

~~FOUO~~

February 17, 2006

TO: ADM Bill Fallon
FROM: Donald Rumsfeld *D.R.*
SUBJECT Assisting Victims of Philippine Mudslides

Philippines

I hope we are doing something to help the Filipinos affected by the mudslides there.

Thanks.

DHR:ss
021706-03

.....
Please Respond By 02/24/06

OSD 02585-06

17 Feb 06

~~FOUO~~

11-L-0559/OSD/55910



UNCLASSIFIED
COMMANDER , U.S. PACIFIC COMMAND
(USPACOM)
CAMP H.M. SMITH, HAWAII 96861-4028

INFORMATION MEMO

19 February 2006

Philippines

FOR SECRETARY OF DEFENSE
CHAIRMAN, JOINT CHIEFS OF STAFF

FROM Admiral William J. Fallon, Commander, U.S. Pacific Command

SUBJECT Operations in Support of Philippine Relief Effort

Mr. **Secretary** and General Pace,

Below is the fifth USPACOM update of support to the Philippine relief efforts on Leyte.

Background

- A representative of U.S. Office of Foreign Disaster Assistance (OFDA) arrived at the disaster site today. OFDA leads U.S. assistance and coordinates with the **GRP** National Disaster Coordinating Council (NDCC).

DEF CABLES

DISTRIBUTION

- | | |
|---|---|
| <input checked="" type="checkbox"/> CDEF | At a press conference today, NDCC Chairman SND Cruz urged rescuers to |
| <input checked="" type="checkbox"/> PSECDEF | continue search efforts with priority on the school building where 246 students and |
| <input checked="" type="checkbox"/> L ASST | seven teachers are missing. SND Cruz concluded that rescue efforts would |
| <input checked="" type="checkbox"/> ECSEC | continue with the expectation that people could survive up to ten days. |
| <input checked="" type="checkbox"/> SDP | International relief organizations continue to arrive and the relief architecture |
| <input checked="" type="checkbox"/> SDI | continues to develop. A UN Disaster Assessment and Coordination (UNDAC) |
| <input checked="" type="checkbox"/> AD | team arrived to assist the NDCC, UN Country Team, and provide on-site |
| <input checked="" type="checkbox"/> CD | coordination. |
| <input checked="" type="checkbox"/> C | International assistance continues to grow. Taiwan, Malaysia, and Singapore have |
| <input checked="" type="checkbox"/> B | relief workers on site and Australia and Spain have teams enroute. |
| <input checked="" type="checkbox"/> ARLE CH | Although the scheduled Balikatan staff exercise was cancelled, the objectives will |
| <input checked="" type="checkbox"/> TLE | be accomplished in the execution of the ongoing operations. |

Overview

- Delivery of relief supplies by U.S. helicopters continues. LCAC deliveries are under study but problematic due to populated coastal areas.
- Instability of the area and the viscosity of the mud, which has refilled all excavation attempts thus far, has caused the Marine Rifle Company to return to their ship, reducing the U.S. military footprint.
- Excavation of the school and town hall, two sites considered most likely to hold survivors due to their sturdy construction, is a top priority. Although no survivors

19 Feb 06

17 Feb 06

UNCLASSIFIED

have been found since **17 Feb**, efforts continue with search dogs, heat sensing devices, and sound-detecting devices. Various engineering solutions have been explored. **U.S.** forces arranged for delivery of a 7-ton drill that will arrive by **0600 EDT 20 Feb** to support local drilling and mining experts.

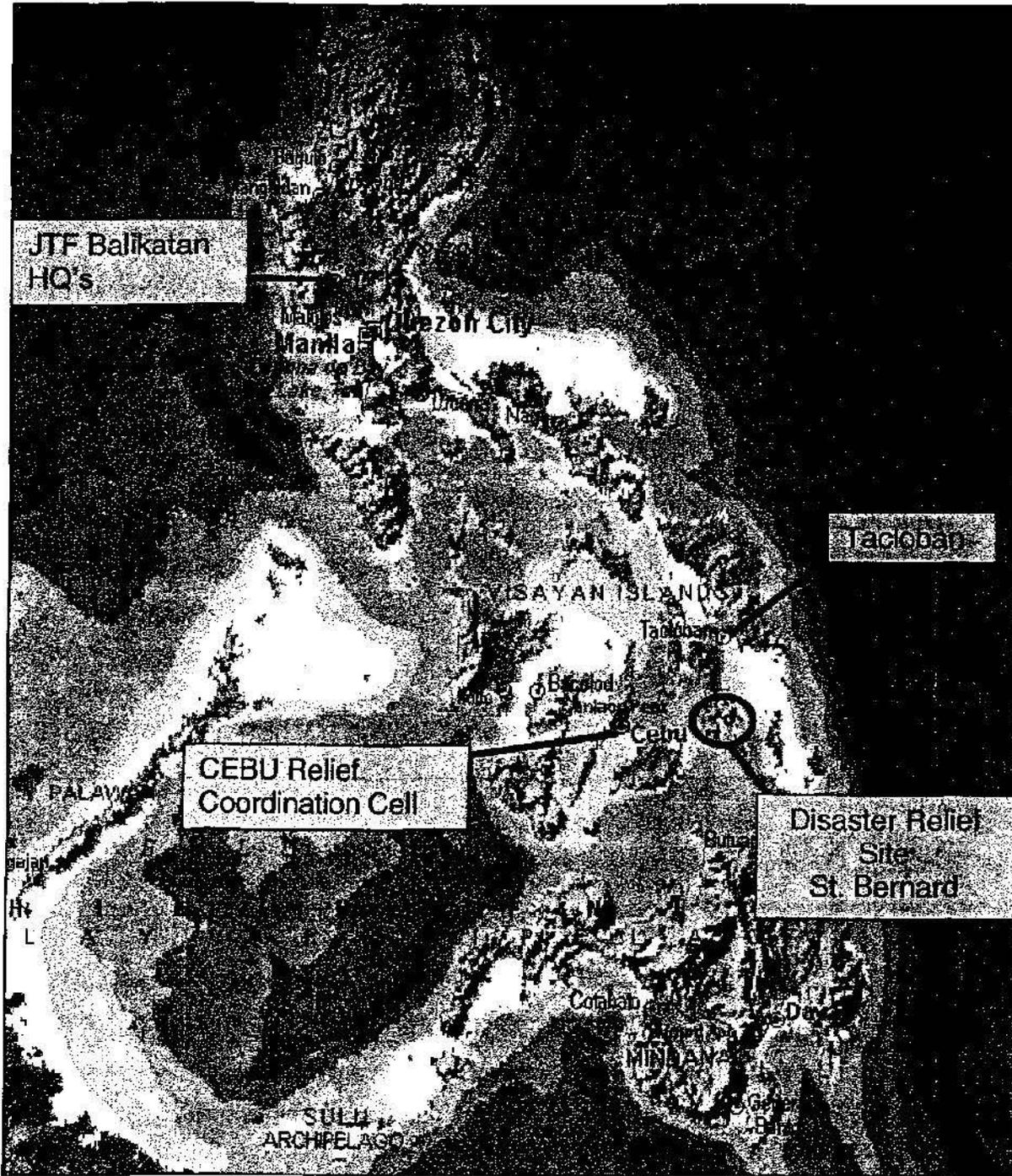
- Another priority is determining the probability of **future** mudslides. A 4-man Forward Engineer Support Team (**FEST**) from the U.S. Army Corps of Engineers Field Force Engineering (FFE) program is expected to arrive within **48 hours**. These technical geologists will **assess** the soil stability of the disaster area. Australia is also sending geotechnical and structural engineering experts.
- Relief **efforts** will distribute supplies to **five** temporary camps for displaced local residents.
- A Civil-Military Operations (CMO) cell will be established at Cebu to synchronize logistics flow with on-site needs and coordinate the efforts of other relief agencies. JTF-BK **will** participate in **this** effort with OFDA.
- **31st MEU** will provide communications equipment that will greatly enhance **GRP** command and control between the NDCC and the relief site.
- Media coverage of U.S. assistance is reported as **positive, supportive, and upbeat**. There **are** photos of Marines rendering aid in all the papers and President Arroyo has thanked the United States in both her televised press conferences.
- The Jolo bombing is now considered the result of a local feud. Media reports that CPA and NPA said they **would** not attack **U.S.** military forces involved in the humanitarian work on **Leyte**, provided they remained within the disaster area.

Summary

JTF-BK continues to provide critical coordination for the initial response. All recovery options for the school have been studied and the **best chance** of success lies with the introduction of the 7-ton drill facilitated by **U.S.** military forces. USAID/OFDA will continue to play an essential role in the coordination effort as **GRP** and international efforts mature.

COORDINATION NONE

copy to:
DSD
USD(P)
ASD(HA)
VCICS
CNO
MARFORPAC



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- The overall command and control of Balikatan exercise and relief effort is established at Clark **Air** Base. A coordination cell is being established in Cebu to coordinate relief movements into Tacloban **Air** Base and St Bernard.
- Tacloban will be our primary air hub for delivery of humanitarian and **disaster** relief supplies. A **USAF** Contingency Response Group (CRG) team is in place to ensure deconfliction between military and civilian operations
- 31st MEU personnel are establishing a river crossing, water purification capability and a tent camp **near** the river across from the mudslide. At the request of the local governor they will also assist in establishing a medical care facility **at** St. Bernard.
- International, national and Philippine press interest in the landslide and relief efforts continue. Overall coverage remains positive. PACOM will continue to emphasize that the U.S. **military** is there at the request of the Philippine government and only to assist in rescue and relief efforts.
- A request is being submitted for exception to policy in order to **use U.S.** military airlift and sealift, where appropriate, to transport **non-DOD** equipment and material in support of relief efforts.

Summary

The prospect is for relief requirements to continue expanding as assessment teams provide additional information and site surveys indicate locations to support increased operations. To ensure success of this effort, our top priority is to promote effective liaison with GRP provincial and national level disaster relief coordinating bodies that can integrate U.S. military support with ongoing relief efforts. A map is provided as an attachment to assist in orientation of relief command and control locations.

ATCH (Map)

COORDINATION: NONE

copy to:

DSD

USD(P)

ASD(HA)

VCJCS

CNO

MARFORPAC

UNCLASSIFIED

- BGen Robeson arrived at the disaster site and met with GRP civil and military officials and U.S. country team representatives.
- Integration with Philippine and NGO relief architecture continues to progress.
- Site surveys **are** being conducted for safe landing sites for LCACs and CH-53s to support rapid off-load of necessary relief items.
- Surveys of the surrounding area to determine the potential for additional mudslides **are** a high priority. Rapid deployment of a U.S. Army Corps of Engineers Forward Engineer Support **Team** with this specialty is being deployed.
- Contracting and purchasing in vicinity of Clark AB is the quickest way to get relief supplies to the **area**. HAST contracting officer facilitating this effort.
- International press interest in the landslide and relief efforts continues and remains positive, as does the response from the local populace. Will continue to emphasize U.S. Forces **are** there at the request of the Philippine government and only to assist in rescue and relief efforts.

Summary

Over the next **48** hours U.S. military capacity will continue to build. With commanders now on the ground, and relationships building with the AFP and international organizations, the scope of the work ahead will become clearer.

COORDINATION NONE

copy to:
DSD
USD(P)
ASD(HA)
VCJCS
CNO
MARFORPAC

J06/000654
ES-5101

FOUO

January 17, 2006

TO: Eric Edelman
FROM: Donald Rumsfeld *D.R.*
SUBJECT: State Department and FMS

I ought to take a look at the Department of State budget on FMS and the like to see how it is allocated, how many years out it is done, and what role the Congress plays in it. It is clearly not serving us well.

Please come back to me with a proposal.

Thanks.

DHR:ah
011706-15

.....
Please Respond By 02/16/06

OSD 02588-06

FOUO
11-L-0559/OSD/55918

~~FOUO~~

February 28, 2006

TO: Stephen J. Hadley
FROM: Donald Rumsfeld *DR*
SUBJECT: Strategy to Reform the Foreign Assistance System

691.3

I sent a note to Eric Edelman expressing my concern about the Department of State budget on Foreign Military Sales and Foreign Military Financing. You will see in his memo (attached) that we need a government-wide strategy to drive the reform on the foreign assistance system, integrating diplomacy, development and security. I would appreciate it if you would encourage it.

Thanks.

Attach 2/16/06 USD (P) memo to SecDef (OSD 02588-06)

DHR:ss
022806-07

28 Feb 06

OSD 02588-06

17 Jan 06

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11-L-0559/OSD/55919

~~FOR OFFICIAL USE ONLY~~

INFO MEMO

DSD _____

FEB 17 11:40



FOR SECRETARY OF DEFENSE

FROM: Eric S. Edelman, Under Secretary of Defense for Policy *ME* FEB 16 2006

SUBJECT: Response to your snowflake on Foreign Military Financing

- You asked that I develop a proposal for improving foreign assistance (Tab A).
 - Answers to your specific questions about Foreign Military Financing (FMF) and Foreign Military Sales (FMS) are at Tabs B and C.
- I agree that the current foreign assistance system does not serve us well. It is slow, inflexible, and not strategy-driven.
 - The Geographic Combatant Commanders continually report that foreign assistance, specifically FMF and International Military Education and Training (IMET), is subject to too many onerous restrictions to achieve your security cooperation objectives in a timely and effective manner.
- Secretary Rice's recent organizational changes — particularly the establishment of a Director for Foreign Assistance — indicate that she shares our view that cumbersome legal and bureaucratic restrictions are stifling our ability to work with others.
 - I will meet with Ambassador Tobias, recently named to the Director position, to discuss our interests in reforming foreign assistance.
- Ultimately, we need a U.S. Government-wide strategy to drive the reform of the foreign assistance system, integrating diplomacy, development, and security.
 - We are developing a long-term foreign assistance strategy that builds on lessons learned from the State effort.
- Congress also has some interest in reform, directing a Presidential report on the topic in the FY06 National Defense Authorization Act (language at Tab D).
 - We will work with State and others to draft this report. I will keep you updated.

COORDINATION: none

Prepared by Amy Chao, OSD/Strategy (b)(6)

OSD 02588-06

~~FOR OFFICIAL USE ONLY~~
11-L-0559/OSD/55920

Policy Memo Template

~~FOR OFFICIAL USE ONLY~~

Attachment:

Tab A: Snowflake titled, "State Department and **FMS** "

Tab B: Background paper on FMF

Tab C: Background paper on FMS

Tab D: FY06 NDAA language

J06/000654
ES-5101

FOUO

January 17, 2006

TO: Eric Edelman

FROM: Donald Rumsfeld *D.R.*

SUBJECT: State Department and FMS

I ought to take a look at the Department of State budget on FMS and the like to see how it is allocated, how many years out it is done, and what role the Congress plays in it. It is clearly not serving us well.

Please come back to me with a proposal.

Thanks.

DHR:dh
011706-15

.....
Please Respond By 02/16/06

11-L-0559/OSD/55922

INFORMATION PAPER

SUBJECT: Foreign Military Financing (FMF)

BACKGROUND:

- FMF is a funding source provided in the Foreign Operations Appropriations Act.
- FMF is used to fund foreign government purchases under the Foreign Military Sales (FMS) system.
- FMF funds are provided mainly on a grant (non-repayable) basis, but can be issued in the form of repayable loans.
- FMF is authorized by the Arms Export Control Act (AECA), Section 23.
 - It is directed by the Department of State (DoS) but executed by DoD.

PROCESS AND RELATED ISSUES:

- Budget Decision Making Process
 - DoD's FMF budget recommendation process begins 2 years out with top-down strategic and fiscal guidance - FY08 budget development began in early FY06.
 - DoD prepares funding recommendations by country/program for DoS.
 - The main fora to discuss our recommendations are at DoS-hosted roundtables, several months before the DoS budget is due to OMB.
 - DoD's influence over resource allocation decisions ends with the roundtables early in the process; we have little insight into and influence on State's final allocation decisions.
 - Nonetheless, DoS generally ends up supporting a majority of DoD's recommendations.
 - OMB has reduced the DoS funding request by approximately 3% every year over the past three years.
- Congressional Action
 - FMF appropriations have increased between 3% and 11% each year since FY01, except for a 6% decrease in FY06.
 - Historically, congressional earmarks have been limited to Egypt and Israel, which account for about 78% of the entire FMF appropriation.
 - In the past two years, earmarks have increased significantly, but have been roughly aligned with the President's budget request.
 - While reprogramming provisions exist in law, earmarking makes such adjustments more difficult and less flexible.
 - DoS does not formally collaborate with DoD on funding allocation decisions once the appropriation has been enacted.

INFORMATION PAPER

SUBJECT: Foreign Military Sales (FMS)

- FMS provides for the sale of defense articles, defense services (to include training), and design and construction services to partner nations.
- FMS is limited by procedures based on cold war era laws and numerous congressional oversight requirements.
 - DoD is not authorized to stockpile routine defense articles such as helmets, body armor, and night vision devices (NVDs) for use by coalition partners.
 - Congressional oversight of FMS is exercised through the practice of consultations and requirements for advance notification of FMS transfers.
 - State provides supervision and general direction of the FMS program to include:
 - Determination of whether (and when) there will be a program or sale for a particular country or activity and, if so, its size and scope; and,
 - Suspension or cancellation of FMS programs for policy or financial reasons.
 - DoD executes the FMS program under authority delegated in the Arms Export Control Act.
- DoD requires broader and more flexible authorities to fight the Long War – the Quadrennial Defense Review recommended that Congress provide considerably greater flexibility in the USG’s ability to partner directly with nations fighting terrorists.
- **The Way Ahead** - An opportunity exists to make changes to FMS-related legislation:
 - The *FY06* National Defense Authorization Act requires a Presidential report to Congress recommending changes to the Foreign Assistance Act of 1961 and the Arms Export Control Act, as amended; and,
 - DoD has proposed legislation to establish a Defense Coalition Support Account to fund and, as appropriate, stockpile routine defense articles for use by our partners.

CS3 1811 (3) SPECIFIED CONGRESSIONAL COMMIT-

2 TEES.—The congressional committees specified in
3 this paragraph are the following:

4 (A) The Committee on Armed Services, the
5 Committee on Foreign Relations, and the Com-
6 mittee on Appropriations of the Senate.

7 (B) The Committees on Armed Services,
8 the Committee on International Relations, and
9 the committee on Appropriations of the House
10 of Representatives.

11 (f) REPORT.—Not later than one year after the date
12 of the enactment of this Act, the President shall transmit
13 to the congressional committees specified in subsection
14 (e)(3) a report examining the following issues:

15 (1) The strengths and weaknesses of the For-
16 eign Assistance Act of 1961, the Arms Export Con-
17 trol Act, and any other provision of law related to
18 the building of the capacity of foreign governments
19 or the training and equipping of foreign military
20 forces, including strengths and weaknesses for the
21 purposes described in subsection (a).

22 (2) The changes, if any, that should be made
23 to the Foreign Assistance Act of 1961, the Arms
24 Export Control Act, and any other relevant provision
25 of law that would improve the ability of the United

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(Title XII)

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812

1 States Government to build the capacity of
2 governments or train and equip foreign military
3 forces, including for the purposes described in sub-
4 section (a).

5 (3) The organizational and procedural changes,
6 if any, that should be made in the Department of
7 State and the Department of Defense to improve
8 their ability to conduct programs to build the capac-
9 ity of foreign governments or train and equip foreign
10 military forces, including for the purposes described
11 in subsection (a).

12 (4) The resources and funding mechanisms re-
13 quired to assure adequate funding for such pro-
14 grams.

15 (g) TERMINATION OF PROGRAM.—The authority of
16 the President under subsection (a) to direct the Secretary
17 of Defense to conduct a program terminates at the close
18 of September 30, 2007. Any program directed before that
19 date may be completed, but only using funds available for
20 fiscal year 2006 or fiscal year 2003.

21 **SEC. 1207. SECURITY AND STABILIZATION ASSISTANCE.**

22 (a) AUTHORITY.—The Secretary of Defense may pro-
23 vide ~~s~~ to ~~re~~-transfer defense articles and funds
24 to the Secretary of State for the purposes of facilitating





LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

02/17 08:00:52

February 17, 2006, 8:00 A.M.

INFO MEMO

FOR: SECRETARY OF DEFENSE
DEPUTY SECRETARY OF DEFENSE

FROM: Robert L. Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs. (b)(6)

Robert L. Wilkie

SUBJECT: Legislative Affairs Status Report

This weekly report summarizes major Legislative Affairs issues, challenges, and activities for the Secretary and Deputy Secretary of Defense.

Hot Issues:

• **SECDEF Hearings/Engagements:**

- February 27: You are scheduled to speak at the Winter Meeting of the National Governors' Association at 12:45 PM. Your address will be closed to the press and off the record. Location: JW Marriot.
- March 16: You are scheduled to address Rep. Jack Kingston's "Theme Team," an organization of junior Republican Members, at 9:00 AM. Location: Speaker's Office, The Capitol.

• **DEPSECDEF Hearings/Engagements:**

- March 1: DepSecDef, VCJCS Giambastiani, and USD(C) Jonas are scheduled to testify before the House Budget Committee on the FY07 Defense Budget. The hearing is scheduled for 9:30 AM in Cannon 210.
- March 2: DepSecDef, VCJCS Giambastiani, and USD(C) Jonas are scheduled to testify before the Senate Budget Committee on the FY07 Defense Budget. The hearing is scheduled for 10:00 AM in Dirksen 608.
- March 8: The DepSecDef and VCJCS Giambastiani are scheduled to testify before the SASC on the QDR. The hearing is scheduled for 2:30 PM in Hart 216 with a follow-on closed session in Russell 222.
- March 14: DepSecDef and VCJCS Giambastiani are scheduled to testify before the HASC on the QDR. The hearing is scheduled for 2:00 PM in Rayburn 2118. This hearing was originally scheduled for February 16.

- **Abu Ghraib Photos** – On February 15, select Members of Congress, to include the HASC and SASC, were notified about the recent release of 14 photos of detainee abuse taken at Abu Ghraib prison. To date, this latest release has generated little interest from Members.

- **TRICARE:** Significant Member interest in the proposed TRICARE premiums increase continues. ASD(HA) Winkenwerder's "Hill Advocate Team," comprised of key stakeholders within the Department, began briefing Members of Congress this week on the rising costs of military health care. The goal is to brief all Members within 90 days.
- **Nominations:**
 - On February 15, the SASC held a confirmation hearing for Michael Dominguez (DUSD/P&R), James Finley (DUSD/AT&L), and Pete Geren (Undersecretary of the Army).
 - James Finley and Pete Geren's nominations were favorably reported out of the SASC on February 16.
 - Michael Dominguez was not favorably reported out. Sen. John McCain (R-AZ) has placed a hold on the nomination because of the C-130J contract issue.
 - On February 7, the Senate received Benedict Cohen's nomination as General Counsel of the Army.

Emerging Topics:

- **Interagency and the GWOT.** The HASC Terrorism, Unconventional Threats and Capabilities Subcommittee tentatively plans to hold a hearing in March on interagency prosecution of the GWOT. The subcommittee has growing concern about poor coordination at the interagency level.

Hill Concerns/Controversies:

- **Able Danger Hearing:** On February 15, Rep. Jim Saxton (R-NJ) chaired a joint hearing of the HASC Terrorism, Unconventional Threats and Capabilities and Strategic Forces Subcommittees on Able Danger. USD(I) Cambone testified in the open session about DoD's internal review of the Able Danger Project. During the closed session, Dr. Philip Zelikow, Counselor of the US Department of State and former Executive Director of the 9/11 Commission, defended his decision not to include Able Danger information in the 9/11 Commission's Report. Rep. Curt Weldon (R-PA) led the questioning and was largely dissatisfied with our answers. Rep. Weldon will likely press for further review of this issue.
- **C-130J investigation.** During the SASC confirmation hearing on February 15, Sen. McCain criticized the Air Force for deliberately delaying conversion of the C-130J contract from the commercial-type to a traditional contract. Sen. McCain likened this issue to the tanker lease and pledged to pursue it in a similar fashion. Chairman John Warner (R-VA) voiced his support for Sen. McCain on this issue.

Hearings/Briefings/Meetings:**Past:**

- **SecDef Eneagements:**

- Rep. John Boehner (R-OH): Courtesy call to congratulate Rep. Boehner on his election to House Majority Leader.
- Reps. Bill Young (R-FL) and John Murtha (D-PA): Meeting to discuss the FY07 Budget prior to the HAC-D Budget Hearing on February 16.

- **DepSecDef Engagements:**

- Rep. Jim Saxton (R-NJ): Meeting to discuss C-17 procurement at Rep. Saxton's request.

- **Afghanistan Security Forces Fund (ASFF):** On February 14, Alan Liotta, PD for Detainee Affairs, briefed HASC staff on the intention to use \$9 million of the \$995 million appropriated in the ASFF to support detainee operations. The staff had no major issues with the brief.

Future:

- **Officer Diversity.** USD(P&R) Chu will meet with Rep. Kendrick Meek (D-FL) on March 7 to discuss diversity in the ranks of General and Flag Officers. This meeting follows Rep. Meek's request at the HASC Budget hearing on February 8 to meet with Dr. Chu and you. This is responsive to your Snowflake as well.
- **Joint IED Defeat Organization Brief (JIEDDO).**
 - On February 22. CENTCOM and JIEDDO personnel will brief SASC staff on the transfer of technology and systems to ISF.
 - On March 13 GEN (Ret) Meigs, Director, JIEDDO, will brief the SASC on progress toward defeating IEDs. A similar briefing to the HASC is planned for mid-March.

**Hearing/CODEL Calendar
February/March 2006**

Monday	Tuesday	Wednesday	Thursday	Friday
<p>20 Recess CODEL Stevens (18-25 Feb) Italy, Switzerland, Belgium CODEL Pelosi (16-24 Feb) Italy, Sudan, S. Africa, Liberia, Cape Verde CODEL Shelby (16-26 Feb) Luxembourg, Switzerland</p>	<p>21 Recess CODEL Martinez (18-25 Feb) Italy, Spain CODEL Coodlatte (17-26 Feb) France, Belgium, Poland, Latvia, Estonia CODEL Kolbe (17-26 Feb) Indonesia, East Timor CODEL Hefley/Petri (17-27 Feb) Belgium, France, UK</p>	<p>22 Recess CODEL Simmons (18-22 Feb) Taiwan CODEL Isaksan (12-24 Feb) Arizona, California, Mexico</p>	<p>23 Recess GOVDEL (22-26 Feb) Iraq, UK</p>	<p>24 Recess CODEL Hoekstra (16-24 Feb) South Korea, Australia</p>
17	<p>28 <u>SASC:</u> Time: 0930 Location: 216 Hart Worldwide Threats Witnesses: DNI, Dir. DIA</p>	<p>1 <u>House Budget Committee:</u> Time: 0930 Location: 210 CHOB FY07 Defense Auth. Witnesses: DEPSECDEF/VCJCS</p> <p><u>SASC/Personnel:</u> 0930 232 Russell Personnel Posture Witnesses: OSD/P&R Dr. Chu; Service Personnel Chiefs/G-1s</p>	<p>2 <u>Senate Budget Comm:</u> Time: 1000 Location: Dirksen 608 CY07 Defense Auth. Witnesses: DEPSECDEF/VCJCS/US DMs, Jonas.</p> <p><u>HASC/Military Personnel:</u> 1200 Location: 2212 Rayburn OPLANs Impact on Force Structure (CLASSIFIED) Witnesses: JS Rep., Army G-3, APMC (Plans, Policy & Ops)</p>	3
		<p>8 <u>SASC:</u> 1430 Hart216 (Follow-on Closed Session, Russell 222) QDR Witnesses: DEPSECDEF/VCJCS</p>		<p>10 <u>T) SASC/Emerging Threats, Capabilities:</u> Time and Location: TBD Homeland Defense Witnesses: ASD/HD vic Hale, ADM Keating, CG Blum</p>
	<p>4 <u>IASC:</u> 1400 118 Rayburn QDR Witnesses: DEPSECDEF/VCJCS</p> <p><u>IASC Military Personnel:</u> 430 Medical/Health Issues Witnesses: OSD/P&R and/or ASD/HA</p>	<p>15 <u>HASC Military Personnel:</u> 1400 2118 Rayburn MWR Witnesses: PDUSD/P&R and Service Reps</p>	<p>6</p>	<p>17</p>

February 14, 2006

2/14

384

MEMORANDUM FOR THE SECRETARY OF DEFENSE

FROM: Robert Rangel *RR*

SUBJECT: Rep. Susan Davis

- Responding to your February 13 note regarding Susan Davis (attached).
- Have discussed the matter briefly with Paul McHale and we both believe there may be merit to the concern she is raising.
- Paul has taken the action to look into how DHS is executing these grants and determine whether they are giving proper consideration to locales with heavy military concentrations, like San Diego.
- Recommend you send Rep. Davis a short note and let her know you have asked ASD McHale to review the issue and get back to her.
- Suggested draft is attached.

Approved _____

Discuss _____

See ebits

2/14
1541

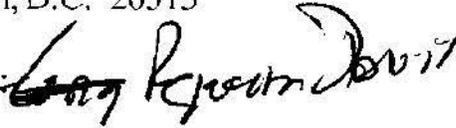
14 Feb 06

OSD 02602-06

DRAFT

Honorable Susan Davis
U.S. House of Representatives
Washington, D.C. 20515

Dear Susan:

A handwritten signature in black ink, appearing to read "Greg Kuperman", is written over the typed name "Dear Susan:". The signature is cursive and somewhat stylized.

It was good to see you last week during my appearance before the House Armed Services Committee.

I am following **up** on the matter you raised with me following the hearing regarding Department of Homeland Security Urban Security Grants. I have asked Paul McHale, Assistant Secretary for Homeland Defense, to look into your concern and get back to you direct with our assessment of the situation.

I appreciate your bringing this matter to my attention and look forward to working with you in the year ahead.

With best regards,

Sincerely,

DR

February 13, 2006

384

TO: Robert Rangel
FROM: Donald Rumsfeld 
SUBJECT: Note from Susan Davis

Congresswoman Susan Davis gave me the attached note. Please look it over.
figure out what it is about, and tell me what you think we ought to do.

Thanks.

Attach: Note from Susan Davis

DHR:ss
02:206-18 (TS) doc

.....
Please respond by March 14, 2006

13 Feb 06

~~FOUO~~

14 Feb 06

OSD 02602-06

11-L-0559/OSD/55933



TODD HOUGHINS
LEGISLATIVE DIRECTOR

SUSAN A. DAVIS
MEMBER OF CONGRESS
53RD DISTRICT, CALIFORNIA

1224 LONGWORTH BUILDING
WASHINGTON, DC 20515
(202) 225-2040 PHONE
(202) 225-2948 FAX
TODD.HOUGHINS@HALL.HOUSE.GOV

Risk assessments of military
facilities as a result of
base for DHS

CONGRESSWOMAN SUSAN A. DAVIS
4305 UNIVERSITY AVENUE, #515
SAN DIEGO, CA 92105
16191 280-5353 PHONE
16191 280-5311 FAX

Request to understand
risks to San Diego

The new DHS formula for urban
security grants hasn't taken
our military assets in San Diego
into full account. They've
told us they're willing to
look at DOD / Homeland Defense
risk assessments in order to
better ascertain. Can you
help us with this?

DHS
FAA
IA
709
↑
ext. 12
SUSAN DAVIS



HOMELAND
DEFENSE

ASSISTANT SECRETARY OF DEFENSE

2600 DEFENSE PENTAGON
WASHINGTON, DC 20301-2600

MAR 30 2006

384

The Honorable Susan Davis
United States House of Representatives
Washington, DC 20515-1224

Dear Representative Davis:

As the Secretary noted in his February 17, 2005, letter to you regarding the Department of Homeland Security's (DHS) Urban Area Security Initiative (UASI), I have looked into the DHS process and our Department has engaged the DHS Grants and Training Office regarding your inquiry. Together we are re-evaluating how military installations, as well as non-military infrastructure of significance to the execution of our Department's mission, are factored into the UASI formula. We will provide DHS with an accounting of military-related asset and risk information. DHS can then make another full UASI assessment for the San Diego area.

Thank you for your support for, and continued confidence in, our nation's military.

Sincerely,

Paul McHale

(14 Feb 06)

R
02602-06



THE SECRETARY OF DEFENSE
WASHINGTON

FEB 17 2006

384

The Honorable Susan Davis
United States House of Representatives
Washington, DC 20515

Dear Representative Davis,

It was good to see you last week during my appearance before the House Armed Services Committee.

I am following up on the matter you raised with me after the hearing regarding Department of Homeland Security Urban Security Grants. I have asked Paul McHale, Assistant Secretary for Homeland Defense, to look into your concern and get back to you directly with our assessment of the situation.

I appreciate your bringing this matter to my attention, and look forward to working with you in the year ahead.

With best regards,

Sincerely,

17 Feb 06

14 Feb 06

OSD 02602-06 5

11-L-0559/OSD/55938

~~FOUO~~

February 06,2006

TO: Bill Winkenwerder
c c : David Chu
FROM: Donald Rumsfeld *DR*
SUBJECT: Brief VA on Healthcare for Retirees

Let's be sure we brief the Veterans Administration folks on what we are doing on healthcare for retirees.

Thanks.

DHR.ss
020606-08

.....
Please Respond By 03/15/06

~~FOUO~~

11-L-0559/OSD/55939

OSD 02608-06



HEALTH AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301-1200

CONFIDENTIAL

2006 FEB 17 01:23:33

INFO MEMO

FEB 16 2006

FOR: SECRETARY OF DEFENSE

FROM: *William Winkenwerder, Jr.*
William Winkenwerder, Jr., MD, ASD (Health Affairs)

SUBJECT: Informing Department of Veterans Affairs on DoD Health Proposal for Retirees

- You requested that I make sure we brief the VA on what we are doing on healthcare for retirees (TAB A).
- We have done so. My principal deputy met with and briefed the VA Principal Deputy Under Secretary for Health and his staff.
- We presented our key messages:
 - 1) Current program cost trend is unsustainable.
 - 2) Internal efficiency alone will not control rising health care costs.
 - 3) Benefit adjustments are necessary now to ensure future capability and a strong national defense.
 - 4) DoD has a great health benefit, and our efforts are directed toward sustaining this great benefit.
- The VA has been previously unsuccessful persuading Congress to make benefit adjustments to its health program. VA is proposing for their FY 07 budget a new enrollment fee of \$250 for higher income veterans eligible for benefits, and a raise in pharmacy co-pays from \$7 to \$15.
- Although there are similarities to what DoD and VA are proposing, we appear to be off to a better start with the members of Congress, who generally concede DoD has a problem, and that some solution is probably needed. I feel good about our progress so far, and the united message coming from the uniformed and civilian leadership at DoD, especially by you and Chairman Pace.

COORDINATION: USD (P&R)

Attachment:
As stated

Prepared by: COL Kurmel, OASD (HA), (b)(6) DOCS Open 100411, 100902

11-L-0559/OSD/55940

OSD 02608-06

~~FOUO~~

FEB 15 21 06
I-06/001932
ES 5:37

TO: Eric Edelman
FROM: Donald Rumsfeld *DR*
SUBJECT: Connecting Percy Barnevik and President Karzai in Afghanistan

I spoke with President Karzai today and told him about Percy Barnevik. ~~Preside~~ It
Karzai said he would be delighted to see Percy. Please see if you can get word
Percy Barnevik in Afghanistan, and see if the Embassy can arrange to connect him
with President Karzai.

Thanks.

DHR:es
021306-14 (TS). doc

.....
Please respond by February 28, 2006

~~FOUO~~

OSD 02620-06

11-L-0559/OSD/55941

~~FOR OFFICIAL USE ONLY~~

1100 PA 2111 1

INFO MEMO

SECRET

124 FEB 17 11 00 AM '06
DSD
USD(P) *[Signature]* FEB 17 2006
I-06/001932
ES-5237

FOR SECRETARY OF DEFENSE

[Handwritten initials]

FROM: Peter W. Rodman, Assistant Secretary of Defense (ISA) *[Signature]*

SUBJECT: Connecting Percy Bamevik and President Karzai in Afghanistan

- You asked that we speak to Percy Bamevik to convey that President Karzai told you he would be happy to see him (next under). We have done so.
- Mr. Bamevik is planning to meet with President Karzai during his visit to Afghanistan, currently scheduled on or about 22 February - 2 March.
- We have asked Ambassador Neumann to facilitate the meeting (if needed). We also have arranged for Mr. Barnevik to have access to Department-leased transportation (SOLIC/CN helicopters) should he need it to visit a remote location as a possible venue for his project.

COORDINATION: Tab A

Prepared by: Laura K. Cooper, ISA/NESA, (b)(6)

~~FOR OFFICIAL USE ONLY~~

OSD 02620-06

11-L-0559/OSD/55942

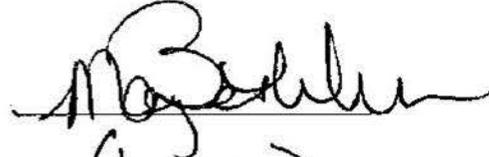
~~FOR OFFICIAL USE ONLY~~

COORDINATION

Connecting Percy Barnevik and President Karzai in Afghanistan
1-06/001932

PDASD ISA

Ms. Mary Beth Long



Principal Director, NESA

Brig Gen Paula Thornhill

(has seen)

DASD SOLIC CN

Richard Douglas

(by phone to MBL on Feb. 16)

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/55943

~~FOR OFFICIAL USE ONLY~~

INFO MEMO

DSD _____
USD(P) _____

1-06/001932
ES-5237

Robert Rangel
FOR SECRETARY OF DEFENSE

rc
3/3

May Be Hubong / 2/22/06

FROM: Peter W. Rodman, Assistant Secretary of Defense (ISA)

SUBJECT: Support to Barnevik visit to Afghanistan

- You asked about Department-leased transportation support to Percy Barnevik's trip to Afghanistan
- Mr. Barnevik is planning to be in Afghanistan for a short time only and may need to visit a remote location that is otherwise inaccessible by ground transport. Because his programs will complement Alternative Livelihood and other reconstruction efforts providing possible options for poppy farmers (the fifth pillar of our Afghan counternarcotics strategy), the Department is permitted to provide him transportation support via its unique counternarcotics authorities.
 - DASD Counternarcotics's OGC representative has approved this use.
- Mr. Barnevik's access to the transportation will be on a space available basis.

Afghanistan

227 500

3/2

COORDINATION: Tab A

SecDef -

- THE CONSENSUS VIEW OF STAFF IS THAT THIS STEP MAKES SENSE.
- It principally will help in speeding up requests for lift support if deemed necessary.

15 Feb 06

Prepared by: Laura K. Cooper, ISA/NESA, (b)(6)

Robert

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/55944

OSD 02620-06

~~FOR OFFICIAL USE ONLY~~

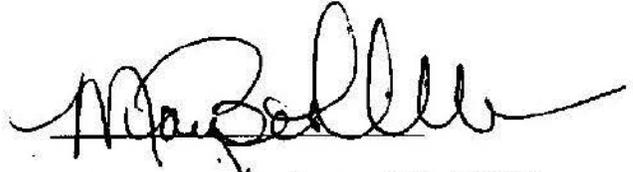
COORDINATION

Connecting Percy Barnevik and President Karzai in Afghanistan

I-

PDASD ISA

Ms. Mary Beth Long



Principal Director, NESAs Brig Gen Paula Thornhill

Via email Feb. 22, 2006

DASD SOLIC CN

for Richard Douglas

Edward Frothingham III Feb 22, 06

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/55945

~~FOR OFFICIAL USE ONLY~~

COORDINATION

Connecting Percy Bamevik and President Karzai in Afghanistan
I-06/001932

PDASD ISA

Ms. Mary Beth Long



Principal Director, NESAS

Brig Gen Paula Thornhill

(has seen)

DASD SOLIC CN

Richard Douglas

(by phone to MBL on Feb. 16)

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/55946

FEB 13 2006
I-06/001857
ES-5225

TO: Steve Bucci
CC: Peter Rodman
Eric Edelman
FROM: Donald Rumsfeld *TR*
SUBJECT: Meeting with Sergey Ivanov 2/10/06 re: Bilateral Defense Meetings
and Briefings I Need

1. When the U.S.-Russia Bilateral Defense Consultative Meetings are held and General Mazurkevich comes to meet with Rodman, I ought to see him at the Pentagon.
2. I need to get briefed on our basing plans in Eastern Europe and on our missile defense plans in that part of the world. I am going to want Peter Rodman to lay all that out for his counterpart from Russia

DHR ss
021006-2 (TS) Doc

.....
Please respond by February 28, 2006

~~FOUO~~

FEB 16 07
OSD 02621-06

11-L-0559/OSD/55947



LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

17 1 10 07

February 17, 2006, 8:00 A.M.

INFO MEMO

FOR: SECRETARY OF DEFENSE
DEPUTY SECRETARY OF DEFENSE

FROM: Robert L. Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs (b)(6)

Robert L. Wilkie

SUBJECT: Legislative Affairs Status Report

This weekly report summarizes major Legislative Affairs issues, challenges, and activities for the Secretary and Deputy Secretary of Defense.

Hot Issues:

• **SECDEF Hearings/Engagements:**

- February 27: You are scheduled to speak at the Winter Meeting of the National Governors' Association at 12:45 PM. Your address will be closed to the press and off the record. Location: JW Marriot.
- March 16: You are scheduled to address Rep. Jack Kingston's "Theme Team," an organization of junior Republican Members, at 9:00 AM. Location: Speaker's Office, The Capitol.

• **DEPSECDEF Hearings/Engagements:**

- March 1: DepSecDef, VCJCS Giambastiani, and USD(C) Jonas are scheduled to testify before the House Budget Committee on the FY07 Defense Budget. The hearing is scheduled for 9:30 AM in Cannon 210.
- March 2: DepSecDef, VCJCS Giambastiani, and USD(C) Jonas are scheduled to testify before the Senate Budget Committee on the FY07 Defense Budget. The hearing is scheduled for 10:00 AM in Dirksen 608.
- March 8: The DepSecDef and VCJCS Giambastiani are scheduled to testify before the SASC on the QDR. The hearing is scheduled for 2:30 PM in Hart 216 with a follow-on closed session in Russell 222.
- March 14: DepSecDef and VCJCS Giambastiani are scheduled to testify before the HASC on the QDR. The hearing is scheduled for 2:00 PM in Rayburn 2118. This hearing was originally scheduled for February 16.

- **Abu Ghraib Photos** – On February 15, select Members of Congress, to include the HASC and SASC, were notified about the recent release of 14 photos of detainee abuse taken at Abu Ghraib prison. To date, this latest release has generated little interest from Members.

OSD 02627-06

- **TRICARE:** Significant Member interest in the proposed TRICARE premiums increase continues. ASD(HA) Winkenwerder's "Hill Advocate Team," comprised of key stakeholders within the Department, began briefing Members of Congress this week on the rising costs of military health care. The goal is to brief all Members within 90 days.
- **Nominations:**
 - o On February 15, the SASC held a confirmation hearing for Michael Dominguez (DUSD/P&R), James Finley (DUSD/AT&L), and Pete Geren (Undersecretary of the Army).
 - o James Finley and Pete Geren's nominations were favorably reported out of the SASC on February 16.
 - o Michael Dominguez was not favorably reported out. Sen. John McCain (R-AZ) has placed a hold on the nomination because of the C-130J contract issue.
 - o On February 7, the Senate received Benedict Cohen's nomination as General Counsel of the Army.

Emerging Topics:

- **Interagency and the GWOT.** The HASC Terrorism, Unconventional Threats and Capabilities Subcommittee tentatively plans to hold a hearing in March on interagency prosecution of the GWOT. The subcommittee has growing concern about poor coordination at the interagency level.

Hill Concerns/Controversies:

- **Able Danger Hearing:** On February 15, Rep. Jim Saxton (R-NJ) chaired a joint hearing of the HASC Terrorism, Unconventional Threats and Capabilities and Strategic Forces Subcommittees on Able Danger. USD(I) Cambone testified in the open session about DoD's internal review of the Able Danger Project. During the closed session, Dr. Philip Zelikow, Counselor of the US Department of State and former Executive Director of the 9/11 Commission, defended his decision not to include Able Danger information in the 9/11 Commission's Report. Rep. Curt Weldon (R-PA) led the questioning and was largely dissatisfied with our answers. Rep. Weldon will likely press for further review of this issue.
- **C-130J investigation.** During the SASC confirmation hearing on February 15, Sen. McCain criticized the Air Force for deliberately delaying conversion of the C-130J contract from the commercial-type to a traditional contract. Sen. McCain likened this issue to the tanker lease and pledged to pursue it in a similar fashion. Chairman John Warner (R-VA) voiced his support for Sen. McCain on this issue.

Hearings/Briefings/Meetings:

Past:

- SecDef Engagements:
 - Rep. John Boehner (R-OH): Courtesy call to congratulate Rep. Boehner on his election to House Majority Leader.
 - Reps. Bill Young (R-FL) and John Murtha (D-PA): Meeting to discuss the FY07 Budget prior to the HAC-D Budget Hearing on February 16.
- DepSecDef Engagements:
 - Rep. Jim Saxton (R-NJ): Meeting to discuss C-17 procurement at Rep. Saxton's request.
- Afghanistan Security Forces Fund (ASFF): On February 14, Alan Liotta, PD for Detainee Affairs, briefed HASC staff on the intention to use \$9 million of the \$995 million appropriated in the ASFF to support detainee operations. The staff had no major issues with the brief.

Future:

- Officer Diversity. USD(P&R) Chu will meet with Rep. Kendrick Meek (D-FL) on March 7 to discuss diversity in the ranks of General and Flag Officers. This meeting follows Rep. Meek's request at the HASC Budget hearing on February 8 to meet with Dr. Chu and you. This is responsive to your Snowflake as well.
- Joint IED Defeat Organization Brief (JIEDDO).
 - On February 22, CENTCOM and JIEDDO personnel will brief SASC staff on the transfer of technology and systems to ISF.
 - On March 13 GEN (Ret) Meigs, Director, JIEDDO, will brief the SASC on progress toward defeating IEDs. A similar briefing to the HASC is planned for mid-March.

**Hearing/CODEL Calendar
February/March 2006**

Monday	Tuesday	Wednesday	Thursday	Friday
<p>20 Recess CODEL Stevens (18-25 Feb) Italy, Switzerland, Belgium CODEL Pelosi (16-24 Feb) Italy, Sudan, S. Africa, Liberia, Cape Verde CODEL Shelby (16-26 Feb) Luxembourg, Switzerland</p>	<p>21 Recess CODEL Martinez (18-25 Feb) Italy, Spain CODEL Coodlatte (17-26 Feb) France, Belgium, Poland, Latvia, Estonia CODEL Kolbe (17-26 Feb) Indonesia, East Timor CODEL Hefley/Petri (17-27 Feb) Belgium, France, UK</p>	<p>22 Recess CODEL Simmons (18-22 Feb) Taiwan CODEL Isakson (12-24 Feb) Arizona, California, Mexico</p>	<p>23 Recess CODEL (22-26 Feb) Iraq, UK</p>	<p>24 Recess CODEL Hoekstra (16-24 Feb) South Korea, Australia</p>
<p>17</p>	<p>28 SASC: Time: 0930 Location: 216 Hart Worldwide Threats Witnesses: DNI, Dir, DIA</p>	<p>1 House Budget Committee: Time: 0930 Location: 210 CHOB FY07 Defense Auth. Witnesses: DEPSECDEF/CJCS SASC/Personnel: 0930 232 Russell Personnel Posture Witnesses: OSD/P&R, Dr. Ch: Service Personnel Chiefs/G-Is</p>	<p>2 Senate Budget Comm: Time: 1000 Location: Dirksen 608 FY07 Defense Auth. Witnesses: DEPSECDEF/CJCS/US D.Ms. Jonas. HASC/Military Personnel: 1200 Location: 2212 Rayburn OPLANs Impact on Force Structure (CLASSIFIED) Witnesses: JS Rep., Army G-3, ACMC (Plans, Policy & Ops)</p>	<p>3</p>
<p>6</p>	<p>7</p>	<p>8 SASC: 1430 Hart 216 (Follow-on Closed Session, Russell 222) QDR Witnesses: DEPSECDEF/CJCS</p>	<p>9</p>	<p>10 T/SASC/Emerging Threats, Capabilities: Time and Location: FBD Homeland Defense Witnesses: ASD/HD McHale, ADM Keating, TG Blum</p>
<p>3</p>	<p>14 HASC: 1400 1118 Rayburn QDR Witnesses: DEPSECDEF/CJCS HASC Military Personnel: 1430 Medical/Health Issues Witnesses: OSD/P&R and/or ASD/HA</p>	<p>15 HASC Military Personnel: 1400 2108 Rayburn MWR Witnesses: PDUSD/P&R and Service Reps</p>	<p>16</p>	<p>17</p>

UNCLASSIFIED

OFFICE OF THE DEPUTY SECRETARY OF DEFENSE
The Military Assistant

15 February 2007 - 1200 Hours

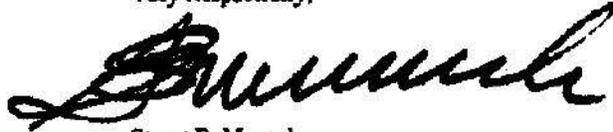
MEMORANDUM FOR: USD(P)
DJS

SUBJECT: Voluntary Opportunity for War Colleges to Assess U.S. Strategic Vulnerabilities

The Deputy Secretary requests your concurrence on the attached memorandum.

Please provide a copy of this memo with your reply. Thank you.

Very Respectfully,



Stuart B. Munsch
CAPT, USN
Military Assistant to the
Deputy Secretary of Defense

SUSPENSE: 16 Feb 07, 1500
ATTACHMENT: ~~As stated~~

OSD 02628-07



2/20/2007 11:22:08 AM

UNCLASSIFIED

11-L-0559/OSD/55952

352

15 Feb 07

16 Feb 07



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

**MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
CHIEFS OF SERVICES
COMMANDERS OF THE COMBATANT COMMANDS**

SUBJECT: Voluntary Opportunity for War Colleges to Assess U.S. Strategic Vulnerabilities

The Department of Defense (DoD) is working to sharpen and institutionalize processes for strategic review. One effort includes more directly leveraging the warfighting experience and intellectual capital resident in DoD's educational institutions.

Consequently, the Department is offering a volunteer opportunity to the Commandants of the Department's senior service schools – the National War College; the Industrial College of the Armed Forces; the Army War College; the Naval War College; the Air War College; the Marine Corps War College; the Joint Advanced Warfighting School – to make a substantive contribution to current strategic review.

Participating war colleges would establish a volunteer group of five to ten students to identify and assess a strategic vulnerability of the United States and recommend what should be done to meet it. Original thinking is highly desired and the following example topics are provided only to convey the scale of strategic thought desired:

- The rise of China, including all of their instruments of national power
- Potential future “disruptive” threats, including non-kinetic attacks on essential networks and systems
- Acquisitions – “keeping up” – in the face of rapid technological change
- Strategic communications by the U.S. and by our adversaries, in a globalized world

The final product for each group is a single paper. Depending on the results, groups may be invited to brief the Vice Chairman of the Joint Chiefs of Staff and me or the Deputy's Advisory Working Group.

War college Commandants are kindly requested to advise on whether they will participate by 28 February 2007.



11-L-0559/OSD/55953

FEB 14 2006

B

TO: Robert Wilke
CC: Steve Bucci
Cathy Mainardi
FROM: Donald Rumsfeld *DR*
SUBJECT: List of Members from Ellen Tauscher

Ellen Tauscher told me she gave you a list of names of Members I should meet with. I have never seen it. She mentioned it to me at the hearing and said she would get it to us the next day.

Please let me see the list. I may want to get them in for lunch or breakfast soon.

Thanks.

DHR:js
02/20/06-22 (TS) doc

.....
Please respond by February 21, 2006

~~FOUO~~

OSD 02628-06



LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

SECRET
724 FEB 17 PM 6:07

Unclassified

INFO MEMO

February 17, 2006 5:00 P.M.

FOR: SECRETARY OF DEFENSE

**FROM: Robert Wilkie, Acting Assistant Secretary of Defense,
for Legislative Affairs** (b)(6)

Robert Wilkie

SUBJECT: Snowflake Response - List of Members from Rep. Ellen Tauscher (D-CA)

You requested the list of Members promised to you by Congressman Tauscher for further work on the Quadrennial Defense Review.

- o The list is provided at Tab **A**. They are part of our effort to link Members of Congress to the QDR and will be included in specific engagements on that topic.
- o As Members of the House Armed Service Committee, these Representatives will be part of our effort to invite every Member of our Defense oversight committees to events hosted by you this year.

Attachments:

- List from Rep. Tauscher (Tab A)
- Snowflake #021206-22 (Tab B)

OSD 02628-06

Prepared by: MGySgt Sue Ann Hines-Laboy, OSD/LA (b)(6)

11-L-0559/OSD/55955

ELLEN O. TAUSCHER
11TH DISTRICT, CALIFORNIA

COMMITTEE ON
TRANSPORTATION AND INFRASTRUCTURE
SUBCOMMITTEE ON AVIATION
SUBCOMMITTEE ON
HIGHWAYS, TRAILS AND PIPELINES
SUBCOMMITTEE ON
WATER, RESOURCES AND THE ENVIRONMENT

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON TERRORISM
SUBCOMMITTEE ON PROTECTION FORCES
SUBCOMMITTEE ON SPECIAL FORCES

Congress of the United States
House of Representatives
Washington, DC 20515-0510

704 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
TELEPHONE (202) 225-1810
FAX (202) 225-1811

1127 NORTH CALIFORNIA BOULEVARD
SUITE 602
WALNUT CREEK, CA 94596
TELEPHONE (925) 932-6899
FAX (925) 932-6153

1000 CALIFORNIA DRIVE
SUITE A
FAIRFIELD, CA 94530
TELEPHONE (707) 424-7792
FAX (707) 424-7823

20 WEST 180 STREET
ANTIOCH, CA 94509
TELEPHONE (925) 757-1167
FAX (925) 751-7054

Web Address: www.fairfieldew.com

January 19, 2006

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

Dear Secretary Rumsfeld,

I am writing to follow up on your request for a list of members that I would recommend for further work with you on issues related to the Quadrennial Defense Review.

In addition to myself, I would suggest Representatives Loretta Sanchez (CA), Susan Davis (CA), Jim Langevin (RI), Rick Larsen (WA), Steve Israel (NY), Jim Cooper (TN), Dan Boren (OK), Michael Turner (OH), Geoff Davis (KY), Rob Simmons (CT), John Kline (MN), Joe Schwarz (MI), and Michael Conaway (TX).

Sincerely,



Ellen O. Tauscher
Member of Congress

PRINTED ON RECYCLED PAPER

11-L-0559/OSD/55956



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

UNCLASSIFIED

ACTION MEMO

January 30, 2006, 9:00 A.M.

FOR: SECRETARY OF DEFENSE

FROM: Daniel R. Stanley, Assistant Secretary of Defense
for Legislative Affairs (b)(6)

SUBJECT: Snowflake Response – Members of Congress and the QDR. #011906-10

- You asked us to recommend a method of connecting Members to the QDR.
- You have personally discussed the QDR with the following:
 - U.S. Senate (14): John Warner, R-VA; Lamar Alexander, R-TN; Conrad Burns, R-MT; Norm Coleman, R-MN; Pete Domenici, R-NM; Tom Coburn, R-OK; John Cornyn, R-TX; John Ensign, R-NV; Mel Martinez, R-FL; Ben Nelson, D-NE; Jeff Sessions, R-AL; Jim Talent, R-MO; Wayne Allard, R-CO; Thad Cochran, R-MS.
 - U.S. House of Representatives (4): Ike Skelton, D-MO; Jim Marshall, D-GA; Susan Davis, D-CA; and Ellen Tauscher, D-CA.
 - Forty-three Senators at the Senate Republican Conference.
 - You will speak on Tuesday, January 31st to the House Republican Study Committee with a focus on QDR themes. We expect about 100 Members.
- PDUSD Ryan Henry and his staff briefed the QDR from January 18-20 to the professional staffs of the SASC, SAC-D, HASC, and HAC-D and the military legislative assistants in both chambers. About 130 staffers attended.
- Rep. Tauscher recommended the following Members; we will schedule them for future engagements: Dan Boren, D-OK; Michael Conaway, R-TX; Jim Cooper, D-TN; Geoff Davis, R-KY; Steve Israel, D-NY; John Kline, R-MN; Jim Langevin, D-RI; Rick Larsen, D-WA; Loretta Sanchez, D-CA; Joe Schwarz, R-MI; Rob Simmons, R-CT; and Michael Turner, R-OH.
- Your Posture Testimony to the SASC (February 7th) and the HASC (February 8th) should also make reference to the QDR and our efforts to adapt the Department to irregular, catastrophic, and disruptive security challenges.
- Recommendation: Contact Chairman Hunter, R-CA, prior to the February 6th roll out.

Attachments:

Letter from Rep. Tauscher (TAB A)
Snowflake #011906-10 (TAB B)

Prepared by: Mr. Pepper Bryars, Defense Fellow, (ASD(LA)) (b)(6)

11-L-0559/OSD/55957

FOUO

JAN 20 2006

TO: Robert Wilkie
CC: Dan Stanley
Robert Rangel
FROM: Donald Rumsfeld *DR*
SUBJECT: Members of Congress and the QDR

We ought to think ~~through~~ how we are going to connect the Congressional Members to the QDR. For example, Ellen Tauscher told me she would **give** me a list of people on the **task** forces and **committees** that **she thinks are** serious, **and** we should spend some time on. Please be sure to get that list from her.

Thanks.

DHR.ss
011906-10

.....
Please Respond By February 01, 2006

FOUO

11-L-0559/OSD/55958

FEB 14 2006

3

TO: Robert Wilke
CC: Steve Bucci
Cathy Mainardi
FROM: Donald Rumsfeld *DR*
SUBJECT: **List** of Members from Ellen Tauscher

Ellen Tauscher told me she gave you a list of names of Members I should meet with. I have never seen it. She mentioned it to me at the hearing and said she would get it to us the next day.

Please let me see the list. I may want to get them in for lunch or breakfast soon.

Thanks.

*m*ross
021206-22 (15) doc

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Please respond by February 21, 2006

~~FOUO~~

LTC FENZGL
PSM
M

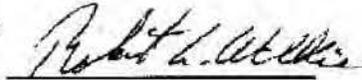
ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300
ACTION MEMO

February 17, 12:00 p.m.

032

FOR: SECRETARY OF DEFENSE

FROM: Robert Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs, (b)(6)



SUBJECT: Response to Snowflake -- #020106-04

- You requested answers to Representative Sheila Jackson Lee (D TX) following your September 6th 2005 briefing to Members of Congress on Hurricane Katrina. (Tab A).
- Rep. Jackson Lee asked you questions concerning sheltering displaced persons on DoD installations in **the** wake of Hurricane Katrina. Her questions and the answers follow:

Q: What law allows for sheltering displaced persons on DoD installations?

A: Title 10, Sec. 2556 "*Shelter for Homeless; Incidental Services.*"

Q: Is the DoD sheltering displaced persons on DoD installations?

A: Yes. Examples include NAS Meridian and NAS Pascagoula.

- This information was provided telephonically to Rep. Jackson Lee's personal staff on September 9th 2005 and by email to her Deputy Chief of Staff on September 12th 2005.
- Your response was completed on October 7th 2005 but was placed on hold by office staff (Tab C).
- Rep. Jackson Lee asked you why she had not received a response to her earlier request during your February 9th 2006 brief to the House Armed Services Committee.

RECOMMENDATION: Sign the attached response letter to Rep. Jackson Lee (Tab B).

Attachments:

Tab A - Snowflakes #020106-04 and #091205-34

Tab B - Response to Rep. Jackson Lee

Tab C - Original Snowflake Response

Prepared by: LTC Roger D. Carstens/OSD (LA) (b)(6)

MA SD	2/21	SMA DSD	
TSA SD		SA DSD	
DOC SEC			
ESR MA	2/21	1215	

17 Feb 06

1 Feb 06

OSD 02629-06

11-L-0559/OSD/55960

A

FOUO

February 01, 2006

TO: Robert Wilkie
CC: Robert Rangel
FROM: Donald Rumsfeld *DR*
SUBJECT: Response to Congresswoman Jackson Lee

Congresswoman Sheila Jackson Lee button-holed me at the State of the Union last night, saying that we still haven't answered her question.

I don't know what she is talking about. Apparently, she asked a question at one of those mass meetings we had in the House Chamber last year.

Please find out what she asked and what we answered, and get back to me.

Thanks.

DHR:dh
020106-04

.....
Please Respond By 02/23/06

1/19/06

FOUO

11-L-0559/OSD/55961

~~FOUO~~

September 12, 2005

TO: Dan Stanley
FROM: Donald Rumsfeld *DR*
SUBJECT: Responses to Congressional Members

I've got to get the answers back to folks on the Hill who were so angry that night.
I would like to see who asked the questions, and my answers to them in draft form.

Thanks.

DHR:ss
091205-34

.....
Please Respond By 09/20/05

~~FOUO~~

11-L-0559/OSD/55962

OSD 18941-05



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

The Honorable Sheila Jackson-Lee
United States House of Representatives
Washington, DC 20515

Dear Representative Jackson-Lee:

During the September 6th 2005 briefing to Members of Congress on Hurricane Katrina relief efforts, you asked me what law allows for the sheltering of displaced persons on Department of Defense installations and whether or not we were doing so.

You were kind enough to remind me of your query when I talked to you after my February 9th 2006 budget brief to Congress.

Although not invoked, Title 10, Sec. 2556 "*Shelter for Homeless; Incidental Services*," provides authority for the sheltering of displaced persons on DoD installations. We are currently housing persons displaced by Hurricane Katrina on military bases throughout the United States. Those evacuees consist of non-dependent family members who have been sponsored onto base by DoD members, general population evacuees invited onto National Guard bases by the State Governors, and evacuees who have had a prior relationship with the Department of Defense.

This information ~~was~~ provided to your staff on the 9th of September 2005 and to your Deputy Chief of Staff on the 12th of September 2005.

I appreciate your continuing support for the U.S. Armed Forces.

Sincerely,



11-L-0559/OSD/55963



LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

OFFICE OF THE
SECRETARY OF DEFENSE

2005 OCT -7 PM 4:19

ACTION MEMO

October 6, 2005, 1200 p.m.

FOR: SECRETARY OF DEFENSE

FROM: Daniel R. Stanley, Assistant Secretary of Defense
for Legislative Affairs, (b)(6)

SUBJECT Response to Snowflake, Secretary of Defense

- You requested for **answers** to Representatives Clyburn and Jackson Lee following your September 6th briefing to Members of Congress on Hurricane Katrina. (Tab A).
- Representative Clyburn (D-SC) told you that a non-military evacuee family had moved in with a soldier at Fort Jackson, SC, and their children had been **refused** admittance to the DoD **Dependant** School on base at Fort Jackson. The Undersecretary of Defense for Personnel and Readiness rectified the situation. The children are enrolled in the on base school and have been attending since Monday, September 12th. We have been in touch with Representative Clyburn (personally and with his Chief of Staff) and kept him updated on the **situation**. Personnel and Readiness is working on a policy to address similar **future** situations should they arise at other installations with DoD Dependant Schools.
- Rep. Sheila Jackson Lee (D-TX) asked you questions concerning sheltering displaced persons on DoD installations in the wake of Hurricane Katrina. Her questions and the answers follow:
 - Q: What law allows for sheltering displaced persons on DoD installations?
 - A Title 10, Sec. 2556 "Shelter for Homeless; Incidental Services."
 - Q: Is the DoD sheltering displaced persons on DoD installations?
 - A: Yes. Examples include NSA New Orleans, NAS Meridian and NAS Pascagoula.
- This information was provided to Rep. Jackson Lee on Friday, September 9th and to her Deputy Chief of Staff on September 12th.

OSD 18941-05

11-L-0559/OSD/55964

- **Non-DoD Evacuees consist of non-dependant family members who have been sponsored onto base by DoD members, general population evacuees invited onto National Guard bases by the State Governors, and evacuees who have had a prior relationship with the Department of Defense.**

RECOMMENDATION: Sign the attached response letters to Representatives Clyburn and Jackson Lee (Tab B)

Attachments:

Tab A - Snowflake #091205-34

Tab B - Responses to Reps. Clyburn and Lee

Prepared by: LTC Roger D. Carstens/OSD (LA) (b)(6)

11-L-0559/OSD/55965



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

The Honorable Sheila Jackson-Lee
United States House of Representatives
Washington, DC 20515

Dear Representative Jackson Lee:

During the ~~September~~ 6th briefing to Members of Congress on Hurricane Katrina relief efforts, you asked me what law allows for the sheltering of displaced persons on Department of Defense installations and whether or not we ~~were~~ doing so.

Although not invoked, Title 10, Sec. 2556 "*Shelter for Homeless: Incidental Services*," provides authority for the sheltering of displaced persons on DoD installations. We are currently housing persons displaced by Hurricane Katrina on military bases throughout the United States. Those evacuees consist of non-dependant family members who have been sponsored onto base by DoD members, general population evacuees invited onto National Guard bases by the State Governors, and evacuees who have had a prior relationship with the Department of Defense.

I appreciate your continuing support for the U.S. Armed Forces.

Sincerely,



11-L-0559/OSD/55966



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

The Honorable James Clyburn
United States House of Representatives
Washington, DC 20515

Dear Representative Clyburn:

During the September 6th briefing to Members of Congress on Hurricane Katrina relief efforts, you alerted me to a situation at Fort Jackson, S.C., in which Hurricane Katrina evacuee children were refused admittance to the on-base DoD school because they were not "authorized dependant children."

The Department of Defense, working through our DoD Education Activity (DODEA), rectified the situation. The children are enrolled in the on-base school and have been attending since Monday, September 12.

The Department of Defense is currently working on a policy to address similar future situations should they arise at other installations with DoD Dependant Schools.

I appreciate your continuing support for the U.S. Armed Forces.

Sincerely,



11-L-0559/OSD/55967

A

FOUO

February 01, 2006

TO: Robert Wilkie
c c: Robert Rangel
FROM: Donald Rumsfeld *DR*
SUBJECT: Response to Congresswoman Jackson Lee

Congresswoman Sheila Jackson Lee button-holed me at the State of the Union last night, saying that we still haven't answered her question.

I don't know what she is talking about. Apparently, she asked a question at one of those mass meetings we had in the House Chamber last year.

Please find out what she asked and what we answered, and get back to me

Thanks.

DHR.dh
020106-04

.....
Please Respond By 02/23/06

2/15/06

FOUO

11-L-0559/OSD/55968

OSD 02629-06

FEB 14 2005
06/001863
ES-5227

TO: Eric Edelman
FROM: Donald Rumsfeld *DR*
SUBJECT: Egypt

I think someone ought to start working Egypt. I think the press that is coming out of Egypt is really hurting *our* country. We are giving them a billion dollars a year in aid. I can't imagine why they let the controlled press do what they're doing.

DHR:ss
021206-30 (TS) doc

.....

~~FOUO~~

OSD 02604-06
14-02-06 09:56 IN

UNCLASSIFIED

FEB 22 2006

TO: President George W. Bush
CC: Stephen J. Hadley
FROM: Donald Rumsfeld *DR*
SUBJECT: Support Operations in the Philippines

Philippines

Mr. President,

Attached is a report that might be of interest ~~from~~ Admiral Fallon, our Pacific Commander, on the operations in support of the Philippine relief effort.

We're leaning very far forward, trying to be helpful.

Respectfully,

Attach. 2/20/06 PACOM information memo: Operations in Support of Philippine Relief Effort

DIR.dh
022106-28

22 Feb 06

UNCLASSIFIED

OSD 02729-06

11-L-0559/OSD/55970



UNCLASSIFIED
COMMANDER, U.S. PACIFIC COMMAND
(USPACOM)
CAMP H.M. SMITH, HAWAII 968614028

INFORMATION MEMO

20 February 2006

FOR: SECRETARY OF DEFENSE
CHAIRMAN, **JOINT** CHIEFS OF STAFF

FROM: Admiral William J. Fallon, Commander, **U.S.** Pacific Command

SUBJECT: Operations in Support of Philippine Relief Effort

Mr. Secretary and General Pace,

Below is the seventh USPACOM update of support to the Philippine relief efforts on Leyte.

Background

Rescue efforts at the disaster site continue to focus on excavation of the schoolhouse where there remains hope for survivors.

Command and control of the relief operation is being conducted from the newly formed interagency Coordination Support Group (CSG) in Cebu and a *CSG* forward element located near the disaster area.

Large amounts of international aid continues to arrive. As additional cargo handling equipment arrives, throughput capability at key transportation nodes will improve. Excess supplies will be stored at Mactan for potential future use.

Overview

International press recently reported excavation of bodies from the school. The on-scene assessment is that the bodies removed were in the mudflow above the school, vice the school itself.

President Arroyo is expected to travel to Cebu on Wednesday (local) for a press conference.

LtGen Goodman, MARFORPAC Commander, intends to visit the affected area on Thursday (local).

Maximum sustainable troops-on-ground is **340** due to limited usable terrain and infrastructure for bed down.

Risk to U.S. forces from potential biohazards from corpses is assessed to be low. The recently reported explosion on the Presidential palace grounds is assessed to be accidental and will not impact ongoing relief activities.

An additional \$1.5M in OHDACA funds is expected in the next day or **two**, which will allow for 10 days of operations at current burn rate of approximately \$600K per day.

UNCLASSIFIED

SND Cruz has privately stated that he would like to continue rescue operations for 7-10 days, then likely declare the area a memorial/mass grave and transition to exclusive relief operations for displaced persons

There continues to be risk of additional mudslides throughout **the** Philippines due to ongoing wet weather conditions. SND Cruz intends to focus **AFP staff efforts** on preparing for possible future relief efforts.

International and local press interest remains high and media coverage of **U.S.** assistance continues to be positive.

Summary

Relief efforts continue to expand while PACOM / MARFORPAC assessment of the conditions required for transition and redeployment is ongoing. Strategic Communication efforts will be focused on the Combined and **USG** Interagency efforts in order for U.S. forces to depart favorably upon completion of relief support.

COORDINATION NONE

Copy to:
DSD
USD(P)
ASD(HA)
VCJCS
CNO
MARFORPAC

3/16
0401

MAR & OS

ACTION MEMO

Handwritten initials and date: 3/17

MCC

D.S.F.
USD(P)

FILE # 25
MAR 10 2006

Vertical handwritten text: Korea

Handwritten notes: Robert Rodman, RR 3/17

SECRETARY OF DEFENSE

FROM: ~~Peter~~ W. Rodman, Assistant Secretary of Defense (IS) MAR 8 2006

SUBJECT: Reply to Former ROK National Security Advisor Kwon (U)

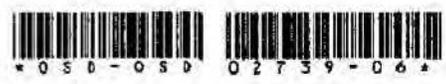
- (U) On 20 January, General (Ret) Kwon Chin-ho wrote to inform you of his departure from his position as ROK National Security Advisor (NSA) (Tab 1).
- (U) NSA Kwon served two years as NSA and was involved in the decision to deploy ROK troops to Iraq as well as the agreements on realigning US forces in Korea and relocating USFK from Yongsan Garrison.
- (U) NSA Kwon has not taken another government position at this time, although he is often pointed to as a potential replacement for Minister of Defense Yoon when the latter steps down, likely later this year.
- (U) RECOMMENDATION: ISA recommends that you sign the letter next under.

(U) SECDEF Decision:

Approve DA Disapprove _____ Other _____

Attachments: MAR 20 2006
 Next Under - Draft Reply Letter
 Tab 1 - 20 January Letter from NSA Kwon
 Tab 2 - Draft Cable
 Tab 3 - Coordination Page

Prepared by LTC Mike Finnegan, Senior Country Director for Korea, ISA/AP, (b)(6)



Vertical handwritten text: 8 Feb 06

Vertical handwritten text: 20 Jan 06

MA SD		SMA DSD	
ISA SD	<i>Handwritten initials</i>	SA DSD	
EXEC SEC	<i>Handwritten initials and date: 1/3/06</i>	<i>Handwritten initials and date: 0850 3/17</i>	
ESR MA	<i>Handwritten initials and date: MBS 3/16</i>	SIF DIR	

11-L-0559/OSD/55973

OSD 02739-06

POLICY COORDINATION SHEET

Subject: Reply to Former ROK National Security Advisor Kwon (U)

OSD-Number: OSD 02739-06

I-Number: I-06/002491

<u>Title/Organization</u>	<u>Name</u>	<u>Date</u>
PDASD/ISA	Mary Beth Long	<u>DY</u>
DUSD/AP	Richard Lawless	<u>[Signature]</u> 8 MAR 06
Principal Director/AP	Brig Gen Allen	<u> </u>
USD(P)	Eric Edelman	10 MAR 2006

3/15
1700

FOUO

March 15, 2006

TO: Robert Rangel
FROM: Donald Rumsfeld *DR*
SUBJECT: Response to Letter from Korea's National Security Advisor

Korea

Please find out why the attached January 20 letter to me from the National Security Advisor of Korea still has not been responded to.

I would like you to follow up with me on it.

Thanks.

Attach 1/20/06 Letter from ~~Kwon~~. Chin-ho to SecDef

DHR:ss
031506-10

.....
Please Respond By 03/22/06

3/21

- Closed with 3/20 letter (attached)

R.

ESD

CLOSE (M's NEWSSEN)

M gilly

(15 March)

FOUO

11-L-0559/OSD/55975



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

MAR 20 2006

Korea

General (Ret) Kwon Chin-ho
Office of the President
1 Sejong-Ro, Jongro-Ku
Seoul, Korea 110-820

Dear General Kwon:

Thank you for your recent letter informing me of your departure from your post as National Security Advisor to President Roh. You have served in this position during a time of significant change in the US-ROK Alliance. Your efforts were important in helping to guide our partnership through this era of transformation.

I also congratulate you on your many years of service to both the Republic of Korea and the Alliance.

I wish you the best in all your future endeavors.

Sincerely,

20 Mar-06

20 Jan 06



OSD 02739-06

2/21
1000

UNCLAS

ROUTINE

SecDef
ESD

DepSecDef
CCD DRSO

Spc Ast
DIA

ExecSec
POLAD

USDP
Cbl Ch

USDI
File

PAGE 1 OF 1
USER: lnelson

TOR: 2102462 **Mr** 06

Prec: R
DTG: 210247Z Mar 06

From: SECDEF WASHINGTON DC
Subj: SECRETARY RUMSFELD'S REPLY TO FORMER NSA KWON (U)

RAAUZYUW RUEKJCS6364 0800248-UUUU--RUEKNME RUEKJCS.
ZNR UUUUU ZJI RUEWMCS4394 0800234
R 210247Z MAR 06
FM SECDEF WASHINGTON DC
TO RUEKUL/AMEMBASSY SEOUL
INFO RUEKJCS/SECDEF WASHINGTON DC//USDP/CHAIRS/ISA/AP//
RUEHC/SECSTATE WASHINGTON DC

RUEFISS/JOINT STAFF WASHINGTON DC
RUEKJCS/JOINT STAFF WASHINGTON DC
ZEN/CDR USPACOM HONOLULU HI @ CDR USPACOM HONOLULU HI (UC)
ZEN/COMUSKOREA CC SEOUL KOR @ CC SEOUL BOC (UC)

BT
UNCLAS
SUBJ: SECRETARY RUMSFELD'S REPLY TO FORMER NSA KWON (U)

UNCLASSIFIED//
UNCLASSIFIED//

REQUEST EMBASSY SEOUL DELIVER THE ATTACHED TEXT OF SECRETARY
RUMSFELD'S REPLY TO FORMER ROK NATIONAL SECURITY ADVISOR KWON
CHIN-HO. ORIGINAL WILL FOLLOW VIA AIR MAIL.

(BEGIN TEXT)
GENERAL (RET) KWON CHIN HO
OFFICE OF THE PRESIDENT
1 SEJONG-RO, JONGRO-KU
SEOUL, KOREA 110-820

DEAR GENERAL KWON:

(PARA) THANK YOU FOR YOUR RECENT LETTER INFORMING ME OF YOUR
DEPARTURE FROM YOUR POST AS NATIONAL SECURITY ADVISOR TO PRESIDENT
ROH. YOU HAVE SERVED IN THIS POSITION DURING A TIME OF SIGNIFICANT
CHANGE IN THE US-ROK ALLIANCE. YOUR EFFORTS WERE IMPORTANT IN
HELPING TO GUIDE OUR PARTNERSHIP THROUGH THIS ERA OF TRANSFORMATION.

(PARA) I ALSO CONGRATULATE YOU ON YOUR MANY YEARS OF SERVICE TO BOTH
THE REPUBLIC OF KOREA AND THE ALLIANCE.

(PARA) I WISH YOU THE BEST IN ALL YOUR FUTURE ENDEAVORS.

SINCERELY,
//DONALD H. RUMSFELD//
(END TEXT)

BT
#6364

NNNN

Received from AUTODIN 2102462 MAR 06
\\AMIS-D\telos\data\feed\2006\GENSER\general\r080\060321024630552

UNCLAS

11-L-0559/OSD/55977



Office of the President
1 Sejong-Ro, Jongro-Ku
Seoul, Korea
110-820

January 20, 2006

Dear Secretary Rumsfeld,

I wanted to take a moment to let you know that I am leaving my position after two years of service, which has been my finest and most rewarding in a 40-year career.

As a lifetime soldier, I share your unwavering commitment to strengthening and modernizing the ROK-US alliance and appreciate all the dedicated efforts you have made to this end. Naturally, as two individual sovereign states, we have seen some occasionally diverging views and positions, but overall we have achieved some real and tangible progress, which would prove to be vital for maintaining the vigorous security posture on the Korean Peninsula from a long-range point of view. I have no doubt that the few remaining issues will be worked out expeditiously in the esprit de corps and the common vision that bind us together.

Once again, thank you for all you have done and wish you the best of luck in all your noble endeavors in the years ahead.

With warmest regards,

Sincerely,

Kwon, Chim-ho
National Security Advisor

11-L-0559/OSD/55978

OSD 027 39 -06



Kwon, Chin-ho
National Security Advisor
Office of the President
1 Sejong-Ro, Jongro-Gu, Seoul, Korea
110-050

The Hon. Donald H. Rumsfeld
Secretary of Defense
United States of America

11-L-0559/OSD/55979



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

MAR 20 2006

10
■

General (Ret) Kwon Chin-ho
Office of the President
1 Sejong-Ro, Jongro-Ku
Seoul, Korea 110-820

Dear General Kwon:

Thank you for your recent letter informing me of your departure from your post as National Security Advisor to President Roh. You have served in **this** position during a time of significant change in the US-ROK Alliance. Your efforts were important in helping to guide our partnership **through** this era of transformation.

I also congratulate you on your many years of service to both the Republic of Korea and the Alliance.

I wish you the best in all your future endeavors.

Sincerely,

20 Mar-06

20 Jan 06



OSD 02739-06

11-L-0559/OSD/55980

UNCLAS
ROUTINE

FROM SECDEF WASHINGTON DC
TO AMEMBASSY SEOUL
INFO: SECSTATE WASHDC/
SECDEF WASHDC//USDP/CHAIRS/ISA/AP//
JOINT STAFF WASHDC
COMUSKOREA SEOUL KOR
CDR USPACOM HONOLULU HI

UNCLASSIFIED

SUBJECT SECRETARY RUMSFELD'S REPLY TO FORMER NSA KWON (U)

REQUEST EMBASSY SEOUL DELIVER THE ATTACHED TEXT OF SECRETARY RUMSFELD'S REPLY TO FORMER ROK NATIONAL SECURITY ADVISOR KWON CHIN-HO. ORIGINAL WILL FOLLOW VIA AIR MAIL.

(BEGIN TEXT)

GENERAL (RET) KWON CHIN-HO
OFFICE OF THE PRESIDENT
1 SEJONG-RO, JONGRO-KU
SEOUL, KOREA 110-820

DEAR GENERAL KWON:

(PARA) THANK YOU FOR YOUR RECENT LETTER INFORMING ME OF YOUR DEPARTURE FROM YOUR POST AS NATIONAL SECURITY ADVISOR TO PRESIDENT ROH. YOU HAVE SERVED IN THIS POSITION DURING A TIME OF SIGNIFICANT CHANGE IN THE US-ROK ALLIANCE. YOUR EFFORTS **WERE** IMPORTANT IN HELPING TO GUIDE OUR PARTNERSHIP THROUGH THIS ERA OF TRANSFORMATION.

(PARA) I ALSO CONGRATULATE YOU ON YOUR MANY YEARS OF SERVICE TO BOTH THE REPUBLIC OF KOREA AND THE ALLIANCE.

(PARA) I WISH YOU THE BEST IN ALL YOUR FUTURE ENDEAVORS.

SINCERELY,
//DONALD H. RUMSFELD//

(END TEXT)

~~FOUO~~

02/07/2006 13:51

February 07, 2006

I-06/001663
ES-5201

TO: Gordon England

CC: Gen Pete Pace
Eric Edelman

FROM: Donald Rumsfeld

D.R.

SUBJECT: Building Partner Capacity

We need to find a way to organize the Department so we can do a better job on a continuing basis of helping to build "partnercapacity."

What do you propose?

Thanks.

DHR:bp
020406-24

.....
Please Respond By 03/02/06

~~FOUO~~

OSD 02784-06

11-L-0559/OSD/55982

INFO MEMO

DSD _____

FOR SECRETARY OF DEFENSE

FROM: Eric S. Edelman, Under Secretary of Defense for Policy

FEB 21 2006

SUBJECT: Building Partnership Capacity

- You asked me for some proposals regarding how we organize the Department to build partnership capacity (Tab A).
- Together with RADM Bill Sullivan (VJ-5), I am leading a QDR Roadmap effort on this topic.
- Building on the QDR, the roadmap will examine improvements in DoD and interagency processes to increase partnership capacity. Some of the innovations we intend to examine are:
 - Improving civilian planning capacity and planning integration, such as through the creation of a National Security Planning Guidance;
 - Transforming the National Defense University into a National Security University, with an expanded curriculum and broader USG representation;
 - Creating a National Security Officer Corps composed of military and civilian personnel with expertise in integrated interagency approaches in Washington and in the field; and
 - Retooling DoD's security cooperation processes and better integrating our security cooperation approach with others in the USG. We will begin doing this at the conference we are co-sponsoring with State in April on security cooperation.

Prepared by: Kathleen Hicks, Director for Strategy/Chief of Staff, QDR IPT 3 (Roles, Mission, and Orgs.) (b)(6)



- In addition to these organization and process improvements, the roadmap will address ways to expand USG and international partner capabilities in key mission areas, such as stability operations, irregular warfare, and homeland security. Some examples are:
 - Assessing how DoD can assist the African Union and NATO in developing stability operations capabilities;
 - Supporting State Department and USAID efforts to become more expeditionary; and
 - Improving homeland defense and consequence management cooperation with Canada and Mexico.
- Ultimately, our efforts to build partnership capacity should reduce the number of circumstances in which US military forces will be called upon to perform national and homeland security missions.
- I will keep you apprised of our efforts as the roadmap progresses.

COORDINATION: None

Attachment: As Stated

~~FOUO~~

February 07, 2006

I-06/001603
ES-5201

TO: Gordon England

CC: Gen Pete Pace
Eric Edelman

FROM: Donald Rumsfeld

D.R.

SUBJECT: Building Partner Capacity

We need to find a way to organize the Department so we can do a better job on a continuing basis of helping to build "partner capacity."

What do you propose?

Thanks,

DHR by
020406-24

.....
Please Respond By 03/02/06

~~FOUO~~

OSD 02784-06

11-L-0559/OSD/55985

3/1 ✓
1500
3/3
1815



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

ACTION MEMO

3/1
3/7
SE

7:54

February 27, 2006 10:15 AM

310.1

FOR: SECRETARY OF DEFENSE

FROM: Robert L. Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs, (b)(6)

Robert L. Wilkie

SUBJECT: Snowflake Response-Senator Lieberman issue during Posture Hearing

You asked about the issue Senator Lieberman raised at the February 7th Posture Hearing.

- His questions near the end of the hearing centered about the QDR, funding efficiencies, and reforms in the acquisition process.
- You agreed to work closely with him, the Senate Armed Services Committee, and Senator McCain.

RECOMMENDATION: Sign the attached response letter to Sen Lieberman (TAB B).

Attachments:

- TAB A - Excerpted Transcript from February 7 Posture Hearing
- TAB B - Proposed letter to Senator Lieberman
- TAB C - Snowflake #021506-28

27 Feb 06

15 Feb 06

MA SD	3/7	SMA DSD	
ISA SD	2/23/6	SA DSD	
EXEC SEC	2/3/1	1440	2/7
ESR MA	2/2/1	1152	

Prepared by Capt J.M. Cathey, Director Senate Affairs, (b)(6)

11-L-0559/OSD/55986

OSD 02793-06

COORDINATION SHEET

OUSD(AT&L)DPAP/OPS

SUSPENSE: 3/3/2006

TASK TRACK: 2006-0556-ATL

SUBJECT: Snowflake Response-Senator Lieberman Issue During Posture Hearing

COORDINATION:

USD(AT&L) VOCD FROM MR KRIEG DATE: 3 MAR 06


Theodore L. Jennings
COL, USA
MA TO USD(AT&L)

FOUO

B

February 15, 2006

TO: Robert Wilkie
FROM: Donald Rumsfeld *DR*
SUBJECT: Issue Raised by Senator Lieberman

I have a note from the SASC hearing that Senator Lieberman raised an issue about reforms in (something) and asked us to work closely, and I said I would, but I can't remember what the subject was. Please dig it out, and get back to me.

Thanks.

DHR.ss
021505-28

.....
Please Respond By 02/23/06

FOUO

OSD 02793-06

11-L-0559/OSD/55988



LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

INFO MEMO

February 22, 2006 1:15 PM

FOR: SECRETARY OF DEFENSE

FROM: Robert L. Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs (b)(6)

SUBJECT: Snowflake Response-Senator Lieberman issue during Posture Hearing

You asked about the issue Senator Lieberman raised at the February 7th Posture Hearing.

- His questions near the end of the hearing centered about the QDR, funding efficiencies; and reforms in the acquisition process.
- You agreed to work closely with him, the Senate Armed Services Committee, and Senator McCain.

Attachments:

Excerpted Transcript from February 7 Posture Hearing (TAB A)
Snowflake #02 1506-28 (TAB B)

Prepared by Capt J.M. Cathey, Director Senate Affairs. (b)(6)

11-L-0559/OSD/55989

OSD 02793-06

RUMSFELD:

The MOD forces are much more integrated than the MOI forces because the MOI forces are, for the most part, recruited locally, police and the like.

WARNER:

Senator?

LIEBERMAN:

Thanks very much, Mr. Chairman

One question I do want to ask -- I have a statement on the budget generally be included in the record.

WARNER:

Without objection.

LIEBERMAN:

Thank you.

Mr. Secretary, we talked before about the money available and the possible efficiencies that can be obtained internally to free up some more funding for programs.

I was pleased that the QDR recognizes the acquisition process, the procurement process, as a problem area and uses the term it's hampered by, and I quote, "inefficient business practices," and agrees that there's a lack of confidence.

As you know, Senator McCain and I on the Airland Subcommittee focused on this in the last year or so and the full committee has too.

In the QDR there's not a specific plan of action as to how to deal with this. And I wanted, first, to say that I think it would be great if we could work executive legislative together to see if we can really stretch to achieve some reforms in procurement as soon as possible. Because, needless to say, the average acquisition time I think is now 15 years, that is from a conception to the development of a weapons system. That adds cost and means that we don't get the systems as soon as we could.

So I wanted to just extend that hand to you and also ask if you have any specific thoughts about what course of action we might take together to save some money on procurement.

[REDACTED]:

Senator, it is a very big concern of ours in the department and Gordon England, the deputy, is devoting a lot of his time to the subject.

I would be happy to accept your invitation and work closely with you and your committee and Senator McCain.

Since 30 years ago, the time it takes in the procurement cycle, the acquisition cycle, has about doubled. And during that period, Moore's Law has been at work and technologies have in fact every 18 months doubled their power and changed at a much more rapid rate.

One would have thought just the opposite, instead of elongating the acquisition process. And time is money. It is hurting.

Partly, I think, there was a pattern of, in terms of cost, a pattern of using lower costs in hopefulness.

And we came in and said, "Look, it's been consistency wrong, it's always been more." And we took some different cost-accounting approaches and have been trying to use a higher level of cost, which we hoped would be more realistic. And I think that's proving out.

Undersecretary of Defense Craig is working closely with the deputy and we will be happy to connect with you.

LIEBERMAN:

Excellent. *Thank* you very much. Thanks to you and to General Pace and General Schoomaker for your testimony and your service every day.

WARNER:

Thank you very much, Mr. Secretary.

I'm just going to ask a short question here.

The Joint Strike Fighter seems to have received strong support in the budget, which is very important. That's a key weapons system that we've extended a great deal of effort to bring about and it has *the* appearance of being an effective system.

We do take notice of the budget, which a decision has been made not to pursue a second engine. And that has, I think, understandably raised concern among the some eight nations that are partners in that program.

Could you describe, first, the procedures that were followed and such consultation as was done with those partners and your own views as to that decision?

I believe you're the first military-trained aviator ever to be secretary of defense. Would that be that right?

RUMSFELD:

You've got me.

WARNER:

I did a little research. I think you are.

RUMSFELD:

Is that right?

WARNER:

So you are eminently qualified.

RUMSFELD:

I'm not so sure of that. I feel like a broken down ex-Navy pilot; that's all.

WARNER:

You're not broken down. We can recall you

~~FOUO~~

B

February 15, 2006

TO: Robert Wilkie
FROM: Donald Rumsfeld *DR*
SUBJECT: Issue Raised by Senator Lieberman

I have a note from **the** SASC hearing that Senator Lieberman raised an issue about reforms in (something) and asked us to work closely, and I said I would, but I can't remember what the subject was. Please dig it out, and get back to me.

Thanks

DHR.ss
021506.28

.....
Please Respond By 02/23/06

~~FOUO~~

OSD 02793-06

11-L-0559/OSD/55992



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

MAR 8 2006

310.1

The Honorable Joseph I. Lieberman
United States Senate
Washington, DC 20510

Dear Senator Lieberman:

I appreciated your considerate words during the February 7 meeting of the Senate Armed Services Committee. You are absolutely right about acquisition reform; we need to reform our development and procurement processes to save time and cost. The Department is devoting considerable time and effort to this matter. I've asked Gordon England, Deputy Secretary of Defense, and Ken Krieg, Under Secretary of Defense for Acquisition Technology and Logistics, to work closely with you and Senator McCain on this vital issue. **Thank** you for your continued support for the men and women of our Armed Forces.

8 Mar 06

Sincerely,

15 Feb 06



OSD 02793-06

11-L-0559/OSD/55993

B

~~FOUO~~

10:35 February 17, 2006

TO: Robert Wilkie

FROM: Donald Rumsfeld *DR*

SUBJECT: List of Congressional Members Retiring in '06

Please give me a list of all House and Senate Members who are retiring this year.
I want to think about whether I want to do anything for them.

Thanks

DIR:SS
021706-05

.....
Please Respond By 02/22/06

~~FOUO~~

OSD 02795-06

11-L-0559/OSD/55994



LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

35

INFO MEMO

February 21, 2006 5:00 PM

FOR: SECRETARY OF DEFENSE

FROM: Robert Wilkie, Acting Assistant Secretary of Defense
(Legislative Affairs) (b)(6)

SUBJECT: Snowflake Response – List of Members Retiring from Congress

You requested the list of Members retiring after the 109th Congress as of today.

- o The list is provided on the following page at TAB A.

Attachments:

List of Members retiring from Congress (TAB A)

Snowflake #02 1706-05 (TAB B)

Prepared by: Jeff Burke. OSD/LA (b)(6)

11-L-0559/OSD/55995

OSD 02795-06

List of Members Retiring After the 109th Congress
(Alphabetically)

Senate (4)

Mark Dayton, D-MN
Member, Armed Services Committee

Bill Frist, R-TN
Majority Leader

James Jeffords, I-VT
Member, Veterans' Affairs Committee

Paul Sarbanes, D-MD
Member, Budget Committee

House (7)

Michael Bilirakis, R-FL, 9th
Vice Chairman, Veterans' Affairs Committee

Joel Hefley, R-CO, 5th
Member, Armed Services Committee

Henry Hyde, R-IL, 6th
Chairman, International Relations Committee

Bill Jenkins, R-TN, 1st
Member, Judiciary Committee

Jim Kolbe, R-AZ, 8th
Member, Appropriations Committee

Michael Oxley, R-OH, 4th
Chairman, Financial Services Committee

Major R. Owens, D-NY, 11th
Member, Government Reform Committee

Prepared by: Jeff Burke, OSD/LA (b)(6)

B

~~FOUO~~

February 17, 2006

TO: Robert Wilkie

FROM: Donald Rumsfeld *DR*

SUBJECT: List of Congressional Members Retiring in '06

Please give me a list of all House and Senate Members who are retiring this year.
I want to think about whether I want to do anything for them.

Thanks.

DHR:ss
02 1706-05

Please Respond By 02/22/06

~~FOUO~~

OSD 02795-06

11-L-0559/OSD/55997

~~FOUO~~

... 5:40

January 12, 2006

TO: Eric Edelman

I-06/000573
ES-5079

W
339

FROM: Donald Rumsfeld

D.A.

SUBJECT: Service Chiefs' Counterparts

You will recall in the COCOM meeting someone said that each of the Service Chiefs has 60, 70, or 80 counterparts around the world. You ought to think through **how** we can use those relationships, and come back to me with a proposal.

Thanks

DHR:is
011206-27

.....
Please Respond By 02/15/06

12 Jan 06

~~FOUO~~

OSD 02797-06

11-L-0559/OSD/55998

FEB 21 2006

~~FOR OFFICIAL USE ONLY~~

~~ACTION MEMO~~

INFO

2006 FEB 22 11 5:40

DSD
USDP ~~50~~ FEB 22 2006
I-06/000573 ES-5079

FOR SECRETARY OF DEFENSE

FROM: Peter W. Rodman, Assistant Secretary of Defense (ISA) *PR*
Peter Flory, Assistant Secretary of Defense (ISP) *PF*
FEB 21 2006

092

SUBJECT Service Chiefs' Counterparts (U)

- (U) You asked us to look at the Service Chiefs' relationships with their counterparts and think through how best to enhance those relationships (next under).
- ~~(FOUO)~~ Service Chiefs are in a good position to advance your global priorities across Geographic Combatant Command boundaries.
 - They regularly host groups of counterparts here. For instance, last year the CNO hosted 49 counterparts at his International Seapower Symposium in Newport.
 - They also attend many forums in other regions. For instance, last year the Army COS attended the Fourth Pacific Armies Chiefs Conference in Thailand.
- ~~(FOUO)~~ We will work with the Services to ensure these interactions advance your security cooperation objectives and US Government strategic communication themes.
 - We will make sure the Services Chiefs have your key messages to pass to their counterparts.
- ~~(FOUO)~~ In addition, you recently approved our proposal to work with ASD(PA) on a formal tracking mechanism for all senior-level interactions with foreign counterparts and domestic audiences. (Tab A)
- ~~(FOUO)~~ Together with the Security Cooperation Implementation Strategies, this mechanism will improve our ability to understand and track ongoing Service Chief interactions and identify areas for improvement.

21 Feb 06

Attachments: As stated

Approve _____ Disapprove _____ Other _____

Prepared by: Michael Niles: ISA/Coalition Affairs (b)(6)

~~Classified by: Mary Beth Long, PD/ASD/ISA
Classified for reason: (a), (d)
Declassify on: Jan 25, 2016~~

~~FOR OFFICIAL USE ONLY~~

12 Jan 06

11-L-0559/OSD/55999

OSD 02797-06

INFO MEMO

A/DSD _____
1-05/015669-ES
ES-4765

FOR SECRETARY OF DEFENSE

FROM: Eric S. Edelman, Under Secretary of Defense for Policy

EE DEC 2 12005

SUBJECT: **Your** "Template on World-Wide Planning" Memo

- In response to your memo (next under) we are taking steps to better coordinate the travel of, and messages delivered by, the Department's senior military and civilian officials.
 - We **are** creating a database in which all senior officials' planned travel will be input and updated monthly or **as** required.
 - o These travel plans should be driven by **your** *Security Cooperation* Guidance.
 - We will work with Public Affairs to mine **this** database to ensure the right countries are getting the right attention from the right people.
 - o Where needed, we will suggest changes to get it right.
 - I will recommend to Larry DiRita that PA establish a similar database for domestic travel, **and** reception of foreign senior-level persons.
- The mechanism we develop will **ask** DoD Components to:
 - Consult the SCG to prioritize their travel;
 - Develop strategic communication annexes **to** their country/regional plans; and
 - Consult with Peter **Rodman** or Peter Flory **and** ASD(PA) prior to travel to assure continuity of message.

COORDINATION:

ASD(PA) Copy provided

Attachment: As stated

Prepared by CDR Chip Demman, OSD(P)-STRAT, (b)(6)

11-L-0559/OSD/56000

OSD 24232-05

j

FOUO

November 28, 2005

I-05/015669
ES-4765

TO: Eric Edelman

FROM: Donald Rumsfeld: *DR.*

SUBJECT: Template on World-Wide Planning

You may want to take a look at this memo I dictated in October. There are some thoughts there you might want to begin thinking about fashioning a template on

Please think about it, and talk to me.

Thanks.

Attach: 10/4/05 SecDef MFR on World-Wide Planning

DHR:sd
112805-51

.....
Please Respond By 12/16/05

FOUO

11-L-0559/OSD/5600 P-11-05 14:53 1R

OSD 24232-05

FOUO

October 04, 2005

SUBJECT: World-wide Planning

I have to think through who is doing what world-wide:

- **Who is planning exercises with India, the countries we want to cultivate and the like.**
- **Get a laydown of who is going where when.**
- **Coordinate trips so we get the right emphasis, the right rhythm, the right messages, and the right people in the right countries.**
- **We have to link public affairs with senior military and civilian people (people who are 4-stars and above), see that they are moving around the USA and that we know where they are going.**
- **We ought to look at what the market is, how we're impacting it, what is right and what is wrong and fix it with a new set of arrangements.**

**DHR:ab
100405-26**

FOUO
11-L-0559/USD/56002

COORDINATION:

Principal Deputy Under Secretary of Defense (Policy)

(Leave) C.P.

ASDASA

TDY/copy removed

PDASD/ISA

MPG 2/13/06

COALITION AFFAIRSASA

Debra Cagan 26 Jan 06

PD/STRATEGY

Kathleen Hicks 25 Jan 06

DSPD

John Matheny 26 Jan 06

OFFICE OF THE DEPUTY SECRETARY OF DEFENSE
The Military Assistant

22 February 2006 - 1355

MEMORANDUM FOR CDR USSTRATCOM

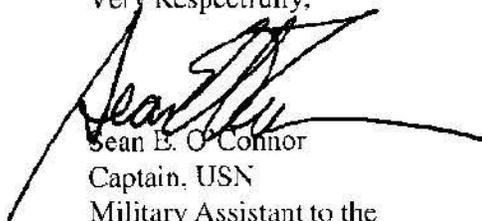
SUBJECT: Rendon's Contract

Sir,

Please draft a response for DEPSECDEF on the attached snowflake. Include your recommendation on future DoD relationships with this firm, as well as a review of our current contract w/ them.

Please provide copy of this tasker with your response.

Very Respectfully,



Sean E. O'Connor
Captain, USN
Military Assistant to the
Deputy Secretary of Defense

CC: DJS, OSD (PA), AT&L

SUSPENSE: 01MAR06
ATTACHMENT: As Stated

OSD 02799-06

11-L-0559/OSD/56004

~~FOUO~~

February 15, 2006

TO: Gordon England

FROM: Donald Rumsfeld

D.R.

SUBJECT: Rendon's Contract

We ought to review Rendon's contract. That outfit keeps coming into question. I don't know why, but maybe there is something more we ought to know about.

Thanks.

DHR:bp
021206-23

.....
Please Respond By 03/01/06

~~FOUO~~

OSD 02799-06

11-L-0559/OSD/56005

~~FOUO~~

February 15, 2006

TO: Gordon England

FROM: Donald Rumsfeld

DR

SUBJECT: Rendon's Contract

We ought to review Rendon's contract. That outfit keeps coming into question. I don't know why, but maybe there is something more we ought to know about.

Thanks.

DHR:bp
021206-23

.....
Please Respond By 03/01/06

160
RECEIVED
FEB 16 2006
11 07 AM

15 FEB 06

~~FOUO~~

OSD 02799-06

OFFICE OF THE DEPUTY SECRETARY OF DEFENSE
The Senior Military Assistant

HSE
26

02 March 2006 - 0800

MEMORANDUM FOR WILLIAM HAYNES, GC

SUBJECT: Rendon Group and Lincoln Group Contracts

Sir,

The DSD needs information on any current cases, ongoing legal actions or actions that are planned to be initiated in the Department of Justice, Department of Homeland Security or in any government department regarding the Rendon Group and Lincoln Group contracts.

Please provide a copy of this tasker with your response.

*Many Thanks -
Sorry for the short
response.*

Very Respectfully,



Frank G. Helmick
Brigadier General, USA
Senior Military Assistant to the
Deputy Secretary of Defense

SUSPENSE: 06Mar06

ATTACHMENT: SD Snowflake #020406-23

160

2 Mar 06

15 Feb 06

OSD 02799-06



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

MAR 06 2006

77400-4 1 5:52

INFO MEMO

160

FOR: DEPUTY SECRETARY OF DEFENSE
FROM: William J. Haynes II, General Counsel of the Department of Defense
SUBJECT: Rendon Group and Lincoln Group Contracts

- Based on the Secretary's Snowflake to you dated February 15, 2006, you asked me to provide information about "any current cases, ongoing legal actions or actions that are planned to be initiated in the Department of Justice, Department of Homeland Security or in any government department regarding the Rendon Group and Lincoln Group contracts."
- The Defense Manpower Data Center tracks contracts within the Department. They report that the Department has awarded **45** contracts to the Rendon Group since FY 2000, and two contracts to the Lincoln Group, both in 2005. A list of those contracts is provided at Attachments A and B.
- According to its website, The Rendon Group is a global strategic communication consultant. It has provided communications advice to the Department in the Middle East. According to its website, the Lincoln Group helps develop joint ventures with local Iraqi businesses.
- After inquiring with the Department of Justice and the Department of Homeland Security and reviewing information contained in publicly available databases, we were unable to find any lawsuits involving either party. There is a Freedom of Information Act lawsuit filed by Judicial Watch against the Department requesting any records DoD has concerning the Rendon Group. That suit is pending in the U.S. District Court for the District of Columbia.

6 Mar 06

COORDINATION: NONE

Attachments: As stated.

Prepared By: Michael E. Reheuser, Assoc. Dep. General Counsel (LC) (b)(6)

15 Feb 06



OSD 02799-06

DD350 Actions for Rendon Group FY1997 - FY2005 YTD

FY	Agency Name	Purch Office	Purchase Office Name	Comp ID	Contractor Name	Contract Number	State	City	FSC	Federal Supply Code (FSC)	Description	Dollars	Actdate
----	-------------	--------------	----------------------	---------	-----------------	-----------------	-------	------	-----	---------------------------	-------------	---------	---------

&

&

Other

AD25

D035 Action8 for Lincoln Group, Iraqex, and LincolnAlliance Group, FY1997 - FY2005

FY	Agency	Purch Office	Purchase Office Name	COMP ID	Contractor Name	Contract Number	State	City	FSC	Federal Supply Description	Dollars	Actdate
-----------	---------------	---------------------	-----------------------------	----------------	------------------------	------------------------	--------------	-------------	------------	-----------------------------------	----------------	----------------

Boock, Michael, CAPT, DoD-OGC

From: Reed, Ronald M, Col, JCS SJS [ronald.reed@js.pentagon.smil.mil]
Sent: Monday, March 06, 2006 7:47 AM
To: Allen, Charles, Mr, DoD-OGC; Boock, Michael, CAPT, DoD-OGC
Cc: McCarthy, Patrick M, CDR, JCS SJS; Meier, Michael W, COL, JCS SJS
Subject: FW: (U//~~FOUO~~) Meeting with the Brit Lawyers

Classification: UNCLASSIFIED

Chuck, Mike,

FYI - Pls pass to Mr Haynes. Thanks.

r/

RONALD M. REED

Colonel, USAF

Legal Counsel to the Chairman of the Joint Chiefs of Staff

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

From: Pribble, COL Fred T (USA) [mailto:PribblFT@centcom.smil.mil]
Sent: Monday, March 06, 2006 7:18 AM
To: Reed, Ronald M Col, JCS SJS
Cc: Hamilton, LtCol Thomas J. (USMC); O'Donnell, CDR Brian (USN); Hammill, GS-15 William B.; Antolin-Jenkins, Vida M CDR CUSNC N013; Meier, Michael W, COL, JCS SJS
Subject: RE (U//~~FOUO~~) Meeting with the Brit Lawyers

Ron:

See below. Please pass to Jim Haynes.

Thanks
Fred

From: O'Donnell, CDR Brian (USN)
Sent: Friday, March 03, 2006 5:15 PM
To: Antolin-Jenkins, Vida M CDR CUSNC N013
Cc: Pribble, COL Fred T (USA); Hamilton, LtCol Thomas J. (USMC); Hammill, GS-15 William B.
Subject: RE (U//~~FOUO~~) Meeting with Ute Brit Lawyers

Vida - Sounds like a great opportunity, would be interested in their views of the criminal activity within and piracy activity outside of Somalia TTS. Wouldn't share our upcoming counter-piracy plans yet at this point (has there been any Coalition discussion?).

I havecc'd COL Pribble and Mr. Hammill re: informing JS legal and OSD GC for their guidance.

R/Brian

PS: Be sure to mention Adv LOMO course in Newport.

From: Antolin-Jenkins, Vida M CDR CUSNC N013 [mailto:Vida.Antolin-Jenkins@me.navy.smil.mil]
Sent: Friday, March 03, 2006 9:53 AM
To: O'Donnell, CDR Brian (USN)

3/6/2006

11-L-0559/OSD/56011

Subject: (U//~~FOUO~~) Meeting with the Brit Lawyers

Classification: UNCLASSIFIED

Security Control Marking: ~~FOR OFFICIAL USE ONLY~~

Brian,

As my voice mail said, I have a two hour meeting on Tuesday with British lawyers. It is not at all unusual for the UKMCC folks to trot a lawyer or two through here for a visit on a periodicity of about every five weeks. Usually, we chat about operational law issues, going over common understandings and issues. This meeting appears a little different, first of all, because the head of DGLS, Martin Hemmings, will be here, as will CDR Hugh Anderson, the Fleet JAG and Annabelle Bolt, from Her Majesty's Customs Service. We will have 12 UK lawyers altogether.

Two of the things they have asked to talk about are the US. position/interpretation of the Vienna Convention on Counter-Narcotics and on counter-proliferation. I know a number of the attorneys from the work I did while in DC on PSI and SUA. I am preparing myself for the meeting, but (1) wanted you to know, and (2) would appreciate any guidance you may want to proffer and (3) think that JCS Legal and OSD GC might be interested in knowing of the meeting.

I'll be in tomorrow to work on a number of projects and, of course, there will be Monday to communicate if need be. Just didn't want to go on with business and have a bounce back because I am conducting meetings with extensive foreign legal delegations.

VIR,

Vida

Vida M. Antolin-Jenkins
CDR, JAGC, USN
Deputy Force Judge Advocate
COMUSNAVCENT
DSN: (b)(6)
COMM: (b)(6)
DSN: (b)(6)
COMM: (b)(6)

Classification: UNCLASSIFIED

Security Control Marking: ~~FOR OFFICIAL USE ONLY~~

x1704

INFO MEMO

MAR 20 2006

160

FOR: SECRETARY OF DEFENSE

FROM: Gordon England

SUBJECT: Rendon Group Contract

Don,

I have looked at both the Rendon and Lincoln Group contracts per your snowflake.

Since FY2000, the Department has awarded 45 contracts to the Rendon Group and two contracts, both in 2005, to the Lincoln Group. USSTRATCOM holds the largest contract with Rendon, valued at \$9M annually, and has been very pleased with their performance. The Rendon Group has become the "lightning rod" for the media's "the military should not manipulate the press" argument.

The Department has several ongoing and pending reviews. In response to requests from members of Congress, the DoD IG is reviewing activities related to both firms. Additionally the Commander, MNF-I, ordered a review of the Lincoln Group contract late last year to address questions as to the propriety and efficacy of those programs. That review is nearing completion.

Lastly, OGC confirmed with DOJ and DHS that there were no open lawsuits involving either party.

My recommendation is that we not take any action until all the pending investigations have been completed.

Signature
3-30

20 Mar 06

15 Feb 06

ORIGINAL

~~FOR OFFICIAL USE ONLY~~

DEPARTMENT OF DEFENSE
UNITED STATES STRATEGIC COMMAND



2 11 11 3:46

Reply To
USSTRATCOM/JOC/C
901 SAC BLVD STE 2A
OFFUTT AFB NE 68113-6000

MAR 8 2006

MEMORANDUM FOR THE DEPUTY SECRETARY OF DEFENSE

Through: CHAIRMAN, JOINT CHIEFS OF STAFF *VR/P 9 APR 06*

Subject: Response to SECDEF Question Regarding The Rendon Group

1. References:

- a. Secretary of Defense Snowflake, 15 Feb 06.
- b. Deputy Secretary of Defense, Military Assistant Memorandum, 22 Feb 06.

2. The Secretary of Defense requested information from the Deputy Secretary of Defense on why The Rendon Group keeps coming into question (Ref a). The Deputy Secretary of Defense tasked the Commander, USSTRATCOM to provide information on current DoD contracts with The Rendon Group and to recommend future DoD relationships with this group (Ref b.). USSTRATCOM has reviewed the current DoD activities associated with The Rendon Group contracts and coordinated a response with key Commands holding Rendon Group contracts. 4 draft response to the Deputy Secretary of Defense is provided (Tab A).

3. The Deputy Secretary of Defense suspense for this response is 7 Mar 06. Our point of contact for this action is Lt Col William Klug, DSN (b)(6)

[Signature]
JAMES E. CARTWRIGHT
General, USMC
Commander

Attachment: As stated

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/56014

OSD 02799-06

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: Mr. Gordon England, Deputy Secretary of Defense

SUBJECT: Response to SecDef's Question on **The Rendon Group Contract**

The Department presently has six contracts with The Rendon Group supporting OSD, ASD SOLIC, US Strategic Command, geographic combatant commanders, and deployed forces in both Iraq and Afghanistan. US Strategic Command holds the largest contract with Rendon, valued at \$9 million annually. Support across the six contracts includes foreign media analysis, research, and training/assistance in the areas of Strategic Communications, Media analysis, and influence planning and operations.

The Rendon Group contracts have drawn the attention of domestic and international press. The inference behind this attention being that the military uses The Rendon Group products to shape its "influence" operations in the international media. Because the media understands that Information Operation doctrine charters the Psychological Operations community as the only military discipline authorized to use broadcast and print media to influence foreign target audiences, The Rendon Group often becomes the lightning rod of the media's "the military should not manipulate the press" argument.

The media analysis products The Rendon Group provides to commanders have improved situational awareness by filling gaps in our open source intelligence collection efforts. Commanders use these products in developing strategic communications plans and information operations plans. In addition to the products, Rendon provided training has improved the skills of the staffs managing strategic communications and information operations. ASD SOLIC reports that The Rendon's Group work has demonstrated exceptional value in supporting effective information operations campaigns, and the contract work has been reported to Congress since 2001 without presenting any problems. Based on our collective experience, the benefit of contracting with The Rendon Group or another company that offers the same service is worth the investment, even though there has been periodic press interest in the company's activities. Furthermore, building an in-house capability on a par with this company would be cost prohibitive and take years to mature (linguists, regional experts).

The Foreign Media Analysis contract held at USSTRATCOM is currently open for re-competition. The Rendon Group is one of several companies competing for the current Foreign Media Analysis contract. If The Rendon Group is awarded this contract, USSTRATCOM would desire to continue its current affiliation with the company.



PROGRAM ANALYSIS
AND EVALUATION

OFFICE OF THE SECRETARY OF DEFENSE
1800 DEFENSE PENTAGON
WASHINGTON, D C 20301-1800



INFO MEMO FEB 23 2006 24

FOR: SECRETARY OF DEFENSE

FROM: Brad Berkson, Director, Program Analysis & Evaluation BB

SUBJECT: Compensation

- Attached is a follow-up analysis of the impact of the compensation reform proposed by the Defense Advisory Committee on Military Compensation (DACMC) (Tab A).
- This is a follow-up from the analysis we sent you in October 2005 on Military Compensation (Tab B).
 - a It demonstrates that even with the reforms proposed by Admiral Pilling's team, we would not significantly shift the compensation mix to current cash.
- A couple of implications are that either we will need much more dramatic reforms than those proposed by DACMC in order to shift this balance, or we will have to develop a strategy that promotes the magnitude and value of our deferred compensation benefit much more aggressively.
- Let me know if you would like a more detailed review of these findings.

COORDINATIONS: None

Attachments:
As stated

cc:
Secretary England
Fran Harvey
David Chu
Tina Jonas
Pete Geren

Prepared by: Brad Berkson, (b)(6)



11-L-0559/OSD/56016

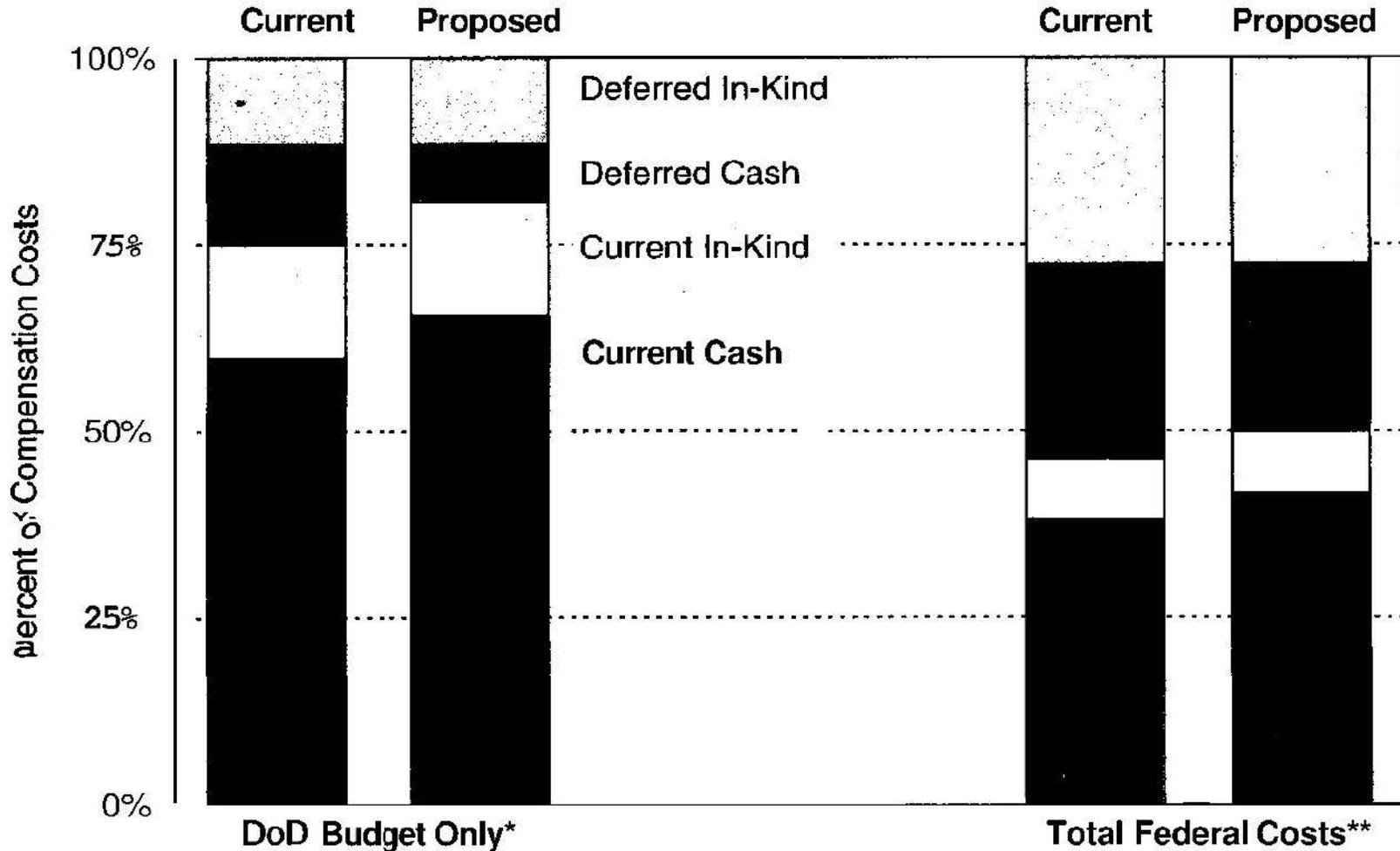
OSD 02823-06

TAB

A



DACMC recommendation shifts compensation towards current cash



* Source: Defense Advisory Committee on Military Compensation

** Source: OSD(PA&E). Includes costs accounted for in the budgets of the departments of Veterans' Affairs, Treasury, Education, and Labor,

TAB

B

October 17, 2005

TO: David Chu
CC: Fran Harvey
Gordon England
Pete Geren
Brad Berkson
FROM: Donald Rumsfeld *DR*
SUBJECT: Compensation

Attached is an analysis by Brad Berkson on compensation. It is clear we are not communicating the compensation appropriately or several things would be different: 1) One would think we would have better results on recruiting and retention. 2) Congress would get the message and stop adding on deferred compensation.

It is pretty clear to me that this is not the proper compensation mix that is most appropriate for the target audiences we want to recruit and retain.

I would like you to come up with a proposal as to how we get this fixed. David Chu, please take the lead and get back to me within three weeks.

Thanks.

Attach.

10/16/05 Director, PA&E memo to SecDef re: Compensation Review [OSD 19947-05]

DRE:dh
101705-16(18).doc

.....
Please respond by November 10, 2005

1/6
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PROGRAM ANALYSIS
AND EVALUATION

OFFICE OF THE SECRETARY OF DEFENSE

1800 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1800

OFFICE OF THE
SECRETARY OF DEFENSE



10/7

2005 OCT -6 PM 2:23

INFO MEMO

OCT 6 2005

Robert Rangel

FOR: SECRETARY OF DEFENSE

RL
10/12

FROM: Brad Berkson, Director, PA&E RB

SUBJECT: Compensation Review

- In preparation for upcoming discussions on military pay, I wanted to advise you of our current compensation situation.
- Including all sources of compensation for military personnel and retirees, the USG spends \$260B/year, over 40% of which is outside the DoD budget (Tab 1).
- A blended yearly compensation estimate for military personnel comes near to, or in excess of, \$100k. By contrast, estimates for private industry range from \$45k to \$60k (Tab 2).
- This difference is primarily the result of the dramatic difference in deferred compensation when compared to private industry. Furthermore, the trend toward increased deferred compensation continues as Congress grants more entitlements to retirees (Tab 3).
- When all USG sources of compensation are considered, it would appear that DoD's pay is sufficient to attract a high quality workforce; however, it is unclear whether our compensation mix suits the workforce shape we want.
- I have briefed these results to the Deputy Secretary, Service Secretaries, and various Under Secretaries. Dr. Chu is working with your military compensation board to identify actions we should take in this area.
- Let me know if you would like a more detailed review of these findings.

COORDINATIONS: None

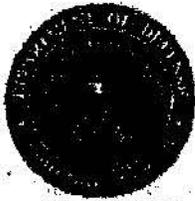
Attachments:
As stated

SPB 10/7

MA SD	10/12	SMA DSD	
ISA SD	10/12	SA DSD	
EXEC SEC	Mulla	1935	10/12/05
ESR MA	10/12/05		

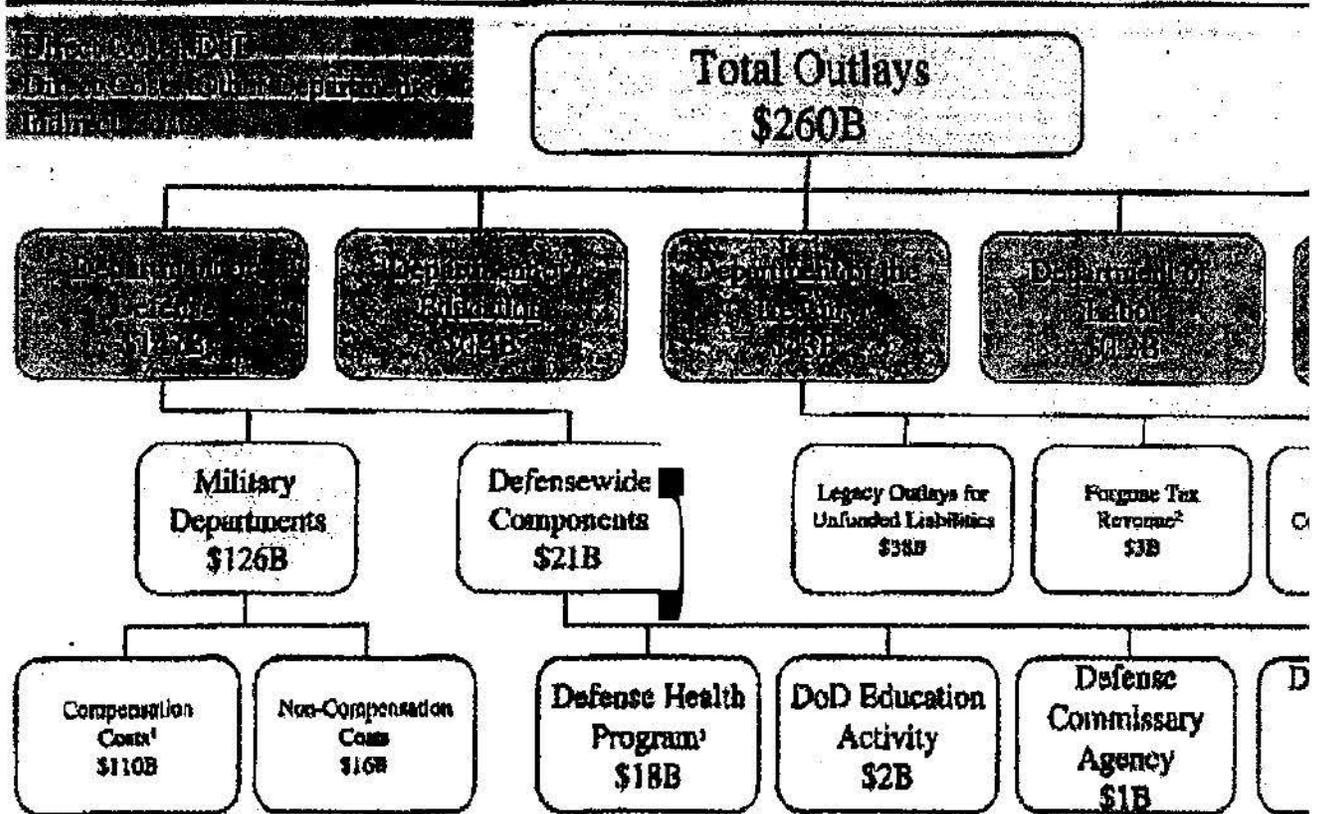


OSD 19947-05



Tab 1

FY05 Outlays for Military Personnel and R

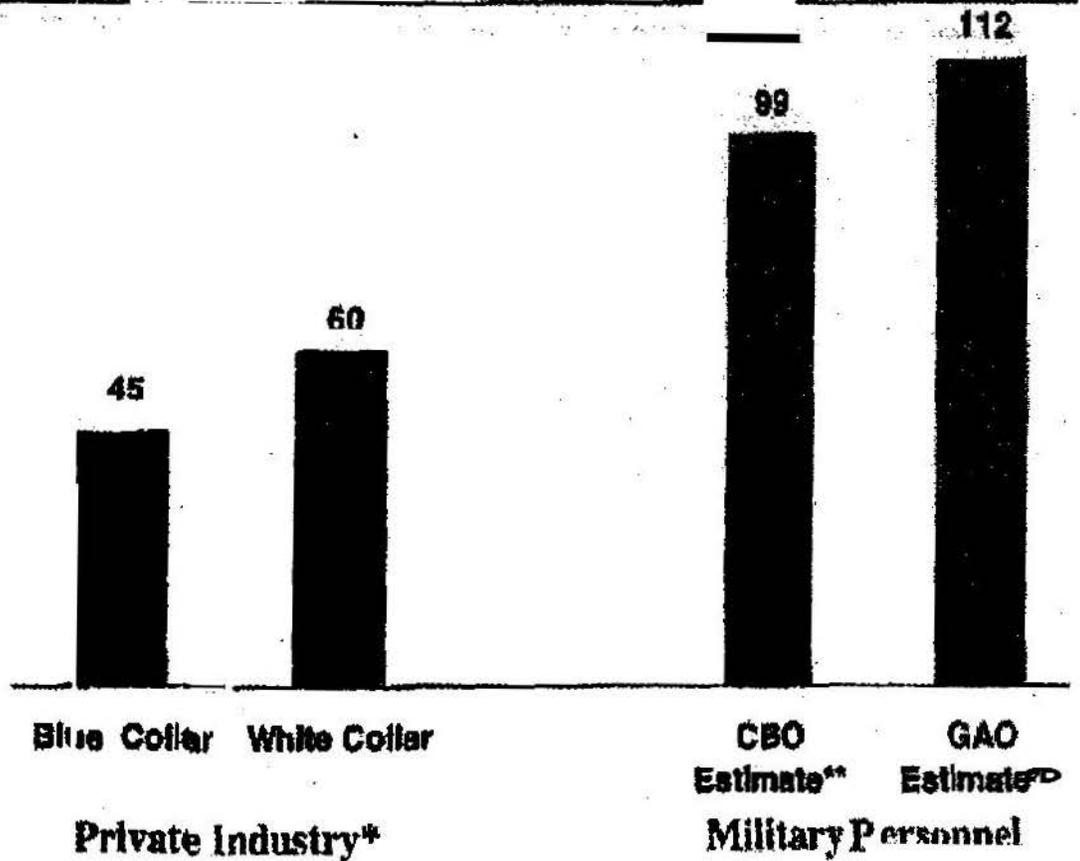


¹ \$70 of MiPFers associated with military personnel working for the Defense Health Program is represented in Compensation Costs.
² Some compensation (e.g., combat pay, allowances) is not subject to federal income tax. If it was subject to taxation, the Department of the True additional outlays of \$3B would be needed to maintain the level of after-tax earnings of military personnel.
 Numbers may not add due to rounding.



Tab 2

Average Annual Cost per Person (\$K)



* In FY03. Bureau of Labor Statistics

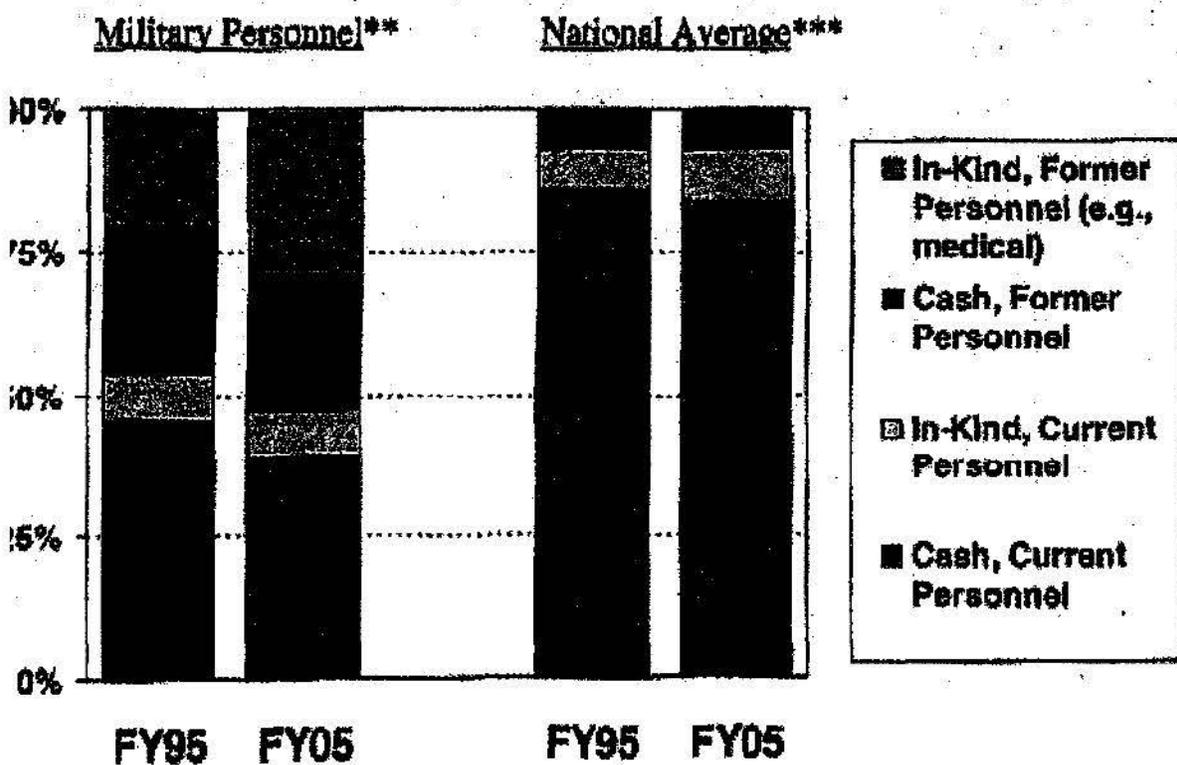
** In FY02. Military Compensation: Balancing Cash and Noncash Benefits. Congressional Budget Office, January 16, 2004.

*** In FY04. Military Personnel: DOD Needs to Improve the Transparency and Reassess the Reasonableness, Appropriateness, Affordability, of Military Compensation System. Government Accountability Office, July 2005.

7 0016

Tab 3

Military Personnel* Compensation Mix Trends



and former active duty, national guard, and reserve personnel.
from Dept. of Education (\$0.4B), Dept. of Labor (\$0.2B), Dept. of Treasury (\$4.2B, excluding outlays for unfunded liabilities), and Dept. of
of Labor Statistics, March 2005

FOUO

February 6, 2006

11-L-0559 : 5:57

TO: Robert Rangel

CC: Gen ~~Pete~~ Pace
Eric Edelman
David Chu
Robert Wilkie

FROM Donald Rumsfeld

SUBJECT Suggestions for Congress

The other day I dictated the attached list of things we might like to ask Congress to think about.

Please edit the list, and get your edits to Robert Rangel to pull together, so he can come back to me with a single piece of paper. Then we can think about whether or not we want to do something like that.

Thanks.

Attach.

1/3 1/06 SD memo: "List of Things for Congress to Do"

DHR:dh
020406-27 (TS). Doc

.....
Please respond by March 2, 2006

FOUO

OSD 02877-06

11-L-0559/OSD/56025

~~FOUO~~

January 31, 2006

SUBJECT: List of Things for Congress to do

I would like to develop a list of things we would like ~~the~~ Congress to do: Ideas for hearings, oversight, outside panels, etc.

Thoughts include:

1. USG Inter-agency cooperation in GWOT
2. Privacy in area of rapid technical advances
3. Strategic ~~Communications~~/IO/PA, etc.
4. Personnel Policies
5. Resmctions - DoD authorization bill going from 47 to 947 pages (get actual ~~numbers~~ -- 1975 and 2005)
6. Waging military operations in nations US is not at ~~war~~ with
7. Intel priorities in 21st century
8. Building partnership capacities, not dependence
9. Education exchanges - IMET, war colleges, etc.
10. Desirability of a new foreign aid system and process

DHR.ss
013106-16

~~FOUO~~

11-L-0559/OSD/56026



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

UNCLASSIFIED

INFO MEMO

February 23, 2006, 3:00 P.M

FOR: MR. ROBERT RANGEL

FROM: Robert L. Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs, (b)(6)

SUBJECT: Snowflake Response – “Suggestions for Congress,” #020406-27 and # 013106-16
(Tabs A and B)

- The Secretary has requested that I provide to you with my edits to his “List of Things for Congress to do.”
- I suggest the following additions be made to list:
 - Military health care – keeping costs in check;
 - Obtaining the best equipment available in the most expeditious manner to enhance readiness and capabilities;
 - Flexibility in fiscal management through obtaining enhanced ability to transfer funds in response to urgent needs;
 - Building partnership capacity of military or security forces to combat terrorism or engage in stability operations
 - Key legislative proposals generated by the Department that have been or are expected to be cleared by OMB in the coming weeks:
 - Expansion of Humanitarian and Civic Assistance to Include Developing Communications and Information Capacity
 - Logistic Support of Allied Forces for Combined Operations
 - Interoperability Development and Training
 - Building the Partnership Security Capacity of Military and Security Forces
 - Support to Coalition Forces to Combat Terrorism
 - Clarification of Rapid Acquisition Authority to Respond to Combat Emergencies
 - Legal Support for U.S. Personnel Subjected to Foreign Judicial Tribunals and Administrative Agencies
 - Change to Acquisition and Cross-Servicing Agreements Definition to Allow Loan of Significant Military Equipment
 - Construction of the First Two Next Generation Destroyers
 - Deletion of Requirement for 12 Operational Aircraft Carriers

Attachments:

Snowflake #020406-27 (TAB A)

#013106-16 List of Things for Congress to do (TAB B)

Prepared by: Christian P. Marrone, Special Assistant, OASD (LA), (b)(6)

11-L-0559/OSD/56027

OSD 02877-06

~~FOUO~~

2006 FEB 06 11:57 February 6, 2006

TO: **Robert Rangel**

CC: **Gen Pete Pace**
Eric Edeiman
David Chu
Robert Wilkie

FROM: **Donald Rumsfeld** *DR*

SUBJECT: **Suggestions for Congress**

The other day I dictated the attached **List** of things we might like to ask Congress to think about.

Please edit the list, and get your edits to Robert Rangel to pull together. so he *can* come back to me with a single piece of paper. Then we can think about whether or not we want to do something like that.

Thanks.

Attach.

1/3 1/06 SD memo: "List of Things for Congress to Do"

DHR:dh
020406-27 (TS). Doc

.....
Please respond by March 2, 2006

~~FOUO~~

OSD 02877-06

11-L-0559/OSD/56028

~~FOUO~~

January 31,2006

SUBJECT: **List of Things** for Congress to do

I would like to develop a list of things we would like the Congress to **do**: Ideas for hearings, oversight, outside panels, etc.

Thoughts include:

1. USG Inter-agency cooperation **in** GWOT
2. Privacy in **area of rapid** technical advances
3. Strategic **Communications/IO/PA**, etc.
4. Personnel Policies
5. Resmctions - DoD authorization bill going from 47 to 947 pages (get actual numbers -- 1975 and **2005**)
6. Waging military operations **in** nations US is not **at war with**
7. **Intel** priorities in 21st century
8. Building partnership capacities, not dependence
9. Education exchanges - **IMET**, war colleges, etc.
10. Desirability of a new foreign aid system and process

DHR:lj
012106-1d

~~FOUO~~

11-L-0559/OSD/56029

B

~~FOUO~~

February 15, 2006

TO: Robert Wilkie
FROM: Donald Rumsfeld *D.A.*
SUBJECT: Responding to Senator Byrd re: Lt. Rebrook

I want to get to get the final details on the officer Senator Byrd mentioned -- Lt. William Rebrook -- who was billed \$700 for his body armor after he was wounded, and I would like to see how we responded to Senator Byrd, explaining it all.

Thanks.

DHR.ss
021506-27

.....
Please Respond By 02/28/06

~~FOUO~~

OSD 02879-06

11-L-0559/OSD/56030

UNCLASSIFIED
INFORMATION MEMO

334

FOR DEPUTY SECRETARY OF DEFENSE

FROM: **RDML** Frank Thorp IV, DoD SCIG Secretariat *FT 2/22*

SUBJECT DoD Strategic Communication Group (SCIG) Update

Joint Staff, OSD(Policy), Public Affairs, ~~the~~ SCIG Secretariat, and several other organizations continue to work together and are making good progress in defining the way forward for the Iraq priority – “Educate Coalition and Domestic Audiences on the Iraq Strategy.” **During** the SCIG EXCOM meeting on Thursday, four of the five EXCOM members were very engaged in reviewing the work on **this** priority.

To ensure we properly **define** the way forward for **this** effort, and to provide you the best possible product, the EXCOM decided to meet again to complete its review of the work on this priority. Therefore, we are deferring **this** Friday’s **weekly** update to next Friday.

As we will be doing every week, attached at Tab A is our list of priorities and at Tab B is our list of proposed priorities. There **are** no significant changes.

cc: DOD SCIG EXCOM Members

22 FEB 07

OSD 02879-07



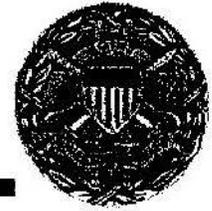
2/23/2007 12:19 30PM

11-L-0559/OSD/56031

TAB A



Strategic Communication Approved Priorities



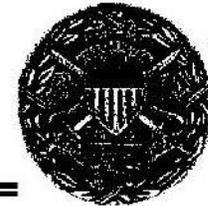
<u>Goal</u>	<u>Overall Lead</u>	<u>Secretariat POC</u>	<u>Tomate to Secretariat</u>	<u>EXCOM Review</u>	<u>DEPSECDEF Decision</u>	<u>Next Suspense</u>
1. Educate Coalition and Domestic Audiences on Iraq Strategy	Joint Staff (J-5)/Policy	LTC Egan/Dr Lancaster/ Col Barnes	23 Feb 07	28 Feb 07	2 Mar 07	23 Feb 07
2. Counter Al Qa'ida and Taliban in Afghanistan	Policy/CENTCOM	LTC Feldman/Mr Neis/ LCDR Yelle	23 Feb 07	20 Feb 07	9 Mar 07	23 Feb 07
3. Iran Strategy and Policy	Policy/CENTCOM	Ms Chao/Mr Neis/ LTC Egan	23 Feb 07	28 Feb 07	16 Mar 07	23 Feb 07

Occurred
Scheduled
Late
*Italics - change
since last update*

TAB B



Strategic Communication Proposed Priorities



<u>Goal</u>	<u>Overall Lead</u>	<u>Secretariat EOC</u>	<u>Template to Secretariat</u>
1. Cuba Post-Castro	Policy/SOUTHCOM	LTC Flowers/CDR Fields	Pending
2. US-China Relations	Policy/PACOM	CDR Fields/Ms Chao	Pending
3. Dissuade Adversaries From Developing Ballistic Missile Capabilities	Policy/STRATCOM	Col Barnes/LTC Flowers	Pending
4. Counter Legitimacy of AQAM & Hinder its Ability to Recruit	Policy/SOCOM	LTC Feldman/ DrMcDade-Morrison	Pending
5. Deter NK from Testing Nuclear Weapons	Policy/PACOM	CDR Fields/Ms Chao	Pending
6. Counter China Activism	Policy/PACOM	CDR Fields/Ms Chao	Pending
7. Support Legitimate Governance in Somalia	Policy/CENTCOM	LTC Feldman	Pending

<p>Occurred Scheduled Late <i>italics = change since last update</i></p>



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

UNCLASSIFIED

INFO MEMO

4:05

February 23, 2006, 12:00 P.M.

FOR: SECRETARY OF DEFENSE

FROM: Robert L. Wilkie, Acting Assistant Secretary of Defense.
for Legislative Affairs, (b)(6)

SUBJECT: Snowflake - Responding to Senator Byrd re: Lt. Rebrook, #021506-27

- You stated, "I want to get the final details on the officer Senator Byrd mentioned – Lt. William Rebrook – who was billed \$700 for his body armor after he was wounded. and I would like to see how we responded to Senator Byrd. explaining it all."
- General Schoomaker responded to Senator Byrd on February 9, 2006, informing him that the Army would reimburse 1LT Rebrook for equipment that was damaged or destroyed in combat, following an investigation. Similar letters were also sent to Senators Warner, Levin, and Rockefeller. (TAB A)
- My staff subsequently followed up with Army and were provided the following:
 - o 1st Cavalry Division, to which 1LT Rebrook is assigned. re-initiated a Report of Survey into the Body Armor and other missing items reported by 1LT Rebrook. The command forwarded a copy of the findings to 1LT Rebrook on February 10, 2006.
 - o The command contacted 1LT Rebrook on February 16, 2006, to ensure he received the Report of Survey findings. He received the information on February 13, 2006, and advised command that he would sign the paperwork and mail it that afternoon.
 - o As of February 22, 2006, 1st Cavalry Division had not received a response from 1LT Rebrook on the findings of his financial responsibility for the missing items.

Attachments:

GEN Schoomaker Letters, February 9, 2006 (TAB A)
Snowflake #021506-27 (TAB B)

Prepared by: Major Derek T. Contreras, Special Assistant, OASD (LA), (b)(6)

11-L-0559/OSD/56036

OSD 02879-06



UNITED STATES ARMY
THE CHIEF OF STAFF
FEB 09 2006

The Honorable Robert C. Byrd
United States Senate
Washington, DC 20510-4801

Dear Senator Byrd:

This replies to your question during testimony on February 7, 2006, on behalf of Lieutenant William E. Rebrook IV, concerning reimbursement for missing equipment. The Army will reimburse Lieutenant Rebrook the appropriate amount for his government issued equipment due to combat loss once the investigation is complete.

I understand from 1st Cavalry Division officials that, when Lieutenant Rebrook departed Fort Hood and the Army, he decided to pay for approximately twenty items of equipment that were unaccounted for, including his Outer Tactical Vest which had been destroyed when he was injured in Iraq. Lieutenant Rebrook decided to pay for all the missing items instead of initiating the paperwork that would have relieved him from accountability of the Outer Tactical Vest and possibly several other items that were properly documented as combat losses.

The 1st Cavalry Division has been in contact with Lieutenant Rebrook regarding this matter and has made the resolution of it a high priority. The unit is continuing to process a Financial Liability Investigation of Property Loss to properly account for the discrepancies. We expect that this investigation will relieve Lieutenant Rebrook of the financial responsibility for the equipment he paid for that was damaged or destroyed in combat. The command will complete its portion of the Financial Liability Investigation of Property Loss by the end of this week. Lieutenant Rebrook will then have the opportunity to respond to any findings of financial responsibility for any of the other missing items.

Please be assured that this issue has my attention and is being monitored closely by the command leadership. We will let you know when this matter has been resolved.

Sincerely,

Peter J. Schoemaker
General, United States Army

11-L-0559/OSD/56037



UNITED STATES ARMY
THE CHIEF OF STAFF
FEB 09 2006

The Honorable John W. Warner
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

This replies to the question during testimony on February 7, 2008, on behalf of Lieutenant William E. Rebrook IV, concerning reimbursement for missing equipment. The Army will reimburse Lieutenant Rebrook the appropriate amount for his government issued equipment due to combat loss once the investigation is complete.

I understand from 1st Cavalry Division officials that, when Lieutenant Rebrook departed Fort Hood and the Army, he decided to pay for approximately twenty items of equipment that were unaccounted for, including his Outer Tactical Vest which had been destroyed when he was injured in Iraq. Lieutenant Rebrook decided to pay for all the missing items instead of initiating the paperwork that would have relieved him from accountability of the Outer Tactical Vest and possibly several other items that were properly documented as combat losses.

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Please be assured that this issue has my attention and is being monitored closely by the command leadership. We will let you know when this matter has been resolved.

Sincerely,

Peter J. Schoomaker
General, United States Army

11-L-0559/OSD/56038



UNITED STATES ARMY
THE CHIEF OF STAFF
FEB 09 2006

The Honorable Carl Levin
Ranking Member
Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Senator Levin:

This replies to the question during testimony on February 7, 2006, on behalf of Lieutenant William E. Rebrook IV, concerning reimbursement for missing equipment. The Army will reimburse Lieutenant Rebrook the appropriate amount for his government issued equipment due to combat loss once the investigation is complete.

I understand from 1st Cavalry Division officials that, when Lieutenant Rebrook departed Fort Hood and the Army, he decided to pay for approximately twenty items of equipment that were unaccounted for, including his Outer Tactical Vest which had been destroyed when he was injured in Iraq. Lieutenant Rebrook decided to pay for all the missing items instead of initiating the paperwork that would have relieved him from accountability of the Outer Tactical Vest and possibly several other items that were properly documented as combat losses.

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Please be assured that this issue has my attention and is being monitored closely by the command leadership. We will let you know when this matter has been resolved.

Sincerely,

Peter J. Schoomaier
General, United States Army

420

(77606)

R 01971-06



UNITED STATES ARMY
THE CHIEF OF STAFF
FEB 09 2006

420

The Honorable John D. Rockefeller IV
United States Senate
Washington, DC 20510

Dear Senator Rockefeller:

Thank you for your letter on behalf of First Lieutenant William E. Rebrook IV, concerning reimbursement for missing equipment. The Army will reimburse Lieutenant Rebrook the appropriate amount for his government issued equipment due to combat loss once the investigation is complete.

I understand from 1st Cavalry Division officials that, when Lieutenant Rebrook departed Fort Hood and the Army, he decided to pay for approximately twenty items of equipment that were unaccounted for, including his Outer Tactical Vest which had been destroyed when he was injured in Iraq. Lieutenant Rebrook decided to pay for all the missing items instead of initiating the paperwork that would have relieved him from accountability of the Outer Tactical Vest and possibly several other items that were properly documented as combat losses.

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Please be assured that this issue has my attention and is being monitored closely by the command leadership. We will let you know when this matter has been resolved.

sincerely,

Peter J. Schoomaker
General, United States Army

(7 Feb 06)

R 01971-06

~~FOUO~~

February 15, 2006

TO: Robert Wilkie

FROM Donald Rumsfeld *DR*

SUBJECT: Responding to Senator Byrd re: Lt. Rebrook

I want to get to get the final details on the officer Senator Byrd mentioned -- Lt. William Rebrook -- who was billed \$700 for his body armor after he was wounded, and I would like to see how we responded to Senator Byrd, explaining it all.

Thanks.

DHR:ss
021506-27



Please Respond By 02/28/06

~~FOUO~~

OSD 02879-06

F

FOUO

12 February 15, 2006

TO: Robert Wilkie

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Comment about Miller at SASC Hearing

I **think** someone in the SASC hearing said **something** about Miller being in charge of Abu Ghraib. I don't **think** he ever was in charge of **Abu** Ghraib. We should **clarify** that for the record.

Thanks.

DHR:ss
021506-26

.....
Please Respond By 03/02/06

FOUO



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

UNCLASSIFIED

INFO MEMO

February 23, 2006, 12:00 P.M.

FOR: SECRETARY OF DEFENSE

FROM: Robert L. Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs (b)(6)

SUBJECT: Snowflake Response--Comment about Miller at SASC Hearing, #02 1506-26

- You requested that the record of the Senate Armed Services Committee (SASC) Hearing of February 7, 2006 be clarified to note the correct role of Gen. Miller at Abu Ghraib.
- Sen. Lindsay Graham (R-SC) misstated that, "General Miller was the former commander at Abu Ghraib."
- The Congressional Transcript for the SASC Hearing of February 7, 2006 has been corrected to reflect that Gen. Miller was the Deputy Commanding General for Detention Operations in Iraq, not the Commander of Abu Ghraib.

COORDINATION: OGC

Attachments:

Snowflake #021506-26 (TAB A)

February 7, 2006 SASC Transcript (TAB B)

Prepared by: Christian P. Marrone, Special Assistant, OASD (LA) (b)(6)

11-L-0559/OSD/56043

OSD 02880-06

A

~~FOUO~~

SECRET

2007 FEB 23 PM 6:12 February 15, 2006

TO: Robert Wilkie
FROM: Donald Rumsfeld *D.A.*
SUBJECT: Comment about Miller at SASC Hearing

I think someone in the SASC hearing said something about Miller being in charge of Abu Ghraib. I don't think he ever was in charge of Abu Ghraib. We should clarify that for the record.

Thanks.

DHR.ss
021506-25



Please Respond By 03/02/06

~~FOUO~~

TAB B

CONGRESSIONAL TRANSCRIPTS
Congressional Hearings
Feb. 7, 2006

Senate Armed Services Committee Holds Hearing on Defense Authorization

GRAHAM

The chairman has expressed some concerns about a two-star general, I think it's General Geoffrey Miller, invoking his Article 31 rights when he was called to a court martial to testify in a case involving two enlisted personnel who *are* being accused of abusing prisoners through the use of military dogs.

I have been concerned about this for a very long time. General Miller was the former commander at Abu Ghraib. He was sent to the region, I think, at the request of General Sanchez. Tried to get a hand on the insurgency and get good intelligence. I can understand that.

Colonel Pappas was the commander of the prison. And there are two stories out there that cannot be reconciled, in my opinion. One story is that Colonel Pappas was told by General Miller of how to use the dogs in interrogation, how that could be used -- the dogs could be used to get useful information. General Miller says he only mentioned the dogs in terms of perimeter security.

A

~~FOUO~~

13 December 12, 2005

TO: Dan Stanley
FROM: Donald Rumsfeld *DR*
SUBJECT: Amendment

We certainly ought to be opposing the amendment that would prevent anybody from the military from being number two at CIA or NDI.

Thanks

DIR
21205-02

.....
Please Respond By 12.19/05

~~FOUO~~



THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

313

February 21, 2005, 12:05 PM

FOR: SECRETARY OF DEFENSE

FROM: Robert Wilkie, Acting Assistant Secretary of Defense-;
for Legislative Affairs (b)(6)

SUBJECT: Response to SECDEF Snowflake Regarding Exclusion of Military Officers
from CIA Leadership Positions

- The FY06 Senate Intelligence Bill contained a provision that the CIA Director and Deputy Director must be appointed from civilian life.
- You and the DNI strongly appealed this provision in letters to Congress, claiming this provision materially interferes with the President's prerogatives.
- For unrelated reasons, this bill was never voted out of the full Senate. Therefore, we do not have, nor do we expect, an intelligence bill for FY06. As a result, the offensive provision has not been enacted into law.
- Your staff will work to ensure both intelligence committees are aware of the administration's objection to any such provision in future bills.

Coordination: *Jaime 107 2-22-06*
USD (Intelligence)

Attachment:

SECDEF Snowflake 121205-04, 12Dec 05
Appeal Letters to the Senate from DoD and DNI

11-L-0559/OSD/56047

OSD 02881-06

A

~~FOUO~~

DEC 12 2005 6:18 December 12, 2005

T9: Dan Stanley

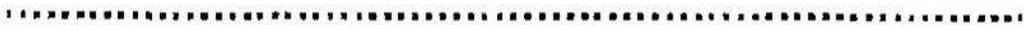
FROM: Donald Rumsfeld *DR*

SUBJECT: Amendment

We certainly ought to be opposing the amendment that would prevent anybody from the military from being number two at CIA or NDI.

Thanks.

DIR
12/12/05



Please Respond By 12/19/05

~~FOUO~~



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

DEC 7 2005

The Honorable Pat Roberts
Chairman
Select Committee on Intelligence
United States Senate
Washington, DC 20510-6575

Dear Mr. Chairman:

There are three provisions in the Senate's Fiscal Year 2006 intelligence authorization bill that are of particular concern to the Department of Defense, and that - if enacted - would affect the Department's ability to properly perform its missions and impact on our national security.

Section 421 would require that the Director and Deputy Director of the CIA be appointed "from civilian life." Past Presidents have appointed serving military officers as Director or Deputy Director of Central Intelligence. These officers have provided outstanding service to the nation, and it is likely that future Presidents may also determine that appointment of a serving military officer to one of these positions would be appropriate. Section 421 materially interferes with the President's prerogatives to organize the nation's intelligence organizations to meet future needs.

Section 435 would include the Defense Intelligence Agency (DIA), the National Geospatial-Intelligence Agency (NGA), the National Security Agency (NSA), and the National Reconnaissance Office (NRO) as "designated federal entities" under the Inspector General Act of 1978. The first three of these are combat support agencies (CSAs). All four are within the Department of Defense, and their IGs operate under the supervision of the Department's Inspector General. The Department has ample authority to ensure full cooperation by any element of the Department with the IGs of the four agencies. Enactment of this provision would interfere with the statutory lines of authority governing the operations of the Department of Defense related to this important function.



11-L-0559/OSD/56049

OSD 23575-05

Section 436 would require that the Directors of NSA, NGA, and NRO be appointed by the President with the advice and consent of the Senate. Under the recently enacted Intelligence Reform and Terrorism Prevention Act of 2004, these Directors are appointed by the Secretary of Defense with the concurrence of the DNI. This proposal would only serve to inhibit the timely staffing of these important positions.

I strongly urge the intelligence authorization conferees to reject these three provisions. I have sent a similar letter to the Committee's Vice Chairman, The Honorable John D. Rockefeller IV.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan R. Gold". The signature is written in a cursive, flowing style with a long horizontal stroke at the beginning and a distinct loop at the end.

DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

December 1, 2005

The Honorable Pat Roberts
Chairman
Select Committee on Intelligence
United States Senate
Washington, DC 20510

The Honorable John Rockefeller
Vice Chairman
Select Committee on Intelligence
United States Senate
Washington, DC 20510

Dear Mr. Chairman and Senator Rockefeller

This letter presents the views of the Administration, regarding S. 1803, the Intelligence Authorization Act for Fiscal Year 2006, as reported by Committee. We appreciate the Committee's inclusion in its bill of many of the provisions contained in the Administration's draft bill and thank you for your efforts on our behalf. Although we generally are in accord with the bill, there are several provisions in the bill and the classified annex that cause us some concern, and for the reasons set forth below, we cannot support the bill in its entirety. Our concerns with the classified annex are addressed in a separate, classified submission. However, we caution that should the final intelligence authorization bill not address certain concerns identified in the classified letter from the Director of National Intelligence, the President's senior advisors will recommend that he veto the bill.

In the remarks that follow, provisions we support are discussed first, followed by provisions that cause us concern. For these we have offered several recommendations. Provisions that we oppose are discussed last. We look forward to working with the Committee to resolve these issues.

Provisions Supported

The Administration appreciates and supports sections 101, 104, 201, 301, **302, 303**, 304, 308, 309, 402, 404, 405, 412, 413, 414, 415, 417, 422, 423, 424, 425, 432, 443, 444, and the provisions highlighted in the following paragraphs. We also appreciate and have no issues with the technical amendments in Title V of the bill.

Section **305**. **Modification of availability of funds for different intelligence activities.** The Administration strongly supports section 305, which would bring the section's substantive criteria under 504(a)(3)(B) of the National Security Act of 1947, as amended, into conformity with the substantive criteria under section 102A(d)(5)(A) of that Act, as amended by the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA). The new language would enhance the

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flexibility and capability of intelligence agencies to reprogram funds to meet higher-priority mission needs.

Section 306. **Retention and use of amounts paid as debts to elements of the intelligence community.** We strongly support this provision, which would allow elements of the Intelligence Community (IC) to accept, retain, and – for certain purposes – use funds received from private parties for debts owed. However, we recommend that section 306(c) be amended to read as follows:

"(c) AVAILABILITY OF AMOUNTS.--Amounts credited to an appropriation or account under subsection (h) with respect to a debt owned to an element of the intelligence community shall be available to the head of such element, for such time as is applicable to amounts in such appropriation or account or such longer time as may be provided by law, for purposes as follows. . ."

Section 401. **Additional authorities of the Director of National Intelligence on intelligence information sharing.** We strongly support this provision. The development and deployment of systems of common concern designed to enhance the collection, processing, analysis, exploitation, and dissemination of national intelligence will greatly benefit the Intelligence Community. Intelligence information sharing systems need to be interconnected, interoperable, secure, and available, and permitting the DNI to help fund such systems will help ensure their development. Moreover, establishing standards for the utilization and operation of such systems is consistent with DNI authorities set forth in the IRTPA, including section 1018.

Section 411. **Eligibility for incentive awards of personnel assigned to the Office of the Director of National Intelligence.** The Administration supports the extension of incentive awards authority for military personnel to the Office of the Director of National Intelligence. We understand that in the past there has been some difficulty in processing similar awards; thus, we would strongly support additional language that would urge expeditious processing of such awards.

Section 416. **Applicability of the Privacy Act to the Director of National Intelligence and the Office of the Director of National Intelligence.** The Administration supports this provision, which would provide the DNI with authority, similar to that currently available to the Director of the Central Intelligence Agency (CIA), to exempt systems of records from certain requirements of the Privacy Act.

Section 426. **Modification of exclusion of military officer serving as Associate Director of the Central Intelligence Agency for Military Support from officer strength and distribution-in-grade limitations.** The Administration supports this section. We understand that a provision that is substantively the same as section 426 of S. 1803 has been added by amendment to S. 1042, the Senate's FY 2006 National Defense Authorization bill.

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Section **433**. Codification of authorities of National Security Agency **protective** personnel. We support this section but recommend that the title be changed to "Additional functions and authorities for protective personnel of the National Security Agency," to parallel the title of section 425, "Additional functions and authorities for protective personnel of the Central Intelligence Agency."

Provisions of Concern

The following sections cause us some concern, and so we offer several recommendations.

Section **102**. **Classified schedule of authorizations**. We support section **102**. However, for reasons set forth in the "Provisions Opposed" section of this letter, we strongly object to section **103**, and therefore recommend that the phrase incorporating section **103** that appears at the end of section **102(a)** be deleted so that the end of the last sentence in subsection **102(a)** reads as follows:

"[A]re those specified in the classified Schedule of Authorizations prepared to accompany the conference report on the bill _____ of the One Hundred Ninth Congress and in the Classified Annex to such report ~~as incorporated in this Act under section 103.~~"

Section **105**. **Intelligence Community Management Account**. Section **105(d)** contains a provision found in prior intelligence authorization acts that limits nonreimbursable details to the Office of the Director of National Intelligence to a period of less than one year. We believe that the ODNI as well as the detailing agencies would benefit from arrangements for details of longer duration and should not be subject to the one-year limitation. Removing the current limitation would be consistent with the spirit of the IRTPA to ensure that quality personnel are assigned to the ODNI. Because there is no comparable government-wide statutory prohibition, we believe removal of this specific prohibition would enhance the DNI's personnel flexibility to function consistent with applicable government-wide requirements. We will develop appropriate guidelines for managing nonreimbursable details as part of our overall efforts to improve the management of the Intelligence Community's human capital.

Section **106**. **Incorporation of Reporting Requirements**. Section **106** of the bill purports to incorporate by reference certain items set forth in a classified annex to the bill and in a yet to be written joint explanatory statement to accompany a conference report on the bill or in the yet to be written classified annex to the Act. As we explain in our objections to section **103**, the Executive Branch continues to discourage the practice of enacting secret laws, and encourages instead appropriate uses of non-statutory classified schedules of authorizations, classified annexes to committee reports, and joint statements of managers that accompany the final legislation.

section **307**. **Pilot program on disclosure of records under the Privacy Act relating to certain intelligence activities**. The Administration strongly supports this provision because it would facilitate the type of information sharing mandated by the IRTPA, consistent with the

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need to protect privacy and civil liberties. However, we have some concerns with specific provisions in this section.

1. We firmly believe that the program described in section 307 requires four years to collect the data necessary to produce meaningful analysis and reporting.
2. However, we also believe that section 307 contains too many reporting requirements, including a report by the Privacy and Civil Liberties Oversight Board, and so we recommend a revised reporting schedule that is synchronized with the DNI's preparation of its annual authorization package, and still meets congressional requirements.

First, we suggest replacement of the annual reports (three in all) with one report to be delivered to Congress on December 1, 2007. Because this interim report would cover approximately 20 months of administration information, it would provide more comprehensive data regarding the administration of the amendments made by this section. A single interim report also would ease the administrative burden on the ODNI, thereby enabling the production of a more complete product.

A final report, capturing approximately 12 months of administration experience, would be delivered to Congress on December 1, 2008, so that it could be included in the DNI's FY 2010 authorization package. This report would be delivered in time to support a decision on the December 31, 2009, sunset provision. A decision regarding the sunset provision then could be included in the FY 2010 package that would become law on October 1, 2009, prior to the sunset date.

3. In subsection 307(a), the word "and" at the end of subsection (a)(B)(i) and before subsection (B)(ii) should be changed to "or". The "and" between (B)(i) and (B)(ii) unnecessarily limits the potential donor agencies that are capable of making determinations that records may be relevant under this section. Alternatively, and the preferable solution would be, to delete subsection (B)(i) in its entirety. Absent (B)(i), the decision of the agency head is consistent with the law enforcement disclosure exemption authority and the current national security imperatives relating to protecting the homeland.

4. Subsection 307(b) should be revised to add the underlined phrase so that the subsection reads as follows:

"EXEMPTION FROM CERTAIN PRIVACY ACT REQUIREMENTS FOR RECORD ACCESS AND ACCOUNTING FOR DISCLOSURES.-- Elements of the intelligence community set forth in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401(a)(4)) receiving a disclosure under subsection (b)(13) of section 552a of title 5, United States Code, and the agency that maintains and discloses such records pursuant to subsection (b)(13), shall not be required to comply with subsection (c)(3), (c)(4), or (d) of such section 552a with respect to such disclosure..."

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This language would provide the disclosing agency that maintains the system of records with exemptions from subsections (c)(3), (c)(4), and (d) of the Privacy Act (5 U.S.C. 552a) with regard to records provided under the authority in proposed subsection (b)(13) of that Act. Those exemptions must apply to both the disclosing and the receiving agencies, in order to provide the full protection that would be appropriate under the new authority.

5. In addition, at the end of the proposed new subsection (b) above, we recommend changing the words "shall not be required to comply with" to "shall be exempt from" to track existing language utilized in section 552a when a section is not applicable.

6. We do not see a need for the provision in section 307(c) to include the Attorney General (AG) as one of the statutory authorities who may make a determination as to whether a record constitutes "terrorism information," as defined in section 1016(a)(4) of the IRTPA, or "information concerning the proliferation of weapons of mass destruction." It is unnecessary to include the AG as a statutory authority for this purpose.

The President has designated the Program Manager for the Information Sharing Environment (PM), and all resources assigned to the PM, as part of the Office of the Director of National Intelligence. Consequently, questions arising from the implementation of section 1016 should be addressed to the DNI. This would not, of course, preclude the DNI from seeking legal guidance from the AC, and it would keep section 307 consistent with the provisions in section 1016 of the IRTPA.

7. We advise that the words "or records" should be added after the word "record" as it appears throughout section 307 to make clear that the authority permits the disclosure of multiple records, or portions of record systems, pursuant to subsection (b)(13), as opposed to single record-by-record requests.

8. We support the information sharing provisions of the pilot program, but we see a need to expand the permitted scope of information sharing to expressly permit non-intelligence agencies to share information with the Intelligence Community.

Section 421. Director and Deputy Director of the Central Intelligence Agency. We support the establishment of a statutory Deputy Director of the Central Intelligence Agency (DD/CIA) with the following revisions:

We firmly object to the requirement that the DD/CIA position be filled by a Presidential appointee confirmed by the Senate (that is, a 'PAS' position). Rather we strongly recommend that section 421 be amended to provide for the Director of the Central Intelligence Agency (D/CIA) to appoint the DD/CIA, thereby reducing the number of PAS positions in the Executive Branch and the Intelligence Community.

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Alternatively, if the DD/CIA position is established as a PAS position, then we recommend that the D/CIA, rather than the **DNI**, be the official to recommend DD/CIA nominees to the President, and that the DNI be consulted with the recommendation.

In addition, we recommend revision of section 421 to provide that the officer currently engaged in the administrative performance of the duties of the DD/CIA, until that officer is replaced or otherwise ceases to carry out those duties, legally may act for, and exercise all of the powers of the D/CIA in the absence or disability of the D/CIA or during a vacancy in the D/CIA position.

We oppose [herequirement] in section 421 that the D/CIA and the DD/CIA must be appointed **from** civilian life. Such a provision may limit the authority and flexibility to fill those positions with the best-qualified individuals. In the course of a military career, a military officer may become **exceptionally** well qualified to serve in these leadership positions, and coordination of CIA activities with the Department of Defense (DoD) intelligence activities remains **critically** important. We believe that Congress should not seek to constrain the Executive's flexibility and discretion in the appointment of individuals determined to be most qualified to serve in key Executive Branch positions.

Finally, we support revision of section 421 to provide that a commissioned officer holding the D/CIA or DD/CIA position shall hold the rank of **flag** or general officer. We understand that an amendment has been included in S. 1042, the Senate's FY 2006 National Defense Authorization bill, which provides that officers serving in these positions shall not count against the otherwise applicable number and percentage limitations under title 10 of the U.S. Code, while so serving. This change would help to ensure that the positions could be filled with highly qualified officers of significant attainment and stature.

Section 434. Protection of operational files of the Defense Intelligence Agency. We support this provision as reported by the SSCI, which would exempt specific files from the search, review, disclosure, and publication requirements of the Freedom of Information Act, similar to the exemptions currently authorized for the CIA, National Security Agency (NSA), National Reconnaissance Office (NRO), and National Geospatial-Intelligence Agency (NGA). ODNI understands that the Senate Armed Services Committee replaced the current language with text from section 922 of S. 1042. ODNI is prepared to accept this replacement if and only if the following additional amendments are made:

Amendment 1: In subparagraph (c)(3), add the following new subparagraph:

"(F) the Office of the Director of National Intelligence"

And then renumber the current subparagraphs (F) and (G) as (G) and (H), respectively.

Amendment 2: After subparagraph (d)(4), insert the following new paragraph:

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"(e) SUPERSEDITION OF **OTHER LAWS**. The provisions of subsection (a) shall not be superseded except by a provision of law which is enacted after the date of the enactment of this section and that specifically cites and repeals or modifies such provisions."

Section 441. Department of Justice Intelligence Matters. We have serious concerns about the way this section is drafted. Section 441 contemplates a National Security Division that is inconsistent with such an organization's appropriate role within the Department of Justice (DOJ) and the Executive Branch. By codifying this aspect of DOJ's internal structure, we are concerned that section 441 would compromise DOJ's flexibility to respond to a changing threat environment. In the end, meaningful collaboration between the DOJ and ODNI can be achieved without including the new National Security Division in the Intelligence Community.

We would support the DNI's 'consultation' rather than 'concurrence' in the appointment of the Assistant Attorney General, if sections 441 (d) and (e) were stricken so that the new National Security Division was neither an element of the Intelligence Community, nor funded in the National Intelligence Program.

Section 442. Foreign language incentive for certain non-special agent employees of the Federal Bureau of Investigation. We support this section, however, we are concerned that the restriction in subparagraph 442(b)(1) would make this section exceedingly difficult to implement because it is not possible to isolate Language support to a specific subject matter. Therefore we recommend that this section be modified to strike the phrase "to protect against international terrorism or clandestine intelligence activities" so that it reads as follows:

(b) ... (1) who uses foreign language skills in support of the analyses, investigations, or Operations of the Bureau (or maintains foreign language skills for purposes of such support); and ...

Provisions Opposed

The Administration opposes the following provisions for the reasons set forth in the paragraphs below.

Section 103. Incorporation of classified annex. Section 103 of the Senate bill would incorporate into law the entire classified annex to the Repon on the bill. Past practice has been to incorporate only the classified schedule of authorizations into law. We oppose section 103 and also recommend that subsection 102(a) be edited to delete the reference to section 103.

The Senate Select Committee on Intelligence (the Committee) has explained that it took the step of incorporating the classified annex, "[B]ecause the Executive Branch has refused to treat with equal weight the language in the classified annexes and the text of recent authorization acts and their accompanying classified schedules of authorizations." The Administration respectfully disagrees with the Committee's assessment.

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Although the report language is not law, the Administration considers language in the conference report accompanying the Intelligence Authorization Act, and non-conflicting language in the reports accompanying the House and Senate versions of the authorization bill, as direction from the Congress. The Executive Branch makes every effort to comply with this direction.

In addition, formal incorporation of the report language into law would raise serious issues:

First, this provision would constrain the flexibility that has existed, and the accommodation process that has occurred, between the elements of the Intelligence Community and the intelligence committees, in adjusting to changed world events or circumstances. Section 103 would preclude terms, conditions, limitations, restrictions, and requirements in the classified annex from being modified or reconsidered by the congressional committees themselves, unless and until they were changed by the enactment of new law. This could lead to delays or lost opportunities in addressing exigent intelligence needs arising from unanticipated or sudden developments. The Intelligence Community and the committees that oversee it have worked together over the course of many years to resolve committee concerns, without incorporation into law of the classified annex. The Administration feels it would be preferable to continue that cooperative approach.

Second, as a general proposition, the Administration opposes "secret law", as set out in its Statement of Administration Policy to H.R. 2863 - Department of Defense Appropriations Bill, FY 2006:

The Administration continues to discourage my efforts, such as section 8081, to enact secret laws as part of defense funding legislation and encourages instead appropriate use of classified annexes to committee reports and joint statements of managers that accompany the final legislation.

Section 107. Response of Intelligence Community to requests from Congress for intelligence documents and information. The Administration strongly opposes this section. The DNT is committed to fulfilling current legal obligations, including keeping Congress fully and currently informed consistent with Title V of the National Security Act and other applicable law. To require a claim of constitutional privilege for any delay over 15 days in providing any information or material -- regardless of the complexity of the request or the sensitivity or volume of information that might be responsive -- would be inappropriate and unrealistic. Although the sectional analysis indicates the section does not apply to a request to create new intelligence products, the statute does not contain that exception but instead applies to requests for the provision of any "information."

In addition, any effort to require intelligence agencies to provide requested material to "any other committee of Congress [besides the intelligence committees] with jurisdiction over the subject matter," strikes us as contrary to the rationale and carefully crafted accommodation between the political branches that created the intelligence committees, and may, among other

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things, require a review with the Congress of the procedures for handling of classified information.

We also object to section 107's authorization to the Vice Chairman of the Senate Select Committee on Intelligence or the Ranking Member of the House Permanent Select Committee on Intelligence to make requests that trigger the provision's requirement to "produce or assert privilege within 15 days." Such an authorization would be inconsistent with the longstanding practice that the authority to make an oversight request on behalf of a committee has generally been confined to the committee's chairman. Moreover, section 107 works against the recommendations of the WMD Commission to Congress to look for ways to reduce the cost of oversight and streamline interactions with the Intelligence Community.

Finally, we object to the requirement that the Executive Branch provide requested information unless the President asserts a constitutional privilege, as some materials and information are deniable for statutory or other reasons. Requests from Congress for such materials are handled on the basis of comity and mutual understandings, so that a requirement to certify there is a constitutional basis for withholding denies statutory and constitutional processes the opportunity to run their natural course.

Section 403. Authority of the Director of National Intelligence to manage access to human intelligence information. The Administration finds this provision unnecessary because the IRTPA and the National Security Act of 1947, as amended, already provide the access described in this section. In addition, this provision as drafted applies only to HUMINT, hence it could be interpreted as limiting the scope of Section 102A of the National Security Act, which we oppose.

Section 406. Additional duties of the Director of Science and Technology of the Office of the Director of National Intelligence. Section 406 is premature and we recommend a more systematic review of the issues at a later time to determine whether additional legislation is necessary.

Section 406(b) is of particular concern. It would expand the role of the Director of Science and Technology (D/S&T) into areas that the Director of National Intelligence and Congress already have entrusted to other Deputy Directors of National Intelligence or the Chief Information Officer (CIO) or Program Manager for the Information Sharing Environment (PM). As a result, it could become an impediment to our joint efforts to improve community management and establish clear lines of accountability.

For example, section 406(b) would require the D/S&T to establish "goals to meet the technology needs of the intelligence community." The term, "technology needs" is a very broad term that could encroach on the duties of the CIO, the PM, the Deputy Directors of National Intelligence, and the technical staffs in the ODM and the IC. Instead, we recommend that the D/S&T play a supporting role in "establishing engineering standards and specifications applicable to each acquisition of a major system," but not the lead role envisioned in the Senate

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language. Moreover, we suggest that the D/S&T not be responsible for ensuring compliance with these standards during the acquisition process because these responsibilities have been assigned to others.

Section 407. Appointment and title of Chief Information Officer of the Intelligence Community. The Administration firmly believes that the Chief Information Officer of the Intelligence Community (IC CIO) should be appointed by the Resident, but not confirmed by the Senate. Therefore, we oppose the portion of this section that would eliminate the Presidential appointment requirement, and we support the portion of this section that would eliminate the Senate confirmation requirement. As we have stated, as a general proposition, we believe that there should be fewer rather than more positions in the Office of the DNI that require Presidential appointment/Senate confirmation (PAS). Nonetheless, we support retaining the IC CIO as a Presidential appointment position because we believe that such status would enhance the ability of the IC CIO to carry out responsibilities across multiple agencies at a time when information systems and sharing are critical.

Additional Comment. Notwithstanding our comments on section 407, as a general matter, we oppose adding or retaining positions that require Presidential appointment and Senate confirmation. For this reason we continue to support the removal of the requirement for confirmation of the CIA's General Counsel as proposed in the Administration's bill.

Section 408. Inspector General of the Intelligence Community. We strongly oppose this provision. Section 1078 of the IRTPA amended the Inspector General Act of 1978 (the IG Act), to authorize the DNI to establish an Inspector General, with any of the duties, responsibilities, and authorities set forth in the IG Act. The DNI has established the position of Inspector General of the ODNI and the ODNI Office of Inspector General (OIG). As provided by an ODNI Instruction, the ODNI inspector General is charged with providing policy direction for, and planning, conducting, supervising, and coordinating inspections, audits, investigations, and other inquiries relating to the program and operations of the ODNI and the authorities and responsibilities of the DNI (emphasis added). These include the DNI's Intelligence Community authorities and responsibilities. An Inspector General has been appointed and has been on the job for three months. He already is exercising the authorities of his office, hiring staff, performing inspections and investigations, chairing the Intelligence Community Inspectors General Forum, and leading cross-agency audits. He has received full cooperation from the other IC inspectors general and their respective agencies.

Accordingly, section 408 is unnecessary in light of the establishment and empowerment of the ODM Inspector General pursuant to the express grant of legal authority contained in the IRTPA. We recommend that Congress allow the existing ODNI OIG to grow and function for a reasonable period before considering whether further legislative changes are needed.

Section 409. Leadership and location of the National Counter Proliferation Center. We oppose this provision as unnecessary. The DNI has established a National Counter

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Proliferation Center (NCPC) in the Office of the DNI and has named a Director for the Center pursuant to section 119A of the National Security Act of 1947, as amended (50 U.S.C. 404c-1).

Section 410. Operational files in the Office of the Director of National Intelligence. We oppose the section as drafted. The Committee has adopted some, but not all, of the Administration's proposal to grant operational files in the ODNI certain exemptions from the Freedom of Information Act (FOIA). The Administration's proposal would exempt two broad classes of information: operational files created within the ODNI and information from exempted operational files created by other elements of the IC which are provided to the ODNI and which is not further disseminated outside of the ODNI. The Committee's provision does not address the first class of information and thus would not grant protection to DNI-created records comparable to those categories of information that already are protected at CIA, NSA, NRO, and NGA; specifically, information that documents HUMINT operations, technical collection operations, and certain security files. Certain files created by the NCTC, in particular, will represent a centralized compilation and repository of some of the most sensitive information regarding counterterrorism and non-proliferation analysis that should not be subject to the search, review, publication, or disclosure requirements of the FOIA when the files and information are work product not disseminated as intelligence product.

Instead, the Administration recommends the following text replace the current section 401's proposed section 700(a)(1) through (2) as follows:

"Section 700. (a) Exemption of Certain Files From Search, Review, Publication, Disclosure.--Operational Files of the Office of the Director of National Intelligence, which includes the National Intelligence Centers, may be exempted by the Director of National Intelligence from the provisions of section 552 of title 5, United States Code (Freedom of Information Act), which requires publication or disclosure, or search or review in connection therewith.

(b) For the purposes of this section, the Director of National Intelligence may designate the following categories of information as "operational files of the Office of the Director of National Intelligence"--

(1) files of the Office of the Director of National Intelligence which document the conduct of foreign intelligence, counterintelligence, or counterterrorism operations or intelligence or security liaison arrangements or information exchanges with foreign governments or their intelligence or security services;

(2) files of the Office of the Director of National Intelligence which document the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems and which document research or development proposals or programs for such systems; and

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(3) files of the Office of the Director of National Intelligence which document investigations conducted to determine the suitability of potential foreign intelligence or counterintelligence sources.

(c) Information disseminated to an element of the Office of the Director of National Intelligence from an operational file of an element of the intelligence community that has been exempted from search, review, publication, or disclosure in accordance with any other provision of law, and the operational file from which such information was so disseminated, shall remain exempt from search, review, publication, or disclosure under section 552 of title 5, United States Code, or other applicable law.

(d) Any information from a file described in section (b) or section (c) above that is incorporated into a predecisional file or record created by the Office of the Director of National Intelligence shall be exempt from search, review, publication, or disclosure under section 552 of title 5, United States Code, or other applicable law."

In addition, we recommend that the bill include the language found in section 701(2) of the National Security Act of 1947, as amended, which addresses operational files of the CIA and judicial review.

Section 436. Confirmation of appointment of heads of certain components of the intelligence community. We oppose as unnecessary the provision(s) to require Senate confirmation of the Directors of the NGA, NRO, and NSA. As noted above, we generally oppose provisions that would increase the number of Presidentially appointed, Senate confirmed positions, and we do not believe that section 436 would improve the ability of the individuals placed in those positions to carry out their assigned duties. We do support the Senate Armed Services Committee's recommended clarification that the three positions indicated may be filled with active duty military officers.

Section 437. Security Clearances in the National Geospatial-Intelligence Agency. We do not support this provision as written, but we welcome the opportunity to work with the Congress, DoD, and NGA to resolve any security clearance issues that NGA identifies.

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DEFENSE
2006 FEB 06 11:25

Belarus

February 06, 2006
I-06/001526
ES-5182

TO: Eric Edelman
CC: Dorrance Smith
Matt Latimer
FROM: Donald Rumsfeld
SUBJECT: Belarus

We *ought* to talk about Belarus once in a while.

Thanks.

DEIR bp
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OFFICE OF THE
SECURITY ASSISTANT

FEB 23 2006 11:37

FEB 23 2006

I-06/002302
ES-5256

TO: Eric Edelman
CC: Robert Rangel
FROM: Donald Rumsfeld *DR*
SUBJECT: Gingrich Suggestion re: Henrietta Fore

Please read this Newt Gingrich e-mail, and get back to me and tell me what you think we ought to do.

Thanks.

Attach: 2/21/26 Gingrich e-mail to SecDef

OSD 02912-06

DHR:ss
022206-08

.....

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FEB 23 2006

I-06/002302
ES-5256

TO: Eric Edelman
CC: Robert Rangel
FROM: Donald Rumsfeld *DR*
SUBJECT: Gingrich Suggestion re: Henrietta Fore

Please read this Newt Gingrich e-mail, and get back to me and tell me what you think **we ought** to do.

Thanks.

Attach: 2/21/26 Gingrich e-mail to SecDef

OSD 02912-06

DHR:ss
022206-08

.....
Please Respond By March 01, 2006

FEB 23 2006

Mr. Secretary,

Newt had mentioned this idea to me. I think it is a good one. Dr. Rice is trying to figure out how to create a Defense Policy Board-like structure for the State Department. If Dr. Rice is successful it might well help state develop a broader strategic vision than it had had traditionally. Having Henrietta Fore ~~FOUO~~ attend the DPB Session would be helpful. *Eric*

OSD 02912-06

(b)(6) CIV, OSD

From: Thirdwave2 [thirdwave2@speakingingrich.com]
Sent: Tuesday, February 21, 2006 4:03 PM
To: (b)(6) CIV, OSD
Cc: England, Gordon. CIV, OSD; Edelman, Eric, HON, OSD-POLICY; peter.pace@js.pentagon.mil; Giambastiani, EP. ADM, VCJCS; Stavridis, James, VADM, OSD
Subject: henriettafore and defense policy board-newt

What would you think of inviting her to sit in the next dpb meeting as your guest to see how it works newt

From: Fore, Henrietta H [mailto:ForeHH@state.gov]
Sent: Tuesday, February 14, 2006 10:42 AM
To: Thirdwave2
Cc: Gunderson, Brian F, mbeab@hobnall.com
Subject: RE: systems of advice for transformaiton at stat-newt

Dear Newt,

Thank you for your interesting suggestions. I would like to study the Defense Policy Board, who should I contact? I have been thinking about small informal advisory groups of foreign service officers. I will contact Erica, and not be shy about using the word transformational.

Thank you,

Henrietta H. Fore
Under Secretary for Management
Tel: (b)(6)
Fax: [redacted]

From: Thirdwave2 [mailto:thirdwave2@speakingingrich.com]
Sent: Monday, February 13, 2006 6:58 AM
To: Fore, Henrietta H
Cc: Gunderson, Brian F, (b)(6)
Subject: systems of advice for transformaiton at stat-newt

From Newt:

Thanks for spending the time with us the other day

I am very encouraged by the way you are thinking about transformation at State

You might consider the following organizational efforts:

1. establish a State Department Policy Board comparable to the defense Policy Board and designed to have strategic overview of goals, functions, systems and structures. This should initially be a relatively small group of very senior people and it ought to have three or four DPB members (present or past) to help it acquire a habit of systematic effectiveness
2. establish four small advisory working groups (about ten people per group) each made up of former foreign service officers who have now been successful in the private sector. By having former foreign service

2/21/2006

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officers involved you might be able to bridge both the cultural gap between the foreign service and other aspects of modern life and you might be acquiring a group of advocates who can both be helpful inside State and with the Congress. Each group would offer advice in their zone of experience:

1. foreign service officers who had gone on to a successful career in information technology;
 2. foreign service officers who are running companies and have experience of the speed and adaptability of modern competitive markets;
 3. foreign service officers who are relatively high in large multinational companies and understand both the objective requirements of success in competing in the world market and who learn regularly from within their own company what the United States government does and does not do to help create sales and profits and how that compares with other governments and their national companies;
 4. foreign service officers who have gone into communications (advertising, marketing, journalism, etc) and who can help think through the professional requirements of effective communications in the modern world.
3. If you have not established a working relationship with Eric Edeiman at Defense you should. He has a very broad range of experience for someone in the foreign service and has a pretty good inside view of transformation at Defense.
 4. You should use the word Transformation quite deliberately to denote very large scale and fundamental change. There is a Transformation Advisory Group at the Joint Forces Command and Rumsfeld uses the term quite explicitly in describing the ongoing requirements for a more effective Defense department. Being explicit and firm about the need for transformation initially increases resistance but ultimately sets a tone for very profound rethinking which is absolutely necessary.

~~FOUO~~

CLASSIFIED BY [unclear] DATE [unclear]

JAN 17 2006 8:58 AM

January 17, 2006

I-06/000666
ES-5112

0005

TO: Eric Edelman
FROM: Donald Rumsfeld *D.R.*
SUBJECT: Avoiding Increase of Terrorists

Since there are things we might do that would increase the population of Al Qaeda and terrorists, we should try to think through the things we could see that we systematically avoid doing, and help our people understand how to avoid doing them.

DHR:dh
011706-35

.....
Please Respond By 02/16/06

17 Jan 06

~~FOUO~~

11-L-0559/OSD/56068

OSD 02917-06

13-01-06 11:27 LW

2/1
1/15

~~FOUO~~

February 02, 2006

IRAD

TO: [REDACTED]
FROM: Donald Rumsfeld *DR*
SUBJECT: Wheelchairs

Please read the attached and then summarize it for me orally, *so* I have a sense of it.

We probably ought to write a letter to this guy congratulating him. Then it ought to be given to Allison Barber because she may want to promote it somehow.

We may also want to write the sergeant in Iraq who got it going.

Thanks.

Attach. 2/1/06 Peter Barnes e-mail to Joyce

DHR:dh
020206-04

.....
Please Respond By March 02, 2006

CSC
LETTER TO SGT
PERKINS PLEASE

M

Close

per Dr. Buccia,
ltr to Sgt Perkins
he will take care of
Mr Barnes

2 FEB 06

OSD 02918-06

~~FOUO~~

11-L-0559/OSD/56069

*DR
please
read*

Joyce Rumsfeld

From: "Peter Barnes" <peter@vspbooks.com>
To: <jrumsfeld@mindspring.com>
Sent: Wednesday, February 01, 2008 6:10 PM
Subject: Wheelchair distribution in Iraq next week. thanks to Army Sgt. Amy Perkins in Tal' Afar—a great story

Mrs. Rumsfeld

The Secretary should know about this amazing Army sergeant in Iraq...

We can't make it to Vail this year, so if you are going, we won't see you. I hope you are well.

Peter and Cheryl Barnes

Peter and Cheryl Barnes
Executive Directors, Washington

(b)(6) Wheelchair Foundation
Cell
FAX

The Wheelchair Foundation
P.O. Box 17083
Alexandria, Virginia 22302
www.wheelchairfoundation.org

The Wheelchair Foundation is a non-profit organization that seeks to deliver a wheelchair to every child, teen and adult that needs one, but can not afford one – bringing new independence to those deprived of mobility by war, disease, accident, natural disaster or advanced age. Your \$75 donation will allow us to deliver a wheelchair to a person in need. To make a donation - please call toll free (877) 378-3839 or visit our web site at www.wheelchairfoundation.org.

WE ARE DELIVERING OVER 10,000 WHEELCHAIRS PER MONTH WORLDWIDE!

From: Peter Barnes [mailto:peter@vspbooks.com]
Sent: Wednesday, January 25, 2006 5:09 PM
To: 'paul.boyce@hqda.army.mil'; 'garrie.dorman@hqda.army.mil'; 'john.helmerichs@js.pentagon.mil'; 'Barber, Allison, CIV, OASD-PA'; 'richard.ecker@js.pentagon.mil'; 'steven.bucci@osd.pentagon.mil'

Cc: 'Cheryl Shaw Barnes'

Subject: Wheelchair distribution in Iraq next week, thanks to Army Sgt. Amy Perkins in Tal' Afar—a great story
Importance: High

Friends,

Sorry for this impersonal e-mail blast, but I called all of your offices and **collected** your e-mails to do this at one time **so** that everyone is in the loop together.

Earlier this month, we learned of a wheelchair distribution in Tal'Afar with US soldiers, ~~happening in the next week or two.~~ It is a truly inspiring story of the initiative of one dedicated and persistent soldier, ~~Amy Sgt. Amy Perkins,~~ who found us on the Internet from Iraq and is making this happen. The American people, people in Iraq and other Muslim nations and people around the world, as well as all of you, Sec Def and our service men and women everywhere, will be inspired by the concern and initiative of this amazing soldier from California, who is a single mother of ~~two~~. Here is the background and contact information on the key players:

~~We are delivering wheelchairs to Tal'Afar to Kuwait~~ on 1/27. I have been in e-mail contact with Sgt. Perkins and soldiers helping her and they are more than happy to work with the Embassy staff and DoD public affairs in Baghdad on getting some media coverage for the deliveries. Here is an excerpt about her from an e-mail to me from our logistics person in California, Joel Hodge:

"This latest shipment to Iraq came about because Sgt. Amy Perkins in Tal' Afar contacted me with a 'cold call' e-mail in an effort to find anyone willing to donate aid to Iraqis. I struck up a conversation with her to find out what she was looking for and why. She told me that she and her fellow service men and women were trying to find out how to get some aid in to the Iraqis that they deal with in their region. She said that she had started at the beginning of the alphabet and worked her way down to us before anyone responded. It happened that Matt Montague (in our California office) had undesignated funds for Iraq at the time Sgt. Perkins contacted me, so I made the match. Sgt. Perkins worked out the strategy for getting the container from Kuwait to Tal' Afar through her contacts (I believe Gerry has forwarded all of that info to you). So this project was initiated by U.S. Military personnel in Iraq. Sgt. Perkins has stressed to me her desire to assist the Iraqis in a positive way ...

I am personally very moved by her desire to do something good in a situation where there is a lot of negative perception about the U.S. Military presence. I believe you have seen all of the photos from the prior distribution that was done by U.S. Military personnel in conjunction with Samaritan's Purse. From looking at those photos I can't help but get the sense that the soldiers participating in the wheelchair distribution are having the same experience that anyone gets when lifting a person off the ground and putting them in a wheelchair. At least I hope this is the case.

I did some research about Sgt Perkins. Her family is from Central California. She is a single mother of twins. She was at the language school in Monterey, California and speaks several languages. She was involved in a project designed to teach U.S. Troops language skills using video games. There are some articles on the web about her work that can be found if you do a Google search on her name."

In the second paragraph, Joel is referring to a distribution of wheelchairs in Iraq last year, sponsored by Samaritan's Purse. US troops helped with security and delivery. I have a PowerPoint of the distribution I can forward to all of you upon request. It has many wonderful pictures of our troops at work, helping unload wheelchairs and lifting people into them. I can get some more details if you want them.

Here is part of a (blunt) e-mail from Sgt. Perkins herself to me from earlier this month:

"I am mentioning this organization (the Wheelchair Foundation) to anyone and everyone...You guys - Joel Hodge, Gerry - are some of the very, very few that will actually do anything to help people way out here. Everyone is in Baghdad, most are in Mosul. Media is huge in those places - NGOs get lots of sexy pictures of what they do. Tal'Afar is not sexy, so everyone ignores them except the US Army. And the Wheelchair Foundation, who is dedicated to actually helping people rather than just getting their names in bright lights like darn near every other NGO in existence. (Sorry - after a full year of begging for help for these people, I'm a little bitter, and a lot more realistic.) Before this year began, I thought most NGOs were founded by...well, not hippies exactly...but people who were working for ideals. To help people. Not to further their own interests. I was wrong. Wheelchair Foundation, however, is one of the groups that actually cares about people. Thank you for restoring my faith."

The wheelchairs left our factory Christmas day.

I must tell you that public diplomacy, PR, whatever aside, we are all amazed by this soldier and her compassion

and initiative. I am e-mailing all of you because you and Sec Def know about her—she is an incredible person and a testament to the quality of people we have on the ground in Iraq. I think everyone—from Sec Def, down, and the public—would be proud of this effort by this soldier and her fellow soldiers and would want people to know about it. While Sgt. Perkins is correct—we do not do this for publicity—we are happy to assist in any media coverage of this distribution, here at home and in Iraq. We have many of our own contacts at media organizations—let me know how we can help spread the word on this if DoD can put something out. Among others, I have friends at Hearst Argyle Television, operates a TV station in Monterey and if we could get the Army to shoot some b-roll of the distributions, I could get a story on the air there, which then could be picked up by CNN and others. I could also get info to the newspaper in Monterey. Separately, this story, if covered in Iraq by local media and shown in Iraq and the Muslim world, could help save soldiers' lives—if Iraqis see what our soldiers are doing for them, it could help limit insurgent recruitment...

In addition, the distribution is being funded entirely by Iraqi-Americans, members of the Iraqi-American Association of Illinois (IAAI), a group based just outside of Chicago. They raised \$36,000 for the wheelchairs. I can get more information and contact information on them if you wish.

Here is Sgt. Perkins' contact information:

Amy E. Perkins

SGT, USA

(b)(6)

amy.perkins@us.army.mil

DSN: (b)(6)

Here is the Army contact for the logistics/transportation

SFC Paul Dow

DSN: (b)(6)

Cell phone (b)(6)

paul.alexander.dow@us.army.mil

Our friends at the State Department are aware of this project and want to assist in PR for public diplomacy reasons. The point person on this in the public diplomacy office is Susan Phalen, (b)(6) she carries an international cell phone but I do not have that number yet. Susan leads the Iraq PD team, spends about one week here then three months in Baghdad, is on her way now to Baghdad and can be reached there at the Embassy in a day or two. Her e-mails are phalensa@state.gov and (b)(6). Her office advises me that the Yahoo address is a more reliable way to reach her when she is traveling. Susan has all the information about Sgt. Perkins and this distribution and has told her staff that she or someone at the Embassy plan to make contact with Sgt Perkins when she gets to Baghdad, though you never know. Karen Hughes is also aware of the delivery. To date, we have delivered nearly 3,000 wheelchairs to the people of Iraq.

We have some additional good news to report on possibly more wheelchairs for Iraq. We are working with officials in New York State who closed down a phony Muslim charity. They confiscated a lot of money from the phony charity and are now working with us to use the funds for more wheelchairs to Iraq this year. I'll keep you posted on our progress. You should know that we have received other direct requests from military personnel in Iraq for wheelchairs.

Finally, Ken Behring will be in DC 2/13 to 2/16 or so. We'd like to get him a meeting with Sec Def if possible to discuss this work, and our work at Walter Reed and other military hospitals, where we have donated more than 500 wheelchairs.

Thanks for your interest and assistance on this and I look forward to talking to you.

Peter Barnes

Executive Director, Washington

(b)(6)

Wheelchair Foundation

Home office

Cell

FAX

The Wheelchair Foundation
P.O. Box 17083
Alexandria, Virginia 22302
www.wheelchairfoundation.org

The ~~Wheelchair Foundatton~~ is a non-profit organization that seeks to deliver a wheelchair to every child, teen and adult that needs one, but can not afford one - bringing new independence to those deprived of mobility by war, disease, accident, natural disaster or advanced age. Your \$75 donation will allow us to deliver a wheelchair to a person in need. To make a donation - please call toll free (877)378-3839 or visit our web site at www.wheelchairfoundation.org.

WE ARE DELIVERING OVER 10,000 WHEELCHAIRS
PER MONTH WORLDWIDE!



THE SECRETARY OF DEFENSE
WASHINGTON

FEB 24 2006

IRAD

Sergeant Amy E. Perkins, USA

(b)(6)

Dear Sergeant Perkins,

I understand that you are partnering with the Wheelchair Foundation to provide wheelchairs to **those** in need in Iraq. Your energy, your commitment to others, **and** your remarkable initiative represent the very best that America has to offer. Going above and beyond the call of duty seems to be your standard of operation.

I want to commend you for the important work you are doing. Your efforts demonstrate American values in a powerful way. Thank you so much for your service to our nation.

With my best wishes,

Sincerely,

QY FEB 06

QY FEB 06

OSD 02918-06

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(b)(6)

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With my best wishes,

Sincerely,

Sir - had this already
gone to FA?
The

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CSC 2/22

The
CSC 2/22

CSC
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2/1
14/15

~~FOUO~~

February 02, 2006

33552

TO: [REDACTED]

FROM: Donald Rumsfeld *DR*

SUBJECT: Wheelchairs

Please read the attached and then summarize it for me orally, so I have a sense of it.

We probably ought to write a letter to this guy congratulating him. Then it ought to be given to Allison Barber because she may want to promote it somehow.

We may also want to write the sergeant in Iraq who got it going.

Thanks.

Attach. 2/1/06 Peter Barnes e-mail to Joyce

DHR:dh
020206-04

.....
Please Respond By March 02, 2006

CSC
LETTER TO SGT
PERKINS PLEASE

M

Close

per Dr. Bueck,
ltr to Sgt Perkins
he will take care of
Mr Barnes

2 FEB 13 06

OSO 02918-06

~~FOUO~~

11-L-0559/OSD/56076

DR please read

Joyce Rumsfeld

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To: <jrumsfeld@mindspring.com>
Sent: Wednesday, January 25, 2006 5:10 PM
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Peter and Cheryl Barnes
Executive Directors, Washington

(b)(6) Wheelchair Foundation
Cell
FAX

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Amy E. Perkins

SGT, USA

(b)(6)

amv.Derkins@us.army.mil

DSN: (b)(6)

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Cell phone (b)(6)

paul.alexander.dow@us.army.mil

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Peter Barnes

Executive Director, Washington

(b)(6)

Wheelchair Foundation

Home office

Cell

FAX

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PER MONTH WORLDWIDE!



THE SECRETARY OF DEFENSE
WASHINGTON

FEB 24 2006

335W

Sergeant Amy E. Perkins, USA

(b)(6)

Dear Sergeant Perkins,

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I want to commend you for the important work you are doing. Your efforts demonstrate American values in a powerful way. Thank you so much for your service to our nation.

With my best wishes,

Sincerely,

DIY FEB06

AFEB06

OSD 02918-06

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(b)(6)

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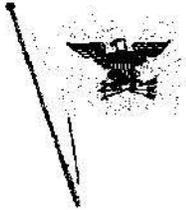
Sincerely,

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TRC
CSC 2/22

CSC
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THE SECRETARY OF DEFENSE
WASHINGTON

FEB 24 2006

33350

Mr. Amid Abdelhamid
Directeur du Haras Royale
de Bouznika
Bouznika, Morocco (Maroc)

Dear Mr. Abdelhamid,

The tour of **His Majesty's** royal stables was outstanding. The facility, the horses, and **the** hospitality were clearly among the highlights of my **trip**. I do **thank** you for a superb experience.

I wish you all the best in your future endeavors.

Sincerely,

24 Feb 06

OSD 02919-06

11-L-0559/OSD/56083

Mr. Amid Abdelhamid
Directeur du Haras Royale
de Bouznika
Bouznika, Morocco (Maroc)

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Sincerely,

- confirmed address (see attached)
- SD already approved

Thy
COC 2/21

Mr. Amid Abdelhamid

XXXXX

XXXXX

Morocco

ranch manager

off

Dear Mr. Abdelhamid:

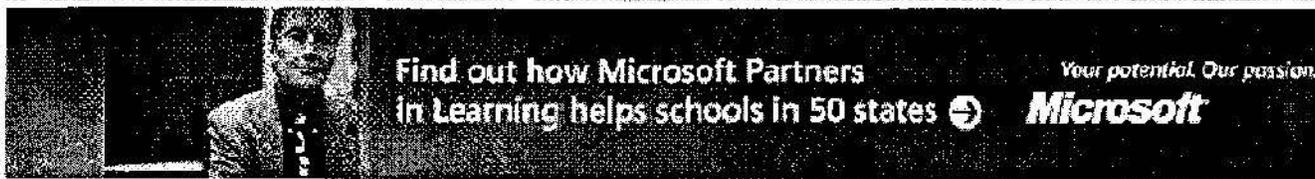
The tour of His Majesty's royal stables was ~~simply~~ outstanding. The facility, the horses, and the hospitality were clearly among of the highlights of my trip. I do *thank* you for a superb experience.

~~Once again, I will be happy to trade jobs with you any time.~~

I wish you all the best in your future endeavors.

Sincerely,

presented saddle BUT saddle
was from King



Jump To Channel: YOU ARE HERE: Home > News > Politics > Article

Rumsfeld jokes ready to run horse ranch

Sun Feb 12, 2006 3:11 PM ET

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BOUZNIKA, Morocco (Reuters) • Donald Rumsfeld admired Arab stallions from the stables of Morocco's King being put through their paces, then jokingly offered to give up his job as U.S. defense secretary to manage the royal horse ranch.

The 73-year-old Rumsfeld, a horse enthusiast who owns a ranch in New Mexico, received a tour of King Mohammed's elaborate, well-maintained ranch during a visit to Morocco on Sunday.

Black, gray and chestnut stallions, some purchased in the United States, trotted and posed for Rumsfeld as royal employees presented him with sweets.

Ranch manager Amid Abdelhamid showed Rumsfeld such items as a saddle fashioned from crocodile skin and explained, among other things, the pros and cons of using frozen sperm to breed horses. He also told Rumsfeld of his travels searching to buy the world's best horses.

"You've got the best job in the world," Rumsfeld told Abdelhamid. "Any time you want to trade jobs, I'll

THE FAST EASY WAY FOR EMPLOYERS TO FIND GREAT LOCAL TALENT

Post a Job Now!

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What's This?

- Should Bush Be Impeached? Iraq Wiretaps, \$3 Gas, FEMA & more Urge Congress To Take Action! ImpeachPAC.org
- Mom of 6 Makes Big Bucks Changed our lifestyle in 1 year. Now have time for fun with family. time-for-farniily.com
- The Libertarian Party We are the party of principle. Visit us today to learn more! www.lp.org

11-L-0559/OSD/56086

February 13, 2006

33300

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld
SUBJECT: Thank You Note to Amid Abdelhamid

Please draft a *thank you note* to the ranch manager (see attached).

Thanks.

Attach: Reuters article

DHR:ss
021306-3 (TS). doc

.....
Please respond by Feb 13 , 2006

2/13

Attached,
v/r
[Signature]

13 Feb 06

OSD 02919-06

Casey, Carrie, CTR, OSD

From: Merzouk, Kathy A [MerzoukKA@state.gov]
Sent: Friday, February 17, 2006 8:21 AM
To: Casey, Carrie, CTR, OSD; Axelrod, Matthew, CIV, OSD-POLICY
CC: Abbinanti, David M; Solomon, David F
Subject: RE: One more address for SecDef

Hi Carrie Sue -

Someone finally answered my phone calls about a working number for Mr. Amid. Here is his address:

Mr. Amid Abdelhamid
Directeur du Haras Royale de Bouznika
Bouznika, Morocco (Maroc)

I specifically asked him if there was a street address, route, or whatever as this address seemed incomplete in but he said no, that any mail would get to him at this address.

If you have any other questions, please let us know!

Vir
Kathy Merzouk

Kathy Merzouk
Translator
USDAO Rabat
US Embassy: Rabat, Morocco
T: (b)(6)
F:
merzoukka@state.gov

From: Casey, Carrie, CTR, OSD [mailto:Carrie.Casey.CTR2@osd.mil]
Sent: Thursday, February 16, 2006 2:53 PM
To: Merzouk, Kathy A; Axelrod, Matthew, CIV, OSD-POLICY
Cc: Abbinanti, David M; Solomon, David F
Subject: RE: One more address for SecDef

Kathy - thanks so much for your help with this. I was not on the trip either so I would have to defer to Matt on some of the details, but as far as I know - Amid Abdelhamid (note spelling of 1st name) is the ranch manager -- and I have no indication that he is an officer...he personally took SECDEF on the tour of the royal stables. Matt- do you know more? Thanks -- Carrie Sue

From: Merzouk, Kathy A [mailto:MerzoukKA@state.gov]
Sent: Thursday, February 16, 2006 9:41 AM
To: Casey, Carrie, CTR, OSD; Axelrod, Matthew, CIV, OSD-POLICY
Cc: Abbinanti, David M; Solomon, David F

2/17/2006

11-L-0559/OSD/56088

~~FOUO~~

February 15, 2006

TO: Robert Wilkie
CC: Robert Rangel
Pete Geren
FROM: Donald Rumsfeld *DR*
SUBJECT: Question about Ghost Detainees

We have to make sure we answered the question about ghost detainees, and the confusion between General Kern, DOD IG and CIA IG. I believe it was Senator Jack Reed who asked about it. I want to be sure it gets sorted out, that Senator Reed understands it, and that we have responded in writing, as well as verbally.

If it has already been handled verbally, let's get a letter that clarifies it

Thanks,

DHR:ss
021506-23

.....
Please Respond By 02/28/06

~~FOUO~~

OSD 02929-06

11-L-0559/OSD/56089



THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

INFO MEMO

February 22, 2006, 4:00 PM

FOR: SECRETARY OF DEFENSE

FROM: Robert Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs, (b)(6)

Robert L. Wilkie

SUBJECT: Snowflake Response – Questions about Ghost Detainees # 021506-23

- You asked me to make sure I answered the questions from Sen. Jack Reed (D-FU) regarding Ghost Detainees.
- In addition to phone calls to his staff, I have responded in writing to make sure he received a full answer to the questions he posed during the SASC Hearing on February 7, 2006.
- My written response is at the Tab

Attachment: As Stated

OSD 02929-06

Prepared by Colonel Alan Metzler, OASD (Legislative Affairs), (b)(6)

11-L-0559/OSD/56090



LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

The Honorable Jack Reed
United States Senate
Room SH-728 Hart Senate Office Building
Washington, D. C 20510-3903

Dear Senator Reed:

I want to make sure that you received a full answer to the question you posed to Secretary Rumsfeld regarding "ghost detainees" at the February 7th hearing at the Senate Armed Services Committee. I also wanted you to know that I spoke with your Legislative Director, Elyse Wasch, on February 8th on this topic.

As stated in Secretary Rumsfeld's memorandum of September 20, 2005, it is the policy of the Department of Defense to assign all detainees in its control an internment serial number as soon as possible, normally within 14 days of capture. The Department maintains full accountability for all DoD detainees.

To date, the DoD inspector General has not undertaken an investigation on "ghost detainees" nor is one planned. The DoD Inspector General is conducting a review of the major detainee investigations, and the "ghost detainee" issue is part of that review.

Regarding any CIA inspector General investigation on "ghost detainees," the Department cannot attest to the work being done by the CIA Inspector General. Therefore, any questions you may have regarding investigations being undertaken by CIA inspector General need to be posed to that agency.

I do hope that this information is of value and please do not hesitate to call me if I may be of further service.

Sincerely,

Robert L. Wilkie
Acting Assistant Secretary of Defense
(Legislative Affairs)

11-L-0559/OSD/56091

*plus for this
could be fact
no*

~~FOUO~~

February 23, 2006

TO: President George W. Bush

CC: Stephen J. Hadley

FROM: Donald Rumsfeld 

SUBJECT: Quote from President Eisenhower

Mr. President,

Attached is a quotation from President Eisenhower in his farewell address to the Nation in January of 1961.

The more I think about it, the more appropriate it is for the War on ~~Terror~~. There are a lot of differences between the Cold War and the Global War on Terror and they **are** obvious. But there are certain similarities, many of which he captured in this one brief quote.

"We face a hostile ideology -- global in scope... ruthless in purpose and insidious in method. To meet it successfully (we must)... carry forward steadily, surely, and without complaint the burdens of a prolonged and complex struggle -- with liberty the stake."

President Dwight D. Eisenhower
Farewell Address to the Nation
January 17, 1961

Respectfully,

DHR:ss
022306-26

OSD 02945-06

~~FOUO~~

11-L-0559/OSD/56092

350.001

23 Feb 06

TAB A

D S

pan

~~FOUO~~

2006 JAN 10 11:04:21 #: 2 January 10, 2006

TO: Gen Pete Pace

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Army ~~Headquarters~~ in Japan

I would like to be told why we need an Army headquarters in Japan at all. What are the alternatives?

Thanks.

DHR:as
011006-22

.....

Please Respond By 02/02/06

~~FOUO~~

Tab A

10/2/06

OSD 02948-06

11-L-0559/OSD/56093

~~FOUO~~

11: 55

February 22, 2006

I-06/002304
ES-5258

TO: Eric Edelman

CC: Gen Pete Pace

FROM: Donald Rumsfeld *D.R.*

SUBJECT: U.S. Response to Mosque Attack

What kind of immediate response could/should the **U.S.** make regarding this mosque attack?

Are we talking with State and others about some kind **of** high profile action?

Joining with the Iraqi Government to marshal international **support** to rebuild it?

Other ideas?

Other **than** condemning the attack and whatever else we are doing as a government, is there anything else that would be appropriate and helpful?

DHR:as
022206-14

Please Respond By 02/28/06

~~FOUO~~

11-L-0559/OSD/56094

OSD 02950-06
23-07-06 11:57

06/002304

MEMORANDUM FOR THE SECRETARY OF DEFENSE

55

FROM: Eric Edelman, Under Secretary of Defense for Policy

FEB 24 2006

SUBJECT: U.S. Response to Mosque Attack

You asked what else, other than condemn the attack, the U.S. should do in response to the destruction of the Askaria Mosque in Samarra (note next under).

The Iraqi leadership have been generally constructive, trying to calm their constituencies.

State Department staff indicates no high profile U.S. actions are being planned. State has been gathering international and regional support for Iraq and has been working closely with Iraqi leaders.

- Ambassador Khalilzad has urged Prime Minister Ja'afari to address the nation (speech at Tab A). His speech could rally Iraqis to unite against the criminals who have brought such destruction on Iraq. This could be the "Rudy Giuliani moment" for Iraqi leaders to rise above the squabbling and lead the country.
- We could, in addition, urge the Iraqi leadership to seize the opportunity presented by this tragedy to unify Iraq and quickly form a government of national unity. This would have the effect of putting the government formation process on a faster track that it is currently on.
- U.S. financing for repair of the mosque might not be accepted or might offend some Iraqis (according to the Embassy), as well as give the impression of U.S. acceptance of responsibility for the attack.
 - Instead, we should suggest to a regional leader that he organize an international pan-Islamic fund-raising effort in which ordinary people could contribute to restoring the mosque.
 - Egyptian President Mubarak may be best-suited for this effort, given Egypt's lack of a close connection with any Iraqi groups and Egypt's leadership role in Sunni Islam.

Attachments: As stated.

Iraq: Al-Ja'fari Outlines Gov't Plan To Deal With 'Crisis', Stresses 'Unity'

GMP20060224539001 Baghdad Al-Iraqiyah Television in Arabic 1442 GMT 24 Feb 06
[News conference by Iraqi Prime Minister Ibrahim al-Ja'fari; place not given

--

Live]

(OSD Translated Text)

[Al-Ja'fari, in progress] reactions from various parts of the world and on more than one level, realizing the importance and high standing of the two Imams [Imam Ali al-Kadi and Imam Hasan al-Askari] to the Islamic and humanitarian nation.

O free people: The hand of crime which has encroached on holy places, is maliciously planning to deeply violate holy places and implement a wicked scheme aimed at starting a fake battle among the one people who share similar values, destiny, and position. They are working on turning the people's battle against terrorism into an Iraqi battle among the components of the Iraqi people.

They fill their sick minds with hope to see fighting among brothers, and to tear up the Iraqi body whereby the wonderful ties of brotherhood would be severed and the solid Iraqi fabric would turn into threads torn apart, but this shall not happen now that our people have demonstrated unity; their minds have become filled with the ideas and values of unity; and their hearts have flooded with genuine patriotic feelings, making them sacrifice everything in order to protect it. By doing so, they would be preserving the dignity of cities and their unity. These cities have sectarian, tribal, and household diversity not to mention the diverse social relations. The Iraqi people and the entire world since the early hours saw how the authorities, spearheaded by Grand Authority Ayatollah Al-Sayyid Ali al-Sistani; decision-making and influential centers, and the honorable members of our beloved homeland stepped forward to protect the Iraqi unity, warning against any violation. They called on everybody to live up to their responsibilities vis-a-vis this incident and possible repercussions if terrorism lords get the chance to continue their conspiracies and breathing their venom. Our proud people shall remain above these mean attempts. Unity shall continue to be our people's main goal.

Right from the start, your government and all its security and political services as well as its services [agencies] have been working to preserve your security and dividends, and to hit with a hand of iron anyone who thinks of harming you. In light of the current situation, the government sought to devise a special plan that would deal with this special situation in order to live up to the level of the incident our people are facing. By doing so, the government would be basing itself on the broad and aligned base of the people. Orders have been given to all Iraqi forces to carry out a vital and important work at a critical historic stage to preserve security and order. Therefore, we urge the sons of our Iraqi people to cooperate with our armed forces to eliminate terrorists and to remain alert to internal and external conspiracies targeting Iraq. Our armed forces must maintain positions at all locations to preserve the security of citizens and protect their interests. We have decided to intensively deploy Iraqi armed forces in friction areas in a manner that would lead to establishing security and stability there. We

11-L-0559/OSD/56096

have also decided to ban cars from leaving or entering Baghdad except for police cars, ambulances, and ministries' vehicles.

Although we know that imposing curfew in some areas at certain times might limit citizens' freedom and movement, but the government finds this measure necessary in order to prevent terrorists from achieving their goals and reducing their movement in order to give our security forces a good opportunity to catch the terrorists, and to facilitate our armed forces' task of protecting citizens who have full confidence in the security forces and are completely aware of the reasons for our decision.

We have decided to form an advisory political team consisting of a group of political figures and leaders and heads of parliamentary blocs so as to become acquainted with their positions toward this crisis and their contribution to reinforcing national unity. Terrorists and enemies of Iraq are trying to undermine and destroy this unity. All necessary security measures have been taken to protect holy shrines and places of worship across Iraq, particularly in the areas of diverse components. Besides, we are considering the possibility of establishing a special force to protect these shrines. Appropriate security measures have also been taken to protect the roads leading to the holy shrines and to secure them for the visitors.

In order to ensure the safety of citizens and protect their interests, armed manifestations in the streets shall be banned. Moreover, carrying unlicensed weapons outside houses and shops shall also be banned. In order to further ensure the safety and protection of citizens in tense areas, the government has decided to step up efforts and security presence to protect these areas so as to boost the citizens' confidence and foster security and means of maintaining order.

The government also calls on all media and cultural agencies to shoulder their national responsibilities at this critical stage of our nation's history. We also urge them to play their role in reinforcing national unity among the people of one country, and to avoid whatever causes disunity and spurs terrorism and violence. We also call on them to contribute to exposing the plans of the enemies of Iraq and their attempts to implant sectarian sedition.

In line with the responsible discourse of religious authorities and national interest, the government also calls on the revered clerics, imams, and Friday preachers to shoulder their legitimate and national responsibility in terms of spreading the sense of brotherhood and tolerance and denouncing violence, terrorism, and whatever harms the sublime meanings of our true religion [Islam].

The government has instructed the competent judicial bodies to investigate key judicial cases and expedite the process of bringing terrorists and criminals to justice. At the same time, the government stressed the need to enforce the counter-terrorism Law and apply it to everybody. The government has also decided to contribute to reconstructing what the Samarra disaster has caused and the damage done to mosques and other buildings.

The government has also decided to form an investigation committee to reveal the details and motives behind the Samarra disaster and the incidents that followed it. It also decided to identify the negligent people, bring them to justice, and direct the utmost intelligence efforts to identifying the perpetrators.

Our keenness on the safety of all segments of our people requires the implementation of this plan and its details. We hope that all good political forces and the bases of our proud people would cooperate with us to maintain order, achieve the supremacy of law, and avoid any manifestation of disorder and tension. We stress that we will not show any leniency in implementing the law on all violators, against whom we will hand down appropriate punishments. We have an absolute faith in Almighty God. We pin great hopes on our people, who took courageous positions on all their crises and challenges. They are capable of developing a national position that would reinforce national unity and achieve economic prosperity and political stability for the new Iraq.

Praise be to God, Lord of the universe. [Video shows Al-Ja'fari delivering a speech]

[Description of Source: Baghdad Al-Iraqiyah Television in Arabic -- government-sponsored television station, run by the Iraqi Media Network]

~~FOUO~~

7:57
February 21, 2006

TO: Eric Edelman

06/002196
ES-5248

FROM: Donald Rumsfeld

D.R.

SUBJECT: Film on Iraq

Take a look at the attached report on "Valley of the Wolves" film. It sounds bad.

Thanks.

Attach 2/20/06 E-Mail from Newt Gingrich

DHR ss
022106-08

.....

~~FOUO~~

OSD 02973-06

11-L-0559/OSD/56099

EC

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

From: Thirddwave2 [mailto:thirddwave2@speakinginrich.com]

Sent: Monday, February 20, 2006 11:47 AM

To: GundersonB@state.gov; (b)(6) shadley@nsc.eop.gov; j d m n . n e t

Subject: FW: Note re: Turkish Anti-Americanism

This is a very sobering warning from Michael Rubin

Between movies like this and the orchestrated reaction to the Danish cartoons we are faced with a cultural-information war on a scale we can't imagine and against which we are stunningly impotent
newt

From: Michael Rubin [mailto:MRubin@AEL.org]

Sent: Saturday, February 18, 2006 9:57 PM

To: Michael Rubin

Subject: Note re: Turkish Anti-Americanism

Dear all:

A quick note from Istanbul:

I saw "Valley of the Wolves- Iraq" tonight. It was far worse than I expected, even given the press.

It is the most anti-Semitic film I have ever seen. This includes popular, Rambo-type films I saw in Iran (e.g. Lubran Ashq-i Man) years ago.

The film is noxious in its depiction of:

- Jewish doctors harvesting Iraqi organs from living prisoners in order to sell them to Israel.
- American forces blowing up minarets
- American forces conducting massacres for fun.
- The U.S. commander motivated by religious crusade
- Killing Turkmen leaders for spite
- Readily accepting Kurdish bribes
- Using children as hostages

The Turkish press is saying that:

- The Prime Minister's Wife and the Speaker of Parliament endorsed the film at its opening gala
- The Prime Minister saw a special screening of the film two weeks before his release (making the attendance of his wife even more scandalous).
- There are rumors that some prominent AKP businessmen and Erdogan advisors financed the film.

- The Prime Minister's Press Secretary was involved in Writing the script, according to *Hürriyet*

Unfortunately, the U.S. ambassador in Ankara is engaged in "nauseating charm offensive," in the words of one *Tuzk*. His comments downplaying the Hamas visit and saying that the U.S. was forewarned have been replayed frequently on the Turkish media.

Unless we express displeasure to the AKP in a far more stern and public manner, we will be hurt. After all, the AKP and leading *anti-AKP* activists still believe that Washington is responsible for the AKP because of various diplomats' and policymakers' friendship with senior AKP advisors.

~~FOR OFFICIAL USE ONLY~~

INFO MEMO

06/002196
ES-5248

MEMORANDUM FOR SECRETARY OF DEFENSE

FROM: Under Secretary of Defense for Policy, Eric S. Edelman *W*

FEB 24 2006

SUBJECT: Film on Iraq ("Valley of the Wolves - Iraq")

- The movie "Valley of the Wolves," according to all accounts, is an awful piece of anti-Americanism.
- It is based on an ongoing TV serial that is one of the most popular programs on Turkish TV.
- Ambassador Wilson has raised privately with the Foreign Minister concerns about both the movie and the Turkish government's handling of the recent Hamas visit to Ankara.
- This will bear close watching. The danger exists that the **AK** Party government will allow the tone of public discourse to sour, which would set back the past year of effort to get U.S.-Turkish relations back on track.

Attachment: SecDef note "Film on Iraq"

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/56102

OSD 02973-06

~~FOUO~~

February 21, 2006

06/002196
ES-5248

TO: Eric Edelman

FROM: Donald Rumsfeld

D.R.

SUBJECT: Film on Iraq

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Thanks.

Attach 2/20/06 E-Mail from Newt Gingrich

DHR ss
022106-08

.....

~~FOUO~~

OSD 02973-06

11-L-0559/OSD/56103

EE

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

From: Thirdwave2 [mailto:thirdwave2@speakingrich.com]

Sent: Monday, February 20, 2006 11:47 AM

To: GundersonB@state.gov; (b)(6) shadley@nsc.eop.gov; jd@crouchclan.net

Subject: FW: Note re: Turkish Anti-Americanism

This is a very sobering warning from Michael Rubin

Between movies like this and the orchestrated reaction to the Danish cartoons we are faced with a cultural-information war on a scale we can't imagine and against which we are stunningly impotent
newt

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Sent: Saturday, February 18, 2006 9:57 PM

To: Michael Rubin

Subject: Note re: Turkish Anti-Americanism

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- American forces conducting massacres for fun.
- The U.S. commander motivated by religious crusade
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- Using children as hostages

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- The Prime Minister's Press Secretary was involved in writing the script, according to *Hürriyet*

Unfortunately, the U.S. ambassador in Ankara is engaged in "nauseating charm offensive," in the words of one Turk. His comments downplaying the Hamas visit and saying that the U.S. was forewarned have been replayed frequently on the Turkish media.

Unless we express displeasure to the AKP in a far more stern and public manner, we will be hurt. After all, the AKP and leading anti-AKP activists still believe that Washington is responsible for the AKP because of various diplomats' and policymakers' friendship with senior AKP advisors.



HEALTH AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301-1200

F-10

INFO MEMO

FEB 23 2006

FOR: SECRETARY OF DEFENSE

FROM: William Wink *William Wink*
enwerder, Jr MD, ASD (Health Affairs)

SUBJECT: Stem Cell Research

- On January 12, a high school mate of yours, Ms. Patricia Buehler, wrote you indicating stem cell research was important and could improve the health of combat casualties and others (TAB B). She forwarded a CD with slides from a briefing that impressed her given by a Northwestern University researcher.
- Your interim reply (TAB C) thanked her for the material and indicated that you would have me take a look at it.
- The Department is extensively involved in stem cell research within provisions of presidential, congressional, and DoD direction. We currently have 77 protocols and/or studies ongoing at this time. I support this work within the guidelines established by the President.
- My response at TAB A notes DoD participation in stem cell research.

COORDINATION: USD (F&R)

David R. Cirone ASD of

Attachments:

As stated

OSD 03029-06

Prepared by: Dr. Cirone, FHP&R, (b)(6) DOCS Open 99472,100734, 100737

11-L-0559/OSD/56106

TAB

A



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301-1200

FEB 21 2008

HEALTH AFFAIRS

Ms. Patricia H. Buehler

(b)(6)

Dear Ms. Buehler:

You requested Department of Defense thoughts regarding stem cell research in your letter of January 12. We in the Department recognize the exceptional potential of such research to the health of our warfighters, our beneficiaries, and the general population.

We have a substantial and focused research effort addressing many aspects of the stem cell promise. Within the Department we conduct or sponsor stem cell protocols related to our Breast and Prostate Cancer Research Programs and some of the core research programs sponsored by the U.S. Army Medical Research and Materiel Command.

Thank you for your interest in Department of Defense medicine.

Sincerely,

A handwritten signature in cursive script that reads "William Winkenwerder, Jr.".

William Winkenwerder, Jr., MD

11-L-0559/OSD/56108

TAB

B

~~FOUO~~

2006 January 24, 2006

TO: Bill Winkenwerder

CC: David Chu

FROM: Donald Rumsfeld 

SUBJECT: Letter from Patricia Buehler and Stem Cell Research Info

Attached is some material I received from a person who went to high school with me.

Do you have any thoughts?

Thanks.

Attach: 1/12/06 Letter and CD from P. Buehler to SecDef, *SECDEF NOTE TO BUEHLER*

DHR ss
012406-07

.....
Please Respond By 02/28/06

~~FOUO~~
11-L-0559/OSD/56110

OSD 02473-06

79802472

Mrs. A.C. Buehler, Jr.

(b)(6)

January 12, 2006

Dear Don,

I recently heard a presentation by Dr. Kessler at Northwestern about stem cell research. He is the preeminent researcher in that field. I am convinced that the future of stem cell research is essential to our country, and that the United States must be a leader in the field.

As we send our troops into Iraq and Afghanistan etc to fight for our country, we owe them the best treatment we can give to replace war damaged limbs, eyes and minds. Stem cell research will help advance these treatments. This same research will help find the cure for life threatening conditions such as diabetes that affect our families in the U.S. Despite reports to the contrary, none of this research is done on aborted fetuses.

I am sending you the power point presentation Dr. Kessler presented, as I was very impressed by it. I compare his research to Galileo's. You might want Joyce to watch it with you; the subject was presented to our discussion group twice (not by Dr Kessler)

Please call or email me to let me know your thoughts on this.

I have moved. My new address is (b)(6) and phone number is (b)(6). I will be in (b)(6) January 16 - June 7. The address there is (b)(6) the phone is (b)(6)

I hope the New Year finds you well, and I look forward to hearing from you soon.

Sincerely,



Patricia H. Buehler

11-L-0559/OSD/56111

OSD 01175-01

TAB

C



THE SECRETARY OF DEFENSE
WASHINGTON

Ms. Patricia H. Buehler

(b)(6)

Dear Pat,

Thanks so much for your note and the material. I will have Dr. Bill Winkenwerder here at the Pentagon take a look at it.

I appreciate your thoughtfulness.

With my best wishes for the New Year,

Sincerely,

11-L-0559/OSD/56113

OSD 01125-06

FOUO

7:50

FEB 24 2006

000,92

TO: Gordon England

FROM: Donald Rumsfeld *DR*

SUBJECT Katrina Recommendations from the White House

Pete Verga gave me this list of recommendations from the White House report that involved the Department of Defense.

Please put together a plan whereby each of these items is assigned and given a deadline date as to when they will be back to us with their recommendations, so that we get it all done within the next 30 days. None of this is new. We ought to have had our heads wrapped around these issues for some time.

Thanks.

Attach: Katrina Recommendations from the White House

DHR:ss
022306-12

.....

Please Respond By 03/23/06

24 Feb 06

FOUO
11-L-0559/OSD/56114

OSD 03046-06

Katrina Recommendations from White House Report

Recommendations:

1. DoD and DHS should revise the NRP to delineate the circumstances, objectives, and limitations of when DoD might temporarily assume the lead for the Federal response to a catastrophic incident. Katrina demonstrated the importance of prior planning for rapid and complex response efforts, DoD should develop plans to lead the Federal response for events of extraordinary scope and nature (e.g., nuclear incident or multiple simultaneous terrorist attacks causing a breakdown in civil society). [No action at this time]
2. DoD should revise its Immediate Response Authority (IRA) policy to allow commanders, in appropriate circumstances, to exercise IRA even without a request from local authorities. DoD should work with DHS and State officials to improve integration of military response capabilities. [NORTHCOM is reviewing overall IRA policy to better define the scope of allowable IRA missions. Any recommended changes will be coordinated through normal DoD processes.]
3. DoD and DHS should plan and prepare for a significant DoD supporting role during a catastrophic event. DoD's joint operational response doctrine is an integral part of the national effort and must be fully integrated into the national response at all levels of government. DoD should have a contingency role and a requirement to assist DHS with expertise in logistics, planning, and total asset visibility. DoD should coordinate with DHS and DOT to identify DoD's contingency role in airport operations and evacuations, and the planning and use of Ready Reserve Fleet vessels for housing, evacuation, communications, command, control, and logistics. The NRP and Catastrophic Incident Supplement (CIS) should specify the specific requirements for DoD resources based on the magnitude and type of a catastrophic event. [DoD has sent a strategic planner as a detailee to DHS Under Secretary of Policy. In addition, DoD is beginning a review process to validate current DoD personnel support to DHS in numbers and expertise. Finally, NORTHCOM is completing its Draft CONPLAN 2501 for support to civil authorities. CONPLAN 2501 will among other activities outline NORTHCOM's plan for its contingency role in planning and execution support to DHS.]

4. DoD should provide support from the National Geospatial Intelligence Agency (NGA) and the National Security Agency (NSA) as part of overall DoD support to DHS under the NRP to provide technical skills, situational awareness, imagery support, analysis and assessment for responding to catastrophic events. Requests for situational awareness capabilities should follow DoD processes for asset allocation. DoD will ensure requests for assistance are identified and satisfied for access to NGA, NSA and other Combat Support Agency's capabilities. NGA and NSA have significant technical capabilities that should be integrated into the Nation's preparation and response efforts. NGA and NSA have the capability to rapidly provide situational awareness and analysis. The response to Hurricane Katrina highlighted that NGA and NSA possess unique capabilities that can be utilized in homeland missions, to include severe weather events. The NSA was instrumental in matching up missing family members, and the NGA provided valuable overhead imagery of the disaster site. Defined roles in homeland security missions will allow for these capabilities to be better budgeted, developed, and ultimately leveraged. In support of missions in the homeland where DHS is the Primary Federal Agency, DHS should levy tasking requirements. These agencies have established relationships with governmental and private/commercial entities, which can be integrated as part of a larger national response effort. NGA and NSA roles and support to the homeland security mission should be added into the agencies' core mission statements. NGA and NSA support should be coordinated with civil agencies providing geospatial support and analysis, including the U.S. Geological Survey. These agencies need resources to perform homeland security functions. In order to meet these new mission requirements these agencies need to expand from a legacy focus of being a producer to a broader role as a service provider. [USSTRATCOM is developing a framework to provide pre-coordinated initial reconnaissance response options as part of CDRUSSTRATCOM's Civil Support plan. Both NGA and NSA applicable capabilities will be part of this framework.]

5. Set standards for "pushing" the pre-positioning of Federal assets to States and locals, in the case of an imminent catastrophe. DHS should create a civil operational planning capability to push assets that is robust, agile, and deployable; otherwise, the response will rely heavily on DoD

capabilities. Factors slowing delivery of commodities require review and solutions adapted prior to future disasters, DHS should include much better planning efforts between State and Federal emergency management logisticians and operations personnel, the assistance and advice of DoD strategic logistics planners, and more robust private sector partnerships. DHS should mandate the use of pre-competed private sector contracts for capabilities ranging from airlift to advanced communications and life support and have available a rapid response capability similar to DoD. Federal funding should be predicated on States entering into their own contractual agreements, pre-crisis, with the private sector for procurement and delivery of commodities. [Northern Command and JEDOMS is beginning to work with DHS/GAMA to develop pre-scripted RFAs that would be rapidly filled in a disaster or catastrophe response]

6. In addition to the National Guard, the other Reserve Components of the military services should modify their organization and training to include a priority mission to prepare and deploy in support of homeland security missions. Reserve components historically have focused on military and war fighting missions, which will continue; however, we should recognize that the Reserve components are too valuable a skilled and available resource at home not to be ready to incorporate them in any Federal response planning and effort. Additionally, efforts should be made to leverage Reserve civilian skills in disaster relief efforts. [DoD has a legislative proposal (number 262) at OMB that would allow more effective and rapid mobilization of applicable Reserve units to conduct all Hazards Civil Support missions in response to disasters]

7. DoD should consider fully resourcing the JTF State Headquarters to address capabilities gaps and to enhance readiness. Enhance National Guard capabilities by resourcing and fully implementing Joint Force Headquarters (JFHQ) State. JFHQ-State transformation is key to rapid deployment of National Guard forces in response to a catastrophe.

The *transformation* of JFHQ-State and other National Guard capabilities for homeland security missions will ensure response forces are available in each DHS region. These capabilities should support NRP requirements including: security, maintenance, aviation, engineer, medical, communications, transportation, and logistics. The National Guard should develop rapid

reaction forces capable of responding to an incident within 24 hours. This is vital to future rapid deployment of National Guard forces in response to a catastrophe. This transformation, as it nears completion, must continue to take root within DoD.

JFHQ State will provide the command structure in which to lead and direct arriving Federal response capabilities, forming the backbone of State Incident Command System (ICS) and, as a result, the Federal Joint Field Office (JFO). It will facilitate unity of effort and provide the situational awareness needed for an effective response. To that end, the Command, Control, Communications, and Information (C3I) structure must be interoperable and satisfy a common set of mission essential tasks.

~~National Guard has established a provisional JFHQ State in all states and territories.~~

8. Develop the capability to rapidly activate a JTF-State for contingencies. JTF-State is a forward deployed command group that can stage assets (by conducting reception, staging, onward movement, and integration); provide situational awareness and initial command and control for both State governors (for National Guard troops) and USNORTHCOM (for Federal active duty troops); and provide State level components to a Federal active duty JTF, should one be required. JTF-State coordinates with USNORTHCOM and State authorities to ensure the application of the full capability of the Joint Force for domestic response missions. A key component of the JTF-State should be the State's WMD CSTs. The option to expanding the role of the CSTs to an all-hazards response team should be explored. This may require additional resources, but would improve situational awareness and command and control capabilities at the State level. A JTF-State model streamlines the command structure exercising command and control over all assigned forces supporting civil authorities. The JTF command and control architecture should provide a wide network to build a single common operating picture that increases situational awareness and redundancy. The JTF should assume command and control of Federal active duty forces and National Guard forces from other States. As part of the JFHQ State, the JTF maintains and provides trained and equipped forces and capabilities. If and when necessary, this JTF model enables a National Guard Commander familiar with State and local area of operations to serve both in a Federal and State status providing both unity of effort

and unity of command for Federal and State forces. [REDACTED]

~~the JFHQ State concept.~~ The National Guard has begun the provisional implementation of this concept throughout the 54 States and Territories.]

9. DoD should consider assigning additional personnel (to include General officers) from the National Guard and the reserves of the military services to USNORTHCOM to achieve enhanced integration of Active and reserve component forces for homeland security missions. [To facilitate the essential integrated role of the ti G [REDACTED] National Guard officers at various levels of NORTHCOM. For example, the current NORTHCOM Chief of Staff is a National Guard officer. These assignments will continue to be made on an appropriate rotational basis and not tied to specific billets or positions.]

10. DoD should support DHS development of an analysis and planning capability to enable DHS to predict detailed requirements and plan for specific actions needed to respond to future disasters. This DoD/DHS element should assess past catastrophic disasters and the successes and failures of the overall responses to those events. This information should inform detailed planning for future disaster response, and allow determination of specific decision points to aid rapid decision making. Ultimately a fully mature DHS planning capability should have additional utility by deploying during future catastrophic events and translating initial damage assessments into accurate needs assessments for local, State and Federal authorities. [Northern Command and JDOMSSs begin to work with DHS/FEMA to develop pre-scripted RHA's that would be rapidly filled in a disaster or catastrophe response. DoD looks forward to working more closely with DHS in enabling more effective disaster response planning]

11. DoD should consider chartering the NGB as a joint activity of the DoD. Responsibilities should include:

a. Serve as the focal point in developing, managing, and integrating employment of joint National Guard capabilities for the Joint Staff and the Departments of the Army and Air Force in support of the Combatant Commands.

b. Act as the DoD channel of communication to and from the National Guard of the States and Territories.

c. Support all Combatant Commanders in developing joint operational requirements for contingency and response plans. Specifically support U.S. Joint Forces Command (USJFCOM), USNORTHCOM, U.S. Pacific Command (USPACOM), U.S. Southern Command (USSOUTHCOM), U.S. Strategic Command (USSTRATCOM) and the States and Territories in developing strategy and contingency plans for homeland defense missions.

d. Administer Army and Air Force programs; acquire, distribute, and manage resources; plan, coordinate, and provide situational awareness and other support to the Combatant Commanders.

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

From: Earl, Robert, CIV, OSD

Sent: Friday, February 24, 2006 6:49 PM

To: McHale, Paul, HON, OSD-POLICY

Cc: Verga, Pete, CIV, OSD-POLICY; Helmick, Frank, BG, OSD; Henry, Ryan, HON, OSD-POLICY

Subject: Katrina Katrina

Paul:

Sounds like Pete's noble effort to give the SD an immediate sense of what actions were underway in response to the W.H. recommendations involving DoD only whetted the boss' appetite -- ergo, his snowflake today for a plan (with assignments of responsibility, milestones, and recommendations)..., all within 30 days!

As you know, no good deed goes unpunished around here, so why don't you have a go at the first draft of that plan and bring it in to talk the Deputy through it in a couple weeks...? Thanx.

Cheers, bob

11-L-0559/OSD/56121

FOUO

OFFICE OF THE DEPUTY SECRETARY OF DEFENSE
The Senior Military Assistant

27 February 2006 - 1520

MEMORANDUM FOR PAUL MCHALE, ASD(HD)

SUBJECT KATRINA RECOMMENDATIONS FROM **THE** WHITE HOUSE

Sir,

DSD requests that you see him to discuss a proposed implementation plan with milestones to answer questions surfaced in Katrina Recommendations from the White House Report.

See attached snowflake for specific issues that must be addressed in the plan.

Please provide a copy of this tasker with your response.

Many thanks!

Very Respectfully,

[Signature] 2/27

Frank G. Helmick
Brigadier General, USA
Military Assistant to the
Deputy Secretary of Defense

CC: DJS
USD(P)

ATTACHMENTS: SD Snowflake re Katrina Recommendations from the White House
24Feb06 Email from Bob Earl re Katrina

USPENSE: 17Mar06

000,92

27 Feb 06

4 Feb 06

FOUO

OFFICE OF THE DEPUTY SECRETARY OF DEFENSE
The Senior Military Assistant

02 March 2006 - 1325

MEMORANDUM FOR MICHAEL DONLEY, DA&M

SUBJECT KATRINA Recommendations from The White House

Sir,

DSD requests that you get with Paul McHale; he is listing the specific tasks, milestones and schedule programs from the Katrina Report; something very similar to what you are doing with QDR. Please share your system with Paul McHale.

DSD's intent is to have a total system in place where I can access any objective and milestone we are working in the Department to determine the status.

Please schedule a time to talk with the DSD about the system you recommend in the next two weeks.

Many Thanks!

Very Respectfully,

[Handwritten signature]

Frank G. Helmick
Brigadier General, USA
Brigadier General, USA

Military Assistant to the
Deputy Secretary of Defense

CC: Paul McHale, ASD/HD
SUSPENSE 15Mar06
ATTACHMENT: SD Snowflake#022306-12

000.92

2 MAR 06

24 Feb 06

OSD 03046-06

FOUO

11-L-0559/OSD/56123

FOUO

FEB 24 2006

TO: Gordon England
FROM: Donald Rumsfeld 
SUBJECT: Katrina Recommendations from the White House

Pete Verga gave me this list of recommendations from the White House report that involved the Department of Defense.

Please put together a plan whereby each of these items is assigned and given a deadline date as to when they will be back to us with their recommendations, so that we get it all done within the next 30 days. None of this is new. We ought to have had our heads wrapped around these issues for some time.

Thanks.

Attach: Katrina Recommendations from the White House

DHR:ss
022306-12

.....
Please Respond By 03/23/06

FOUO

11-L-0559/OSD/56124

Katrina Recommendations from White House Report

Recommendations:

1. DoD and DHS should revise the NRP to delineate the circumstances, objectives, and limitations of when DoD might temporarily assume the lead for the Federal response to a catastrophic incident. Katrina demonstrated the importance of prior planning for rapid and complex response efforts. DoD should develop plans to lead the Federal response for events of extraordinary scope and nature (e.g., nuclear incident or multiple simultaneous terrorist attacks causing a breakdown in civil society). [No action at this time]
2. DoD should revise its Immediate Response Authority (IRA) policy to allow commanders, in appropriate circumstances, to exercise IRA even without a request from local authorities. DoD should work with DHS and State officials to improve integration of military response capabilities. [redacted] to better define the scope of allowable IRA missions. Any recommended changes will be coordinated through normal DoD processes.]
3. DoD and OHS should plan and prepare for a significant DoD supporting role during a catastrophic event. DoD's joint operational response doctrine is an integral part of the national effort and must be fully integrated into the national response at all levels of government. DoD should have a contingency role and a requirement to assist DHS with expertise in logistics, planning, and total asset visibility. DoD should coordinate with DHS and DOT to identify DoD's contingency role in airport operations and evacuations, and the planning and use of Ready Reserve Fleet vessels for housing, evacuation, communications, command, control, and logistics. The NRP and Catastrophic Incident Supplement (CIS) should specify the specific requirements for DoD resources based on the magnitude and type of a catastrophic event. [redacted] [redacted]. In addition, DoD is beginning a review process to validate current DoD personnel support to DHS in numbers and expertise. Finally, NORTHCOM is completing its Draft CONPLAN 2501 for support to civil authorities. CONPLAN 2501 will among other activities outline NORTHCOM's plan for its contingency role in planning and execution support to DHS.]

4. DoD should provide support from the National Geospatial Intelligence Agency (NGA) and the National Security Agency (NSA) as part of overall DoD Support to DHS under the NRP to provide technical skills, situational awareness, imagery support, analysis and assessment for responding to catastrophic events. Requests for situational awareness capabilities should follow DoD processes for asset allocation. DoD will ensure requests for assistance are identified and satisfied for access to NGA, NSA and other Combat Support Agency's capabilities. NGA and NSA have significant technical capabilities that should be integrated into the Nation's preparation and response efforts. NGA and NSA have the capability to rapidly provide situational awareness and analysis. The response to Hurricane Katrina highlighted that NGA and NSA possess unique capabilities that can be utilized in homeland missions, to include severe weather events. The NSA was instrumental in matching up missing family members, and the NGA provided valuable overhead imagery of the disaster site. Defined roles in homeland security missions will allow for these capabilities to be better budgeted, developed, and ultimately leveraged. In support of missions in the homeland where DHS is the Primary Federal Agency, DHS should levy tasking requirements. These agencies have established relationships with governmental and private/commercial entities, which can be integrated as part of a larger national response effort. NGA and NSA roles and support to the homeland security mission should be added into the agencies' core mission statements, NGA and NSA support should be coordinated with civil agencies providing geospatial support and analysis, including the U.S. Geological Survey. These agencies need resources to perform homeland security functions. In order to meet these new mission requirements these agencies need to expand from a legacy focus of being a producer to a broader role as a service provider. [REDACTED] [REDACTED] developing a framework that provides pre-established [REDACTED] response options as part of CDRUSTRATCOM's Civil Support plan. Both NGA and NSA applicable capabilities will be part of this framework.]

5. Set standards for "pushing" the pre-positioning of Federal assets to States and locals, in the case of an imminent catastrophe. DHS should create a civil operational planning capability to push assets that is robust, agile, and deployable; otherwise, the response will rely heavily on DoD

capabilities. Factors slowing delivery of commodities require review and solutions adapted prior to future disasters. DHS should include much better planning efforts between State and Federal emergency management logisticians and operations personnel, the assistance and advice of DoD strategic logistics planners, and more robust private sector partnerships. DHS should mandate the use of pre-competed private sector contracts for capabilities ranging from airlift to advanced communications and life support and have available a rapid response capability similar to DoD. Federal funding should be predicated on States entering into their own contractual agreements, pre-crisis, with the private sector for procurement and delivery of commodities. [REDACTED] that would be rapidly filled in a disaster or catastrophe response]

6. In addition to the National Guard, the other Reserve Components of the military services should modify their organization and training to include a priority mission to prepare and deploy in support of homeland security missions. Reserve components historically have focused on military and war fighting missions, which will continue; however, we should recognize that the Reserve components are too valuable a skilled and available resource at home not to be ready to incorporate them in any Federal response planning and effort. Additionally, efforts should be made to leverage Reserve civilian skills in disaster relief efforts. [REDACTED]

7. DoD should consider fully resourcing the JTF State Headquarters to address Capabilities gaps and to enhance readiness. Enhance National Guard capabilities by resourcing and fully implementing Joint Force Headquarters (JFHQ) State. JFHQ-State transformation is key to rapid deployment of National Guard forces in response to a catastrophe.

The transformation of JFHQ-State and other National Guard capabilities for homeland security missions will ensure response forces are available in each DHS region. These capabilities should support NRP requirements including: security, maintenance, aviation, engineer, medical, communications, transportation, and logistics. The National Guard should develop rapid

action forces capable of responding to an incident within 2 hours. This is vital to future rapid deployment of National Guard forces in response to a catastrophe. This transformation, as it nears completion, must continue to take root within DoD.

JFHQ State will provide the command structure in which to lead and direct arriving Federal response capabilities, forming the backbone of State Incident Command System (ICS) and, as a result, the Federal Joint Field Office (JFO). It will facilitate unity of effort and provide the situational awareness needed for an effective response. To that end, the Command, Control, Communications, and Information (C3I) structure must be **interoperable and satisfy a common set of mission essential tasks.**

[REDACTED]

[REDACTED]

8. Develop the capability to rapidly activate a JTF-State for contingencies. JTF-State is a forward deployed command group that can stage assets (by conducting reception, staging, onward movement, and integration); provide situational awareness and initial command and control for both **State** governors (for National Guard **troops**) and **USNORTHCOM** (for Federal active duty troops); and provide State level components to a Federal active duty JTF, should one be required. JTF-State coordinates with USNORTHCOM and State authorities to ensure the application of the full capability of the Joint Force for domestic response missions. A key component of the **JTF-State** should be the State's WMD CSTs. The option to expanding the role of the CSTs to an all-hazards response team should be explored. This may require additional resources, but would improve situational awareness and command and control capabilities at the State level. A **JTF-State** model streamlines the command structure exercising command and control over all assigned forces supporting civil authorities. The JTF command and control architecture should provide a wide network to build a single common operating picture that increases situational awareness and redundancy. The JTF should assume command and control of Federal active duty forces and National Guard forces from other States. As part of the JFHQ State, the JTF maintains and provides trained and equipped forces and capabilities. ■ And when necessary, this JTF model enables a National Guard Commander familiar with State and local area of operations to serve both in a Federal and State status providing both unity of effort

and unity of command for Federal and State forces. [REDACTED]
[REDACTED] The National Guard has begun the provisional implementation of this concept throughout the 54 States and Territories.]

9. DoD should consider assigning additional personnel (to include General officers) from the National Guard and the reserves of the military services to USNORTHCOM to achieve enhanced integration of Active and reserve component forces for homeland security missions. [To facilitate the essential integrated role of the National Guard, [REDACTED]
[REDACTED] For example, the [REDACTED] These assignments will continue to be made on an appropriate rotational basis and not tied to specific billets or positions.]

10. DoD should support DHS development of an analysis and planning capability to enable DHS to predict detailed requirements and plan for specific actions needed to respond to future disasters. This DoD/DHS element should assess past catastrophic disasters and the successes and failures of the overall responses to those events. This information should inform detailed planning for future disaster response, and allow determination of specific decision points to aid rapid decision making. Ultimately a fully mature DHS planning capability should have additional utility by deploying during future catastrophic events and translating initial damage assessments into accurate needs assessments for local, State and Federal authorities. [REDACTED]

[REDACTED] that would be rapidly filled in a disaster or catastrophe response, DoD looks forward to working more closely with DHS in enabling more effective disaster response planning]

11. DoD should consider chartering the NGB as a joint activity of the DoD. Responsibilities should include:

a. Serve as the focal point in developing, managing, and integrating employment of joint National Guard capabilities for the Joint Staff and the Departments of the Army and Air Force in support of the Combatant Commands.

b. Act **as** the DoD channel of communication to and from the National **Guard** of the States and Territories.

c. Support **all** Combatant Commanders in developing joint operational requirements for contingency and response plans. Specifically support U.S. Joint Forces Command (USJFCOM), USNORTHCOM, U.S. Pacific Command (USPACOM), U.S. Southern Command (USSOUTHCOM), **U.S. Strategic** Command (USSTRATCOM) and the States and Territories in developing strategy and contingency plans for homeland defense missions.

d. Administer Army and Air Force **programs**; acquire, distribute, and manage resources; plan, coordinate, and provide situational awareness and other support to the Combatant Commanders.

~~FOUO~~

January 20, 2006

I-06/002251
ES-5 253

TO: Eric Edelman

FROM: Donald Rumsfeld

D.R.

SUBJECT: Draft Letter to MOD Reid on his Retirement

Please get a letter drafted to Minister John Reid, who just announced his retirement.

Thanks.

DHR:ss
012006-01

.....
Please Respond By 01/25/06

~~FOUO~~

OSD 03101-06

11-L-0559/OSD/56131

~~FOR OFFICIAL USE ONLY~~

OFFICE OF THE
SECRETARY OF DEFENSE

704 FEB 23 AM 11:31

ES-5253

I-06/002251-ES

USDP ~~FEB~~ 27 2006

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: Peter Flory, Assistant Secretary of Defense for International Security Policy

SUBJECT: UK Minister of Defense Reid Retirement

FEB 24 2006

- You requested a letter to Minister John Reid on his retirement.
- We understand from Reid's private secretary that Reid is not retiring.

~~FOR OFFICIAL USE ONLY~~

OSD 03101-06

Prepared By: CDR Mike Wetlaufer, ISP/EUR (b)(6)

Prepared on: 24 February 2006

11-L-0559/OSD/56132

Coordination

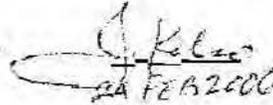
DASD Europe/NATO

Dan Fata



Director, European Policy North

Jesse Kelso



~~FOUO~~

January 20, 2006

I-06/002251
ES-5253

TO: Eric Edelman

FROM: Donald Rumsfeld *DR*

SUBJECT: Draft Letter to MOD Reid on his Retirement

Please get a letter drafted to Minister John Reid, who just announced his retirement.

Thanks.

DHR:ss
012006-01

.....
Please Respond By 01/25/06

~~FOUO~~

11-L-0559/OSD/56134

FOUO

OFFICE OF THE
SECURITY ASSISTANT
201 SEP 25 PM 4: 51
January 12, 2006

Spain

TO: Eric Edelman
CC: Gen Pete Pace
FROM Donald Rumsfeld *D.A.*
SUBJECT: Proposals on Spain

I-06/000524
ES-5069

Please work with Pete Pace, and get back to me with your proposals on Spain:

Thanks.

DHR:ss
011206-15

.....
Please Respond By 01/31/06

FOUO

OSD 03244-06

120606

11-L-0559/OSD/56135

12-31-05 P04:50 IN

~~FOUO~~

February 28, 2006

IRAD

TO: LTG Marty Dempsey

cc: Gen Pete Pace
GEN John Abizaid
GEN George Casey

FROM: Donald Rumsfeld 

SUBJECT: Iraqi Security Force Briefing

It was clear from the excellent quality of your brief this morning that you are getting results in a very challenging job. I am delighted you are there doing what you are doing.

DHR:dh
022806-21

.....

OSD 03151-06

28 FEB 06

~~FOUO~~

11-L-0559/OSD/56136

~~FOUO~~

FEB 22 2006

TO: Robert Wilkie
CC: Robert Rangel
Ryan Henry
Dorrance Smith
Matt Latimer
FROM: Donald Rumsfeld *DR*
SUBJECT: Send Mahnken Article to the Hill

I think we ought to send this article by Thomas Mahnken to Members of the House and Senate and have someone put it in the Congressional Record. We should see if we can work it around a bit.

Thanks.

Attach. Mahnken, Thomas G. "Remaking U.S. Military Strategy," *The Wall Street Journal*, February 7, 2006.

DHR:ch
022106-36

.....
Please Respond By March 02, 2006

~~FOUO~~

OSD 03160-06

11-L-0559/OSD/56137

Remaking U.S. Military Strategy

By THOMAS G. MAHNKEN **The Wall Street Journal** February 7, 2006

The U.S. Department of Defense's **Quadrennial Defense Review**, released on Friday, presages a **major shift** in America's military strategy. Unlike in previous years, where the **emphasis** was on the "swift defeat" of adversaries, **the U.S.** is now focusing on adapting its forces **to** future challenges: a long war **against** Islamic extremists and a **long-term competition** with a rising **China**. In short, **this** document represents a milestone. And a welcome one, at that.

At its core, the QDR contains **the** most sophisticated discussion of **strategy** for defeating Islamic extremists the Bush administration has yet produced. It also offers the most cogent **theory** of victory for the Global **War** on Terrorism, arguing that the United States needs **to** eliminate the ability of terrorists **to** strike globally while **working** with local **regimes** to eliminate **their** ability to act locally. "Victory can only be achieved through the patient accumulation of quiet successes and the orchestration of all **elements** of national and international power," the report says.

Arguing that **the U.S.** is in the early phases of a long war with Islamic extremists, the report **calls** for the American military to **strengthen** its ability to wage a global counterinsurgency campaign. To do **so**, the Defense Department will **expand** Special Operations Forces by 15%; the **Army** will increase its Special Forces **battalions** by a third, **the Navy** will augment its elite **Seals** unit, the Marine Corps will create its **own** special operations **command**, and the Air Force will establish an unmanned aerial vehicle squadron to locate and target terrorists. Special Operations Forces will **specialize** in **long-term**, low-visibility operations in politically sensitive areas. Conventional forces will take on more of the **characteristics** of today's **commandos** by **acquiring** greater language **skills** and regional expertise.

Although the report's emphasis on irregular warfare has justifiably stolen most of the headlines, another major theme is **the** need to position the U.S. for a long-term competition with **China**, the country described as having "the greatest **potential** to compete militarily with **the** United States." Here the tone is clear-headed **rather** than bellicose. China's **rise and** military **modernization** **make** it only prudent **to** think about how the U.S., including its military, can influence China's **future** in a way that supports regional stability. The U.S. will increase naval **deployments** and diversify its basing network in the Pacific. It will **also** boost the production of submarines **to two** a year by 2012, bolstering America's **undersea** warfare advantage.

Driven largely by China's **growing** military power, the **report** also calls for a major increase in **U.S.** surveillance **and** long-range **strike capabilities**. It will, for example, nearly double the ability of unmanned aerial vehicles to **observe** targets across the **globe**. The Air Force is accelerating the next-generation bomber by nearly two decades, itself a major achievement. The Navy will convert a small number of Trident submarine-launched nuclear ballistic missiles to carry precise conventional warheads.

The report also considers how to respond to less conventional threats, calling for a \$1.5 billion **investment** to counter advanced biological weapons and the creation of special teams **to** find, track, and defuse nuclear bombs and other catastrophic weapons.

The **Bush** administration's critics will have a harder **time** arguing with the **reports** emphasis on the **need** to work with friends and allies. **Indeed**, U.S. allies such as Australia and the U.K. participated in the working groups that drafted the QDR. Equally important is the need to work **closely** with other parts of the U.S. **government**, both at **senior** levels in Washington and among officials in the field. In **this** respect, the military has done a good job.

There are disappointments, to be sure, such as the failure to cancel some big-ticket defense programs, **such as** the F/A-22 fighter aircraft and Joint Strike Fighter or the DDX land-attack destroyer. Such a **shift** was probably too much **to** ask in the sixth year of an administration that has **committed** itself **to** these programs. On **balance**, however, the **report** **marks** a milestone in the United States' development of military strategy and forces for the future.

Thomas G. Mahnken *is a Visiting Fellow at the Philip Merrill Center for Strategic Studies at Johns Hopkins University's Paul H. Nitze School of Advanced International Studies in Washington D.C.*

URL for this article:
<http://online.wsj.com/article/SB113926672363886501.htm>



THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

INFO MEMO

February 28, 2006, 7:00 A.M.

FOR: SECRETARY OF DEFENSE

FROM: Robert Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs (b)(6)

SUBJECT: Snowflake Response – Send Mahnken Article to the Hill, #022106-36

- You asked me to send the Thomas G. Mahnken article, “*Remaking U.S. Military Strategy*,” to Members of the House and Senate and to have it placed in the Congressional Record.
- I have sent the article to Senator Bill Frist’s (R-TN) staff and asked them to ensure it is placed in the Congressional Record.
- **Also**, we will ensure it is provided to press secretaries and key caucuses on the Hill to help spread this perspective to a wider audience; groups include Rep. Kay Granger’s “War on Terrorism” public affairs team, Rep. Jack Kingston’s (R-GA) “Theme Team,” and the House and Senate Republican Conferences.

Attachment:
Snowflake #022106-36

May - XDR

0940
02/21
12/20

FOUO

December 19, 2005

TO: Gordon England
CC: Gen Pete Pace
Michael Wynne
Gen Mike Moseley

413.77

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Civilianizing Air Force GPS Activities

I like the idea of civilianizing the Air Force GPS activities where they train young military persons and rotate them in two years. We should look at using civilians to get greater stability.

Thanks.

DHR:dh
121905-34

.....
Please Respond By 02/02/06

19 Dec 5

OSD 03164-06

FOUO

11-L-0559/OSD/56140

FEB 22 2006

To: SECDEF
Fr: Gordon England
Subj: Civilianizing Air Force GPS Activities

413.77

The October 5 Defense Science Board report also made this recommendation. The Air Force concurs and has already outsourced nearly 50% of GPS operations.

Of 395 personnel in Operations, 42% are contractor, 34% active duty Air Force, 18% are reservists and 6% are government civilians. Some of this mission is indeed inherently military, and, in addition, the Air Force does need to develop military personnel who can plan and execute space power at the tactical and operational levels of war.

The contractor percentage is expected to grow somewhat, but, at nearly 50% of the total operation, it appears about right to provide stability of operations.

Sweden
2-22-06

22 Feb 06

OSD 03164-06

19 Dec 05

~~FOUO~~

FEB 22 2006

320.2

TO: Gordon England
CC: Ryan Henry
FROM: Donald Rumsfeld *DR*
SUBJECT: Marines and QDR

What is this business about the Marines complaining about cutting their force?
The QDR didn't recommend cutting their force, did it?

Thanks.

Attach. *Inside the Navy*, "QDR's Call to Shrink Force Spurs Marine Corps to Do Its Own Study,"
February 20, 2006.

DHR:dh
022106-29

.....
Please Respond By March 02, 2006

FEB 22 2006

The QDR does say that the Marine Corps' end strength will stabilize at 175,000 Active and 39,000 Reserve personnel by Fiscal Year 2011.

Army is stated at 482,400 Active and 533,000 Reserve ^{COMPONENT} - also by Fiscal Year 2011.

(QDR, PAGE 43)

22 Feb 06

~~FOUO~~

OSD 03165-06

11-L-0559/OSD/56142

Inside the Navy
February 20, 2006
Pg. 1

QDR's Call To Shrink Force Spurs Marine Corps To Do Its Own Study

Marine Corps Commandant Gen. Michael Hagee, who disputes the Quadrennial Defense Review's recommendation to slash his service's end strength by 5,000 Marines, is launching his own study to re-examine the issue.

The Marine Corps' end strength now stands at about 180,000, Hagee told reporters Feb. 15 at a breakfast in Washington.

"I testified a couple of years ago that I thought we were in a spike and we could come down in a couple of years," Hagee said. "I was mistaken on that and I think we're in a long war." An end strength of 180,000 is "about right," he said. The service can recruit and retain to that number, he added.

To be clear, the service's official budget funds 175,000 Marines. But given the pace of U.S. military operations around the world, Congress has authorized the service to have an end strength of 179,000. Further, Hagee noted, the defense secretary has some additional flexibility to have a slightly higher end strength, bringing the size of the force to about 180,000 Marines.

The 5,000 additional Marines not included in the regular defense budget have been supported through the Pentagon's annual request to Congress for emergency supplemental appropriations. But Congress is turning up the pressure on the Pentagon to include all predictable costs in the regular defense budget, instead of repeatedly relying on supplemental appropriations that bypass the defense authorization committees.

If the Pentagon bites the bullet and starts including such costs in its regular budget request, it would likely mean an increase for the total amount of Marine Corps funding in the budget -- the service's topline. But instead the Pentagon's new Quadrennial Defense Review recommends stabilizing the Marine Corps' active duty end strength at 175,000 and its Reserve end strength at 39,000 by fiscal year 2011. Hagee is undeterred.

"My sense is, as long as the war stays the way it is right now, somewhere around 180,000 is the right number," Hagee told reporters. "If the supplementals go away . . . if our topline does not go up, then we are going to have to come down."

Rear Adm. Stan Bozin, director of the Navy's budget office, recently suggested the QDR's recommendation to size the Marine Corps at 175,000 by FY-11 is not set in stone.

"Between now and FY-11, a lot of things can happen and we'll have those discussions as we go," Bozin told reporters Feb. 6.

Asked how the Marine Corps would reconcile the difference between the QDR's recommendation and what he believes is needed, Hagee said there would be discussions with the Office of the Secretary of Defense.

"We're going to do **that** within OSD," he said. The new Marine Corps force structure review -- which Hagee called a capabilities assessment -- is due to start in March and conclude by May. Maj. Gen. Steve Johnson will lead the effort, Hagee said.

"It's going to look at what should a 180,000 Marine Corps look like and what should a 175,000 Marine Corps look like," he continued. Officials will examine capabilities versus the amount of funding available, he said. "We'll make some decisions based on that," he said. He predicted there would be big fights during the review.

"It's going to look at our operating forces in the light of the lessons that we've learned from the war right now, in the light of the QDR, in the light of some of the additional capabilities we're adding right now like the [Marine Corps Special Operations Command] and make sure we have structured the operating forces correctly with a plan that if the money is not there we would come down to 175,000," he added. Current plans call for the new Marine Corps component of U.S. Special Operations Command to include 2,600 Marines, all of which would be counted in the service's overall force structure.

This is far from the first time the Marine Corps has re-examined its force structure. Most recently, Hagee set up a force structure review group after he became commandant in 2003. "They looked across the Marine Corps, came up with some areas where we could take risk," he noted.

"I think now is the right time to do it again," he said. "We have the QDR. We have the lessons learned from Iraq. . . . We have a much better understanding of this operational, cultural learning that we need to do." Further, the study will help the Marine Corps prepare for the process of shaping the Pentagon's FY-08 long-term budget, he said.

A reporter asked Hagee if the Marine Corps would be better off with a permanent increase in end strength as opposed to the temporary increases now in effect.

"Well, that would require an increase in our topline," Hagee said. "And that's one of the purposes of this assessment -- to say if we need to come down to [175,000], either [based on] battlefield changes [or] fiscal realities, what capabilities would we have to give up and is it worth it? Is that a capability that someone else could do? Should we increase the topline in order to retain that capability? So we want to have this discussion based on some hard facts."

Hagee said the review could help the Marine Corps make the case for a permanent increase in end strength. At least it would inform officials about "what the consequences would be of either reducing or expending those additional funds."

But Hagee does see some room for modifying existing Marine Corps organizations to improve efficiency and effectiveness. The service might be able to eliminate some headquarters and shift that structure into warfighting capability, he said.

"And that's another task that this study will have is to look at are we even organized correctly? Is the Napoleonic staff that we have used very successfully for years and years -- is it the right configuration for the future?"

At the tactical level, for instance, the service has had an intelligence department and an operations department, he said. "And it's worked very well. The intel department has templated the enemy and then the operations department has worked against that template," he said. But it could be time for a change.

"On the battlefield today, as I said, there is no **army** out there," he said. "**These** [enemy] guys are very fast. And we've **got to** be able to operate inside of their decision cycle. Should we have a **G-2** and a **G-3**? Should they be one organization? That's **sort** of my **sense** right now. If you combine **those**, are there some structure savings? Could you put those structure savings someplace else?"

The review is not expected to change the overall end strength of the Marine Corps Reserves, but it **will** examine whether they are organized correctly, Hagee said.

"Historically we said they should be a mirror image" of the active force, he said. "**Is that** right? Let me **take** a look at that and see."

-- *Christopher J. Castelli*

FOUO

FEB 22 2006

320,2

TO: Gordon England
CC: Ryan ~~Henry~~
FROM: Donald Rumsfeld *DR*
SUBJECT: Marines and QDR

What is this business about the Marines complaining about cutting their force?
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February 20, 2006.

DHR.dh
022106-29

.....
Please Respond By March 02, 2006

FEB 22 2006

22 Feb 06

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(QDR, PAGE 43)

22 Feb 06

FOUO

OSD 03165-06

11-L-0559/OSD/56146

Units to train indigenous forces worldwide. This rebalancing has increased potential Marine Corps contributions, especially for preventive actions and irregular warfare operations. Additionally, the Marine Corps has increased the capability of the individual Marine to conduct distributed operations, providing the Combatant Commanders an expeditionary force able to conduct "low-end" SOF missions as well as traditional operations.

ODR Decisions. To achieve future joint ground force characteristics and build on progress to date, the Department will:

- Continue to rebalance capabilities by creating modular brigades in all three **Army** components: **117** in the Regular Army (42 BCTs and 75 support brigades); 106 in the Army National Guard (28 BCTs and 78 support brigades); and 58 support brigades in the **U.S. Army Reserve**. This equates to a **46** percent increase in readily available combat power and a better balance between combat and support forces.
- Transform Army units and headquarters to modular designs.
- Incorporate FCS improvements into the modular force through a spiral development effort that will introduce new technologies as they are developed.
- Expand the Air Force Joint Tactical Air Control program by jointly training personnel for air/ground operations and use of Unmanned Aerial Vehicles.



Photos by Technical Sergeant Russell E. Conley IV, U.S. Air Force.

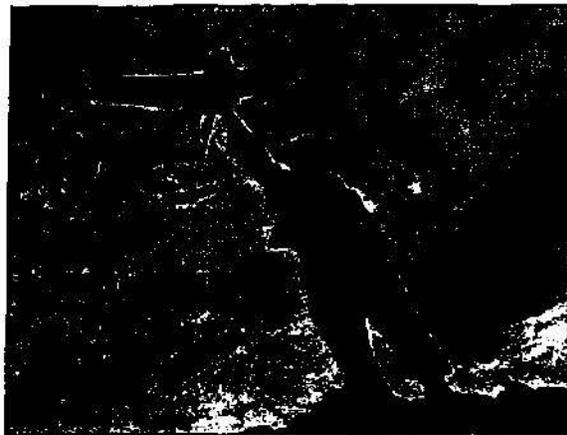


Photo by Technical Sergeant Andy Dunaway, U.S. Air Force.

The small, tactical Raven unmanned aerial vehicle is an example of UAVs being employed by ground forces to provide persistent, remote surveillance and reconnaissance for U.S. forces beyond their line of sight. This Raven pictured at bottom is used to identify and deter the placement of improvised explosive devices on Route Trans-Am. Iraq.

- Stabilize the Army's end strength at **482,400** Active and **533,000** Reserve Component personnel by Fiscal Year **2011**.
- Stabilize the Marine Corps' end strength at **175,000** Active and **39,000** Reserve Component personnel by Fiscal Year **2011**.

Special Operations Forces (SOF)

Vision. The future special operations force will be rapidly deployable, agile, flexible and railorable to perform the most demanding

FOUO

ADJUTANT

February 6, 2006

06/001575

ES-5196

TO: Eric Edelman
CC: Gordon England
FROM: Donald Rumsfeld *DR*
SUBJECT: Finding the Opportunity for Leverage

Do we need a ~~small~~ cell within Policy to identify "opportunities for successes," essentially high-leverage points where we can bring Department of Defense assets to bear in scenarios *that matter*, such as:

- Time-sensitive humanitarian relief.
- Specific points of military engagement.
- Etc.

Please let me know what you think within the next two weeks.

Thanks.

DRE:dh
020406-61 (TS).Doc

.....
Please respond by February 23, 2006

FOUO

OSD 03249-06

11-L-0559/OSD/50146

INFO MEMO

0:24

DSD _____

FOR SECRETARY OF DEFENSE

FROM: Eric S. Edelman, Under Secretary of Defense for Policy

EE MAR 01 2006

SUBJECT: Finding the Opportunity for Leverage

- You asked me whether we need a small cell within Policy to identify “opportunities for success” (note attached).
- This is something a new Policy Planning Office, which would be your think tank for taking a global look at “high-leverage” areas for DoD engagement or action, could do.
 - Notably, Policy Planning would oversee continuous innovations to our security cooperation process, placing a premium on the process’s adaptability to changing world circumstances.
- I am also working to ensure that Policy’s functional and regional offices stay attuned to near-term opportunities within their areas of responsibility.
 - These offices are often best able to identify discrete areas for leverage with particular countries or organizations.
- The Policy Planning Office would work with the DASDs and ASDs to identify proposed “high-leverage” points. On those that are promising, we could develop and execute coordinated implementation plans.

COORDINATION: None

Attachment: As stated

Prepared by: Kathleen Hicks, Director for Strategy (b)(6)





LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

ACTION MEMO

RECEIVED
2006 03 21 3:59

March 27, 2006, 2:00 P.M.

FOR SECRETARY OF DEFENSE

FROM: Robert Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs. (b)(6)

632

SUBJECT: Snowflake Response Update – Issue Raised by Rep. Weldon, #021306-20

- You asked me to find out about Rep. Weldon’s reference to “fallen heroes”, catastrophic injuries, and being five million short raised at the FY07 Budget Hearing with the HASC on February 8, 2006.
- Rep. Weldon indicated that he intends to introduce legislation that will support the Intrepid Fallen Heroes Fund facility at Brooke Army Medical Center and provide additional funds needed to complete the project. This legislation has not been introduced to date. (Draft hearing transcripts at Tab 3).
 - The Intrepid Fallen Heroes Fund is constructing a 35 million dollar, state-of-the-art, advanced training skills facility at Brooke Army Medical Center in San Antonio, Texas. The facility will serve military personnel who have been catastrophically disabled in operations in Iraq and Afghanistan as well as military personnel and veterans severely injured in other operations and in the normal performance of their duties.
 - The Intrepid Fallen Heroes Fund offered this facility as a gift and SECARMY has accepted LAW 10 USC 2601.
- The Fallen Heroes Fund has been aggressively trying to raise the remaining \$5M needed to build the facility.
 - Army has requested (and OSD-Health Affairs/Tricare Management Agency has approved) \$1.45M of unspecified medical MILCON to cover site preparation costs.
 - Notification of OSD intent to fund the \$1.45M went to Congress last week.
- The Army Surgeon General’s office has stated that there is no pending issue for DoD with regards to this facility.

27 Mar 06

14 Feb 06

Prepared By: COL Mike Hadley, Director, House Affairs, OSD(LA) (b)(6)

11-L-0559/OSD/56150

OSD 03252-06

RECOMMENDATION:

- OSD-Legislative Affairs evaluate legislation on the project once introduced by Rep. Weldon and determine whether DoD should support.
- Take no action now **and** allow the project to continue on course and refer **future** inquiries on the facility to the **Army**.

SECDEF DECISION:

Approve: _____

Disapprove: _____

Other: _____

Attachment:

1. Snowflake#02 1306-20
2. Info Paper on the Center for the Intrepid at Brooke Army Medical Center
3. Draft hearing transcripts

COORDINATION:

USD (P&R) Dr. Chu Date 21 Mar 2006

Prepared By: COL Mike Hadley, Director, House Affairs, OSD(LA), (b)(6)

11-L-0559/OSD/56151

FOUO

FEB 14 2006

To: Robert Wilkie
FROM: Donald Rumsfeld *DR*
SUBJECT: Issue raised by Congressman Weldon

Congressman Weldon raised ~~something~~ about "fallen heroes," catastrophic injuries, and being five million short. I don't know what he was talking about at the House Armed Services Committee hearing.

Please figure it out, talk to me about it, and tell me what should be done.

Thanks.

DHR:as
021306-20 (TS). doc

.....
Please respond by March 2, 2006

FOUO

OSD 03252-06

11-L-0559/OSD/56152

INFORMATION PAPER

MCHE-CG
24 February 2006

SUBJECT: Center for the Intrepid (CFI) at Brooke Army Medical Center (BAMC)

1. Purpose. To provide information regarding the CFI.

2. Facts.

a. Background. In Spring 2005, Mr. Arnold Fisher and the board of directors of the Intrepid Fallen Heroes Fund expressed interest in building an amputee care center at BAMC. In a proffer letter dated 30 June 2005, Secretary of the Army Harvey accepted Mr. Fisher's proffer for the "offer to construct and donate" a rehabilitation facility, which has been designated the "Center for the Intrepid".

b. Building Description. The CFI will be a four-story facility of approximately 65,000 square feet located on a 4.5 acre site near Brooke Army Medical Center at Fort Sam Houston, Texas. Groundbreaking for the CFI was held 22 Sep 05 and the target opening date is Jan 07. Two additional Fisher Houses are being constructed adjacent to the CFI each with 21 handicap accessible rooms. The Army agreed to build a site preparation package for the CFI for \$1.4M. A request to use Urgent Minor construction funding was submitted to Congress 16 Feb 06. The Office of the Secretary of Defense, for Health Affairs anticipates authority to release the funds on 3 March after a required 14-day waiting period.

c. Demand for Military Amputee Care. In FY04 there were 128 new traumatic amputees as a result combat injuries sustained in OIF/OEF. In FY05 there were 154 additional amputees. The projected number of new cases for FY06 is 141. The length of stay for these patients varies depending on the level of amputation and concomitant injuries. Current data shows that about 113 of patients require outpatient rehabilitation for 6 months or less; about 113 stay between 6 and 12 months; and about 113 stay more than 12 months.

d. Health Care Concept of Operations. The CFI will be an outpatient facility dedicated to the rehabilitation of active duty service members with major limb amputation, limb salvage procedures with residual functional loss, and burns. The outpatient amputee care currently provided at BAMC, including the prosthetic fabrication lab, will migrate to the CFI and remain part of BAMC under the Department of Orthopedics and Rehabilitation. In addition, the center will be capable of supporting collaborative staffing, research, and educational efforts with Veteran's Health Administration (VHA) Central Office, the South Texas Veteran's Health System, and the University of Texas Health Science Center at San Antonio. The proximity of the

MCHE-CG

SUBJECT: Center for the Intrepid (CFI) at Brooke Army Medical Center (BAMC)

Institute of Surgical Research (BAMC's world-class Burn Center) and the BAMC Level 1 Trauma Center will allow the CFI to capitalize on a unique synergy of clinical and research resources and expertise. The CFI will provide full spectrum outpatient rehabilitation through a combination of state-of-the-art physical **therapy/occupational** therapy and sports equipment, virtual reality systems, and sophisticated prosthetic components.

e. Goals:

(1) Apply a multi-disciplinary healthcare approach to service members who sustain severe traumatic or burn injuries and subsequent functional loss, with resultant amputations or **limb** salvage procedures.

(2) To maximize an individual's ability to negotiate real and simulated challenging physical environments.

(3) To maximize the individual's capacity to perform in their chosen **fields**, as a productive member of society in either a military or civilian capacity.

(4) To pursue collaborative research, educational, and clinical endeavors with Veterans Health Affairs for improved overall care.

(5) To motivate the patients and staff to constantly seek higher standards and expectations.

(6) To retain lessons and skills learned for use in future combat scenarios.

Ms. Hooper (b)(6)

Approved by: Mr Thresher

WELDON:

I had the author of that study and the general who requested it in before the committee.

But what really troubles me is not just the article itself, which has been quoted around the country and unfortunately has distorted reality. They put a visual of a soldier on the front page of the New York Times that showed vulnerable areas.

We had three young officers that had just returned from Iraq. And one of the sergeants asked to speak during the hearing. And he stood up and he said, you know, that illustration just gave information to the enemy about where and how they should hit my fellow colleagues back in Iraq and Afghanistan.

And I'd like to ask the two of you if you agree with that, that there is some irresponsibility, especially when a general asked the New York Times not to run that illustration, and they ran it any way.

And my final point is to ask you, Mr. Secretary, for support of a bill that I will introduce in support of a cause that I know you've been very actively supportive of, and that's the final construction of the Intrepid Fallen Heroes Fund facility down at Brooke Army Hospital in Texas.

This facility is for the catastrophically injured. It's being funded, so far, with \$25 million of private money. They're about \$5 million short. And I know on the Senate side Lieberman and McCain have agreed to ask for this \$5 million, and I would in the House side, to get this needed facility operational as quickly as possible. Army Medical Command has agreed to run it. To me, there's no higher calling that we could have than to fund the remaining \$5 million to get this up and operational as soon as possible.

Thank you

PACE:

Sir, thank you.

FOUO

FEB 14 2006

TO: Robert Wilkie
FROM: Donald Rumsfeld 
SUBJECT: Issue raised by Congressman Weldon

Congressman Weldon raised something about "fallen heroes," catastrophic injuries, and being five million short. I don't know what he ~~was~~ talking about at the House Armed Services Committee hearing.

Please figure it out, talk to me about it, and tell me what should be done.

Thanks.

DHR:sl
021306-20 (TS).doc

.....
Please respond by March 2, 2006

FOUO



LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

INFO MEMO

March 1, 2006, 4:00 P.M.

FOR: SECRETARY OF DEFENSE

FROM: Robert Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs (b)(6)

SUBJECT: Snowflake Response – Issue Raised by Rep. Weldon, #021306-20

- You asked me to find out about Rep. Weldon's reference to "fallen heroes," catastrophic injuries, and being five million short raised at the FY07 Budget Hearing with the HASC on February 8, 2006.
- Per Rep. Weldon's staff, he was referencing the Intrepid Fallen Heroes Fund.
 - o The Intrepid Fallen Heroes Fund is constructing a \$35M, state-of-the-art, advanced training skills facility at Brooke Army Medical Center in San Antonio. The facility will serve military personnel who have been catastrophically disabled in operations in Iraq and Afghanistan as well as military personnel and veterans severely injured in other operations and in the normal performance of their duties.
 - o The Intrepid Fallen Heroes Fund offered this facility as a gift and SECARMY has accepted IAW 10 USC 1601.
- The Fallen Heroes Fund has been aggressively trying to raise the remaining \$5M needed to build the facility.
 - o Army has requested (and OSD-Health Affairs/Tricare Management Agency has approved) \$1.45M of unspecified medical MILCON to cover site preparation.
 - c Notification of OSD intent to fund the \$1.45M went to Congress last week.
- The Fund intends to raise the remaining \$3.5M through private donations.

RECOMMENDATION: Allow the project to continue its current course and refer future inquiries on the facility to the Army.

Attachment:

1. Snowflake #021306-20
2. Info Paper on the Center for the Intrepid at Brooke Army Medical Center

Prepared By: COL Mike Hadley, Director, House Affairs, OSD(LA) (b)(6)

11-L-0559/OSD/56157

OSD 03252-06

INFORMATION PAPER

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24 February 2006

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1. Purpose. To provide information regarding the CFI

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a. Background. In Spring 2005, Mr. Arnold Fisher and the board of directors of the Intrepid Fallen Heroes Fund expressed interest in building an amputee care center at BAMC. In a proffer letter dated 30 June 2005, Secretary of the Army Harvey accepted Mr. Fisher's proffer for the "offer to construct and donate" a rehabilitation facility, which has been designated the "Center for the Intrepid".

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(4) To pursue collaborative research, educational, and clinical endeavors with Veterans Health Affairs for improved overall care.

(5) To motivate the patients and staff to constantly seek higher standards and expectations.

(6) To retain lessons and skills learned for use in future combat scenarios.

Ms. Hooper (b)(6)
Approved by: Mr Thresher

FOUO

021306-8 (TS) doc

FEB 15 2006

TO: Mike Donley
FROM: Donald Rumsfeld 
SUBJECT Room to Display SecDef Gifts

You ought to think about whether **there** should be a room to display gifts **presented to the Secretary of Defense**. It could possibly become part of **the Pentagon tour**. The gifts could be registered and logged **in**, and **there** could be a plaque stating who presented the **gift** and when.

Please come up **with an** idea and **get** back with me on it.

Also, please check into what **has** happened with gifts I have decided not to **keep** and have advised to be put on display somehow.

Thanks.

DHR:as
021306-8 (TS) doc

.....
Please respond by March 21, 2006

FOUO

OSD 032 60-06

11-L-0559/OSD/56160



ADMINISTRATION AND
MANAGEMENT

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

INFO MEMO

33

FOR SECRETARY OF DEFENSE

FROM: Michael B. Donley, Director, Administration and Management **MD** FEB 28 2006

SUBJECT: Room to Display SecDef Gifts

- Your snowflake of February 15, 2006 asked about plans to display gifts.
- In 2005, in the course of the on-going renovation plans, the WHS Graphics and Presentations Division (GPD) and your OSD Protocol Office worked together to develop a concept for a SecDef Official Gifts Display and Exhibition, exactly like the one you described. The exhibit will be titled, "*Official and Diplomatic Gifts and Artworks Presented to the Department of Defense.*"
- The plan is to have an exhibition display case installed by mid-March on the 5th floor at the apex of corridors 3 and 4--one that allows for a versatile glass shelf system and appropriate lighting that will enhance the gifts and provide the flexibility to move and interchange official gift displays, as need be. Once installed, we will notify Public Affairs for their incorporation into the tour program.
- We will reassess where this display should be relocated once you return to renovated space, whether it should remain in a corridor or in a dedicated room along a public route.
- Regarding your question on how those Official Gifts are put on display (those that you decided not to keep):
 - OSD Protocol logs in, appraises and catalogues all gifts you receive, as well as your decisions on their dispersion.
 - Once your final gift decisions are made, OSD Protocol coordinates with GPD on those items designated for "official display" within the Pentagon.
 - GPD makes arrangements to include these items in its building exhibits and takes responsibility and signs for these items to be put on display within the building.
- Over the last several months, GPD has signed for several items you have designated for "official display" that are very appropriate to use in the first installation. These items include paintings, prints, sculptures, and textile items presented to you during your tenure here.

COPY FURNISHED: Deputy Secretary of Defense

COORDINATION: OSD Protocol, Mary Claire Murphy, 23 Feb 2006

Prepared By: Cathy Zickafoose, (b)(6)

11-L-0539/OSD/56161

OSD 03260-06

~~FOUO~~

February 01, 2006

TO: Robert Wilkie
FROM: Donald Rumsfeld 
SUBJECT: Pete Schoomaker Briefing on the National Guard

I do want you to be sure to have Pete Schoomaker meet with Congressman Barrett who raised the question regarding the National Guard and others, if he would be willing to pull together a group to talk about that topic.

Thanks.

DHR:ss
013106-11

.....
Please Respond By ~~02/21/06~~

2/15/06

~~FOUO~~

OSD 03299-06

11-L-0559/OSD/56162



LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

INFO MEMO

03/01/06 12:49

March 1, 2006, 4:00 PM.

FOR: SECRETARY OF DEFENSE

FROM: Robert Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs, (b)(6)

Robert L. Wilkie

SUBJECT: Snowflake Response – CSA Briefing on National Guard, #013 106-11

- You asked me to make sure that General Pete Schoomaker met with Rep. J. Gresham Barrett (R-SC) who raised a question regarding the National Guard.
- I raised this issue with the Army and asked them to engage the Member following our personal discussion on this matter in early February.
- Subsequently, Mr. DuBois called Rep. Barrett (R-SC) to explain the Army's Force Structure initiatives and answered his concerns on Army Reserve/National Guard force structure. The Army leadership reported there were no additional expectations as a result.
- My staff contacted the Member's office to ensure his issues were addressed and to solicit support from Rep. Barrett on this matter.
- Rep. Barrett indicated he would like the Army to brief him on this matter in the next couple of weeks. We are facilitating the scheduling of this meeting and will remain engaged with the Member to ensure his satisfaction.

Attachment:

Snowflake #011306-11

Prepared by Colonel Alan Metzler, OASD (Legislative Affairs), (b)(6)

11-L-0559/OSD/56163

OSD 03299-06

FOUO

February 01, 2006

TO: Robert Wilkie 112:49
FROM: Donald Rumsfeld 
SUBJECT: Pete Schoomaker Briefing on the National Guard

I do want you to be sure to have Pete Schoomaker meet with Congressman Barrett who raised the question regarding the National Guard and others, if he would be willing to pull together a group to talk about that topic.

Thanks

DHR:ss
013106-11

.....
Please Respond By ~~02/24/06~~

2/15/06

FOUO

OSD 03299-06

11-L-0559/OSD/56164

313
1730

DEFENSE
-3 11 1:27

Handwritten initials

383.6

ACTION MEMO

FOR SECRETARY OF DEFENSE

FROM: Eric S. Edelman, Under Secretary of Defense for Policy

(see attached)

SUBJECT: Detainee Editorial (U)

*ee
3/7*

- Attached is an editorial filed by the US Ambassador to Yemen, Thomas C. Krajeski, arguing that military detention is an appropriate response to al-Qaida's declaration of war against the US (Tab A).
 - The piece outlines our legal basis for detention under the laws of war, our policy on detainee treatment, and our commitment to investigate violations of our laws and policies.
- This editorial is the result of Karen Hughes' staff working with Cully Stimson's Office of Detainee Affairs to jointly develop materials our posts overseas can use to expand their public diplomacy and the broader Long War efforts.
 - State Department has sent this editorial to every US mission.
- We are continuing to work with Hughes and the State Department to develop additional materials.
- I thought you might like to send the attached note to Ambassador Krajeski to thank him for his efforts to set the record straight (Tab B).

3 Mar 06

RECOMMENDATION: Sign letter at Tab B.

COORDINATION: none.

Attachment: As stated.

2 Mar 06

Prepared by: Cara Allison, OUSD(P) Detainee Affairs, (b)(6)

MA SD	3/7	SMA DSD	
SA SD	2/24/06	SA DSD	
EXEC SEC	11/3/03	1730	3/7
ISR MA	10/1/03 1725	STF DIR	

OSD 03415-06



11-L-0559/OSD/56165

NewsYemen.net
February 28, 2006

The Truth About Guantanamo

By Ambassador Thomas C. Krajeski

Sana'a, NewsYemen –In 1996, Usama Bin Laden and his Al-Qaida organization declared war against the United States. This was not rhetoric. They proceeded to attack our embassies, our military vessels and military bases, our capital city, and our financial center. On September 11, 2001 Al-Qaida killed nearly three thousand people.

In response, the United States and a coalition of allies initiated action against Afghanistan where the Taliban regime had provided Al-Qaida facilities to train, equip, and organize military operations against the United States and other countries. The UN Security Council, in Resolution 1373, reaffirmed our right of self-defense in relation to the attacks of September 11.

During the military conflict in Afghanistan, approximately 10,000 enemy fighters were captured, screened or released. Some were Taliban soldiers and some were Al-Qaida fighters. Most were released in Afghanistan after they had been disarmed, and we determined they **no longer posed a serious threat of returning to the fight**. But more than 700 of these men were so dangerous that they could not be safely detained in Afghanistan. These individuals included terrorist trainers, bomb makers, recruiters and facilitators, terrorist financiers, bodyguards for Usama Bin Laden, and potential suicide bombers. These fighters were detained **as enemy combatants** at the U.S. military base at Guantanamo, Cuba.

The Third Geneva Convention provides certain protections for prisoners of war. It plainly does not apply to the Al-Qaeda terrorists, which is an international terrorist group, not a state, and therefore, not a party to the Convention. Al-Qaeda also neither recognizes the Convention nor complies with the Convention's standards of conduct. It conducts its operations in flagrant violation of the laws and customs of war, including by targeting innocent civilians. *Also*, Taliban fighters were determined **to be unlawful combatants who did not qualify as prisoners of war under the Third Geneva Convention**. Nevertheless, those detained by our armed forces at Guantanamo have in practice, **as a matter of policy**, been treated humanely and received many of the protections that the Third Convention affords.

For example, the International Committee of the Red Cross (ICRC) has full, unfettered access **to** every detainee at Guantanamo Bay, just as it would have to prisoners of war. The ICRC meets with detainees in private to conduct interviews during regular and frequent visits to Guantanamo Bay.

The ICRC provides the United States with recommendations, and follows up to see whether they have been implemented. These recommendations are taken seriously by the United States, and many have been implemented. ICRC rules prevent us from disclosing their reports or recommendations, but we believe it fair to say that both parties are satisfied with **the manner in which we are cooperating concerning Guantanamo**.

Under the Geneva Conventions, a prisoner of war is entitled to challenge his status as a combatant. Detainees at Guantanamo are entitled to do so before a Combatant Status Review Tribunal created specifically for this purpose. Their detention status is reviewed at least once a year before an Administrative Review Board. Detainees have also had the ability - and many have done so - to pursue habeas corpus and other proceedings before U.S. federal courts. Their access to legal review actually goes far beyond what is in **the Geneva Conventions**.

11-L-0559/OSD/56166

Detainees at Guantanamo Bay receive three meals a day that meet their cultural dietary requirements. We also provide the detainees with copies of the Koran in their own language, as well as prayer beads and rugs, and symbols pointing in the direction of Mecca. The call to prayer is played over camp loudspeakers five times a day, and each is followed by 20 minutes of prayer time for all detainees. Detainees receive similar medical benefits to our own service members. During one six-month period last year, detainees sent or received more than 14,000 pieces of mail to maintain contact with their families.

Detainees, like prisoners of war, have a right to be free from torture or abuse. The United States has been clear in describing its position on torture: U.S. criminal law and treaty obligations prohibit torture anywhere. We have also stated that as a matter of policy that we will not authorize interrogations involving cruel, inhuman, or degrading treatment, as defined by our obligations under the Torture Convention, regardless of where those interrogations may occur. Recent U.S. legislation codified this policy. In the instances of unlawful treatment of detainees, the United States has vigorously investigated, prosecuted and taken action against those responsible. To date, more than 100 U.S. service members have been held accountable.

The United States has no interest in maintaining enemy fighters in military detention any longer than is necessary, and approximately 250 detainees have already have been released or transferred from Guantanamo.

Unfortunately, of those already released from Guantanamo Bay, approximately fifteen have returned to acts of terror and been recaptured. Those who remain detained in Guantanamo remain for the same reason captured soldiers in any war are kept in confinement until hostilities are over - to prevent their return to battle. Indeed, many of the detainees at Guantanamo have expressed an intention to return to the fight if released, and have threatened future kidnappings, executions and beheadings. This is why we continue to hold them. Specific examples of persons still held in Guantanamo include an Al-Qaida explosives trainer, a member of a terrorist cell in Afghanistan that orchestrated a grenade attack on a journalist's car, and Al-Qaida members who designed a prototype shoe bomb for destroying airplanes and a magnetic mine for attacking ships.

What is the alternative? Some have argued that these terrorists are entitled to regular domestic criminal trials rather than to treatment like prisoners of war, and that if they are not convicted of a crime, they should be released. This argument stands international law on its head - it would afford combatants who don't follow the rules better treatment than those who do. Must police inspectors accompany soldiers on the battlefield to collect evidence to avoid the release of enemies who would go back to the fight?

The truth about Guantanamo Bay is that it is the best option we presently have to protect the citizens of the United States and of other nations targeted by these terrorists. Some countries live in the hope that others will make the world a safer place. As a principal target of Al-Qaida's attacks, the United States does not have this luxury. Until terrorists stop planning and carrying out abominable attacks, no responsible government would release them to go back and try again.

Thomas Charles Krajeski is the US Ambassador to Yemen.

~~FOUO~~

2006 MAR -3 PM 1:27

March 02, 2006

I-06/002674
ES-5287

383.6

TO: Eric Edelman

cc: Dorrance Smith

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Note to Ambassador Krajeski

Do you think we ought to write a note to Ambassador Thomas Krajeski, the US Ambassador to Yemen, and thank him for the thoughtful op-ed he wrote? If so, please draft it for me to send.

Thanks.

Attach. Krajeski, Ambassador Thomas C. "The Truth About Guantanamo," *NewsYemen.net*, February 28, 2006.

DHR:dh
030206-02

OSD 03415-06

.....

Please Respond By 03/09/06

2 Mar 06

FOUO

2006-03-01 1:27

March 02, 2006

I-06/002674

ES-5287

383.6

TO: Eric Edelman

CC: Dorrance Smith

Handwritten initials and date: 3/1

Response to note:

Mr. Secretary,

I had the exact same thought when I read Amb. Krajewski's op-ed and immediately tasked a memo and draft response to that effect. It is attached for your approval.

Eric Edelman

March 3

-06

Please Respond By 03/09/06

MAR 03 2006

Mr. Secretary,

I had the exact same thought when I read Amb. Krajewski's op-ed and immediately tasked a memo and draft response to that effect.

It is attached for your approval.

FOUO

Eric Edelman

02-03-06 14:34 IN

OSD 11 Q3445-06 / 055970SD/56169

March 3.

3 Mar 06

2 Mar 06



THE SECRETARY OF DEFENSE
WASHINGTON, THE DISTRICT OF COLUMBIA

MAR 8 2006

383.6

Ambassador Thomas C. Krajeski
Ambassador of the United States to the Republic of Yemen
Sa'awan Street
P.O. Box 22347
Sana'a, Yemen

Dear Ambassador Krajeski:

I was pleased to read **your** recent editorial in the Yemeni press detailing the **truth** about our work in Guantanamo Bay. Your discussion of **our** commitment to the principles of humane treatment and the laws of armed conflict is essential in promoting understanding about our efforts **within** the international community. Public diplomacy of **this** nature plays a vital role in **our** continued progress in the Global **War** on Terrorism.

Thanks for your continued support.

Sincerely,

8 Mar 06

2 Mar 06

OSD 03415-06

~~FOUO~~

February 22, 2006

I-06/002328
ES 5259

004

TO Eric Edelman

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Amendment re: Port Deal

I think you ought to look at that port deal and see if there is some amendment that we could come up with to what the Congress is proposing that would prevent the President from having to veto it.

Thanks.

DHP ss
022206-01



Please Respond By 03/01/06

22 Feb 06

OSD 03435-048

~~FOUO~~

11-L-0559/OSD/56171

22-06-06 10:43 AM

~~FOR OFFICIAL USE ONLY~~

INFO MEMO

DSD _____

FOR SECRETARY OF DEFENSE

FROM Eric S. Edelman, Under Secretary of Defense for Policy *EE*

MAR 02 2005

SUBJECT: Response to "Amendment re: Port Deal"

- **You** asked if "there is some amendment that we could come up with to what the Congress is proposing that would prevent the President from having to veto it."
- The calls for emergency legislation have quieted following Dubai Ports World (DPW) volunteering to delay the U.S. aspects of its purchase while the Committee on Foreign Investment in the United States (CFIUS) conducts a 45-day investigation.
 - The Administration accepted DPW's proposal and Majority Leader Frist, Representative King, and Senator Schumer agreed the delay should quell calls for emergency legislation to block the transaction.
 - This should avoid the need for a veto.
- DoD will actively participate in the forthcoming investigation of DPW case.
- **There** is a likelihood other legislation related to the CFIUS process will emerge. This legislation will probably focus on establishing Congressional oversight of CFIUS cases.
- Deputy Secretary Kimmitt from Treasury is chairing an interagency group to look at ways the CFIUS process might be improved. This effort will shape the Administration's position on proposed legislation.
 - We have been participating in this process. I have been consulting with Robert Rangel to gain his insights and provide them to Kimmitt's group.

004

2 Mar 06

22 Feb 06

OSD 03435-06

~~FOR OFFICIAL USE ONLY~~



ES-5259

11-L-0559/OSD/56172

~~FOR OFFICIAL USE ONLY~~

POLICY COORDINATION SHEET

Subject of Memo: Response to "Amendment re: Port Deal"
I-Number: 06/002328

<u>Title/Organization</u>	<u>Name</u>	<u>Date</u>
ASD/ISP	Peter Flory	 MAR 1 2006
DUSD (TSP&NDP)	Beth McCormick	3/1/06
DoD General Counsel	Dan Dell'Orto	3/1/06

~~FOR OFFICIAL USE ONLY~~



11-L-0559/OSD/56173

~~FOUO~~

January 17, 2006

04/000661
RS-5108

000.92

TO: Eric Edelman

FROM: Donald Rumsfeld *DR.*

SUBJECT: ~~Sustaining Effects~~ from Humanitarian Relief

Shouldn't we be thinking of a strategy to try to sustain the good effects from our efforts in the tsunami and in Pakistan and putting together an organized effort to do that?

Thanks.

DHR:dh
011706.39

.....
Please Respond By 02/16/06

~~FOUO~~

OSD 03440-06

17 Jan 06

FEB 27 2006

~~FOR OFFICIAL USE ONLY~~

INFO MEMO

MAR 02 2005

DSD
USD(P) ES



ES-5108

000.02

FOR SECRETARY OF DEFENSE

FROM: Peter W. Rodman, Assistant Secretary of Defense (ISA) 

FEB 27 2006

SUBJECT: Sustaining Effects from Humanitarian Efforts

- You asked if we should be thinking of a strategy to try to sustain the good effects from our efforts in tsunami relief and in Pakistan.
 - We are doing so, working closely with Karen Hughes' interagency working group.
- Relief efforts increased positive opinions of the U.S. during and after relief operations—public approval increased from 30 to 70 percent in Indonesia and from 23 to 46 percent in Pakistan.
- Immediately following tsunami relief efforts, State asked for DoD assistance in their public diplomacy efforts; however, JS and OSD/OGC opined—based on the Economy Act—that DoD financial resources could not be used to support public diplomacy because State is already funded for that purpose.
 - Policy endorses the use of DoD assets to support State public diplomacy efforts, particularly in cases which support Security Cooperation objectives.
- Within DoD, we are working with the Joint Staff to coordinate regional outreach efforts by the COCOMs.
- Policy has taken advantage of the relief efforts in the area by:
 - Waiving restrictions for Indonesia to provide security assistance aimed at meeting our national security goals (to include a waiver in late 2005 to begin the flow of FMF and IMET).

2 Mar 06

17 Jan 06

Prepared by: Susanne Stetzer and Dan Devlin, ISA, (b)(6)

OSD 03440-06

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/56175

- Establishing and/or strengthening existing SOFAs and other bilateral agreements to allow a quicker response to future humanitarian disasters (e.g. the Visiting Forces agreement in the Philippines).
 - Continuing to pursue an increase in regional capacity through the PACOM Multinational Planning Augmentation Team (MPAT), which works closely to build regional relationships.
 - Redeploying the USNS Mercy to the region to continue medical support and to provide a highly visible sign of public diplomacy and goodwill.
 - Providing immediate humanitarian assistance to the Philippines in the aftermath of the devastating mudslide (taking advantage of Marine forces already in the Philippines to support the Balikatan exercise).
- We continue to seek ways to engage in USG public diplomacy efforts through Karen Hughes' interagency team and through our own Public Affairs office.

ATTACHMENTS: As stated.

Christian Science Monitor
February 28, 2006

US Tsunami Aid Still Reaps Goodwill

A recent poll found Indonesians' support for the US is almost as high as it was in the immediate aftermath of the disaster.

By Tom McCawley, Correspondent of The Christian Science Monitor

JAKARTA, **INDONESIA** - In one corner of the Islamic world, humanitarian efforts from American marines and civilians dramatically improved Muslims' view of the United States, according to a recent survey from a Washington-based nonprofit group.

The Terror Free Tomorrow organization focused not on a Middle Eastern country, however, but on the world's most populous Muslim nation - Indonesia. Conducted roughly a year after the devastating 2004 Indian Ocean tsunami, the poll found that Indonesians "with a favorable opinion of the US" has nearly tripled in the past three years - something experts attribute to American reconstruction efforts in the hardest-hit Aceh Province.

But in order to sustain the feelings of goodwill, the US will need to make broader foreign policy changes, say analysts and Muslim leaders.

"You don't need to hug Indonesians to death," explains Dewi Fortuna Anwar, a former presidential adviser on foreign affairs. "But the US does need to be more even-handed in its dealings in the Middle East, [and] more sophisticated in its dealings with the Muslim world."

The poll of 1,177 Indonesians in late January found that those "with a favorable opinion of the US" jumped from a low of 15 percent in May 2003 following the US-led invasion of Iraq, to more than 44 percent in January of this year. A similar poll released by the Pew Research Center in June last year also said tsunami aid had changed Indonesian opinions of the US.

"The military aid [after the tsunami], humanitarian help, and private philanthropy ... boosted the image of the US," says Djoko Susilo, a legislator on parliament's security commission, noting that "even rich Indonesians" don't generally give money to such causes.

Terror Free Tomorrow commissioned the poll as a follow-up to a January 2005 survey that found a significant increase in Indonesian support for the US.

"I was very surprised," says the organization's president, Kenneth Ballen. "In a year that's included Koran desecration and the ongoing war in Iraq, you'd think support would have fallen." Instead, the percentage of Indonesians reporting a favorable view of the US was nearly the same a year later.

The 2006 poll, conducted by the respected Indonesian Survey Institute (LSI) also said "support for bin Laden and terrorism has dropped to its lowest level since 9/11." In addition, the percentage of Indonesians with very unfavorable views of the United States fell from 48 percent two years ago to just 13 percent in January.

Saiful Mujani, an LSI researcher who supervised the January poll, credits intense media coverage of US

humanitarian aid for the shift in opinion. In December 2004, just weeks before the tsunami, Mr. Mujani completed a separate survey finding that "anti-Americanism was still strong. The tsunami changed that."

But not everyone is convinced. "My impression, in discussions with student groups and Muslim leaders, is that feelings towards the United States are overwhelmingly negative," says Sidney Jones, the Jakarta-based director for the International Crisis Group.

To be sure, it's still easy to find signs of anti-American sentiment here. On Feb. 19, hundreds of members of the hard-line Islamic Defenders Front pelted the US Embassy with rocks, eggs, and tomatoes, in protest over alleged US support for the publication of the Muhammad cartoons.

"There's still a lot of lingering resentment over [the war in] Iraq," said Azyumardi Azra, rector of the Syarif Hidayatullah State Islamic University in Jakarta.

Muslim leaders said that Indonesia's historically good relationship with the US was also strained by United States' support for Israel and negative comments over the democratically elected, but hard-line Palestinian group Hamas.

But if the US "wants to support democracy, [it] will have to drop its double standards over the Middle East," says Muhyidin Djunaedi, chairman of the foreign affairs council for the national Islamic scholars' council

Tiffatul Sembiring, president of parliament's Islamist Justice and Prosperity Party explains that "the image of the US is interchangeable with its global chess game," adding that "if the US wants to improve its image, it has to be consistent. Standards over nuclear weapons, for example, have to be the same for all countries."

On a visit to Indonesia in October last year, US Undersecretary of State for Public Diplomacy Karen Hughes faced a grilling from students of Mr Azra's university over United States' policy in the Middle East. She later commented that it was similar to questions she got in the Middle East. Meanwhile, US Defense Secretary Donald Rumsfeld said recently that humanitarian contributions could help change perceptions of the US, referring to improved public views in Pakistan following American aid efforts after the Kashmiri earthquake.

Mr. Susilo, of parliament's security commission, recommends more education - including more Indonesians studying in the US.

"An alliance of civilizations, [rather than a clash] is possible because of a younger generation of Muslim leaders, educated in the States," says Muslim Abdurrahman of the Al-Maun institute, which trains young Muslim leaders.

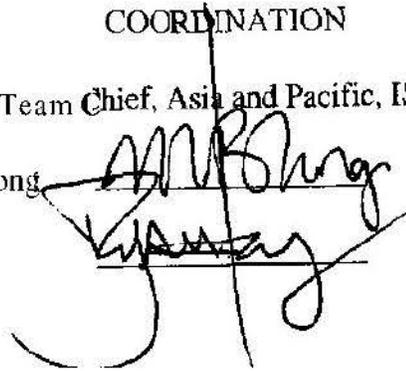
A case in point is Indonesia's president, Susilo Bambang Yudhoyono, who received a US scholarship for officers in the 1980s. He calls the US his "second home."

COORDINATION

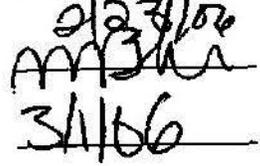
Lew Stem, Southeast Asia Team Chief, Asia and Pacific, ISA

PDASDASA ~~Mary~~ Beth Long

PDUSDP Ryan Henry

A large, handwritten signature in black ink, appearing to be 'Mary Beth Long', is written over the typed name. The signature is stylized and somewhat illegible.

February 13, 2006

Handwritten initials 'MBL' and the date '3/1/06' are written in black ink over the typed date.

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/56179

~~FOUO~~

13:55

December 19, 2005

TO: Steve Cambone
Jim Haynes

FROM Donald Rumsfeld *DR*

SUBJECT Counter-Intelligence for Force Protection Program

Do let me know what you decide to do on using our privacy lawyers to take a look at the program on counter-intelligence for force protection, and how it is being managed.

Thanks.

DHR:ss
121905-01

.....
Please Respond By 01/10/06

INFO MEMO

9: 55

FOR SECRETARY OF DEFENSE

FROM: Dr. Stephen Cambone *SK*
William J. Haynes II *William J. Haynes II 2/12/06*

SUBJECT: Counterintelligence Force Protection Program

- You asked in a December 19, 2005 snowflake how we are using our privacy lawyers to review the program on counterintelligence for force protection.
 - DoD elements involved in the Talon Reporting System, including DoD lawyers, have conducted an internal review of the program. This review identified areas that require attention.
 - Guidance is being prepared for the DepSecDef to issue, which will include a request that both the ATSD (Intelligence Oversight) and the Department's Inspector General conduct reviews of the program.
- We considered whether to recommend that the Department request an entity outside DoD review the Talon Reporting System for compliance with privacy laws and the protection of civil liberties. However, since the program is now being closely scrutinized, and because the Department's IG and ATSD (IO) will review it, we think the program now has sufficient oversight.

~~FOUO~~

January 27, 2006

TO: ADM Mike Mullen

CC: Gen Pete Pace

FROM: Donald Rumsfeld *D.R.*

SUBJECT: DoD Foreign Rescue Operations at Sea

I believe there are certain circumstances under which the Coast Guard collects fees from boaters after their boats break down and require towing or rescue. That's an interesting concept to think about in terms of "at sea" rescue operations conducted overseas by the Department of Defense.

Please have someone send up the information on how the Coast Guard approaches that, including the circumstances under which the Coast Guard requests compensation. Is there applicability to DoD anti-piracy operations?

Thanks.

DHR:db
012706-13

.....
Please Respond By 02/24/06.

~~FOUO~~

11-L-0559/OSD/56182

OSD 03465-06



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

IN REPLY REFER TO: 47
MAR 03 2006

MEMORANDUM FOR SECRETARY OF DEFENSE

Subj: DOD FOREIGN RESCUE OPERATIONS AT SEA

1. Mr. Secretary, in response to your memo of January 27, 2006 regarding the circumstances in which the U.S. Coast Guard charges for its Search and Rescue (SAR) services, the National SAR Plan specifically states that participants in the plan will not charge for SAR services. This applies to assistance rendered to individual person(s) and to requests made by one nation state to another. As such, the U.S. Coast Guard does not charge for SAR or any other services.

2. In the mid-1980s, the U.S. Coast Guard adopted a policy of not providing immediate assistance to non-distress cases if alternative assistance is available. This was to ensure that U.S. Coast Guard resources would not unnecessarily interfere with private enterprise. The U.S. Coast Guard has detailed procedures to determine if a case can be classified as non-distress.

3. There is no legal or policy precedent for the United States to pursue financial reimbursement for anti-piracy operations. Nations are obligated under international law to render aide to mariners in distress and to suppress piracy.

M. G. MULLEN
Admiral, U.S. Navy

copy to:
DEPSECDEF
SECNAV
CJCS

OSD 03465-06

11-L-0559/OSD/56183

- Mutual visits, information exchanges, and cooperative projects for support of SAR
- Joint training or exercises;
- Cooperation in development of procedures, techniques, equipment, or facilities;
- Establishment of groups subordinate to the National Search and Rescue Committee as a means for more in-depth focus on matters of common concern; and
- Carry out cooperative efforts similar to those indicated above on an international level

GENERAL TERMS

44. Cooperative arrangements between a Participant with operational responsibilities and state, local, and private agencies should provide for the fullest practicable cooperation of such agencies for operational missions, consistent with the willingness and ability of such agencies to act, and for such coordination by the responsible RCC, RSC, or CC of their facilities as may be necessary and practicable.
45. Participants with operational responsibilities may request assistance from other federal agencies having capabilities useful for a mission.
46. The Federal government does not compel state, local or private agencies to conform to this Plan; such entities can direct and control their own facilities within their boundaries, and cooperation will be pursued through liaison and consultation.

CHARGING FOR SAR SERVICES

47. Each Participant will fund its own activities in relation to this Plan unless otherwise arranged by the Participants in advance, and will not allow a matter of reimbursement of cost among themselves to delay response to any person in danger or distress.
48. The Participants agree that SAR services that they provide to persons in danger or distress will be without subsequent cost-recovery from the person(s) assisted.
49. In accordance with customary international law, when one nation requests help from another nation to assist a person(s) in danger or distress, if such help is provided, it will be done voluntarily, and the U.S. will neither request nor pay reimbursement of cost for such assistance.

PRINCIPLES ACCEPTED BY THE PARTICIPANTS

General

50. Participants coordinating operations should, consistent with applicable laws and executive orders, organize existing agencies and their facilities through suitable agreements into a basic network to assist military and non-military persons and property in actual or potential danger or distress, and to carry out obligations under customary international law and international instruments to which the U.S. is a Party.
51. The Participants will seek to keep political, economic, jurisdictional, or other such factors secondary when dealing with civil lifesaving matters, i.e., where possible, what is best for lifesaving will govern their decisions.
52. Consistency and harmonization will be fostered wherever practicable among plans, procedures, equipment, agreements, training, terminology, etc., for the various types of lifesaving and recovery operations, taking into account terms and definitions adopted internationally as much as possible.

I 06/000660
ES-5107

FOUO

January 17, 2006

TO: Eric Edelman

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Increase Medical Units

We made such progress in Basilan Island in the Philippines, in the tsunami and in the Pakistan earthquake relief that we might want to think about increasing the number of medical units we have that can provide that kind of assistance. We could have a specific set of activities we could have available to use for that purpose.

Please come up with a proposal.

Thanks.

DHR dh
011706-40

.....
Please Respond By 02/16/06

OSD 03547-06

11-L-0559/OSD/56185

FOUO



OFFICE OF THE SECRETARY OF DEFENSE

1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000



~~FOR OFFICIAL USE ONLY~~

11:19

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: Thomas W. O'Connell, ASD (SO/LIC) and
William W. Winkler, Jr., MD, ASD (Health Affairs)

USDP *EL*
I-06/000660 -3
ES-5107
MAR 03 2006

SUBJECT: Increasing Medical Units

- You asked for a proposal to increase medical units that can provide humanitarian assistance and disaster relief.
- DoD is reviewing the need for increasing or modifying a number of medical units to address humanitarian assistance through the implementation process of the recently-signed DoD directive on stability operations (3000.05) and through QDR Medical Transformation Roadmap Initiative #3 (Medical Civil-Military Operations).
- DoD has been developing more modular and deployable medical units and equipment that inherently have improved combat response capabilities.
 - o These include the Modular Air Force Expeditionary Medical Support System, the 50 lb. Medical Backpack Unit, the Marine Forward Resuscitative Surgical System, and the light-weight collapsible shelters.
 - o Many of these capabilities are adaptable for civilian emergency medical needs. DoD has been working with interagency partners to increase overall USG capacity.
- To date, DoD's success in humanitarian and disaster response has been a function of unit adaptability, rather than comprehensive doctrine, training, and organization.
- As part of the directive implementation process, OSD Policy, OSD P&R, and Joint Staff have formed a Civil-Military Medicine Working Group to develop doctrine, organization, and training recommendations to ensure readiness of U.S. military medical units to meet humanitarian and stability operations requirements.
 - o This group will also explore development of a health category Mission Essential Task List (METL) that will establish standards for evaluating individual and unit readiness to participate in humanitarian emergencies and stability operations.

COORDINATION: USD (P&R) *Donald S. G. Johnson & Associates*

USD (Policy) _____

Prepared by: Stephen Henske, CAPT, USN, DASD (Stability Operations) (b)(6)

Coordination

General Counsel (OSD)	Dan Dell'Orto Principal Deputy	21 Feb 2006
Joint Staff (J4, HSSD)	MG Kelly Joint Staff Surgeon	21 Feb 2006
OSD (P&R) (Health Affairs)	Steve Jones Principal Deputy	22 Feb 2006

~~FOUO~~

March 06, 2006

00073

TO: Stephen J Hadley
CC: Eric Edelman
STEVE CAMBONE
FROM: Donald Rumsfeld *DR*
SUBJECT: Document Exploitation

John Negroponte has the action on this issue of document exploitation and whether or not we ought to simply release it all, as Congressman Hockstra is suggesting. I haven't had a chance to **talk** to John about it, but my personal view is that we ought to just release it all and get it done. I think the **burden of proof** ought to be why we shouldn't, rather than why we should.

I think it is an **NSC** issue and you ought to get into it. Maybe there **is** something I don't **know** that I should know, but please let me know what I should be doing, **if** anything.

Thanks.

DHR.db
030606-25

6mar06

~~FOUO~~

OSD 03620-06

11-L-0559/OSD/56190

~~FOUO~~

January 10, 2006

I-06/000421
ES-5058

ARGENTINA

TO: Eric Edelman

FROM: Donald Rumsfeld *DR.*

SUBJECT: Argentina Question

We ought to think through this question about Argentina possibly being a non-NATO ally, given their circumstance and the fact that Chile is not, and how we get around Article 98. Please put your head into it.

Thanks.

DHR:es
011006-17

.....
Please Respond By 02/07/06

~~FOUO~~

OSD 03630-06

10 JAN 06

FOUO

KAZAKHSTAN

February 07, 2006

06/001618
ES-5204

TO Eric Edelman

CC: Gen Pete Pace

FROM Donald Rumsfeld *D.R.*

SUBJECT: Kazakhstan

I want to think about changing the command plan and possibly putting Kazakhstan in EUCOM.

Thanks.

DHR by
020406-42

.....
Please Respond By 03/02/06

7 FEB 06

OSD 03632-06

FOUO

08-02-06 08:37 IN

11-L-0559/OSD/56192

FOUO

MAR 07 2006

TO Stephen J. Hadley
FROM: Donald Rumsfeld *DR*
SUBJECT Ambassador to Iraq

IRAD

I don't know when Zal is going to leave, but the last I heard, it was this **summer**. We cannot afford to have a gap in Ambassadors in Iraq. It was **damaging** when it happened last year. It was **damaging** in **Afghanistan** as well.

I believe you have the obligation to protect the President and the country **on** something like **this**. You **need** to see that there is no gap, that we have first-rate talent, and that we all have confidence in the individuals in both of those key Ambassador posts.

I had no visibility into **Zal's** successor in **Afghanistan** and, given DoD's role in both Iraq and **Afghanistan**, that makes **no** sense to me.

Please get involved early, and **try** to **see** that DoD is **an** appropriate part of the process.

Thanks.

DHR.dh
030606-11

.....

M Ward

OSD 03654-06

FOUO

11-L-0559/OSD/56193

FOUO

March 07, 2006

200-6

TO: President George W. Bush
CC: Vice President Richard B. Cheney
The Honorable Andrew H. Card Jr.
Karl Rove

FROM: Donald Rumsfeld 

SUBJECT: Robert W. Galvin

Dear Mr. President.

Attached is a background sheet on Bob Galvin.

From time to time it has been suggested that Mr. Galvin receive the Presidential Medal of Freedom.

Bob Galvin is a person of **amazing** leadership qualities and **integrity**. He has received a great many honors in **his** life. He **has** not yet received the Presidential Medal of Freedom. I have no doubt but that **his** selection would be recognized as a most worthy one. I would be delighted to provide any additional information that **might** be appropriate, but I suspect there is a **significant** file there at the White House already.

Respectfully,

Attach Background Sheet on Robert W. Galvin

DHR.ss
030606-14

OSD 03655-06

7 March 06

FOUO

11-L-0559/OSD/56194

Robert W. Galvin
Chairman & CEO Motorola, Inc. (Retired)
Entrepreneur, Public Servant, Philanthropist & Author

Summary Rationale

- Bob's business, public service, philanthropic, and scholarship contributions **remain transformational**.
- Bob represents the standard of integrity and public spirit to which all *American* CEOs should be held.
- Bob is not **just** another financially successful *American* businessman. ..

Business

- **Chairman & CEO Motorola Inc.** late 50's to early 80's (now **retired**).
 - **Leadership & Integrity:** Led Motorola to \$15B (from \$150 M) in global sales.
 - Global leader and pioneer in wireless, semiconductor, and government electronics.
 - Showed that a CEO could **succeed** while **still adhering** to the highest standards of ethics.
 - **Quality:** Malcolm Baldrige **Quality Award—the first** company-wide recipient.
 - The leading CEO spokesman for the 'quality movement' in American business **in his era**.
 - **Honors** (among many others):
 - National Medal of Technology.
 - Vannevar **Bush** Award of the National Science Foundation.
 - "For outstanding contributions to...the nation...in science and technology."
 - National Business Hall of Fame.
 - **Legion of Honor: One** of France's highest civic awards.

Public Service (Interacting civilly and productively with both Republican and Democrat administrations)

- **Trade:** Numerous USTR, Commerce & State Department affiliations and assignments.
 - **Japan:** The leading (and one of the only) **CEO's** to speak out for opening Japanese markets to **all** US high-tech **products**. Seat at the table of the semiconductor and telecom market **access negotiations**.
 - **China:** First to convince the Chinese to allow foreign **companies** to wholly own their businesses. Led **American** business community via Motorola as the **largest** and **one of the earliest** direct investors.
- **National Security:**
 - President's **Foreign Intelligence Advisory Board (1970s)**.
 - Numerous Defense and Intelligence appointments and **honors** (numbers of which are classified).
- **National Labs Reorganization Commission (1990s):**
 - **Commission** recommendations became known as the "**Galvin Report**," given his contributions.

Philanthropy (Examples, among many others):

- **Generosity:** \$60M donor (of joint \$120M **gift** with another Chicagoan) to the Illinois Institute of Technology (the "MIT" of the Midwest —ac of the largest transforming philanthropic gifts of its **era**.
 - Early to express concerns and address the **drop-off** in American **born** scientists and engineers.
- **Scope** (some examples among many other inner-city schools, hospitals, and causes):
 - Illinois Institute of Technology: Board Chair (**retired**).
 - Sante Fe Institute: Board Chair (**retired**).
 - Universities Research Association: **Board** Vice Chair (**retired**).

Author

- **History:** America's Founding Secret (What the Scottish Enlightenment Taught **Our Founding Fathers**)
- **Business:** The Idea of Ideas



THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

MAR 7 5:02

316.1

UNCLASSIFIED

ACTION MEMO

March 7, 2006, 9:00 A.M.

FOR: SECRETARY OF DEFENSE

FROM: Robert Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs, (b)(6)

Robert H. Wilkie

SUBJECT: Snowflake Response – Letter from Rep. Taucher, #022706-26

- You asked us to examine a list of Members recommended by Rep. Ellen Taucher, D-CA, for further QDR engagement. We believe that this is a reasonable list and should be pursued.
- Rep. Tauscher's list included a dozen Members of the HASC. They are:
 - o Republicans (6): Michael Conaway, R-TX; Geoff Davis, R-KY; John Kline, R-MN; Joe Schwarz, R-MI; Rob Simmons, R-CT; Michael Turner, R-OH.
 - o Democrats (6): Dan Boren, D-OK; Steve Israel, D-NY; Jim Langevin, D-RI; Rick Larsen, D-WA; Loretta Sanchez, D-CA; Jim Cooper, D-TN.
- Rep. Taucher wants to organize and host a QDR briefing and Q&A session for these Members.
- Recommendation: PDUSD (P) Ryan Henry should deliver a briefing to this group after the HASC's QDR hearing on March 14

7 Mar 06

~~SECRET DECISION:~~
 APPROVED: _____
 DISAPPROVED: _____
 OTHER: _____

28 Feb 06

Attachments:

Letter from Rep. Tauscher (TAB A)

Snowflake #022706-26 (TAB B)

Prepared by: Mr. Pepper Bryars, Defense Fellow, OASD (L.A.) (b)(6)

11-L-0559/OSD/56196

OSD 03686-06

~~FOUO~~

8
310.1

2006 FEB 28 5:02

FEB 28 2006

TO: Robert Wilkie
CC: Gordon England *DA*
FROM: Donald Rumsfeld
SUBJECT Letter from Representative Tauscher

Attached is a note from Ellen Tauscher indicating there are people who worked on the Congressional Quadrennial Defense Review on the House Armed Services Committee that she thinks would be interested in working with us on the QDR.

Attached is her list of names. I'm not sure about Loretta Sanchez, but a number of the others seem to me to be good suggestions.

Come back to me with any suggestions you have, and tell me which of them Republican and which are Democrat, so we can get a fairly balanced group.

Thanks.

Attach: 1/19/06 Letter from Rep Tauscher to SecDef

DHR.as
022706-26

.....

~~FOUO~~

OSD 03686-06

2076606

ELLEN O.
10TH DISTRICT
—
COMMITTEE ON
TRANSPORTATION
SUBCOMMITTEE
ON
HIGHWAYS, TRAIL
AND
WATER RESOURCES
COMMITTEE ON
SUBCOMMITTEE
SUBCOMMITTEE C
SUBCOMMITTEE 1

1001 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
TELEPHONE (202) 225-1800
FAX (202) 225-4994
2101 NORTH CALIFORNIA BOULEVARD
SUITE 801
WALNUT CREEK, CA 94598
TELEPHONE (925) 938-6666
FAX (925) 938-6666
3801 CAMBRIDGE DRIVE
SUITE 110
PAPERFIELD, CA 94563
TELEPHONE (925) 425-7700
FAX (925) 425-9933
430 WEST 2ND STREET
ANN ARBOR, MI 48106
TELEPHONE (734) 777-7700
FAX (734) 777-7700
Web Address: www.house.gov/ellen

A
No
2/27

January 19, 2006

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

Dear Secretary Rumsfeld,

I am writing to follow up on your request for a list of members that I would recommend for further work with you on issues related to the Quadrennial Defense Review.

In addition to myself, I would suggest Representatives Loretta Sanchez (CA), Susan Davis (CA), Jim Langevin (RI), Rick Larsen (WA), Steve Israel (NY), Jim Cooper (TN), Dan Boren (OK), Michael Turner (OH), Geoff Davis (KY), Rob Simmons (CT), John Kline (MN), Joe Schwarz (MI), and Michael Conaway (TX).

Sincerely,


Ellen O. Tauscher
Member of Congress

Printed on recycled paper

OSD 00870-06

~~FOUO~~

February 06, 2006

TO: Bill Marriott

CC: Gordon England
Mike Donley

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Metrics on Coordination of Packages

I would be interested in looking at some metrics that provide a sense of how long it takes to coordinate packages through the Department. This week I saw a directive from Dr. Chu that had been in coordination for over two years.

We need to speed up the decision-making cycle. To do that, we need to start by understanding how long everything takes.

Please come up with some sensible metrics we can monitor and some ideas for increasing speed in the Department and submit them to me within two weeks.

Thanks.

DHR.dh
020606-30

.....
Please Respond By 02/23/06

~~FOUO~~

OSD 03705-06

11-L-0559/OSD/56199

2/28
1130

INFO MEMO

033

February 28, 2006

✓ →

TO: SECRETARY OF DEFENSE
FROM: Bill Marriott, Executive Secretary (Signature) 2/28
SUBJECT: Metrics on Coordination of Correspondence and Directives

You asked for some ideas for increasing the speed of the decision-making cycle in the Department and some sensible metrics we can monitor (Tab A).

There have been chronic problems with timely responses across OSD and the case you mentioned (the directive that had been in coordination for over two years) is a prime example.

Correspondence and Directives are handled differently in terms of tasking, suspenses, and tracking.

Correspondence Overview:

Each year approximately 1,000 pieces of correspondence are tasked to DoD Components requiring a written response or decision from the SecDef, DepSecDef, or the Components. The suspense timelines are as follows:

- Responses to Members of Congress – 7 work days
- Non-Congressional responses requiring SecDef or DepSecDef signature – 10 work days
- All other correspondence (tasked to Components) – 14 work days

Correspondence Metrics:

In 2004, our average time to prepare and coordinate response packages was 31 calendar days. During the first half of 2005, this was reduced to 28 calendar days and during the past six months, reduced further to 17 calendar days.

Each Friday, an itemized list of overdue packages is hand-delivered to the Principal Deputy of each DoD Component (plus the Director Joint Staff and the Service Unders) during a meeting with Mr. Rangel. He and I have also met individually with the Principal Deputies from those Components that have been the worst offenders, working with them

to develop both short and long-term plans to get things turned in on time. We will continue to make improvements to our process to enable the Department to meet published suspense timelines. Over the past few months, overdue correspondence has been reduced by **79%**-- from 143 last September to about 30 today. Our goal is to bring that number to zero and keep it there.

Directives Overview:

In **2003**, you directed a comprehensive review of all DoD Directives. Of the directives in existence at the time, **62%** were certified as current, revised, or cancelled; leaving 38% to be reviewed. Many of these directives languished “in coordination” resulting in an average coordination time of 241 days (as of last summer).

Directives Metrics:

Since July 2005, good progress has been made in reducing the directive backlog. We have completed reviews of 50% of the outstanding directives and have reduced coordination times by 33% -- to an average of **162** days--better, but still unacceptable. Also, we have begun tracking the days to complete a review and imposed a suspense requirement of 45 work days--a bold, but perhaps unrealistic goal considering the complexity of some directives. A report on the number of directive reviews completed is prepared and sent to you by Mr. Donley each month. Unfortunately, directives have not been tracked like correspondence, and there is no visibility or oversight in Exec Sec on the day-to-day status of individual directives.

Recommendation:

Take a four-prong approach for improving the speed and efficiency of coordinating correspondence and directives: Defining the proper procedures, setting realistic goals, provide metrics and develop an OSD-wide tracking system. We intend to:

Improve the Coordination Process

Currently, the process is governed by a mix of instructions, manuals, and individual personal experience and there are no time limits for coordinations.

Exec Sec will lead a quick review (30 days max) of our coordination process. We will formalize our procedures for assigning coordination levels and responsibilities, tracking, and timelines with a goal of publishing a consolidated coordination instruction.

Establish Realistic Suspense Timelines

Out of the Exec Sec review, we will propose more realistic coordination and suspense goals where appropriate. For example, we may determine that the one-size-fits-all suspense for directives should be replaced with a goal of 45 days for routine directives and 90 days for complex directives as determined by Exec Sec.

Track and report appropriate metrics for correspondence and directives.

We will immediately start monitoring and reporting the following metrics:

- Average processing time (from tasking to turn-in)
- Average number of days overdue
- Percentage of component's open items that are overdue (sample at Tab B)

Develop an Enterprise-wide Correspondence and Directives Management System

OSD's correspondence and directives management is largely done in a paper-based environment with more than 20 different tracking systems in use. These systems do not provide for real-time accounting and visibility across OSD on the location or coordination status of a tasking. As a result, we generate 29 different weekly products to various Components on the status of their correspondence. This is manpower intensive and inefficient.

Ultimately, we should migrate from our multiple disparate systems to an enterprise-wide, computer-based document tracking and processing system. This technology has the potential to increase the speed of our admin cycle and to track additional metrics such as:

- Average number of days each Component takes to process and return coordinations to other Components
- Average number of open coordinations that are overdue

Previous attempts to do this have all bogged down. We will rejuvenate the process, but with more realistic, executable goals.

A

~~FOUO~~

February 06,2006

TO: Bill Marriott
CC: Gordon England
Mike Donley
FROM: Donald Rumsfeld *D.R.*
SUBJECT: Metrics on Coordination of Packages

I would be interested in looking at some metrics that provide a sense of how long it takes to coordinate packages through the Department. This week I saw a directive from Dr. Chu that had been in coordination for over two years.

We need to speed up the decision-making cycle. To do that, we need to start by understanding how long everything takes.

Please come up with some sensible metrics we can monitor and some ideas for increasing speed in the Department and submit them to me within two weeks.

Thanks.

DHR:dh
02:0606-30

.....
Please Respond By 02/23/06

~~FOUO~~

11-L-0559/OSD/56204

OSD 03705-06

B

Correspondence Scorecard

9-Sep-05			
SecDef/DepSecDef (Signature)			
	Open	Overdue	% Overdue
Army	0	0	0%
JCS	0	0	0%
LA	0	0	0%
Air Force	1	0	0%
PA	3	0	0%
P&R	5	2	40%
Policy	29	18	62%
AT&L	6	5	83%
Navy	1	1	100%
GC	1	1	100%
USD(I)	3	3	100%
Total	49	30	61%

9-Feb-06			
SecDef/DepSecDef (Signature)			
	Open	Overdue	% Overdue
Army	0	0	0%
Navy	0	0	0%
JCS	0	0	0%
P&R	0	0	0%
LA	0	0	0%
GC	0	0	0%
Comp	0	0	0%
NII	0	0	0%
Air Force	1	0	0%
Policy	3	0	0%
AT&L	4	1	25%
USD(I)	2	2	100%
PA	2	2	100%
Total	12	5	42%

Component Level (Signature)			
	Open	Overdue	% Overdue
Army	0	0	0%
Air Force	3	1	33%
P&R	20	8	40%
LA	2	1	50%
AT&L	26	17	65%
PA	19	17	89%
Navy	11	10	91%
GC	11	10	91%
Policy	39	36	92%
USD(I)	13	13	100%
Total	155	113	73%

Component Level (Signature)			
	Open	Overdue	% Overdue
NII	0	0	0%
JCS	2	0	0%
GC	2	0	0%
Navy	3	0	0%
Air Force	3	0	0%
Comp	3	0	0%
Army	9	2	22%
Policy	15	4	27%
P&R	18	7	39%
PA	2	1	50%
USD(I)	3	2	67%
AT&L	11	8	73%
LA	1	1	100%
Total	72	25	35%

Overall			
	Open	Overdue	% Overdue
JCS	3	0	0%
Army	8	0	0%
Air Force	4	1	25%
P&R	25	10	40%
LA	2	1	50%
AT&L	32	22	69%
PA	22	17	77%
Policy	68	54	79%
Navy	12	11	92%
GC	12	11	92%
USD(I)	16	16	100%
Total	204	143	70%

	≥ 50%
	26-49%
	≤ 25%
	No Open

Overall			
	Open	Overdue	% Overdue
NII	0	0	0%
JCS	2	0	0%
GC	2	0	0%
Navy	3	0	0%
Comp	3	0	0%
Air Force	4	0	0%
Army	9	2	22%
Policy	18	4	22%
P&R	18	7	39%
AT&L	15	9	60%
PA	4	3	75%
USD(I)	5	4	80%
LA	1	1	100%
Total	84	30	36%

113 - Fewer Overdue (79% Reduction)
120 - Fewer Open (59% Reduction)

MAR 08 2006

TO: Percy Barnevik

CC: ~~Eino Edlund~~
Marty Hoffmann

FROM: Donald Rumsfeld
Rumstel



SUBJECT Follow-up to Trip to Afghanistan

333

Percy--

Marty Hoffmann gave me a report that your trip to **Afghanistan** was positive. He said you apparently had a good meeting with President Karzai and that you **are** thinking about going ahead.

I **am** standing by for you to tell me what I should do. I understand, according to your attorney, you **are** planning to have a fund set up in the US sometime next week that will receive charitable contributions.

You **are** terrific to step up to it. We want to be helpful.

Do **stay** in touch.

DHR:db
030706-03

.....

8mond

OSD 03711-06

11-L-0559/OSD/56207

FOUO

MAR 08 2006

TO: The Honorable Andrew H. ~~Card~~ Jr.

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Cruise Ships

Andy--

I checked into the cruise ship issue you mentioned. Apparently someone gave you some bum dope. As you can see from the attached, the Department of Defense did **only** the contracting for the vessels. FEMA was responsible for their occupancy and all other **matters** from that point forward.

You might want to call Mike Chertoff about your concerns.

Let me know if you want me to do anything else.

Thanks.

Attach. 3/7/06 ASD(HD) memo to SD re: Removal of Cruise Ships for Katrina Evacuees

DHR:dh
030706-07

000,92

8 Mar-06

FOUO

OSD 03712-06

11-L-0559/OSD/56208



MAR 07 2006

INFORMATION MEMO

USD(P) _____

FOR SECRETARY OF DEFENSE

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

PM

SUBJECT: Removal of Cruise Ships for Katrina Evacuees

000,92

- **On** September 1, 2005, the Federal Emergency Management Agency (**FEMA**) requested the Department of Defense contract for "passenger ship lodging, meals and related services capacity to house a minimum of 10,000 disaster victims and 8,000 disaster responders (maximum 100,000 and 25,000 respectively)." (TAB A)
- US Transportation Command's, Maritime Sealift Command contracted for four cruise ships; the SCOTIA PRINCE, SENSATION, HOLIDAY, and ECSTASY to meet FEMA's requirements. The period of support was from September 1, 2005, to March 2006. Support was provided on a reimbursable basis under the Stafford Act.
- The SCOTIA PRINCE, SENSATION, and ECSTASY ~~were~~ moored in New Orleans, Louisiana and the HOLIDAY was moored in Pascagoula, Mississippi.
- All ships were scheduled to depart the first ~~week~~ of March after **FEMA** had relocated residents to temporary housing on land.
- A lawsuit, filed by the residence of the SCOTIA PRINCE, petitioned for the ship to remain in St. Bernard Parish, Louisiana for several more months. A federal judge "shot ~~down~~" the lawsuit allowing for the release of the ship. (TAB B)
- The SCOTIA PRINCE, SENSATION, and ECSTASY ~~were~~ released by the Military Sealift Command March 4 and 5, 2006. The HOLIDAY is scheduled to be released March 9.
- The Department of Defense provided the contract vehicle for the ships. FEMA was responsible for their occupancy. No Department of Defense personnel ~~were~~ involved in the operation and logistical support of the ships nor were they involved in the decision to terminate utilization of the ships.

7 Mar 06

RECOMMENDATION: None. Information only.

COORDINATION None

Attachments:
As stated

OSD 03712-06

Prepared by: Colonel Chavez, OASD(HD), (b)(6)

8 Mar 06

FEDERAL EMERGENCY MANAGEMENT AGENCY
MISSION ASSIGNMENT (MA)

See reverse side for
Paperwork Burden Disclosure
Notice

O.M.B. NO. 3067-0278
Expires November 30,
2007

I. TRACKING INFORMATION (FEMA Use Only)

State: MS (Mississippi) Incident: 2005082401-Hurricane Katrina Action Request #: 1509-32526

Program Code/Event #: 1604DR-MS: HURRICANE KATRINA Date/Time Rec'd: 09/01/2005 23:28

II. ASSISTANCE REQUESTED

See Attached

Assistance Requested:
Passenger Ship lodging, meals and related services capacity to house a minimum of 10,000 disaster victims and 8,000 disaster responders (maximum 100,000, 25,000 respectively).

Quantity: 1 (Each) Date/Time Required: 09/01/2005 Internal Control #:

Delivery Location: MS, AL, LA, Ports to be determined.

Initiator/Requestor Name: David Mackendrick 24-hour Ph #s: (b)(6) Date: 09/01/2005

POC Name: CLARK, BURTON A 24-hour Ph #s: (b)(6) Date: 09/01/2005

Action to: ESF #: Other: Date/Time: 09/01/2005 23:24 Priority: 1 Lifesaving 2 Life sustaining 3 High 4 Medium 5 Normal

IV. DESCRIPTION (Assigned Agency Action Officer)

See Attached

Mission Statement: Your agency is responsible for submitting a Mission Assignment Monthly Progress Report to FEMA to include cost data when Mission Assignments take more than 60 days to complete, including billing. The Mission Assignment Monthly Progress Report can be accessed and submitted on-line at www.fema.gov/ofinvolved_agencies.shtm. The new ALC number can also be accessed at the web address.

This need is to house disaster victims and Federal response personnel. Due to widespread flooding and related destruction passengership are needed. In addition responders must be near work place disaster sites, 6 months and options

Approve by OGC Steve Orsilo and Lee

Assigned Agency: DOD (DEPARTMENT OF DEFENSE) Projected Start Date: 09/01/2005 Projected End Date: 10/30/2005

New or Amendment to MA #: Total Cost Estimate: \$100,000,000.00

Assigned Agency POC Name: DAVID MACKENDRICK Phone and fax #s: (b)(6)

V. COORDINATION (FEMA Use Only)

Type of MA: Direct Federal Assistance State Cost Sham (0%, 10%, 25%); Technical Assistance State Cost Share (0%); Federal Operations Support State Cost Share (0%)

State Cost Share Percent: 0.0% State Cost Share Amount: \$0.00

Fund Citation: 2005-06-1604DR-9044-XXXX-2501-D Appropriation code: 70X0702

Mission Assignment Coordinator (Preparer): Date: ** FEMA Project Officer/Branch Chief (Program Approval): BURTON CLARK Date: 09/01/2005

** Comptroller/Funds Control (Funds Review): Date:

VI. APPROVAL

* State Approving Official (Required for DFA and TA): Date:

** Federal Approving Official (Required for all): Date:

VII. OBLIGATION (FEMA Use Only)

Mission Assignment #: 1604DR-MS-DOD-17 Amt. This Action: \$100,000,000.00 Date/Time Obligated:

Amendment #: 00 Cumulative Amt. \$100,000,000.00 Initials:

* Signature required for Direct Federal Assistance and Technical Assistance Mission Assignments.

** Signature required for all Mission Assignments.



Judge OKs Removal of Cruise Ships for Katrina Evacuees

Friday, March 03, 2006

NEW ORLEANS — A federal judge on Friday shot down a lawsuit that sought to keep a cruise ship docked here as temporary housing for hurricane evacuees, saying the question was not a matter for the courts.

The ruling on the Scotia Prince ship lets the Federal Emergency Management Agency close the book on its use of cruise ships as a stopgap housing for evacuees in Louisiana and Mississippi.

Thousands of police officers, firefighters, postal workers, city workers and displaced residents were put aboard the ships after Hurricane Katrina hit on Aug. 29, killing more than 1,300 people.

U.S. District Judge Peter Beer said in his ruling it was not the judicial system's role to take over the decision-making of federal agencies. But Beer said that he would "follow this matter closely and consistently" to make sure FEMA holds to its promise to house people made homeless by Katrina.

The lawsuit was brought by residents of the Scotia Prince, who wanted the cruise ship to stay in St. Bernard Parish for several more months. They argued that FEMA had not fulfilled its mandate to provide adequate housing for evacuees.

Hundreds of hurricane evacuees who had been living on two other cruise ships in New Orleans began clearing out Wednesday, after FEMA told them the cruise ships needed to return to private service.

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~~FOUO~~

2006-03-06 11:29 AM **March 06, 2006**

TO: Gordon England
CC: Gen Pete Pace
Fran Harvey
GEN Pete Schoomaker
Jim Haynes
Dorrance Smith

704

FROM: Donald Rumsfeld *DR.*

SUBJECT: Pat Tillman

I am not convinced the Army is the right organization to undertake the ~~five~~ investigation of Pat Tillman's death.

Please consult with the right folks and come back to me with options and a recommendation FAST with the right way to proceed.

Thanks,

DHR.dh
030606-31

.....
Please Respond By 03/09/06

le m... 06

~~FOUO~~

OSD 03790-06

11-L-0559/OSD/56212



GENERAL COUNSEL

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
X DEFENSE PENTAGON
WA II D C 20301-1600

INFO MEMO

MAR 08 2006 3:29

FOR DEPUTY SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel *WJ Haynes*

SUBJECT: Pat Tillman

- The Secretary asked that you provide him options and a recommendation with the right way to proceed on the new investigation into Pat Tillman's death (Tab A).

- A Deputy DoD IG asked Army Criminal Investigative Division (CID) to initiate a criminal investigation while continuing to investigate related issues regarding the Army's previous reviews and its communications with the Tillman family.

- I see four options:

1. Maintain the status quo. The DoD IG generally is viewed as independent and will review the CID criminal investigation. CID is accepted by most knowledgeable individuals as independent of any internal, "Army" pressures. I believe that this is the best option.

2. Request the Acting DoD IG to reconsider having CID conduct the criminal investigation and, instead, conduct the criminal investigation himself. This would remedy any concern that CID is not independent of "the Army" and would consolidate all investigative action under one office. Permitting the Acting DoD IG to make this decision avoids the appearance that the Secretary has no faith in CID. I believe this is the second best option.

3. Direct the Acting DoD IG to conduct the criminal investigation rather than CID. I do not like this option because of the appearance it may present, as I indicated above, regardless of what we say in explanation.

4. Ask the Attorney General to conduct or oversee the investigation. I do not like this option because it could be seen as an expression of personal concern that there is serious criminal impropriety here, as well as a lack of confidence in both the Army and the IG.



OSD 03790-06

11-L-0559/OSD/56213

~~FOUO~~

13:29 March 06, 2006

TO: Gordon England
CC: Gen Pete Pace
Fran Harvey
GEN Pete Schoomaker
Jim Haynes
Dorrance Smith

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Pat Tillman

I am **not** convinced the Army is the right organization to undertake the fifth investigation of Pat Tillman's death.

Please consult with the right folks and come back to me with options and a recommendation FAST with the right way to proceed.

Thanks.

DHR dh
030606-31

.....
Please Respond By 03/09/06

~~FOUO~~

OSD 03790-06

11-L-0559/OSD/56214

~~FOUO~~

March 13, 2006

031306-17

TO: Eric Edelman
FROM: Donald Rumsfeld *DR.*
SUBJECT: **After-Action Memo to the Interagency**

I think we **ought to get this after-action on the OSCE around to the Interagency and also to the people in the Department.**

Thanks.

Attach: 3/8/06 USD (P) memo to SecDef (OSD03813-06)

DE:R.as
031306-17

.....
Please Respond By 03/21/06

~~FOUO~~

OSD 03813-06

11-L-0559/OSD/56215

INFO MEMO

049
DSD _____

FOR SECRETARY OF DEFENSE

FROM: Eric S. Edelman, Under Secretary of Defense for Policy

EE MAR 08 2006

SUBJECT: After-Action Report on OSCE Visit

- I have attached Cully's after action report on the Lizin (OSCE Rapportuer) trip to GTMO. It appears it went very well.
- The **Lizin** trip occurred March 3, 2006. We had briefings in the Pentagon on March 2. She traveled to Cuba on March 3 and spent the day at GTMO.
- The news reports are some of the best we have ever had about GTMO. Unfortunately, it is not being picked up by domestic news sources. Only the **Washington Post** (online website only) reported the news story.

COORDINATION: None.

Attachment: As Stated.

Prepared by: Bryan C. Del Monte, Office of Detainee Affairs, (b)(6)

OSD 03813-06



11-L-0559/OSD/56216

INFO MEMO

PDUSD(P) – Copy Provided

FOR UNDER SECRETARY OF DEFENSE FOR POLICY

FROM: Charles D. Stimson, Deputy Assistant Secretary of Defense (Detainee Affairs) *OS 1-8-06*

SUBJECT: After-Action Report on Visit by Ms. Lizin of OSCE

- The trip went very well and believe it will have a positive influence on Lizin's report:
 - DoD **will** have an opportunity to comment on the draft report before publication.
 - Ms. Lizin was impressed **by** the access she had to DoD officials.
 - Based upon press statements, I believe that we made a favorable impression that will positively **impact** the report. (Tab A, B, & C)
- The luncheon and briefings we hosted provided an opportunity for a lively discussion about the legal **framework** and care and treatment issues.
 - During lunch, Dr. Winkenwerder visited and discussed detention health policy.
 - Ms. Lizin remarked that briefings provided by the Office of Detainee Affairs, Military Commissions, OARDEC, Joint Staff, and Health Affairs were helpful.
- Ms. Lizin had a brief private meeting the General Counsel:
 - Ms. Lizin asked about closing GTMO and the relationship (i.e. perceived discord) between DoD and State.
 - Mr. Haynes stated we were not seriously **thinking** about closing GTMO, he stated that he had a cordial relationship with State/L.
- I believe that the Deputy's meeting with Lizin was colored by several factors beyond your (and our) control:
 - I believe that Ms. Lizin was intimidated in meeting the Deputy. I believe that she did not have a game-plan and was nervous once in his office.
 - I believe that the Deputy did an excellent job in reiterating the need for Lizin to be fair and accurate. I think this had a positive influence and made our **trip** more successful.



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11-L-0559/O3D/56217

-
- Afterward, Ms. Lizin remarked to us that she was delighted to have met with the Deputy and that she was very surprised by the willingness of our most senior official to visit with her.
 - I believe she will note in her report that we provided her with extraordinary access.
 - The GTMO visit went very well:
 - We did add the extra member to the Lizin party per your direction. They were pleased we could accommodate them.
 - While we did not break up the delegation, GEN Hood did ask members of the JTF staff to accompany the delegation. They appreciated this special attention.
 - Medical staff provided a member of her staff with a feeding tube. The feeding tube is being favorably reported by the delegation. (Tab B).
 - Reporting about the trip:
 - Tabs A and B are the wire pieces about the OSCE visit. They were most impressed with the care and treatment of detainee.
 - State has provided us some rapid-response reporting on local (French/Belgian) news service reporting. It is favorable. I have attached the Q&A portion of the article from *Le Soir*. (Tab C)
 - I believe the reporting is some of the best we have ever had. Unfortunately, the wire stories are not being widely reported domestically.
 - I believe her report will focus on the "legal framework" and propose an international committee to resolve the matter. Exactly how workable such a recommendation would be is unclear.

COORDINATION: None

Attachment: As Stated.

Prepared by: Bryan C. Del Monte, Office of Detainee Affairs, (b)(6)

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Guantanamo better than Belgian prisons-OSCE expert

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Newsdesk

NGO Latest

06 Mar 2006 17:59:58 GMT

EMERGENCIES

Source: Reuters

Africa

BRUSSELS, March 6 (Reuters) - Inmates at Guantanamo Bay prison are treated better than in Belgian jails, an expert for Europe's biggest security organisation said on Monday after a visit to the controversial U.S. detention centre.

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But Alain Grignard, deputy head of Brussels' federal police anti-terrorism unit, said that holding people for many years without telling them what would happen to them is in itself "mental torture".

"At the level of the detention facilities, it is a model prison, where people are better treated than in Belgian prisons," said Grignard.

He served as expert on a visit to Guantanamo Bay last week by a group of lawmakers from the assembly of the Organisation for Security and Cooperation in Europe's (OSCE).

Grignard's comments came less than a month after a United Nations report said that Guantanamo prison detainees faced treatment amounting to torture.

Many of the 500 inmates in the prison at the U.S. naval base in Cuba have been held for four years without trial. The prisoners were mainly detained in Afghanistan and are held as part of President George W. Bush's "war on terror".

Grignard told a news conference that prisoners' right to practice their religion, food, clothes and medical care were better than in Belgian prisons.

"I know no Belgian prison where each inmate receives its Muslim kit," Grignard said.

Grignard said that while Guantanamo was not "idyllic", he had noticed dramatic improvements each time he visited the facility over the last two years.

The head of the OSCE lawmakers in the delegation said she was happy with the medical facilities at the camp, adding she believed they had been improved recently.

Anne-Marie Lizin, chair of the Belgian Senate, told reporters at the

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same news conference she saw no point in calling for immediate closure of the detention camp.

"There needs to be a timetable for closure," said Lizin, but asking for immediate closure would have been unrealistic

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In the press

Bird flu in Africa, underwriting Hamas and /who created the Darfur crisis?

U.N. investigators last month demanded that the U.S. government close the prison without further delay, alleging a host of violations of human rights and torture.

They did not visit the site because they were not allowed to conduct interviews with the prisoners.

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Lizin said the OSCE parliamentary delegation was also unable to talk to prisoners but had discussed the situation with the International Red Cross which has access to them.

The OSCE plans to prepare a report by the end of May, touching on the delegation's concerns including the legal situation of detainees, Lizin added.

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The United States is a member of the 55-country OSCE.

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Last updated: Tue

Intl. Intelligence

Analysis: Gitmo inmates expect rescue

By ROLAND FLAMINI

UPI Chief International Correspondent

WASHINGTON, March 5 (UPI) -- Secret leaders give instructions to the inmates of the U.S. detention facility in Guantanamo, such as when to go on a hunger strike, and the indications are that the facility authorities don't know their identity. A senior European parliamentarian who visited Guantanamo last week said these leaders are "not necessarily members of al-Qaida, but as in any prison, they're detainees who are natural leaders."

The official, Anne-Marie Lizin, the president of the Belgian Senate or upper house, said in Washington Sunday a nurse at Guantanamo told her that during the recent hunger strike, some detainees quietly thanked her after she had force-fed them, which suggested that they "were ordered to go on **strike**, and were afraid to refuse." The fact that there is pressure from such leaders was confirmed to Lizin by another member of the detention staff, but the Belgian politician believes they remain unknown. A further indication of an underground communications network through which instructions reach the different camps, she said, was that in interrogations, "the standardization of answers (from detainees) is growing," suggesting that they are being told what to say. Lizin was told that many detainees believe that they will eventually be liberated from captivity by fellow Jihadists -- another sign that an effort was being made to keep up their morale. In some camps spreading the word is relatively easy because there is regular contact between prisoners. In Camp 4, one of the main facilities, "the population is the same as in a Kabul street, only cleaner -- men of all ages with full beards -- and they don't have anything to do all day" except to gossip with each other, Lizin said.

Lizin was in Guantanamo last Friday on a fact-finding mission on behalf of the Parliamentary Assembly of the 55-nation Organization for Security and Cooperation in Europe. The invitation had come from the U.S. Defense Department, which earlier said the visit was being granted "on an exceptional basis" due to the number of requests from international bodies. The United States is one of the members of OSCE.

In February, the U.N. Human Rights Commission published a report calling for "the closure immediately of the Guantanamo detention center." The U.N. report, which was based on accounts from former inmates, alleged that some of the interrogating methods violated the convention on torture. It said the United States should "bring all detainees before an independent and competent tribunal, or release them." The United Nations official who prepared the report had refused to visit Guantanamo because he was told he would not be able to interview detainees. The same condition applied in the case of Anne-Marie Lizin and her small delegation, but they were able "to ask questions, approach and interact with any officer, soldier, or member of the staff they considered appropriate," she said.

Based on her observations and interviews with intelligence staff, interrogation staff, and medical personnel, Lizin will write a report for the OSCE Parliamentary Assembly's annual session in July. She hopes to address the issue of the "future of the the facilities in Guantanamo" -- in other words, the prospects of closing the place down. One possible recommendation she is considering is the formation of an international task force to tackle the wide range of problems connected with emptying out the detention camp that had sprung up following the Afghan war. The OSCE could organize the task force, but its membership does not include any Arab countries, and it was important that the group should have representatives from one or more Arab states. Lizin gave no indication that closing Guantanamo was in the forefront of the Bush administration's thinking. But she said complex talks are going on to transfer

nationals from Afghanistan, Saudi Arabia, and Yemen to their respective countries. **At** least two other states that have been approached -- Algeria, and Bahrain -- have refused to accept any of their own detainees.

To illustrate some of the complications involved a member of the delegation explained that when two Belgian suspects were released from Guantanamo a year ago, the Brussels government had to assure the Bush administration that the two men would **be** kept under surveillance even though no case had **been** made **against them**. **The Belgians** also pressed **Washington** for the declassification of U.S. documents relating to both men to keep in their files. It took almost a year for the **U.S** authorities to hand over the documents, he added. Another issue with respect to transferring detainees remains the security of the jails **in** some of the countries **of** origin, notably Yemen.

Lizin said that the widespread opposition to Guantanamo was perhaps surprising since the Afghan war had had Europe's full approval. But she said the unpopularity of the **Iraq** war that followed, and the fact that the Bush administration seemed to have no clear view **how** to proceed against the detainees had made Guantanamo the target of scathing criticism. "Whatever it was when it **was** first opened five years ago, Guantanamo is now a real prisoner-of-war jail," she said. "Can you dream **of** something better for POWs?" The United States says it is at war, and according to the Geneva convention, prisoners-of-war **are** returned to their homes **at** the end **of** the conflict, she observed. But Jihad (meaning, in this context, Islamic struggle) is not covered by the Geneva Convention, so there are no international rules on how its fighters should be handled.

The Belgian politician quotes Guantanamo staffers as saying that many of the detainees say they are members of al-Qaida, but that they had no connection with the Sept 11, 2001 terrorist attacks on New York and Washington that transformed how the United States looks at security issues. They also argue that they are paying "for the strategies of their leaders, who remain free." **The** oldest of the **500** or so detainees **is in** his sixties and fought against the Soviet occupation of Afghanistan before he battled U.S. forces, staffers told Lizin. There are no longer any teenagers among the prisoners, not necessarily because they were released. Time marches on; and they have reached their 'twenties.

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Coverage of visit to Guantanamo by OSCE Mme. Lizin

Under the heading "Lizin Has Seen Another Guantanamo," Alain Lallemand in the main front page article of left-of-center *Le Soir* (3/6)(circ. 99,300) reports: "Caution and diplomacy. When the President of the Belgian Senate Anne-Marie Lizin comes back from an official visit at the helm of an OSCE delegation to the Guantanamo detention center, she is not going to then make statements that she has not carefully chosen..."

In a prominent article on page two and under the heading "Guantanamo has Changed its Procedures and Is Becoming More 'Civilized,'" Lallemand runs an interview with Anne-Marie Lizin who was allowed to visit the Guantanamo center on March 3.

Q: Do you think that the Americans were correct with you and kept their word vis-à-vis the delegation?

Lizin: 'Absolutely. All our requests were granted. We for instance were able to see a place where interrogations were taking place, all the categories of accommodations - camps 1, 2, 3, and 4 - as well as cells. Time was limited and we still have several questions, but a procedure has been put in place to enable us to ask the questions that we did not have the time to ask, especially on the medical center and military intelligence. We were for instance quite interested in the medical center, because we think that it is there that one can see whether human beings are respected. It is clear that this medical center has quite recently been expanded and it is obvious that more attention is being devoted to this aspect. For lack of time, I do not have the statistics yet on the use of sleeping pills and tranquilizers in that medical center. We have asked for the monthly figures and we are awaiting them.'

Q: Are you confident that you will receive these responses?

Lizin: Yes I am. In Guantanamo, we were in the heart of the **U.S.** Army's logic: when it decides to speak out, it speaks out. And we were not prevented from talking with any particular warden who was not necessarily the one we were supposed to talk to.'

Q: What do you bring back from these discussions with wardens?

Lizin: 'One of them, whom we were not expected to meet with, told me after having answered our questions according to the manual during the first five minutes, that they were being insulted everyday. Another element is that there are now collective cells. We were able to see detainees and their daily life. The summary of the huge difficulty in which the world is finding itself is summarized *in* these collective cells, over which a warden is keeping watch. The warden in question happened to be a twenty-year-old woman, who was watching - that's all she had to do - a group of ten Afghans. She got some training and she told me that they are very kind. This **shows** that there are clear differences in that *prison*.'

Q: What kind of contacts did you have with detainees?

Lizin: 'We were only able to see them. We did not **ask** to talk to them, which would have required another composition of our delegation. There is a rule according to which all contacts with detainees must take place via the International Committee of the Red Cross, and we consider that this procedure is adequate.'

Q: Are over half of the detainees *Afghan*?

Lizin: 'Not over half of them. But there is a great number of Afghans, of Yemenis, and of Saudis.'

Q: You were allowed to sit in an interrogation session. Can you talk about it?

Lizin: 'We did not have the sound. We did not want to participate in anything that would have individualized our observations. There were three people: a warden who did not intervene, an interpreter, and the interrogator, who was a woman. This interrogation - which we selected ourselves - took place in good conditions. The detainee was sitting and had something to drink.'

Q: What do you conclude from this?

Lizin: 'That is an area where changes have taken place - I think that procedures have been modified but I cannot make any conclusion yet. Like everybody else, we saw the debate that took place at the State Department and first and foremost at the Pentagon on interrogation techniques. Our delegation was able to speak to the person who coordinates interrogations and who has modified interrogation techniques. Rather than a tough and brutal technique, interrogations are now much more based on an intellectual discussion.'

Q: There have clearly been changes...

Lizin: 'There is an (American) will to agree to some things, to make some concessions. According to the State Department, it would probably be in its interest to declassify some discussions. It would perhaps be a positive manner to make people understand the military process. We will put in our *OSCE* report the elements that the State Department and the Pentagon appreciate

differently. The debate between the two is not over yet. Interrogation procedures have been modified based on analyses that were either coming from the American non-military sector or, which is more surprising, from the European military sector.'

Q: Is it because the collection of information's efficiency had been questioned, especially in your initial report last July?

Lizin: 'Exactly. What really pleased me is the fact that the man in charge of intelligence - an oldish person who knows Europe quite well - listened to his colleagues - who came to Guantanamo to prepare the transfer of detainees to their country of origin, was familiar with the OSCE report, and worked on several elements that we pointed out, such as interrogators who rotated too quickly - they took that into account - and how to make detainees change their attitude. In other words, how to make the relationship efficient.'

Q: What's the difficulty?

Lizin: 'We were granted access to the intelligence unit. It is a large variety of Jihadists that are being detained. That is very important to realize in order to understand the nature of the relationship: a sixty-year-old man does not have the same history with the US Army if he has been in the anti-Communist Jihad as a twenty-year-old kid.'

Q: So, interrogation techniques have changed since (the Americans) have recognized the detainees' intellectual quality. What else?

Lizin: 'The Echo camp. These are small houses where some detainees are living and where genuine exchanges and discussions with detainees are possible.'

Q: Was the closure of Guantanamo ever mentioned?

Lizin: 'I am not going to answer that question.'

INFO MEMO

112
DSD _____

FOR SECRETARY OF DEFENSE

FROM: Eric S. Edelman, Under Secretary of Defense for Policy *EE* MAR 08 2006

SUBJECT: After-Action Report on OSCE Visit

- I have attached Cully's after action report on the Lizin (OSCE Rapportuer) trip to GTMO. It appears it went very well.
- The Lizin trip occurred March 3, 2006. We had briefings in the Pentagon on March 2. She traveled to Cuba on March 3 and spent the day at GTMO.
- The news reports are some of the best we have ever had about GTMO. Unfortunately, it is not being picked up by domestic news sources. Only the Washington Post (on-line website only) reported the news story.

COORDINATION: None.

Attachment: As Stated.

Prepared by: Bryan C. Del Monte, Office of Detainee Affairs, (b)(6)

OSD 03813-06



11-L-0559/OSD/56228

INFO MEMO

PDUSD(P) – Copy Provided

FOR UNDER SECRETARY OF DEFENSE FOR POLICY

FROM: Charles D. Stimson, Deputy Assistant Secretary of Defense (Detainee Affairs) *OS 3-f-06*

SUBJECT: After-Action Report on Visit by Ms. Lizin of OSCE

- The **trip** went very well and believe it will have a positive influence on Lizin's report:
 - DoD will have an opportunity to comment on the draft report before publication.
 - Ms. Lizin was impressed by the access she had to DoD officials.
 - Based upon press statements, I believe that we made a favorable impression that will positively impact the report. (Tab A, B, & C)
- The luncheon and briefings we hosted provided an opportunity for a lively discussion about the legal framework and care and treatment issues. (Full itinerary at Tab D.)
 - During lunch, Dr. Winkenwerder visited and discussed detention health policy.
 - Ms. Lizin remarked that briefings provided by the Office of Detainee Affairs, Military Commissions, OARDEC, Joint Staff, and Health Affairs were helpful.
- Ms. Lizin had a brief private meeting the General Counsel:
 - Ms. Lizin asked about closing GTMO and the relationship (i.e. perceived discord) between DoD and State.
 - Mr. Haynes stated we were not seriously thinking about closing GTMO; he stated that he had a cordial relationship with State/L.
- I believe that the Deputy's meeting with Lizin was colored by several factors beyond your (and our) control:
 - I believe that Ms. Lizin was intimidated in meeting the Deputy. I believe that she did not have a game-plan and was nervous once in his office.
 - I believe that the Deputy did an excellent job in reiterating the need for Lizin to be fair and accurate. I think this had a positive influence and made our **trip** more successful.

11-L-0559/OSD/56229



- Afterward, Ms. Lizin remarked to **us** that she was delighted to have met with the Deputy and that she was very surprised by the willingness of our most senior official to visit with her.
- I believe she will note in her report that we provided her with extraordinary access.
- The GTMO visit went very well:
 - We did add the extra member to the Lizin party per your direction. They were pleased we could accommodate them.
 - While we did not break up the delegation, GEN Hood did ask members of the JTF staff to accompany the delegation. They appreciated this special attention.
 - Medical staff provided a member of her staff with a feeding tube. The feeding tube is being favorably reported by the delegation. (Tab B).
- Reporting about the trip:
 - Tabs A and B are the wire pieces about the OSCE visit. They were most impressed with the care and treatment of detainees.
 - State has provided us some rapid-response reporting on local (French/Belgian) news service reporting. It is favorable. I have attached the Q&A portion of the article from *Le Soir*. (Tab C)
 - I believe the reporting is some of the best we have ever had. Unfortunately, the wire stories are not being widely reported domestically.
 - I believe her report will focus on the "legal framework" and propose an international committee to resolve the matter. Exactly how workable such a recommendation would be is unclear.

COORDINATION: None

Attachment: As Stated.

Prepared by: Bryan C. Del Monte, Office of Detainee Affairs (b)(6)

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Guantanamo better than Belgian prisons-OSCE expert

06 Mar 2006 17:59:58 GMT

Source: Reuters

BRUSSELS, March 6 (Reuters) - Inmates at Guantanamo Bay prison are treated better than in Belgian jails, an expert for Europe's biggest security organisation said on Monday after a visit to the controversial U.S. detention centre.

But Alain Grignard, deputy head of Brussels' federal police anti-terrorism unit, said that holding people for many years without telling them what would happen to them is in itself "mental torture".

"At the level of the detention facilities, it is a model prison, where people are better treated than in Belgian prisons," said Grignard.

He served as expert on a visit to Guantanamo Bay last week by a group of lawmakers from the assembly of the Organisation for Security and Cooperation in Europe's (OSCE).

Grignard's comments came less than a month after a United Nations report said that Guantanamo prison detainees faced treatment amounting to torture.

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"I know no Belgian prison where each inmate receives its Muslim kit," Grignard said.

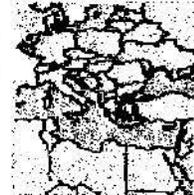
Grignard said that while Guantanamo was not "idyllic", he had noticed dramatic improvements each time he visited the facility over the last two years.

The head of the OSCE lawmakers in the delegation said she was happy with the medical facilities at the camp, adding she believed they had been improved recently.

Anne-Marie Lizin, chair of the Belgian Senate, told reporters at the

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same news conference she saw no point in calling for immediate closure of the detention camp.

"There needs to be a timetable for closure," said Lizin, but asking for immediate closure would have been unrealistic.

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Bird flu in Africa, underwriting Hamas and who created the Darfur crisis?

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U.N. investigators last month demanded that the U.S. government close the prison without further delay, alleging a host of violations of human rights and torture.

They did not visit the site because they were not allowed to conduct interviews with the prisoners.

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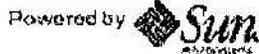
Lizin said the OSCE parliamentary delegation was also unable to talk to prisoners but had discussed the situation with the International Red Cross which has access to them.

The OSCE plans to prepare a report by the end of May, touching on the delegation's concerns including the legal situation of detainees, Lizin added.

The United States is a member of the 55-country OSCE.

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Last updated: Tue

Intl. Intelligence

Analysis: Gitmo inmates expect rescue

By ROLAND FLAMINI

UPI Chief International Correspondent

WASHINGTON, March 5 (UPI) -- Secret leaders give instructions to the inmates of the U.S. detention facility in Guantanamo, such as when to go on a hunger strike, and the indications are that the facility authorities don't know their identity. A senior European parliamentarian who visited Guantanamo last week said these leaders are "not necessarily members of al-Qaida, but as in any prison, they're detainees who are natural leaders."

The official, Anne-Marie Lizin, the president of the Belgian Senate or upper house, said in Washington Sunday a nurse at Guantanamo told her that during the recent hunger strike, some detainees quietly thanked her after she had force-fed them, which suggested that they "were ordered to go on strike, and were afraid to refuse." The fact that there is pressure from such leaders was confirmed to Lizin by another member of the detention staff, but the Belgian politician believes they remain unknown. A further indication of an underground communications network through which instructions reach the different camps, she said, was that in interrogations, "the standardization of answers (from detainees) is growing," suggesting that they are being told what to say. Lizin was told that many detainees believe that they will eventually be liberated from captivity by fellow Jihadists -- another sign that an effort was being made to keep up their morale. In some camps spreading the word is relatively easy because there is regular contact between prisoners. In Camp 4, one of the main facilities, "the population is the same as in a Kabul street, only cleaner -- men of all ages with full beards -- and they don't have anything to do all day" except to gossip with each other, Lizin said.

Lizin was in Guantanamo last Friday on a fact-finding mission on behalf of the Parliamentary Assembly of the 55-nation Organization for Security and Cooperation in Europe. The invitation had come from the U.S. Defense Department, which earlier said the visit was being granted "on an exceptional basis" due to the number of requests from international bodies. The United States is one of the members of OSCE.

In February, the U.N. Human Rights Commission published a report calling for "the closure immediately of the Guantanamo detention center." The U.N. report, which was based on accounts from former inmates, alleged that some of the interrogating methods violated the convention on torture. It said the United States should "bring all detainees before an independent and competent tribunal, or release them." The United Nations official who prepared the report had refused to visit Guantanamo because he was told he would not be able to interview detainees. The same condition applied in the case of Anne-Marie Lizin and her small delegation, but they were able "to ask questions, approach and interact with any officer, soldier, or member of the staff they considered appropriate," she said.

Based on her observations and interviews with intelligence staff, interrogation staff, and medical personnel, Lizin will write a report for the OSCE Parliamentary Assembly's annual session in July. She hopes to address the issue of the "future of the the facilities in Guantanamo" -- in other words, the prospects of closing the place down. One possible recommendation she is considering is the formation of an international task force to tackle the wide range of problems connected with emptying out the detention camp that had sprung up following the Afghan war. The OSCE could organize the task force, but its membership does not include any Arab countries, and it was important that the group should have representatives from one or more Arab states. Lizin gave no indication that closing Guantanamo was in the forefront of the Bush administration's thinking. But she said complex talks are going on to transfer

nationals from Afghanistan, Saudi Arabia, and Yemen to their respective countries. At least two other states that have been approached -- Algeria, and Bahrain-- have refused to accept any of their own detainees.

To illustrate some of the complications involved a member of the delegation explained that when two Belgian suspects were released from Guantanamo a year ago, the Brussels government had to assure the Bush administration that the two men would be kept under surveillance even though no case had been made against them. The Belgians also pressed Washington for the declassification of U.S. documents relating to both men to keep in their files. It took almost a year for the U.S. authorities to hand over the documents, he added. Another issue with respect to transferring detainees remains the security of the jails in some of the countries of origin, notably Yemen.

Lizin said that the widespread opposition to Guantanamo was perhaps surprising since the Afghan war had had Europe's full approval. But she said the unpopularity of the Iraq war that followed, and the fact that the Bush administration seemed to have no clear view how to proceed against the detainees had made Guantanamo the target of scathing criticism. "Whatever it was when it was first opened five years ago, Guantanamo is now a real prisoner-of-war jail," she said. "Can you dream of something better for POWs?" The United States says it is at war, and according to the Geneva convention, prisoners-of-war are returned to their homes at the end of the conflict, she observed. But Jihad (meaning, in this context, Islamic struggle) is not covered by the Geneva Convention, so there are no international rules on how its fighters should be handled.

The Belgian politician quotes Guantanamo staffers as saying that many of the detainees say they are members of al-Qaida, but that they had no connection with the Sept 11, 2001 terrorist attacks on New York and Washington that transformed how the United States looks at security issues. They also argue that they are paying "for the strategies of their leaders, who remain free." The oldest of the 500 or so detainees is in his sixties and fought against the Soviet occupation of Afghanistan before he battled U.S. forces, staffers told Lizin. There are no longer any teenagers among the prisoners, not necessarily because they were released. Time marches on; and they have reached their 'twenties.

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Coverage of visit to Guantanamo by OSCE Mme. Lizin

Under the heading "Lizin Has Seen Another Guantanamo," Alain Lallemand in the main front page article of left-of-center *Le Soir* (3/6)(circ. 99,300) reports: "Caution and diplomacy. When the President of the Belgian Senate Anne-Marie Lizin comes back from an official visit at the helm of an OSCE delegation to the Guantanamo detention center, she is not going to then make statements that she has not carefully chosen..."

In a prominent article on page two and under the heading "Guantanamo has Changed its Procedures and **Is** Becoming More 'Civilized,'" Lallemand runs an interview with Anne-Marie Lizin who was allowed to visit the Guantanamo center on March 3.

Q: Do you think that the Americans were correct with you and kept their word *vis-à-vis* the delegation?

Lizin: 'Absolutely. All our requests were granted. We for instance were able to see a place where interrogations were taking place, all the categories of accommodations - camps 1, 2, 3, and 4 - as well as cells. Time was limited and we still have several questions, but a procedure has been put in place to enable us to **ask** the questions that we **did** not have the time to ask, especially on the medical center and military intelligence. We were for instance quite interested in the medical center, because we think that **it** is there that one can see whether human beings are respected. **It** is clear that this medical center has quite recently been expanded and **it** is obvious that more attention is being devoted to this aspect. For lack of time, **I do** not have the statistics yet on the use of sleeping pills and tranquilizers in that medical center. We have asked for the monthly figures and we are awaiting them.'

Q: Are you confident that you will receive these responses?

Lizin: Yes ■am. I n Guantanamo, we were in the heart of the U.S. Army's logic: when it decides to speak out, it speaks out. And we were not prevented from talking with any particular warden who was not necessarily the one we were supposed to talk to.'

Q: What do you bring back from these discussions with wardens?

Lizin: 'One of them, whom we were not expected to meet with, told me after having answered our questions according to the manual during the first five minutes, that they were being insulted everyday. Another element is that there are now collective cells. We were able to see detainees and their daily life. The summary of the huge difficulty in which the world is finding itself is summarized in these collective cells, over which a warden is keeping watch. The warden in question happened to be a twenty-year-old woman, who was watching - that's all she had to do - a group of ten Afghans. She got some training and she told me that they are very kind. This shows that there are clear differences in that prison.'

Q: What kind of contacts did you have with detainees?

Lizin: 'We were only able to see them. We did not ask to talk to them, which would have required another composition of our delegation. There is a rule according to which all contacts with detainees must take place via the International Committee of the Red Cross, and we consider that this procedure is adequate.'

Q: Are over half of the detainees Afghan?

Lizin: 'Not over half of them. But there is a great number of Afghans, of Yemenis, and of Saudis.'

Q: You were allowed to sit in an interrogation session. Can you talk about it?

Lizin: 'We did not have the sound. We did not want to participate in anything that would have individualized our observations. There were three people: a warden who did not intervene, an interpreter, and the interrogator, who was a woman. This interrogation - which we selected ourselves - took place in good conditions. The detainee was sitting and had something to drink.'

Q: What do you conclude from this?

Lizin: 'That is an area where changes have taken place - I think that procedures have been modified but I cannot make any conclusion yet. Like everybody else, we **saw** the debate that took place at the State Department and first and foremost at the Pentagon on interrogation techniques. Our delegation was able to speak to the person who coordinates interrogations and who has modified interrogation techniques. Rather than a tough and **brutal** technique, interrogations are now much more based on an intellectual discussion.'

Q: There have clearly been changes...

Lizin: 'There is an (American) will to agree to some things, to make some concessions. According to the State Department, **it** would probably be in its interest to declassify some discussions. **I t** would perhaps be a positive manner to make people understand the military process. We will put in our OSCE report the elements that the State **Department** and the Pentagon appreciate

differently. The debate between the two is not over yet. Interrogation procedures have been modified based on analyses that were either coming from the American non-military sector or, which is more surprising, from the European military sector.'

Q: Is it because the collection of information's efficiency had been questioned, especially in your initial report last July?

Lizin: 'Exactly. What really pleased me is the fact that the man in charge of intelligence - an oldish person who knows Europe quite well - listened to his colleagues - who came to Guantanamo to prepare the transfer of detainees to their country of origin, was familiar with the OSCE report, and worked on several elements that we pointed out, such as interrogators who rotated too quickly - they took that into account - and how to make detainees change their attitude. In other words, how to make the relationship efficient.'

Q: What's the difficulty?

Lizin: 'We were granted access to the intelligence unit. It is a large variety of Jihadists that are being detained. That is very important to realize in order to understand the nature of the relationship: a sixty-year-old man does not have the same history with the U.S. Army if he has been in the anti-Communist Jihad as a twenty-year-old kid.'

Q: So, interrogation techniques have changed since (the Americans) have recognized the detainees' intellectual quality. What else?

Lizin: 'The Echo camp. These are small houses where some detainees are living and where genuine exchanges and discussions with detainees are possible.'

Q: Was the closure of Guantanamo ever mentioned?

Lizin: 'I am not going to answer that question.'

**Ms. Anne-Marie Lizin, OSCE Parliamentary Assembly Special
Representative on Guantanamo
To Washington, D.C. & Guantanamo Bay, Cuba.**

Revised (Final) March 1, 2006

THURSDAY, March 2

- 09:30 - 10:15 HON Daniel Fried
Assistant Secretary for Bureau of European
and Eurasian Affairs
Main State, Room 4517
POC: Carolann Marino
Tel: 202-647-9626
- 10:15 - 11:30 HON John Bellinger
State Department Legal Advisor
Main State, Room 6423
POC: Marianne Hata
Tel: 202-647-959s
- 11:30 - 12:00 Arrive Pentagon; clear security – River Entrance
- 12:00 - 13:15 Lunch - OSD/NAVY Dining (Pentagon)
OSCE/Embassy Staff will be escorted to the Navy Mess
Lunch will be Chesapeake Bay Crab Cakes w/Aioli Sauce
- 13:30 - 14:15 Briefings by DASD-Detainee Affairs, Joint Staff, General
Counsel, Health Affairs, and OARDEC
Location: SO/LIC Conference Room (5E440)
POC: Val Nelson (b)(6)
Alternate POC: Karima Hager (b)(6)
- 14:30 - 15:00 HON Jim Haynes
General Counsel of the Department of Defense
Location: General Counsel's Office (3B710)
POC: Captain Michael J. Boock
Alternate POC: Val Nelson (b)(6)
- 15:15 - 15:45 HON Gordon England
Deputy Secretary of Defense
Location: DSD Conference Room (3E678)
POC: Val Nelson (b)(6)
Alternate POC: Karima Hager (b)(6)

FRIDAY, March 3

- 04:00 – 04:15 Assemble at Pentagon for bus transportation
Location: South Parking, Pentagon
POC: Val Nelson (b)(6)
- 04:15 – 05:15 Travel to Andrews AFB by bus
- 05:15 – 06:00 Arrive Andrews, AFB. Wait for flight ops clearance to depart at the dignitary visitors lounge at Andrews AFB.
- SEE GTMO ACTIVITIES SCHEDULE---***
- 05:30 – 08:30 Departing Andrews AFB, arriving at
NAS Guantanamo Bay, Cuba
Breakfast (Pancakes, Fruit, Yogurt, drinks)
- 15:30 – 19:30 Departing NAS Guantanamo Bay, Cuba
arriving at Andrews AFB
Dinner (Dijon Beef Strips, vegetables, roll, tea, drinks)

Notes:

- ❖ Times of **departure/arrival** are estimated. Actual flight departure/arrival will not be earlier than times stated.
- ❖ **All** (even USG officials) travelers to Guantanamo Bay, Cuba, must possess valid passports for re-entry to the United States. One cannot re-enter the United States at Andrews without proper **identification/passport** documentation.
- ❖ Wear light clothing suitable for a *tropical climate*. You may wish to put on sunscreen. A hat is helpful. Sunglasses are essential.
- ❖ Baggage can be stored on the aircraft – it will be parked at GTMO while the delegation is visiting the detention facilities.
- ❖ Cell-phones, black berries, etc., will not work at all at GTMO. Emergency contact for this **trip** is Val Nelson, (b)(6) DoD-Detainee Affairs can reach GTMO *in an emergency*.
- ❖ Ms. Lizin and her party on 3 March will be met by Mr. Del Monte for round-trip service to/from Ms. Lizin's hotel to/from the Pentagon. **Morning pickup is tentatively scheduled for 3:45AM – but will be confirmed on 2 March.**

~~FOUO~~

INFO MEMO

10:42
DSD _____

FOR SECRETARY OF DEFENSE

FROM: Eric S. Edelman, Under Secretary of Defense for Policy *EE* MAR 24 2006

SUBJECT: After-Action Memo to the Interagency

- You said that we ought to get the after-action report from the OSCE rapporteur's visit to GTMO to key people in the interagency and in the Department (note next under).
- I recently signed out a memo (copy Tab A) that distributes the report to several people in the Department, plus Karen Hughes and J.D. Crouch.
- We will **work** with Karen to ensure that the successful results of the OSCE visit are reflected in her public diplomacy efforts.
- We will also continue to look for opportunities like this one to get our message out about U.S. policies and treatment of detainees at GTMO.

~~FOUO~~

11-L-0559/OSD/56242



OSD 03813-06

FOUO

March 13, 2006

031306-17

TO. Eric Edelman
FROM Donald Rumsfeld *DR.*
SUBJECT After-Action Memo to the Interagency

I think we ought to get this ~~after-action~~ on the OSCE around to the Interagency
and also to the people in the Department.

Thanks.

Attach: 3/8/06 USD (P) memo to SecDef (OSD 03813-06)

DHR:aa
031306-17

.....
Please Respond By 03/21/06

FOUO

OSD 03813-06

11-L-0559/OSD/56243

INFO MEMO

119
DSD _____

FOR SECRETARY OF DEFENSE

FROM: Eric S. Edelman, Under Secretary of Defense for Policy *EE* MAR 08 2006

SUBJECT: After-Action Report on OSCE Visit

- e I have attached Cully's after action report on the Lizin (OSCE Rapportuer) trip to GTMO. It appears it went very well.
- e The Lizin trip occurred March 3, 2006. We had briefings in the Pentagon on March 2. She traveled to Cuba on March 3 and spent the day at GTMO.
- The news reports are some of the best we have ever had about GTMO. Unfortunately, it is not being picked up by domestic news sources. Only the Washington Post (on-line website only) reported the news story.

COORDINATION: None.

Attachment: As Stated.

Prepared by: Bryan C. Del Monte, Office of Detainee Affairs, (b)(6)

OSD 03813-06

11-L-0559/OSD/56244
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11-L-0559/OSD/56244

INFO MEMO

PDUSD(P) - Copy Provided

FOR UNDER SECRETARY OF DEFENSE FOR POLICY

FROM: Charles D. Stimson, Deputy Assistant Secretary of Defense (Detainee Affairs) *CS 1-8-06*

SUBJECT: After-Action Report on Visit by Ms. Lizin of OSCE

- The **trip** went very well and believe it will have a positive influence on Lizin's report:
 - DoD will have **an** opportunity to comment on the draft report before publication.
 - Ms. **Lizin** was impressed by the access she had to DoD officials.
 - Based upon press statements, I believe that we made **a** favorable impression that will positively impact the report. (Tab A, B, & C)
- The luncheon and briefings we hosted provided an opportunity for a lively discussion about the **legal** framework and care and treatment issues.
 - During lunch, Dr. Winkenwerder visited **and** discussed detention health policy.
 - Ms. Lizin remarked that briefings provided by the **Office** of Detainee Affairs, Military Commissions, OARDEC, Joint Staff, and Health Affairs were helpful.
- Ms. Lizin had a brief private meeting the General Counsel:
 - Ms. Lizin asked about closing GTMO and the relationship (i.e. perceived discord) between DoD and State.
 - Mr. Haynes stated we were not seriously thinking about closing **GTMO** he stated that he had a cordial relationship with State/L.
- I believe that the Deputy's meeting with Lizin was colored by several factors beyond your (and **our**) control:
 - I believe that Ms. Lizin was intimidated in meeting the Deputy. I believe that she **did not** have a **game-plan and was nervous once in his office.**
 - I believe that the Deputy did an excellent job in reiterating the need for Lizin to be fair and accurate. I think this had a positive influence and **made our trip** more successful.



-
- Afterward, **Ms.** Lizin remarked to us that she was delighted to have met with the Deputy and that she was very surprised by the willingness of our most senior official to visit with her.
 - I believe she will note in her report that we provided her with extraordinary access.
 - The **GTMO** visit went very well:
 - We did add the extra member to the Lizin party per your direction. They were pleased we could accommodate them.
 - While we did not break up the delegation, **GEN** Hood did ask members of the **JTF staff** to accompany the delegation. They appreciated **this** special attention.
 - Medical staff provided a member of her staff with a feeding tube. The feeding tube is being favorably reported by the delegation. (Tab B).
 - Reporting about the trip:
 - Tabs **A** and **B** are the wire pieces about the **OSCE** visit. They were most impressed with the care and treatment of detainee.
 - State has provided us some rapid-response reporting on local (French/Belgian) news service reporting. It is favorable. I have attached the Q&A portion of the article *from Le Soir*. (Tab C)
 - I believe the reporting is some of the best we have ever had. Unfortunately, the wire stories are not being widely reported domestically.
 - I believe her report will focus on the "legal framework" and propose an international committee to resolve the matter. *Exactly* how workable such a recommendation would be is unclear.

COORDINATION None

Attachment: **As** Stated.

Prepared by: Bryan C. Del Monte, Office of Detainee Affairs, (b)(6)

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Guantanamo better than Belgian prisons-OSCE expert

06 Mar 2006 17:59:58 GMT

Source: Reuters

BRUSSELS, March 6 (Reuters) - inmates at Guantanamo Bay prison are treated better than in Belgian jails, an expert for Europe's biggest security organisation said on Monday after a visit to the controversial U.S. detention centre.

But Alain Grignard, deputy head of Brussels' federal police anti-terrorism unit said that holding people for many years without telling them what would happen to them is in itself "mental torture".

"At the level of the detention facilities, it is a model prison, where people are better treated than in Belgian prisons," said Grignard.

He served as expert on a visit to Guantanamo Bay last week by a group of lawmakers from the assembly of the Organisation for Security and Cooperation in Europe's (OSCE).

Grignard's comments came less than a month after a United Nations report said that Guantanamo prison detainees faced treatment amounting to torture.

Many of the 500 inmates in the prison at the U.S. naval base in Cuba have been held for four years without trial. The prisoners were mainly detained in Afghanistan and are held as part of President George W. Bush's "war on terror".

Grignard told a news conference that prisoners' right to practice their religion, food, clothes and medical care were better than in Belgian prisons.

"I know no Belgian prison where each inmate receives its Muslim kit," Grignard said.

Grignard said that while Guantanamo was not "idyllic", he had noticed dramatic improvements each time he visited the facility over the last two years.

The head of the OSCE lawmakers in the delegation said she was happy with the medical facilities at the camp, adding she believed they had been improved recently.

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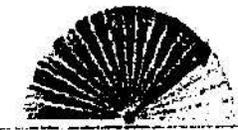
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same news conference she saw no point in calling for immediate closure of the detention camp.

"There needs to be a timetable for closure," said Lizin, but asking for immediate closure would have been unrealistic.

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In the press

Bird flu in Africa, underwriting Hamas and who created the Darfur crisis?

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U.N. investigators last month demanded that the U.S. government close the prison without further delay, alleging a host of violations of human rights and torture.

They did not visit the site because they were not allowed to conduct interviews with the prisoners.

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The OSCE plans to prepare a report by the end of May, touching on the delegation's concerns including the legal situation of detainees, Lizin added.

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World Vision aids Pakistan victims in forbidden quake zone

The United States is a member of the 55-country OSCE

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Last updated: Tue

Intl. Intelligence

Analysis: Gitmo inmates expect rescue

By ROLAND FLAMINI

UPI Chief International Correspondent

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Lizin was in Guantanamo last Friday on a fact-finding mission on behalf of the Parliamentary Assembly of the 55-nation Organization for Security and Cooperation in Europe. The invitation had come from the U.S. Defense Department, which earlier said the visit was being granted "on an exceptional basis" due to the number of requests from international bodies. The United States is one of the members of OSCE.

In February, the U.N. Human Rights Commission published a report calling for "the closure immediately of the Guantanamo detention center." The U.N. report, which was based on accounts from former inmates, alleged that some of the interrogating methods violated the convention on torture. It said the United States should "bring all detainees before an independent and competent tribunal, or release them." The United Nations official who prepared the report had refused to visit Guantanamo because he was told he would not be able to interview detainees. The same condition applied in the case of Anne-Marie Lizin and her small delegation, but they were able "to ask questions, approach and interact with any officer, soldier, or member of the staff they considered appropriate," she said.

Based on her observations and interviews with intelligence staff, interrogation staff, and medical personnel, Lizin will write a report for the OSCE Parliamentary Assembly's annual session in July. She hopes to address the issue of the "future of the the facilities in Guantanamo" -- in other words, the prospects of closing the place down. One possible recommendation she is considering is the formation of an international task force to tackle the wide range of problems connected with emptying out the detention camp that had sprung up following the Afghan war. The OSCE could organize the task force, but its membership does not include any Arab countries, and it was important that the group should have representatives from one or more Arab states. Lizin gave no indication that closing Guantanamo was in the forefront of the Bush administration's thinking. But she said complex talks are going on to transfer

nationals from Afghanistan, Saudi Arabia, and Yemen to their respective countries. At least two other states that have **been** approached -- Algeria, and Bahrain -- have refused to accept any of their own detainees.

To illustrate some of the complications involved a member of the delegation explained that when **two** Belgian **suspects** were released from Guantanamo a **year** ago, the Brussels government had to assure the Bush administration that the **two** men would be kept under surveillance even though **no** case had been made against them. The Belgians also pressed Washington for the declassification of U.S. documents relating to both men to keep in their files. It took almost a year for the U.S. authorities to hand over the documents, he added. Another issue with respect to **transferring** detainees remains the security of the jails in some of the countries of origin, notably Yemen.

Lizin said that the widespread opposition to Guantanamo was perhaps **surprising** since the Afghan war had had **Europe's** full approval. But she said the unpopularity of the **Iraq war** that followed, and the fact that the Bush administration seemed to have **no** clear view how to **proceed** against the detainees had **made** Guantanamo the target of scathing criticism. "Whatever it was when it was first opened five years ago, Guantanamo is now a real prisoner-of-war jail," she said. "Can you **dream** of something better for POWs?" The United States says it **is** at war, and according to the Geneva convention, prisoner-of-war are returned **to** their homes **at** the end **of the conflict**, she observed. But Jihad (meaning, in **this** context, Islamic **struggle**) is not covered **by** the Geneva Convention, so there are no international rules **on** how its fighters should be handled.

The Belgian politician quotes Guantanamo staffers as saying that many of the detainees say they are members of al-Qaida, but that they had **no** connection with the Sept 11, 2001 terrorist attacks on New York and Washington that transformed how the United States looks at security issues. They **also argue** that they are paying "for the strategies of their leaders, who remain free." The oldest of the 500 or so **detainees is in his sixties** and fought against the Soviet occupation of Afghanistan before he battled U.S. forces, staffers told Lizin. There are no longer any teenagers **among** the prisoners, not necessarily because they were released. Time marches **on**; and they have reached their 'twenties.

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Coverage of visit to Guantanamo by O X E Mmc. **Lizin**

Under the heading "Lizin Has Seen Another Guantanamo," Alain Lallemand in the main front page article of left-of-center *Le Soir* (3/6)(circ. 99, 300) reports: "Caution and diplomacy. When the President of the Belgian Senate Anne-Marie Lizin comes back from an official visit at the helm of an **OSCE** delegation to the Guantanamo detention center, she is not going to then make statements that she has not carefully chosen...

In a prominent article on page two and under the heading "Guantanamo has Changed its Procedures and **Is** Becoming More 'Civilized,'" Lallemand runs an interview with Anne-Marie Lizin who was allowed to visit the Guantanamo center on March 3.

Q: Do you think that the Americans were correct with you and kept their word **vis-à-vis** the delegation?

Lizin: 'Absolutely. All our requests were granted. We for instance were able to see a place where interrogations were taking place, all the categories of accommodations - camps 1, 2, 3, and 4 - as well as cells. Time was limited and we still have several questions, but a procedure has been put in place to enable us to ask the questions that we did not have the time to ask, especially on the medical center and military intelligence. We were for instance quite *interested* in the medical center, because we think that **it** is there that one can see whether human beings are respected. **I t** is clear that this medical center has quite recently been expanded and **it** is obvious that more attention is being devoted to this aspect. For lack of time, **I** do not have the statistics yet on the use of sleeping pills and tranquilizers in that medical center. We have asked for the **monthly** figures and we are awaiting them.'

Q: Are you confident that you will receive these responses?

Lizin: Yes ■am. In Guantanamo, we were in the heart of the US. Army's logic: when it decides to speak out, it speaks out. And we were not prevented from talking with any particular warden who was not necessarily the one we were supposed to talk to.'

Q: What do you bring back from these discussions with wardens?

Lizin: 'One of them, whom we were not expected to meet with, told me after having answered our questions according to the manual during the first five minutes, that they were being insulted everyday. Another element is that there ~~are~~ now collective cells. We were able to see detainees and their daily life. The summary of the huge difficulty in which the world is finding itself is summarized in these collective cells, over which a warden is keeping watch. The warden in question happened to be a twenty-year-old woman, who was watching - that's all she had to do - a group of ten Afghans. She got some training and she told me that they are very kind. This shows that there are clear differences in that prison.'

Q: What kind of contacts did you have with detainees?

Lizin: 'We were only able to see them. We did not ask to talk to them, which would have required another composition of our delegation. There is a rule according to which all contacts with detainees must take place via the International Committee of the Red Cross, and we consider that this procedure is adequate.'

Q: Are over half of the detainees Afghan?

Lizin: 'Not over half of them. But there is a great number of Afghans, of Yemenis, and of Saudis.'

Q: You were allowed to sit in an interrogation session. Can you talk about it?

Lizin: 'We did not have the sound. We did not want to participate in anything that would have individualized our observations. There were three people: a warden who did not intervene, an interpreter, and the interrogator, who was a woman. This interrogation - which we selected ourselves - took place in good conditions. The detainee was sitting and had something to drink.'

Q: What do you conclude from this?

Lizin: 'That is an area where changes have taken place - **I** think that procedures have been modified but **I** cannot make any conclusion yet. Like everybody else, we saw the debate that took place at the State Department and first and foremost at the Pentagon on interrogation techniques. Our delegation was able to speak to the person who coordinates interrogations and who has modified interrogation techniques. Rather than a tough and brutal technique, interrogations are now much more based on an intellectual discussion.'

Q: There have clearly been changes...

Lizin: 'There is an (American) will to agree to some things, to make some concessions. According to the State Department, **it** would probably be in its interest **to** declassify some discussions. **I t** would perhaps be a positive manner to make people understand the military process. We will put in our OSCE report the elements that the State Department and the Pentagon appreciate

differently. The debate between the two is not over yet. Interrogation procedures have been modified based on analyses that were either coming from the American non-military sector or, which is more surprising, from the European military sector.'

Q: **Is it** because the collection of information's efficiency had been questioned, especially in your initial report last July?

Lizin: 'Exactly. What really pleased me is the fact that the man in charge of intelligence - an oldish person who knows Europe quite well - listened to his colleagues - who came to Guantanamo to prepare the transfer of detainees to their country of origin, was familiar with the OSCE report, and worked on several elements that we pointed out, such as interrogators who rotated too quickly - they took that into account - and how to make detainees change their attitude. In other words, how to make the relationship efficient.'

Q: What's the difficulty?

Lizin: 'We were granted access to the intelligence unit. It is a large variety of Jihadists that are being detained. That is very important to realize in order to understand the nature of the relationship: a sixty-year-old man does not have the same history with the U.S. Army if he has been in the anti-Communist Jihad as a twenty-year-old kid.'

Q: So, interrogation techniques have changed since (the Americans) have recognized the detainees' intellectual quality. What else?

Lizin: 'The Echo camp. These are small houses where some detainees are living and where genuine exchanges and discussions with detainees are possible.'

Q: Was the closure of Guantanamo ever mentioned?

Lizin: 'I am not going to answer that question.'



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

CBG

MAR 23 2006

MEMORANDUM FOR ASSISTANT TO THE PRESIDENT AND DEPUTY
~~NATIONAL SECURITY ADVISOR~~
UNDER SECRETARY OF STATE FOR PUBLIC
DIPLOMACY AND PUBLIC AFFAIRS

CC: SECRETARY OF THE ARMY
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE
COMMANDER, UNITED STATES SOUTHERN COMMAND
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
ASSISTANT SECRETARY OF DEFENSE FOR
HEALTH AFFAIRS
ASSISTANT SECRETARY OF DEFENSE FOR
LEGISLATIVE AFFAIRS
ASSISTANT SECRETARY OF DEFENSE FOR
PUBLIC AFFAIRS

FROM: Eric Edelman *EE*

SUBJECT: After-Action Review of Lizin (OSCE) visit to DoD Detention facilities at Guantanamo Bay, Cuba.

The attached is an after-action review that my office prepared for the Secretary of Defense on Ms. Anne-Marie Lizin's trip to Joint Task Force - Guantanamo (JTF-GTMO). The Secretary has asked me to share it with you. I would ask that you disseminate it through your organizations as you find appropriate.

As you may recall, Ms. Lizin visited JTF-GTMO as a representative of the Organization for Security and Cooperation in Europe-Parliamentary Assembly (OSCE), March 3, 2006. This trip marked the first time an inter-governmental organization visited Guantanamo. I believe that the trip was successful and reflects what is possible when we put forward a concerted effort in public diplomacy. I believe based upon Ms. Lizin's press statement, the trip had a positive impact in broadening her understanding of our policies and the care and treatment of detainees at Guantanamo.



11-L-0559/OSD/56256

March 8, 2006
9am

TO: Honorable John Negroponte

FROM: Donald Rumsfeld

RE: Document Exploitation

As discussed this morning, attached are notes to Steve Hadley and Congressman Hoekstra. Provided for your **prior** to your testimony.

OSD 03817-06

11-L-0559/OSD/56257

1

FOUO

March 06, 2006

TO: Stephen J Hadley
CC: Eric Edelman
STEVE CALABONE
FROM: Donald Rumsfeld *DR*
SUBJECT: Document Exploitation

John Negroponte has the action on this issue of document exploitation and whether or not we ought to simply release it all, as Congressman **Hoekstra** is suggesting. I haven't had a chance to talk to **John** about it, but my personal view is that we ought to just release it all and get it done. I think the burden of proof ought to be why we shouldn't, rather than why we should.

I think it is an NSC issue and you ought to get into it. Maybe there is something I don't know that I should know, but please let me know what I should be doing, if anything.

Thanks.

DHR.dh
030606-25

FOUO
11-L-0559/OSD/56258

OSD 03620-06



THE SECRETARY OF DEFENSE
WASHINGTON

DEC 15 2005

IRHQ

The Honorable **Peter Hoekstra**
U.S. House of Representatives
Washington, DC **20515**

Dear Congressman Hockstra,

In following up on your suggestion that Iraqi documents be released on the internet, I **am** told that control over those materials rests with the Director of National Intelligence, Ambassador John Negroponte, **and** possibly the sovereign Iraqi government.

I think you have **an** interesting idea. The only good argument against it that I have heard **thus far** is that apparently some of the material contains information on how to make ricin and that type of thing. It is certainly not a good idea to **be** putting out that type of information.

In **any** event, I have talked to John Negroponte, **and** he is working **on** it.

With my appreciation and best wishes,

Sincerely,

15 APR 05

OSD 24144-05

THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

March 8, 2006, 1:00 PM

ACTION MEMO

3/13 ✓
1920



LEGISLATIVE AFFAIRS

SECRETARY OF DEFENSE

Robert Rangel

FROM: Robert Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs, (b)(6)

Robert L. Wilkie

3/13

SUBJECT: Snowflake Response, Engagement with Members of Congress

You also asked me for an engagement plan for Congressional meetings this year.

- Taken together, you have asked to meet with about 170 Members of Congress this year (SASC/HASC; SAC-D/HAC-D; SSCI/HPSCI). This excludes regular hearings and briefings. There are also a dozen or so other supporters I think you ought to meet with.
- I looked at the calendar and eliminated planned recesses, dates when you will be out of town, and Mondays and Fridays when Members are still at home. I also believe we have to get through any engagement plan by the end of September, as the mid-term election will be in full swing. We are left with only 30 days to engage Members.
- You might consider a more strategic approach to engagement with Congress. I would like to establish a regular time block on Wednesday afternoons for you to meet with Members on our committees as the need arises. I would like to continue to use the Thursday time blocks to get you to the Hill to strategically engage with supporters.
- You should also consider inviting some Members to travel with you, or engaging Members in their districts when you travel domestically.
- You also suggested that we offer tours of the Pentagon and briefings to personal staff of those members on our committees. It is an opportunity we have offered in the past. I would like to offer the tour and a 30 minute session with you (or, if you are not available, with other key civilian or military leaders) to the personal office military legislative assistants, press secretaries, and other key advisors/staffers.

Recommendation: Approve this strategy for immediate implementation.

SECDEF DECISION:

Approve: _____

Disapprove: _____

Other: See ME

Attachments: Snowflakes #011906-13, #021206-25, #021506-25, #0011906-003837-06

SA SD	3/13	SMA DSD	
SA ST	02/13	SA DSD	
REC SEC	M3/13	0835	3/13
DDA			

afin: Director for Communications, (b)(6)

11-L-0559/OSD/56260

Handwritten initials

032

8 Mar 06

20 Jan 06

FEB 14 2006

2006 FEB 14 11:35

TO: Robert Wilkie
CC: Steve Rucci
Cathy Mainardi
FROM: Donald Rumsfeld *DR*
SUBJECT: Inviting Members to Lunch at the Pentagon

I would like to have Congressman Vic Snyder over ~~for~~ lunch sometime. Some other people we ought to have over are Pratt and Udall.

Let's establish a policy that sometime between now and the end of the year we will have invited every member of the House and Senate Armed Services, Intelligence, and Defense Appropriations Sub-Committees.

Thanks.

DRR:cc
021206-25 (TS) doc

.....

~~FOUO~~

OSD 03838-06

11-L-0559/OSD/56261

FOUO

2006 FEB -9 AM 11:35

February 14, 2006

TO: Robert Wilkie

FROM: Donald Rumsfeld

D.R.

SUBJECT: Meeting with all Members of SASC, HASC, HAC-D and SAC-D

I want to make sure that over this year I have all the Members of the House and Senate Armed Services Committee and the House and Senate Defense Appropriation Sub-Committees down to the Pentagon for a meal. We need to systematically lay it out.

Please put together a program. We can have them in for breakfast or lunch, or have them come in when we have visiting dignitaries. We could have meals up on the Hill, here at the Pentagon, or elsewhere.

Thanks.

DHR:ss
021406-03

.....
Please Respond By 03/09/06

FOUO

11-L-0559/OSD/56262

OSD 03839-06

~~FOUO~~

021506-25 35

February 15, 2006

TO: Robert Wilkie

FROM: Donald Rumsfeld

DR

SUBJECT: Possible Tour and Briefing for Personal Staff

What do you **think** about inviting the personal staff of all the Members of the Senate and House Armed Services Committees, HASC and possibly the Defense Appropriation Subcommittees who work on defense issues to the Pentagon for a tour and briefing sometime? I **am** referring to the personal staff, not the committee staff.

Thanks.

DHR.ss
021506-25

.....
Please Respond By 03/02/06

~~FOUO~~

OSD 03840-06

11-L-0559/OSD/56263

~~FOUO~~

JAN 20 2006

11:35

TO: Robert Wilkie
CC: Dan Stanley
Robert Rangel
FROM: Donald Rumsfeld 
SUBJECT: Meetings with Congressional Members

I do want to meet more often with Members of Congress, and we should get a schedule out, and make sure we get going on it.

Thanks.

DHR:as
01/19/06

.....

~~FOUO~~

11-L-0559/OSD/56264

OSD 03837-06



THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, DC 20301-1300

INFO MEMO

March 8, 2006, 1:00 PM

11:35

FOR: SECRETARY OF DEFENSE

FROM: Robert Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs, (b)(6)

SUBJECT: Snowflake Response, Engagement with Members of Congress

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- Taken together, you have asked to meet with about 170 Members of Congress this year (SASC/HASC; SAC-D/HAC-D; SSCIIHPSCI). This excludes regular hearings and briefings. There are also a dozen or so other supporters I think you ought to meet with.
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SECDEF DECISION:

Approve: _____
Disapprove: _____
Other: _____

Attachments: Snowflakes #011906-13, #021206-25, #021506-25, #021406-03

Prepared by Claude Chafin: Director for Communications, (b)(6)

OSD 03837-06

11-L-0559/OSD/56265

FEB 14 2006

11:35

TO: Robert Wilkie

CC: Steve Bucci
Cathy Mainardi

FROM: Donald Rumsfeld *DR*

SUBJECT: Inviting Members to Lunch at the Pentagon

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Let's establish a policy that sometime between now and the end of the year we will have invited every member of the House and Senate Armed Services, Intelligence, and Defense Appropriations Sub-Committees.

Thanks.

DRB:sc
(21286-25) (IS) (cc)

.....

~~FOUO~~

OSD 03838-06

11-L-0559/OSD/56266

FOUO

February 14, 2006

TO: Robert Wilkie
FROM: Donald Rumsfeld *DR*
SUBJECT: Meeting with all Members of SASC, HA HAC-D and SAC-D

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Thanks.

DR:as
021406-03

.....
Please Respond By 03/09/06

FOUO

OSD 03839-06

11-L-0559/OSD/56267

~~FOUO~~

11:35 February 15, 2006

TO: Robert Wilkie

FROM: Donald Rumsfeld *DR*

SUBJECT: Possible Tour and Briefing for Personal Staff

What do you think about inviting the personal staff of all the Members of the Senate and House Armed Services Committees, HASC and possibly the Defense Appropriation Subcommittees who work on defense issues to the Pentagon for a tour and briefing sometime? I am referring to the personal staff, not the committee staff.

Thanks

DHR:as
02/15/06-23

.....
Please Respond By 03/02/06

~~FOUO~~

OSD 03840-06

11-L-0559/OSD/56268

~~FOUO~~

February 14, 2006

210

TO: David Chu
CC: Robert Wilkie
FROM: Donald Rumsfeld
SUBJECT: Answers for Congressional Meeks Questions

DHK:ed
021206-21

.....
Please Respond By March 07, 2006

14 Feb 06

OSD 03908-06

~~FOUO~~

11-L-0559/OSD/56269



PERSONNEL AND
READINESS

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

OFFICE OF THE
SECRETARY OF DEFENSE

2006 MAR -9 PM 5:40

210

INFO MEMO

March 9, 2006 - 2:30 p.m.

FOR: SECRETARY OF DEFENSE

FROM: DR. DAVID S. C. CHU (P&R) *Dr. David S. C. Chu*

SUBJECT Answers for Congressional Meek's Questions (SNOWFLAKE)

- I met (March 7th) with Congressman Meek, as you promised in the House Armed Services Committee hearing. His interest is in the diversity of our flag and general officer ranks (or lack thereof).
- I explained that in our "closed" personnel system, the senior officers reflect merit promotions of junior officers. Thus, to increase diversity we must increase the number and quality of candidates. I believe I made some progress in soliciting his assistance on both fronts.
- He has asked for a briefing on how the promotion system works, and we will provide it.

9 Mar 06

Prepared by: Stephen M. Wellock (b)(6)

14 Feb 06

OSD 03908-06



~~FOUO~~

Feb 09, 2006
I-06/001742
ES-5213

TO Eric Edelman
FROM Donald Rumsfeld *DR*
SUBJECT: Training Course for NATO

Please talk to ^TMary Hoffmann more about his idea of having a training course on civil affairs, the economy and the like for NATO people going to Afghanistan. Let me know what you think.

Thanks.

DHR:dh
020806-01

.....
Please Respond By March 09, 2006

OSD 03968-06

~~FOUO~~

11-L-0559/OSD/56271

~~FOUO~~

INFO MEMO

SECRETARY OF DEFENSE

OSD 03968-06
MAR 10 2006

FOR: SECRETARY OF DEFENSE

FROM: Eric S. Edelman, Under Secretary of Defense for Policy *EE* MAR 10 2006

SUBJECT: Training Course for NATO (U)

- You asked us to talk to Marty Hoffmann about his idea of having a training course for NATO people going to Afghanistan. He believes Provincial Reconstruction Teams (PRTs) could do more to work through the Afghanistan Solidarity Program to accelerate development, security, and living standards for the rural citizens of Afghanistan.
- We are doing the following:
 - OSD, working with the Joint Staff, is organizing a conference in Europe early this summer, designed to encourage countries engaged in PRTs to commit the required personnel and financial resources to ensure they are fully prepared to address governance, agriculture reform, and reconstruction and development; and
 - In April, NDU is sponsoring a week-long PRT training course for U.S. civilians and military commanders deploying to PRTs. It will address the need for a comprehensive approach to stabilization in the provinces. Canada intends to send its PRT commander; ISAF has been invited to send representatives.
- We continue to encourage NATO and other coalition partners to meet these challenges:
 - Bilaterally, since NATO-ISAF does not have purview over a PRT's civilian element and pre-deployment training is a national responsibility. Much of the reconstruction and development actions will need to be coordinated and implemented in the civilian element;
 - Multilaterally by enjoining the U.S. Embassy and CFC-A in Kabul to assure the effectiveness of the donor Joint Coordination and Monitoring Board (approved at the London Conference) and the PRT Executive Steering Committee;
 - o However, after ISAF Stage IV expansion, CFC-A will have devolved its PRT responsibility solely to NATO;
 - Through NATO by encouraging Allies to incorporate lessons learned and best practices into their operations.
 - o The ISAF Spring Periodic Mission Review is underway; we will provide comments on the need to increase the effectiveness of ISAF PRT operations.

OSD 03968-06



~~FOUO~~

Prepared by Col Richards, ISP/NATO (b)(6) 8 March 2006

11-L-0559/OSD/56272

~~FOUO~~

Coordination

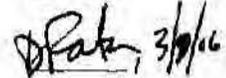
Reviewed by: ASD International Security Policy (Peter Flory)

 MAR 9 2006

Afghanistan Reconstruction Office (Marty Hoffmann)

8 March

DASD Eur&NATO Policy (Dan Fata)

 3/9/06

Senior Advisor, Coalition Affairs (Debra Cagan)

8 March

PD NESA (BGen Paula Thomhill)

7 March

Director Joint Staff J-5 NATO Policy (Col Bryan Gallagher)

7 March

Director, NATO Policy (Tony Aldwell)

7 March

~~FOUO~~



* 0 6 / 0 0 1 7 4 2 - E S *

Prepared by Col Richards, ISP/NATO (b)(6) 8 March 2006

11-L-0559/OSD/56273

~~FOUO~~

January 13, 2006

06/000605
ES-5072

TO: Eric Edelman

CC: Gen Pete Pace
Tina Jonas
Gordon England

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Funding of Iraqi and Afghan Security Forces

We simply have to **pull** together **the** information on funding the Iraqi and Afghan Security Forces.

To do *so*, we need to:

1. Know their budgets for two or three years **out**.
2. Know what kind of help we can expect to get **from** other countries.
3. Know what we think the appetite is in the U.S. Congress.
4. Know what **we** think the capabilities of those countries are.
5. Insist they establish appropriate priorities and that we agree with those authorities to the extent we will be assisting in the funding.

Please lay out a program, and get back **in** touch with me.

Thanks.

DHR:gs
011306-11

.....
Please Respond By 02/15/06

~~FOUO~~

OSD 03974-06

11-1-06 11:15 AM

11-L-0559/OSD/56274

03/08 08:18:59

INFO MEMO

DSD
USD(P) *[Signature]* MAR 10 2006

I-06/000605 ES-5072

FOR SECRETARY OF DEFENSE

FROM: Peter W. Rodman, Assistant Secretary of Defense (IS) *N.* MAR 8 2006

SUBJECT: Funding of Iraqi and Afghan Security Forces

- You asked to “pull together the information on funding the Iraqi and Afghan Security Forces” and to “lay out a program.”
 - We are still gathering data on the Iraqi Security Forces and will forward that information to you soon.
- U.S. and Government of Afghanistan (GoA) priorities for the development of Afghan National Security Forces (ANSF) are:
 - Give priority of effort to Afghan National Police (ANP), currently 2 years behind the Afghan National Army (ANA) in development.
 - Focus on ANA quality and sustainability vs. quantity. The ANA is nationally respected and becoming increasingly effective.
- Overview of the ANP and ANA programs:
 - ANP are projected to be fully equipped by September 2009.
 - o Rank reform, regional command and control, and sizing the police organization are paramount.
 - With the exception of the Air Corps, the ANA is projected to be fully equipped by September 2009.
 - o Goal is to develop a quality force of five (5) Corps (50K soldiers). Growth to a 70K force is conditions based and will be jointly assessed.
 - o ANA and ANP will be capable of beginning limited independent operations by the end of 2007 and 2008, respectively.

OSD 03974-06

~~FOR OFFICIAL USE ONLY~~

- ANA will require enablers such as close air support, intelligence, and theater lift from the international community beyond 2010.
- Coalition support:
 - The U.S. will continue to provide the bulk of the security force training personnel.
 - o 42 countries also participate in training, equipping and mentoring.
- ANSF total funding profile is approximately \$8.5B USD for FY2006-2010:
 - U.S. requested and projected funding requirement is \$8.0B (approximately \$1.6B annually).
 - GoA will provide approximately \$500M of the ANSF requirement (approximately 50% of total GoA annual budgets).
 - o The U.S. provides the other half.
- Congressional support:
 - Based on past support, Congress should remain supportive of Afghan security force programs as long as forward progress is maintained.
- MG Durbin, Commander, Office of Security Cooperation, Afghanistan, is tentatively scheduled to brief you on the security forces program on or about March 15, 2006. A detailed brief is at TAB A.

(U) COORDINATION: TAB B

Attachments:
As Stated

Prepared by: Mr. David W. Lam, NESA/ISA (b)(6)

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11-L-0559/OSD/56276

UNCLASSIFIED

Afghan National Security Force Program, 2006-2010



Briefing to the Secretary of Defense 28 February 2006

UNCLASSIFIED

(DELIBERATIVE DOCUMENT: For discussion purposes only. Draft working papers. Not subject to FOIA release)

11-L-0559/OSD/56277



Purpose

- ❑ **To brief the SECDEF on the Afghan National Security Force (ANSF) program, including:**
 - ANSF program priorities
 - Coalition support and capabilities.
 - Projected budget.
 - Congressional support.



POLICY

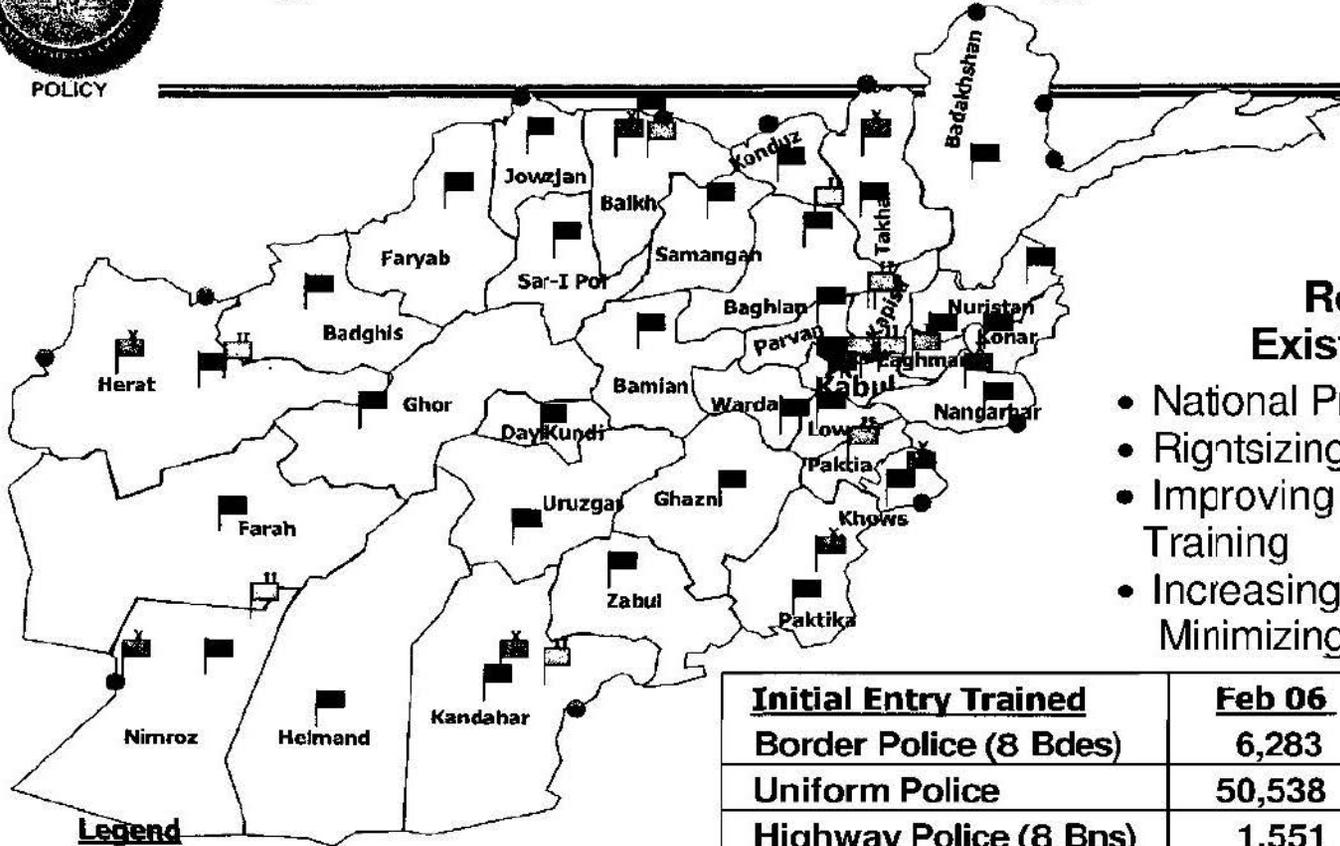
Afghan National Security Force Program Priorities

□ CFC-A and the GoA developed the following ANSF priorities:

- **Afghan National Police** – top ANSF development priority:
 - Reforming an existing institution – *harder than starting anew*
 - Border police is main effort
 - 2 years behind Afghan National Army – ANP are marginally effective, poorly led, corrupt
 - FY06 Supp closes gap with ANA to one year with training complete in 2007.
 - Rank reform, regional command and control, and organization right-sizing the ANP to a 62k force



Afghan National Police Program



Reforming an Existing Institution

- National Presence and Capacity
- Rightsizing Force Levels
- Improving Capability/Skill Through Training
- Increasing Professionalism / Minimizing a Culture of Corruption

<u>Initial Entry Trained</u>	<u>Feb 06</u>	<u>Feb 07</u>	<u>Trained 07</u>
Border Police (8 Bdes)	6,283	12,000	100%
Uniform Police	50,538	44,300	100%
Highway Police (8 Bns)	1,551	3,400	100%
Total Police:	61,930*	59,700	100%

<1 Year Assessment: Marginally Effective -- Poorly Led – Corrupt
“Gain Momentum”

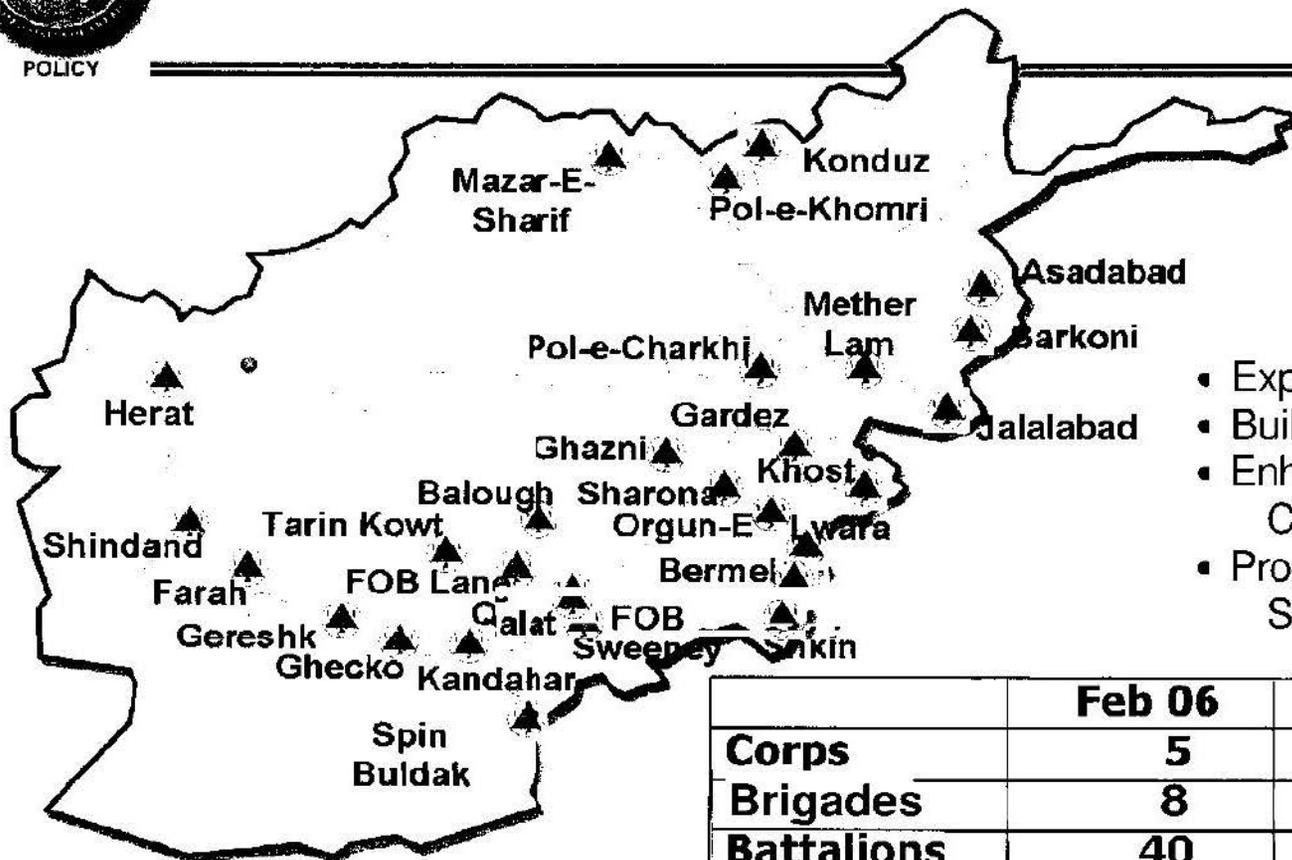


Afghan National Security Force Program Priorities

- **Afghan National Army**
 - Building a new institution
 - Increasingly effective, loyal, professional, and well led – nationally respected -- can adequately defend Afghanistan
 - Developing quality force--5 Corps / 50k soldier strength for **now** –
 - Growth to 70k force structure is conditions based & jointly assessed by the GoA and US
 - Other capability trades possible
 - Training & coalition partnering efforts focus progress from Company to Battalion level operations



Afghan National Army Program



Building an Institution

- Expanding National Presence
- Building Quality over Quantity
- Enhancing Self-sustaining Capabilities
- Program completed Sep 2009

	Feb 06	Feb 07	Sep 09
Corps	5	5	5
Brigades	8	9(-)	14*
Battalions	40	46 *	65BN/23SQN
Soldiers	30,488 **	39,500	70,000*

* Fielding plan currently under review
 ** Includes 3,737 Soldiers in Training

3 Year Assessment: Generally Effective -- Well Led – Trusted
“Maintain the Momentum”

(DELIBERATIVE D)



Coalition Support to the Afghan Security Forces

□ Afghan National Police (ANP)

- **OSC-A** (345 U.S. Military) mentors & trains the Ministry of Interior and Police
 - Additionally 235 contract civilian mentors / advisors / trainers
 - Growing to 388 this year (FY06 Supp)
 - Central Training Center and 6 Regional Training Centers provide basic police skills, literacy, driving, and weapons firing

- **Germany** (40 German Police):
 - Sponsors the Police Academy for ANP officers / NCOs
 - Sponsors four border crossing points (Towr Kham, Heratan, Towraghundi, & Islam Qalah)
 - Coalition nations / international community provide approx 35 mentors & advisors



Coalition Support to the Afghan Security Forces

□ Afghan National Army (ANA) – 42 countries assist

- **CFC-A (700 US) & Office of Security Cooperation – AFG (OSC-A) (345 US)**
 - Mentors, trains, & partners the Ministry of Defense, General Staff, & Army.

- **CJTF-Phoenix (2,117 US; *coalition 159*)**
 - Embedded Tactical Trainers (ETTs) -- mentor the Army at regional corps, brigade, and battalion level.
 - Support training centers including Kabul Military Training Center (KMTC)
 - Provide sustainment for ANA nationwide.

- **CJTF-76 (16,743 US)** provides active partnership to the Army.

- **CJSOTA ODA/ODB** teams provide active partnership to the Army (through their foreign international defense focus).



Coalition Support to the Afghan Security Forces

- **Coalition / NATO-ISAF (< 1,380) :**
 - Supports KMTC -- focused on soldier, NCO, officer training & development, and mobile training teams.
 - Currently sourcing Operational Mentor Liaison Teams to mentor Army units in areas transitioned to NATO-ISAF.
 - Provides active partnership within national caveat limitations.



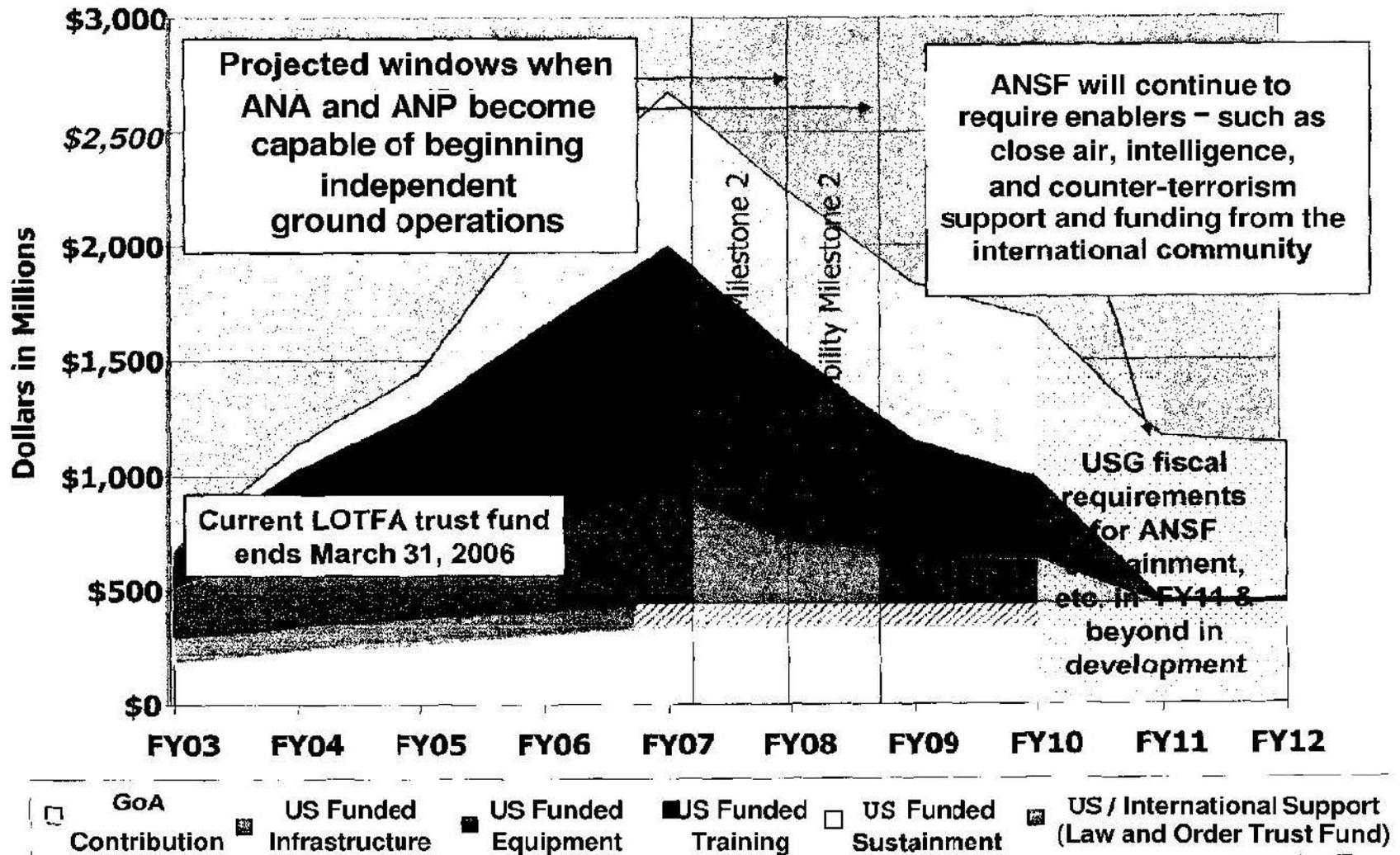
Requested and Projected Fiscal Requirements for Afghan National Security Forces (ANSF)

- ❑ **U.S. requested and projected funding requirements to complete fielding of the Afghan National Security Forces for FY 2006-2010 is \$86.**
 - Afghan National Army, Afghan National Police, Detainee Operations, and Counter-narcotics average \$1.6M annually.
- ❑ **GoA (MoD and Mol) is projected to fund approximately \$500M USD of the ANSF requirement from FY 2006-10.**
 - This represents nearly 50% of GoA annual budgets.
 - Operational readiness and responsibility transfer will precede fiscal responsibility transfer.



POLICY

Requested and Projected Fiscal Requirements for Afghan National Security Forces (ANSF)



(DELIBERATIVE DOCUMENT For discussion purposes only. Draft working papers Not subject to FOIA release)



Congressional Support

- Congressional support for funding Afghan National Security Forces has been consistently positive.**
- Anticipate continued Congressional support provided that DoD can show progress in the development of the ANSF and NATO success.**

UNCLASSIFIED

Afghan National Security Force Program, 2006-2010



BACK-UP SLIDE

UNCLASSIFIED

(DELIBERATIVE DOCUMENT: For discussion purposes only. Draft working papers. Not subject to FOIA release)

11-L-0559/OSD/56289



DoD / DoS Requested and Projected Security Force Requirements

(in millions of dollars)

	2006 Supl Req	2007 Supl Req	2008 Projection	2009 Projection	2010 Projection	Total
ANA	823	810	641	498	494	3,266
ANP	1,361	186	1,130	872	731	4,280
Detainee Operations	14	16	5	4	5	44
Counter- narcotics	120*	28	38	43	47	276
Law and Order Trust Fund (LOTFA)	58	48	-	-	-	106
Total	2,376	1,088	1,814	1,417	1,277	7,972

*FY06 counter-narcotics figures for Afghanistan. 2007-2008 counter-narcotics figures are CENTCOM-wide area.

MARK CLASSIFICATION HERE

POLICY COORDINATION SHEET

Subject: Funding of Iraqi and Afghan Security Forces
I-Number: I - 06 / 000605 ES-5072

<u>Title/Organization</u>	<u>Name</u>	<u>Date</u>
PDASD ISA	Ms. Mary Beth Long	<u>TBY</u>
Principal Director, NESA	Brig Gen Paula Thornhill	<u>P. Thornhill 3/2</u>
Deputy Director, SA	Ms. Laura K. Cooper	<u>Laura Cooper 3/1/06</u>
Joint Staff	COL Wood	24 February 2006
OSD, Comptroller	Mr. Draudt	1 March 2006
OSD, LA	Mr. Sullivan	1 March 2006

For Use Only
MARK CLASSIFICATION HERE

11-L-0559/OSD/56291

~~FOUO~~

MAR 10 2006

TO: Stephen J Hadley

FROM: Donald Rumsfeld

DR

SUBJECT: LA Times Article

ICAD

You ought to read the attached article. You may recall I mentioned **this problem** to you and **Condi the other** day.

Attach: *Los Angeles Times* article "Book Casts Doubt on Case for War"

DHR:ss
030806-19

OSD 03984-06

10MAR06

~~FOUO~~

11-L-0559/OSD/56292

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<http://www.latimes.com/news/nationworld/world/la-fg-britbook11feb11,0,2940212.story?coll=la-home-headlines>

From the Los Angeles Times

Book Casts Doubt on Case for War

Believing the evidence fell short, Bush discussed with Blair the possibility of inciting a conflict with Iraq, British author says.

By John Daniszewski
 Times Staff Writer

February 11, 2006

LONDON — It was the end of January 2003. Secretary of State Colin L. Powell was five days away from giving a critical speech at the U.N. Security Council, laying out the case that Iraq was hiding weapons of mass destruction and posed a danger to world peace.

But huddled with aides at the White House, President Bush and British Prime Minister Tony Blair were not sure there was enough evidence to convince the Security Council. Without the council's explicit authorization, their plans for an invasion to depose Saddam Hussein could be difficult to defend under international law.

Bush proposed an alternative: paint a U.S. spy plane in United Nations colors and see if that didn't tempt Hussein's forces to shoot at it. In any case, he said, the war was "penciled in" for March 10 and the United States would go ahead with or without a second U.N. resolution.

Blair replied that he was "solidly with" the president.

That is the gist of an account of the Jan. 31, 2003, meeting contained in the new edition of "Lawless World," a book by British author Philippe Sands. He has not identified the writer of the memorandum on which the account is based, but British media reports say it was one of the aides in attendance: Sir David Manning, then security advisor to Blair and now the British ambassador in Washington.

A spokesman for Blair on Friday refused to address the allegations but repeated Downing Street's insistence that there was no decision to commit British forces to war in Iraq until after it was authorized by Parliament on March 18, two days before the invasion was launched.

A spokesman for Manning said the ambassador would not comment.

Sands, 45, is a professor of international law and a founding member of the Matrix law office in London, where Cherie Blair, the prime minister's wife, also works. His book, initially published last

year, is not primarily about the decision to go to war in Iraq. Rather, it examines a range of issues in which, he argues, the Bush administration, with Britain's complicity, has undermined the "rules-based" international system built largely by the United States and Britain after World War II.

Sands said there was no doubt about the authenticity of the documents he quotes.

"They have not been denied, and they cannot be denied," he told the Los Angeles Times this week. Britain's Channel 4 News said it had seen the document outside Britain. The channel's Jon Snow presented excerpts in a broadcast last weekend.

The text, in Sands' view, shows that U.S. and British leaders had determined six weeks before the invasion to launch a war to disarm Hussein, even without explicit U.N. approval.

According to the secret notes of the meeting, as paraphrased in Sands' book and then quoted directly by Channel 4, Bush told Blair that "the U.S. was thinking of flying U2 reconnaissance aircraft with fighter cover over Iraq, painted in U.N. colors. If Saddam fires on them, he would be in breach" of U.N. resolutions.

Bush also was quoted as saying an Iraqi defector might make a public presentation about weapons of mass destruction in Iraq and that there was a small possibility the Iraqi leader would be assassinated.

The accounts say Bush promised to put the full weight of the United States behind getting another U.N. resolution, but if that failed, military action would follow anyway. He is also quoted as saying he believed that internecine warfare in Iraq was unlikely.

Blair is quoted as saying that a second Security Council resolution was desirable to "provide an insurance policy against the unexpected, and international cover — including with the Arabs." But he is also quoted as saying he was behind Bush.

"The documents ... indicate very clearly that neither man considered that the British or American governments had enough evidence," Sands said. "Why would the U.S. president and the British prime minister spend any time concocting ways of provoking a material breach if they knew they could prove Saddam had weapons of mass destruction?"

Sands contends that U.S. and British actions have eroded pillars of international relations such as the U.N. Charter, the Universal Declaration of Human Rights and the Geneva Convention, and that has made international action in Iraq more difficult.

"By ripping up the rule book, they undermined their ability to forge a consensus," he said.

Sands saw a "setting aside of the classical rules of international law, which basically say you can only use force in two circumstances: in self-defense or where the Security Council has authorized the use of force.... They never argued self-defense," he said. "So they argued that the Security Council had agreed to the use of force. I don't think there are many people who accept that argument."

Ian Gleeson, a spokesman for the British government, said the country had waited until March 18 to commit its forces and earlier pursued "all other avenues" to compel Hussein to disarm.

"Obviously, all these matters have been thoroughly investigated during the various inquiries we've

had here, so we've got nothing further to add, and I am certainly not commenting directly on the book," Gleeson said.

When asked about the allegations in Washington last week, State Department spokesman Sean McCormack said: "Look, this is ground that has been plowed over and over and over again. The president **and** others couldn't have been more clear where we stood at that point in time with respect to seeking a diplomatic solution versus a military alternative."

Sands disagreed with the assertion that Blair's conduct had already been investigated, adding that the documents now coming out could form the basis of an impeachment motion against the British prime minister.

"He misled Parliament as to the state of his knowledge [about Hussein's weapons], and he misled Parliament as to the extent to which he had or had not committed to the U.S. president the United Kingdom's support, and that requires, at the very least, a full and thorough inquiry."

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PARTNERS:



~~FOUO~~

February 01, 2006

TO: Robert Wilkie
CC: Robert Rangel
FROM: Donald Rumsfeld *DR*
SUBJECT Group with Senator Martinez

Senator Mel Martinez is interested in getting a group together to meet with Pete Schoomaker and try to help defuse the problems relating to the Guard, which he feels are building, not receding.

Thanks.

DHR:dk
020106-02

.....
Please Respond By March 02, 2006

~~FOUO~~

OSD 03987-06

11-L-0559/OSD/56296



LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

OFFICE OF THE
ASSISTANT SECRETARY OF DEFENSE
274 117 10 PM 4:30

INFO MEMO

March 10, 2006 2:15 PM

FOR: SECRETARY OF DEFENSE

FROM: Robert L. Wilkie, Acting Assistant Secretary of Defense
for Legislative Affairs, (b)(6)

Robert L. Wilkie

SUBJECT: Snowflake Response-Senator Martinez issue regarding the National Guard

You asked about Senator Martinez (R-FL) getting a group together to defuse Guard issues.

- For background, you and General Schoomaker met for breakfast with a group of Senators January 26th on Capitol Hill. Senator Martinez attended the breakfast.
- Secretary Fran Harvey contacted Sen. Martinez on February 9th to discuss Army Force Structure and the Senator's concerns.
- Subsequent to this phone call, the Military Legislative Assistant, Ms. Laura Parker, indicated Sen. Martinez no longer required an office call with the Secretary of the Army and General Schoomaker.
- Instead, the Senator met on March 8th with MGen Douglas Burnett, the Florida Adjutant General, BGen Richard Formica, the Army Deputy G-3 for Force Modernization, and BGen Alberto Jimenez, Special Assistant to the Director at the National Guard Bureau, to discuss Army Guard Force Structure.
- The Senator attended only briefly and the ensuing twenty minute discussion among the generals covered budgets, perceived force structure cuts, and the Future Combat System.
- Laura Parker, MLA to Sen. Martinez, confirmed this matter was satisfactorily addressed by Army leadership.

Attachments:

Snowflake #020106-02 (TAB A)

OSD 03987-06

Prepared by Capt J.M. Cathey, Director Senate Affairs, (b)(6)

11-L-0559/OSD/56297

~~FOUO~~

February 01, 2006

TO: Robert Wilkie
CC: Robert Rangel
FROM: Donald Rumsfeld *DR*
SUBJECT: Group with Senator Martinez

Senator Mel Martinez is interested in getting a p u p together to meet with Pete Schoomaker and try to help defuse the problems relating to the Guard, which he feels are building, not receding.

Thanks.

DHR:dh
020106-02

.....
Please Respond By March 02, 2006

~~FOUO~~

OSD 03987-06

11-L-0559/OSD/56298

FEB 14 2005
I-06/001869
ES-5229

NATO OPR

TO: Eric Edelman
CC: Steve Cambone
FROM: Donald Rumsfeld *DR*
SUBJECT: NATO Countries' Common Threat Assessment

The only way we will be able to get the NATO countries percentage of GDP for defense up is if we all have a common threat assessment.

Please come to me with a proposal.

Thanks.

DHR:ss
021206-16 (TS), doc

.....
Please respond by March 1, 2006

FOUO

14 FEB 06

14-03-06 13:57 10

~~FOUO~~

February 28, 2006

ES-5269

022806-04

TO: Eric Edelman
FROM: Donald Rumsfeld 
SUBJECT SOLIC Request regarding Algeria

Why would SOLIC be asking me for approval for DoD assistance in Algeria? It sounds to me like *that is the wrong channel*.

Thanks.

Attach: 2/24/06 ASD (SOLIC) memo to SecDef

DHR:js
022806-04

.....
Please Respond By 03/09/06

~~FOUO~~

OSD 04012-06

11-L-0559/OSD/56300

ACTION MEMO

DSD _____
USD(P) EE

FEB 24 2006

FOR SECRETARY OF DEFENSE

24/02

580

FROM: Thomas W. O'Connell, Assistant Secretary of Defense (SOLIC)

Robert Anderson for

SUBJECT: Approval of the Department of State Request for DoD Assistance to Algeria Flooding Victims

- The attached Department of State ExecSec Memo requests DoD assistance in providing relief to the victims of flooding in Algeria. Up to 50,000 people have been affected.
 - Flooding on February 10 and 11 devastated the Sabrawi refugee camps in Tindouf and resulted in numerous injuries and displaced persons.
 - USAID has provided \$50,000 in emergency aid to the World Food Program.
- The United Nations High Commissioner for Refugees requested international help in transporting supplies from Jordan to Algeria.
 - Several countries are considering or providing airlift support, including Portugal, Italy, France, and Belgium.
- Under existing statutory authorities and appropriations, the Department may provide humanitarian and disaster assistance, including the transportation of essential supplies, to other nations.
 - EUCOM and TRANSCOM are prepared to support this request and estimate costs at \$1.3 million. Commercial air can be contracted at a similar rate if military air is unavailable.
 - DSCA will push \$2 million from DoD's humanitarian assistance appropriation to EUCOM to support relief operations if you approve.

24 Feb 06

21 Feb 06

02710-06



Tab A. Coordination

USD(P)	Eric Edelman	
Office of the General Counsel	Dan DeilOrto (for Chuck Allen)	24 Feb 06
Joint Staff J5	Col Torrance (for BG Jones)	24 Feb 06
Joint Staff J3	CAPT Conner (for BG Ham)	24 Feb 06
DSCA	Rich Millies (for Lt Gen Kohler)	24 Feb 06
DSCA Comptroller	Keith Webster	24 Feb 06

INFO MEMO

DSD _____ 26

FOR SECRETARY OF DEFENSE

FROM: Eric S. Edelman, Under Secretary of Defense for Policy *EE* MAR 10 2006

SUBJECT: SO/LIC Request Regarding Algeria

- You noted that SO/LIC seemed like “the wrong channel” to be responding to DoD assistance to Algeria during the recent floods (original note next under). This is a good question since our regional-specific Assistant Secretaries of Defense (ASD’s) usually respond to country-specific questions.
- SO/LIC has a dedicated Stability Operations (SO) component, which is run by DASD Jeb Nadaner. SO has responsibility for international humanitarian disaster response, such as the floods in Algeria.
- SO staff coordinates closely with Policy’s regional DASD’s, the Joint Staff, USAID and the State Department on disaster response issues.
- SO is also responsible for:
 - Launching the new section 1206 global train and equip authority, which they developed and secured for you with Legislative Affairs late last year;
 - Working Global Peacekeeping Operations Initiative (GPOI) issues;
 - Implementing of DoD Directive 3000.05, which you approved last November, to transform DoD stability operations capabilities;
 - Working with other departments and agencies to develop deployable civilian capabilities to reduce stress on U.S. forces; and
 - Acting as Policy’s focal point on humanitarian efforts, including foreign disaster preparedness and response, de-mining, and health.
- SO’s contributions to major humanitarian efforts such as the Asian tsunami and the earthquake in Pakistan have had important and positive effects on the ground and in the international press.



COORDINATION: None

Prepared by Vikram Singh, OASDISOLIC, Stability Operations, (b)(6)

46
1745

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NSL
APR 05 2006 10:38

ACTION MEMO

APR 05 2006

USD(P) Ue

370.61

FOR SECRETARY OF DEFENSE

O'Connell SA April 06

FROM: Thomas W. OConnell, Assistant Secretary of Defense (SO/LIC)

SUBJECT: Letter to Congressman Geoff Davis (U)

4/6

- Your note of April 4th asked that we highlight for Congressman Davis your 1997 testimony arguing against the Chemical Weapons Convention. (TAB A)
- The proposed response to Congressman Davis, with your edits, is at TAB B. I have included your 1997 testimony.

RECOMMENDATION: Sign the ^{letter} ~~letter~~ at TAB B

5 Apr 06

13M 06

~~FOR OFFICIAL USE ONLY~~

MASD		SMA DSD	
<u>PSA SD</u>	<i>4/6</i>	SA DSD	
EXEC SEC	<i>MV</i>	<i>175</i>	<i>4/6/07</i>
ESR MA	<i>16/4/6</i>	STP DIR	



11-L-0559/OSD/56306

OSD 04083-06



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

US . The Honorable Geoff Davis
House of Representatives
Washington, DC 20515-0001

Dear Representative Davis:

The Department of Defense has been working very hard, to explore options that might permit more extensive use of Riot Control Agents (RCA).

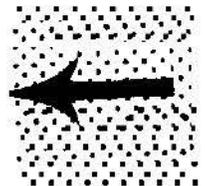
As Secretary Edelman stated in his February 22, 2006 answer to you, the Chemical Weapons Convention and Executive Order (EO) 11850 constrain our ability to use RCAs in offensive operations in wartime. Although RCAs are used effectively in law enforcement, their use in war or as a method of warfare is restricted under the Chemical Weapons Convention and EO 11850.

I know that Assistant Secretary Tom O'Connell recently spoke to you regarding your March 13, 2006 letter to me. He will make arrangements to meet with you to discuss in more detail DOD's recent examination of RCA use.

I am reviewing options that may allow legitimate use of RCAs for select operations, but I believe any final decision will require interagency review and agreement.

I very much appreciate your strong support on this issue.

Sincerely,





THE SECRETARY OF DEFENSE
WASHINGTON, THE DISTRICT OF COLUMBIA

Tom O'Connell
2/21/06

The Honorable **Geoff Davis**
U.S. House of Representatives
Washington, DC **20515**

Dear Representative Davis:

could The Department of Defense has been working ~~very~~ **hard** to explore options that ~~might~~ permit more extensive use of Riot Control Agents (RCAs).

As Secretary Edelman stated in **his** February **22, 2006** answer to you, the *government* Chemical Weapons Convention and Executive Order (EO) **11850** constrain **our** ability to use RCAs in offensive operations in wartime. Although RCAs are used effectively in law enforcement, their **use** in war **or** as a method of warfare is prohibited under the Chemical Weapons Convention **and** EO **11850**.

I know that Assistant Secretary **Tom O'Connell** recently spoke to you regarding your March 13, 2006 letter **to** me. He will make arrangements to meet with you to discuss in more detail DOD's recent examination of **RCA** use.

I am reviewing options that may allow legitimate use of RCAs for select operations, but I believe any final decision will require interagency review and agreement.

I very much appreciate your strong support on **this** issue.

Sincerely,

*In 19?? I testified against
The Treaty for the very reason you
have read. I've enclosed my
testimony. As well as the testimony of
Ernest Becker w/ Defense Sec Jim Schlesinger &
Voyce Watkins. - We lost.*

3/29
1412

FOR OFFICIAL USE ONLY

ACTION MEMO

USD (3) *EG*
DSD 43

MAR 27 2006

FOR SECRETARY OF DEFENSE

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

*O'Connell
20 March 06*

SUBJECT: Letter from Representative Davis: March 13, 2006

3/30

370-61

- o In a letter to the SecDef dated March 13, 2006 (Tab A), Representative Geoff Davis (R-KY) said he **was** deeply disappointed with the Department of Defense's response to his original letter to DoD dated December 17, 2005.
- o In Davis' December letter, he asserts that use of non-lethal chemical agents could be employed with great utility by our **forces** in combat and **would minimize non-combatant casualties.** (Tab B)
- Representative Davis is disappointed that our initial response (Tab C) took 60 days. He also believes that **U.S. Government policy on the use of RCAs needs to be changed.**
- At Tab D is a proposed response from you to Congressman Davis. The letter highlights the following:
 - o Applicable law (the Chemical Weapons Convention and Executive Order 11850) precludes use of RCAs **as a method of warfare.**
 - o Nevertheless, the Department of Defense continues to explore whether there are options that may permit more extensive use of RCAs.

60 days

20 Mar 06

RECOMMENDATION: Approve and sign the letter at Tab D.

COORDINATION: Tab E

Attachments:
As stated

Prepared by: LTC Greg Mahoney, OASD SO/LIC, SOCT, (b)(6)

13 Mar 06

OSD 04083-06

ASD, SIP	17/30	SMA DSI
<i>(circled)</i>	<i>(circled)</i>	S4 DSD

11-L-0559/OSD/56309



GEOFF DAVIS
4TH DISTRICT, KENTUCKY
ASSISTANT MAJORITY WHIP

WASHINGTON, DC OFFICE
1511 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PHONE: (202) 225-3465
FAX: (202) 225-3475

Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON STRATEGIC FORCES
SUBCOMMITTEE ON TERRORISM,
UNCONVENTIONAL TACTICS AND CHEMISTRY
COMMITTEE ON FINANCIAL SERVICES
SUBCOMMITTEE ON CAPITAL MARKETS, INSURANCE,
AND GOVERNMENT SPONSORED ENTITIES
SUBCOMMITTEE ON TREASURY AND
CREDIT RISK MANAGEMENT
SUBCOMMITTEE ON CREDIT AND INVESTMENT

March 13, 2006

Honorable Donald H. Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington D.C. 20301-1000

Dear Secretary Rumsfeld:

I am deeply disappointed by the February 22, 2006 response I received from Secretary Edelman in response to my letter to you regarding the use of riot control agents in Iraq. We know you care deeply about our troops and want to help them as much as I do. It is deeply disturbing that attorneys are putting politics ahead of actions required to protect the lives of our soldiers and Marines.

My letter to you addressed the need for a common sense, publicly supported measure that is routinely employed by law enforcement agencies in our nation. While this may be an intellectual exercise to those who have never carried a rifle, the impact is that men are being hurt. A distinguished senior combat leader has informed me of cases where troops were injured or killed on barricade entry because they were not allowed to use these agents. It is also profoundly disappointing that it took the Department 60 days to respond to my letter. Given the absence of any sense of urgency, one wonders whether these bureaucrats even know we are at war.

I ask your support to reverse this position which adversely affects the ability of our troops to do their job without sacrificing their lives. Please let me know what my colleagues and I can do to help you change this policy. Feel free to contact me at my office at 202-225-3465 or via my mobile phone at 859-630-3180 regarding this urgent matter.

Sincerely,

Geoff Davis
Member of Congress

cc Secretary Edelman

2006 MAR 3 PM 4:03
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SECRETARY OF DEFENSE

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12/18/05 MON 17:17 FAX 202 3744

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Congress of the United States
House of Representatives
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002

COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON STRATEGIC FORCES
SUBCOMMITTEE ON TERRORISM,
UNCONVENTIONAL THREATS AND CONSPIRACIES

COMMITTEE ON FINANCIAL SERVICES
SUBCOMMITTEE ON CAPITAL MARKETS AND
SECURITIES AND GOVERNMENT SPENDING INVESTMENTS
SUBCOMMITTEE ON HUMAN AND
COMMUNITY DEVELOPMENT

December 17, 2005

Honorable Donald H. Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington D.C. 20301-1000

Dear Secretary Rumsfeld:

I want to bring an issue to your direct attention that could save lives of our troops and minimize non-combatant casualties during forced entry to buildings and other barricade situations.

Having worked with local law enforcement for many years, I inquired whether there is standard use of safe, non-lethal chemical agents such as CS during such operations in the CENTCOM AOR. American law enforcement professionals use these agents in my own district in high-risk situations to protect local citizens, the suspects and themselves by lessening the risk of an engagement going kinetic. Based upon feedback from a wide variety of service personnel in the AOR, I learned that they are not using such tools. During my research, I found that the issue has been studied by DOD for many months but has gotten lost in a discussion among well-meaning attorneys over what constitutes legal use of chemical agents.

With your approval, this simple U.S. law enforcement technology could be employed with great success by our forces in combat.

I am committed to the success of our forces and offer this opportunity to apply the continuous improvement philosophy you and I privately discussed several months ago. I am at your service to assist you and our military leaders in assuring our troops can adapt and succeed in their long term mission. Please feel free to contact me at my office at 202-225-2444 or via my mobile phone at (b)(6) if I can be of further assistance to you.

Thank you for your help, Mr. Secretary!

Sincerely,

George Davis
Member of Congress

cc Secretary of the Army
Chief of Staff of the Army
Vice Chief of Staff of the Army

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FORMER SENATOR

DSD 24252-05



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

FEB 23 2006

The Honorable Geoff Davis
House of Representatives
Washington DC 20515-0001

Dear Mr. Davis,

In reply to your December 17, 2005 letter regarding use of non-lethal chemical agents such as CS in the USCENTCOM Area of Operations, I share your concern. I agree that non-lethal chemical agents have significant utility in certain circumstances. We have been examining this issue in great detail.

Under the Chemical Weapons Convention (CWC) and Executive Order (E.O.) 11850, Riot Control Agents (RCAs) may not be used as an offensive method of warfare. Consistent with EO 11850, RCAs may be used in defensive military situations to save lives and minimize non-combatant casualties.

There is greater latitude to use RCAs in peacekeeping missions and in support of law enforcement. The Department will continue to examine ways we can use RCAs to the maximum extent allowable under U.S. law and policy both to support U.S. forces during military missions and to save lives.

Please feel free to contact me further regarding this issue.

Sincerely,



R
24252-05

COORDINATION

Legislative Affairs	Mr. Wilkie	16MAR06
DoDGC	Mr. William J. Haynes II Mr. Chuck Allen	copy provided 16MAR06 16MAR06
ISP	Mr. Peter Flory	16MAR06^f

FOUO

TIME

11:38

APR 04 2006

TO: Tom O'Connell
FROM: Donald Rumsfeld *DR*
SUBJECT: Letter to Congressman Geoff Davis

370.61

Regarding the Geoff Davis letter, I think we ought to add in a paragraph indicating back in X year, I testified against the chemical weapons for the very reason he is talking about. Enclose a copy of my testimony, and the testimony of Schlesinger and Weinberger, who were with me. See my handwritten notes on the draft letter (attached).

Thanks.

Attach: 3/13/06 ASD (SO/LIC) memo to SecDef including draft letter with SecDef's handwritten notes

4 APR 06

DHR:as
040305-21

.....

Let's get this done!!!

Suspense for revised secDef response - April 7, 2006

13 MAR 06

11-L-0559/OSD/36314

FOUO

OSD 04083-06

DR

GEOFF DAVIS
4TH DISTRICT, KENTUCKY

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House of Representatives
Washington, DC 20515

COMMITTEE ON ARMED SERVICES
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UNCONVENTIONAL THREATS AND CAPABILITIES
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AND GOVERNMENT SPONSORED ENTERPRISES
SUBCOMMITTEE ON HOUSING AND
COMMUNITY OPPORTUNITY
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

March 13, 2006

Honorable Donald H. Rumsfeld
Secretary of Defense
1000 Defense Pentagon
Washington D.C. 20301-1000

Dear Secretary Rumsfeld

I am deeply disappointed by the February 22, 2006 response I received from Secretary Edelman in response to my letter to you regarding the use of riot control agents in Iraq. We know you care deeply about our troops and want to help them as much as I do. It is deeply disturbing that attorneys are putting politics ahead of actions required to protect the lives of our soldiers and Marines.

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I ask your support to reverse this position which adversely affects the ability of our troops to do their job without sacrificing their lives. Please let me know what my colleagues and I can do to help you change this policy. Feel free to contact me at my office at 202-225-3465 or via my mobile phone at (b)(6) regarding this urgent matter.

Sincerely,

Geoff Davis
Member of Congress

cc Secretary Edelman

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

FEB 22 2006

*
37064

The Honor: ble Geoff Dav s
House of Representatives
Washington DC 20515-0001

~~Dear~~ Mr. Davis,

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There is greater latitude to use RCAs in peacekeeping missions and in support of law enforcement. The Department will continue to examine ways we can use RCAs to the maximum extent allowable **under** U.S. law and policy both to support **U.S.** forces during military missions and to save lives.

Please feel free to contact me further regarding **this** issue.

Sincerely,

(17 Dec 05)

R 24252-05



12/19/05 MON 17:17 FAX 255 3748

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House of Representatives
Washington, DC 20515

COMMITTEE ON ARMED SERVICES
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SUBCOMMITTEE ON TERRORISM,
UNCONVENTIONAL THREATS AND CAPABILITIES

COMMITTEE ON FINANCIAL SERVICES
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AND GOVERNMENT SPONSORED ENTERPRISES
SUBCOMMITTEE ON HOUSING AND
COMMUNITY OPPORTUNITY
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS



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Secretary of Defense
1000 Defense Pentagon
Washington D.C. 20301-1000

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I am committed to the success of our forces and offer this opportunity to apply the continuous improvement philosophy you and I privately discussed several months ago. I am at your service to assist you and our military leaders in assuring our troops can adapt and succeed in their long term mission. Please feel free to contact me at my office at 202-225-3465 or via my mobile phone at (b)(6) if I can be of further assistance to you

Sincerely,

Geoff Davis
Member of Congress

Thank you for your help, Mr. Secretary!

cc Secretary of the Army
Chief of Staff of the Army
Vice Chief of Staff of the Army

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11-L-0559/OSD/56317



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

APR 7 2006

The Honorable Geoff Davis
U.S. House of Representatives
Washington DC 20515-0001

379.61

Dear Representative Davis:

The Department of Defense has been working hard to explore options that could permit more extensive use of Riot Control Agents (RCAs).

As Secretary Edelman stated in his February 22, 2006 answer to you, the Chemical Weapons Convention and Executive Order (EO) 11850 constrain our government's ability to use RCAs in offensive operations in wartime. Although RCAs are used effectively in law enforcement, their use in war or as a method of warfare is restricted under the Chemical Weapons Convention and EO 11850.

In 1997 I testified against the treaty for the very reason you have raised. I've enclosed my testimony as well as those of former Secretaries of Defense Jim Schlesinger and Cap Weinberger. We lost.

I know that Assistant Secretary Tom O'Connell recently spoke to you regarding your March 13, 2006 letter to me. He will make arrangements to meet with you to discuss in more detail DOD's recent examination of RCA use.

7 Apr 06

I am reviewing options that may allow legitimate use of RCAs for select operations, but I believe any final decision will require interagency review and agreement.

I very much appreciate your strong support on this issue.

Sincerely,

13 Mar 06

Thank so much!
Enclosure



OSD 04083-06

11-L-0559/OSD/56318



CHEMICAL WEAPONS CONVENTION
SENATE FOREIGN RELATIONS COMMITTEE APRIL 1997

S. Hrg. 105-183

CHEMICAL WEAPONS CONVENTION

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HEARINGS
 BEFORE THE
 COMMITTEE ON FOREIGN RELATIONS
 UNITED STATES SENATE
 ONE HUNDRED FIFTH CONGRESS
 FIRST SESSION

Tuesday, April 8, 1997
 a.m. session

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Schlesinger, Hon. James R., former Secretary of Defense.....	5
Letter Submitted by Hon. Richard B. Cheney, former Secretary of Defense.....	5
Weinberger, Hon. Caspar, former Secretary of Defense.....	9

TUESDAY, APRIL 8, 1997--A.M. SESSION

U.S. Senate,
 Committee on Foreign Relations,
 Washington, DC.

The committee met, pursuant to notice, at 10:05 a.m. in room SD-419, Dirksen Senate Office Building. Hon. Jesse Helms (chairman of the committee) presiding.

Present: Senators Helms, Lugar, Hagel, Smith, Thomas, Ashcroft, Grams, Brownback, Biden, Sarbanes, Dodd, Kerry, Robb, Feingold, Feinstein, and Wellstone.

The Chairman. The committee will come to order.

I believe it is customary to wait until there is at least one Senator from each party present.

I would inquire of the minority counsel.

Can *you* give us some advice as to whether Senator Biden would wish us to proceed?

I might explain to our distinguished guests this morning--and, as a matter of fact, everybody here is a distinguished guest as far as I am concerned--as I just said, it is a tradition, in this committee, at least, to have at least one Senator from each party present before the proceeding begins.

Senator Biden is on a train coming in from Delaware, and I am seeking information as to whether it would be his wish that we proceed without him until he gets here.

I am told that it is satisfactory with Senator Biden that we do proceed.

As is obvious, this morning's hearing is the first of the Foreign Relations Committee's final round of testimony on the Chemical Weapons Convention, or that's right.

I think it is fair to say that history is being made here this morning and I believe today is the first time that three distinguished, former U.S. Secretaries of Defense have ever appeared together before a Senate committee to oppose ratification of an arms control treaty. And if ever a treaty deserved such highly respected opposition, it is the dangerous and defective so-called Chemical Weapons Convention.

This morning's witnesses include Hon. James Schlesinger, Secretary of Defense for President Nixon, Hon. Donald Rumsfeld, Secretary of Defense for President Ford, and Hon. Caspar Weinberger, Secretary of Defense for President Reagan.

Further, we will have testimony today in the form of a letter from Hon. Richard Cheney, Secretary of Defense for the Bush administration. Secretary Cheney's schedule precluded him from being here in person today. But he has asked Secretary Schlesinger to read into the record Secretary Cheney's strong opposition to Senate ratification of the Chemical Weapons Convention.

So with Secretary Cheney's contribution, this hearing will consist of testimony by and from Defense Secretaries of every Republican administration since Richard Nixon, testimony that will counsel the Senate to decline to ratify this dangerously defective treaty.

These distinguished Americans are by no means alone. More than 50--more than 50--generals, admirals, and senior officials from previous administrations have joined them in opposing the Chemical Weapons Convention, and if that does not send a clear signal on just how dangerous this treaty really is, I cannot imagine what would.

So, gentlemen, we welcome you and deeply appreciate your being here today to testify. I regret that we cannot offer you the pomp and circumstance of the Rose Garden ceremony last week, but our invitation to be there got lost in the mail somehow.

Your testimony here today will convey to the American people highly respected assessments of this dangerous treaty.

Now our precise purpose today is to examine the national security implications of the CWC which is important because the 105th Congress has 15 new Senators, including three new and able members of this committee who have never heard testimony on this treaty.

The case against the treaty can be summarized quite simply. I think. It is not global, it is not verifiable, it is not constitutional, and it will not work. Otherwise, it is a fair treaty.

The Chemical Weapons Convention will do absolutely nothing to protect the American people from the dangers of chemical weapons. What it will do is increase rogue regimes' access to dangerous chemical agents and technology while imposing new regulations on American businesses, exposing them to increased danger of industrial espionage and trampling their constitutional rights. Outside of the Beltway, where people do not worship at the altar of arms control, that is what we call "A bum deal."

We have been hearing a lot of empty rhetoric from the proponents of the treaty about "banning chemical weapons from the face of the earth." This treaty will do no such thing. NO supporter of this treaty can tell us with a straight face how this treaty will actually accomplish that goal.

The best argument they have mustered to date is yes, it is defective, they say, but it is better than nothing.

But, in fact, this treaty is worse than nothing for, on top of the problems with the CWC's verifiability and constitutionality, this treaty gives the American people a false sense of security that something is being done to reduce the dangers of chemical weaponry when, in fact, nothing--nothing--is being done. If anything, this treaty puts the American people at greater risk.

More than 90 percent of the countries possessing chemical weaponry have not ratified the CWC, and more than one-third of them have not even signed it. This includes almost all of the terrorist regimes whose possession of chemical weapons does threaten the United States, countries like Libya, Syria, Iraq, and North Korea. Not one of them--not one of them--is a signatory to this treaty and none of them will be affected by it.

Worse still, this treaty will increase access to dangerous chemical agents and technology to rogue states who do sign the treaty. Iran, for example, is one of the few nations on this earth ever to use chemical weapons. Yet Iran is a signatory of the CWC.

I am going to stop with the rest of my prepared statement today so that we can get to our witnesses, which is what you are here for.

But I want to say, once more, that I ask the American people not to take my word for anything that I am saying. I ask the American people to consider the judgments of these distinguished former Secretaries of Defense who oppose the CWC.

I am looking forward to hearing from them about the treaty's scope, verifiability, about its Articles X and XI, and the assessment of our distinguished witnesses about the overall potential impact of this treaty on America's national security.

That said, we turn to the witnesses.

Secretary Schlesinger, we call on you first.

[The prepared statement of The Chairman follows:]

Prepared Statement of Chairman Helms

This morning's hearing is the first of the Foreign Relations Committee's final round of testimony on the Chemical weapons Convention, I think it is fair to say that history is being made this morning. I believe today is the first time that three distinguished former United States Secretaries of Defense have ever appeared together before a Senate committee to oppose ratification of an arms control treaty. And if ever a treaty deserved such highly respected opposition, it is the dangerous and defective Chemical Weapons Convention.

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The Chemical Weapons Convention will do nothing to protect the American people from the dangers of chemical weapons. What it will in fact do is increase rogue regimes' access to dangerous chemical agents and technology, while imposing new regulations on American businesses, exposing them to increased danger of industrial espionage, and trampling their Constitutional rights. Outside the beltway, where people don't worship at the altar of arms control, that's what we call a bum deal.

We have been hearing a lot of empty rhetoric from proponents of this treaty about "banning chemical weapons from the face of the earth." This treaty will do no such thing. No supporter of this treaty can tell us, with a straight face, how this treaty will actually accomplish that goal.

The best argument they have mustered to date is: yes, it is defective, but it is better than nothing.

But in fact, this treaty is much worse than nothing, **for**, on top of the problems with the CWC's verifiability and constitutionality, this treaty gives the American people a false sense of security that something is being done to reduce the dangers of chemical weapons, when in fact nothing is being done. If anything, this treaty puts the American people at greater risk,

More than 90 percent of the countries possessing chemical weapons have not ratified the CWC, and more than one third of them have not even signed it. That includes almost all of the terrorist regimes whose possession of chemical weapons does threaten the United States-- countries like Libya, Syria, Iraq, and North Korea. Not one of them is a signatory to this treaty. And none of them will be affected by it.

Worse still, this treaty would increase access to dangerous chemical agents and technology by rogue states who do sign it. Iran, for example, is one of the few nations on the earth ever to use

chemical weapons. Yet Iran is a signatory to the CWC.

Why, you may ask, why does Iran support the treaty? Because by joining the CWC, Iran can demand access to chemical technology of any other signatory nation--including the United States, if the U.S. Senate were to make the mistake of ratifying it. In other words, Iran will be entitled to chemical defensive gear and dangerous dual-use chemicals and technologies that will help them modernize their chemical weapons program.

Giving U.S. assent to legalizing such transfers of chemical agents and technology to such rogue nations is pure folly, and will make the problem of chemical weapons more difficult to constrain, not less.

For example, if the U.S. were to protest a planned sale of a chemical manufacturing facility by Russia to Iran, under the CWC Russia could argue that not only are they permitted to sell such dangerous chemical technology to Teheran, but they are obliged to do so--by a treaty the U.S. agreed to. Because Iran's **terrorist** leaders have promised to get rid of their chemical weapons.

Is it possible for the United States to verify whether Iran will be complying with its treaty obligations? Of course not. Even the administration admits that this chemical weapons treaty is unverifiable.

President Clinton's **own** Director of Central Intelligence, James Woolsey, declared in testimony before this committee on June 23, 1994, that, and I quote, "the chemical weapons problem is **so** difficult from an intelligence perspective, that I cannot state that we have high confidence in our ability to detect noncompliance, especially on a small scale.

So in other words, under this treaty, the American people will have to take the Ayatollahs' word for it.

And what about Russia--the country possessing the largest and most sophisticated chemical weapons arsenal in the world? Russia has made perfectly clear it has no intention of eliminating its chemical weapons stockpile. In fact, Russia is already violating its bilateral agreement with the U.S. to get rid of these terrible weapons; It has consistently refused to come clean about the true size of its chemical weapons stockpile; and Russia continues to work on a new generation of nerve agents, disguised as everyday commercial or agricultural chemicals, specifically designed to circumvent this chemical weapons treaty that the Clinton Administration is pulling out all the stops to force the Senate to ratify.

All this, sad to say, is just the tip of the iceberg in terms of what's wrong with this treaty. There is a whole array of other problems which I hope we can discuss today. But I think it borders on fraudulent to mislead the American people, as so many other treaty proponents have, into believing that their lives will somehow be made safer if this treaty is ratified--and that their safety is being put at risk if the Senate refuses to be stampeded by Rose Garden ceremonies and high-pressure tactics.

But I ask the American people not to take my word for it. I ask all Americans to consider the judgments of these distinguished former Secretaries of Defense who oppose the CWC. I am looking forward to hearing from them about the treaty's scope, verifiability, its Articles X and XI, and the assessment of our distinguished witnesses about the overall potential impact of this treaty on America's national security.

STATEMENT OF HON. JAMES R. SCHLESINGER, FORMER SECRETARY OF
DEFENSE

11-L-0559/OSD/56323

Dr. Schlesinger. Thank you, Mr. Chairman.

At the outset, I will allow Secretary Cheney to join us vicariously. He has sent a letter, as you indicated, and I shall read it into the record.

This letter is dated April 7, from Dallas, Texas.

Hon. Jesse Helms,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman. Thank you for your letter inviting me to **join** several other former Secretaries of Defense in testifying in early April when the Foreign Relations Committee holds hearings on the Chemical Weapons Convention. Regrettably, other commitments will preclude **me** from participation. I hope that this correspondence will be sufficient to convey **my** views on this convention.

During the years I served as Secretary of Defense, I was deeply concerned about the inherent unverifiability, lack of global coverage, and unenforceability of a convention that sought to ban production and stockpiling of chemical weapons. My misgivings on these scores have only intensified during the 4 years since I left the Pentagon.

The technology to manufacture chemical weapons is **simply** too ubiquitous, covert chemical warfare programs too easily concealed, and the international community's record of responding effectively to violations of arms control treaties too unsatisfactory to permit confidence that such a regime would actually reduce the chemical threat.

Indeed, some aspects of the present convention--notably its obligation to share with potential adversaries, like Iran, chemical manufacturing technology that can be used for military purposes and chemical defensive equipment--threaten to make this accord worse than having no treaty at all. In my judgment, the treaty's Articles X and XI amount to a formula for greatly accelerating the proliferation of chemical warfare capabilities around the globe.

Those nations most likely to comply with the Chemical Weapons Convention are not likely to ever constitute a military threat to the United States. The governments we should be concerned about are likely to cheat on the CWC even if they do participate.

In effect, the Senate is being asked to ratify the CWC even though it is likely to be ineffective, unverifiable, and unenforceable. Having ratified the convention, we will then be told we have "dealt with the problem of chemical weapons" when, in fact, we have **not**. But ratification of the CWC will lead to a sense of **complacency**, totally unjustified given the flaws in the convention.

I would urge the Senate to reject the Chemical Weapons Convention.

Sincerely,

Dick Cheney.

The Chairman. Thank you, sir.

Dr. Schlesinger. Mr. Chairman, members of the committee, I thank the committee for its invitation to testify today on the ratification of the Chemical Weapons Convention. I must at the outset underscore my belief that the proper criterion **for** judging the convention is whether or not it is in the interest of the United States and whether or not it will serve the long-run purposes of the American people. It should not be approved simply for reasons of diplomatic momentum or a gesture toward

multilateralism, but as a treaty with which this Nation must live.

Mr. Chairman, I start with the interesting and somewhat checkered history of efforts at the control of chemical weapons. The introduction of poison gas in World War I and then its widespread use in the later stages of that war led to a horrified reaction. That reaction, plus the unease concerning its subsequent use by colonial powers, led to the Geneva Convention in 1925, which forbids the use of poison gas by all signatories.

In the period prior to World War II, the European powers carefully prepared for the possible use of poison gas. In the actual circumstances of the war, however, the German decision to refrain from using poison gas came not for humanitarian reasons, not for reasons of the treaty, which German diplomats might well have described as "a scrap of paper," but out of concern for the threat of devastating retaliation by the Western allies.

Iraq has been and is a signatory to the Geneva Convention. In the Iran-Iraq war of the 1980's, Iraq used poison gas as a way of stemming the "human wave" attacks of the Iranians. What was our reaction and the reaction of other Western powers at that time? In brief, it was to avert our gaze.

Later, as the war died down, Saddam Hussein used gas against Iraq's Kurds. This time, however, the response was slightly more vigorous. An international gathering took place in Paris in January 1989. Not only did the international community fail to denounce Iraq, most participants were reluctant even to name Iraq for using gas. Our own reaction, was to say the least, somewhat muted. After all, Iraq provided protection in the Gulf against the Ayatollah's Iran. For what were regarded as sound geopolitical reasons, we failed to take action to sustain the existing prohibition on the use of poison gas by a signatory--despite Iraq's blatant violation of the Geneva Convention. This manifest failure of the existing arms control regime did stimulate renewed efforts on the Chemical Weapons Convention that lies before you. Ah! Perhaps if we were unwilling to enforce the existing ban on the use of poison gas, we might be more willing to take strong actions against its manufacture.

Would we actually do more in enforcement when the evidence is far more ambiguous and the menace more distant? The use of poison gas is readily detectable; manufacture is not. Tapes and photographs were widely available of Kurdish women clutching their children to their breasts in the vain attempt to protect them against the gas. And yet we did nothing--for then it was not regarded as in our interest to intervene.

By contrast, in the Gulf War, Saddam Hussein did not use poison gas against our troops. In the famous letter from President Bush to Saddam Hussein in early 1991 in which we demanded Iraq's withdrawal from Kuwait, we reminded Saddam that the United States had nuclear weapons. As Secretary Baker has said, we also, "made it very clear that if Iraq used weapons of mass destruction, chemical weapons against U.S. forces, that the American people would demand vengeance and that we had the means to achieve it."

What are the lessons learned from these episodes? Treaties

alone will do little. To prevent the use or the manufacture of chemical weapons requires a structure for deterrence backed by real capabilities. Above all, enforcement will depend upon the will to take action which, if history is any guide, will in turn depend upon a careful geopolitical assessment.

Mr. Chairman, let me turn from history to specific problems in this convention. In this brief statement, I can only deal with five problem areas. Nonetheless, I would hope that the members of this committee and your colleagues in the Senate receive clear reassurance in these areas before you approve the convention,

~~First is non-lethal chemicals.~~ Non-lethal chemicals are necessary for crowd control, for peacekeeping, for rescuing downed pilots and the like. In the negotiations on the convention, we were pressed to ban non-lethal chemicals along with lethal chemicals. President Bush, under pressure from the Joint Chiefs of Staff, reiterated prior American policy and indicated that use of riot control agents would not be banned. The Clinton administration has been far more ambiguous on this subject, retreating from President Bush's stated exclusion. Sometime it has suggested that such agents could be used in peacetime but not in wartime. That raises the question of defining when the Nation is at war. Was the Vietnam War a war?

Just 2 days ago, the New York Times stated that the administration "has also refused to interpret the treaty in a way that would allow the use of tear gas for crowd control, mainly because the Pentagon has said it has no need to ever use non-lethal gases."

If the latter is true, it represents a remarkable transformation of Pentagon attitudes, and I recommend that you check this out. The first part of the quotation reflects the continuing ambivalence of the administration on the question of non-lethal chemicals. I trust that the Senate will seek clarification of the administration's position and indeed insist that the use of tear gas will not be banned either in peace or war. Otherwise, we may wind up placing ourselves in the position of the Chinese Government in dealing with the Tiananmen Square uprising in 1989. The failure to use tear gas meant that that government only had recourse to the massive use of firepower to disperse the crowd.

Second is sharing CW technology. Article X of the treaty requires that signatories have a right to acquire CW defensive technologies from other signatories. This may mean that the United States is obliged to share such technologies with Iran, Cuba, and other such nations that may sign the convention. Almost certainly that interpretation will be argued by lawyers in the government. But, even if the Senate were able to prevent such obligatory transfers, it is plain that Article X legitimizes such transfers by other industrial nations which will argue they are obliged to do so by the treaty.

Clearly, that undercuts any sanctions directed against rogue nations that happen to sign the convention. And, in any event, there are still other states that do not agree with our judgments in these matters and will acquire such chemical warfare defensive technologies and will share such technologies with rogue nations whether signatories or not.

Third is the defense against chemical weapons. Continued

and vigorous efforts to develop chemical weapons defenses are required. In the years ahead, various groups, inclined to fanaticism, are likely to use chemical weapons as instruments of sabotage or terrorism. Aum Shin Rikyo, the Japanese religious cult, is but a prototype of these other terrorist groups. To deal with such prospective attacks, it is essential to have continuing efforts on defensive measures to protect our civilian population as well as our forces.

In this connection, two points must be made. First, the illusion that this convention will provide protection against chemical weapons will tempt us to lower our guard and to reduce our efforts on defensive CW measures. Such temptations should be formally rejected through safeguards. Second, the sharing of technologies required by Article X will provide other nations with the information that will help to neutralize our chemical weapons defenses and, thus, expose us to greater risk.

Fourth is industrial espionage. The convention permits or encourages challenge inspections against any facility deemed capable of producing chemical weapons--indeed against any facility. This exposes American companies to a degree to industrial espionage never before encountered in this country. This implies the possibility of the capture of proprietary information or national security information from American corporations by present or by prospective commercial rivals. To preclude such intrusive inspections requires the vote of three-quarters of the Executive Council of the Organization for the Prohibition of Chemical Weapons. Such super majority votes are unlikely to be forthcoming and will grow less so over time.

The committee may wish to inquire how FBI counter intelligence feels about these arrangements.

Mr. Chairman, I trust that the committee will delve deeply into this issue because scuttlebutt has it that the white House has indicated to senior FBI officials that they are to say nothing against this treaty. Consequently, you may wish to examine not only present but former counter intelligence officers.

The Chairman. We will. Thank you.

Dr. Schlesinger. This convention is sometimes compared to the arrangements under the Atoms for Peace Agreement. But it should be noted that few of the several mechanisms that provide protection in the nuclear area exist under this convention.

Five is how do we respond to violations. Is the convention something more than a feel good treaty? Is it more meaningful than the more explicit and more relevant ban on use in the Geneva Convention? If so, what is its operational significance? Last April, Secretary Perry, reiterating some of the warnings of President Bush and Secretary Baker to Saddam Hussein stated, "Anyone who considers using a weapon of mass destruction against the United States or its allies must first consider the consequences. We would not specify in advance what our response would be, but it would be both overwhelming and devastating."

Administration officials have more recently reiterated that threat. Does this convention oblige us to take actions beyond attacks on ourselves or *on* our allies? Are we prepared to take action if Iran attacks Tajikistan or even uses gas against its own minorities? If Syria, or Saudi Arabia, or Israel, or South Africa manufactures gas, what are we prepared to do? what

actions would we take if we discover that Russia, or Ukraine, or China is engaged clandestinely--or openly--in the manufacture of gas?

As the leading world power and as the initial sponsor of this convention, the United States bears a particular responsibility for those signatories who have foregone the right of direct retaliation and who lack the American capacity for a response, both "overwhelming and devastating." The role of the United States visibly transcends that of the Netherlands, or of Sweden, or of other nations that are prepared to sign the convention. I trust, therefore, that this committee will press for clear answers regarding how we might feel obliged to respond in different hypothetical circumstances.

Mr. Chairman, as this committee proceeds with its deliberations, I trust that it will carefully examine some of the exaggerated or false claims that have been made on behalf of the convention. This treaty will not serve to banish the threat of chemical weapons. It will not aid in the fight against terrorism. Only effective police work will accomplish that.

As the Japanese cult, Aum Shin Rikyo, has demonstrated, a significant volume of lethal nerve gas can be produced in a facility as small as 8 feet by 15 feet. Increasingly, are we aware how vulnerable this Nation may be to terrorist attacks, and this treaty will do little to limit such vulnerability. Nor will this treaty "provide our children broad protection against the threat of chemical attacks." Such statements merely disguise and, thereby, increase our vulnerability to terrorist attacks. To the extent that others learn from international sharing of information on CW defenses, our vulnerability is enhanced rather than diminished.

Finally, this treaty in no way helps "shield our soldiers from one of battlefield's deadliest killers." As indicated earlier, only the threat of effective retaliation provides such protection. That we would respond in the event of an attack on our troops has great credibility and, thus, serves as an effective deterrent. The Chemical Weapons Convention adds no more to this protection of our troops than did the Geneva Convention.

Mr. Chairman, some treaty proponents, while conceding the lack of verifiability, the lack of broad enforceability, and the other inherent weaknesses of the convention, suggest that it should be ratified because whatever its weaknesses, it serves to establish "international norms." If Senators are moved by that last ditch defense of the convention, they should vote for ratification. I urge, however, that Senators bear in mind that most nations do not care a figure for "international norms," and we already have the Geneva Convention as a norm, regularly violated. And they remain relatively free to violate this norm with relative impunity since the treaty is difficult to verify and more difficult to enforce.

Proponents have simply ignored the evidence of the past failure to control chemical weapons and have proceeded blithely with a renewed effort at control which disregards the ambiguity and the ineffectiveness of the control mechanism. In the rather forlorn hope to preclude the employment of chemical weapons,

they have produced an agreement with an illusory goal and a rather gargantuan and worrisome enforcement mechanism. The manifold weaknesses of the proposed convention deserve careful attention from every member of the Senate.

Thank you, *Mr.* Chairman. I shall be pleased later to respond to any questions the committee may have.

The Chairman. Thank you, *Mr.* Secretary. Mr. Weinberger.

STATEMENT OF HON. CASPAR WEINBERGER, FORMER SECRETARY OF
DEFENSE

Mr. Weinberger. Mr. Chairman and Senators, it is always an honor to appear before a committee of the U.S. Senate and I am deeply appreciative of that this morning.

I think that both your Chairman's statement and Secretary Schlesinger's very impressive statement also, both together, set out the basic reasons why I think all of us on this Secretary of Defense panel feel so strongly that this treaty should not be ratified.

I would like to make a couple of points at the beginning because it is the common practice now for opponents of anything that is desired by the White House to be painted in as unenviable a position as possible, I would like to make it clear that everybody I know detests chemical weapons, particularly soldiers.

I have some small personal experiences I might share with you. They stem mainly from the fact of *my* extreme age. The fact is that, during World War II, I had been assigned to the Australian Anti-Gas School. The Australians used very Spartan methods and very rigorous methods of instructing, and they instructed by showing us the actual effects on our *own* persons of mustard gas, a blister agent. They gave us all kinds of information with respect to the required defense and defensive equipment.

I was then later appointed one of the gas defense officers to the 41st Infantry Division, conducted a lot of training with the soldiers in the gas protective equipment which, as anybody who served in the armed forces knows, is extremely difficult to operate in, and this leads, without any question whatever, to this detestation of these weapons.

So people who oppose this treaty are not people who favor poison gas. I think it is important to make that rather obvious point at the beginning because we have heard so much about the motives of opponents of this treaty. My motive is the security of the United States, with which I had the honor to be associated for 7 years as Secretary, and which I think, as a country, should be maintained, even in the face of very strong support of a treaty which purports to outlaw and ban the production of these terrible weapons.

Everybody likes the aims of the treaty. Everybody will admit, I think, that it is a well intentioned treaty. Everybody that I know including many of the proponents, admit that it is a very badly flawed treaty, and it is with those flaws that I am concerned today.

Primarily the flaws, as Secretary Schlesinger just mentioned, are that it cannot be verified and it cannot be enforced. The enforcement mechanism involves going to the

United Nations Security Council, of which Russia and China are members. It does not require a very big stretch of the imagination to indicate that they would probably veto any kind of enforcement action proposed against them.

So you would have not only the lack of verifiability, you would have, very much like with the Geneva Convention, a very nice statement of the proper intentions of humankind which simply cannot be enforced and which basically, sadly, accomplish nothing.

Now there has been a great deal of discussion also about the enforcement mechanisms, the international inspectors and what they can do and their powers. This is not just academic discussion, Mr. Chairman. These inspectors, under this treaty, under Articles X and XI, would have powers that basically American enforcement agents do not. Even the IRS and even the Department of Justice cannot wander around the country without search warrants and demand to see anything they want to see in thousands of factories. There are varying estimates of the number of factories and commercial plants involved, but they are all in the thousands. I won't attempt to say which one is right or wrong, but they are in the thousands. The treaty gives the right to these inspectors to see what they want to do, to make analyses and tests, and the other articles of the convention require that we share any late technologies we might develop--and we should be working on them; I hope we are; we always used to--defensive technologies to improve the masks, the protective equipment, and all of the other things.

As we make some progress in this field, that would have to be shared and, therefore, would be, consequently, far less valuable, to put it mildly, in the event that any of our troops should be attacked with a gas attack.

These inspections are a two-way street in some ways. We have the right of inspection under what I consider to be the worst appeasement agreement we have signed and that has been presented since Munich, and that is the North Korean Agreement under which we promised to give them two very large nuclear reactors which can produce plutonium--although it is always said not to worry, they can't. But, of course, they can. And we are permitted also to have all kinds of inspection under that appeasement agreement.

We have not been granted this to the extent that we need it. What we are allowed is to go where North Korea wants us to go. It's exactly as with the agreement with Iraq that ended that war. We are permitted to go where the Iraqis let us go and after long delays in which they are given the opportunity to remove any incriminating kinds of evidence.

That is one way that these inspections can work, and those would be probably the ways that countries like Iran, that have signed the agreement, would interpret it.

But the permitted inspections and the way we would do it, because we carry out our word as a country and we do allow these things once we sign an agreement, would be as intrusive as anything previously imagined and far more intrusive than our own officials are allowed under our own laws to investigate violations of American law.

Jim Schlesinger has covered very adequately and thoroughly the industrial espionage problems that are involved in this and

in the sharing of these not only offensive, but defensive technologies that we may be working on. And it is important that we work on these defensive technologies because, even if all the countries sign this agreement, the possibilities that it would be treated as Geneva is always treated are always there. Indeed, we know that Iraq is stockpiling this VX nerve agent, which is a rather nasty piece of equipment, and Russia has been developing the nerve agent A-223, which is purported to be something like 7 times as fatal as the VX nerve agent. These are things that are going on now, after these treaties have been signed and while the whole discussion is there.

The idea that these countries would give up these newly developed agents on which they spent a great deal of money, some of it, in Russia's case, our money that we sent over for economic development, does not seem to me to be very credible.

The requirement that we share all of these technologies also would remove any kind of deterrent capability that we might have if we carry out the treaty in full. And one of the deterrent capabilities is retaliation.

We have had many indications not only in World War II but in the Gulf and elsewhere, that the fact that we were spared a chemical attack there simply stems from the ability that we would have to retaliate. If we give up that retaliatory capability, along with all our four or five nations, the four or five nations would still not be nearly as worried about launching an attack as they were in the case of the Gulf War.

We already know that there is at least a possibility. We don't know it and I would not claim it as a fact, but there is at least a possibility that Iraq's storage of these chemical weapons is resulting in disease and illness to American forces now. People talk about who is to blame and all of that. The only important issue, I think, there is that we should remember, and I hope we always will, that we have an absolute obligation to take care of these people who did fall ill from whatever cause in that war for the rest of their lives and take care of their families. I hope we are prepared to honor that.

All of these are things that have happened with nations that have either signed or refused to sign the treaty. Iran is one that has signed. Iran, therefore, would be able to see and inspect any one of several thousand companies. They would have to share their technologies and we, as a country, would have to share our technologies with Iran.

Strong supporters of the treaty, including General Schwarzkopf, when reminded of the fact, when asked if that is what he really wanted, said of course not. He said the worst thing in the world would be to share any knowledge with a country like Iran in this field.

So there has been, I think, a lack of understanding, and I congratulate the committee on holding these hearings, because I hope that we can get a full understanding of how a well intentioned treaty, the goals of which everybody of course supports, cannot possibly reach those goals if we are going to have the kind of provisions that remain in this treaty.

We also have a situation in which we are repeatedly told that the April 29 deadline must be met, otherwise we will have no influence in administering the treaty. Mr. Chairman, we are going to bear 25 percent of the cost of this treaty, and I

suspect any 25 percent owner, so to speak, to use corporate terms, is going to have a little influence in it. I think that it is absurd to say that we must rush to judgment simply because April 29 is the deadline.

There was plenty of opportunity last fall when the treaty was before the Senate, and was withdrawn by the administration, to have the kind of discussion that we are now having and that we should have. If it takes a little past April 29, and if by any chance we are able, through reservations or other changes, to make any of these things to which we object so strongly slightly more acceptable, that would certainly be worth a few days or a few months delay.

The costs involved, of course, are not just the 25 percent of the costs of administering the treaty and of all of the inspections that we would find so intrusive and so violative of what we believe to be our constitutional rules against unreasonable search and seizure, seizing property without due process, and all the rest. We could add the \$70 million that we have already given Russia under the so-called "Bilateral Destruction Act" to start destroying their weapons. And they have announced publicly and in writing--I guess it has been released; it's been printed all over the country--that they will no longer be bound by it, that it no longer serves their best interests and, therefore, they are not paying any more attention to it.

They are a signatory of this Chemical Weapons Convention and they have been held up as a country that is essential to get into the international order and is willing to destroy these weapons. But certainly the record thus far is slightly less than modest.

I think it is important that we emphasize again, as I did at the beginning, that our opposition to these kinds of weapons is well known. We were instrumental in getting the Geneva Agreement approved many, many years ago. We have signed the Bilateral Destruction Agreement, which had a great deal of hope behind it, and practically no realization. And now Russia has walked away from it.

We have showed that we would, of course, not only if we sign this convention comply with it, but that we would be a leader in financing it. All of that I think is an ample demonstration to the world, if any is needed, that we don't like these weapons. But we don't have to sign a flawed and an ineffective, unenforceable, unverifiable convention to prove that; and I don't think that we should worry so much about being tarred as being pro chemical weapons that we would disregard completely the flaws in this treaty and ratify it anyway just to make a statement.

Mr. Chairman, I appreciate very much having had the opportunity to express these views before you and your committee, and as Secretary Schlesinger has said, I will be glad to try to answer questions at an appropriate time.

The Chairman. We thank you, sir. Secretary Rumsfeld.

STATEMENT OF HON. DONALD RUMSFELD, FORMER SECRETARY OF DEFENSE

Mr. Rumsfeld. Thank you, Mr. Chairman, members of the committee. I appreciate the opportunity to express concerns

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about this convention. Rather than read my entire statement, I would like to touch on some of the more important points, and I ask that my entire statement be included in the record.

The Chairman. Without objection.

Mr. Rumsfeld. Certainly, one of the most serious problems facing our country and our friends and allies around the world is, indeed, the issue of proliferation of weapons of mass destruction. The Chemical Weapons Convention before the Senate would appear to fit in that category. But in my view, it has serious flaws.

I recognize that there are arguments on both sides of this and, indeed, that a number of our friends and associates that we have worked with on these problems over the years find themselves on opposing sides.

As a former Member, I also recall the difficulty of finding oneself in the position of opposing a position that is strongly supported by a President. It is not an attractive position to be in or a pleasant one. My inclination was always to try to support the President on these matters.

Certainly in this case, being positioned as appearing to favor chemical weapons, is also not an appealing position.

So let me be very clear: Were there pending before this committee a convention that was verifiable and global and that would accomplish the elimination of chemical weapons in the hands of nations most likely to use them, I would be appearing before the committee as a supporter.

Unfortunately, I do not believe that it meets those tests.

First, I don't believe that this is verifiable, nor have I met a single, knowledgeable person who believes that it is verifiable. It might reduce chemical weapons in arsenals in some countries, but it is debatable whether the treaty would reduce chemical arsenals in any of the nations potentially hostile to the United States. Countries identified by the United States as possessing chemical weapons that have not signed the CWC, let alone ratified it, include Libya, Syria, Iraq, and North Korea. Certainly these countries are among the most likely to use chemical weapons against our citizens, our soldiers, and our allies.

In addition, there are countries that might sign the convention which would not be reliable with respect to compliance. Since the convention is not verifiable, that is not a trivial problem, it seems to me.

For example, even if Iran does ratify the agreement, we really cannot rely on them to comply with its terms. Also, it is my understanding that Russia has yet to fulfill its obligations under the 1990 Bilateral Destruction Agreement, as Secretary Weinberger pointed out. Also, Washington newspapers and Jane's have recently reported that the Russians have developed new nerve agents that are designed in a manner that would make discovery next to impossible in that they are apparently comprised of common commercial chemicals. This raises the question as to the likelihood of their complying with the convention.

As a Wall Street Journal article recently put it, under the Chemical Weapons Convention, members to the convention could look for chemical weapons in New Zealand or the Netherlands but not in North Korea, Libya, or Iraq, which are countries that

could be chemical warfare threats.

Despite what I believe to be the low possibility that the convention would result in real arms control accomplishments, nonetheless a case can be made that it is important for the world to have standards and values, as Secretary Schlesinger mentioned. This is the "speed limit" argument.

My friend, Dr. Kenneth Adelman, a former Director of ACDA, recently argued, supporting the agreement, that standards and values violated are better than no standards and values at all.

I personally think that is probably the most persuasive case that can be made for the convention. However, I do not believe that it is sufficiently persuasive to tip the scales.

While standards and norms are important, there is a real risk that in ratifying the convention and in setting forth high standards, the U.S. would be misinforming the world by misleading people into believing that we had, in fact, done something with respect to the international controls over the use of chemical weapons, despite the certainty, in my mind, at least, that this convention cannot provide that assurance.

Furthermore, it is important to consider and weigh not only potential benefits of the convention, such as standards and norms, but also its burdens and costs.

It seems to me clear that any advantages of setting forth such standards by ratifying the convention are more than offset by the disadvantages.

I note that there would be considerable cost to the taxpayers in that the convention provides for the use of a U.N.-style funding formula, which calls for the United States to pay some 25 percent of the total. In addition, *there* would be costs to private industry, which I do not believe can be properly quantified at present in that it is not possible yet to know how the mechanisms to police this convention would actually work. This is to say nothing of the cost to companies of trying to protect proprietary information from compromise.

These costs would amount, in a real sense, to unfunded mandates on American enterprise.

These were among the concerns that were expressed by a number of government, civilian, and military officials in a letter sent to Senate Majority Leader Trent Lott late last year, which I signed, and I ask that a copy of that letter and the signatories be placed in the record at this point.

The Chairman. Without objection, it is so ordered.

[The information referred to follows:]

September 9, 1996.

Hon. Trent Lott,
Majority Leader, United States Senate,
Washington, DC 20510.

Senator Lott: As you know, the Senate is currently scheduled to take final action on the Chemical Weapons Convention (CWC) on or before September 14th. This Treaty has been presented as a global, effective and verifiable ban on chemical weapons. As individuals with considerable experience in national security matters, we would all support such a ban. We have, however, concluded that the present convention is seriously deficient on each of these scores, among others.

The CWC is not global since many dangerous nations (for example, Iran, Syria, North Korea, and Libya) have not agreed to join the treaty regime. Russia is among those who have signed the Convention, but is unlikely to ratify--especially without a commitment of billions in U.S. aid to pay for the destruction of Russia's vast arsenal. Even then, given our experience with the Kremlin's treaty violations and its repeated refusal to implement the 1990 Bilateral Destruction Agreement on chemical weapons, future CWC violations must be expected.

The CWC is not effective because it does not ban or control Possession of all chemicals that could be used for lethal weapons purposes. For example, it does not prohibit two chemical agents that were employed with deadly effect in World War I--phosgene and hydrogen cyanide. The reason speaks volumes about this treaty's impractical nature: they are too widely used for commercial purposes to be banned.

The CWC is not verifiable as the U.S. intelligence community has repeatedly acknowledged in congressional testimony. Authoritarian regimes can be confident that their violations will be undetectable. Now, some argue that the treaty's intrusive inspections regime will help us know more than we would otherwise. The relevant test, however, is whether any additional information thus gleaned will translate into convincing evidence of cheating and result in the collective imposition of sanctions or other enforcement measures. In practice, this test is unlikely to be satisfied since governments tend to took the other way at evidence of non-compliance rather than jeopardize a treaty regime.

What the CWC will do, however, is quite troubling: It will create a massive new, U.N.-style international inspection bureaucracy (which will help the total cost of this treaty to U.S. taxpayers amount to as much as \$200 million per year). It will jeopardize U.S. citizens' Constitutional rights by requiring the U.S. government to permit searches without either warrants or probable cause. It will impose a costly and complex regulatory burden on U.S. industry. As many as 8,000 companies across the country may be subjected to new reporting requirements entailing uncompensated annual costs of between thousands to hundreds-of-thousands of dollars per year to comply. Most of these American companies have no idea that they will be affected. And perhaps worst of all, the CWC will undermine the standard of verifiability that has been a key national security principle for the United States.

Under these circumstances, the national security benefits of the Chemical Weapons Convention clearly do not outweigh its considerable costs. Consequently, we respectfully urge you to reject ratification of the CWC unless and until it is made genuinely global, effective and verifiable.

Signatories on Letter to Senator Trent Lott Regarding the Chemical Weapons Convention

As of September 9, 1996; 11:30 a.m.

Former Cabinet Members:

Richard B. Cheney, former Secretary of Defense

William P. Clark, former National Security Advisor to the President

Alexander M. Haig, Jr., former Secretary of State (signed on September 10)

John S. Herzington, former Secretary of Energy (signed on September 9)

Jeanne J. Kirkpatrick, former U.S. Ambassador to the United Nations

Edwin Meese III, former U.S. Attorney General

Donald Rumsfeld, former Secretary of Defense (signed on September 10)

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Caspar Weinberger, former Secretary of Defense
 Additional Signatories (retiredmilitary):
 General John W. Foss, U.S. Army (Retired), former Commanding General,
 Training and Doctrine Command
 Vice Admiral William Houser, U.S. Navy (Retired), former Deputy Chief
 of Naval Operations for Aviation
 General P.X. Kelley, U.S. Marine Corps (Retired), former Commandant of
 U.S. Marine Corps (signed on September 9)
 Lieutenant General Thomas Kelly, U.S. Army (Retired), former Director
 for Operations, Joint Chiefs of Staff (signed on September 9)
 Admiral Wesley McDonald, U.S. Navy (Retired), former Supreme Allied
 Commander, Atlantic
 Admiral Kinnaird McKee, U.S. Navy (Retired), former Director, Naval
 Nuclear Propulsion
 General Merrill A. McPeak, U.S. Air Force (Retired), former Chief of
 Staff, U.S. Air Force
 Lieutenant General T.H. Miller, U.S. Marine Corps (Retired), former
 Fleet Marine Force Commander/Head, Marine Aviation
 General John L. Piotrowski, U.S. Air Force (Retired), former Member of
 the Joint Chiefs of Staff as Vice Chief, U.S. Air Force
 General Bernard Schriever, U.S. Air Force (Retired), former Commander,
 Air Research and Development and Air Force Systems Command
 Vice Admiral Jerry Unruh, U.S. Navy (Retired), former Commander 3rd
 Fleet (signed on September 10)
 Lieutenant General James Williams, U.S. Army (Retired), former
 Director, Defense Intelligence Agency
 Additional Signatories (non-military):
 Elliott Abrams, former Assistant Secretary of State for Latin American
 Affairs (signed on September 9)
 Mark Albrecht, former Executive Secretary, National Space Council
 Kathleen Bailey, former Assistant Director of the Arms Control and
 Disarmament Agency
 Robert E. Barker, former Assistant to the Secretary of Defense for
 Nuclear and Chemical Weapon Matters
 Angelo Codevilla, former Senior Fellow, Hoover Institute (signed on
 September 10)
 Henry Cooper, former Director, Strategic Defense Initiative
 Organization
 J.D. Crouch, former Principal Deputy Assistant Secretary of Defense
 Midge Decter, former President, Committee for the Free World
 Kenneth deGraffenreid, former Senior Director of Intelligence Programs,
 National Security Council
 Diana Denman, former Co-Chair, U.S. Peace Corps Advisory Council
 Elaine Donnelly, former Commissioner, Presidential Commission on the
 Assignment of Women in the Armed Services
 David M. Evans, former Senior Advisor to the Congressional Commission
 on Security and Cooperation in Europe
 Charles Fairbanks, former Deputy Assistant Secretary of State
 Douglas J. Foith, former Deputy Assistant Secretary of Defense
 Rand H. Fishbein, former Professional Staff member, Senate Defense
 Appropriations Subcommittee
 Frank J. Gaffney, Jr., former Acting Assistant Secretary of Defense
 William R. Graham, former Science Advisor to the President
 E.C. Grayson, former Principal Deputy Assistant Secretary of the Navy
 James T. Hackett, former Acting Director of the Arms Control and
 Disarmament Agency
 Stefan Halper, former Deputy Assistant Secretary of State (signed on

September 10)

Thomas N. Harvey, former National Space Council Staff Officer (signed on September 9)

Charles A. Hamilton, former Deputy Director, Strategic Trade Policy, U.S. Department of Defense

Amoretta M. Hoerber, former Deputy Under Secretary, U.S. Army

Charles Horner, former Deputy Assistant Secretary of State for Science and Technology

Fred Ikle, former Under Secretary of Defense for Policy

Sven F. Kraemer, former Director for Arms Control, National Security Council

Charles M. Kupperman, former Special Assistant to the President

John Lehman, former Secretary of the Navy

John Lenczowski, former Director for Soviet Affairs, National Security Council

Bruce Merrifield, former Assistant Secretary for Technology Policy, Department of Commerce

Taffy Gould McCallum, columnist and free-lance writer

James C. McCrery, former senior member of the Intelligence Community and Arms Control Negotiator (Standing Consultative Committee)

J. William Middendorf II, former Secretary of the Navy (signed on September 10)

Laurie Mylroie, best-selling author and Mideast expert specializing in Iraqi affairs

Richard Perle, former Assistant Secretary of Defense

Norman Podhoretz, former editor, Commentary Magazine

Roger W. Robinson, Jr., former Chief Economist, National Security Council

Peter W. Rodman, former Deputy Assistant to the President for National Security Affairs and former Director of the Policy Planning Staff, Department of State

Edward Rowny, former Advisor to the President and Secretary of State for Arms Control.

Carl M. Smith, former Staff Director, Senate Armed Services Committee

Jacqueline Tillman, former Staff member, National Security Council

Michelle Van Cleave, former Associate Director, Office of Science and Technology

William Van Cleave, former Senior Defense Advisor and Defense Policy Coordinator to the President.

Malcolm Wallop, former United States Senator

Deborah L. Wince-Smith, former Assistant Secretary for Technology Policy, Department of Commerce

Curtin Winsor, Jr., former U.S. Ambassador to Costa Rica

Dov S. Zakheim, former Deputy Under Secretary of Defense

Mr. Rumsfeld. Over the coming days, the members of the committee and the Senate will be faced with two important questions relating to the convention. First is, can the Senate responsibly oppose the President on this important foreign policy issue? Second is, what will happen if the Senate does reject the treaty and the United States seemingly stands essentially alone in the world, except for the rogue states with whom we would be associated as non-signatories?

Let me address those questions in order.

First is the issue of not supporting the President. As I indicated, my inclination has always been to try to do that.

However, we know the Constitution did not grant sole authority to the President of the United States in the area of foreign policy. Indeed, it does not provide for a simple majority to ratify a treaty but, rather, for a two-thirds vote, so that it would have to be almost beyond doubt that a given treaty is in our national security interest. So it is certainly within the right of the Senate to disagree.

Also, not surprisingly, there have been a number of treaties, conventions, and agreements where the Senate has disagreed over our history.

The second question, as to what might happen if the U.S. stands alone, is an important one and one that I suspect will be a principal focus of the debate over the coming days.

One result of the Senate not ratifying the treaty will be, admittedly, expressions of concern by some of our friends and allies around the world that have. But I suspect there will be no smiles from the rogue states. And the world will be spared the deception which would follow ratification, because the world will not be led to have erroneously believed that the threat of chemical weapons has been effectively dealt with. I submit that we will be spared the complacency that Secretary Schlesinger mentioned, which I think would follow ratification.

Further, small and medium sized companies will be spared the costs and the risks to their proprietary information which would result from U.S. participation. You know, big companies seem to get along just fine with big government. They get along with American government, they get along with foreign government, they get along with international organizations. They have the staying power, they have the resources to wait things out. They have the ability, with all their Washington representatives, to deal effectively with bureaucracies.

Indeed, that talent and skill, that capability on the part of big companies actually serves as sort of a barrier to entry to small and medium sized companies that lack that capability. So I do not suggest for a minute that the large American companies are not going to be able to cope with these regulations. They are. They will do it a whole of a lot better than small and medium sized companies.

But if you look at that opening round with the Department of Commerce's regulations and requirements, and having been a regulator in the Federal government at one point in my life, I know that if you start with this, you end up with this (indicating). It does not take long.

That problem of regulation on small and medium sized companies literally sucks the energy out of those companies. They are not capable of waiting and finding out the answers to all those things. They are trying to make money. That is the area of our society where the energy, the vitality, and the creativity is. They are the ones who are creating jobs in our country--not the large companies, which have been downsizing for the most part.

So the fact that a number of large companies are not concerned about this does not surprise me the all, I must say.

What would be the result of the U.S. standing alone? Well, we did this at our Nation's birth. We did it because we had very different views as to what the appropriate relationship between the American people and their government ought to be

than other countries did.

Would we be abdicating leadership on this issue of chemical weapons and the threat by not ratifying, as some have argued? I say no. I think not.

I say this because the threat of chemical weapons will remain despite the fact that this agreement gets ratified by a number of nations. And the world will--must--look to the United States for leadership in dealing with that threat. Because of our capacity, our resources, our knowledge, our credibility, we will retain a significant leadership role.

So, despite the argument, the power of the argument, that the U.S. would be standing alone, I think the truth is that we have done it before and it has worked out rather well. Not every country has the ability to stand alone, but the U.S. is not just any country.

With our resources, our weight, our capabilities, we can not only afford to provide leadership, but we have a special obligation to provide that kind of leadership and not just go along with the current diplomatic momentum.

Because we are the United States, we have a singular responsibility to exercise our best judgment on matters such as this and then to set about the task of fashioning a better solution.

Other countries look to us for that kind of behavior.

I hope the Senate will decide to take its time and work to achieve the changes necessary to improve this in material ways. The proposal introduced by Senator Kyl and others to reduce the chemical and biological weapons threat is a practical place to start.

Mr. Chairman, I commend you and your committee for your efforts to give such careful consideration to the matter and I appreciate the opportunity of participating.

Thank you very much.

Prepared Statement of Donald Rumsfeld

Mr. Chairman, members of the committee, good morning.

Let me say at the outset that I am not an expert on chemicals, nor am I a lawyer. I have been in and around the subject of Arms Control since *my* service in the Congress in the 1950s, as U.S. Ambassador to NATO during the early 1970s when we were working on MBFR and SALT, as well as my service in the Pentagon. So, I am here today not as an expert on chemicals or international law, but rather as one with a long interest in U.S. national security.

One of the most serious problems facing the United States, our friends and allies, and indeed the world is proliferation of weapons of mass destruction. Surely among the most important treaties of the decades since World War II are those which effectively enhance U.S. national security by addressing this problem. The Chemical Weapons Convention now before the Senate would appear to fit in that category, but, in *my* view, it does not.

I recognize that there are arguments on both sides of this issue. Indeed, a number of the people many of us have worked with on these subjects over the years and respect, find themselves on opposing sides.

Furthermore, as a former Member of the Congress, I well understand the difficulty in finding oneself in the position of opposing a treaty

that the President of the United States strongly supports and that has such broad appeal. Being positioned both as opposing our President and as favoring poison gas, which seems to be what happens to those who oppose this convention, is NOT an attractive position,

Let me be clear. Were there pending before the Senate a convention that was verifiable and global and which would accomplish the elimination of chemical weapons in the hands of the nations most likely to use them, I would be appearing before this committee as a supporter, asserting that ratification would be in our national interest. Unfortunately, I do not believe this convention meets these tests.

Interestingly, the preamble of the convention states in the first paragraph: "The states parties to this convention * * *. Determined to act with a view to achieving effective progress toward general and complete disarmament under strict and effective international control, including the prohibition and elimination of all types of weapons of mass destruction * * *."

That is a goal that can only be described as monumentally ambitious. More to the point, it is not clear to me that that is today the agreed policy of the U.S. government or even that it is realistic. The history of mankind suggests that the achievement of "complete disarmament" is not a likely prospect, and the idea of "strict and effective international controls" to assure compliance with "complete disarmament" is, to put it mildly, a stretch.

I do not believe that this convention is verifiable. Nor have I met or heard a single knowledgeable person who believes it is verifiable. The U.S. intelligence community has acknowledged in congressional testimony that we cannot have high confidence that violation of the CWC will be detected.

It might reduce chemical weapons in arsenals in some countries. It is debatable, however, whether this treaty would reduce the chemical arsenals of any of the nations potentially hostile to the United States. Countries identified by the United States as possessing chemical weapons, that have not signed the CWC let alone ratified it, include Libya, Syria, Iraq and North Korea. Certainly, these countries are among the most likely to use chemical weapons against our citizens, our Soldiers and our allies.

In addition there are countries that might well sign the convention, but which would not be reliable with respect to compliance. Since the convention is not verifiable, that is not a trivial problem. For example, even if Iran does ratify can we really rely on them to comply? Also, it is my understanding that Russia has yet to fulfill its obligations under the 1990 U.S.-Russian bilateral destruction agreement. The Washington Times and Jane's have reported that the Russians have developed new nerve agents that are designed in a manner which would make discovery next to impossible, in that they are comprised of common commercial chemicals'. This raises the question as to the likelihood of their complying with this convention.

It appears that this convention is proceeding in a way that it could conceivably disarm democratic, friendly, non aggressive nations, that either do not have chemical weapons, or if they have them would be most unlikely to use them against us, while it will not effectively apply to totalitarian, enemy and aggressive nations that would be most likely to use them against the U.S. and its allies. As a recent Wall Street Journal article put it, under the Chemical Weapons Convention, members to the convention could look for chemical weapons in New Zealand or the Netherlands, but not in North Korea, Libya or Iraq--

countries which could be chemical warfare threats.

Despite what I believe to be the low possibility that the convention would result in real arms control accomplishments, nonetheless a case can be made that it is important for the world to have standards and values. Dr. Kenneth Adelman, former director of ACDA, recently argued in supporting the agreement that "standards and values violated are better than no standards or values at all." That is the most persuasive argument for the convention I have heard. However, I do not believe that it is sufficiently persuasive to tip the scales.

While standards are important, there is the real risk that in ratifying the convention and setting forth high standards, the U.S. would be misinforming the world by misleading people into believing that there were reasonable international controls over the use of chemical weapons, despite the certainty that this convention cannot provide that assurance. The use of various gases during World War I led to the Geneva Protocol of 1925, which banned first use of chemical weapons in war. Despite that high standard, that ban has not been observed, witness Iraq's use of such chemicals.

Furthermore, it is important to consider and weigh not only any potential benefits of the convention, but also its burdens and costs. It seems clear that any advantages of setting forth laudable standards and values by ratifying the convention are more than offset by the disadvantages.

I note that there would be considerable cost to U.S. taxpayers in that the CWC provides for use of a U.N.-style funding formula, which as I recall bills the U.S. to pay some 25 percent of all costs. Personally, I think that percentage is too high and I cannot see why we would wish to extend it to still more international organizations.

In addition, there would be costs to private industry, which I do not believe can be quantified at present, in that it is not possible to know yet how the mechanisms to police the convention would work. And this is to say nothing of the costs to companies of trying to protect proprietary information from compromise.

These were among the concerns expressed by a number of former U.S. government civilian and military officials in a letter sent to Senate Majority Leader Trent Lott late last year, which I signed. (I have attached a copy of the letter to my remarks, and ask that it be made a part of the record at this point.)

[The letter referred to by Mr. Rumsfeld appears on page 15.1

Other concerns expressed in the letter included: the risk that the convention would lead to the creation of a new U.N.-style international inspection bureaucracy at great cost to the American taxpayers; that the CWC could undermine the standard of verifiability that had been a key national security principle for the U.S.; and that the convention could prevent the use of non-lethal riot control agents, to the disadvantage of U.S. forces.

Over the coming days members of the committee and the Senate will be faced with two important questions.

First, can the Senate responsibly oppose the President on this important foreign policy issue; and second, what will happen if the Senate does reject the treaty, and the U.S. seemingly stands essentially alone and apart in the world.

Let me address those questions in order.

First, is the issue of not supporting our President on a key foreign policy matter. As one, with a background in the executive branch, I begin with a strong preference to support the President on

such matters. Indeed, I felt that pull even as a Member of Congress with Presidents of the other party. And I so voted. So that **is my** inclination.

However, we know the Constitution did not grant the President sole responsibility in foreign affairs. Indeed, it provides not for a simple majority vote for the Senate to ratify a treaty, but a two-thirds vote, so that it would have to be beyond doubt that a given treaty is **in** the U.S. national security interest. **So**, it is not only well within the right of the Senate to disagree with a treaty as its best judgment may dictate, but it is its constitutional obligation. In exercising that responsibility, there have been a number of treaties, conventions, and international agreements that have not been approved by the U.S. Senate over our history, and in each case the sun came up the next day and the world did not end.

The second question as to what might happen if the U.S. stands apart on this issue, is also an important one, and one which I suspect will be a principle focus of the debate over the coming days. **One** result of the Senate not ratifying this treaty will be expressions of concern by some of our friends, but there will likely be no smiles from the rogue states.

Next, the world will be spared the deception which would follow ratification, because the world will not be led to believe erroneously that the threat of chemical weapons had been effectively dealt with, and the complacency which would follow.

Further, small and medium sized U.S. companies will be spared the costs and the risks to their proprietary information which would result from U.S. participation. Big companies seem to get along well with big governments, foreign governments, and international organizations. They have the resources, the time, and the Washington representatives to work skillfully with governments. These capabilities of larger companies serve as an advantage over smaller companies, which lack the staying power and resources to cope with national and international regulations, inspections and the like.

Next, U.S. taxpayers will be spared the cost of the convention. That is not a reason to reject it alone, but it is a fact. The U.S. would be spared the time and effort of implementing, complying with, and trying to enforce an agreement which in any event doesn't cover the nations most likely to use chemical weapons.

So what would be the result of the U.S. standing alone? Well, we did this at our Nation's birth. We did it because we had very different views as to the appropriate relationship between the people and their government.

Also, President Ronald Reagan did it with the Law of the Sea Treaty, notwithstanding the fact that most every nation in the world had signed that agreement. He did so because he found objectionable certain provisions relating to the seabed mining provisions. He refused to sign that treaty and asked me to serve as his Special Envoy to alert key countries of the dangers of going forward with that portion of the treaty.

Would the U.S. be abdicating its leadership on this issue by not ratifying the convention, as some have argued? The answer is no. I say that because the problem of chemical weapons will remain despite this agreement, and the world will look to the U.S. for leadership in dealing with that serious threat.

So despite the power of the argument that the U.S. would be standing alone, the truth is, we have done it before and it has worked out rather well. Not every country has the ability to stand alone. But

the U.S. is not just any country. With our resources, our weight, our capabilities and our credibility the United States not only can afford to provide leadership, but it has a special obligation and ability to not just go along with what seems popular at the moment, but to stand up for what is right. Because we are the United States we have a singular responsibility to exercise our best judgment on matters such as this, and then set about the task of fashioning a better solution.

I hope that the Senate will decide to take its time and work to achieve the changes necessary to improve it in material ways. The proposal introduced by Senator Kyl and others to reduce the chemical and biological weapons threat is a practical place to start.

Mr. Chairman I commend you and your committee for your efforts to give the most careful consideration to this matter. I appreciate this opportunity to express my views and my concerns about the convention.

Thank you.

The Chairman. I thank all three of you.

Senator Biden was necessarily detained because of the train this morning, and we were authorized to begin without him. So he missed his opportunity, as the ranking member, to make a statement.

I would just say for perhaps his guidance that I took 14 minutes and he might want to consider that same neighborhood.

Senator Biden. I will try to do less than that, *Mr.*

Chairman. I thank the committee for its indulgence and I would like the record to show that, although I am late, it will not add to the total time. Had I been here, I would have used the time. And the only manifest failure this morning that I have observed, to use Secretary Schlesinger's words, is the train schedule. That has been my most manifest failure this morning. I may reveal others as I speak, though.

Mr. Chairman, I think this is a defining moment, not only for the United States but, quite frankly, for this committee and in your significant effort to reestablish this committee and its credibility and standing within the Congress. I think our failure to act on this treaty would be a reflection on us, as well as an extremely negative reflection on the United States' role internationally.

Twelve years ago, the United States made a firm commitment to destroy 30,000 tons of poison gas that we had stockpiled. We had made that decision because these weapons no longer had any military value, according to our leaders.

President Reagan also initiated an international effort aimed at forcing others to do what we already decided to do unilaterally. Through two Republican administrations, efforts to negotiate a chemical weapons treaty made slow, but steady, progress, and I would go back to that in a minute, but that was all part of that process.

The effort gained new urgency after the Gulf War brought home the threat of poison and chemical weapons over 4 years ago. To set the record straight on that, as my friends I am sure know, in terms of the use of chemical weapons in the Gulf War, Secretary Weinberger alluded to the exposure of American troops to poison gas. That was part of an Iraqi stockpile we destroyed after the Gulf War. I am certain he realizes that there was nothing illegal under any law about stockpiling or producing chemical weapons.

The Geneva Convention applies only to the use of poison gas in international conflict.

The CWC, on the other hand, bans production and stockpiling of poison gas and would give significant justification in the eyes of the international community had we again discovered another nation was making or storing these weapons or had we used whatever force we chose to use against them.

Second, with regard to the issue of the Gulf War, prior to the Gulf War, an example of Saddam Hussein using poison gas against the Kurds, which was alluded to here, is another reason why the CWC is needed, in my view. There is nothing illegal under the Geneva Convention about the use of poison gas in internal conflicts.

The proscription applies only to international armed conflict, as I am sure the Secretary knows. So they didn't even violate the Geneva Convention. It is also true the international community failed to act.

But you did not fail to act, Mr. Chairman. You led the effort here in the U.S. Senate with Senator Pell and we received a unanimous vote for a sanctions bill on September 1988 soon after this came to light.

Unfortunately, the bill died at the end of the Congress, in large measure because of the opposition of the Reagan administration. Indeed, the Reagan State Department, then deluded into believing the United States could cooperate with Saddam Hussein, denounced the Senate bill that you pushed and you got through as premature.

So I say that neither this Senator nor would others stand idly by if violations of the Geneva Convention were discovered. But I'm sure the Secretary knew that there was no violation of the Geneva Convention and the point he made was still a very valid one. That is, we did not act.

We led the world to the altar, you might say, of attempting to deal with chemical weapons, and I am confident that we will not abandon 160 other nations, for, if we did, it seems to me we would send a signal of retreat, forfeit our leadership, and cripple our ability to forge coalitions against the gravest threats we face as a Nation, as Secretary Rumsfeld referred to. This is the proliferation of weapons, all weapons, of mass destruction. We have not even talked about biological weapons yet.

I know that the witnesses this morning do not share my view that this treaty is in our vital national interest. And I know that and we have heard arguments that the treaty is flawed because several rogue states have not signed.

We also heard that verification will be difficult and that the CWC will harm U.S. industry and that it will supposedly force us to transfer sophisticated chemical equipment and defenses to dangerous regimes.

And, finally, maybe the most strenuous argument we have heard today is that we are going to be lulled into a false sense of security, that we are going to drop our guard.

I hope to demonstrate through these hearings today, tomorrow, and the next day that those criticisms are incorrect and the problems they site will only get worse--get worse--without CWC.

From the military perspective, I believe this convention is

clearly in our interest. I know that the witnesses do not agree with me. However, two other former Secretaries of Defense and the present Secretary of Defense, not represented here today, do agree with me. Harold Brown, William Perry, and Secretary of Defense Cohen all believe it is in our interest.

There is a draft statement from Brown and Perry. It says, "As former Secretaries of Defense, we would like to join former military leaders, including past Chairmen of the Joint Chiefs of Staff Powell, Vessey, Jones, Crowe, and former Chiefs of Staff of the Army, Navy, Air Force, and Marine Corps plus combat veterans like Norman Schwarzkopf in offering our **strong** support for ratification of the Chemical Weapons Treaty."

I ask unanimous consent that the remainder of their statement be placed in the record in the interest of time, Mr. Chairman.

The Chairman. Without objection.

[The information referred to follows:]

Draft Statement of Harold Brown and William Perry

As former Secretaries of Defense, we would like to join former military leaders including past chairmen of the Joint Chiefs of Staff Generals Colin Powell, John Vessey, David Jones, and Admiral William Crowe, and former chiefs of staff from the Army, Navy, Air Force, and Marine Corps, plus other combat veterans like General Norman Schwarzkopf, in offering our strong support for the ratification of the Chemical Weapons Convention.

We firmly believe that U.S. ratification of the CWC will contribute significantly to the security interests of the United States and the safety of our armed forces. In conjunction with the Department of Defense's other efforts against chemical weapons proliferation, a robust chemical protection program and maintenance of a range of non-chemical response capabilities, the CWC will serve the best interests of the United States and the world community. In light of the decision under President Reagan to get rid of the vast majority of U.S. chemical weapons stockpiles, it is in our interests to require other nations to do the same. The access provided for by the treaty will enhance our ability to monitor world-wide CW activities.

We believe the CWC, which was negotiated under Presidents Reagan and Bush and completed by President Bush, to be a carefully considered treaty that serves our national interests well. Failure to ratify the CWC would send a clear signal of U.S. retreat from international leadership to both our friends and to our potential adversaries and would **damage** our ability to inhibit the proliferation of chemical weapons.

Senator Biden. As the authors of this statement note, every single Chairman of the Joint Chiefs of Staff since President Carter's administration has endorsed ratification of the Chemical Weapons Convention. Last Friday, 17 distinguished retired military officers sent a letter to the President in which they endorsed ratification of the Chemical Weapons Convention. The collection of signatures on this letter is quite impressive. If my colleagues will indulge me, let me just read a few: General Colin Powell, Norman Schwarzkopf, Admiral Stanley Arthur, General Michael Duggan, General Charles Horner, General David Jones, General Wesley McDonald, General Meryl

McPeak, General Carl Mundy, Admiral William Owens, General Gordon Sullivan, Vice Admiral Richard Truly, Admiral Stansfield Turner, General John Vessey, General Fred Warner, Admiral Elmo Zumwalt.

In this letter they wrote--and I will just read the first paragraph--the following. They say, "As former members of the United States Armed Forces, we would like to express our strong support for Senate ratification of the Chemical Weapons Convention. This landmark treaty serves the national security interests of the United States."

I will not read the rest of the letter, but I ask unanimous consent that it be placed in the record, Mr. Chairman.

The Chairman. Without objection.

[The information referred to follows:]

April 3, 1997.

The Honorable William J. Clinton,
The White House, Washington, D.C. 20500.

Dear Mr. President: As former members of the United States Armed Forces, we write to express our strong support for Senate ratification of the Chemical Weapons Convention (CWC). This landmark treaty serves the national security interests of the United States.

Each of us can point to decades of military experience in command positions. We have all trained and commanded troops to prepare for the wartime use of chemical weapons and for defenses against them. We all recognize the limited military utility of these weapons, and supported President Bush's decision to renounce the use of an offensive chemical weapons capability and to unilaterally destroy U.S. stockpiles. The CWC simply mandates that other countries follow our lead. This is the primary contribution of the CWC: to destroy militarily-significant stockpiles of chemical weapons around the globe.

We recognize that the proliferation of weapons of mass destruction, including chemical agents, presents a major national security threat to the U.S. The CWC cannot eliminate this threat, as terrorists and rogue states may still be able to evade the treaty's strict controls. However, the treaty does destroy existing stockpiles and improves our abilities to gather intelligence on emerging threats. These new intelligence tools deserve the Senate's support.

On its own, the CWC cannot guarantee complete security against chemical weapons. We must continue to support robust defense capabilities, and remain willing to respond--through the CWC or by unilateral action--to violators of the convention. Our focus is not on the treaty's limitations, but instead on its many strengths. The CWC destroys stockpiles that could threaten our troops; it significantly improves our intelligence capabilities; and it creates new international sanctions to punish those states who remain outside of the treaty. For these reasons, we strongly support the CWC.

Officers who signed the April 3, 1997 letter to the President
Admiral Stanley Arthur, USN (Ret.), former Vice Chief of Naval
Operations

General Michael Dugan, USAF (Ret.), former Air Force Chief of Staff
General Charles Homer, USAF (Ret.), former CINC, U.S. Space Command
General David Jones, USAF (Ret.), former Chairman, Joint Chiefs of
Staff

Admiral Wesley McDonald, USM (Ret.), former CINC. Atlantic Command
General Merrill McPeak, USAF (Ret.), former Air Force Chief of Staff

General Carl Mundy, USMC (Ret.), former Commandant, U.S. Marine Corps
Admiral William Owens, USN (Ret.), former Vice Chairman, Joint Chiefs
of Staff
General Colin Powell, USA (Ret.), former Chairman, Joint Chiefs Of
Staff
General Robert RisCassi, USA (Ret.), former CINC, U.S. Forces Korea
General H. Norman Schwarzkopf, USA (Ret.), former CINC, Central Command
General Gordon Sullivan, USA (Ret.), former Army Chief of Staff
Admiral Richard Truly, USN (Ret.), former Director, NASA
Admiral Stansfield Turner, USN (Ret.), former Director of Central
Intelligence
General John Vessey, USA (Ret.), former Chairman, Joint Chiefs of Staff
General Frederick Woemer, USA (Ret.), former CINC, Southern Command
Admiral E.R. Zumwalt, Jr., USN (Ret.), former Chief of Naval Operations

Senator Biden. Now several of these signatories to the letter I have just read were present at a White House event early on Friday in which dozens of distinguished Americans from many walks of life joined together to call for early ratification of the treaty.

I would like to ask unanimous consent that the text of the remarks made at this event be included in the record as well.
Mr. Chairman.

The Chairman. Without objection, it is so ordered.

[The information referred to appears in the Appendix.]

Senator Biden. Mr. Chairman, the convention has won the endorsement of several highly respected veterans organizations as well. These include the Reserve Officers Association, the Vietnam Veterans Association, the Veterans of Foreign Wars, the Jewish War Veterans of the U.S.A., the American Ex-Prisoners of War, and I would ask unanimous consent that the statements by these organizations also be placed in the record.

The Chairman. Without objection.

[The information referred to appears in the Appendix.]

Senator Biden. These individuals and organizations, none of whom can be characterized as soft headed or soft hearted, recognize the benefits of the convention for our front line soldiers, who increasingly face the risk of less discriminating and more treacherous weapons like poison gas. We should do the same.

I would like to point out that I do not for a moment, nor do I know anybody else who does, question the patriotism, the integrity, or the distaste for poison gas or chemical weapons that is shared by our three most distinguished witnesses today. Anyone who would make such a statement is a damn fool.

But the truth of the matter is we just have, as I say, a healthy disagreement among respected women and men about the value of this treaty for the United States. I think the value for those in favor far outweigh those opposed, but not in terms of their intellectual capability but in terms of their number.

The argument that the treaty will be ineffective because several rogue states have not signed is, I find, equally perplexing. Today there is absolutely nothing illegal about the chemical weapons programs in these rogue states, and that will change once the CWC comes into force. At least it will be illegal. It will make such programs illegal. It will also provide us with a valuable tool--the moral suasion of the

entire international community--to isolate and target those states who violate the norm which my friend, the former Secretary and head of more than one agency, believes--his view is that norms don't matter in international relations. I would like to have a talk with him, if we have more time, about the notion of norms and why I think they do matter.

But at any rate, if you disagree and norms don't matter, then it doesn't matter. But most Americans and most people do agree that norms do matter. They do have some impact. They may not solve it all, but they have an impact.

As Secretary of State Madeleine Albright, who will testify this afternoon has noted, to say that we should not try to make chemical weapons illegal because there will be cheaters is like saying we should not have laws because we know people are going to break them.

Norms are created so that we have standards for civilized conduct by which to judge others. Without them, we leave the rogue countries to behave as free actors.

Indeed, by joining the convention, we place the full weight of the world community to take whatever actions are necessary to respond and to prevent them. I acknowledge that we will ultimately take only that action which we view to be in our national interest. We will ultimately take only that action we view to be in our national interest.

When my friends were former Secretaries of Defense, they did not recommend actions taken when we knew countries were acting in ways that were beyond our interests without considering the global interest and the interest of the United States relative to other considerations.

So I acknowledge that ultimately we will take action or not take action based on whether it is in our interest.

Equally importantly, we will place our military might behind the world's threat to act against violators.

The argument that U.S. industry will suffer under the supposedly onerous burdens of the treaty is particularly intriguing to me. You see, I come from Delaware. If there is any state in the Union that has a greater interest in the chemical industry, I know of none. And I can assure you gentlemen, big or small--and they are both big and small--if they had a problem, I guarantee you I would hear about it. I promise you that I would after 24 years.

You were a former member, Secretary Rumsfeld. Do you doubt that the industry would let me know? Do you doubt for one moment?

I can tell you that not only do they support it--and, by the way, this impacts on half of Delaware's industrial output, these chemicals. It is one-half. Not only does industry support it, they strongly support it.

And in terms of those small outfits, Secretary Rumsfeld may not be aware of this, but Dan Danner of the National Federation of Independent Businesses said the CWC will have no impact on their members. They are neutral on the treaty.

Maybe he was unaware of that, but that is their position.

What I have heard from the chemical industry is if you don't ratify this convention, the chemical industry, which is the country's largest exporter, stands to lose hundreds of millions of dollars in export earnings; because it would be

subject to trade sanctions that the United States wrote **into** the treaty to target rogue states. We wrote it in.

Now this will be the irony of all ironies. My State will get a kick in the teeth on something we wrote into a treaty, because we do not ratify the treaty. And Germany has already announced that, come April **29**, sanctions are going to apply.

In fact, we have heard that all non-members will be subject to those German sanctions.

By the way, one of our largest competitors is Germany, as you might guess. So there is a little interest there.

The argument that the convention is unverifiable is a classic case of making the perfect the enemy of the good. No arms control treaty is perfectly verifiable, and the CWC is no exception to the rule. While there are risks that a State party will hide some covert chemical weapons stockpiles or illegally produce chemical weapons, it will be much more difficult to engage in large scale violations that would pose the greatest danger to U.S. military forces.

As one of our witnesses this afternoon, a former colleague of yours, Ambassador Kirkpatrick points out--though she did not mean to point it out this way--she said you know, don't worry about verification. We are going to have to do this verification anyway, even if there is no treaty. That is the point. That is the point. We have to do it anyway. And we can do it less well--less well--without the treaty than with the treaty.

George Tenet, the Acting Director of CIA, said, "In the absence of tools that the convention gives us, it will be much harder for us to apprise you, apprise the military and policymakers of where we think we are in the world regarding these developments." The intelligence community sees benefits in us ratifying CWC.

In addition, there may well be occasions in which on-site inspection will provide evidence of treaty violations. In other words, while we will not catch every violator, we will catch some, and that does act as a deterrent. And without CWC, we won't catch anybody.

The allegation that the treaty would lead to the end of ~~export~~ controls on dangerous chemicals is based on a poor reading of the treaty, with all due respect.

Article XI of the convention supports the chemical, trade, and technology exchange "for purposes not prohibited under the convention." It also requires that trade restrictions not be "incompatible with the obligations undertaken under this convention."

The CWC is completely consistent with continued enforcement of the Australia Group controls which member states use to keep chemical and biological materials out of the hands of rogue states. The executive branch has said this time and again and so have our Australia Group allies.

In fact, as we speak, our allies are in the process of repeating these assurances through diplomatic contacts. It is the decline and failure of U.S. leadership that would pose the gravest threat to the Australia Group, and failure to ratify the CWC would be seen by friend and foe alike as a retreat from that world leadership.

Under that circumstance, State and chemical industries

might indeed conclude that we should go back to helping the Iraqis and Libyans of the world to build their suspect chemical facilities. If one were to ~~extrapolate~~ the argument treaty opponents make, one would have to conclude that no matter what we do, the Australia Group is a dead letter because on April 29, those Australia Group countries that have joined the convention will be required to begin trading freely in dangerous chemicals, according to the argument made by the opponents. Obviously, this is as preposterous as it sounds. But it is a logical outgrowth of the allegation made by opponents.

Finally, I would look forward to engaging the witnesses on their claim that the convention will lull us into a false sense of security. The Pentagon made it clear on numerous occasions that it will maintain a robust chemical capability supported by robust intelligence collection. The commitment to protecting our forces has the full support of the President and the Congress. In addition, I have agreed with Senator Helms, assuming this treaty comes up, to a legally binding condition of the treaty that requires the Secretary of Defense to insure that the U.S. forces are capable of carrying out our military missions regardless of any foreign threats or use of chemical weapons. Besides, our experience in other arms control agreements shows there is little chance of our becoming complacent about a chemical weapons threat if the CWC is ratified.

I just would cite the Nuclear Nonproliferation Treaty and not much more in the interest of time.

Article X does not require the CWC defense assistance beyond antidotes and medical treatments. Does that really harm U.S. security? Isn't it a fair trade for getting those countries to forego chemical weapons? If other countries want to provide additional CWC defenses, as the Secretary indicates, how would the U.S. failure to ratify stop that in any way? You made your own argument. You said these guys are going to go out and do this anyway.

Well, that's true. If they're going to do it, they're going to do it whether we are a signatory or not. Being a signatory in no way enhances that prospect. Industrial espionage is another question that I will not get into in the interest of time. But I notice that the chemical industry is not making that case, Secretary Rumsfeld, and we will have safeguards requiring the Secretary of Defense to maintain U.S. military capabilities to operate in chemical environments.

The riot control agents is another subject that I would like to speak to, which I think we have taken care of.

I thank the Chairman for allowing me to make my statement late, and I thank you gentlemen for listening. But then, what else could you do?

[The prepared statement of Senator Biden follows:]

Prepared Statement of Senator Biden

Mr. Chairman, this is a defining moment in our foreign relations. In my view, the credibility and continued leadership of the United States on arms control and proliferation matters hangs in the balance. Twelve years ago the United States made a firm commitment to destroy the thirty thousand tons of poison gas that we had stockpiled. We made

that decision because these weapons no longer had any military value.

We also initiated a global effort aimed at forcing others to **do** what we had already decided to do unilaterally. Through two Republican administrations, efforts to negotiate the Chemical Weapons Treaty made slow but steady progress. The effort gained new urgency after the Gulf War again awakened us to the threat posed by chemical weapons. **Over** four years ago, Secretary of State Eagleburger signed the Chemical Weapons Treaty on behalf of the Bush Administration.

Having led the world to the altar, I am confident that we will **not** abandon 160 other nations. For if we did, we would send a signal of retreat, forfeit our leadership, and cripple our ability to **forge** coalitions against the gravest threat we face as a nation--the proliferation of weapons of mass destruction.

I know that the witnesses today do not share my view that this treaty is in our vital national interest. I know that we will hear arguments that the treaty is flawed because several rogue states have not signed. We will hear that verification will be difficult, that the CWC will harm U.S. industry, that it will supposedly force us to transfer sophisticated chemical equipment and defenses to dangerous regimes. Finally, perhaps their most strenuous argument will be that this treaty will lull us into a false sense of security and cause us to drop our guard.

I hope to demonstrate today that these claims are incorrect and that the problems they cite will only get worse without the CWC. From the military perspective, I believe that this convention is clearly in our interest. I know that the witnesses may not agree with me in this regard. However, two other former Secretaries of Defense not represented here today do agree with me. These are Harold Brown, Secretary of Defense in the Carter Administration, and William Perry, Secretary of Defense in the first Clinton term.

I ask unanimous consent that their statement be included in the record. As they note in their statement, every single Chairman of the Joint Chiefs of Staff since President Carter's Administration has endorsed ratification of the Chemical Weapons Convention.

Last Friday, 17 distinguished retired military officers sent a letter to the President in which they endorsed ratification of the Chemical Weapons Convention. The collection of signatures on this letter is quite impressive. I would ask unanimous consent to place the text of this letter as well as an opinion piece by Secretary of Defense William Cohen in the record.

Several of these signatories were present at a White House event on Friday in which dozens of distinguished Americans from many walks of life and both sides of the political fence joined together to call for early ratification of this treaty. I would ask unanimous consent that the text of the remarks made at this event be included in the record.

The Convention has won the endorsement of several highly-respected veterans **and** military organizations as well. This list includes the Reserve Officers Association, the Vietnam Veterans Association, the Veterans of Foreign Wars, the Jewish War Veterans of the U.S.A., and The American **Ex-prisoners** of War. I would ask unanimous consent that statements by these organizations be placed in the record.

These individuals and organizations--none of whom can be characterized as soft-headed or soft-hearted--recognize the benefits of this Convention for our front-line soldiers, who increasingly face the risk of less discriminating and more treacherous weapons like **poison** gas. We should do the same.

Mr. Chairman, the argument that the treaty will be ineffective

because several rogue states have not signed is equally perplexing to me. Today, there is absolutely nothing illegal under international or domestic law about the chemical weapons programs in these rogue States. That will change once the CWC enters into force. It will make such programs illegal. It will also provide us with a valuable tool--the weight of the entire international community to isolate and target those states that violate the norm set by this treaty.

As Secretary of State Madeleine Albright, who will testify this afternoon, has noted--to say that we shouldn't try to make chemical weapons illegal because there will be cheaters, is like saying that we shouldn't have laws because people will break them. International norms of behavior are created **so** that we have standards of civilized conduct by which to judge others. Without them, we leave the rogue countries to behave as free actors.

Indeed, by joining the convention, we place the full weight of the world community to take whatever action is necessary to respond to, or prevent an adversary from using chemical weapons. Equally important, we will place our military might behind the world's threat to act against violators.

The argument that U.S. industry will suffer under the supposedly onerous burdens of the treaty is particularly interesting for me to hear. You see, coming from Delaware I know a thing or two about the chemical industry--which is the industry that will be most impacted by this treaty. The chemical industry accounts for over one-half of Delaware's industrial output. If the chemical industry had a problem with this treaty, I assure you that I would have been among the first to hear about it. Instead, what I have heard is that the chemical industry played a key role in negotiating the convention and is among its strongest supporters.

What I have heard is that if we don't ratify this convention, the chemical industry, which is this country's largest exporter, stands to lose hundreds of millions of dollars in export earnings because it would be subject to trade sanctions that the United States wrote into the treaty to target rogue states. In fact, we have now heard that Germany has announced that it will impose trade restrictions on non-members come April 29.

The argument that the convention is unverifiable is a classic case of making the perfect the enemy of the good. No arms control treaty is perfectly verifiable. The CWC is no exception to that rule. While there are risks that a state party will hide some covert chemical weapons stocks or illegally produce chemical weapons, it will be much more difficult to engage in large-scale violations that would pose the greatest danger to U.S. military forces. This is because of the CWC's extensive on-site inspection regime.

George Tenet, the Acting Director of Central Intelligence, testified before the Senate Intelligence Committee that: "In the absence of the tools that the Convention gives to us, it will be much harder for us to apprise you, apprise the military and policymakers of where we think we are in the world with regards to these developments."

The intelligence community wants us to ratify CWC because it will give them additional tools to detect chemical weapon programs in other countries. And that is something we're going to have to do anyway. In addition, there may well be some occasions in which on-site inspection will produce evidence of treaty violations. In other words, while we may not catch every violator, we may well catch some--and that will lead to deterrence.

And without the CWC, we won't catch anybody--because there will be no bar on countries producing and stockpiling those weapons. The allegation that the treaty would lead to the end of export controls on dangerous chemicals is based on a poor reading of the treaty text. Article Eleven of the Convention supports chemical trade and technology exchange "for purposes not prohibited under this convention." It also requires that trade restrictions not be "incompatible with the obligations undertaken under this convention."

But the CWC is completely consistent with continued enforcement of the Australia group controls, which member states use to keep chemical and biological weapons material out of the hands of rogue states. The executive branch has said this time and again, and so have our Australia group allies.

In fact, as we speak, our allies are in the process of repeating those assurances through diplomatic contacts. It is the decline and failure of U.S. leadership that would pose the gravest threat to the Australia group. And failure to ratify the CWC would be seen by friend and foe alike as a U.S. retreat from world leadership in an area that is critical to global security. Under that circumstance, states with chemical industries might indeed conclude that they should go back to helping the Iraqs and Libyas Of the world to build suspect chemical facilities.

If one were to extrapolate the arguments of treaty opponents, one would have to conclude that no matter what we do, the Australia group is a dead letter. Because on April 29 those Australia group countries that have joined the Convention will be required to begin trading freely in dangerous chemicals according to the argument made by opponents. Obviously, this argument is as preposterous as it sounds, but it is the logical outgrowth of the allegation made by the opponents.

Finally, I look forward to engaging our witnesses on their claim that this Convention will lull us into a false sense of security. The Pentagon has made it clear on numerous occasions that it will maintain a robust chemical defense capability supported by robust intelligence collection. The commitment to protecting our forces has the full support of the President and the Congress and I believe strongly that no future Administration or Congress will abandon our solemn responsibility to our troops in this regard.

In addition, I have agreed with Senator Helms to add a legally binding condition to the treaty that requires the Secretary of Defense to ensure that U.S. forces are capable of carrying out military missions regardless of any foreign threat or use of chemical weapons. Besides, our experience with other arms control agreements shows that there is little chance of our becoming complacent about the chemical weapon threat if the CWC is ratified.

For example, the Nuclear Non-proliferation Treaty was signed twenty-five years ago, yet we are continually vigilant on the threat of nuclear proliferation. As for defenses against poison gas--troop protection and decontamination training is a function of congressional funding. That equipment and that training will not go away unless Congress lets it go away. I certainly won't allow it, and I don't think my colleagues on the other committees of jurisdiction or on side of this issue will either.

I am concerned that the opponents solution to the perceived problem of being lulled to sleep is to allow the threat of chemical weapons to grow even worse. Mr. Chairman, I look forward to a frank and open exchange with our witnesses. I hope that the hearing today moves us one

step closer to action on this critical treaty before the impending deadline.

Thank you.

The Chairman. You didn't take but 18.5 minutes.

Senator Biden. Well, then I will forego *my* questions. Mr. Chairman.

The Chairman. Oh, no, no. You are always very impressive, I will say, one way or another.

The Chairman. Since we are playing a name game, Trent Lott got a letter the other day, signed by a few military people. such as Dick Cheney, Bill Clark, Alexander Haig, John S. Herrington, Jeane Kirkpatrick, Edwin Meese, Donald Rumsfeld. Caspar Weinberger, General Voss, Vice Admiral William Houser, General Kelley of the Marine Corps, General Thomas Kelly of the Army. Admiral Wesley McDonald--is that enough?

Senator Biden. That's pretty good, Mr. Chairman.

The Chairman. OK. We have about 75 other signatories. Without objection, we will put that in the record.

[The letter referred to by Chairman Helms appears on page 15.]

Senator Biden. Mr. Chairman, this is not fair to do, but two of the guys you named changed their mind and signed a letter on April 3 saying that they are for the treaty.

Oh, they changed their mind after they signed that.

Oh, gosh, all right.

There are a lot of guys changing their minds around here these days. Maybe we can change your mind, too.

The Chairman. That will be the day.

You won't change *my* mind about this statement made repeatedly about the Reagan Administration, which is not **for** this treaty. Think about Weinberger, Kirkpatrick, Bill Clark, Ed Meese, Richard Perle, Dick Adams, and on down the list. In fact, I know of no one on the Reagan team, as it is **known**, who is in favor of it. Sadly, nobody can ask the President himself, President Reagan, how he feels about it.

I understand that several Senators are going to return so that they can have their time. We have agreed that 5 minutes for the first round may be the course of wisdom.

Secretary Rumsfeld, you served for many years as Chairman and CEO of G.D. Searle and Company, which is, I believe, a large, multilateral pharmaceutical business. You have had quite a bit of experience and expertise in dealing with government regulations, to which you referred.

In your expert opinion, why would the Chemical Manufacturers Association be so aggressive in supporting the treaty when I have this many letters (indicating) from chemical companies saying it is a bad treaty and please do not approve it?

Mr. Rumsfeld. Well, I cannot climb into the minds of the executives of the Chemical Manufacturers Association, Senator, but certainly an industry like that has, as Senator Biden has indicated, an opportunity to increase the number of chemicals they can export if this treaty is passed. At the present time, a number of chemicals are not permitted for export, which would be made permissible for export by this convention.

So it is in their interest to have it passed in that

regard.

The Chairman. Thank you.

Mr. Rumsfeld. Second, I am not an expert on the association, but certainly they represent the big companies. They don't represent the medium sized and small companies.

Senator Biden has said he does not doubt that he would be hearing from small companies if there were a problem. I suspect if this passes he will hear from them. I don't believe that the thousands, whatever the number is, of companies across this country know about this treaty in any detail, believe that the treaty would apply to them, understand that they could be subjected to inspections, appreciate the unfunded mandates that would be imposed on them in the event this treaty were to be ratified.

I might just point out that the Aerospace Industries Association has stated its strong concern about the treaty, and I hope that since they have said that they have not changed their mind.

But you never know.

But they have said it would unnecessarily jeopardize our Nation's ability to protect its national security information and proprietary technological data.

I was told yesterday by an individual who is knowledgeable that the Lawrence Livermore Laboratory, for example, personnel from there were involved in one of the mock inspections conducted by the U.S. government. They evaluated the inspection results and some weeks later, from outside the facility, using modern technology, were capable of coming away with classified information and proprietary information from the inspection.

So I don't think that it would be wise for us to underestimate the risk that would exist to classified information, to a company's proprietary information.

There is a third problem. Most of us in business are engaged with joint ventures and partnerships with companies across the globe. We share proprietary information in the same facility. Were these inspections imposed, it is entirely possible that not only your own proprietary information could be compromised but also the proprietary information of joint venture partners to whom you have promised not to permit their proprietary information to be shared.

Even cereal companies close their doors and do not allow people to walk through the plant. Why? They don't have classified information. What they have is process information, and the idea of photography or samples leaving their factory would unquestionably concern them deeply.

The Chairman. I thank you. My time is up.

Without objection, I am going to ask that the letters from industry in opposition to treaty ratification be made a part of this record.

[The information referred to appears in the appendix.]

The Chairman. I don't have but 30 seconds left, so I will turn to the distinguished Senator from Delaware.

I was just handed an interesting little comment that I will say to all of you. One of the letters that I have is from the company which makes the ink for the dollar bill. They are frightened that foreign inspections under the CWC would give counterfeiters some advantage.

Mr. Rumsfeld. They are probably incorporated in Delaware.
Senator Biden. I hope so. That accounts for the other 50 percent of our business.

Actually, that's not true. Chickens are bigger.

Dr. Schlesinger. They are incorporated in Virginia and the letter was sent to Charles Robb.

Senator Biden. Thank you.

Gentlemen, obviously because of the time I am not going to be able to ask you all that I want to, though I am sure my colleagues will do a better job at it than I would.

Let me ask you about a few things *you* have mentioned here and about conditions that have been tentatively agreed to, conditions added to the treaty that have been tentatively agreed to by Senator Helms and me--speaking only for me and not for any other member of the Democratic Caucus or the Republican Caucus. One of the criticisms was that this is unenforceable, this treaty. And one of the conditions we have tentatively agreed on is that the President would be required to consult with the Senate if the treaty is being violated. The President would be required to report'tous on what was being done by way of inspections, diplomacy, and sanctions to respond to the violation. And if the violations were to persist for one year, the President would have to come back to the Senate and ask the Senate to decide if we should continue to adhere to the treaty or not. He would have an affirmative obligation.

My question is, does this condition in any way, do you view it as positive, not whether it cures the problems of the treaty, but do you consider it a positive condition?

Dr. Schlesinger. I think it is a positive condition.

Mr. Weinberger. I would suggest, however, that we might want to look very carefully at the content of the report that the President makes to the Senate and see if it, in fact, is as accurate as it should be.

Senator Biden. I think that is a valid concern and a valid point raised. There is another condition that we have tentatively agreed on.

In response to a piece, an op-ed piece done by *you* distinguished gentlemen, you said, on March 5, that if the United States is not a CWC member State, the danger is lessened that American intelligence about ongoing chemical weapons operations will be "dummed down" or "otherwise compromised."

In order to address that concern, Senator Helms and I have agreed to a condition requiring periodic reports and prompt notice to the Congress about chemical weapons programs around the world and the status of CWC compliance.

The executive branch would also be required to offer briefings on these issues. This condition would give Congress an active role in advising the President in regard to insuring compliance. The information would be before the Congress and it would be incumbent upon us to review it and define, if we disagreed, when violations were taking place.

My question is does this in any way go toward alleviating the concern about dumbing down?

Dr. Schlesinger. Well, it helps in some ways and it adds to the problem in others.

As you know, there is a proclivity of the executive branch, when it wants to avoid action, to ignore or to dumb down

violations by others. There is a long history of this. I need not repeat it.

Senator Biden. I'm aware of that.

Dr. Schlesinger. You referred to the Iraq case *yourself*.

Senator Biden. Now the other question that several of you have indicated in written material in the past was without a commitment of billions of U.S. aid to pay for destruction of Russia's vast arsenal, they will not comply with this treaty.

Senator Helms and I have agreed to a condition to a resolution of ratification in an attempt to address this issue. Our condition states: The United States will not accept any Russian effort to condition its ratification upon the U.S. providing guarantees to pay for implementation.

Let me ask you this. Does this in any way help in that problem, although I find it kind of strange? It's like the argument about why the *Nunn-Lugar* legislation was a bad idea--this is not an argument on your part, but some here have argued that it was a bad idea because we were paying money to the Russians to destroy nuclear weapons.

I always found that an interesting argument, and I don't know why it would be such a bad idea to help destroy their chemical weapons, either. At any rate, we have a condition that says that that can be no condition of ratification.

Is that a useful or a destructive addition to this treaty?

Dr. Schlesinger. I think that is useful, Senator. It does, however, underscore a fundamental problem that we have in that the bilateral destruction agreement was the foundation for the Chemical Weapons Convention and that Prime Minister *Chernomyrdin* has now said that agreement has outlived its usefulness. That is worrisome.

Senator Biden. As you will recall--and this will obviously be my last comment--as you will recall, the reason for that treaty was to prompt this treaty. You will remember that. Second, we did not ratify the treaty nor did they ratify the treaty.

Anyway, thank you very much Mr. Chairman.

Thank you, gentlemen.

The Chairman. Before I recognize Senator Lugar, let me say that the distinguished ranking member, Joe Biden, and I have spent several hours together trying to work on details, and we have agreed on about 21 relatively minor defects in the treaty. There are 5 or 6 major things yet to be considered, and the administration **up** till now--not Joe Biden, but the administration--is stonewalling considering even those defects.

Senator Lugar.

Senator Lugar. Thank you, Mr. Chairman.

I want to join you and members of the committee in welcoming witnesses this morning who are good public servants and personal friends of many of us on this committee. I have listened to their testimony and I have studied the op-ed which they wrote for the Washington Post last month. I believe their contribution was well written, but, at least for me, it was unpersuasive.

Critics of the convention often speak as if the concerns they are expressing are being heard almost for the first time and that members of the committee have now taken these issues

into account in developing the resolution of ratification.

The critics may not be familiar with the resolution of ratification that we passed out of this committee by a vote of 13 to 5 last year or the ongoing negotiations on the ratification issue this year which the Chairman just cited.

The resolution is precisely the vehicle through which these matters of interpretation are taken up and conditions added to conform to U.S. domestic law. Instead of working these complex interpretation issues, many critics are repeating many of the same arguments that we have dealt with.

I would say, for example, that we are treated to the so-called complacency argument; that is, United States ratification of the CWC will lull the country into a false sense of security and a tendency to neglect its defenses. But this is surely a matter of political will here at home. It has nothing to do with the treaty. There is nothing inevitable about arms control agreements contributing to lessening a perceived need and, therefore, support for defense against such threats.

But there is something wrong with the notion that by allowing our potential adversaries to have a chemical weapon situation without norms and international law, that we are sure to be reminded to defend ourselves against them. Rather than whining about complacency, Congress ought to do its job: Authorize and appropriate the funds necessary to provide for a robust chemical defense capability.

In addition, Congress has every ability to add or to shift funds to ensure that CWC monitoring remains a priority.

Second, we are treated again to the so-called poisons for peace argument; namely, the CWC will obligate member states to facilitate transfers of CWC specific technology, equipment and material to member states of the convention. Further, they charge the treaty commits new member states not to observe any agreements that would obstruct these transfers.

That is the Iranian interpretation of Article XI. The United States and others rejected that argument and maintain that interpretation of Article XI did not require them to do so, that mechanisms such as the Australian Group are legitimate under the CWC, and the work of the Australian Group will continue.

The resolution of ratification clarifies the American interpretation. The U.S. preserves the right to maintain or impose export controls for foreign policy or national security reasons. But nothing in the convention obligates the United States to accept any weakening of existing national export controls and that the export control and nonproliferation measures the Australian Group has undertaken are fully consistent with all requirements of the CWC.

If, as critics state, the CWC would likely leave the United States more and not less vulnerable to chemical attack, then the blame again resides with political leaders in the United States, not with the convention. The treaty in no way constrains our ability as a nation to provide for a robust defense against chemical weapons or to impose and maintain export controls.

Third, we are told that if the U.S. is a CWC participant, American intelligence is in danger of being dumbed down or

compromised. Again, any dumbing down of intelligence has nothing to do with the convention. It has to do, once again, with political will.

We quite predictably get, then, a charge on the Constitution made by critics that U.S. participation could leave U.S. citizens and companies vulnerable to burdens associated with reporting and inspection arrangements and to jeopardizing confidential business information.

The critics pose as protectors of American industry, but industry **has** spoken for itself, U.S. industry would not support the CWC if it posed significant risks to confidential business information. Specifically, the chemical industry has worked intensively to ensure that protections against the loss of confidential information are incorporated in the CWC and the administration-proposed implementing legislation.

By the same token, allegations that this will require violation of the Constitution are wrong. The proposed implementing legislation provides for search warrants if routine or challenge inspections are to be carried out without consent. The CWC also allows the U.S. to take into account constitutional obligations regarding searches and seizures, proprietary rights, and providing access through challenge inspections.

Finally, there is the argument that we be in no hurry to adhere to the convention and if and when we decide to join other signatories will have no choice but to adjust. Nevertheless, if we are not a party when it enters into force, we will have no role in the governing body and that is important.

The Chairman. Senator Dodd.

Senator Dodd. Thank you very much, Mr. Chairman. I noted when I walked in here the presence of the distinguished Admiral, who has rejoined us here.

It is a pleasure to see you again, Admiral. We are glad to have you back with us.

Today I thank all three of you for being here as witnesses. All three of you had distinguished careers, and it is a pleasure to see you back before the committee.

Mr. Chairman, I thank you for holding these hearings. I respect immensely the concerns that you have raised. You have done so in an appropriate fashion over the last number of months, and we are going to have a chance, as it appears now, in the next few days to actually express our will in the Senate on this, which I think is appropriate and proper given the April 29 deadline.

I commend you and Senator Biden for the tremendous effort you have both put in, along with your staffs, to try to resolve some of the outstanding differences. Senator Lugar as well deserves a great deal of credit, having a long-standing commitment to this issue.

So I commend all of you for your work.

I noted, Mr. Chairman, that you said the Reagan administration team was sort of opposed to this. The name game is dangerous, but the last time I looked, General Vessey, Jim Baker, Ken Adelman, Colin Powell, General Rowny, Paul Nitze and the Vice President were part of the Reagan team and they support the Chemical Weapons Convention.

But there is a danger in going back and forth. I think the question has to be raised of what is in the interest of our country here, whether or not this is going to serve our interests in the 21st century.

I am struck by a couple of observations. One is that we saw in the 1970's--in fact, Secretary Schlesinger I think was very much involved in this--the Biological Weapons Convention or treaty which President Nixon sent up to us here, which was strongly supported, as I recall, by both parties, both sides of the aisle. It has some 157 signatories, I think. One hundred forty countries ratified it. There is no verification, to the best of my knowledge, in that particular convention, yet it has worked pretty well.

It has short comings, obviously. There is not universal adherence to it, but it has worked fairly well.

I raise that because this treaty obviously does have verification included in it. One would argue that it actually does a much better job.

I am also struck by the fact that in 1985, President Reagan signed into law a bill that would eliminate by the year 2004 the entire existing stockpile of chemical weapons. So we made a decision about a decade ago. One could argue, I suppose, the merits of it, but we made that decision; and we have been about the business not of upgrading or modernizing any of our chemical weapons but to unilaterally--to unilaterally--eliminate our own stockpiles in chemical weapons.

I know of nothing that has been said here, nor has anyone advocated, at least in the last few years that I have been here, that we ought to modernize our stockpiles in chemical weapons. No one has made that suggestion that I know of or offered legislation in that regard.

So it seems as a country, in a bipartisan way, going back almost 25 years, more than 25 years, that we have taken a leadership position, both internationally and unilaterally, on the issue of chemical weapons; because we realize the dangers involved and associated with these weapons of mass destruction.

The issue now comes down to whether or not this Nation, having authored, championed, and led this effort, whether or not we are going to be able to sit on the Executive Council which will set the rules of the road.

We are acting in some way as if, if we don't ratify this, it does not happen. It does happen. If we don't ratify this, it does happen.

The issue now becomes whether or not we are going to ratify in such a way that the interests of our country and the interests which we champion, that is, the abolition of chemical weapons and weapons of mass destruction, that we are going to be allowed to sit at the very table to decide the rules of the road to determine whether or not that is going to work, having unilaterally decided that we will take ourselves out of this game by the year 2004.

I just wonder, briefly, if our three witnesses here might, in the context of the Biological Weapons Convention of the 1970's, the general success of that, the decision in 1985 by the Reagan administration and Secretary Weinberger to unilaterally get out of this business by the year 2004--that was a Reagan administration decision--why it is not in the best

interest of our country to move forward on this convention in light of the decisions we have already made.

The Chairman. We will let you answer that on the next round.

Senator Hagel.

Senator Dodd. Thank you, Mr. Chairman.

Senator Hagel. Mr. Chairman, thank you.

I very much appreciate the opportunity to listen and learn this morning. Mr. Chairman, as you suggested, there are 15 new United States Senators. There are 3 new United States Senators on this panel.

This is one United States Senator who needs to know more about what we are doing here, and I very much appreciate you and Senator Biden opening the process and giving us a chance to learn and listen.

Just as in life where actions have consequences, treaties have consequences. We live with those consequences.

I, as a supporter of a ballistic missile defense system, am somewhat struck that we are still captive to the 1972 ABM Treaty in the argument of some why we cannot go forward and construct a ballistic missile defense system.

We are not here to talk about the ABM Treaty, but I am here to learn a little bit more about what this chemical treaty is about. Understanding, as the distinguished panel has brought out in rather poignant terms this morning in the questioning and the comments by my distinguished colleagues have added to this enlightenment, first, civilized conduct is not predicated on treaties and is not governed by treaties. Civilized conduct is not anchored by treaties or some esoteric academic kind of parchment.

Civilized conduct is anchored by civilized people. One of the concerns I have with this treaty as it is written, not unlike what I have heard this morning--and I must say also what Secretary Weinberger has said, I do not know of anyone who is for chemical weapons or the use of them--and as someone who has understood a little bit about combat, as others on this committee know and some of the direct personal experiences articulated by our panel this morning show they understand a little bit about this business, is this; and I guess my question comes down to this: Should we have a chemical weapons treaty and if we should, what form should it take? I would be very interested in our three distinguished panelists, Mr. Chairman, answering that question. If not this treaty, should we have one? Whatever that answer is leads us obviously to the next question, which is what form, if you agree we should have a treaty, what form should that treaty take.

Secretary Weinberger?

Mr. Weinberger. I think we have to bear in mind the point that you made at the beginning, that you don't solve the problems of ethics or of use of these weapons by any attempt to impose civilized standards on uncivilized government. I don't think for a moment, in connection with the statements Senator Biden and Senator Dodd made, that it would make the slightest difference to Saddam Hussein whether it was legal or illegal for him to use poison gas. He did violate that treaty, the original agreement in Geneva, when he attacked the Kurds. I think any time it suits his interest, he would do so.

Indeed, the old Soviet definition of truth is whatever serves the country. **So** you have to have in mind that kind of attitude.

Against that background, there is no impropriety in setting standards. I think that you can make it clear that the use of poison gas is outlawed by public opinion around the world. **You** can get statements to that effect. But when you add to that the enormously intrusive processes which require us to share with some extremely potentially hostile countries defensive mechanisms that we may be, and I hope are, working on to improve our capability of defending against this type of warfare, then I think you are neglecting the best interests of the United States. That is one of the reasons why I think this treaty, this convention, should not be ratified.

There are all kinds of ways of making international statements. But when you bind yourselves to the situation of preventing the country from having the kind of defensive capability it needs in a world like this, then I think you are not serving the best interests of the United States. That is one of the reasons I think this treaty goes far beyond attempting to set just international standards and speed limits, and all those other comforting terms, because at the same time it requires us to take actions that would weaken us very severely and, I think, increase the chances of chemical warfare being used by rogue nations who would be told very publicly that other nations had no retaliatory capability.

Senator Hagel. Thank you.

Secretary Rumsfeld.

Mr. Rumsfeld. Just very briefly, I won't take much time. I see you are on the yellow already.

First, obviously a great deal of the problem is with Articles X and XI.

Second, the Executive Council is a problem. It is unlike the United Nations, where the United States at least has a veto. Here, in this instance, **as** I recall, Asia has 9 members. Africa has 9 or 10, Latin America has 7, Eastern Europe has 5, Western Europe has 10, and "other" is thrown in with Western Europe. We don't even have a guaranteed seat.

So it would be a very different kind of mechanism, even different than the International Atomic Energy mechanism, as Secretary Schlesinger mentioned.

So I think those two things stand out by way of problems.

Senator Hagel. Thank you.

The Chairman. Thank you.

Senator Kerry.

Dr. Schlesinger. Might I add just a little bit on that point, the last point that **Mr.** Rumsfeld mentioned?

The fact is that, under the IAEA, the United States provides scrutiny of the budget in a way that this budget will not be scrutinized through the internal politics of the IAEA. Second, the Western nations have a blocking vote in the Board of Governors of the IAEA. It requires a two-thirds vote of the IAEA. To prevent intrusions in the United States requires a three-quarters adverse vote. And as **Mr.** Rumsfeld has just indicated, under the circumstances, the United States is not guaranteed a seat. It is described as "other."

That is, I think, a clarification of the remarks by Senator

Dodd with regard to our participation in the Executive Council. That may be a transitory device. It may be a permanent device. But there is no indication of it.

Finally, there is a facilities agreement under the IAEA so that there is no hunting license to go around in the 10,000 facilities in the United States that are subject to the requirements of this agreement.

The Chairman, Now Senator Kerry.

Senator Kerry. Thank you very much, Mr. Chairman.

I have a number of questions, and I am sure I will not be able to get at them in the short time available. But let me begin, if I can.

Gentlemen, I ~~assume~~ you don't believe that chemical weapons manufacturing or chemical weapons threats can be adequately monitored by U.S. technical means alone.

Do you agree with that?

Mr. Weinberger. That's correct. I agree with that. It cannot be.

Senator Kerry. So you need some kind of protocol, some kind of mechanism for the process of adequately providing our intelligence community with a capacity to advise our leaders adequately.

Mr. Weinberger. Senator, I see what you are getting at. But the fact of the matter is that the treaty that we are considering here does not have any kind of guarantees or any kind of verifiability that countries that say they are going to do one thing are going to do it.

Just because it has a very intrusive mechanism which allows them to go all into these 10,000 or more companies in the United States or similar numbers in other countries of the world does not mean that there is any guarantee that any of the countries that are signatory to it are in effect going to be doing what they say they are going to be doing.

Senator Kerry. By that same logic, there is no absolute guarantee for any treaties that we have signed. Isn't that accurate?

Mr. Weinberger. That's one of the reasons I was always worried about relying exclusively on an arms control regime, as opposed to a military capability regime along with arms control for insuring our own security.

Senator Kerry. If you follow that logic---

Dr. Schlesinger. Mr. Chairman, could I say something without taking away from the Senator's time?

Senator Kerry [continuing]. Can he do it without taking away from ~~my~~ time?

The Chairman. Oh, certainly.

Senator Kerry. That is a privilege. Thank you.

Dr. Schlesinger. Senator, let me try and raise the fundamental question here, which is the loss of sources and methods.

When David Kaye was in charge of the inspection in Iraq, he discovered to his chagrin that the Iraqis had been able to hide from Western intelligence their activities. Why--because the Iraqis themselves had been trained by the IAEA in the techniques used by Western, specifically American, intelligence.

He had a conversation with an Iraqi official who simply

stated we have gotten all of this information.

Now the Executive Council of the Organization for the Prohibition of Chemical Weapons is engaged in training people from all nations at this juncture.

What we are doing in the intelligence area is probably suffering a net loss. As the Senator indicates, we will have greater access and, therefore, we will have increased intelligence of one type. But our techniques for intrusion, our techniques for interpretation will be compromised.

This is clearly the case in North Korea, in which the North Koreans have wisely discovered through our revelations that the IAEA's demand to see their waste dumps will compromise information on their production of plutonium.

So the Senator's question is quite right with regard to improved intelligence, but it is offset by the compromise of sources and methods.

Thank you, Senator.

Senator Kerry. Mr. Chairman, if I could respond, I understand your argument, but I think the logic is lost here for a number of reasons.

First of all, Iraq is not a party. So nothing will change with respect to Iraq. In fact, none of the rogue states about which we have the greatest fears are parties. Therefore, nothing with respect to our intelligence gathering or state of anxiety should change with respect to those states.

On the other hand, because you have a regimen with respect to everybody else who is trafficking in or legitimately trading in the precursor chemicals, we will have a much greater ability, in fact, according to our own intelligence personnel, to determine the ability of those rogue states to, in fact, get a hold of those chemicals, or the ability to manufacture on their own.

What do you say to that? It is interesting that Jim Woolsey said this will give the country an additional tool in the box. Our current CIA Acting Director, George Tenet, says it will. John Deutch said it will. The entire U.S. command structure, almost the entire U.S. command structure for the Persian Gulf, who faced the threat of chemical weapons, say that this will strengthen our hand.

It is hard for me to understand why you find their perception of this as an increased tool and as an important protection wanting.

Dr. Schlesinger. I think that is easily answered, Senator, and if I may respectfully suggest, you are on the wrong wicket in this regard.

For a decade DCI's have come to this Senate, to the House, and stated that this treaty is unverifiable. Jim Woolsey came up and said this treaty is unverifiable. John Deutch, who has been cited by the administration as saying that it is verifiable has stated, "I've never said it's verifiable. It's clearly unverifiable." And in the article with General Scowcroft, he indicated it was unverifiable.

The nonsignatories, such as Syria and Libya, are likely to get a little assistance from signatories like Iran and Cuba. That will not be difficult to establish.

Senator Kerry. Can I just interrupt you there on the point of verifiability?

Dr. Schlesinger. Sure.

Senator Kerry. First of all, no treaty is purely verifiable. No treaty.

Second, none of them said that this treaty is not verifiable to some degree. They all said this is verifiable to a certain degree. We all understand that.

The question before us is are we better off without any protocol which controls precursor chemicals, are we better off being totally outside of the regime that will be set up by the control as of the 29th of this month, and are we better off without all nations, Russia included, coming in to an agreement as to how we will try to track this. Are you better off in terms of verifiability?

Are you better off in terms of verifiability without this? That is my question.

Dr. Schlesinger. We have to look at the----

Senator Kerry. No. Please answer my question.

Are we better off without verifiability?

The Chairman. Just a minute. The Chair is----

Senator Kerry [continuing]. I'd just like to get my question answered, Mr. Chairman.

The Chairman. Well, you can do it with a little more discretion than that.

Now you are talking with a former Director of the Central Intelligence Agency. He should know what he is talking about. He deserves better than to be----

Senator Kerry. Mr. Chairman, I'm not trying to do anything except----

The Chairman [continuing]. Please, please.

Dr. Schlesinger. Now you can answer the question, sir.

Dr. Schlesinger. There will be gains in verifiability and losses in verifiability. The fact that our techniques will be undermined probably will exceed the gains in verifiability. Moreover, we are dealing not only with the verification of chemical weapons, we are dealing with the possible industrial espionage in the United States. And that industrial espionage is going to be a godsend--I repeat, a godsend--to foreign intelligence agencies and to the corporations which will feed on those foreign intelligence agencies.

A recent book, "War by Other Means," talks about economic espionage in the United States and how vulnerable we are to economic espionage. That must be included in the total assessment with regard to the performance of the intelligence community.

Mr. Chairman, may I say that I worry deeply about the statement that was earlier made by Senator Eiden that the intelligence community wants us to ratify the treaty. I heard that statement--and excuse me, Senator Kerry for drifting off your question--I heard that statement, and I am deeply concerned that the intelligence community should not be wanting a decision on any policy matter. The intelligence community is there to provide information, not to provide judgments on policy issues.

I hope that that statement did not reflect either the DCI's, the Acting DCI's views or the views of the intelligence community.

Mr. Weinberger. Mr. Chairman, I wonder if I might answer

another of Senator Kerry's questions which is do you think we are better off by not signing this protocol. My answer is unequivocally yes, we are better off by not signing it because this particular protocol not only has all of the faults that we pointed out and is not verifiable, but it does require us, and we would carry out our obligations, I am confident, because we always have, it requires us to share both defensive and offensive technological developments that we should be working on to protect our troops.

That I think is a very deep flaw. The Senator, I am sure inadvertently, omitted from the list of rogue nations that have not joined the fact that Iran has joined and Iraq has not.

So you would be giving an enormous intelligence advantage and an enormous disclosure advantage to a country like Iran. When General Schwarzkopf was asked why he supported the treaty and if he understood that by supporting the treaty he was supporting the sharing of this kind of technical development with Iran, he said of course not. He was horrified.

I think that is a fair description of what he felt when this was brought home to him.

The Chairman. Senator Grams.

Senator Kerry. Mr. Chairman.

The Chairman. Senator Grams.

Senator Grams. Thank you very much, Mr. Chairman. I want to welcome our distinguished panel, and I appreciate your time here this morning.

Some of these you might have already answered. I came in late, so I apologize. But I would just like to go over some of the basics on this.

One basic argument, a major argument, that has been made by the supporters of the CWC is that, although it may be far from perfect, that it is better to have some treaty in force rather than none at all; in other words, sign on to be part of this board or Executive Council to enact what may be a troubled treaty.

How would you respond to that assertion, that it is better to be a part of this treaty than none at all.

Mr. Rumsfeld, may we start with you?

Mr. Rumsfeld. I think that when one weighs the advantages and disadvantages, it is clear to me, at least, that the defects vastly outweigh the advantages of establishing a standard or a norm in this instance.

Further, I think it is perfectly possible to achieve the advantages that would accrue from this agreement without having to be burdened with the disadvantages.

Senator Grams. How would you do that, Mr. Rumsfeld?

Mr. Rumsfeld. Well, one way, as I mentioned, is the question of Articles X and XI, which I think should not be in there. The way they are written they represent very serious problems. The second way I mentioned was the mechanism of enforcement. The so-called Executive Council I think is flawed and would offer the United States nowhere near the ability to affect decisions that we have in the United Nations or that we have in the IAEA.

Senator Grams. Mr. Weinberger?

Mr. Weinberger. Well, I think the argument that something is better than nothing depends upon something not being worse

than what you have.

We don't need to sign this treaty to assert our goodwill or to assert the fact that we are against chemical weapons. I said at the beginning that I have the greatest detestation for these weapons, and I am sure every soldier does. Anyone who took part in any kind of service understands what they mean and what they do.

But we don't have to sign a flawed treaty to demonstrate to the world our rejection of these kinds of weapons. We have many times taken actions that indicate that we are opposed to them.

So I would certainly agree completely with Don Rumsfeld that you do have great disadvantages and those disadvantages outweigh any possible good that can come from a generalized statement that we, too, dislike these weapons and we, too, are willing to have them abolished.

Senator Grams. Mr. Schlesinger?

Dr. Schlesinger. We have a treaty, we have an agreement. We have a convention, the Geneva Convention, which is already in force. So it is not a question that something is better than nothing because we already have something. That something prohibits the use of chemical weapons. It is easier to detect the use of chemical weapons than it will ever be to detect the manufacture of chemical weapons. Consequently, we are far better off not watering down the Geneva Convention in the way that this treaty threatens to.

I note that in Article VII or, thereabouts, it says that no way does this current agreement weaken the requirements of the Geneva Convention. We should take a firm stand on the use of weapons, and we need to have the capacity to enforce it.

If we look at what will happen after the signing of this agreement, if, for example, China signs--and I have been described as a friend of China. I don't see any reason for us to drift into confrontation with China. But I want to say that anybody who believes that the Chinese will give up their chemical weapons capability or that they will give up the capacity to manufacture must be suffering from hallucinations.

If we are prepared to do anything about it, that would require a greater rigor in dealing with Chinese departures from agreed on arms control measures than we have exhibited to this point.

Mr. Rumsfeld. May I add one comment or thought that comes to mind?

Senator Grams. Sure.

Mr. Rumsfeld. In view of both what you and Senator Kerry have asked and discussed, the implication that nothing will change with respect to Iraq goes back to my point on Articles X and XI. I think it will change, even with respect to Iraq, in this sense. Countries that don't sign will be there, and with the dramatically increased flow of information which Articles X and XI require, and transfer of technology, and availability of information, it will get around. There is no question but that the information, particularly with respect to the defensive side, will be available. It will get out into the marketplace.

You cannot keep it in. If that many countries have access to it, it will not be secret from the rogue nations.

Senator Grams. Thank you.

Thank you, Mr. Chairman.

The Chairman. Senator Feingold.

Senator Feingold. Thank you, Mr. Chairman.

Let me first take this opportunity to thank you and the ranking member, Senator Biden, for the leadership and the dedication you have demonstrated on this issue before us this morning. I also want to recognize the efforts of the White House Working Group and the Lott Task Force to clarify this issue. I know that these negotiations are taking a great deal of time and involve a tremendous amount of technical detail.

I want to note that this committee, too, has spent a lot of time on this treaty. In the 104th Congress, the distinguished Chair held three extensive hearings. I was pleased to be able to participate in those hearings, which have given the members of this committee an opportunity to closely examine a number of issues pertaining to this treaty and the consequences of its ratification or of the failure to ratify it.

We asked some tough and probing questions and I think received thoughtful responses from the administration and private witnesses who have come before us.

Despite all of this hard, hard work, we find ourselves at the 11th hour without Senate debate on this treaty. Even though the United States had the key leadership role throughout negotiations over this treaty, and even though 70 countries have already ratified it, this institution has not yet had a chance to actually consider the ratification of CWC.

I just would like to reiterate, in the couple of minutes I have, what has already been said here this morning. Time is of the essence for the full Senate to have this debate. We are all well aware of the looming deadline of April 29, exactly 3 weeks from today. That is the deadline by which the United States must deposit its instrument of ratification of this treaty so that we may be a full participant in the Organization for the Prohibition of Chemical Weapons, or OPCW, the governing body that will have the responsibility for deciding the terms for the implementation of CWC.

In my view, the United States participation in the OPCW is fundamental to ensuring that American companies and American citizens are treated fairly under the inspection provisions of this treaty. It is precisely because some observers think that these provisions are faulty that Senate consideration is essential. Senators should have the opportunity to debate these concerns, and the American people certainly deserve a chance to hear them.

As elected representatives with the constitutional responsibility to provide advice and consent to treaties signed by the President, I think we are obligated to give full consideration to the CWC. With the April 29 deadline looming ahead of us, I think we owe it to the people who elected us to fulfill that duty to do it in a timely fashion and to do it responsibly.

This treaty was signed by President Bush in January 1993 and was submitted to the Senate by President Clinton in November of that year. Almost 3 1/2 years later, the Senate is now faced with a 3-week deadline. The Chemical Weapons Convention is the culmination of a decades-long effort to bring these weapons under international control and work toward their eventual elimination.

While I think we would all concede and have said that the CWC remains imperfect, I still believe it is the best avenue available for beginning down the road to that eventual elimination.

So, Mr. Chairman, I again commend the tremendous interest you have taken in this issue, but I hope we can vote on the treaty soon.

Mr. Chairman, I just have a couple of questions for the panel.

First, in your March 5 Washington Post op-ed, the three distinguished members of this panel indicated that if the United States decides to become a party at a later date to this convention, perhaps after improvements are made to enhance the treaty's effectiveness, it is hard to believe that its preferences regarding implementation arrangements would not be given considerable weight.

I guess I would like to know what improvements you would make. If it is in the interest of the United States to make these improvements, how would you propose that the United States accomplish this if we are not a member of the OPCW?

Mr. Weinberger. Well, I don't think that the possibility of our being disregarded exists, Senator. I think if we are expected to pay 25 percent of the costs of this treaty, which are very considerable, we are certainly going to be listened to.

As far as changes are concerned, I tried to indicate this morning, in a too lengthy statement, perhaps, all of the things that I think are wrong with it. Certainly Articles X and XI would have to be changed in a major way so that we do not preclude ourselves from having the capability of defending against rogue states who either signed or didn't sign this convention.

What we have done in those articles, in my opinion, gives them all of the opportunity to either weaken or basically eliminate any kind of improvements we would make in the protective clothing, the masks, the defensive capabilities against these terrible weapons. It does not prevent rogue States from using them, or from stockpiling them, or from manufacturing them.

Senator Feingold. If I may follow up just for a second on that. In effect, then, you are saying that our financial leverage would be sufficient to allow us to change it?

Mr. Weinberger. Oh, I would be extremely disappointed if it isn't, Senator. Yes. We have quite a lot of opportunity to observe that in a number of other organizations, and if we are expected to put up 25 percent--and I would suspect that within a couple of years it would be 35 percent--of the cost of this treaty. We would certainly, I would hope anybody who was President at that time or Secretary of State at that time would make it quite clear that we require for our contribution a very genuine decisionmaking role.

Senator Feingold. Thank you, Mr. Secretary, and thank you, Mr. Chairman.

The Chairman. Senator Brownback.

Senator Brownback. Thank you, Mr. Chairman and for holding the hearing. I am delighted to be here with these three gentlemen who I view as some of the key implementers of our

strategy to win the cold war. You gentlemen were allegation three there and were a key part of that, to which our country and my children have an enduring debt to you for doing that.

I thank you for it, for all you have done.

I have a couple of questions. I am new to this committee and new to the Senate. So this is among the first hearings I have had on the Chemical Weapons Convention.

Secretary Weinberger, Russia, of course, has not signed on to the treaty and yet is the world's largest chemical weapons possessor. Do you think we at a minimum should require that they sign on before we would consider signing on to this treaty?

Mr. Weinberger. Senator, *my* understanding is that they have agreed, or "signed on," so to speak, but they have not ratified it yet. Their record is extremely poor in this because, as you said, they have a very large stockpile of these weapons and they have already stepped out of--which is the kind and polite way to phrase it--the Bilateral Destruction Agreement, which was widely heralded as one of the great saviors of mankind when it was originally submitted. They have simply said it has outlived its usefulness.

So that is a very unfortunate record to have before the world.

They are widely reported to have said that they would only sign on if we agreed to pay the full costs of their destruction of their weapons. This is a large sum; and if it ever should happen, I would very much hope that we would have some ability to monitor and follow any money we gave them. We have already given them some sort of token or opening demonstration of our goodwill, and we don't know what that was used for. And we don't know what a lot of the economic aid is used for.

So all of these are things that I think would certainly have to be at least far better understood than they are now. It would not bother me at all if Russia were required to have some kind of guarantee that they would take care of destruction of their *own* weapons and that we should not make our commitment to any kind of agreement to pay for that.

Senator Brownback. Now as we have both noted, they have not ratified. Should we require their ratification before we would ratify?

Mr. Weinberger. Well, it would certainly be a more comfortable feeling, but it certainly would not remove, in my mind, the objections to the faults and the flaws within the treaty itself.

Senator Brownback. So, even really if they do ratify, you would still have the same sort of reservations you do now?

Mr. Weinberger. As it stands now, yes, sir, I would.

Senator Brownback. And that would depend upon further negotiations with the Russians and their destruction of the chemical weapons they have?

Mr. Weinberger. I would just like to find out what the problem is with the Bilateral Destruction Agreement they signed. Why has it served its purpose? Why is it no longer useful for them to adhere to it?

Senator Brownback. Secretary Rumsfeld, you had noted that the United States has the ability as a nation to stand alone, to pull something to be a much better document, a much better

treaty, than what it is in your testimony. If we did stand out on this and we said we're not going to sign the CWC; because it is such a flawed agreement, how would we be able to, how do YOU think it would evolve that we would pull that on toward a better agreement? How would you see that evolving into the future to where it would be something that you would like to support?

As all of you noted, and as all of us have noted, none of us wants chemical weapons in this world. We are all opposed to those. How would you see that evolve to where we could get a better agreement?

Mr. Rumsfeld. I do think that the United States is among the very few countries in this world that do have the ability to not be subject to the kind of diplomatic momentum and to decide what they believe is right and then set about trying to fashion an arrangement whereby what's right can be achieved. If we can't, who in the world can do that?

So the idea that we are going to lose our leadership I think is just not true.

The way to approach it, it seems to me, would be to start with what is important and what is realistic. As these gentlemen and I have tried to do today, we have pointed out the things that are the problems. What one would do would be to try to avoid those.

I must add a comment, however, about the Russians. The fact that recently there is information available suggesting that they have, using everyday commercial chemicals, developed the ability to develop chemical weapons suggests that they or anyone else would be able to shift facilities from making chemical weapons to making commercial chemicals in a very short period of time.

We were talking about no treaty is verifiable. It is a lot easier to verify intercontinental ballistic missiles than it is chemicals, commercial chemicals, that can also be used for chemical weapons and things that can be made in very small spaces.

So I think even though we have an enormously intrusive regime for policing it, as intrusive as it is, it would not be able to do the job.

So I think that we have the cart before the horse in this process, and I would like to see us go back and do it right.

Senator Brownback. Thank you, Mr. Chairman.

Dr. Schlesinger. Mr. Chairman, you might want to put in the record the Reuters report on what the Russians are doing. It is interesting that the new development avoids any of the precursors that are listed under the existing treaty. So if one uses different precursor chemicals, one can avoid the restrictions of the treaty.

The Chairman. Let's go to one more round. I don't want to keep you here all day, but this is a fascinating discussion. Let me reiterate at mid point that I certainly do appreciate your coming here today and cooperating with us.

We will make this a 3-minute-per-Senator round.

You said something early in your testimony, Mr. Secretary, about people being instructed not to say anything unfavorable about this treaty. Well, we have had the same thing in our committee among the staff, and I had one report saying that the

FBI had specifically been instructed to say nothing unfavorable about this treaty.

Now you have been Director of the CIA and I need your help. Whom would you recommend, past or present, that we subpoena to testify under oath regarding the CWC and the white House directions that we have had reported to us?

Dr. Schlesinger. I will suggest a list to the staff, Senator.

The Chairman. Pardon?

Dr. Schlesinger. I will suggest a list to the staff----

The Chairman. Very well.

Dr. Schlesinger [continuing]. A list of suitable witnesses--whether or not the subject of subpoena is a decision for the committee and not by me.

The Chairman. That will be fine, and I thank you.

Now I think it has not been mentioned, except indirectly, about Jim Woolsey's testimony in June 1994, in which he said the chemical weapons problem "is so difficult from an intelligence perspective that I cannot state that we have a high confidence in our ability to detect noncompliance, especially on a small scale."

Now, Secretary Rumsfeld, I have a letter from the Aerospace Industry Association stating strong concern that the CWC will, and I quote the letter, "unnecessarily jeopardize our Nation's ability to protect its national security information and proprietary technological data."

Now this was fascinating to me because back in early January, I think it was, the B-2 was taken to North Carolina, to Seymour Johnson Air Force Base, and thousands of people came to see it. Everybody was proud of it and marveled at the enormity of it, and so forth.

But then it occurred to me that chemicals are used in the manufacture of the B-2.

Now let me ask you to step back and very quickly say what kinds of risks to our companies are posed by letting foreign inspectors poke around, interview employees, take photographs, and take samples for analysis overseas.

Mr. Rumsfeld. Well, Mr. Chairman, I must say that I cannot answer it authoritatively, and I am struck by the dramatically different views on this particular issue by proponents and opponents.

My personal view is anything I have read or seen in this document and these materials I cannot see how we could avoid allowing classified information to be made available to inspection teams.

I have heard statements by Members of the Senate of: "Don't worry about that, that's not a problem." But I have not seen anything in the agreements that suggest to me that it's not a problem, because modern technology enables people to do an enormous amount of analysis some distance in time and space from where the materials were located and still come away with information that is exceedingly important, classified, and proprietary.

I don't know how it would be avoided.

The Chairman. Very well.

Senator Biden.

Dr. Schlesinger. Mr. Chairman, on that particular point, the Organization for the Prevention of Chemical Weapons will use as its principal tool the GC/MS, to wit, the gas chromatograph mass spectrometer. That is the tool that was used by the Livermore Laboratory to procure from outside the gates classified information at a missile facility, and that will be the tool of choice.

The Chairman. Thank you.

Joe.

Senator Biden. Thank you very much, Mr. Chairman.

Gentlemen, I apologize for having left for a few moments. I had to go to another meeting briefly.

I understand this issue of defensive technologies made available to rogue states, states that are parties to the convention. I assume we are primarily talking about Iran. We could be talking about China, we could be talking about, in some people's minds, Russia.

But paragraph 1 of Article X lists "medical antidotes and treatments" as a permissible form of defensive assistance.

Now, again, as Secretary Rumsfeld just pointed out, it **is** amazing how an authoritative and informed people end up on both sides of the issue on the same point. So let me ask you this.

Where do any of you find the requirement that a State Party, that is, a signatory to this convention, a ratifier, **is** required to provide anything more than that--medical antidotes and treatments?

Mr. Weinberger. Do you want to look at the third paragraph, Senator, of Article X? Each State Party undertakes to facilitate and shall have the right to participate in the fullest possible exchange of equipment, material, scientific and technological information concerning means of protection against chemical weapons.

Senator Biden. Has the right.

Mr. Weinberger. Yes, 'theright.

Senator Biden. So you believe that paragraph says that we are required to give them, any State, any technology that we have available?

Mr. Weinberger. Senator, as was said in another connection, English is my mother tongue, and I can't read it any other way.

Senator Biden. Now on Article XI, the chemical trade that the CWC would encourage is only that "for purposes not prohibited under the convention." And the only prohibited trade restrictions are those "incompatible with the obligations undertaken under this convention."

Now we don't say we have to undo our trade restrictions and neither do the other Australia Group members. So why do we accept Iran's interpretation of this article over that of our allies and the U.S.?

Mr. Weinberger. Precisely because it is so fuzzy that you have all kinds of interpretations, and you will have a big set of arguments as to who is doing what. And any interpretation that we may claim can be denied very easily by all other countries that don't happen to agree with us or don't want to agree with us.

You have, what you have set up here is an oral battleground for varying interpretations. It will allow enemies of the United States or potential enemies to make claims that, when we

are in the position of denying them, will set us up as being violators of this treaty.

Senator Biden. If I can, I would conclude by saying would a condition that would be binding, that a legal declaration we'd make to not provide rogue states with advanced chemical defenses--assurances--would that meet any of your concerns?

Mr. Weinberger. Well, I would certainly like to see it written down, Senator. Yes.

Senator Biden. OK, thank you.

Dr. Schlesinger. Well, the provisional body, the provisional body states that we are obligated to provide these defensive technologies.

There was an argument in a recent National Public Radio broadcast between the general counsel of ACDA and the head of the provisional body, Mr. Kenyan, a Brit. He stated and rebuked the proposition that the United States might be able to avoid providing this kind of technology, that it was required underneath the CWC.

So I think that you have a clear legitimization. Even if we, for one reason or another, withhold such information, our industrial partners will proceed to provide this because of the legitimization provided by this agreement.

As Senator Biden observed earlier, norms are important, and if you provide a norm which allows the Germans or others to provide information to Iran, they will accept that norm.

The Chairman. Senator Hagel.

Senator Hagel. Thank you, Mr. Chairman.

Secretary Weinberger, you obviously were the Secretary of Defense during most of the Reagan administration. For the record, and for this Senator, much has been made of the fact that the CWC was initiated during the Reagan administration.

Could you provide, at least me, somewhat of an analysis as to how it was initiated, why it was initiated, and today why most of the Reagan administration officials during that time are now opposed to it?

Mr. Weinberger. Well, I cannot speak for anyone else, Senator, and I don't know what the historic origins of it were all the way back. But I think that everybody was appalled by the use by Iraq of poison gas against the Kurds, and there was an attempt to get some kind of international order to try to prevent that sort of thing.

President Reagan is a very compassionate and humane man and obviously shared with the world the distaste and the detestation of these kinds of weapons.

I would hesitate very much to say that he had an opportunity to see all of the provisions that emerged from the very lengthy negotiation. He certainly did not have that opportunity. He certainly did not know that four of the principal rogue nations of the world would stay outside the treaty and, therefore, not be banned from doing anything at all and that we would be put in the position of weakening any kind of retaliatory capability we might have.

Those are conditions that changed since the initial praiseworthy, humanitarian effort to try to do something about the elimination of these weapons.

As Secretary Schlesinger pointed out, we did that after World War I, the Geneva Conference. We did it later on, after

President Reagan left office, with the Bilateral Destruction Agreement, which simply does not work out.

There are all kinds of reasons why humane and compassionate people--and I like occasionally to classify myself in that same category--dislike these weapons and would like to do something about it.

But the fact of the matter is that what we have done here is not only ineffective, but it is dangerous for the security of our troops, in my opinion.

Dr. Schlesinger. I have two quick points, Senator.

When George Shultz announced the quest for a chemical weapons agreement, he said that it would be a verifiable chemical weapons treaty. This is not verifiable.

Second, the Reagan administration to the very end believed that the United States should retain a 500 aging ton level of binary chemical weapons and should not surrender that minimum capability until such time as other countries came into conformity. I think that the argument that this all originated with Ronald Reagan is not an accurate argument.

George Bush was for this treaty, but Ronald Reagan would not be if he were able to comment on it.

The Chairman. Senator Sarbanes.

Senator Sarbanes. Thank you very much, Mr. Chairman.

Gentlemen, the first question I want to put to you is that the United States is now embarked on a path of unilaterally destroying our stockpile of chemical weapons. Do you think we should carry through on that?

Mr. Weinberger. To the extent that Secretary Schlesinger indicated, with the reservation that was made during the Reagan administration that we should have a minimal deterrent capability and that other nations should know that we do have that, particularly rogue nations that are likely to or have indeed used chemical weapons.

Senator Sarbanes. So you would keep some chemical weapons?

Mr. Weinberger. I think you have to, Senator. Yes.

Senator Sarbanes. And that's your position, I take it, Secretary Schlesinger?

Dr. Schlesinger. No, sir. The existing stockpile is obsolete, and it is more dangerous.

Mr. Weinberger. Excuse me. It's the binaries we're talking about now.

Dr. Schlesinger. It's obsolete and dangerous, and I think we must get rid of it one way or another.

Mr. Weinberger. The unitary weapons are indeed being replaced. It is the binary weapons that we were talking about under the Bilateral Destruction Agreement. But everyone said that we had to keep some kind of minimal retaliatory capability of the binary weapons.

Senator Sarbanes. What is your position, Secretary Rumsfeld?

Mr. Rumsfeld. I think that we need some to develop the defensive capabilities that are necessary, so that we know what we are doing.

Senator Sarbanes. So you would all keep some chemical weapons.

Now the next question I have is what is your position on

whether the Senate should have an opportunity to vote on this treaty. I know how you would encourage members to vote as I understand your testimony. But what is your position on whether the Senate ought to be able to take this treaty up and consider it and vote on it.

Dr. Schlesinger. The Senate should vote.

Mr. Weinberger. Yes, certainly. I thought that's what this process was, that this was the beginning of the process that leads to a Senate vote.

Senator Sarbanes. Well, it doesn't always lead to a Senate vote. No. The question I am putting to you is whether you think there should be a Senate vote.

Mr. Weinberger. I have no problem with that at all.

Senator Sarbanes. Secretary Rumsfeld?

Mr. Rumsfeld. I have no problem with it.

Senator Sarbanes. Now the other question I want to ask you is this. You have each raised a number of problems or concerns that you have with the treaty. I want to narrow it down and isolate it out.

If the rogue nations do not sign the treaty, is that in and of itself, in your view, sufficient grounds not to approve the treaty?

Mr. Weinberger. Speaking for myself, Senator, it would seem to me that if you have a ban on the nations that are basically in some form of general agreement with us with respect to democratic values and all the rest of it, and that they carry that out, and that the nations that do not, including specifically the rogue nations outside this treaty at the moment, you would be offering them an invitation to launch a chemical attack. This is because we would have, by a standard that we follow, we would carry out our agreement and we would denude ourselves of any capability of retaliating and that is one of the best ways of deterring.

It is unfortunate that in this kind of world that has to be the case, but it is.

Even the nations, some of the nations that are within the treaty, like Iran, you find that----

Senator Sarbanes. I just want to try to focus this for the moment.

Mr. Weinberger [continuing]. Yes, I understand what you are saying, Senator, but I would like to complete the answer. The answer basically is that the answer of rogue nations from those who sign would be a source of considerable concern.

It is not the only source of concern because many nations which sign----

Senator Sarbanes. I understand that.

Mr. Weinberger [continuing]. Would not be able, would not keep their word, and we could not verify whether they are doing it or not.

Senator Sarbanes. Is the absence of the rogue nations in your view of sufficient concern that you would be against the treaty?

Mr. Weinberger. It is one of the reasons that leads me to oppose it, but there are many others.

Senator Sarbanes. If the others were not present, would that in and of itself be enough that you would oppose it?

Mr. Weinberger. If the others were what?

Senator Sarbanes. If the other reasons that you have for opposing it were not present, were taken care of, would the absence of the rogue nations be enough for you to oppose it?

Mr. Weinberger. Well, as you put the question, if all of the things I object to are not in the treaty, then almost by definition I wouldn't oppose it.

Senator Sarbanes. No, no--the rogue nations are not in the treaty in the question I'm asking. That's all I'm--I'm just trying to determine how critical a factor that is in your thinking.

Mr. Weinberger. Let me say that my opposition is based on a large number of reasons and one of them is the absence of the rogue nations from any provisions with respect to compliance.

Senator Sarbanes. Secretary Schlesinger?

Dr. Schlesinger. No, the absence of the rogue nations in and of itself would not lead me to oppose the treaty. I would regret that absence. But the other problems are much more serious in my view.

Senator Sarbanes. Secretary Rumsfeld?

Mr. Rumsfeld. I agree with Secretary Schlesinger.

The Chairman. Senator Grams.

Senator Grams. Thank you very much, Mr. Chairman. I have just a quick, brief question.

As you know, riot control agents, such as tear gas, have also been used by the U.S. military during search and rescue missions for downed pilots or to handle situations where noncombatants are mixed in with the combatants. My understanding is that the Clinton administration's current interpretation of the CWC is that it would ban such uses of riot control agents by the U.S. military.

Mr. Weinberger, when the Reagan administration was negotiating the CWC, was it ever your understanding that the U.S. would have agreed to such a ban or that it was a desired result of this treaty at all?

Mr. Weinberger. No. Those were always to be excluded because of their obvious importance and their obvious necessity. We understand that the commitment was made that they would be excluded from the treaty but that the Clinton administration changed its mind in its commitment and now says that they would be banned.

There is now some very technical discussion of whether they would be banned in wartime or not; that it might be all right to use them in peacetime crowds, but not in wartime. I would like to use them to protect our soldiers in wartime or in peacetime.

Senator Grams. Now if this is not a lethal chemical, does this give you any concern about the broad scope of agents that could be covered under this treaty, which would open the door for more inspections?

Mr. Schlesinger?

Dr. Schlesinger. I'm not sure I understood the question, sir.

Senator Grams. I mean, if this is a nonlethal chemical and this is included, is there a concern that it would be so broad that all chemicals or any definition of a chemical could be part of the reasons for inspections or to come into plants in the U.S.?

Mr. Rumsfeld. The very reason for an investigation suggests that there is a question. So "investigation" can run to organizations that don't have anything to do with lethal or nonlethal chemical weapons--because someone has to look. If there is an allegation, a charge, a question, they can go in and investigate. That is where you end up with the numbers of companies running into the thousands.

Senator Grams. Mr. Schlesinger, this is the economic warfare that you had talked about earlier, possibly?

Dr. Schlesinger. I'd like to clarify one thing.

President Ford issued an Executive order which has existed and prescribed U.S. policy on riot control issues for the last 20 years. That has been somewhat obscured now by pressures from our allies and equivocation within the administration.

On the question that you put, indeed, inevitably questions will be raised about any chemicals under those circumstances.

Senator Grams. Thank you.

The Chairman. Senator Kerry.

Senator Kerry. Thank you, Mr. Chairman.

If I could just say with respect to my last round of questioning, I want to make it very clear, and I think Secretary Schlesinger knows this, that he is a friend and a man for whom I have enormous respect. I would in no way try to do anything except work this light here, which is our perpetual enemy. We try to get answers rapidly and, unfortunately, sometimes we get witnesses here who are so good at answering only one question.

Dr. Schlesinger. I fully understood, Senator, and I tried to protect your time. I was not successful.

Senator Kerry. I thank you very much, Mr. Secretary.

If I could just ask you, Secretary Weinberger, I was really struck by your statement about deterrence. Is it your position that you can only deter chemical weapons use with chemical weapons?

Mr. Weinberger. No. I thought I was quite clear, Senator, that it is one of the ways of trying to do it. Arms control is another way, and there are probably many more. But it is essential, I think, that a country that has already used poison gas against some of its own people, as just occurred, it is only prudent I think for that country to know that if they launch a chemical attack on some other nation or the United States that they would be met with a comparable, not a proportionate, response in the terms of one of our departments, but a massive response and that they should know that. That is one of the means of deterring, though it is not the only means.

Senator Kerry. Wouldn't you say that the Bush administration was, in fact, quite effective at making it clear to Iraq that the nuclear use was, in fact, available and, to the best of our knowledge, there is, as of now, no indication that that was not successful?

Mr. Weinberger. Yes. That is my exact point, that we were able to do that. If we denuded ourselves of any capability of making that kind of response, I have no doubt that----

Senator Kerry. But nobody here is talking about that. All we are talking about is continuing to pursue what a number of administrations have pursued, which is reducing our own manufacturing participation in chemical weapons.

Mr. Weinberger [continuing]. That's fine. But I don't think at the same time we ought to take away our capabilities of developing new, improved, and better defensive technologies and equipment.

Senator Kerry. Defensive, I agree. And the treaty agrees.

Mr. Weinberger. No, the treaty doesn't.

Senator Kerry. Well, the treaty says very clearly that we are allowed to defend.

Mr. Weinberger. That's right, and we have to disclose them completely to any other signatory, and that disclosure in itself weakens them if it does not destroy their effectiveness.

Senator Kerry. Well, in point of fact Article I, which you have not referred to, addresses the questions of whether or not you have to, under any circumstances, assist, encourage, or induce in any way anyone to engage in any activity that is prohibited by this treaty.

Now all we are talking about under this treaty is chemical weapons. So, therefore, Article I, in fact, most people--see, there is that infernal bell, or light. It is hard to have a dialog here.

Most people have argued it supersedes any other clause in here, because the basic intent of this treaty is to preclude the manufacture by anybody of chemical weapons in a way that could be used against another nation.

Mr. Weinberger. That is the intent. There are nations outside it who may be manufacturing them, who may be stockpiling, and, in fact, are stockpiling them as we know now.

What I am troubled by is the fact that if we develop a so-called fool proof mask and protective clothing that still enables you to take the actions that soldiers have to take in defending themselves and their country, you are going to have to share that. By sharing it, you eliminate its effectiveness. There is a little process called reverse engineering whereby all of the processes which you have to produce that have to be given to other members, other signatories, and those signatory members, as Secretary Rumsfeld suggested, that kind of information, distributed on that kind of scale, one way or another is bound to get into the hands of potential enemies.

Senator Kerry. Mr. Secretary, this is a very, very important point. In effect, what you are saying is that if you were to share it, you would have rendered even more ineffective the capacity to use chemical weapons, which is, in effect, the very purpose of this treaty.

Mr. Weinberger. Well, that is not the way I would phrase it. No.

Senator Kerry. Let me just finish my thought.

Mr. Weinberger. We are talking about defensive equipment now.

Senator Kerry. I understand. But if you can defend against something, it has no offensive capacity. If it has no offensive capacity, you have taken away its military value. That is precisely the purpose of this treaty.

Mr. Weinberger. You are talking about absolutes, Senator, absolute capabilities and all the rest. But what I am talking about are improvements in an already imperfect defensive capability that we have now.

Senator Kerry. But if I were a military leader----

Mr. Weinberger. Sharing those improvements makes them relatively--at least we could phrase it this way if you would like--makes them relatively less effective than if we didn't share them.

Senator Kerry [continuing]. I agree. But if I were a military leader, knowing that we had shared our ability to be able to have a foolproof mask, I am not going to use the chemical weapon. And if you don't use the chemical weapon because you know it is foolproof, you have done exactly what you have tried to do with this treaty, which is eliminate the potential for chemical weapons to be used.

Mr. Weinberger. I'm sorry, but I don't follow you. I have great respect for you, but I don't follow that.

Senator Kerry. Well, I don't think it is that hard to follow.

Mr. Rumsfeld. May I respond?

Senator Kerry. I think----

The Chairman. Mr. Secretary Rumsfeld.

Mr. Rumsfeld. I just think that the way you have cast it is not correct. First, there is the threat of the use of chemical weapons, which is a terror weapon. It affects people, behavior, and soldiers. Second is the reality that for every offense there is a defense and for every defense there is going to be an offense. There is always going to be an evolution in technology. So the idea of perfection does not exist in this business.

But let's say that you had reasonably good defensive capability. Assume that on the part of the other side. You cannot function for long in a chemical environment. You could not function with that kind of equipment. The advantage clearly is in the hands of the aggressor.

So I think you are on a track that, to me, does not make sense. In my view, sharing technology about how to defend against these weapons is not anything other than disadvantageous for the defender and advantageous for the aggressor.

The Chairman. That is the last word.

We have been here for 2 hours and 47 minutes. I have been on this committee for quite a while--otherwise I would not be sitting in this chair, and I do not recall a more significant hearing with more facts and figures being given than you gentlemen have provided.

I want you to know, speaking for myself and I think for all of the Senators on this committee, I am enormously grateful for your having made the sacrifice to even be here, particularly Secretary Rumsfeld. You came quite a distance.

But I do thank you on behalf of the Senate and the committee.

As we close, let me point out once more, in case somebody has forgotten it, that last year this treaty was reported by this committee and scheduled for debate in the Senate. And it was not dropped by my request. It was dropped by the request of the administration, which did some head counting and realized they did not have the votes.

Now I presume in saying that you think the Senate ought to vote on this treaty that you mean after the committee has performed under the rules and reported it to the Senate with a

majority vote. Is that what you mean?

Mr. Weinberger. Of course. Yes.

Dr. Schlesinger. Yes, it is.

Mr. Weinberger. As I said, Senator, I thought this was part of the process for the Senate.

Mr. Rumsfeld. It's for this committee to decide that.

Senator Biden. Mr. Chairman, if we were ready last year, why aren't we ready this year? Nothing **has** changed in the treaty.

The Chairman. Well, I don't know about that. I thought *you* and I made some changes in it.

Senator Biden. Oh, we know we did. But the point is we were ready before.

Dr. Schlesinger. Well, there are two branches of government, Senator, at least.

Senator Kerry. But only one does treaties.

The Chairman. I'm at a disadvantage with hearing aids, so I had better get out of this one.

There being no further business to come before the committee, we stand in recess.

Thank you again, gentlemen.

[Whereupon, at 12:49 p.m. the committee recessed, to reconvene at 3:30 p.m. the same day]

~~FOUO~~

March 13, 2006

Afghanistan

TO: The Honorable Dr. Condoleezza Rice
The Honorable Michael O. Johanns
Stephen J. Hadley

FROM Donald Rumsfeld *D.R.*

SUBJECT Proposed Plan for Afghanistan from Percy Barnevik

Percy Barnevik is a long-time acquaintance of mine. He used to be head of Asca Brown Boveri. He is an enormously talented person who, using his own money, has initiated and operated a large activity in India, which I believe is quite successful.

I asked him to go to Afghanistan and take a look at the situation there. Upon his return, he produced the attached proposed plan.

It is clear to me he has a chance at making a difference there. I would be interested in your reactions.

Attach 3/10/06 Letter from Percy Barnevik to SecDef

DHR:ss
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OSD 04115-06

13 March 06

~~FOUO~~

11-L-0559/OSD/56382

London, March 10, 2006

Secretary of Defense
H E Donald Rumsfeld

Dear Don,

As you may have heard via Marty we were very satisfied with the support and interest we got in Afghanistan – from the President down to department managers in Ministries, **NGOs**, UN agencies and the World Bank. The optimism and belief in the future you met out in the villages and small towns was surprising in view of what they have gone through in the past 25 years.

Without exception the people we met felt that enterprise- and job creation now was top priority (maybe just behind security). They felt the timing was perfect and that it was a good idea to build on the successful Solidarity Program as a sort of "second stage in the rocket". With the Community Councils and their training in election, village decision making etc. they have built a certain "human local infrastructure". With roads, bridges, irrigation and electricity they have built physical infrastructure. Now it is a matter of exploiting this platform and make an all out effort to create enterprises and jobs. With respect to the billions of dollars spent so far and the tens of thousands of aid workers in the country, it is a little surprising that so little has been focussed on sustainable job creation.

You see the proposed plan is tight with important decisions already in March. Their sense of urgency will be tested by these early decisions and also by selecting the best people for this high priority program.

I and my Indian team are prepared to support them and I will from now on stay in close contact with particularly Minister Atmar and his team.

Best personal regards to you and your wife whom I hope to meet next time in Washington.

Percy Barnevik

11-L-0559/OSD/56383

P Barnevik
March 10,2006

CONFIDENTIAL

**MASSMOBILIZATION OF POOR AFGHANS
INTO ENTREPRENEURSHIP AND
CREATION OF 2 MILL NEW JOBS IN
RURAL AREAS**

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11-L-0559/OSD/56384

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CONFIDENTIAL

P Bamevik
March 10, 2006

**MASSMOBILIZATION OF POOR AFGHANS INTO ENTREPRENEURSHIP AND
CREATION OF 2 MILL NEW JOBS IN RURAL AREAS**

Introduction

The following proposal of a Job Creation Program (JCP) is based on the following:

- a) Practical experience from Tamil Nadu, India and on application of the "Tamil Nadu Model" in South Africa.

In Tamil Nadu 100,000 poor women are presently organized in Self Help Groups (SHGs) with access to micro-financing. 600 staff people + 400 volunteers are employed in the NGOs SEED and Hand in Hand and they are driving the program. 9,000 micro-enterprises have been started and presently 1,000 companies are started per month. The 5-year target is to reach ~~at~~ to 1.3 Mill women and to create 1.3 Mill jobs in Tamil Nadu, an Indian south-eastern state with 60 Mill inhabitants.

In South Africa a similar program has started directly under the President of the country. SEED/HiH act there as a consultant with 200 local NGOs engaged plus people from the ministries. The goal here is to organize 1.5 Mill women in SHGs and to create 1.35 Mill jobs in the rural areas.

- b) A delegation of 4 people from SEED, India has spent 8 days to review the possibilities to jumpstart a similar job creation program in the rural areas of Afghanistan. The delegation has interacted with:

- Ministers and department managers in ministries
- Program leaders (like NSP at MRRD etc.)
- MISFA and MFIs
- Managers of leading NGOs and donors
- UN organizations
- Others (like business associations, World Bank etc.)

From the President of the Republic and down the ranks we have been very well received and helped with information and ideas. A major national effort to create 2 Mill sustainable jobs in rural areas (and maybe 0.5-1.0 Mill jobs in urban areas later) is seen as a top priority for Afghanistan by almost everyone we have met.

We are after the review convinced that the job creation target of 2 Mill sustainable jobs in the rural areas is realistic and can be achieved over a 5-year period. However, it will take a major effort across all provinces and with involvement of several ministries and NGOs and other organizations like business associations. Even if the focus now is on rural areas, it is reasonable to assume that also the poor urban people will be included in the program down the road.

11-L-0559/OSD/56386

This report covers a broad range of activities during a short period of time and it is inevitable that there are some errors. However, rather than refining the report and checking some facts for another week or two I send it out quickly in line with our motto: Speed before precision. I also regret that there was not enough time to meet more ministries at this first investigation.

I. Brief executive summary (follows the chapters in the report)

February 22 to March 2, 2006 a team of 3 people from the NGO SEED in Tamil Nadu, India + myself investigated the opportunities to jumpstart a program for **enterprise- and job creation** in the rural areas of Afghanistan. We have experience from similar job creation programs in Tamil Nadu, India and South Africa with targets of **+1.3 Mill** new jobs in each place.

Even with certain special problems in Afghanistan, like security, the opium business, corruption, poor infrastructure and women/men segregation. In certain ethnic groups, we are convinced that a similar program can be implemented in Afghanistan if the proper adaptations are made.

It was positive with the optimistic view on the future that we met everywhere from the President down to the villagers. Investments in infrastructure and programs like the NSP constitute also a good foundation. The Job Creation Program (JCP) comes like a second stage in the rocket after infrastructure and the timing 2006 is absolutely right.

The urgent need for job creation on a big scale comes, *of course*, **from the need** to get economic growth in the country and to lift people (often subsistence farmers) above the poverty line. Other special needs are to limit migration to slums in the big cities, to offer job alternatives to opium producers and disarmed militiamen and also help the many widows and returning refugees to sustainable jobs. This mass mobilization of rural people into entrepreneurship also strengthens the idea of individual ownership and makes the market economy entrenched.

Roll out of the Job Creation Program

The proposal is to organize some 3 Mill women, or women and men, in Self Help Groups of 15-20 people. Train them in building social capital and in entrepreneurship, start saving and internal lending between SHG members and thereafter make credits available. It is important to help villagers in selection of enterprises and after that business coaching to help make the enterprise successful. Resources for this comes from contracted NGOs, loan officers in MFIs, from other sources in Afghanistan and from the Indian NGO, SEED. This is a "bottom-up approach" where it is built on the villagers own interest and experience and where they ultimately decide what enterprises should be started.

In selecting communities/districts/provinces it is proposed to piggy-back on the NSP (National Solidarity Program). NSP's first wave started mid 2003 with 5,000 communities with about 5 Mill people and they are now mature after 3 years, with established CDCs (Community Development Councils) and finished infrastructure projects. The JCP becomes a natural second stage for them. The following 3 waves

(mid -07, mid -08, mid -09) include 4,600, 6,000 and 7,000 communities or totally about 23,000 communities (38,000 villages/clusters).

Just like in the case of the NSP, NGOs are selected among the big 24 and maybe some medium-sized Afghan NGOs. They already know the communities and important for the selection will be the respective NGOs capability for entrepreneurial training. SEED, India will support mainly with training of the trainers (project personnel, MFI staff, NGO staff etc.) and with manuals over suitable enterprises.

Over the 5 year period it is estimated that some 350,000 micro-enterprises will be formed with average 4 employees, or 1.4 Mill jobs. Further, 30,000 medium-sized enterprises with average 20 employees or 0.6 Mill jobs. Totally 2 Mill jobs.

A big challenge will be to supply suitable teachers for entrepreneurial training and for business coaching in different business areas like Carpet weaving + processing, Garment production, Horticulture, Animal, Husbandry, Milk production and processing, Plantations and nurseries, A range of food processing businesses, Handicraft, Construction material, Contracting etc. Beyond manufacturing there is a range of service- and trade enterprises.

Organization

The JCP will largely build on existing institutions but a strong national project leader with a competent team will be necessary. The project will cover all provinces and resources will be drawn from several ministries. The project leader is recommended to report to a Board with several ministries represented.

Plan and Decisions

The JCP is of high urgency and it is important to take a number of decisions in the next few months, if the whole program shall be able to start rolling out mid 2006. Such decisions/activities are:

- Selection of project leader + team and a first group is sent to SEED, India for training and exposure to the field work there
- Selection of communities/districts/provinces and NGOs
- Start developing enterprise manuals adapted to Afghan languages and conditions
- Training of some 150 trainers by SEED
- A number of decisions required for micro-financing (MISFA + 12 MFIs) to go from 160,000 clients to 3 Mill
- Vocational training: target 1 Mill over 5 years
- Try out SEED's 90 day crash program for literacy
- The job creating machine starts to roll mid 2006

Warn against the tendency you often find among aid workers and intellectual people to "evaluate methods", try pilots, study impact of micro-enterprise under different conditions etc., etc. Turn down such proposals. We apply well proven methods and can correct errors as we go. It is a matter of getting 2 Mill jobs as fast as humanly possible and the project culture must be indoctrinated by sense of urgency,

pragmatism, opportunism and speed. We must also watch out for bureaucratic delays that has happened in other programs (delay in new contracts with NGOs, delay in disbursements etc.).

Donations

The JCP is very cost-effective and requires less grants than e.g. infrastructure programs. The major investment is in training people and the bulk of the capital will be loans that are repaid. When the enterprises are up and running they are on their own. However, the proposed JCP is a huge program with 3 Mill people to be trained + vocational training. Discussions with World Bank were encouraging. World Bank financed the NSP and sees the JCP as a natural continuation where job creation benefits can be harvested in this stage 2. The World Bank also sees the urgent need for job creation and strengthening of the market economy.

MFISA with its 12 MFIs must also get funding for its major expansion program. With the critical importance of job creation the JCP should get high priority among donors.

MRRD programs

Beyond the NSP there are some other programs which mainly deal with infrastructure but also have overlaps with the planned JCP. It is important to make a review in order to safeguard maximum support of the JCP and avoid duplicate work. It would be advantages with joint leadership of NSP and JCP.

Micro-financing

In the report is made an extensive review of where Afghanistan stands today in financing and what is required the next 5 years.

The loan and grant conditions between MISFA and the 12 MFIs ought to be revised and some proposals are made. The overriding concern will be to grow from 160,000 clients to 3 Mill. This means 3 times faster expansion than what they have planned. More MFIs must probably be authorized.

NGOs can be used to reduce administration costs to isolated villages. One should also encourage "Community Banks" for savings before the MFIs reach out. MFIs must also upgrade their branches and loan officers to give more support to borrowers who start enterprises. (This is called Business Development Services (BDS) in Afghanistan.

Women programs

The Women's Ministry has a big network covering the whole country and some 700 employed qualified people. Some of these women can give important support for the JCP, particularly since many of the potential entrepreneurs are women. The Afghan Women Business Federation with 5,000 members = entrepreneurs with 35,000 employees can also be an important supporter when we mobilize hundreds of thousands of women into entrepreneurship.

Agriculture

Agriculture dominates the Afghan economy and society and I can imagine that 600-700,000 out of the 2 Mill jobs will be in agriculture and processing of **agricultural** products. High quality dried fruits and nuts can also regain their earlier role in exports. When livestock are built up again also milk products will be important. Afghanistan must in several of these agro areas turn around from an importer to an exporter.

Fortunately, the Agriculture Ministry has some 11,000 employees and many of them have education from agriculture universities. It will be important to integrate some of the agriculture resources and activities in the JCP to get maximum impact on job creation. The Minister had a very positive view on that.

Literacy and vocational training

Upgraded primary and secondary education is, of course, the key to future higher literacy. There is presently a major deficit of teachers which will be difficult to fill with present very low salaries.

Of more immediate importance to the JCP is to get higher literacy among the adult population, particularly with those who start enterprises. SEED's experience from 90 day crash courses in reading, writing and numerics from India will be tried in Afghanistan.

The target for vocationally trained adults should be one million for 5 years. This will require a massive engagement from different institutions. However, to be meaningful it must be tied to job creation either as employees or as self-employed. To train for a profession and then continue to be unemployed is, of course, meaningless. It is an integral part of the JCP

SEED's contribution to the JCP

Apart from my own and a few managers' contribution to planning and organizing the total JCP we see the following involvement:

- Some 15-20 top Afghan people undergoing training and making field studies in Tamil Nadu
- One fulltime member in the JCP project team
- Waves of programs where Afghan trainers are trained in Kabul or Tamil Nadu
- Manuals on enterprises adapted to Afghan conditions and language
- Direct participation in certain business coaching

II. Some general remarks

Afghanistan is in a difficult situation after almost 25 years of wars. This has led to more than one million people killed with a lot of widows, half the livestock gone, 5-6 Mill refugees, a whole generation who has partly or fully missed school and a lot of destruction of infrastructure like irrigation systems and the like.

It is important to identify problems and obstacles for the JCP to overcome as well as advantages and positive things to build on. Below are a few remarks:

Neaative factors which are well known and not found worse than expected:

- Security problems, both criminality from earlier armed militiamen and from terrorists primarily in the Eastern and Southern border areas.
- Opium cultivation and processing with 2 Mill people involved and a value corresponding to 40 % of the "legal" GDP.
- Corruption
- Poor infrastructure (e.g. only 6 % access to electricity in the countryside) in spite of big investments in recent years.

Negative factors that were partly new to me:

- Strict separation of women and men also in relatively "liberal" areas.
- The dominance of NGOs and UN agencies which has created a "price island" with high prices in a poor country and huge income differences between expatriates and Afghans.

Positive factors are:

- A strong positive and optimistic view on the future in spite of all they have been through, which you do not find in e.g. Africa and poor regions in India.
- A qualified elite Afghan group to build on in ministries (2 levels down) and in business.
- A historically strong trading tradition and surprisingly many women entrepreneurs.
- NSP (National Solidarity Program) in rural areas which is a good foundation to build on for mobilization of people into entrepreneurship and job creation.

The need for job creation seems even more urgent after the review on the spot.

Below are some key reasons:

- With only 5 % of public expenditures covered by own revenues and 95 % covered from abroad, Afghanistan badly needs economic growth to become a "normal" country.
- Jobs are needed since half the population lives under \$1/day, particularly subsistence farmers in the rural areas, and poverty elimination is therefore high on the agenda.
- Rural jobs are needed to limit domestic migration **from** the countryside to slums in the big cities. E.g. Kabul used to be a 1 Mill city and has now 3.5-4 Mill

inhabitants. The environment is already bad there and one would not like to see 6-7 Mill in the next decade.

Beyond these "normal" reasons for job creation there are some further special reasons in Afghanistan:

- 2 Mill people involved in the opium business. To eradicate the poppy fields is not enough – people must also be offered alternative jobs.
- Remaining militia groups must be disarmed and the former "commanders" or "warlords" must be offered job opportunities.
- Returning people from refugee camps inside and outside Afghanistan will need jobs.

Therefore, few activities are of higher priority than to stimulate enterprise start-ups and to create jobs. That also seems to be the consensus among government people and NGOs. People also say the timing is right for a jumpstart of job creation now. Investments have been made in physical infrastructure and human capacity building (CDCs) in the villages. Now one must build on that, as a sort of second stage in the rocket, and reap the benefits of a job creating machine (JCP).

While the focus so far has been on the countryside, one should within a year or so extend the program to the poor urban areas where a creation of 0.5-1.0 Mill jobs should be possible.

III. Roll out of the Job Creation Program (JCP)

1. General

Below is described the mainstream of the program roll out. When described to concerned parties in Afghanistan (government departments, NGOs etc.) there was generally strong support for this proposal.

It is, however, important to state that all activities which lead to job creation are acceptable. Whether people become employed or self-employed does not matter. Our mainstream proposal builds on Self Help Groups (SHGs) with 15-20 members and only women with individual loans for enterprise creation but group solidarity in repayment. The reason is that this has been a very successful model in many countries, including in Tamil Nadu, India. However, some MFIs in Afghanistan lends only to individuals and not to groups. Some lend only to women (like BRAC with their experience from Bangladesh), others have Self Help Groups for only women and for only men (Habitat). One can also mention the 630 multipurpose cooperatives but most are not effectively functioning due to lack of capital, marketing problems and trained staff. However, as cooperatives get upgraded, e.g. in milk production and dairies, they can in certain sectors be important engines for job creation.

It should also be remembered that this massive mobilization of communities into creation of enterprises and jobs is a bottom up approach. We must build on the villagers own skills and interests. You do not command anyone into becoming a businessman and even less to what business it should be. However, we can facilitate, train (vocational and entrepreneurial) and coach the new entrepreneurs. All this

facilitation, however, makes more people daring to take the step and raises the **success** ratio once the enterprises have been formed. All this is, of course, also helped by the lack of outside employee opportunities in many villages. Self employment is in many cases the only opportunity.

2. Selecting communities, districts and provinces

The proposal is to 'piggy back' on the NSP (National Solidarity Program). Beginning with the middle of 2006 the first tranche of 5,000 communities with some 5 Mill people have spent 3 years in the NSP. They are mature, the CDCs are stable and the projects have largely been completed including some possible "top up" money from the block grants. As a matter of fact, some people wonder what will be the role of CDCs after the 3 year completion? Then the JCP comes as a second stage of the rocket. In the NSP phase there has been built human infrastructure and physical infrastructure. Now that will be exploited in a massive enterprise and job creation effort.

The second year **4,600** communities are included, the third year 6,000 and the fourth year 7,000. This will totally include some 23,000 communities or **38,000** villages and some **20** Mill people living in these rural areas. Deviations from this may be security problems that have arisen and may lead to deferral of certain communities and districts. Individual communities/districts with exceptionally good prospects (vocational training, already started enterprises, MF available, realistic income generating projects in the CDPs) can be moved up.

3. Selection of NGOs and start of SHG (Self Help Group) formations

Similarly to the NSP there will be a bidding contest for the big **24** NGOs as to who will cover which community/district/province. The NSP is presently engaging **4,400** NGO staff and I would estimate something similar will be required in the JCP. Let us assume **4,000** staff people. Hopefully the same NGOs will be selected who have staff that already know the villagers and who have gained their trust in the earlier NSP.

Since these communities have established CDCs with elections, male and female committees and procedures for reaching consensus, the work to build human capacity will be much smaller for the NGO staff. (Formation of SHGs will be based on representations from families and small village clusters and I recommend women as the first choice.) On the other hand, the NGO staff will have an important facilitating role in setting up savings procedures and rules for internal lending ("interest", repayment times etc.) from the collective savings. With linkage to MFIs comes training in handling external loans and building relations with loan officers in the respective MFI branch. Communities that already have "village banks" with savings established should move faster into the phase of MFI linkage.

The most important demand on the Facilitating Partners (FP), most likely NGOs, is to have staff or recruit staff that can train the villagers in entrepreneurship and later on in business coaching. We should therefore also consider certain Afghan and medium-sized NGOs who may be better equipped in this respect than some of the big international NGOs.

The key measurements of performance will not be like in the **NSP** with "number of meetings", "**CDCs** formed" etc. plus completion of the planned **infrastructure** projects. Now it will be enterprises started and jobs created.

The Indian "**SEED**" **NGO** will play an important role in training suitable **NGO staff** in entrepreneurial training and in business coaching. Train the trainers. Manuals with catalogues of possible micro-enterprises (family enterprises) and medium-sized enterprises, which are adapted to the Afghan environment will also be helpful in project selection and business coaching.

We should also put a bigger demand on MFIs in supporting the job creation process beyond the minimal money disbursement. See the chapter on micro-financing.

Based on the standard model of **SHGs** with women only, the following should be strived at: Out of 5 Mill adult women in rural areas, 3 Mill should be organized in **SHGs**. If "only men SHGs" also are formed (like in Habitat's model), it could be 2 Mill women and 1 Mill men.

Based on experience from other countries, particularly India, one should over a 5-year period count on

350,000 micro-enterprises (2-7 employees) x 4 =	<u>Mill jobs</u>
	1.4
30,000 medium-sized enterprises (8-50 employees) x 20 =	<u>0.6</u>
	2.0

For all enterprises this means an average of 5.3 people per enterprise. If we compare to the Afghan Women's Business Federations' 5,000 members, they have 7 employees per enterprise. However, that average is pushed up by certain bigger enterprises in the Kabul area.

4. Selection of type of enterprise and business coaching

This is a critical phase where qualified resources are required to guide and support the *women/potential* entrepreneurs. We have to mobilize all possible resources for this. Such people are:

- Staff people from **NGOs** which are engaged
- Loan officers from MFIs in connection with loans issued
- Employees from government departments, like from the **11,000** staff at the Agricultural Ministry who have agriculture training, from the provincial staff of the Women Affairs Ministry etc.
- Voluntary people from associations like the Afghan Women's Business Federation (see separate chapter).
- People and project catalogues from the Indian **NGO**, SEED.

These human resources must be divided up on different business sectors and allocated with respect to the potential needs of different **communities/districts**. Districts close to big cities, like Kabul, have e.g. different needs and markets than remote villages. Some districts are traditionally characterized by certain activities like carpet weaving or dried fruit production etc. The type of agriculture or animal

husbandry in the area also influence what type of enterprises will be most likely. The following are examples of business sectors which are considered:

- Carpet weaving including added value processing like cleaning, washing and drying that often is done in Pakistan today but was done in Afghanistan before.
 - Garment production. Beyond local and regional markets also tie-up to bigger Pakistan exporters should be considered.
 - Horticulture production including export of dried fruit (see chapter on agriculture).
 - Expansion of animal husbandry and reversal of present importation to exportation (the long war period has dramatically decreased number of cattle and other animals).
 - Milk production including build up of dairies.
 - Plantations and nurseries related to forestation areas.
 - Generally food processing like jam, juice, honey etc.
 - Natural medicine seems to be an interesting area just like natural and artificial flowers.
 - Handicraft like embroidery and pottery.
 - Construction material related to the building boom in the country (like baked and unbaked bricks etc.).
 - Contracting companies where trained Afghan labour should be able to replace a lot of today's Pakistan-, Indian- and Iranian labour.
- Etc.

Beyond these mainly manufacturing oriented enterprises there is a big portfolio of potential service and retail/trade enterprises. Service includes activities like cleaning, laundry, canteen and catering services which, of course, depends on closeness to towns and bigger cities. Other examples are bicycle- and other vehicle repairs. IT and communication services have a growing demand just like transportation services. Retail covers a big range from the small village shop to bigger entities in neighbouring towns.

There are obviously always hopes for bigger manufacturing investments with capital from abroad. The Afghan authorities struggle to improve the investment climate which is faced with certain disadvantages like the extra costs for security and for transportation in this rugged country. The widespread corruption and bad reputation of the judicial system does not either help. When it comes to both production of consumer products like shoes and clothes you hear about former factories here or there which today have been pushed out by cheap imports from e.g. China. Within the Ministry of Commerce they are working with business promotion and I will review that at my next visit. All efforts to promote increased employment should be endorsed but one must realize that the big growth in employment will **not** come from large scale manufacturing projects. It will come bottom up from a large number of small enterprises in farming, niche manufacturing where Afghanistan has a competitive advantage internationally (like carpets and dried fruit), service and trade.

IV. Organization

The idea with the JCP is to largely build on existing institutions, including what has been built up in the NSP. JCP will ultimately cover all 34 provinces and will draw on resources from several ministries. A strong, experienced and respected project management will be required for this program. Even if a lot is built on what has been achieved in the NSP, it is important that JCP is not considered as "just another program" belonging to MRRD. It is worthwhile to consider how they organized a similar program in South Africa. Although the Minister of Agriculture had been a driving force there with a lot of her people involved, the President of the South African Republic was the one who decided the start of their JCP, the time plan and the targets. The South African President will also get direct periodic reports from the program leader. The Deputy President will directly supervise the project, even if the Minister of Agriculture in South Africa will be heavily involved together with the Ministers of Trade and Industry and a few others. In Afghanistan it was encouraging to see the engagement and involvement of President Karzai for this program in my discussion with him.

The success of the JSP will to a large extent depend on the quality of the leader and his project team. I suggest Asif Rahimi as the project leader or Chief Coordinator or whatever title he may get. He is presently Chief Coordinator for the NSP. What remains of the NSP the next 3 years is to finish the present 15,000 communities and basically do the same with 7,000 remaining communities. A successor to Asif for the NSP should be appointed and the successor should report to Asif. It will be important to have this continuity for the NSP and to safeguard integration between NSP and JCP.

The fulltime working top project team should include some representative from the Ministry of Agriculture, Women's Affairs, the Commerce Ministry and MISFA. One fulltime member of SEED, India is recommended as well as a Swiss man who has led the "Overseeing Consultant" work from GTZ.

I suggest that the Project leader reports to a Ministerial Board with the Minister of Agriculture, Women's Affairs, Commerce and MRRD with Minister Atmar as Chairman.

V. Plan and Decisions

With the present situation in Afghanistan and the urgent needs to create jobs I propose a tight plan based on early decisions:

	<u>Deadline:</u>
1. Decision to go ahead with the JCP and appointment of project leader+project group and supervisory board	End of March
2. Top 15 key people spends a week in Tamil Nadu, India for field studies and training	Early April
3. Selection of provinces/districts/communities for first 12 months	April-May
4. Selection of NGOs to work with the first 12 months (similar contractual process as with the NSP)	April-June
5. Joint project group is appointed to translate and adapt SEED's enterprise manuals to Afghan conditions	April
6. Agreement with donors on basic funding. Commitment for a 3-year period is desirable.	April
7. 150 people from gov. departments, NGOs, MFIs will be trained in Kabul and in India. This training should be extended later on.	May-June
8. Agreement on growth plan for MISFA and the 12 MFIs (plus some more MFIs down the road). Lending conditions should be reviewed Both to end-borrowers and between MISFA and MFIs. MISFA to be properly funded for the expansion.	May-June
9. Basic plan for the vocational training of 1 Mill Afghans	End of June
10. Start of SHG-formations and training in the selected provinces/districts/communities	June-Aug

The 10 items above illustrate some key decision points and deadlines to be able to go "full steam" by mid-year. Obviously this first phase of the plan must be broken down into many more activities by the project team to be appointed.

The overriding objective is to create 2 Mill rural jobs (and maybe 0.5-1.0 Mill urban jobs when the JCP gets going) and start achieving job results as soon as humanly possible. With that in mind the following are some guidelines for the coming activities:

- The project leader and his team should be appointed within the next few weeks. Any delay here will delay the whole program.
- No compromise on getting top quality for project leader (see my proposal) and the team. None of these people will be "available" – on the contrary, the best people are all very busy in important tasks and there are *often* other plans for them. Ministers will object to freeing up such valuable people for the JCP. **If** we select "available" people whose new assignment creates "least disturbance" where they are – then we may as well forget about the JCP.
- All proposals for "methods evaluations", pilot cases and different types *of* studies should be turned down. Sure, occasionally a study can be helpful in guiding the implementation but such marginal positive things are drowned by the huge negatives of delaying the program. The job creation mechanisms proposed are well proven abroad and there is also some small experience inside Afghanistan. The priority now is to get started with SHGs, *micro-financing* and training of entrepreneurs to get enterprises started or expanded and to get jobs created. There will be mistakes but they can usually be corrected as we go.
- Work in parallel with many activities and if one activity is delayed does not let that delay other activities.
- To get delayed by "studies" is particularly dangerous as regards micro-financing. In the past 25 years I believe there has been written 100 PhD dissertations and 100,000 pages not included all workshops and conferences. We do not need another study in Afghanistan about the "best model". Whether you have individual borrowers, groups of 5 or 20 or 200 (cooperative) does not matter as long as the individuals get properly trained, get business coaching and get access to loan capital at decent terms. I met some "think tank" people in Afghanistan and they were as usual interested in making "method studies". I asked them to forget about that and instead to study how you overcome hurdles to increase the client population from 160,000 to 3 Mill in 5 years and how MFI branches can better serve clients in enterprise creation.
- The overriding objective to get 2 Mill jobs and to move fast with early job creation results must have priority above over most other things. That should create a culture of sense of urgency, pragmatism and opportunism. We must be flexible and avoid bureaucracy which is a problem in Afghanistan. **E.g.** if Habitat has success with SHGs of 15 people and also men organized – fine. let them continue with that. If BRAC is successful with groups of 5 and only women – fine, do that. By the same token, all ongoing or planned activities to create jobs the next 6-8 months should be supported, whether it fits into the huge JCP and its time schedule or not.
- Looking back at the similar program, the NSP, one can note that the implementation was largely very successful. The delays that nevertheless occurred had to do with the bureaucracy. Things like half a year's delay in contracting NGOs for another year or delay in money disbursement because certain reports had not been completed etc. That must not happen with the JCP.

We must have a well-oiled machinery and the risk of delays must immediately trigger high level corrective actions.

- The periodic reporting should be brief, quantified and "to the point". We should avoid the very wordy reports and abstract style you find in many UN- and NGO reports.

Vi. Donations required

The JCP as such should be very cost efficient and get a big leverage on money invested. Contrary to most other programs in Afghanistan (many directed towards infrastructure), JCP is not built on huge grants. JCP's major capital requirements is for training (basic, entrepreneurial, vocational and business coaching) while the big capital for the started enterprises will be in the form of loans which will be repaid. The repayment ratio is above 99% in Tamil Nadu and is also high in the small activities of Afghanistan. For example South Africa's JCP is today estimated at \$100 Mil for training, \$1.0 Bill for loans and \$4 Bill as a resulted increased income after 5 years. In South Africa's case JCP includes training of 1.5 Mill women and estimated 1.3 Mill new jobs in rural areas.

Nevertheless, the JP in Afghanistan is a huge program with some 3 Mill people estimated to undergo basic training in **SHGs** and some 2 Mill undergoing entrepreneurial training and business coaching. I had a discussion with the World Bank (Alastair J. McKechnie) before departure. He thought that the JCP was an excellent stage 2 from the NCP, which the World Bank had financed. With JCP they can reap the rewards in the form of badly needed job creation after having contributed to building physical infrastructure and human capacity in the CDCs. This would also move Afghanistan a big step towards market economy with entrepreneurship and private ownership. So I have reason to believe that the World Bank would be willing to fund the JCP.

The expansion of the MFI system to reach out to some 3 mill clients will also require some one-time funding until the bigger micro-credit network is established. Finally some funding must be done over 5 years for vocational training of 1 Mill people.

Afghanistan's present employment situation is characterized by several million poor people who are unemployed or underemployed and badly need productive jobs, like:

- A few million people in subsistence "farming" on very small plots.
- 2 million in the opium business where poppy eradication must be accompanied by alternative jobs.
- Some 100,000 armed militiamen who must be disarmed and offered alternatives.
- A lot of people returning from refugee camps outside and inside Afghanistan.
- It is also important to limit migration to big city slums

Billions of dollars have been spent on infrastructure like roads, bridges, electricity etc. and improved conditions for creation and expansion of enterprises. A few hundred thousand have had temporary jobs in e.g. road building or have been paid for temporary work such as cleaning up irrigation channels etc. But these people need in addition permanent and sustainable jobs.

Apart from the basic security issues there could hardly be any purpose of donations more important than the mass mobilization of the poor people into entrepreneurship and job creation.

VII. MRRD's program to support the job creation program, particularly NSP

The key program to be used as a platform in the roll out of the job creating program is the NSP (National Solidarity Program). But there are also other programs that should be reviewed to see how they can support job creation and how overlaps can be eliminated. Particularly important are such programs as the "National Rural Access Programme" (NRAP), formerly called NEEP. NRAP is focused on infrastructure and also provides mainly temporary employment in road building etc. "The National Area Based Development Programme" (NABDP) is another such program. NABDP also deals with infrastructure and promote good local governance on the district and provincial level. In improved livelihoods there is a focus on farmers dependent on poppy cultivation, disarmed militias and returning refugees. There are some other programmes within MRRD which I do not comment on.

As mentioned, all these programs should be reviewed to avoid fragmentation and overlaps and make sure there will be a focus on the 2 Mill job creation program.

NSP (the National Solidarity Program) is an excellent base to launch the Job Creation Program from. It can almost be seen as a second stage in the rocket to lift Afghanistan's 38, 000 villages. It is assumed that the NSP is well known after 25 years and below are only a few comments made.

NSP started in June 2003 and is now into its "3rd wave" of communities: There are some 20,000 rural communities (>25 families) and some 38, 000 villages or village settlements. Smaller villages are lumped together to get a critical mass.

The NSP has the twin tasks of improving governess in the communities and assist in implementing some projects in the community – mainly physical infrastructure projects. As we can judge from interviews with NSP people, NGOs and others 2nd from field visits, the NSP has worked very well.

The program includes 5 phases:

- Mobilization of the community
- Election of CDC
- Creating a community plan (CDP)
- Development of project proposals
- Project implementation

Some 23 NGOs have contracts as Facilitating Partners (FPs) with 4,400 staff involved. MRRD has itself some 500 staff involved. A German NGO, GTZ, has had the contract as 'Overseeing Consultant' with some 500 staff involved. The process with priorities and decisions on different levels is not commented on here. However one important fact is that the community in question gets trained in working together,

elect a CDC and arrive at a consensus which is respected. This also diminishes the impact from former "warlords" or "commanders" in that community.

Totally **CDCs** include 40 % women and 60 % men. 20 % have only men and 80 % are mixed. The mixed ones normally have a male committee and a female committee where issues are discussed before decision in the common CDC.

Each community gets \$200/family (average \$30,000 per community). When projects have been completed and they have high priority projects remaining, they can get a "top-up" of e.g. \$10-20,000 extra.

The projects are dominated by infrastructure projects like roads, bridges, culverts, irrigation projects, electrification projects and water supply projects. There are also schools and clinics constructed.

Of particular interest for the job creation program are some 1,700 projects for income generation (weaving, tailoring, poultry, bee farms etc.) and vocational training. These projects have impacted some 290,000 families in 1,700 villages. A lot of them women. However, without savings and access to loan capital but instead grants, without individual ownership (grant to the community) and with limited entrepreneurial quality control and marketing training the success rate does not become so high.

A total of \$207 Mill has so far been committed to block grants for communities and some \$158 Mill has been disbursed to 10,175 communities.

The program has been rolled out in 3 tranches.

Year 1 (2003/4)	+5,000 communities with a CDC in each
Year 2 (2004/5)	+4,600 communities with a CDC in each
Year 3 (2005/6)	<u>+6,000</u> communities with a CDC in each
	15,600 communities with a CDC in each

In the beginning all provinces were included with at least 3 districts per province. The next year +2 districts per province and then there were 197 districts covered out of 364 districts existing. Some 7,000 communities remain to be covered 2006/7. Other priorities than an early spread to provinces has been:

- Poverty
- Food insecurity
- Arrivals of internally displaced people (IDP)
- Security consideration

About 2 Mill nomads will be covered in the remaining parts of the NSP. These people obviously require a special adaptation of the program.

So midyear 2006. 15,600 communities are covered which means some 25,000 villages/settlements with some 13-14 Mill people. The first tranche of 5,000 is mature, is close to finishing the 3rd year and should have completed their projects.

These first 5,000 communities could be an excellent start of the Job Creation Program (JCP) by mid-year 2006. In the selection of individual communities one

should beyond the priorities mentioned above also look at "the low hanging fruit" where job creation can be expected to be big and/or fast. Our experience is that starting of new enterprises is very much stimulated by early success stories. Additional priorities can therefore be:

- Districts/communities where vocational training already has happened
- Districts/communities where enterprises already are started and can be expanded
- Districts/communities where MFIs will reach out soon
- Communities which in there CDPs (Community Development Plans) already have realistic income generating projects

An example of the last priority was a community with clear ideas for job creation that we met on a field trip. We met a CDC plus some community members. They went through a 4-year plan with 9 projects (tractor for renting, carpet weaving, fish pond, some animal husbandry projects, honey production, plastic bags and a bakery). Total investment was estimated at \$120,000 giving 300 new jobs in a fairly big community of 1,500 people about 60 km from Kabul. This community can also be expected to get access to micro-financing in the near future.

VIII. Micro-financing to support job creation

a) Background

The banking sector in Afghanistan is little developed. The 11 commercial banks have a limited range of services and operate only in Kabul. When it comes to developing micro-financing across the country for the next 5 years one can more or less disregard the banking sector. Longer term they should, of course, be **involved** like in other developing countries.

Micro-financing started in the 1970s and was directed to low income entrepreneurs, mainly women. From the mid 90s to 2002 some NGOs and UN agencies operated micro-credit schemes in Afghanistan to less than 20,000 clients. They rather had a charity approach than micro-finance industry best practice.

In the past 3 years the micro finance sector has grown rapidly and has shown a healthy shift from a humanitarian approach to a development one. Most of the MFIs operating in the country are NGOs.

The "Microfinance Investment and Support Facility for Afghanistan" (MISFA) was established as a wholesaler of credit to the MFIs by the World Bank under the umbrella of the Ministry of Rural Rehabilitation and Development (MRRD).

As per January 31, 2006 the following is the situation:

	000
Active loan clients	133
Women out of that	103
Number of loans	263
Total amount paid out	52 Mill USD

Repayment rate **98 %**

This is a strong development from almost nothing. It also illustrates the dominance of women (even if they often are shields for men) and the high repayment rate of **98 %**.

The **MFIs** are heavily subsidized by **MISFA** (and ultimately by the donors). **MISFA** lends at **5 %** interest and the **MFIs** at **16-18 %** to the clients in turn. However, only a part of the disbursement from **MISFA** is loan and the other part is grant. There is obviously a high cost in starting an **MFI** and having a high growth the first few years. Therefore there is a grant portion the first years according to the following:

1 st year	50-70% grant
2 nd year	45-50% grant
3 rd year	25-30 % grant
4 th year	10-15% grant
5 th year	0 % grant (100 % loan)

The huge grant portion can be seen as covering start-up costs but also to build equity in the **MFI**.

b) Things to consider

- It would be good if the **MFIs** in the end became independent companies under banking law and came under supervision of the Central Bank (avoid anti-NGO sentiments etc.).
- **MISFA** is on its way to become a company (instead of a **MRRD** department) which is good. Ideas in other ministries to start up other credit institutions can thereby hopefully be avoided.
- The great portion in the **MISFA** disbursement to **MFIs** seems exorbitant. It is fine to have a grant portion the first 1-2 years but maybe not 4 years and not so big amounts. A large part is an equity build up and one must make sure that does not leave the country. We must get away from the "grant mentality".
- Based on the above there is reason to look at the efficiency of the **MFIs**. After all, this is a bank business and not a "grant business".
- Minor matters that can be solved are:
 - low technical competence both with clients and staff (women must work as loan officers with women)
 - men sometimes resist women as borrowers
 - "interest" in an Islamic country must be replaced by different types of "fees"

c) Dramatic increase of micro-finance with the massmobilization of entrepreneurs

It is an absolute requirement that the **MF** activities are expanded to keep pace with the job creation program. The following are the requirements and the plans:

	<u>Today</u>	<u>In 5 years</u>
Existing Plan:		
Number of loans and saving clients	160,000	1,000,000*)
Out of that in rural areas	80,000	800,000
Required:		
Total		3,000,000
In rural areas		2,400,000

*) MFI plans are based on 4 years

Some MFIs, particularly BRAC, have no doubt ambitious growth plans and in the past 3 years most MFIs have surpassed their earlier plans. So that looks rather good. However, it will be required a 3 times bigger number of clients within 5 years than planned. BRAC is today the dominating MFI, but if we look at an average MFI it means addition of 50,000 new clients per year per MFI. MISFA has got a number of serious requests to start new MFI (not so surprising with the present generous conditions). Maybe another 10 MFIs or so should be added.

(BRAC planned to go from some 100,000 clients to 600,000 and increase branches from about 100 to 300.)

Italked to a few small MFIs. Unfortunately they had low ambition for growth. And not only that, some had very conservative lending. They seem not to understand why they are in Afghanistan. They are there to contribute to development and not to maximize the profit in a small selected population. The lending officers in one MFI had the ambition to have 0 losses and had also 100 % repayments. Another demanded collateral (mortgage in a house) and since the men have the houses in their names this led to 90 % loans to men and only 10 % to women. Another one staid in Kabul to avoid the problems in the rural area.

It is important to sort out the MFI policies and make sure every MFI contributes to Afahanistan's development and not to some suboptimized goal (like 0 % loss etc.). Only one MFI measured ~~number of jobs their loans had created~~. That should be done by everybody.

d) Efficiency and costs in distribution

When MFIs increasingly move from urban to rural areas and into areas with smaller spread out villages – distribution costs tend to increase significantly. It is recommended to review how local NGOs can be used to reduce distribution costs. NGOs can e.g. be paid a fee to distribute and collect money in the local area. NGOs can also borrow in bulk from an MFI (e.g. one Mill USD) and then lend to the ultimate clients (e.g. 100-300 dollar loans). There are examples in other countries how this works well and how such arrangements speed up penetration in rural areas.

e) Small "community banks" for savinas

Most communities are not yet reached by MFIs and it should be encouraged that they start their own savings and lend between themselves. The earlier they get into the monetary economy with savings and loans, interests and repayments, the better.

I reviewed one program with Habitat that was called "Literacy Community Economic Empowerment Program (LCEP). In 94 villages 461 Self Help Groups (SHGs) have been formed with 62,000 members, about half of them for men and the other half for women. They save in smaller groups and then merge a number of groups into a "Community Bank", which administers the money. It normally takes 6-7 months to get to a "Community Bank" and 24 villages now have that in connection with the CDC (Community Development Council). Total savings after 7 months was \$25,000. The internal loans are about \$200-300 on average with only 2% interest and a 1-year repayment horizon. Money is borrowed for income generating micro-enterprises.

The above is described in order to illustrate that the job creation process must not wait for the MFIs to reach out to the respective village. When bigger external capital becomes available through MFIs such a village with a "Community Bank", internal lending and some micro-enterprises, can quicker take advantage of the new opportunities.

f) Conditions for MFIs and assistance in starting micro-enterprises

When a new MFI is created there are requirements from MISFA:

- Experienced team
- Profitable within 5 years (too long)
- Outreach
- Geographic spread

With the present level of support with grants from MISFA, there should also be a requirement to assist the client in starting a micro-enterprise. As I understand it, very little of that is done today. It is more a strict bank transaction. Depending on the MFJ branch environment, there should be suitable people available to review the project calculation and to give advise on the marketing side. This business support role seems to work in some branches (BRAC in Parwan etc.). Also Aga Khan Foundation had some 20 staff people in the Badakhsha Province for "Business Development Services" which now will work together with Aga Khans MFI. A monthly reporting of started micro-enterprises and jobs created will further stimulate job creation.

g) Fundina of MISFA

MISFA should increasingly over the coming years be financed by loans instead of grants. However, in the coming years grants will also be necessary to support the dramatic expansion with build up of enterprises and creation of jobs. The funding numbers are not commented on here.

(This chapter on Micro-financing has been supported by Mrs Ruxandra Boros.)

h) Other lending activities

The major expansion of the MFI network with maybe ten times more lending than today in rural areas and back-up by MISFA will no doubt be the main route to support addition of 2 Mill jobs.

However, there are also other lending mechanisms and all activities that can contribute to job creation must be considered. Examples are:

- Seed Banks where a farmer borrows for seed and fertilize before planting and repays after harvest in cash or in commodities. A "shura" (village organization) decides what families should get loans and on what conditions.
- Villaae Banks with Collective Loans
- Informal mechanisms
Traders and shopkeepers are the most important sources of credit after friends and families. The problem is that the annual cost of borrowing (whether we call it interest or anything else) tends to be 30-100 % and pull farmers into a debt trap they cannot get out of.

It should also be mentioned that earlier, before MFIs were around, some NGOs in a small scale gave mixed micro-credit-grants. NGOs also in those cases gave technical assistance and helped in marketing for new enterprises. The latter part is important also today but otherwise one should not mix grants and loans.

Finally, it should be noted that credit has much to do with the opium economy. Some farmers turn to poppy cultivation to get badly needed credits and also tend to stay there since they get into the debt trap. Availability of sound credit through MFIs and the job creation as such are both important in the war against poppy cultivation.

i) Summary of Micro-Financing

To safeguard not only the minimum loan disbursement, but becoming an engine to promote new micro-enterprises and 2 Mill new jobs, the following is required:

- MISFA independent company with proper funding
- Get away from 'grant mentality' with inefficiency to an efficient banking system (see comments)
- MFIs (preferably separate from NGOs) must commit to
 - growth
 - a development impact (reporting jobs created) instead of suboptimized profit maximization with unreasonable security demands

IX. Women programs to support job creation

We had meetings with the Minister of Women's Affairs who seems to have a big role in development of women in Afghanistan. We also met her department managers, Unifem (a UN agency) and the President of the Afghan Women's Federation.

The Women's Ministry has work going on in all 34 Provinces, 364 districts and 34,000 villages. There are 600 women's councils, "Shuras" with 600,000 women as members. Facility partners/NGOs submit project proposals: The Ministry itself has 700 qualified people employed. The work with the Japanese NGO, JICA, to train women and promote them for sales in Japan. Similarly the Italian NGO fund projects with products for export to Italy. The NGOs CARE and JICA are engaged in vocational training. Some 100 staff are engaged in marketing with brochures, stores and exhibitions. JICA also gives grants for start-up of micro-enterprises. There are special programs for 1.3 Mill widows, who can move more freely around than married women. Trades covered by these activities are: carpet, embroidery, tailoring, livestock, poultry, soap, bee keeping, dried fruit, tomato paste, wool, jam, overcoat, blanket, jacket, candle making, cotton, sculpture (stone and wood) etc.

Unifem works with 20 Afghan NGOs. They give vocational training and are willing to help women start up enterprises.

Afghan Women's Business Federation is an umbrella organization for 20 smaller associations. They are surprisingly big with 5,000 members who are entrepreneurs and run enterprises with about 35,000 employees. The fact that they are women entrepreneurs spread all over the country makes them particularly interesting for job creation with women entrepreneurs in the free market economy. AWBF already today organizes workshops for business women every month and a training center is being built. AWBF is also reaching out to a number of provinces and create councils for different businesses, e.g. embroidery, tailoring, carpet weaving, shoe making, handicraft and others. Together with the Ministry they use 17 buildings in 17 provinces for exhibitions and sales, among other things shopping malls where only women buy from women.

AWBF is prepared to vastly increase their training capacity for potential business women. Women entrepreneurial trainers for women who are about to start up micro-enterprises are exactly what we need. They can also consider an "adoption system" between established women entrepreneurs and new or potential business women.

The 2 Mill jobs target will require tens of thousands of micro-enterprises and hundreds of medium-sized enterprises started every year by women. The entrepreneurial training (both general and specific for different business lines) and the business coaching will be a bottleneck and we must mobilize these training resources in the women's movement to the maximum. The thousands of existing successful women entrepreneurs are also good "role models" for future women entrepreneurs.

There are other business organizations, like International Chamber of Commerce with 2,000 members, mainly for medium-size business, which should be explored to identify further training capacity.

In this context it can be mentioned that there are some commercial consultant companies which can be utilized particularly for marketing guidance.

X Agriculture and resources to support job creation

a) General

Agriculture dominates the Afghan economy and society with 85 % of the people involved in agriculture and livestock related occupations. Even if relative importance decreases with growth of the manufacturing and service sectors, agriculture will grow substantially and be the basic engine for poverty reduction and poppy eradication. It is also important to realize that the manufacturing and the service sectors heavily depend on agriculture.

A 400 page Master Plan for Agriculture, Animal Husbandry & Food indicates a 6 % annual growth rate and 8 % for fast growing segments like Horticulture. A billion dollar is required to be invested the next 5 years. In the agriculture field and a number of NGOs are also involved here.

Agriculture has always dominated Afghanistan's export and will continue to do so. High quality dried fruits and nuts are expected to reach \$1 Bill annually within 10 years. In nearby India with a market of now 300 Mill, these Afghan products are rated no. 1.

Livestock is even more important than horticulture in absolute terms and Afghanistan is recovering from the decline in livestock during the war years. Women already provide most of the labour and the management in this sector. It lends itself to micro-financing-loans for women to purchase animals and even for working capital and, down the road, control of marketing.

As regards Cereals there are opportunities to double wheat yields and this will dramatically increase food security. In Forestry there are business opportunities in plantations and nursery development.

The bulk of the poor in Afghanistan (<\$1/day) live in the rural areas with very little land and subsistence agriculture. They are not really farmers but rather an unemployed/underemployed rural non-farm population. They badly need jobs.

Rising farm incomes, as mentioned above, drives the rural non-farmer sector and opens up a local market for micro-enterprises.

b) Summary of business opportunities

In summary, there are great opportunities for expanding business and job creation in agriculture. **As** examples:

- Perennial Horticulture: Grapes, Pistachio, Raisins, Almonds, Apricots – **dry** and fresh, Pomegranate
- Animal Husbandry: Cattle, Karnhul Sheep, Goats, Poultry, Dairy development (cattle purchased from neighbouring countries in North and West)
- Forestry: Plantations, Nurseries
- Honey and other bee generated products
- Silk production
- Fish farming (trouts and carps)
- Medicinal plants

Currently the former exporter Afghanistan imports 3,000 tons beef from Pakistan, 50,000 tons chicken and 200 Mill eggs from Iran, Uzbekistan and Turkmenistan. **This must be reversed.**

There are also great opportunities for food processing, like:

- Milk- and dairy cooperatives which process milk into cheese, butter, yoghurts etc.
- Wool processing (doing away with impurities, washing, drying and spinning). The comprehensive wool processing is labour intense. It is mainly done in Pakistan today and must be moved to Afghanistan again.

c) Agriculture Ministry resources

This Ministry has 11,000 employed staff – 2,000 in Kabul and 9,000 in the provinces. Many are well educated from agriculture university and represent an important resource for training and supporting entrepreneurs in this area. The departments we reviewed were: Extension, Cooperative, Forestry, Animal Husbandry and Plant Protection.

d) Job creation

Out of the target of +2 Mill new jobs in the rural areas I can imagine 6-700,000 may come out of what we call agriculture and processing of agriculture products. The remainder from non-agro enterprises.

The entrepreneurial training and business coaching to establish micro-enterprises and create jobs are basically the same for agriculture enterprises and non-agro enterprises. Both need vocational training and, not the least, efficient micro-financing. Business coaching, marketing and distribution will be most important.

There may be a tendency to regard agricultural projects as "belonging" to the Agriculture Ministry and Non-Agro projects to the MRRD. However, that is an artificial borderline and the different enterprises are interrelated. We must not duplicate efforts e.g. in micro-financing. We must draw human resources from wherever they are available and everything must be subordinated to the over-all goal: **+2 Mill jobs.**

XI. Literacy and Vocational Training for job creation

The whole education system has improved remarkably in the past 4 years. Schools have been built and the number of children in school, particularly girls, has increased a lot. The objective 2010 is to have 60 % of girls and 75 % of boys in school. Also more female teachers and more girls at universities are planned. Nevertheless there is a big deficit of educated teachers which, of course, reduces the quality in the basic education. There is presently an immediate need of 40,000 teachers for primary and secondary education and then are needed 10,000 more every year. With the very poor salaries offered this recruitment will be difficult.

For the massive planned job creation program improvement of adult literacy and vocational training is necessary. While primary- and secondary education is the foundation of future literacy, we have an immediate need to raise adult literacy. Literacy among adult women is only 17 %. (In our program in Tamil Nadu for poor women the literacy is also about 15 %. Thus about the same as in Afghanistan.) We have a 90-day crash course to achieve a workable literacy and the numerical skills required to run a micro-enterprise. I propose that this crash program is adapted to the Afghan environment to jumpstart increased literacy in areas where we push creation of enterprises and jobs.

Vocational training ("National Skills Development Program" to use a finer word) is even more important for job creation in the short term. You cannot start a weaving- or sewing or embroidery enterprise without knowing how to weave, sew or do embroidery work. Even if the person does not set up his or her own enterprise, he or she becomes qualified for employment in somebody's enterprise. That is also job creation and we do not really care how jobs are created. (e.g. in Tamil Nadu the experience is that out of 500 who has passed our tailoring courses about 300 get employed in bigger garment factories and 200 start their own small enterprise or go together with some other ladies to set up a little bigger enterprise). The same goes for men who may get training or apprenticeship as carpenter, plumber, mason, electrician etc. In these latter cases there is also the opportunity to work abroad. That may not be what we originally had in mind but it means that an unemployed or underemployed gets a productive job even if it is abroad. By sending money home he also contributes to the growth of the economy and improves the family income.

Today vocational training takes place in many places and is usually small scale. E.g. dozens of NGOs undertake vocational training, a little was done in the NSP program, some is done in the public school system and a little is done in voluntary organizations like the women's movement. The training is fragmented and small and not always located and directed to where there are job opportunities. It is meaningless to learn e.g. carpentering and weaving if there are no jobs in sight or poor possibilities for their own enterprise (lack of financing and support). When I e.g. ask an NGO what has happened to 100 vocationally trained people, they usually do not have a clue. The performance measurement is not number of participants, number of course days, money spent etc. It is jobs created.

Vocational training should go hand in hand with co-creative activities As the "job
creating machine" rolls through village after village district after district the

become obvious in the particular area and this requires training action – normally through the local NGO.

Vocational training is an integral part of the job creation program and it must be scaled up substantially. In the summary compact program for Afghanistan it is said that 150,000 should undergo vocational training (implementation of the "National Skills Development Program") by the end of 2010. That means 30,000 per year 2006-2010. This is a pitifully low ambition that must be increased substantially. To achieve the target of 2 Mill new jobs in rural areas and some 0.5-1.0 Mill jobs in urban areas would require about 1 Mill people trained vocationally over the next 5 years. Annually this means 200,000 per year in the next 5 years.

This massive effort to train people should now be planned centrally and started to be executed locally. Priority should be given to districts where the job creation program will be rolled out in the first year or in professions where there is already now lack of people (e.g. in construction industry where a lot of Pakistan, Indian and Iranian workers are being imported to work in Afghanistan).

XII. SEED/Hand in Hand's contribution to the Job Creation Program (JCP)

As mentioned in the introduction, our experience from job creation among the poor people in rural areas comes from Tamil Nadu, India and from the ongoing adoption of this program to South Africa's special conditions. It can not be a question of using a lot of our Indian people in the field, since they speak neither Dari or Pashtun but only Tamil, Hindi and English. It will more be a matter of "training the trainers".

1. Personally I am prepared to visit Afghanistan a number of times in the next year to help make sure that the national program gets off to a quick and efficient start. That includes appointment of key people, integration of the many programs now on the table, safeguard good cooperation between ministries and a massive upgrading of the MFIs and the vocational training. Most important of all to safeguard quality in the formation of Self Help Groups, in training on empowerment, in entrepreneurial training and in mobilizing resources for business coaching. (In all this the JCP will depend on high priority and strong support from the top political leadership.) You do not achieve 2 Mill new jobs in the rural areas and maybe 0.5-1.0 Mill jobs in the urban areas by just starting a new program on top of 10-15 programs already existing.)
2. A permanent representative in the top project team in Kabul representing SEED/HiH. That person should safeguard a smooth and efficient cooperation with SEED/HiH and must live in Kabul and preferably speak some Dari or Pashtun.
3. An early trip to India for the key project people including a few from ministries, MFIs and NGOs. Maybe 15-20 people. This becomes on the spot learning how to solve practical problems, which also will arise in Afghanistan. Particularly important is entrepreneurial training, business coaching and MFIs role. Cases of family companies and medium-sized companies will also be useful to study.

4. Some 150-200 more Afghan people need to be trained a few months later when we better know who will need the training, I do not yet know exactly how this will be done in Kabul and Tamil Nadu and exactly which SEEDIH people will be involved. However, the training program will be similar to what is mentioned under item 3 but getting more into details and maybe be split into different types of business for different participants.
5. Manuals which are catalogues of different enterprises are also useful. Existing manuals which are used in India must be revised in two respects:
 - Elimination and addition of enterprises to fit into the Afghan environment. Also the text will have to be revised for certain enterprises - not the least when it comes to marketing.
 - Reworked into Afghan languages

A joint project group should start this work soonest.