests," said a retired general familiar with NATO. "Bush needs allies. NATO needs to show its relevance."

Whether NATO would be important in the war planning against Iraq is doubtful. At the Pentagon, some senior civilian and military officers said that it was less important to win the support of NATO for a military operation against Iraq than to get key individual member nations on board.

snowflake

September 18, 2002 7:22 AM

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Deterrence

In the future when you are thinking about speeches, think about this thought—people argue that Iraq is capable of being deterred. Maybe that is true. But the suicide bombers cannot be deterred, and it is the nexus between a state that has weapons of mass destruction and people who cannot be deterred, like terrorist networks.

Thanks.

DHR dh
091802-6

Please respond by _____

350001 50

18 Sep 02

U08469 /03

11-L-0559/OSD/8732

snowflake

September 18, 2002 3:55 PM

032

TO: Marc Thiessen

FROM: Donald Rumsfeld

SUBJECT: Testimony

Good job on the testimony—it seemed to go well! Thank you.

Thanks.

DHR:dh
091802-8

Please respond by _____

13 Sep 02

U08470 /03

snowflake

September 19, 2002 7:51 AM

032

TO: Powell Moore

FROM: Donald Rumsfeld DR

SUBJECT: Congressman Andrews

Please give me a paper on Robert Andrews—from the House Armed Services Committee. I would like to see his background, political party, state, etc.

Thanks.

DHR:dh
091902-1

Please respond by 09/27/02

T.

done - 11/8

Larry Di Rita

19 Sep 02

U08471 /03

snowflake

September 19, 2002 7:57 AM

320.2

TO: Steve Cambone

FROM: Donald Rumsfeld DR

SUBJECT: Forces in Korea and Germany

I think we ought to take a look at how our forces are in Korea and Germany and whether we'd want, given the improvements in transportation and communications, to reorient where they are somewhat.

Please see me with some thoughts.

Thanks.

DHR:dh
091902-3

Please respond by 10/04/02

19 Sep 02

U08472 /03

snowflake

September 19, 2002 8:00 AM

632

TO: Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Photos of Members

No one gave me the photos of the Congressman on a single sheet of paper so I could check their names, since you can't always see their nameplates from where I sit down there. Please do it in the future.

Thanks.

DHR:dh
091902-4

Please respond by _____

19 Sep 02

U08473 /03

snowflake

September 19, 2002 8:14 AM

OS 100.056

TO: Marc Thiessen

FROM: Donald Rumsfeld DR

SUBJECT: Speech Material

I have a feeling that in this RAND report, there are some good things we can use in speech material. Please take a look at it.

Thanks.

Attach.
Rand Review, Summer 2002, Vol. 26, No. 2.

DHR:dh
091902-7

Please respond by 10/04/02

19 Sep 02

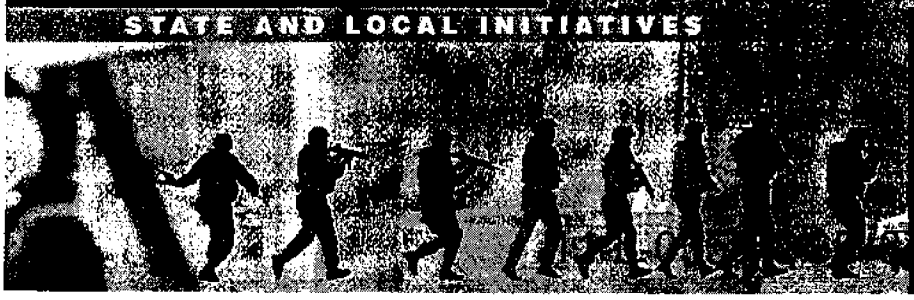
U08474 /03

RAND REVIEW

Summer 2002 Vol. 26, No. 2

Hitting Home

What We've Learned Since 9/11 and What We Should Do About It



Snowflake

September 19, 2002 8:17 AM

Russia

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Material on Russia Meetings

The two Ivanov books arrived to me yesterday, when my schedule was booked solid from the moment they arrived the afternoon of September 18 until 9 p.m. that night. The next day, my schedule was full. There was no way I could look at any of those books.

I wonder if we ought to just sit down with the Policy shop and explain that they shouldn't spend all that time, that they should spend less time and give me something the weekend before, so I can look at it. Why should they waste all that effort when in fact it never benefits me at all. It is sad. I feel badly about it.

Thanks.

DHR:dh
091902-8

Please respond by _____

19 Sep 02

U08475 /03

snowflake

September 19, 2002 8:34 AM

020 DOD

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Priorities

I did not give these priorities to the Chiefs—I probably should have. Maybe you want to send them to them.

Thanks.

Attach.
Top Ten

DHR:dh
091902-11

Please respond by ——

19 Sep 02

U08476 /03

Proposed Top Ten Priorities for Next 6-12 Months

1. Successfully Pursue the Global War on Terrorism

2. Strengthen Joint Warfighting Capabilities
   - Joint CONOPS to integrate air, land, sea, and ISR assets
   - Translate Joint CONOPS into acquisition strategy
   - Bring Jointness to the lowest level
   - Strengthen joint exercises and joint training

3. Transform the Joint Force
   - Lighter, more agile, easily deployable military units
   - Military culture that rewards innovation and risk-taking

4. Optimize Intelligence Capabilities

5. Improve Force Manning
   - Develop 21st century human resource approach
   - Longer tours, revised career paths, improved language capabilities, etc.

6. New Concepts of Global Engagement
   - Revised Security Assurance and Cooperation and Overseas Presence/Basing
   - Fashion new relationships worldwide, update alliances, build coalition of unequal partners, refocus security cooperation and fashion a more relevant footprint

7. Counter the Proliferation of WMD

8. Homeland Security
   - Define clearly and organize the Department's role in Homeland Security

9. Streamline DoD Processes
   - Shorten PPBS and acquisition cycle time
   - Financial Management Reform
   - Shorten all DoD processes by 50%

10. Improve Interagency Process, Focus and Integration
    - Rationalize NSC and Homeland Security Council
    - Reduce time to respond and create a surge capability

snowflake

September 19, 2002 8:57 AM

020 USI

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: USD(Intelligence)

Please make sure we get the letter from the DCI to the Big Four telling them he wants the Department of Defense to have an Under Secretary for Intelligence.

Thanks.

DHR:dh
091902-16

Please respond by 09/24/02

19 Sep 02

U08477 /03

September 20, 2002 8:14 AM

O20 DIA

TO: VADM Staser Holcomb (Ret.)

FROM: Donald Rumsfeld DR

SUBJECT: DIA

Larry Di Rita 9/25

I should have asked George Tenet about Jake Jacoby before I made the decision.

Thanks.

DHR:dh
092002-3

Please respond by _____

SECDEF
Rich Haver had discussed Jacoby's candidacy with G. Tenet on the eve of your decision (GT saying, "he's my most favorite candidate").
Rich is preparing talking points (coordinating with Steve C.) for your tasking talk with Jacoby.

V/R Staser 9/24

20 Sep 02

[redacted]

U08479 /03

09/23/02 08:13 TX/RX NO.2400 P.001

09/24/02 10:57 FAX (b)(6) M. STASER HOLCOMB 001

September 20, 2002 8:20 AM

Iraq

TO: Powell Moore

FROM: Donald Rumsfeld

SUBJECT: SASC Request

We've got to get DoD to look through its records to see if that *Newsweek* article on the United States helping Iraq with biological weapons is true or not that Senator Byrd asked about. Then we have to submit it for the record to the Senate Armed Services Committee.

Thanks.

DHR:dh
092002-4

Please respond by 10/11/02

Done - 11/8

Larry Di Ri

20 Sep 02

U08480 /03

THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010

ACQUISITION,
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE SECRETARY
2002 MAY 20 AM 11: 19

FOR: SECRETARY OF DEFENSE

FROM: Mr. E. C. "Pete" Aldridge, Jr., Under Secretary of Defense (AT&L)
5/17/02

SUBJECT: Response to your question on C-130 Sales

- You asked: "Some people have suggested that these C-130s would be perfect for Africa, but that we cannot sell them there. Would you please check into that?"

- 18 African countries own/operate C-130s. The problem in general with additional sales to African nations is not US restrictions, but a lack of funds in poor countries.

- State Department lists eight countries in Africa that are either proscribed destinations or reviewed on a case-by-case basis with presumed denial for defense articles, which includes C-130s. These are: Angola, Liberia, Libya, Rwanda, Somalia, Sudan, Zaire and Zimbabwe. All other countries are eligible on a case-by-case basis to purchase C-130s with State Department approval.

- C-130s are great aircraft because of their capability, flexibility and durability, so much so that more than 2200 have been sold worldwide to 68 nations since the late 1950s.

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

ACQUISITION, TECHNOLOGY AND LOGISTICS

ACTION MEMO

May 9, 2002

FOR: UNDER SECRETARY OF DEFENSE (AT&L)
USD (AT&L) has seen 17 MAY 2002

FROM: DIRECTOR, INTERNATIONAL COOPERATION AV 5/10

SUBJECT: Response to SecDef Question on C-130 Sales

- SecDef has asked another C-130 question: "Some people have suggested that these C-130s would be perfect for Africa, but that we cannot sell them there. Would you please check into that?" (TAB B).

- Your response to his previous question on C-130s is at TAB C.

- State Department lists eight countries in Africa that are either proscribed destinations or reviewed on a case-by-case basis with presumed denial (TAB D). All other countries are eligible to purchase C-130s with State Department approval.

- C-130s are recognized as great aircraft because of their capability, flexibility and durability, so much so that more than 2200 have been sold worldwide to 68 nations since the late 1950s. 18 African countries own/operate C-130s. The problem in general with additional sales to African nations is not US restrictions, but the lack of funds in impoverished economies.

CONCURRENCES: TAB E: L. Bronson (DUSD/CP&TSP); G. Lamartin (Dir. S&TS)

RECOMMENDATION: Sign the Memo at TAB A. 3928

Prepared By: OD(IC), Marvin Winkelmann, (b)(6)

Snowflake

/C

April 23, 2002 7:53 AM

TO: Pete Aldridge

FROM: Donald Rumsfeld

SUBJECT: C-130

Some people have suggested that these C-130s would be perfect for Africa, but that we cannot sell them there. Would you please check into that?

Thanks.

Attach.
04/18/02 USD(AT&L) info memo to SecDef re: C-130 Sales

DHR:dh
042302-6

Please respond by 05/17/02

Taskman # 2928-200c

(b)(6)

Snowflake

/C

April 23, 2002 7:53 AM

TO: Pete Aldridge

FROM: Donald Rumsfeld

SUBJECT: C-130

Africa

Some people have suggested that these C-130s would be perfect for Africa, but that we cannot sell them there. Would you please check into that?

Thanks.

Attach.
04/18/02 USD(AT&L) info memo to SecDef re: C-130 Sales

DHR:dh
042302-6

Please respond by 05/17/02

Taskman # 2928-200c

23 Apr 02

Snowflake

September 20, 2002 8:24 AM

0930
DONE - CABLE AND ADVANCE SDR MEMO FROM POLICY GIVEN TO SEC DEF BY LTG C

TO: LTG Craddock

FROM: Donald Rumsfeld

SUBJECT: Cable on Korea

Korea

There's a cable out of Korea fussing about something I said, according to Colin Powell. We ought to take a look at it.

Thanks.

DHR:dh
092002-6

Please respond by 09/27/02

20 Sep 02

U08558 /03

Snowflake

UNSIGNED ADVANCE COPY

Done

September 20, 2002 8:26 AM

Iraq

TO: LTG Craddock

FROM: Donald Rumsfeld

SUBJECT: Iraqi Disinformation

The DIA briefer gave us a briefing about how the Iraqis executed disinformation during DESERT STORM. I asked him to get it declassified.

Please tickle a note so we get that done.

Thanks.

DHR/dh
092002-7

Please respond by _____

SECDEF —

DIA HAS DECLASSIFIED THE BRIEFING AS OF TODAY. TORI HAS A COPY.

C 9/20

20 Sep 02

U08560 /03

snowflake

September 20, 2002 8:33 AM

360.33

TO: David Chu

CC: Tom White
Gordon England
Jim Roche

FROM: Donald Rumsfeld

SUBJECT: Aircraft Accident Rate

The attached article from today's *Early Bird* says we've made no progress in reducing the aircraft accident rate.

Would you please get me the hard data, and tell me what you think we ought to do about it.

Thanks.

Attach.
Selinger, Marc, "DoD Aircraft Accident Rate Hasn't Improved Recently, CRS Says," *Aerospace Daily*, September 20, 2002.

DHR:dh
092002-8

Please respond by _____

20 Sep 02

U08561 /03

Aerospace Daily
September 20, 2002

DOD Aircraft Accident Rate Hasn't Improved Recently, CRS Says

The Defense Department has made virtually no progress in recent years in reducing its aircraft accident rate, according to a new report by the Congressional Research Service.

Improvements in accident rates were common throughout much of the second half of the 20th century, CRS said. For example, the rate for Class A mishaps, the most severe kind of accident, was over four per 100,000 flight hours in 1975 and fell to half that level by 1993.

But the Class A mishap rate remained relatively constant from 1995 to 2002, registering at or near 1.5 per 100,000 flight hours throughout that period, CRS aerospace analyst Christopher Bolkcom wrote in his Sept. 16 report, "Military Aviation Safety."

Class A accidents are those in which property damage is at least $1 million, a DOD aircraft is destroyed, or an injury results in a death or permanent total disability.

The report suggests it is difficult to determine why the DOD's aircraft mishap rate persists at its current level. Some aviation experts contend that the accident rate has stopped falling due to the military's high operations tempo, but CRS found no conclusive evidence to support this argument, because mishap rates have both risen and fallen during conflicts.

Some experts also blame the increasing age of military aircraft for the lack of improvement in the accident rate, but CRS wrote that many recent accidents have involved relatively young aircraft, including an eight-year-old CH-53E helicopter that crashed in Afghanistan, an 11-year-old EA-6B Prowler that crashed into the Atlantic Ocean, and a 13-year-old F-14 Tomcat that had a Class A mishap in March 2002. CRS also said human error is a significant factor in most accidents.

The report says no consensus has arisen among analysts and policymakers on whether the services are doing enough on aviation safety. Some believe the current mishap rate is acceptable. But others say it should be lowered, with some favoring a goal of zero accidents.

Several changes could lead to improved safety, including holding annual congressional hearings on aviation safety to prod military leaders to give the issue more attention, according to CRS. Military aviation also might benefit from a more aggressive fielding of safety technology used in commercial aviation, which has a much lower mishap rate, Bolkcom wrote.

-- Marc Selinger

snowflake

September 20, 2002 11:35 AM

TO: Larry Di Rita
Col. Bucci

FROM: Donald Rumsfeld

SUBJECT: Briefings

I need to get briefed on the CAP proposals and discussions about Mexico City and Prague.

Thanks.

DHR:dh
092002-10

Please respond by 09/27/02

337

20 Sep 02

U08562 /03

snowflake

September 21, 2002 9:34 AM

37324

TO: Steve Cambone

FROM: Donald Rumsfeld DR

SUBJECT: Space Policy

We've got to get a policy for weapons in space. The Russians are raising it.

Thanks.

DHR:dh
092102-2

Please respond by 10/04/02

21 Sep 02

U08563 /03

snowflake

September 21, 2002 12:44 PM

060

TO: Torie Clarke

FROM: Donald Rumsfeld DR

advance copy

SUBJECT: Videotapes

Please get me a tape of the Senate hearing and one of the MIA event, if you have one.

Thanks.

DHR:dh
092102-5

Please respond by 09/27/02

21 Sep 02

U08564 /03

snowflake

September 21, 2002 12:52 PM

advance copy sent

060 SD

TO: Torie Clarke

FROM: Donald Rumsfeld DR

Larry Di Rita 9/30

SUBJECT: Videotape of Rumsfeld in Iraq

SECDEF HAS SEEN OCT 01 2002

Please find out when that tape of me with Saddam Hussein was released. Was it released and CNN ran it when I was in Iraq, or was it released recently by Iraqi television?

The fact would make a big difference.

Thanks.

DHR dh
092102-7

Please respond by 09/27/02

9/30 C 9/30

Response attached

Larry Di Rita

21 Sep 02

U08565 /03

TO: SECDEF

FROM: Torie Clarke

DATE: 26 September 2002

SUBJECT: Videotape of Rumsfeld in Iraq

The original video of you with Saddam came from the APTV archives. (Associated Press) CNN apparently has a copy in their video archives and dug it up for the piece Jamie did with you.

It was not recently re-released by the Iraqis.

snowflake
snowflake

10:58 AM

TO: Doug Feith

FROM: Donald Rumsfeld DR

DATE: September 22, 2002

SUBJECT:

38336

Instead of going to the State Department for foreign countries to visit their detainees at GITMO, why don't we just have it done through their CENTCOM liaisons and save a lot of wasted time.

Thanks.

DHR/azn
092202.01

Please respond by: 9/28

22 Sep 02

U08567 /03

TO: Doug Feith

FROM: Donald Rumsfeld DR

DATE: September 22, 2002

SUBJECT:

230.02

Have you looked at (b)(6) as a person you might want to bring into the Policy shop as things evolve?

Thanks.

DHR/azn
092202.02

Please respond by: _____

22 Sep 02

U08568 /03

snowflake

10:58 AM

TO: David Chu

FROM: Donald Rumsfeld

DATE: September 22, 2002

SUBJECT:

032

Why don't we come up with a proposal to the Congress that they require confirmation of so many people?

This process of sending so many military people up there is crazy.

Thanks.

DHR/azn
092202.04

Please respond by: 9/28

22 Sep 02

U08569 /03

Snowflake

10:58 AM

TO: Paul Wolfowitz

FROM: Donald Rumsfeld DR

DATE: September 22, 2002

SUBJECT:

Iraq

I just read this article from *The New Republic*. Shouldn't we have NIE draft a memo from me to George Tenet asking for it on Iraq? What to expect, etc.

Thanks.

DHR/azn
092202.09

Attach: **"Need to Know", *The New Republic*, by Eli Lake 9/23/02**

Please respond by: _____

22 Sep 02

U08570 /03

The Pentagon v. the CIA on Iraq.

Need to Know

By Eli J. Lake

If the Bush administration's preparations for war with Saddam Hussein were proceeding appropriately, the president would probably be curling up right now with something called a National Intelligence Estimate (NIE) for Iraq. An NIE is a document pooling all the information on a particular country that U.S. intelligence services have collected from overheard phone calls, satellite photos, decrypted e-mails, defectors, paid informants, foreign intelligence services, diplomat tipsters, newspaper articles, and official speeches. It is supposed to serve as a consensus assessment of the state's conventional and unconventional military capabilities, political stability, links to terrorism, and domestic economy. While an NIE is drafted in collaboration with the entire U.S. intelligence community, its lead author is the CIA.

An NIE for Iraq would consolidate exactly the sort of

Eli J. Lake is the State Department correspondent for UPI.

11-L-0559/OSD/8762

information George W. Bush needs at his fingertips before deciding how best to conduct a war against Saddam. (His father had the benefit of one before the Gulf war.) If, for example, the intelligence community believes massive defections are likely at the start of an American bombing campaign or that Kurdish *peshmerga* fighters could be trained quickly to communicate with U.S. helicopters providing close air support, then it might make sense to pursue an Afghanistan-style campaign in Iraq, relying primarily on aerial bombing and indigenous forces. If, by contrast, the NIE concluded that these risks were too great and would likely result in massive casualties for our side, it could tip the scales toward a ground invasion and a strategy to essentially occupy Baghdad.

But this is all mere speculation, because there is no NIE for Iraq and there probably won't be one anytime soon. The reason for this omission is that the Iraq hawks running the Pentagon and staffing the office of the vice president long ago lost faith in the CIA analysis. So they set up their own network for analyzing and collecting intelligence regarding Iraq and have been presenting it to the president themselves. The result is that instead of Bush receiving one assessment of the facts on the ground, he has for months been receiving two—one (more cautious) from the CIA and the other (more optimistic) from the Iraq hawks. As one former CIA analyst says, "Not since Vietnam has there been as deep a divide over intelligence as to enemy capabilities as you are seeing now in Iraq." The administration's confusion on Iraq, in other words, goes even deeper than its critics understand. It's not just that different factions in the administration disagree about U.S. policy vis-à-vis Saddam. They disagree about the fundamental facts on which that policy should be based.

THE CURRENT SCHISM has roots going back to the early '70s. In 1974 a collection of neoconservative foreign policy intellectuals on the President's Foreign Intelligence Advisory Board began attacking the CIA-authored NIEs for the Soviet Union, accusing the Agency of cooking its books to defend Henry Kissinger's policy of détente by underestimating Soviet military expenditures.

So the group—which included Harvard historian Richard Pipes; former arms control negotiator and ambassador-at-large under President Ronald Reagan, Paul H. Nitze; the retired director of the Defense Intelligence Agency (DIA), Daniel Graham; and a then-little-known staff member of the Arms Control and Disarmament Agency, Paul Wolfowitz—asked the CIA for access to the Agency's files to create their own assessment of Soviet intentions and capabilities. In 1976 they received that access from then-CIA Director George H.W. Bush. That fall the group—which came to be known as Team B—produced an intelligence assessment for the president, contending that the Soviet Union's military expenditures would not be curtailed by concerns over their potential impact on the USSR's economic health. That conclusion became the cornerstone of Reagan's policy for outspending the Soviet military in order to hasten the collapse of the Soviet economy.

Fast-forward to the current day. Wolfowitz, now deputy secretary of defense, still doesn't trust the CIA—but this time the bone of contention is Iraq. As during his tenure on Team B, Wolfowitz finds himself amid a loose network of neocons inside and outside government—this time including his boss, Defense Secretary Donald Rumsfeld; Undersecretary of State for Arms Control and International Security John R. Bolton; Chairman of the Defense Policy Board Richard Perle; and Vice President Dick Cheney's Chief of Staff and national security adviser I. Lewis "Scooter" Libby—arguing for an aggressive foreign policy posture. So, in a repetition of history, the neocons have devoted themselves to offering an alternative to what they see as the CIA's timid and inaccurate intelligence assessments—assessments that downplayed the possibility of Al Qaeda sleeper cells in the United States prior to September 11; failed to predict India's nuclear tests in 1998; and underestimated the speed with which the North Koreans would be able to test a multistage missile. The difference is that this time the neocons don't have to ask the CIA's permission to gain access to classified intelligence, because Wolfowitz and Rumsfeld already control between 85 percent and 90 percent of the U.S. intelligence budget, including the agencies responsible for signal intercepts, satellite surveillance, and the DIA. "This is a case of going in-house because [Rumsfeld] is not happy with the intelligence he's gotten from the CIA," says Melvin Goodman, a professor of international security at the National War College and a former CIA analyst.

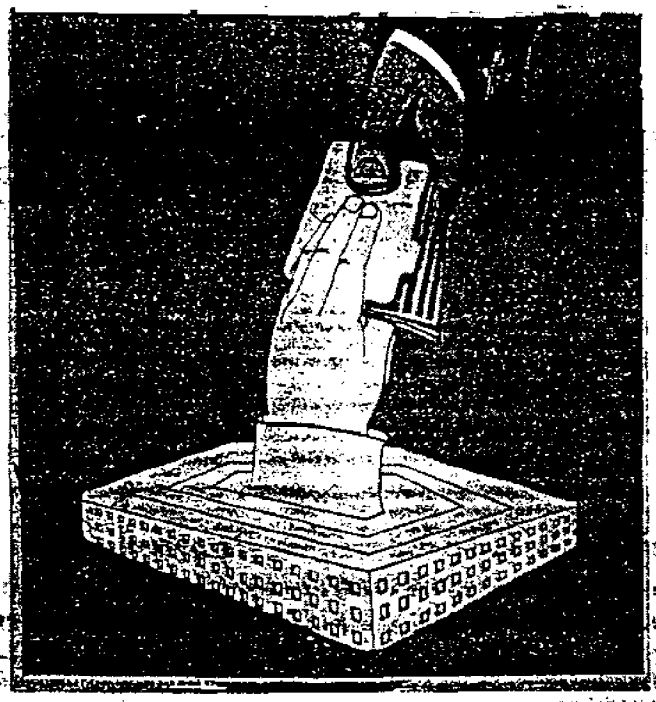
Drawing on raw intelligence from these sources and from the CIA, the testimony of Iraqi defectors, and reports from the Iraqi opposition, Wolfowitz and his allies have put together a portrait of Iraq's military might and political stability that diverges dramatically from the CIA's. For example, the hawks believe that most Iraqis will join American efforts to liberate their country in the event of a U.S. attack and that Saddam has extensive links to Osama bin Laden's Al Qaeda network. The CIA is not so sure. The hawks contend that "as soon as the fight starts large forces will defect," says former CIA Near East Division Chief Frank Anderson. "What evidence is there for that? While many Iraqis defected in the Gulf war, hundreds of thousands died in the war with Iran."

The existence of two competing assessments of the threat posed by Iraq need not by itself be counterproductive—if there were some constructive give-and-take between the two sides that produced a rough consensus upon which the president could rely. But to a large degree, there isn't. Bush administration staffers complain they have been completely cut out of the loop and that most decisions on Iraq policy take place among high-level officials who are strongly wedded to their existing positions. "You have this group of obscenely secretive principals and deputies meeting, who don't let their staff in," one source close to the administration says. Indeed the interagency committee on Iraq policy, which is supposed to bring together and synthesize the views of the Pentagon, uniformed military, CIA, State

11-L-0559/OSD/8763

Department, and National Security Council, has not met since June—perhaps in part because it has been chaired by State Department Director of Policy Planning Richard N. Haass and later by Deputy Assistant Secretary of State for Near East Affairs Ryan Crocker, both of whom are perceived as hostile to the hawks' view on Iraq. The upshot, says Anderson, is that "there is no consensus in the [intelligence] community about the basic questions of threat."

CENTRAL TO THE intelligence-gathering apparatus constructed by the hawks has been the Iraqi National Congress (INC). An umbrella group for Kurdish, Sunni, Shiite, Hashemite, and exiled military opposition groups, the INC has been receiving overt funding from the U.S. government since 1999, one year after President Bill Clinton signed the Iraq Liberation Act establishing regime change as an explicit goal of U.S. policy. At the beginning of the second Bush administration the INC began receiving funds for an intelligence operation inside Iraq known as the Information Collection Program (ICP). The ICP began after Francis Brooke, the INC's Washington adviser and the chief analyst for the program, convinced the State Department's then-coordinator for regime transition in Iraq, Frank Ricciardone, to grant his organization a temporary treasury license to use U.S. funding for operations inside Iraq by promising to retrieve information on Iraqi war crimes against Kurds.



The network began renewing contacts inside the country that led to a string of twelve defections. Further INC operations inside Iraqi territory were technically prohibited by the State Department, but they nonetheless continued. Despite numerous complaints from Crocker, the ICP network, which is controlled exclusively by INC executive committee member Ahmed Chalabi and funded with $320,000 per month from the State Department, has continued to run operations on the ground in Iraq. The ICP is responsible for the stream of defectors who have shared revelations about Saddam's weapons-of-mass-destruction program and his links to the Al Qaeda network with *The New York Times*, CBS's "60 Minutes," and *Vanity Fair* over the last year. But the network has also provided target information to the Pentagon, intelligence from assets inside Iraq's intelligence services, and even photographs of senior Iraqi officials and their families at parties. The ICP has also conducted some small-scale sabotage operations, blowing up sections of the pipeline between Iraq and Syria that provides Saddam with the illicit cash the dictator has used to bolster his nuclear, biological, and chemical weapons capacity. And Chalabi's intelligence network has offered regular reports to the Pentagon and the vice president's office, apparently influencing the positions Rumsfeld and Cheney have taken in the administration's internal debates on Iraq policy.

Shortly after Wolfowitz took his post in February 2001, for example, Chalabi and Brooke brought 1994 defector Khidir Hamza, one of Saddam's most senior nuclear scientists, to meet the new deputy defense secretary. In the meeting, Hamza described how Saddam was trying to refine uranium for his nuclear program using a centrifuge technique in small labs scattered throughout the country. Initially, there had been skepticism within the intelligence community—and specifically the CIA—that Saddam could be refining uranium in this way. But Hamza was insistent, claiming that Baghdad was purchasing from abroad a specific kind of aluminum tube needed for the process. And ultimately, Hamza's intelligence seems to have been borne out. Just last week, *The New York Times* published an article reporting that "[i]n the last 14 months, Iraq has sought to buy thousands of specially designed aluminum tubes, which American officials believe were intended as components of centrifuges to enrich uranium."

Nor is Saddam's nuclear program the only area in which the Iraq hawks have used the testimony of INC-sponsored defectors to challenge CIA assumptions about Iraq. Such testimony, according to administration officials, forms the basis of the Pentagon's assessment that members of Al Qaeda have used Iraq as a base for training both before and after the September 11 attacks. The Iraq hawks have relied on the classified testimony of two former Iraqi intelligence officers—interviewed in a *New York Times* story from November 8, 2001—who claimed that Saddam was using a base south of Baghdad, in an agricultural community called Salman Pak, to train non-Iraqi Arabs in hijacking and other black arts of terrorism. Although he declined to provide specifics, Rumsfeld reaffirmed the Pentagon's view at an August 20 news conference: "[W]hat I have said is a fact—that there are Al Qaeda in a number of locations in Iraq."

The CIA, however, is unconvinced. While the Agency

DANIEL BEJAR

11-L-0559/OSD/8764

accepts that Ansar al-Islam—a terrorist group that attempted to assassinate the prime minister of the Kurdistan Regional Government, Barham Salih, this year—trained in Al Qaeda camps in Afghanistan and is supported by Baghdad, the Agency doubts that senior members of bin Laden's organization are living in Saddam's Iraq. "There is not evidence of Al Qaeda training there in Salman Pak," one senior U.S. intelligence official says.

The CIA's doubts stem largely from its mistrust of some of the defectors provided by the INC. "Some [defectors] are valuable, and there are some that had their talking points sharpened before they meet with U.S. officials," a senior U.S. intelligence official says. "For some defectors who have been out of the country, their stories get more and more colorful as time goes on." One of the defectors who formed the basis of the *Times*' piece on Salman Pak, for example, was met with skepticism when interviewed by the CIA in Ankara last September, according to a source familiar with the proceedings. Agents peppered the man with questions like "Why are you working for the INC? Who wrote this story for you?" said the source. According to former CIA Director R. James Woolsey, who worked on this defection as a private citizen, "Their principal interest seemed to be not his links to Al Qaeda but what his ties were to the INC."

THE CIA'S ANTIPATHY toward the INC dates back to Clinton-era efforts to topple Saddam. The CIA has long believed that Chalabi was responsible for compromising a 1996 coup attempt in which the CIA provided technical communications equipment for a network of military officers recruited by Ayad Alawi, the head of the Iraqi National Accord, a CIA-sponsored opposition group that has been at odds with the INC since the early '90s.

Chalabi flew to Washington in March 1996 to brief then-CIA Director John Deutch on information he had suggesting the upcoming coup attempt was compromised because Saddam knew the names of the plotters. Perle, then a private consultant, attended the meeting and suggested an independent evaluation of the planned coup by the CIA and Alawi. But Deutch declined the advice and allowed the coup effort to go forward. In June 1996 Saddam's men rounded up the plotters, killed them, and used the Agency's own equipment to beam praises of Saddam to the CIA's office in Amman. Many members of the CIA believe that because Chalabi had predicted these events, he must have had a hand in them.

With the Bush administration gearing up for war this summer, CIA and INC officials met twice in what could have been a constructive effort to overcome past animosity and improve cooperation on intelligence gathering. The meetings did not end conclusively. The first took place in June, when the CIA's Iraq Issues Group requested and received a meeting with INC chief of intelligence Aras Karem. The purpose was to establish a system whereby the Agency would get first crack at the defectors the INC was making available to the media. The meeting was hastily arranged in 24 hours and Karem received a visa the following day. Meeting at a hotel in Dupont Circle, Karem told the group about four future defectors who could be of interest to the U.S. government and offered the CIA access to them.

In July, the CIA asked for a follow-up meeting with the INC, though this time Karem could not attend. In this meeting the INC shared a briefing drafted by Karem on the state of the defectors program. But the meeting ended when the INC officials were informed that they would have no further formal contacts with the CIA; their intelligence program would instead interface only with the Pentagon through the DIA.

Had the CIA established a system for vetting INC defectors, perhaps the Agency and the president's more hawkish advisers might have reached some consensus on intelligence estimates. As it stands, the hawks within the administration believe a military campaign in Iraq will be pretty easy. As Cheney said on NBC's "Meet the Press" last Sunday, "I'm confident that if it became necessary—if the president felt that this was the right course of action so that he instructed the military to undertake this—that the U.S. military would be enormously effective in this circumstance. And I don't think it would be that tough a fight; that is, I don't think there's any question that we would prevail, and we would achieve our objective." The hawks also continue to push a military strategy that would rely heavily on U.S.-trained indigenous forces inside Iraq to do most of the ground fighting in conjunction with close American air support. The strategy relies on a promise that the Iranians will not interfere—a promise the mullahs delivered through Chalabi himself last month when the Iraqi opposition met with Rumsfeld, Cheney, and senior State Department officials.

But one former CIA official who maintains close contacts with his old employers calls this a strategy of "wish fulfillment." "They are arguing for a high-risk strategy," this official says. "It relies on the military capabilities of an internal opposition, the kindness of evil strangers ... and it embraces the one strategy for regime change all of our allies have told us they do not support." But while the CIA is skeptical of the intelligence the hawks have received through the INC, their own on-the-ground information is woeful. Says a retired CIA officer critical of the extent to which the Agency has shunned the Iraqi opposition, "Unless you are working with all of the opposition networks intensively ... then you won't have a clue as to what the overall picture is inside the country—what people are thinking, what you need to do when you go in, who counts, who is respected, the mood of the army, and who is important in the army."

For now it appears Bush is inclined to believe the hawks' analysis, privileging the information provided by the INC's defectors and analyzed by the Pentagon over the warnings of his spies, diplomats, and generals. As the president prepares to make his case for attacking Iraq to the international community and Congress, he will argue that the time to act is now and that waiting would be more costly than quick action. The conclusion may well be right. But the process that produced it is far from reassuring. ■

11-L-0559/OSD/8765

Snowflake

10:58 AM

TO: Steve Cambone

FROM: Donald Rumsfeld DR

DATE: September 22, 2002

SUBJECT:

Iraq

What's happened to that memo that I asked you to edit asking Tenet to set a baseline so when we go into Iraq we can check what's good and what's bad about the way we are collecting intelligence?

I want to get that out of here, fast.

Thanks.

DHR/azn
092202.10

Please respond by: 9/27

22 Sep 02

U08571 /03

snowflake

9:56 PM

TO: Doug Feith

FROM: Donald Rumsfeld

DATE: September 23, 2002

SUBJECT:

A-47161

You ought to talk to J.D. Crouch and Cambone about the work they did on the Nuclear Posture Review and the implications for the projects you are working on with respect to declaratory policy.

Thanks.

DHR/azn
092302.01

Please respond by: 9/28

23 Sep 02

U08572 /03

snowflake

1:38 AM

TO: Larry Di Rita
Doug Feith

FROM: Donald Rumsfeld DR

DATE: September 23, 2002

SUBJECT:

020 SOL

I am inclined to give some thought to Marshall Billingslea for that SOLIC job unless you have someone who is a whale of a lot better.

Any thoughts?

Thanks.

DHR/azn
092302.01.a

Attach: Letter from Senator Jesse Helms

Please respond by: 9/30/02

23 Sep 02

U08574 /03

SD
9/20

JESSE HELMS
UNITED STATES SENATE

September 19, 2002

Dear Mr. Secretary:

I could write a long letter about Marshall Billingslea but since you and I know and admire him, I shall not.

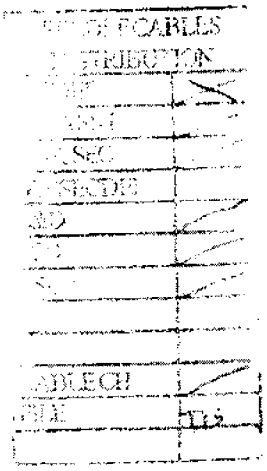
I would deeply appreciate your considering him to be the Assistant Secretary of Defense for Special Operations/Low Intensity Conflict (SO/LIC).

I cannot speak highly enough of Marshall Billingslea. In the six plus years that he worked for me on the Senate Foreign Relations Committee, he earned an outstanding reputation for his policy expertise, integrity, hard work, and ability to get the job done — all qualities that he has demonstrated equally well at the Pentagon.

You're doing great!

Sincerely,

The Honorable Donald H. Rumsfeld
U.S. Secretary of Defense
Washington, D.C. 20301



Snowflake

1:38 AM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

DATE: September 23, 2002

SUBJECT:

Israel

I ought to take a look at that letter that Senator Warner said he sent, expressing his concern about Israel. I haven't seen it.

Thanks.

DHR/azn
092302.02.a

Please respond by: 9/26

10/5

SecDef-
This went to President.
We did not get a copy, apparently. (No record of receipt)
D. Rita

9/30
Exec Secretary —
Please check on this.
D. Rita

Larry Di Rita

10/1

23 Sep 02

U08575 /03

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United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

August 2, 2002

President George W. Bush
The White House
Washington, DC 20500

Dear Mr. President:

The nation recently celebrated our traditional 4th of July holiday --- normally a time of joyful reflection about our history and patriotism. Thankfully, it was a peaceful day for America, but we entered that holiday period confronted with yet more warnings of possible terrorist attack. It is, indeed, prudent that our citizens be warned of such threats, even when specifics are lacking. However, if these warnings continue indefinitely, our people will begin to wonder what is the root cause of this hatred toward America and what is our government doing about it.

For the first time in the over 200 year history of our Republic we, under your leadership, are establishing a Department of Homeland Security and designating a new military command, U.S. Northern Command, to protect the fifty states. We've taken bold steps at home; others must join us in taking bold steps abroad.

As we all know, the scourge of terrorism in our 21st Century world is a complex, multi-faceted problem. There is not a single cause, but many, including: disparate economic development around the world; lack of political and economic opportunity in many regions; the alarming spread of radical, fundamentalist religious dogma's --- especially Islam --- amongst those feeling disenfranchised from the mainstream; and, the parallel rise in ethnic conflict after decades of oppression by Communist and other tyrannical regimes.

In this environment of perceived hopelessness and despair for many of the world's youth, certain seemingly unsolvable events continue to fan the flames of anger and hatred that lead to irrational acts. This is manifested in the individual acts of terror we witness almost daily on the streets of Israel and in the recruitment of angry young men and women into radical terror organizations that encourage them to vent their anger in the most destructive, often suicidal, of ways.

Finding solutions for the conditions that have bred this hate and total disregard for peaceful solutions will be complex, but it must be systematically addressed. Clearly, you and key members of your Administration have shown, and continue to show leadership in this area.

But, we must ask the question, can more be done by others?

The prolonged Israeli-Palestinian conflict contributes, in part, to the unrest and anger in the Arab world. How much it contributes cannot be quantified, but it is a significant and growing factor. This conflict, often presented in a distorted and biased manner to citizens of Arab nations, must be confronted, if we are ever to meaningfully address the disaffection and dissatisfaction felt by the people of this region.

Each act of violence by either side in this unending conflict further erodes hope for a peaceful future for the people of Israel, the people of Palestine and others throughout the Middle East. In fact, each act of senseless violence in the Middle East further erodes hope that someday we can feel secure from terrorism here at home. All reasonable options to bring about an end to this violence and indiscriminate loss of life must be considered. We can never abandon hope. We must act in a way to renew hope in this land of faith, and we must continue to consider all options.

May I respectfully submit the following concept for your consideration concerning the use of NATO peacekeepers. My recommendation would be for you to request that the North Atlantic Council (NAC) formally consider a proposal to use NATO forces as peacekeepers. If the concept is acceptable to the NAC they could commence to draw up a plan for peacekeeping. Once consensus had been achieved within the NAC, the NAC would so advise the Government of Israel and the Palestinian Authority, making it clear NATO would assist, only if the two sides establish a genuine cease fire, and both sides accept NATO's plan. Further, both sides must commit to cooperate in preventing further hostilities until negotiations have been successful to the point that NATO forces could be withdrawn and a substitute security plan has been put in place. Obviously, these steps are will be very challenging, but they are achievable, especially in light of the bold, balanced vision you have articulated for a resolution of this conflict.

The basic thoughts in this letter have been stated by me previously in speeches on the floor of the Senate, and in my remarks to a recent gathering of NATO ambassadors on Capitol Hill, and in open hearings of the Senate Armed Services Committee with the Secretary of Defense present. Time is of the essence. I am concerned that recent events in the region, including the unfortunate Israeli attack that killed women and children as Israeli forces pursued Palestinian terrorists and the subsequent terrorist attack on Hebrew University, will further delay meaningful progress toward peace.

I strongly encourage you to explore this option with our NATO allies, and determine if they are willing to consider such a proposal. The time for discussion and consensus building is now. When the conditions for a cease fire and negotiations are right, we must be able to act quickly and decisively with a credible peacekeeping force.

11-L-0559/OSD/8772

I believe a NATO force would be credible for the reason that Europe is perceived as being more sympathetic to Palestinian views and the U.S. as more sympathetic to Israeli views. NATO can bond these viewpoints to act as one with peace as its unifying goal, and dispel these perceived biases. NATO troops are trained and "ready to roll" on short notice. NATO is an established coalition of nations with a proven record of successful peacekeeping in the Balkans. Clearly, there are risks, but NATO peacekeepers can – with the cooperation of Israel and the Palestinian people – bring stability to this troubled region; stability that will allow for meaningful negotiations that have a chance to end the violence.

This is not a conclusion that I have reached lightly. Some of my colleagues in the Senate, as well as noted journalists and others, have discussed with me the broad issues associated with this proposal. Mine has been one of the many voices calling for well-defined principles and restraint in the employment of U.S. forces around the world. I fully recognize the risks to U.S. forces and our alliance partners. I strongly feel this is one of those unique circumstances that demand every resource and idea we can bring to bear. If the opportunity arises, we must be prepared to give peace and hope a chance.

I respectfully submit these thoughts as you forge ahead and lead the world's efforts to find a path to peace for this important region of our global community, and in so doing, enhance the security of our people here at home. It is my fervent hope that by the time we pause to celebrate our nation's next birthday, the fledgling ideas we are collectively considering today will have blossomed into substantial progress toward freedom from the senseless violence we are witnessing today.

With kind regards, I am

Respectfully,

John Warner

John Warner

snowflake

TO: Larry Di Rita

FROM: Donald Rumsfeld

DATE: September 23, 2002

SUBJECT:

Senator Helms is back. What we ought to do is get him back down to the Pentagon some day and we will get all the people who used to work for him. How many are there?

I know of Marc Thiessen, Mark Westfall, Marshall Billingslea, Ian Brezezinski, and maybe we ought to include Doug Feith, Paul Wolfowitz.

Thanks.

DHR/azn
092302.02.b

Please respond by: 9/30

23 Sep 02

U08576 /03

snowflake

COPY

1:38 AM

TO: Larry Di Rita

FROM: Donald Rumsfeld DM

DATE: September 23, 2002

SUBJECT:

381

Please think through how I can get the Joint Forces Command working on Joint Con Ops simultaneously with the Joint Staff and put both on a short fuse.

Thanks.

DHR/azn
092302.03 a

Please respond by: 9/30

23 Sep 02

U08577 /03

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

COMPTROLLER

INFO MEMO

2002 MAY 21 AM 6:01

May 17, 2002, 4:30 PM

FOR: SECRETARY OF DEFENSE
DEPUTY SECRETARY OF DEFENSE

FROM: Dov S. Zakheim

SUBJECT: Legislative Overhead -- Two Budgets

- You asked for thoughts on including a legislative overhead portion of the President's Budget request.

- Dividing a new budget request into our priorities and legislative priorities would not be an easy task. You will recall the exercise earlier in the year when we tried to shift nondefense items in the defense budget to other federal agencies. Originally, the staff had drawn up a list of over $7 billion in programs. By the end of the exercise, only $50 million was targeted to be moved out of the defense budget.

- Segmenting legislative priorities will make both friends and foes furious in Congress. This would compound the public relations problems that the Office of the Management and Budget and we already have with the Congress and jeopardize their favorable consideration of the President's priorities.

- If there are legislative priorities in the budget that we do not want to support, we should not include them in the request. If added to the budget by the Congress, we have the ability to offer them up as rescissions. But often either of these approaches has led to program reductions in areas that were not helpful.

- On the other hand, we could indicate in the actual budget that Congress passes how much is "legislation overhead."

COORDINATION: None

Prepared By: Rebecca Schmidt, (b)(6)

snowflake

1:35 PM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

DATE: April 15, 2002

SUBJECT: **Budget**

What do you think about a section of our budget that includes legislative overhead That is to say, the things that we believe we don't want in our budget, we don't think ought to be spent; are not our priorities. Then we would have two budgets; one that we want, and one that they want. Then we could put an indication of what we would do with the money if we had the money that they are putting in our budget that we don't want, and how we would spend it; on ships, guns, planes.

Thanks.

DHR/azn
041502.41

Please respond by: 4/23/02

5/7

To: Dr Zakheim

Please advise.

D. Rita

11-L-0559/OSD/8777

snowflake

1:38 AM

TO: Larry Di Rita
Powell Moore

FROM: Donald Rumsfeld DR

DATE: September 23, 2002

SUBJECT:

032

One of the Congressmen said he would like to invite Zinni to testify before the HASC and Duncan Hunter seemed to indicate he would do that. If he does do that, please make sure he invites Chuck Horner and Elliott Cohn as well to counter-act Zinni's nonsense.

Thanks.

DHR/azn
092302.06.a

23 Sep 02

Please respond by: _____

U08579 /03

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

COMPTROLLER

2002 MAY 21 AM 6:03

INFO MEMO

May 17, 2002, 9:26 AM

FOR: SECRETARY OF DEFENSE

FROM: Dov S. Zakheim, Under Secretary of Defense (Comptroller)

SUBJECT: Defense Business Practice Implementation Board Meeting, May 15, 2002

- The Defense Business Practice Implementation Board held its second meeting on May 15, 2002.

- Ken Krieg discussed the development of performance management metrics for the Department of Defense and asked the Board members to assist in identifying the proper metrics. The members are to provide him with comments by May 31, 2002.

- The Board's four work groups spent the majority of the day preparing to address specific issues.
  - Management Information concentrated on performance metrics. The team recommends including "best value for the taxpayer," a variant of the shareholder value concept, incorporating cost measurements in the metrics.
  - Human Resources focused on attraction and retention of high quality professional and managerial talent. In addition, the team considered recruitment and retention of enlisted personnel, and ways to improve local schools as part of the work-life balance for Defense personnel.
  - Supply Chain discussed the logistics environment with Mr. Aldridge and Ms. Morales, emphasizing vendor and transporter compliance contracts.

- Change Management addressed establishing a plan for incorporating cultural changes in the Defense Department, including mentoring programs and incentives.

- The Board scheduled its next meeting for July 18, 2002.

COORDINATION: None.

Prepared by: Gretchen Anderson, (b)(6) and Lois Douglas (b)(6)

Snowflake

9:56 PM

TO: J.D. Crouch

FROM: Donald Rumsfeld DR

Advance copy provided

DATE: September 23, 2002

SUBJECT:

Bad Iraq

One of the things we will want to mention in the bilats is that we want to know what they sold Iraq, and maybe I ought to say it in one of the meals in the informal with the ministers only; possibly at the lunch, when it is one plus one.

Thanks.

DHR/azn
092302.07

Please respond by: _____

23 Sep 02

U08580 /03

snowflake

1:38 AM

TO: Powell Moore

FROM: Donald Rumsfeld DR

DATE: September 23, 2002

SUBJECT:

Larry Di Rita 10/1

032

Get me a piece of paper about Congressman Andrews. Let's do it fast!

Thanks.

DHR/azn
092302.07.a

Please respond by: 9/25

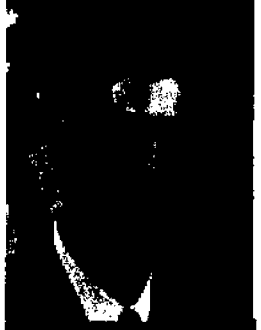
T 9/30

23 Sep 02

U08581 /03

Rep. Robert E. Andrews (D-NJ) 1st

HASC MEMBER



HASC MEMBER
6th (E. 1990)

Hometown: Haddon Heights
Born: August 4, 1957; Camden, N.J.
Religion: Episcopalian
Family: Wife, Camille Spinello Andrews; two children
Education: Bucknell U., B.A. 1979 (political science); Cornell U., J.D. 1982
Military Service: None
Career: Professor

Committees:

Armed Services (Military Personnel; Military Research & Development; Morale, Welfare & Recreation)

Education & Workforce (21st Century Competitiveness; Employer-Employee Relations - ranking member)

SECDEF Correspondence:

None Indicated

District Military Facility:

Gibbsboro Air Force Station

MAJOR CONCERNS

Voted yes on Iraq resolution 10/10/02

On Iraq: "I believe the failure to act is the greatest risk to innocent life in this country, in Iraq and around the world, I share with the President the conviction that I am not willing to risk the lives of any Americans or any people anywhere on a prediction of the behavior of Saddam Hussein."

Supports DD-21 project to develop a new class of destroyers - Lockheed Martin facility located in his district.

Supports more efforts to confront cyber-terrorism. Has inquired about spending levels for information assurance.

Interested in MEADS as opposed to PAC-3 program.

BUDGET ISSUES

DD-1/ DD-X R&D: Program being converted to R&D program for a family of ships.

Snowflake

1:38 AM

TO: Powell Moore

FROM: Donald Rumsfeld DR

DATE: September 23, 2002

SUBJECT:

Iraq

Make sure you send Mark Kirk a summary of all the times our planes have been attacked so he has the hard data since the letter arrived.

Thanks.

DHR/azn
092302.08.a

Please respond by: 9/28

23 Sep 02

U08582 /03

Snowflake

1:38 AM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

DATE: September 23, 2002

SUBJECT:

Northcom

Where does Abercrombie get this stuff that NORTHCOM is going to cost $300M? What's in that number? That sounds outrageous.

Furthermore, I want a briefing fast on how many people are going to be in that command because I want it small.

Thanks

DHR/azn
092302.09.a

Please respond by: 9/25

23 Sep 02

U08583 /03

snowflake snowflake

1:38 AM

TO: Larry Di Rita
Powell Moore

FROM: Donald Rumsfeld DR

DATE: September 23, 2002

SUBJECT:

320.64

I need an answer to Taylor on chem-bio. And I would like to know what a chem-bio unit costs, and whether or not any cities or states have them.

Thanks.

DHR/azn
092302.10.8

Please respond by: 9/30

23 Sep 02

U08584 /03

snowflake

1:35 PM

TO: Larry Di Rita

FROM: Donald Rumsfeld DR

DATE: April 15, 2002

SUBJECT: **Budget**

What do you think about a section of our budget that includes legislative overhead That is to say, the things that we believe we don't want in our budget, we don't think ought to be spent; are not our priorities. Then we would have two budgets; one that we want, and one that they want. Then we could put an indication of what we would do with the money if we had the money that they are putting in our budget that we don't want, and how we would spend it; on ships, guns, planes.

Thanks.

110.01

DHR/azn
041502.41

Please respond by: 4/23/02

5/7

To: Dr Zakheim

Please advise.

D. Rita

15 Apr 02

snowflake

May 17, 2002 4:44 PM

TO: Gen. Wayne Downing (ret.)

FROM: Donald Rumsfeld

SUBJECT: Metal Storm

Thanks so much for sending along the CD. I appreciate it.

Regards,

DHR:dh
051702-24

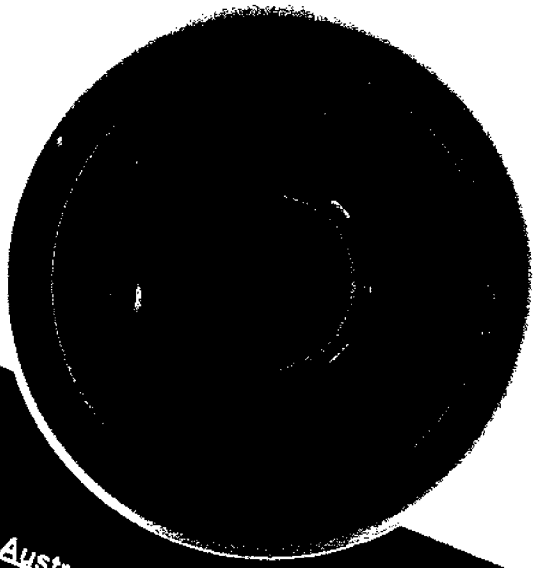
470

17 May 02

U08592 02

Metal Storm

Key Technology for Defense and Industry



Information Pack
October 2001

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Brisbane, Qld 4000 Australia
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Fax: 61 [0] 7 3221 9788
Email: ms@metalstorm.com
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Web Site: www.metalstorm.com

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A.C.N. 064 270 006

U08592 02

11-L-0559/OSD/8789

GENERAL WAYNE A. DOWNING
U.S. Army (Retired)
National Director &
Deputy National Security Advisor
for Combating Terrorism

May 15, 2002

Secretary Rumsfeld:

We talked about Metal Storm at the NSC meeting this morning.

Enclosed is a CD that explains the technology and displays a few of the applications. It plays on your office computer's CD-ROM drive very nicely.

I am available to discuss this further. Also, the Australian inventor, Mike O'Dwyer, is in town for the next couple of weeks and I know he would be happy to drop by.

SECDEF HAS SEEN

VR,

Wayne

I've read the attached CD-ROM. Recommend we have Mike O'Dwyer come to see us.

Snowflake

EF150916
02/007108-OSAP

May 6, 2002 10:37 AM

ISA/NESA

I-007108

TO: Doug Feith

FROM: Donald Rumsfeld

SUBJECT: Pakistan

Please give me an answer after you press Bolton as to whether or not this happens.

Thanks.

Attach.
USD(P) info memo to SecDef re: Pakistan Security Assistance and Commercial Licensing Status [U07229/02]

DHR:dh
050602-23

Pakistan

Please respond by 05/24/02

S/7

USDP –
ISA/DSCA has lead. Will try to close ASAP.

V/R
LA

6 May 02

MAY 7 02 8:59 AM

1108608 /02
05-07-02 06:44 IN

11-L-0559/OSD/8791

MAY-08-2002 10:31 DSCA-MIDDLE EAST 703 604 6543 P.02/04

snowflake

Due 9/30

TO: Gen. Craddock

FROM: Donald Rumsfeld DR

DATE: September 24, 2002

SUBJECT:

I need some photographs of a J-Dam kit.

Thanks.

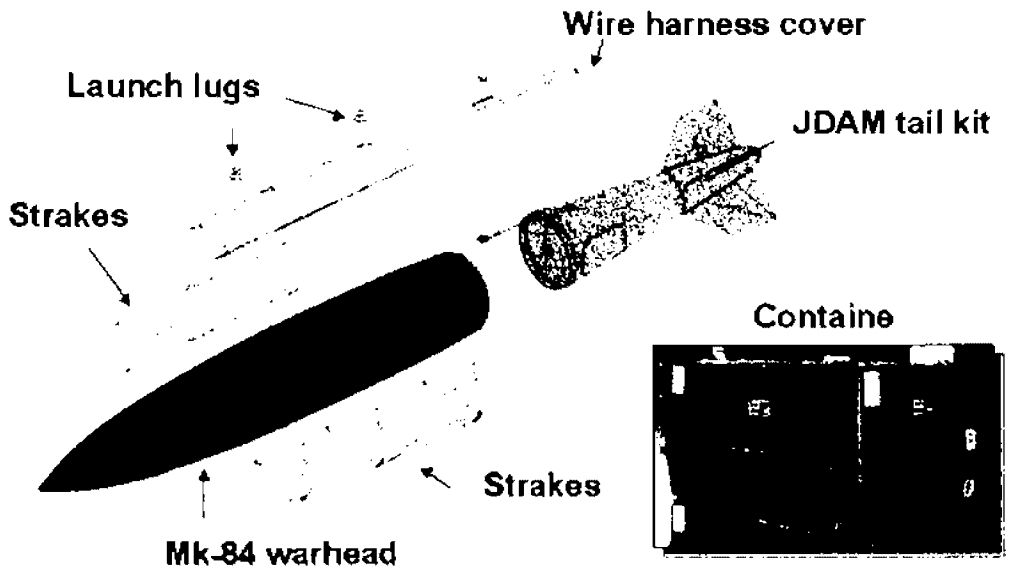
DHR/azn
092402.01

Please respond by: _____

1741

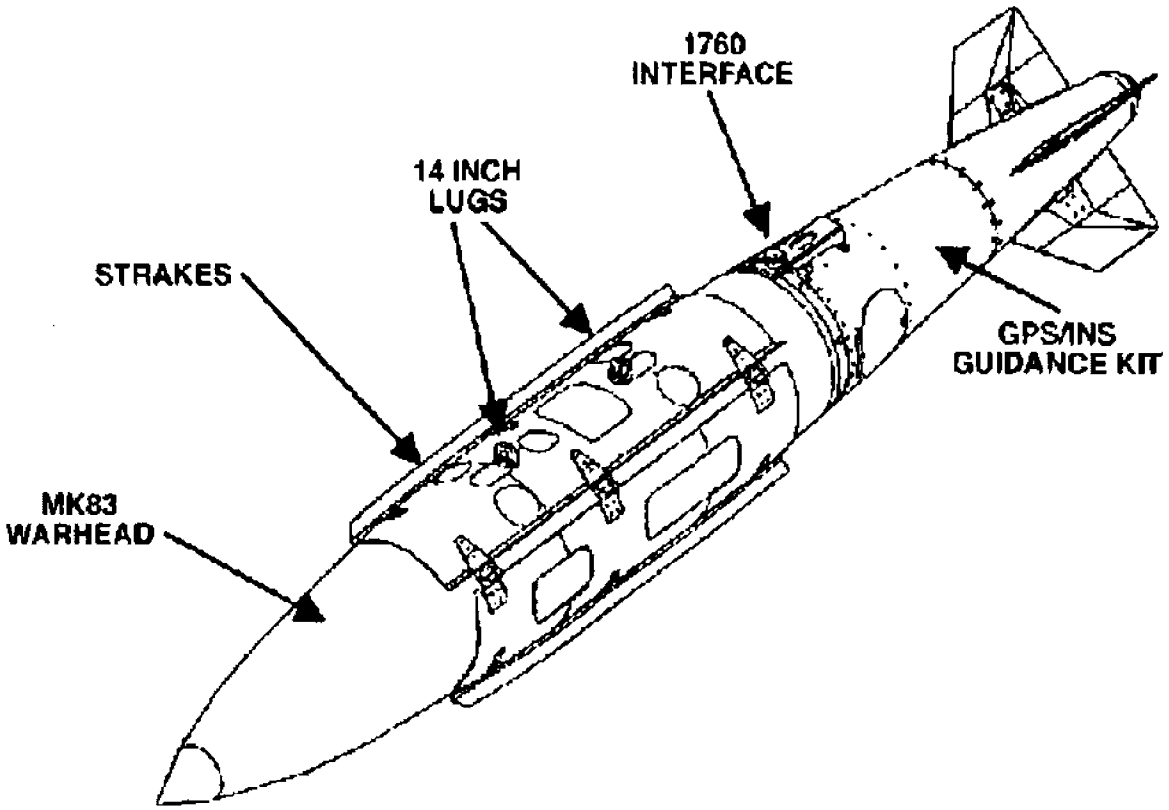
24 Sep 02

U08626 /03



JDAM Tail Kit

GBU-32 JDAM
Joint Direct Attack Munition



Specifications

Mission	Close air support, interdiction, offensive counterair, suppression of enemy air defense, naval anti-surface warfare, amphibious strike	
Targets	Mobile hard, mobile soft, fixed hard, fixed soft, maritime surface	
Variant	JDAM	JDAM-PIP (PRODUCT IMPROVEMENT PROGRAM)
Service	Air Force and Navy	NAVY
Program status	Development	
First capability	1997	2004
Guidance method	GPS/INS (autonomous)	GPS/INS mid-course with a terminal seeker yet to be selected
Range	Greater than 5 nautical miles, up to 15 miles	
Circular error probable	13 meters using integrated GPS/INS unit 30 meters using INS only	3 meters
Development cost	$683.9M FY 1995 estimate $399.3M FY 1999 estimate	Air Force has programmed about $76.5 million for development through 2001
Production cost	$4,154.4 million	
Total cost	$4,650.6 million	
Acquisition unit cost	$62,846	
Average unit cost (40,000 units)	$18,000 current estimate $42,200 initial estimate	
Quantity	Navy: 12,000 Air Force: 62,000	5,000--kits to be added to basic JDAM
Platforms	B-52, B-1, B-2, F-22, F-16, F-15E, F- 117, F-14 A/B/D, F/A-18C/D, F/A-18E/F, AV-8B, P-3, S-3	

snowflake

Done

TO: Gen. Craddock

FROM: Donald Rumsfeld

DATE: September 24, 2002

SUBJECT:

413.77

I need a briefing on J-Stars and J-Dams both, with pictures and indications of what they do and what they don't do, how they have been used, and what their potential is.

Thanks.

DHR/azn
092402.03.

Please respond by: _____

24 Sep 02

U08627 /03

snowflake

OSD 7,000

TO: Torie Clarke

FROM: Donald Rumsfeld

DATE: September 24, 2002

SUBJECT:

That's the end of the *London Times* interviews for me. I'm going to stick to live television where they can't catch you and you are what you are, rather than what they want to make you be.

Thanks.

DHR/azn
092402.04

24 Sep 02

U08631 /03

Please respond by: 11-L-0559/OSD/8797

snowflake

8:33 AM

TO: Larry Di Rita

FROM: Donald Rumsfeld

DATE: September 25, 2002

SUBJECT: **Investigation**

420

Get on top of this body armor investigation that claims it was defective and let me know what's going on.

Thanks.

DHR/azn
092402.01

Please respond by: 10/5

25 Sep 02

U08632 /03

snowflake

8:33 AM

TO: Powell Moore

FROM: Donald Rumsfeld

DATE: September 25, 2002

SUBJECT: **Zinni**

032

If Zinni ever testifies to the house or senate, I would like to see a copy of the testimony.

Thanks.

DHR/azn
092302.05

Please respond by: 10/10

T 11/1

done

25 Sep 02

12/17

U08633 /03

Snowflake

TO: J. D. Crouch

FROM: Donald Rumsfeld

DATE: September 25, 2002

SUBJECT:

We are going to have to figure out what the NATO countries are talking about when they complain about why they can't buy J-dams.

Thanks.

DHR/azn
092502.01b

Please respond by: 10/5

Nato 471

25 Sep 02

U08635 /03

TO: J. D. Crouch

FROM: Donald Rumsfeld DR

DATE: September 25, 2002

SUBJECT:

Portugal

Don't forget to put into the memo to the President that Portugal will be with us, he said, as well as Norway.

Thanks.

DHR/azn
092502.01c

Please respond by: _____

25 Sep 02

U08636 /03

Snowflake

TO: J. D. Crouch

FROM: Donald Rumsfeld DR

DATE: September 25, 2002

SUBJECT:

Nato 337

Make sure that Nick Burns does a cable on the ministerial meeting with Ministers only there for dinner. He is going to get the notes from Secretary General's scribe.

Thanks.

DHR/azn
092502.02c

Please respond by: _____

25 Sep 02

U08637 /03

TO: Gen. Craddock

FROM: Donald Rumsfeld DR

DATE: September 25, 2002

SUBJECT:

I need an answer on Abercrombie and what he's talking about with all those people at NORTHCOM.

Thanks.

DHR/azn
092502.02d

Please respond by: 10/5

Northcom

25 Sep 02

U08638 /03

Snowflake

Nato 337

TO: J. D. Crouch

FROM: Donald Rumsfeld DR

DATE: September 25, 2002

SUBJECT:

On the cable in the President's letter make sure we make note of the fact that we had the meeting in the room where the Warsaw Pact was signed.

Thanks.

DHR/azn
092502.03c

Please respond by: _____

25 Sep 02

U08641 /03

Snowflake

TO: J. D. Crouch — advance copy provided

FROM: Donald Rumsfeld DR

DATE: September 25, 2002

SUBJECT:

Italy

I've got a note that suggests to me that Martino told me that Italy could do 1,000 people but they couldn't do it til March 3rd.

Does that make sense?

Thanks.

DHR/azn
092502.05c

Please respond by: 10/5

25 Sep 02

U08642 /03

TO: Doug Feith

FROM: Donald Rumsfeld

DATE: September 25, 2002

SUBJECT:

Poland

The Polish people trained Iraqis. I have a feeling they have contacts with people in Iraq who could be helpful to us. We have a good intel relationship. Why don't we explore it?

Thanks.

DHR/azn
092502.06c

Please respond by: 10/5

25 Sep 02

U08643 /03

Snowflake

TO: Doug Feith

FROM: Donald Rumsfeld D

DATE: September 25, 2002

SUBJECT:

Belarus

Someone told me that Belarus was training Al Qaeda and Iraqis. I wonder if someone ought to check on that.

Thanks.

DHR/azn
092502.07c

Please respond by: 10/5

25 Sep 02

U08644 /03

Snowflake

TO: J.D. Crouch

FROM: Donald Rumsfeld DR

DATE: September 25, 2002

SUBJECT:

Make sure that the memo on the ministerial meeting mentions that Turkey in their intervention on Iraq talked about the fact that they lost $60 billion dollars during the last war for which they weren't repaid.

Thanks.

DHR/azn
092502.07d

Please respond by: 9/25

NATO 337

25 Sep 02

U08645 /03

Snowflake

NESM
EF2934
02/014208

SEP 26

TO: Doug Feith

CC: Torie Clarke

FROM: Donald Rumsfeld

DATE: September 25, 2002

SUBJECT:

Afghanistan

Someone should do a major speech on Afghanistan, explaining where they were, what happened, where they are now and indicating that it is up to the Afghan people, the people in the country, the Afghan people outside the country, and to the people who care about Afghanistan and the Afghan people that they not be returned to the misery they were in before the Taliban were thrown out. It should lay out a forward look as to what needs to be done, how the government has to function, how people have to support the government, how people have to deliver on their promises, how the government has to be wise and earn the support of the people so that they will reject Taliban influence and reject Al Qaeda influence.

We need a good conceptual speech that describes where the responsibility is (and moves the blame if it fails away from the U.S.), namely on the Afghan people and on the international community.

We need to get some markers laid down.

Thanks.

DHR/azn
092502.08c

10/15
SecDef -
This outline is a good start. May be a good speech for Nov-Dec timeframe to recognize one-year after Taliban started falling. For you? SecState?
D. Rita
25 Sep 02

Please respond by: 10/5

U08646 /03

Larry Di Rite
10/16

09-26-02 18:17 IN

OCT - 7 EF2934 LA

ASSISTANT SECRETARY OF DEFENSE

2400 DEFENSE PENTAGON
WASHINGTON, DC 20301-2400

INFO MEMO

INTERNATIONAL SECURITY AFFAIRS

EF2934
I-02/~~14466~~ 014208
USDP 10/9/02

FOR: SECRETARY OF DEFENSE DepSec Action_____

FROM: Assistant Secretary of Defense, International Security Affairs
(Peter W. Rodman, (b)(6) 08 OCT 2002

SUBJECT: Major Policy Speech on Afghanistan (U)

- You asked about someone doing a major speech on Afghanistan, and proposed some issues that might be included in it (next under).
- I have given some thoughts in outline form to Mark Thiessen, who I understand is already working on such a speech.
- Bill Luti's staff will collaborate with him as appropriate.

COORDINATION: Tab A

Attachments:

Next under	Speech snowflake
Tab A	Coordination

PDASD/ISA (Peter C.W. Flory) Cop provided

Prepared by M. D. Walsh, ISA/NESA, (b)(6)
DASD/NESA W J Luti 07 OCT 2002

10-08-02 11:09 IN

AFGHANISTAN SPEECH OUTLINE

I. WHERE WERE THEY A YEAR AGO?

- Afghanistan as political/diplomatic "failed state".
  - Taliban regime in power.
  - UBL/Al-Qaeda sanctuary in Afghanistan.
  - Regime isolated, not recognized by majority of world community; sanctioned by UN.
  - Islamic militancy breeding ground.
- Economic/Financial
  - Collapsed economy sector; no trade relations with U.S. and West.
  - Revenue through drug production and cross-border smuggling.
  - Financial support from UBL/overseas Wahhabi elements.
  - Struggling commercial activity in major cities.
- Humanitarian
  - Nationwide famine; growing IDP and refugee populations.
  - Zero to limited NGO/IO aid distribution.
  - U.S. biggest Humanitarian Assistance donor for UN efforts in Afghanistan.
  - Harassment/extortion/killing of international aid workers.
- Social
  - Extensive human rights abuses, including persecution of ethnic and religious minorities.
  - Harsh application of Sharia law; collapse of judicial system.
  - Women's rights denied.
  - No social mobility; unemployment.
  - Lack of education for women and girls.

II. WHAT HAPPENED?

- U.S. traced responsibility for September 11th attacks on UBL/Al-Qaeda network, being harbored by Taliban regime.
  - U.S. sought extradition of UBL; when refused, we acted.
  - Struck with vigor, surprise, and purpose on October 7th.
  - Month later, Taliban regime collapsed, Al-Qaeda on the run.
  - U.S. concurrently worked to support introduction of new Afghan government.
- Conference in November produced the Bonn Agreement, signed on December 5th, 2001.
- Agreement outlined structure of interim and future permanent Afghan governments.

III. WHERE THEY ARE NOW?

- Interim government established in Kabul late December 2001, received near-immediate worldwide recognition, seat in UN.
  - Began organizing itself and planning for Emergency Loya Jirga to choose transitional government.
  - Loya Jirga held in June 2002, chose Afghan Transitional Authority (ATA).
  - ATA will establish Afghan government institutions, consolidate private sector re-construction efforts.
- People of Afghanistan taking responsibility for bringing their country back to life through building, commerce, trade, travel, education, health care.
- Simultaneously, they are seeking to reconcile old wounds and new challenges:
  - Nationwide security, law and order,
  - Residual ethnic tensions, regional "warlordism,"
  - Opposition to Karzai government, external interference.

IV. WHERE THEY ARE GOING?

- Bonn Agreement establishes roadmap to permanent government in Afghanistan by 2004.
  - ATA to continue work on establishing bureaucratic and administrative framework of future permanent government.

11-L-0559/OSD/8812

- Next steps include establishing Constitutional Commission to work on new national constitution, based on constitution of 1963.
- Constitutional Loya Jirga (to be completed by December 2003) to ratify new "broad-based, gender-sensitive, multi-ethnic and fully representative"constitution.
- Once constitution adopted, general elections to be held so that new, permanent government assumes power by June 2004.

V. WHAT IS THE WAY AHEAD?

- What needs to be done?
  - Establish the writ of the ATA across Afghanistan.
  - Implement nationwide reconstruction.
  - Field trained Afghan security forces: army, border guards, police.
- Who can help?
  - U.S. pressing UN and international donors to speed up provision of reconstruction assistance.
  - U.S. providing significant assistance on our own through USAID and DOD (reconstruction, humanitarian assistance, support for training army respectively.)
  - Afghans have capacity to meet challenges they face but need the tools to be successful.
- An opportunity and a risk.
  - Rapidity with which Taliban/Al-Qaeda regime fell reflects their shallow roots in Afghan soil.
  - Afghanistan's liberation is an affirmation of the impulse to freedom felt by the mass of Afghans after so many years of war and upheaval.
  - Afghanistan's struggle to re-build itself is clear, unambiguous rejection of Talibanism, terrorism, and oppression of Al-Qaeda.
  - Opportunity is at hand to strengthen Afghanistan and ensure it never reverts to terrorist safe haven again.
  - Will not be automatic – nothing is assured without sustained engagement by not just U.S. and Afghan people, but international community as well.
  - Challenge over the next period is to ensure the opportunity and dispel the risk.

11-L-0559/OSD/8813

Coordination Page

Assistant Secretary of Defense (Public Affairs)	Ms Torie Clarke	Copy provided
SECDEF Speechwriter	Mr Mark Thiessen	Copy provided
Office of Stability Operations (SO/LIC)	Dr Joe Collins	Copy provided
Joint Staff (J5)	Col Oscar Anderson, USA	Copy provided

snowflake

September 30, 2002 7:51 AM

TO: Doug Feith

CC: Gen. Myers

FROM: Donald Rumsfeld DR

SUBJECT: Inter-agency Task Forces

General Holland is putting together an inter-agency team at SOCOM that has broad representation from around the government. I know other combatant commanders have inter-agency task forces as well.

You might want to think about how we ensure this does not encourage direct tasking of combatant commanders by other agencies. Similarly, how do we ensure that combatant commanders do not make commitments of resources to other agencies?

I see a lot of mini-NSC staffs being formed, with the exception that there is no OSD representation. How do you feel about that?

See me after you have your thoughts together.

DHR:dh
092602-1

Please respond by 10/11/02

334

30 Sep 02

47
U0867 /03

snowflake

September 26, 2002 6:51 AM

322

TO: Doug Feith

CC: Gen. Myers

FROM: Donald Rumsfeld

SUBJECT: Inter-agency Task [redacted]

General Holland is putting togeth[redacted]as broad representation from aroun[redacted]t commanders have inter-agency t[redacted]

You might want to think about how we ensure this does not encourage direct tasking of combatant commanders by other agencies. Similarly, how do we ensure that combatant commanders do not make commitments of resources to other agencies?

I see a lot of mini-NSC staffs being formed, with the exception that there is no OSD representation. How do we feel about that?

Thanks.

DHR:dh
092602-1

Please respond by _____

26 Sep 02

U08647 /03

Snowflake

September 26, 2002 11:03 AM

Pakistan

TO: Doug Feith

FROM: Donald Rumsfeld DR

SUBJECT: U.S.-Pakistan Defense Consultative Group

What is this 40-person delegation you took? Is that possible?

Thanks.

Attach.
Aerospace Daily, "Pakistan, U.S. Meet on Defense After Five-Year Hiatus," September 26, 2002.

DHR:dh
092602-4

Please respond by _____

26 Sep 02

U08648 /03

But it is a precarious position at the moment. Suspicions are rampant in the 15-nation European Union over Mr. Blair's closeness to Washington and even at home the British press has regularly portrayed him as "Bush's poodle."

The extent of his real influence with an independent-minded administration in Washington often appears limited. The British prime minister is pushing hard to insist that any military action in Iraq happen only with United Nations backing, but the Bush administration continues to insist it will act unilaterally if necessary.

"I think the view on the Continent is still very much that he is someone who is being ridiculously pro-American," said Charles Grant, head of the London-based Center for European Reform. "The people I meet there and in Labor Party circles here think that the poodle reference is too strong, but they think that he is more supportive than he need be."

At stake is Mr. Blair's ambition to be a strong leader in Europe and his conviction, despite misgivings at home, that Britain's place is unquestioningly at the side of America. Squaring that circle has been the central mission of his time in office.

Europeans who eyed him warily because of his closeness to Mr. Bush give him credit these days for helping steer the administration toward cooperation with the United Nations. But that credit is conditional.

"Most people I know would say that Blair's length of rope or, if you like, his amount of leeway is directly tied to the evidence of how much moderating influence he can continue to exert in Washington," said John Palmer, a Briton who heads the European Policy Center in Brussels.

In a daylong debate in the House of Commons on Tuesday following the release of an intelligence report on Saddam Hussein's weapons buildup, even speakers supporting Mr. Blair tied their backing to an understanding that Britain would not join the United States in any military action that was not endorsed by the Security Council.

Among Britain's European allies, Germany, for one, reacted dismissively today to the British report. Uwe-Karsten Heye, the government spokesman, said "An initial reading of the papers has not found anything yet, but perhaps it lies in the details."

Mr. Blair was the European leader who rallied support for the NATO bombing of Yugoslavia in 1999 and was Washington's staunchest ally in the war in Afghanistan. Those campaigns were less risky than his current solidarity with Washington in a less-popular cause.

"I can see no circumstances under which Blair and the British government will not be fighting along with the Americans, and that will make the Europeans angry," said Dana Allin, senior fellow for trans-Atlantic affairs at the International Institute for Strategic Studies in London.

But Chris Patten, a Briton who is the European Union's commissioner for external relations, said he thought Mr. Blair's current approach would gain European favor even if it ended in force.

Speaking from Strasbourg, he said of Mr. Blair: "He is being very firm about the importance of working through the U.N. If you go through the U.N. and you still don't get compliance from Iraq, what are you left with? Writing a letter to The Times? Running with a petition up the High Street? That is a reasonable position for Europe, and if he can keep articulating that, he will have no trouble straddling the Atlantic."

Mr. Blair left the House last night to meet with newly re-elected Chancellor Schröder at 10 Downing Street to help mend relations with the United States that have been described by the administration as poisoned. Mr. Schröder achieved his wafer-thin margin of victory partly through an antiwar campaign that was critical of Mr. Bush's Iraq plans.

Mr. Schröder's trip marked a break with a German tradition of post-election travel to Paris, illustrating Britain's pivotal role as Washington's closest partner and suggesting possible new trans-Atlantic alignments.

"Since the French priority is to reinforce links with the U.S. that had been endangered in the past few months, what Blair is doing is not necessarily bad for us," said Dominique Moïsi, deputy director of the French Institute for International Relations.

"It is discreetly satisfying for us to see the state of affairs between Germany and the U.S. because the Americans cannot have two crises, one with France and one with Germany, and now the Germans have taken over and that is good," he said.

French unease at Britain's Atlanticist role is tempered by military ties within the European Union formed in St.-Malo, France, in 1998. Mr. Blair accepted a long-standing French proposal calling for a European military force under the aegis of the European Union capable of conducting military operations independently of NATO.

"Since St.-Malo, there is a feeling that we are the two responsible countries in Europe, the only ones who know what war is about," Mr. Moïsi said. "It is competition, but positive competition."

Aerospace Daily
September 26, 2002

42. Pakistan, U.S. Meet On Defense After Five-Year Hiatus

NEW DELHI - Pakistan and the United States have begun their first consultations on defense cooperation in five years.

Undersecretary of Defense Douglas Feith is leading a 40-person delegation to the U.S.-Pakistan Defense Consultative Group, its first meeting since 1997. The group's meeting began Sept. 25 in Islamabad. Feith was slated to arrive Sept. 26. A U.S. embassy official in New Delhi said the group would review defense ties between the two countries and discuss counterterrorism operations along the Afghanistan border.

Pakistan also has drawn up a "wish list" of defense equipment it would like to buy from the U.S., including three P-3 Orion maritime surveillance aircraft, Harpoon missiles, and other equipment (DAILY, Sept. 18). The country also is seeking F-16s it bought and paid for, but which were blocked when sanctions were put in place after Pakistan's nuclear tests. Pakistani diplomats in India told The DAILY earlier this month that the U.S. would reimburse Pakistan for the aircraft.

Pakistan also is seeking surveillance equipment. A senior U.S. defense official, briefing reporters in advance of Feith's visit, said "in general, that kind of cooperation will be discussed."

- *Bulbul Singh*

Korea Times
September 26, 2002

43. Seoul, Beijing To Hold 1st Security Talks

By Park Song-wu, Staff Reporter

Security talks between director-level officials from South Korea and China will be held for the first time in Beijing next month, the Ministry of Foreign Affairs and Trade said yesterday.

``Officials from the two nations' foreign and defense ministries will exchange opinions on promoting regional security and bilateral interests, including Pyongyang's open-door policy,'' said Park Yong-jun at the ministry's Asia and Pacific Affairs Bureau.

Park added, ``Procedural matters including the exact date and venue for the talks are being decided.''

This will be the first bilateral security dialogue between the two sides, following an agreement reached on Aug. 2 by Foreign Minister Choi Sung-hong and his Chinese counterpart Tang Jiaxuan to hold working-level security meetings on a regular basis.

The ministry plans to dispatch a delegation led by Shin Jong-seung, Director-General of the Asian and Pacific Affairs Bureau, who will encounter his Chinese counterpart, Fu Ying.

Seoul and Tokyo have held security talks since 1998,

snowflake

~~TOP SECRET~~

~~CODEWORD~~

September 27, 2002 4:28 PM

4152 R

TO: Gen. Jumper

FROM: Donald Rumsfeld

SUBJECT: Predator

Thanks for your note and the update on the Predators. I don't know what some of these abbreviations mean here—"MX trainer donor" and "AV design."

I continue to be concerned. I think the losses are too close to our production rate. I wonder if we need better training, or we need to put a full court press on trying to fix any mechanical failures.

Thanks.

Attach.
Undated note to SecDef from Gen. Jumper

DHR:dh
092702-18

Please respond by 10/18/02

27 Sep 02

U08649 /03

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~~CODEWORD~~

~~TOP SECRET~~

snowflake

September 27, 2002 2:07 PM

TO: Larry Di Rita
Co. Lucci
FROM: Donald Rumsfeld DR

SUBJECT: Space Commission and Admiral Ellis

I told Admiral Ellis that he ought to get all the members of the Space Commission together sometime here in the office, we could host a lunch, introduce them to him and he could get to know them a little bit. I thought it would be a good thing.

Thanks.

DHR:dh
092702-4

Please respond by 10/15/02

27 Sep 02

U08650 /03

Snowflake

September 27, 2002 2:10 PM

Northcom

TO: Steve Cambone
Larry Di Rita
Col. Bucci

FROM: Donald Rumsfeld DR

SUBJECT: Meeting w/Eberhart

I think I need a meeting with Eberhart sometime. I notice that the remarks for the standup of NORTHCOM was legally incorrect as to what his responsibilities were going to be, and I'm afraid people still don't get it. I've got to get it in my head to make sure he and I are on the same wavelength.

Thanks.

DHR:dh
092702-5

Please respond by 10/11/02

27 Sep 02

U08651 /03

snowflake

~~TOP SECRET~~

September 27, 2002 2:21 PM

350.09

TO: Honorable George Tenet

FROM: Donald Rumsfeld

SUBJECT: Intel

Please take a look at this marked paragraph in this Senior Executive Memorandum.

I can't imagine why we would want to tell the world about that. Why don't we tighten up—unless there's something I don't understand. If you could explain to me why it is important for all the people who receive this memo to know that, I'll back off, but I just can't imagine why they all need to know that. It looks a little bit to me like people are just proud of what they're doing.

Thanks.

Attach.
26 September 2002 Senior Executive Memorandum

DHR:dh
092702-7

cc Honorable Cambone
Hayden
Jacoby

27 Sep 02

U08652 /03

~~TOP SECRET~~
~~UNCLASSIFIED~~

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snowflake

4/27

September 27, 2002 2:45 PM

380.015

TO: Torie Clarke

FROM: Donald Rumsfeld

SUBJECT: Article

Advance Copy Sent

Please don't forget to give me that article from a couple of days ago about leaking.

Thanks.

DHR:dh
092702-8

Please respond by 10/4/02

10/2

Response attached

DeMint

27 Sep 02

U08653 /03

TO: SecDef

FROM: Torie Clarke

DATE: 1 October 2002

SUBJECT: Article

Here is the article on leaks you requested. Peter Johnson is a reporter for *USA Today*. He mainly writes in the Life section. He is a media reporter who writes about news shows and reporters. He is fairly prolific, plenty of his work available. This is the first time I have seen his work. He is not a regular Pentagon reporter. I have included a couple of his stories for your information.

USA Today
September 24, 2002
Pg. 6D

The Media Mix

Rumsfeld: Pentagon Leakers Know Zero

By Peter Johnson

With an invasion of Iraq looking more likely, reporters have been digging into specifics.

And some scenarios they've written about don't sit well with Defense Secretary Donald Rumsfeld, who has been on record for months that Pentagon leakers should be prosecuted. This comes even amid talk that he has probably done some leaking himself.

Sunday, while flying to a NATO meeting in Poland, Rumsfeld lashed out about the leaks.

"The people that are talking to the media about war plans are so far out of line and so disgracefully misbehaving," he said. "Anyone who knows anything isn't talking, and anyone with any sense isn't talking. Therefore, the people that are talking to the media are, by definition, people who don't know anything."

Rumsfeld watchers noted that there was nothing particularly new in Rumsfeld's remark — just as there's nothing new with military officials giving reporters background on war preparations.

"Is Rumsfeld engaging in some psychological warfare against the press, the leakers and Saddam Hussein, and maybe all three? I would say yes," NBC Pentagon correspondent Jim Miklaszewski says.

He says many scenarios out there are based on "common sense — you begin with airstrikes, then move to the ground, and if there's a regime change into the streets of Baghdad. If you're reading stories that have final war plans, then Rumsfeld is correct. But the ones I've read have lots of caveats."

Peter Johnson, mainly writes in the Life section for USA Today (numerous articles out there from him). He is a media reporter that writes about news shows and reporters. Below are a couple of his stories and there are many more like them.

USA TODAY, September 25, 2002
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USA TODAY
September 25, 2002, Wednesday, FINAL EDITION

SECTION: LIFE; Pg. 4D; The media mix

HEADLINE: Hewitt fears push will come to shove

BYLINE: Peter Johnson

BODY:
Don Hewitt, the legendary producer of CBS' 60 Minutes, has been griping to colleagues that he is being pushed out, amid a flurry of recent conversations between him and CBS brass.

Hewitt didn't want to talk Tuesday. "I don't want to speculate about anything that is still on the table." CBS, which is grappling with the touchiest of personnel matters, apparently wants Hewitt to step down as executive producer in May and take an emeritus position. One likely scenario has 60 Minutes II producer Jeff Fager replacing him.

What is unclear is whether a powerhouse such as Hewitt would accept a new role, and, if not, whether CBS would impose one.

This much is crystal clear: In light of the Ted Koppel/David Letterman fiasco at ABC -- a PR nightmare that left the impression that ABC felt a veteran such as Koppel was expendable -- CBS executives are scrambling to work something out and avoid being tarred with the same brush.

If this were any other TV news executive, all of this would have been settled more than a decade ago in the form of retirement, forced or voluntary.

But Hewitt, who turns 80 in December, is the unique exception among network news producers, primarily because 60 has ranked in the top 10 and made truckloads of money for CBS. For decades, CBS executives have been wary of challenging the man who produced the Nixon-Kennedy debates and who is credited with coining the term "anchor."

But with 60 losing its top-10 berth (15th in total viewers) and with an aging audience (93rd in viewers 18-to-49, the oldest show on network prime-time TV), Hewitt is vulnerable. The question now appears to be not whether he will lose his top spot, but when.

His status began to change four years ago when 60 Minutes II appeared on the horizon.

At one point, correspondents opposed to a spinoff got a stern network facts-of-life talk from then-CBS chief Mel Karmazin. With the subsequent success of 60 II -- and with a 60 veteran, Fager, at the helm -- insiders have predicted the clock is ticking for Hewitt.

Hewitt appears to be as sharp as ever, even after getting knocked unconscious but not seriously hurt in a car accident Friday. Colleagues say he has not lost his touch in final edits on stories.

But word around CBS is that CEO Leslie Moonves -- bent on lowering the age of CBS viewers, and thinking Fager best suited to do it -- wants Hewitt to pass the baton. Moonves couldn't be reached Tuesday.

"This is the kind of gossip that arises when people take too much time off in the summer," CBS News president Andrew Heyward said Tuesday. "60 Minutes is entering its 35th season with Don at the helm, and that's just where he belongs. He has a long-term contract with CBS, and I hope he works here forever."

SECTION: LIFE; Pg. 6D; The media mix

HEADLINE: CBS' 'Early' ensemble won't include Norville

BYLINE: Peter Johnson

BODY:
Deborah Norville, the former NBC Today anchor who let it be known that she would love to take another whack at morning TV on CBS' The Early Show, is no longer in the running.

It's unclear whether Norville, who now anchors the syndicated newsmagazine Inside Edition, took herself out, got a cool reception from CBS or a mixture of both.

But now she's questioning whether a planned format similar to ABC's The View will play with CBS viewers at 7 a.m.

"When I heard they were leaning toward the ensemble program, I knew that was not the kind of environment in which I could do my best work," Norville said in a statement Wednesday. "I believe people want their morning information directly and to the point, and I'm not sure a group interview can achieve that." Said CBS News spokeswoman Sandy Genelius: "We have the greatest respect for Deborah Norville. We are very excited about the way our new morning show is shaping up."

Having failed to win viewers with the traditional two anchor/weatherman format that paired Bryant Gumbel and Jane Clayson with Mark McEwen, CBS plans to install an

ensemble team as an alternative to standard formats at NBC's Today and ABC's Good Morning America.

The new crew is expected to include former CBS anchor Harry Smith, NBC Sports anchor Hannah Storm, current Early newsreader Julie Chen and a fourth member, probably a woman.

Though no announcement date has been set, insiders predict it will be mid-October before CBS announces a team on the third-place morning program.

That's because the network is negotiating contracts with some contenders and needs to wait for other candidates' contracts to expire before an announcement can be made. In terms of the fourth spot on the ticket, word is that CBS is looking at eight candidates.

'Cosmo' tackles health issues

Ask most women to name the subject that most defines Cosmopolitan magazine, and sex will likely be the winner. But now, editor Kate White is trying to change the image of the 2.9-million-circulation magazine a bit by focusing more on women's health issues. She dedicated four pages of coverage in the September issue and five pages in the current October issue to the new in-depth feature called "Take Charge of Your Health," a lot of play for Cosmo health features. The current "Take Charge" is devoted to the importance of Pap smears, which can detect human papillomavirus, the primary cause of cervical cancer every year. "Women today need as much information as possible to effectively manage their health," White says. In an upcoming issue, Cosmo looks at problems with rape test kits.

CNN, 'New York Times' join forces on Iraq

In a first for both news organizations, CNN and The New York Times will report jointly on Iraq for a documentary that will air Sunday at 8 p.m. ET/5 PT on CNN. "This partnership is inspired by our belief that on vital issues, we serve our audience best by seeking the widest distribution for our journalism," Times assistant managing editor Michael Oreskes says.

CNN's Wolf Blitzer will serve as lead reporter and narrator, with contributions from correspondents Christiane Amanpour, Jane Arraf, Mike Boettcher, David Ensor, John King, Sheila MacVicar, Jamie McIntyre and Barbara Starr. The documentary also features Times reporters, including John Burns, Michael Gordon, Eric Schmitt and Patrick Tyler.

Snowflake

ADDED TO #296 Dave 10/24/02

September 27, 2002 4:23 PM

Czech Republic

TO: Gen. Myers

FROM: Donald Rumsfeld DR

SUBJECT: Prague

We have to bring closure on protection of Prague.

Thanks.

DHR:dh
092702-17

Please respond by 10/11/02

27 Sep 02

U08655 /03