

~~FOR OFFICIAL USE ONLY~~



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

INFO MEMO

SECRET
CM-2195-04
22 November 2004

FOR: SECRETARY OF DEFENSE

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

SUBJECT: Acquisition and Jointness

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

COORDINATION: NONE

Attachment:
As stated

copy to:
USD(AT&L)

Prepared By: VADM Robert F. Willard, USN; Director, J-8; (b)(6)

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/45366

OSD 18755-04

TAB

~~FOUO~~

October 21, 2004

TO: Mike Wynne

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

FROM: Donald Rumsfeld *DR*

SUBJECT: Acquisition Reform

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

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

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

Thanks.

DHR:ss
102004-18

.....
Please respond by _____

OSD 18755-04

~~FOUO~~

Tab

11-L-0559/OSD/45367

720
TAB A

~~FOUO~~

NOV 23 11:11:23

November 2, 2004

TO: Gen Pete Pace
CC Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Training Matter

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

Thanks.

DHR:m
110204-2

.....
Please respond by 11/12/04

~~FOUO~~

Tab A

11-L-0559/OSD/45368

OSD 18826-04



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

NOV 22 11:02

INFO MEMO

CM-2201-04

22 November 2004

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS *RBMY/22*

SUBJECT: Training Matter

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

COORDINATION: TAB B

Attachments:

As stated

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

11-L-0559/OSD/45369

OSD 18826-04

TAB A

~~FOUO~~

NOV 02 11:23

November 2, 2004

TO: Gen Pete Pace
C C Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Training Matter

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

Thanks.

DHR:as
110204-2

.....
Please respond by 11/12/04

~~FOUO~~

Tab A

11-L-0559/OSD/45370

OSD 18826-04

TAB B

COORDINATION

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

720
FOUO
TAB A

September 30, 2004 03:11:32

370.02

TO: Ryan Henry
Gen **Dick** Myers
Gen Pete Pace

CC: Paul Wolfowitz
FROM: Donald Rumsfeld *DR*
SUBJECT: Sinai Commitment

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

We **can** do this.

Thanks.

DHR:ss
093004-13

.....
Please respond by 10/29/04

30 Sep 04

Tab A

FOUO

OSD 18827-04

11-L-0559/OSD/45372



CHAIRMAN OF THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20318-9999

CH-2202-04 23 November 2004

INFO MEMO

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS

RBMY 11/22

SUBJECT: Multinational Force and Observers (MFO) Sinai Commitment

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

COORDINATION: TAB D

Attachments:
As stated

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

11-L-0559/OSD/45373

~~FOR OFFICIAL USE ONLY~~ OSD 18827-04

~~FOUO~~
TAB A

SEP 23 11:32
September 30, 2004

TO: Ryan Henry
Gen Dick Myers
Gen Pete Pace

CC: Paul Wolfowitz

FROM: Donald Rumsfeld *DR*

SUBJECT: Sinai Commitment

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

We can do **this**.

Thanks.

DHR:ss
093004-13

.....
Please respond by 10/29/04

Tab A

~~FOUO~~

OSD 18827-04

11-L-0559/OSD/45374

TAB B

27 October 2004

INFORMATION PAPER

Subject: Multinational Force and Observers (MFO) Sinai Commitment

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

2. Key Points

- Efforts to reduce the DOD MFO commitment will require interagency support and agreement by the 1982 MFO Protocol signatories: Israel, Egypt and MFO HQ Rome.
- ~~(FOUO)~~ Meeting the SecDef force reduction timeline requires OSD(P) negotiations to be completed in sufficient time to allow the US Army time to identify, alert and mobilize the required force.
 - ~~(FOUO)~~ MFO-49 (Jan06, 395 personnel (PER); reduced from MFO-48, 687 PER):
 - Negotiations completed June 2005
 - Forces sourced / alerted July 2005
 - Forces mobilized October 2005
 - Forces deploy December 2005
 - ~~(FOUO)~~ MFO-50 (Jan07, 89 PER):
 - Negotiations completed June 2006
 - Forces sourced / alerted July 2006
 - Forces mobilized October 2006
 - Forces deploy December 2006
- ~~(FOUO)~~ There are several long-term tasks OSD(P) should pursue to support both the near-term force level reductions and the ultimate goal of withdrawing all US Sinai forces.
 - ~~(FOUO)~~ Inform signatories and MFO HQ Rome of USG intent to initiate MFO force level reductions beginning January 2006 and full US infantry battalion withdrawal by January 2007.
 - ~~(FOUO)~~ Intensify efforts to identify donor nations to backfill the US infantry battalion obligation. Identified donor nation would have to be vetted with the signatories and MFO HQ Rome.

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Tab B

11-L-0559/OSD/45375

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

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

FOUO



TAB C

Sinai Commitment and Force Reduction IPR

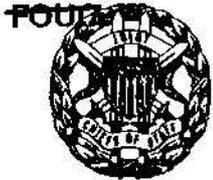
01 November 2004

This Joint Staff briefing is classified
UNCLASSIFIED//~~FOUO~~

Tab C

~~FOUO~~

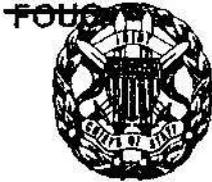
11-L-0559/OSD/45378



SecDef Direction

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

Tab C
FOUO



Assumptions

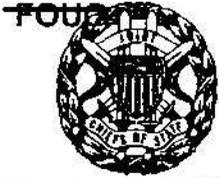
- MFO signatories and contributor nations do not want to decrease MFO structure or alter its mission

- Israel and Egypt want US military presence for security
 - Keeps United States engaged in Middle East peace process
 - United States serves as MFO backbone
 - Helps ensure other MFO participants will not back out
 - United States is honest broker
 - United States funds one-third of MFO costs

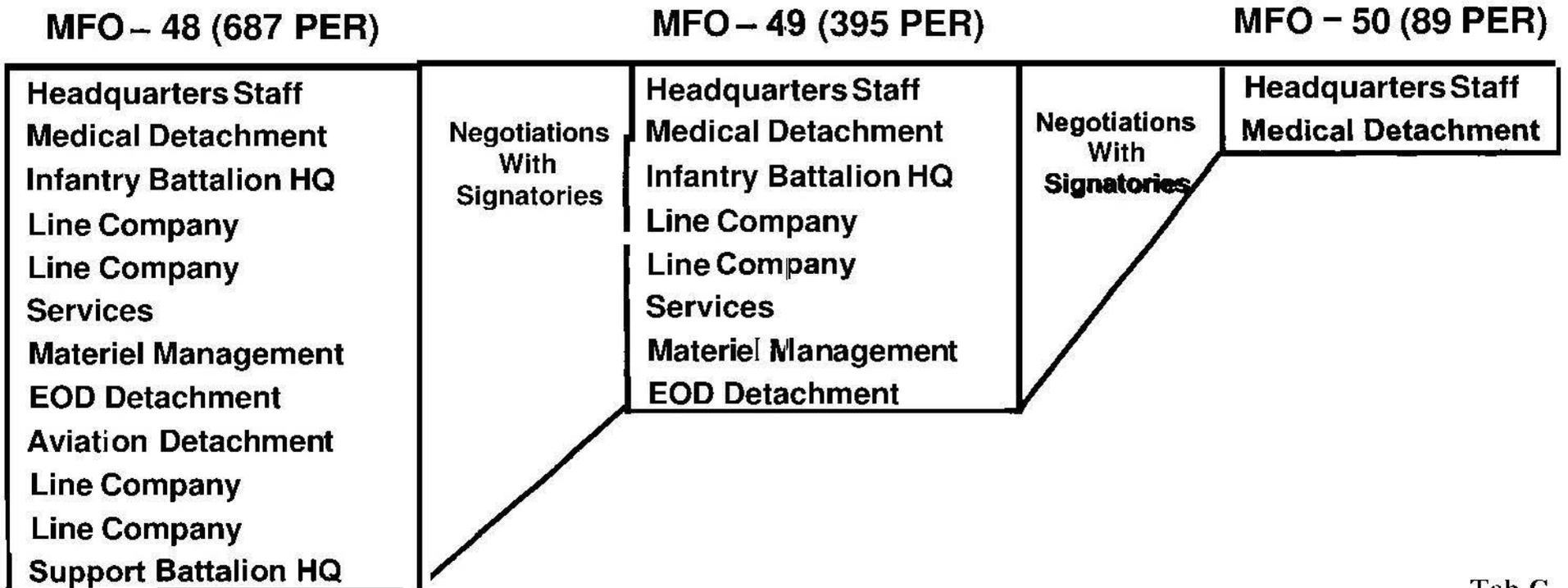
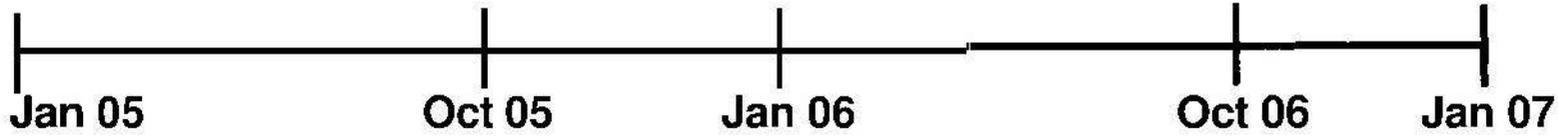
- US force level reduction may need to be met with an increase in US commitment in other areas
 - Must make best efforts to recruit backfill donor nations
 - Contract and fund helicopter support
 - Increasing OLIVE HARVEST support
 - Increase civilian observer unit to expand coverage

Tab C

~~FOUO~~



MFO Transition Timeline



Tab C
FOUO



One Third Reduction End State

MFO-48 Force Structure

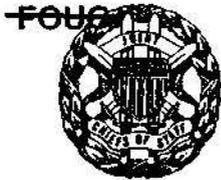
MFO Headquarters Staff	27
Infantry Battalion HQ	125
Line Company	75
Support Battalion HQ	37
Services	12
Materiel Management	14
EOD Detachment	5
Medical Detachment	62
<u>Aviation Detachment</u>	<u>105</u>
Total	687

MFO-49 Force Structure

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

Tab C

~~FOUO~~



MFO Force 100 End State



MFO-49 Force Structure

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

MFO-50 Force Structure

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

Tab C

FOUO



MFO Force 100

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

Tab C

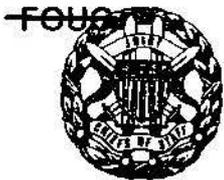
FOUO



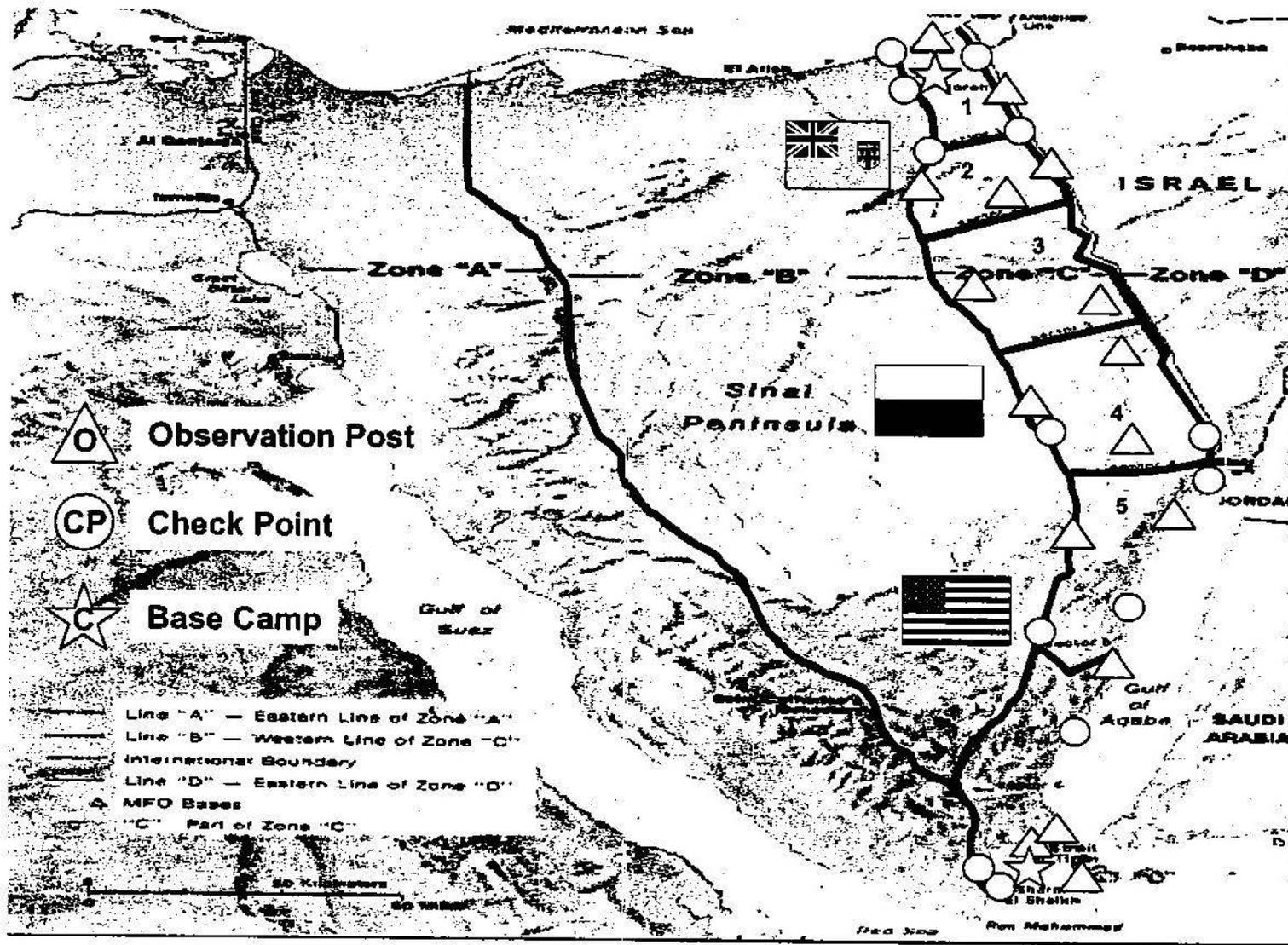
One Third Reduction

- **OSD(P)**

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



MFO Sinai Zones and Sectors



Tab C

FOUO

TAB D

COORDINATION PAGE

USA

COL Chappell

10 November 2004

ISA/NESA

Mr. Hulley

27 October 2004

Tab D

11-L-0559/OSD/45387

November 8, 2004

11:3:47

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

FROM: Donald Rumsfeld *DR*

SUBJECT: Alert Status

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

Please get **back** to me **with** a proposal.

Thanks.

DHR:ss
110804-11

.....

Please respond by 12/5/04

384

8 Nov 04

OCT 6 2004

October 6, 2004

TO: David Chu

CC: Gen Dick Myers

FROM: Donald Rumsfeld *DR*

SUBJECT: Individual Ready Reserve

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

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

Thanks.

DHR:ss
100604-2

.....
Please respond by 10/29/04



PERSONNEL AND
READINESS

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



INFO MEMO

November 23, 2004 - 12:00 PM

FOR: SECRETARY OF DEFENSE

FROM: David S. C. Chu, USD(P&R)

SUBJECT: *David S. C. Chu to Nov 24*
Individual Ready Reserve (IRR)—SNOWFLAKE (attached)

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

Attachment: As stated

Prepared By: Colonel Joseph Viani, OASD/RA(M&P), (b)(6)



11-L-0559/OSD/45390

OSD 18875-04

FOUO

OCT 6 2004

October 6, 2004

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

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

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

Thanks.

DHR:ss
100604-2

.....
Please respond by 10/29/04

FOUO

OSD 18875-04

11-L-0559/OSD/45391

11/18/04

720

NOV 23 2004
OFFICE OF
SECURITY C

November 17, 2004
DEFENSE

2004 NOV 23 11 6: 31

TO David Chu
CC Gen Dick Myers
FROM Donald Rumsfeld *DR*
SUBJECT: Virginia National Guard

I understand that the Virginia National Guard is not good. Every
someone tells me they are resigning or that they are not recruiting

ere I turn,
and so forth.

What do we do about fixing it? Should someone talk with the Go
need new leadership? What do you propose?

mor? Does it

Thanks.

DHR:ah
111704-10

.....
Please respond by 12/17/04

~~FOUO~~

TOTAL P.01

SD 18887-04

11-L-0559/OSD/45392

322

17 NOV 04



PERSONNEL AND
READINESS

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

OFFICE OF THE
SECRETARY OF DEFENSE
2004 NOV 23 PM 6:30



INFO MEMO

November 22, 2004 – 15:00

FOR: SECRETARY OF DEFENSE

FROM: David S. C. ~~Chen~~ USD(P&R)

David S. C. Chen 23 Nov 04

SUBJECT: Virginia National Guard—SNOWFLAKE (attached)

- The Virginia Army National Guard achieved **only 65 percent** of its FY 2004 recruiting mission, but **94.8 percent** of its strength mission.
- The Virginia ~~Army~~ **Air** National Guard is performing better, achieving **98.3 percent** of its FY 2004 strength mission.
- Virginia Army National Guard is one of nine that have **missed their ARNG** recruiting missions for the past four years.
 - o They are: CT, DE, HI, IL, LA, MA, MD, VA and VI.
 - o Overall, the Virginia Army National Guard missed its FY 2004 recruiting mission of 56,002 by 7,209 and its authorized strength of 350,000 by 7,081.
- We have engaged the Guard leadership to look at a **rebalancing of structure**.
 - o We will meet with LTG Blum and his Directors on December 3 to establish the "way ahead".

Attachment: As stated

Prepared by: Mr. Rich Krimmer, OASD/RA(M&P) (b)(6)



11-L-0559/OSD/45393

OSD 18887-04

225
22 Nov 04
17 Nov 04



PERSONNEL AND READINESS

~~FOUO~~

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

OFFICE OF THE
SECRETARY OF DEFENSE



2004 NOV 23 PM 6:30

ACTION MEMO

November 22, 2004

387

FOR: SECRETARY OF DEFENSE DepSec Action _____

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

David L. Chu, USAF

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

- The attached paper (Tab A) addresses your snowflake (Tab B) concerning "Army deployment length to Iraq and Afghanistan."
- We have worked with the Joint Staff, Joint Forces Command and the Army (tab C) to craft a truthful and simple deployment measure.
- We believe that this measure will allow the troops and their families to form realistic expectations of deployment duration for tours in support of the Global War on Terrorism.
- If you agree we will ensure this measure is promulgated as policy in the deployment process.

22 NOV 04

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

Approved _____ Disapproved _____ Other _____

COORDINATION: Joint Staff (Tab C)

Attachments:

As Stated

Prepared by: Dr. Paul Mayberry, (b)(6)



27 OCT 04

DRAFT

“Boots on Ground (BOG)”

SecDef Guidance:

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

Concept:

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

Refinements:

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

Process Changes:

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

DRAFT

15003 Nov 04

11-L-0559/OSD/45395

OCT 27 2004

October 27, 2004

2004 OCT 27 PM 6:30

TO: David Chu

CC: Gen Dick Myers
Paul Wolfowitz
Gen Pete Pace

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Army Deployment Length Policy

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

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

Thanks.

DHR:ss
102704-6

.....
Please respond by 11/12/04



THE JOINT STAFF
WASHINGTON, DC

Reply ZIP Code:
20318-0300

MEMORANDUM FOR THE UNDER SECRETARY OF DEFENSE FOR
PERSONNEL AND READINESS

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

SIC,

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

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

(b)(6)

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

Enclosure

Reference:

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

Dr Cho / Mr Abell,

*This is a formal consolidated response.
As we have discussed, we'd prefer "12 months"
vice "365" but understand your position.*

ve
Norty

ENCLOSURE

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

1. General Comment: All occurrences of “365 days” should be replaced with “12 months,” for the following reasons:

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

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

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

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

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

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

3. Page 1, “Concept” paragraph, 2nd bullet. Change as follows: “Individuals; expectations are set...”

REASON: Correct punctuation.

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

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

5. Page 1, “Refinements” paragraph, 2nd bullet. Change as follows: “Army combat units report BOG at the Brigade/Regiment level. USMC combat units report BOG at the Battalion/ Squadron level.”

Enclosure

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

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

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

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

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

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

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

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

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

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

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

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

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

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

OCT 27 2004

October 27, 2004

TO: David Chu

CC: Gen Dick Myers
Paul Wolfowitz
Gen Pete Pace

FROM: Donald Rumsfeld *D.R.*

SUBJECT: Army Deployment Length Policy

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

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

Thanks.

DHR:ss
102704-6

.....
Please respond by 11/12/04

370

27 OCT 04

NOV 16 2004
DepSecDef

ES-1211

I-04/014540-EP

USDP

NOV 16 2004

ACTION MEMO

FOR: SECRETARY OF DEFENSE
FROM: MIRA RICARDEL, ASSISTANT SECRETARY OF DEFENSE
FOR INTERNATIONAL SECURITY POLICY (ACTING)
SUBJECT: Thank You Letters for Afghanistan Election Assistance

pub

[Handwritten signature]

NOV 12 2004

Afghanistan

12 Nov 04

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

- Spain: Sent a light infantry battalion of 550, to augment long-term ISAF presence of approximately 500 troops
- Italy: Sent a light infantry battalion of 500 to augment a long-term ISAF presence of 500 troops.
- Germany: Sent approximately 70 psychological warfare troops to augment long-term ISAF presence of 2 100 troops.
- Netherlands: Sent approximately 250 troops, including 6 F-16s, to augment long-term presence of approximately 500.

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

RECOMMENDATION: SecDef sign suggested thank you letters at Tab A.

[Large handwritten signature]

29 Oct 04

APPROVE _____

OTHER _____

DASD (EUR/NATO) *[Signature]*

Dir (I)
Dir (EPS): _____

Coalition Mgt *Mary Tighe, 4 Nov 04*

Dir (NATO): _____

Prepared by: COL AJ Torres, ISP/EPS, (b)(6)
Prepared on: 11/3/2004 16:06

TSA SD	11/30
SRMA SD	
MA SD	
EXEC SEC	M 11/30
ESR	16011-20-09

OSD 18894-04

11-L-0559/OSD/45402

11/14
1600

FOUO

October 29, 2004

I-04/014540
ES-1211

TO: Doug Feith

FROM: [Redacted]

SUBJECT: Thank you to Italians

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

DHR ss
102904-23

.....
Please respond by 11/5/04

Afghanistan

TO Sec Def

See ed 177

↑
fouo

29 OCT 04

L 1/23

FOUO

11-L-0559/OSD/45403

OSD 18894-04

20-10-04 18:04 IN



DEPARTMENT OF DEFENSE
WASHINGTON HEADQUARTERS SERVICES
EXECUTIVE SERVICES & COMMUNICATIONS

December 1, 2004

MEMORANDUM FOR CABLES DUTY OFFICER

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

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

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

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

Thank you.

Michael Lowery

Executive Services and Communications

Correspondence Analyst

Attachments:
As stated

OSD 18894-04

11-L-0559/OSD/45404

Afghanistan

1 DEC 04

29 OCT 04



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

DEC 1 2004

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

Dear Antonio,

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

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

Thanks so much.

Sincerely,

Afghanistan

1 Dec 04

29 Oct 04

OSD 18894-04



11-L-0559/OSD/45405



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

DEC 1 2004

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

Dear Minister Kamp:

I want to express my deep appreciation for the support of The Netherlands to the recent election in Afghanistan. Your contributions helped ensure that this historic election occurred in a safe environment. It is reassuring that we can count on The Netherlands in the ~~war~~ on terrorism.

Sincerely,

A handwritten signature in black ink, appearing to read "R. M. Gates", written in a cursive style.



11-L-0559/OSD/45406

OSD 18894-04

DTG: 101646Z NOV 04

PAGE 01 of 01

Drafter's Name : COL A. J. TORRES, DESK OFFICER
 Office Phone : EUR, (b)(6)

Releaser's Info : DONALD H. FUMSFELD, SECDEF, -7105

Action Proc : ROUTINE
 Info Proc : ROUTINE
 Specat :

From: SECDEF WASHINGTON DC
 To: AMEMBASSY ROME
 Info: SECSTATE WASHINGTON DC
 SECDEF-2 SECDEF-X
 SECDEF WASHINGTON DC//CHAIRS//
 SECDEF WASHINGTON DC//FILE/USDP ISP/USDP EUR POL//

TEXT FOLLOWS

UNCLASSIFIED

SUBJECT: LETTER TO ITALIAN MINISTER OF DEFENSE

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

(BEGIN TEXT)

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

DEAR ANTONIO,

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

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

(PARA) THANKS SO MUCH.

SINCERELY,
 //DONALD H. FUMSFELD//

(END TEXT)

UNCLASSIFIED

OSD 18894-04

11-L-0559/OSD/45407

DTG: 101711Z NOV 04

PAGE 01 of 01

Drafter's Name : COL A. I. TORRES, DESK OFFICER
 Office/Phone : EUR, (b)(6)

Releaser's Info : DONALD H. RUMSFELD, SECDEF, -7100

Action Prec : ROUTINE
 Info Prec : ROUTINE
 Specat :

From: SECDEF WASHINGTON DC
 To: AMEMBASSY THE HAGUE
 Info: SECSTATE WASHINGTON DC
 SECDEF-C/SECDEF-N
 SECDEF WASHINGTON DC//CHAIRS//
 SECDEF WASHINGTON DC//FILE/USDP ISP/USDP EUR POL//

TEXT FOLLOWS

UNCLASSIFIED

SUBJECT: LETTER TO THE NETHERLANDS MINISTER OF DEFENSE

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

(BEGIN TEXT)

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

DEAR MINISTER KAMP:

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

SINCERELY,
 //DONALD H. RUMSFELD//

(END TEXT)

UNCLASSIFIED

OSD 18894-04

11-L-0559/OSD/45408



LtCol Kevin "Beak" Vest
USMC Military Assistant
USD Executive Secretariat
(703) 692-7129

MEMORANDUM

TO: ESCO

SUBJ: SNOWFLAKE 102904-23 RESPONSE
FROM ISA.

Done 11/20

Gentlemen, please control this package and then return to ISA for edits from SO. This package includes four letters. The letters to Spain & Germany need to be cancelled. The letters to Italy and Netherlands need to reflect the Secretary's edits. The corresponding Gencer messages attached need to reflect the appropriate edits. This package should be returned to ESCO after corrections are complete for routing back to the front office.

"BEAK" Thanks LTCOL VEST



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

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

Dear Minister *Antonio* Martino:

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

Thanks to much.

Sincerely,



11-L-0559/OSD/45410



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

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

Dear Minister Kamp:

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

Sincerely,



11-L-0559/OSD/45411

FOUO

November 1, 2004

894

TO: Gen Dick Myers
FROM: Donald Rumsfeld DA
SUBJECT: Manning Requests

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

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

Thanks.

Attach.

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

DHR:dh
110104-16

.....
Please respond by 11/12/04

322
/Nov 04

FOUO

OSD 18899-04



CHAIRMAN OF THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20318-9999

OFFICE OF THE
SECRETARY OF DEFENSE

INFO MEMO

CH-2105-04 2004 OCT -7 AM 6:53
6 October 2004

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJC *RBMY 10/6*

SUBJECT: Manning at General Sanchez's Headquarters

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

COORDINATION: **TAB C**

Attachments:
As stated

Prepared By: RADM Donna L. Crisp, USN; Director, J-I (b)(6)

11-L-0559/OSD/45413

OSD 13665-04

TAB A

September 10, 2004

TO: Gen. Dick Myers
CC: Gen. Abizaid
FROM: Donald Rumsfeld *DR*
SUBJECT Manning at General Sanchez's HQ

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

Thanks.

DHR:ss
091004-6

.....
Please respond by 9/15/04

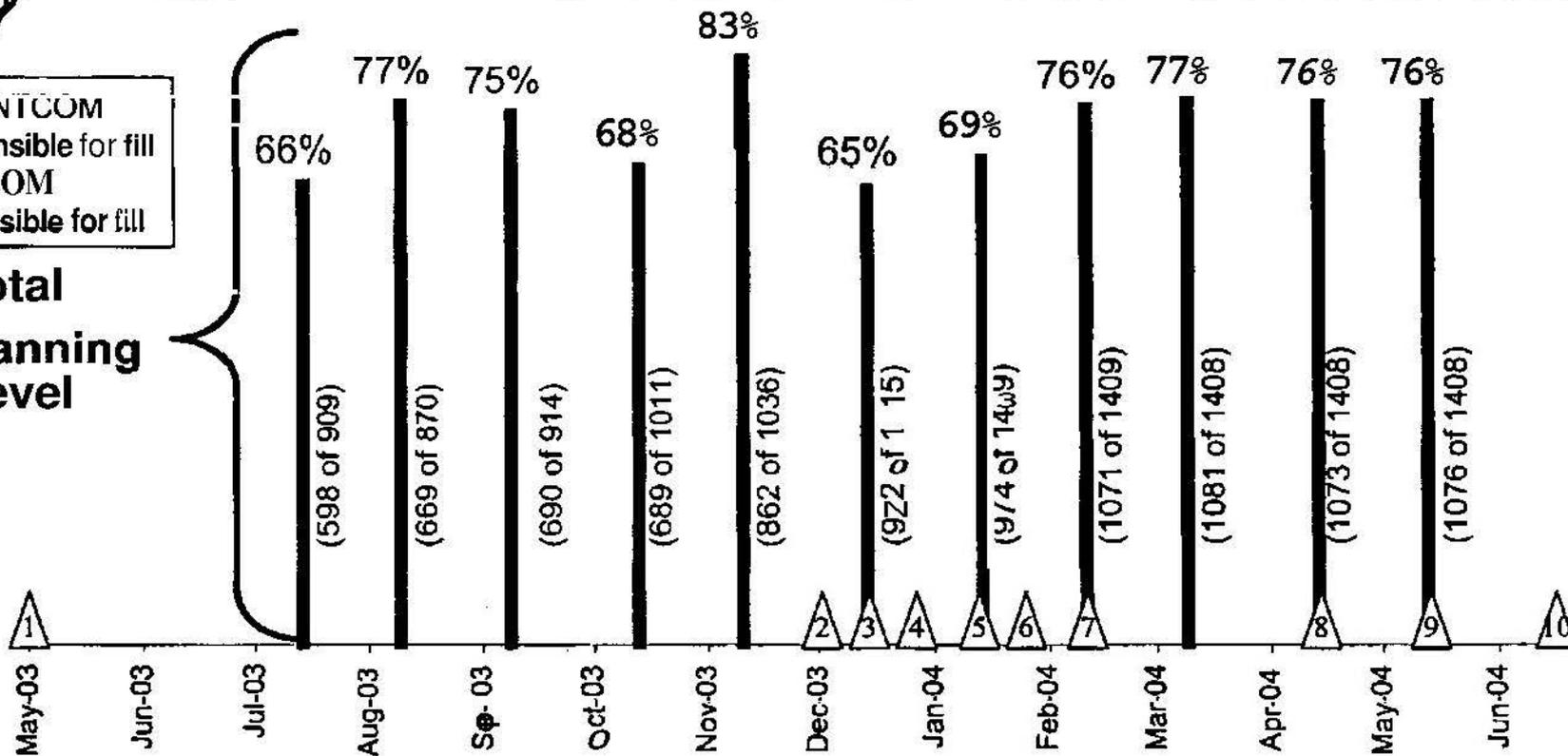
TAB B

CJTF-7 Manning Timeline



 USCENTCOM responsible for fill
 USJFCOM responsible for fill

Total Manning Level



- 1 3 May 03: CJTF-7 activated
- 2 Dec 03: CENTCOM J1 receives Phase IV JMD from CJTF-7
- 3 1 Jan 04: CJCS IA Instruction published
- 4 Dec 03 – JAN04: CENTCOM forwards multiple JMD changes to JFCOM
- 5 15 Jan 04: JFCOM informs CENTCOM that the JMD is frozen for P&SR
- 6 23 Jan 04: JFCOM, JS J1 P&SR: Services agree to source 598 of 640 (93%) IAs in CJTF-7 Phase IV IA requirements
- 7 11 Feb 04: JFCOM releases message confirming sourcing of CJTF-7 and responsibility to fill IA requirements.
- 8 15 Apr 04: P&SR for MNF-I/MNC-I. End of CJTF-7 JMD
- 9 15 May 04: MNF-I/MNC-I stand-up. CJTF-7 stands down
- 10 15 Jun 04: MNF-I/MNC-I FOC

Tab B

TAB C -

COORDINATION PAGE

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



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

INFO MEMO

CM-2213-04
26 November 2004

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJC

RBM 11/26

SUBJECT: Manning Requests

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

COORDINATION: TAB B

Attachments:
As stated

11-L-0559/OSD/45417

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

FOR OFFICIAL USE ONLY OSD 18899-04

~~FOUO~~

November 1, 2004

89J

TO: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Manning Requests

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

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

Thanks.

Attach
10/6/04 CJCS memo to SecDef re: Manning at General Sanchez's Headquarters [OSD 13665-04]

DHR:dh
110104-16

.....
Please respond by 11/12/04

~~FOUO~~

OSD 18899-04

11-L-0559/OSD/45418



CHAIRMAN OF THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20318-9999

OFFICE OF THE
SECRETARY OF DEFENSE

INFO MEMO

2004 OCT -7 AM 6: 53
CH-2105-04
6 October 2004

FOR SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS *RBM 10/6*

SUBJECT: Manning at General Sanchez's Headquarters

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

COORDINATION: TAB C

Attachments:
As stated

Prepared By: RADM Donna L. Crisp, USN; Director, J-I; (b)(6)

OSD 13665-04

11-L-0559/OSD/45419

TAB A

September 10, 2004

TO: Gen. Dick Myers
CC: Gen. Abizaid
FROM: Donald Rumsfeld **P-**
SUBJECT Manning at General Sanchez's HQ

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

Thanks.

DHR:ss
091004-6

.....
Please respond by 9/15/04

Tab A

OSD/3665-04

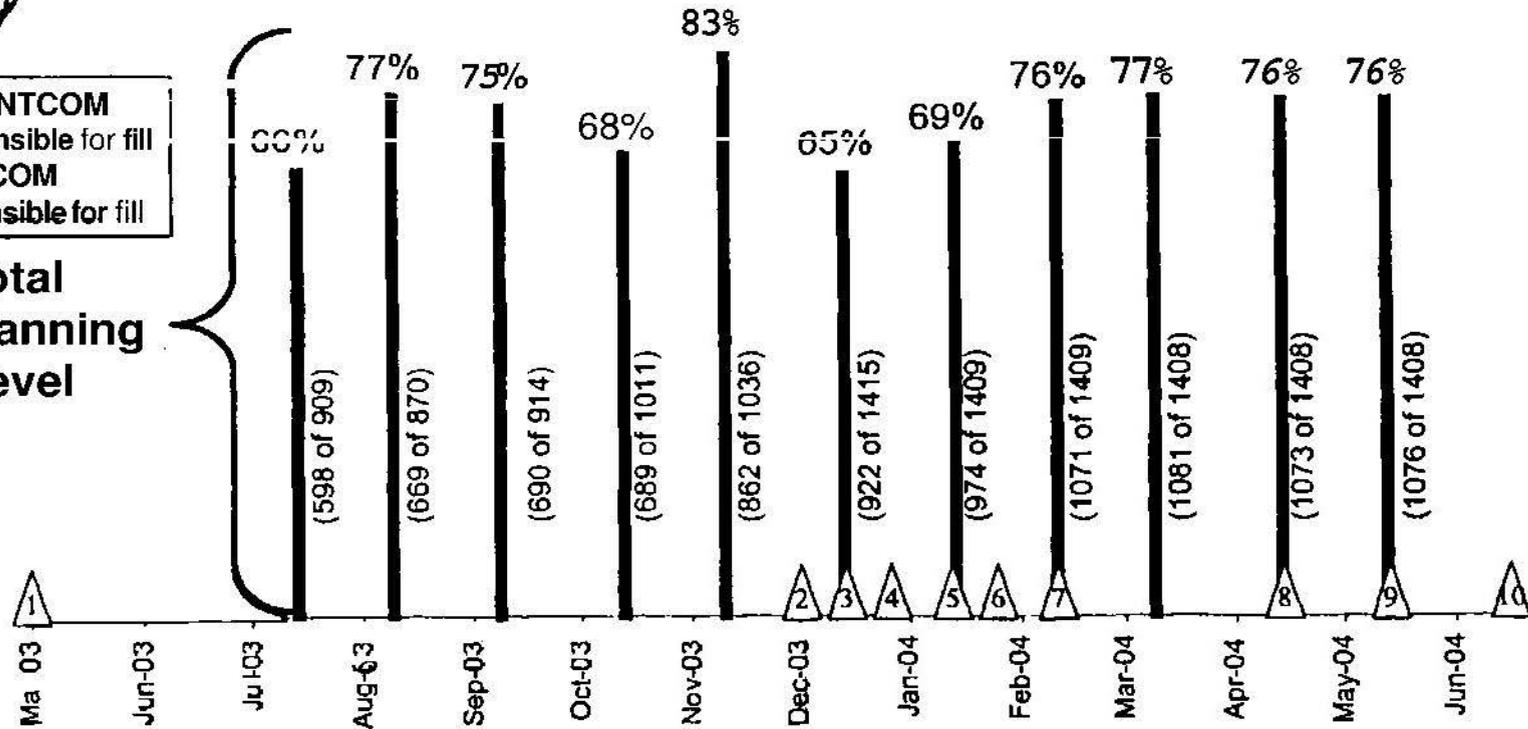
11-L-0559/OSD/45420

CJTF-7 Manning Timeline



 USCENTCOM responsible for fill
 USJFCOM responsible for fill

Total Manning Level



1 3 May 03: CJTF-7 activated

2 Dec 03: CENTCOM J1 receives Phase IV JMD from CJTF-7

3 1 Jan 04: CJCS IA Instruction published

4 Dec 03 - JAN 04: CENTCOM forwards multiple JMD changes to JFCOM

5 15 Jan 04: JFCOM informs CENTCOM that the JMD is frozen for P&SR

6 23 Jan 04: JFCOM, JS J1 P&SR: Services agree to source 598 of 640 (93%) IAs in CJTF-7 Phase IV IA requirements

7 11 Feb 04: JFCOM releases message confirming sourcing of CJTF-7 and responsibility to fill IA requirements.

8 15 Apr 04: P&SR for MNF-I/MNC-I. End of CJTF-7 JMD

9 15 May 04: MNF-I/MNC-I stand-up. CJTF-7 stands down

10 15 Jun 04: MNF-I/MNC-I FOC

Tab B

TAB C

COORDINATION PAGE

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

Tab C

11-L-0559/OSD/45422

UNCLASSIFIED

TAB B

COORDINATION PAGE

Ms. Cecconi

USJFCOM

9 November 2004

Tab B

UNCLASSIFIED

11-L-0559/OSD/45423

~~FOR OFFICIAL USE ONLY~~



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

INFO MEMO

2008 NOV 24 AM 8:43

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS *RBM 11/22*

SUBJECT: Manning Requests

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

322
22 Nov 04
1 Nov 04

COORDINATION: TAB B

Attachments:
As stated

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

~~FOR OFFICIAL USE ONLY~~

OSD 18899-04

11-L-0559/OSD/45424

UNCLASSIFIED

TAB B

COORDINATION PAGE

Ms. Cecconi

USJFCOM

9 November 2004

Tab B

UNCLASSIFIED

11-L-0559/OSD/45425

November 22, 2004'

NOV 22 11 00 22

TO: Powell Moore
CC: COL Steve Bucci
(b)(6)
FROM: Donald Rumsfeld 
SUBJECT: Meeting with Freshman Senators and Congressmen

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

Thanks.

DHRss
1 12204-2

.....
Please respond by 11/24/04



LEGISLATIVE
AFFAIRS

THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1300

NOV 23 2004 4:30 PM

November 23, 2004 4:30 PM

FOR: SECRETARY OF DEFENSE

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

A handwritten signature in black ink, appearing to read "Powell A. Moore".

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

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

Attachment:

SECDEF Snowflake 112204-2

11-L-0559/OSD/45427

OSD 18917-04

~~FOUO~~

November 22, 2004

NOV 24 11:32

TO: Powell Moore
CC: COL Steve Bucci
(b)(6)
FROM: Donald Rumsfeld 
SUBJECT: Meeting with Freshman Senators and Congressmen

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

Thanks.

DHRss
112204-2

.....
Please respond by 11/24/04

~~FOUO~~

OSD 18917-04

11-L-0559/OSD/45428

720

~~FOUO~~

TAB A

October 15, 2004

878

322

TO: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Special Forces Update

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

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

Thanks.

DHR:ss
101504-3

.....
Please respond by 11/1/04

~~FOUO~~

OSD 18958-04

Tab A

15 Oct 04

720



PERSONNEL AND READINESS

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

2011-07-27 11:11

014 35

ACTION MEMO

FOR: SECRETARY OF DEFENSE DepSec Action _____
FROM: David S. C. Chu, USD (P&R) *David S. C. Chu*
31 January 11
SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP)
--SNOWFLAKE (Tab B)

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

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

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

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

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

Approved _____ Disapproved _____ Other _____

Prepared by: P. K. Brunelli, Director, FVAP, (b)(6)



31 05

30 SE. 04

TAB

A



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

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP)

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

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



11-L-0559/OSD/45432

DRAFT

Executive Order _____ of _____

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

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

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

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

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

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

THE WHITE HOUSE

TAB

B

~~FOUO~~

17710
NDP

September 30, 2004

TO: David Chu
Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld *DR*

SUBJECT: Absentee Ballots

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

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

Thanks.

DHR:ss
093004-18

.....
Please respond by 10/29/04

~~FOUO~~

TAB

C

Federal Register
Vol. 53, No. 112
Friday, June 10, 1988

Presidential Documents

Title 3—

Executive Order 12642 of June 8, 1988

The President

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

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

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

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

THE WHITE HOUSE,
June 8, 1988.

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

COORDINATION SHEET

Voting Assistance Provided to Overseas Citizens

General Counsel of the DoD *D. J. Dell'Act* *cc edited*
Principal Deputy *2/3/08*

10/27/04
NDP

September 30, 2004

1:07

014,35

TO: David Chu
Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld DR

SUBJECT: Absentee Ballots

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

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

Thanks.

DHR:ss
093004-18

.....

Please respond by 10/29/04

305e904

Executive Order _____ of _____

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

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

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

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

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

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

THE WHITE HOUSE



PERSONNEL AND
READINESS

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



INFO MEMO

November 23, 2004 – 5:00 PM

FOR: SECRETARY OF DEFENSE
FROM: David S. C. Chu, USD (P&R) *David S. C. Chu 24 Nov 04*
SUBJECT: Responsibility for Voting Assistance Provided to Overseas Citizens
--SNOWFLAKE(Tab A)

- Executive Order 12642 (June 8, 1988) assigns DoD responsibility for the requirements of the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*. A new Executive Order is needed to carry out your intent.
- The proposed Executive Order at Tab B transfers responsibilities for *UOCAVA* to the Secretary of State.
- The Department of Defense would continue to provide absentee voting assistance to absent Uniformed Services voters, their family members, overseas DoD employees and overseas DoD contractors.
- The Department of State would assume policy and oversight responsibilities for administration of *UOCAVA* and would provide absentee voting assistance to overseas citizens and other overseas Federal employees.
- DoD will determine personnel, space, and budget resources that should be transferred from the Department of Defense to the Department of State.
- We have begun the process of coordinating this action with the Department of State.

RECOMMENDATION: Information Only.

Attachments: As stated

Prepared by: P. K. Brunelli, Director, FVAP, (b)(6)



10/29/04
NDP

September 30, 2004

TO: David Chu
Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld *DR*

SUBJECT: Absentee Ballots

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

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

Thanks.

DHR:ss
093004-18

.....
Please respond by 10/29/04

Executive Order _____ of _____

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

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

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

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

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

THE WHITE HOUSE

**OFFICE OF THE DEPUTY SECRETARY OF DEFENSE
The Military Assistant**

14 February 2005 - 1040 Hours

MEMORANDUM FOR: DR. DAVID S.C. CHU, USD/P&R

SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP)

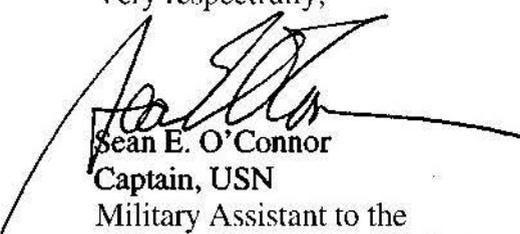
Sir:

Please see Mr. Patterson's comments to you on the attached: :

"David -
I know the Secretary is keen on this initiative. Though you've discussed with Grant Green, is State going to agree or will this initiative snag a big non-concur? The Department may still want to press ahead, but believe State's view needs to be known.
v/r Dave"

Thank you.

Very respectfully,


Sean E. O'Connor
Captain, USN

Military Assistant to the
Deputy Secretary of Defense

Attachment:
OSD 18960-04

Suspense: Monday, 21 February 2005

11-L-0559/OSD/45444

M 3/4

014.35

14 Feb 05

30 Sep 04

218
330

2110



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

2005 FEB -0 AM 10:10

PERSONNEL AND
READINESS

ACTION MEMO

FOR: SECRETARY OF DEFENSE DepSec Action _____
FROM: David S. C. Chu, USD (P&R) *David S. C. Chu*
31 January 05
SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP)
--SNOWFLAKE (Tab B)

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

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

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

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

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

Approved _____ Disapproved _____ Other _____

Prepared by: P. K. Brunelli, Director, FVAP, (b)(6)

MA SD	SMA DSD		
TSA SD	SA DSD	218	
EXEC SEC	MZS		
ESR MA	218		

col 2/11



OSD 18960-04

11-L-0559/OSD/45445



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

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Responsibility for Federal Voting Assistance Program (FVAP)

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

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

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

Enclosure:
As stated



11-L-0559/OSD/45446

DRAFT

Executive Order _____ of _____

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

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

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

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

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

THE WHITE HOUSE

September 30, 2004

TO: David Chu
Powell Moore

CC: Larry Di Rita

FROM: Donald Rumsfeld *DR*

SUBJECT: Absentee Ballots

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

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

Thanks.

DHR:ss
093004-18

.....
Please respond by 10/29/04

Federal Register
Vol. 53, No. 112
Friday, June 10, 1988

Presidential Documents

Title 3—

Executive Order 12642 of June 8, 1988

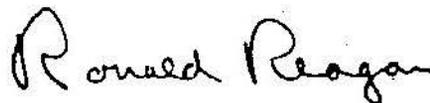
The President

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

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

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

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



THE WHITE HOUSE,
June 8, 1988.

[FR Doc. 88-13352
Filed 6-8-88; 12:29 pm]
Billing code 3195-01-M

COORDINATION SHEET

Voting Assistance Provided to Overseas Citizens

General Counsel of the DoD

D. J. Deel'Act
Principal Deputy *as edited* *2/3/08*

~~FOUO~~

SECRET

NOV 17 2004

ES-1438
04/015597-ES

TO: Doug Feith

SUBJECT: Letter to Hungarian MoD

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

Thanks.

Attach.
USADO BUDAPEST HU Cable R 170556Z NOV 04

DHR:dh
111704-8

.....
Please respond by 11/26/04

OSD 18964-04

~~FOUO~~

18-11-04 P12:15 IN

11-L-0559/OSD/45451

NOV 24 2004

TO: Gen Dick Myers
Gen Pete Pace

CC: Paul Wolfowitz
GEN John Abizaid
GEN George Casey

FROM: Donald Rumsfeld *DR*

SUBJECT: Acting on Intel Quickly in Iraq

IRAQ

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

DHR:ss
112304-2

.....
Please respond by 12/1/04

24NOV04

November 5, 2004

11-0559/OSD/45453

TO: Jim Haynes
FROM: Donald Rumsfeld *DR*
SUBJECT: Lawsuit Information

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

Thanks.

Attach.
FBIS Report re: GITMO Detainee

DHR:ss
110404-15



Please respond by _____

A



FBIS

Text

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

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

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

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

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

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

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B

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHAFIQ RASUL
c/o 14 Inverness Street
London NW17 HJ
England;

ASIF IQBAL
c/o 14 Inverness Street
London NW17 HJ
England;

RHUHEL AHMED
c/o 14 Inverness Street
London NW17 HJ
England; and

JAMAL AL-HARITH
c/o 159 Princess Road
Manchester M14 4RE
England

C.A. No. _____

Plaintiffs

- against -

DONALD RUMSFELD
Department of Defense
1000 Defense Pentagon
Washington D.C. 20301-1000;

AIR FORCE GENERAL RICHARD MYERS
Chairman, Joint Chiefs of Staff
9999 Joint Staff Pentagon
Washington, D.C. 20318-9999;

ARMY MAJOR GENERAL GEOFFREY MILLER
Former Commander, Joint Task Force
Guantánamo Bsy Naval Base, Cuba,
c/o United States Army
Army Pentagon
Washington, D.C. 20310-0200;

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

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

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

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

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

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

ARMY LIEUTENANT COLONEL WILLIAM CLINE :
Commander, **Camp Delta** :
Guantánamo Bay Naval Base, Cuba, :
c/o United States Army :
Army Pentagon :

Washington, D.C. 20310-0200;

ARMY LIEUTENANT COLONEL DIANE BEAVER
Legal Adviser to General Dunlavey
Guantanamo Bay Naval Base, Cuba
c/o United States Army
Army Pentagon
Washington, D.C. 20310-0200

·
:
:
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:

and

JOHN DOES 1-100, individuals involved in the illegal
Torture of Plaintiffs at Guantanamo Bay Naval Base

:
:
:
:
:

All in their personal capacities

Defendants.

:
·

COMPLAINT

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

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

INTRODUCTION

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

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

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

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

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

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

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

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

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

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

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

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

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

10. After authorizing, encouraging, permitting, and requiring the acts of torture and other mistreatment inflicted upon Plaintiffs, Defendant Rumsfeld, on information and belief, subsequently commissioned a "Working Group Report" dated **March 6, 2003**, to address "Detainee Interrogations in the Global War on Terrorism: Assessment of Legal, Historical, Policy and Operational Considerations." This report, **also** originally **classified for a period of ten years by Defendant Rumsfeld, was also released after the** Abu Ghraib **torture** scandal became public. This report details **the** requirements of international and domestic law governing interrogations, including the Geneva Conventions; **the** CAT; customary international law; the torture statute, 18 U.S.C. **§2340**; assault within maritime and territorial jurisdiction, 18 U.S.C. **§1113**; maiming, 18 U.S.C. **§1114**; murder, 18 U.S.C. **§1111**; manslaughter, 18 U.S.C. **§1112**; interstate stalking, 18 U.S.C. **§2261a**; and conspiracy 18 U.S.C. **§2** and **§371**. The report **attempts to address "legal doctrines under the Federal Criminal Law that could render** specific conduct, **otherwise** criminal **not** unlawful." Working Group Report at p. 3 (emphasis in original). The memorandum is on its face an ex post facto attempt to create arguments that the facially criminal acts perpetuated by the Defendants were somehow justified. It argues first that the President as Commander-in-Chief has plenary authority to order torture, a proposition that ignores settled legal doctrine from

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

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

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

DI AL VENUE

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

14. Venue is proper in this district pursuant to 28 U.S.C. § 1391(a)(3) and 28 U.S.C. § 1391(b)(2). **The alleged acts described below are “inextricably bound up with the District of Columbia in its role as the nation's capital.”** Mundv v. Weinberger, 554 F. Supp. 811, 818 (D.D.C. 1982). Decisions and acts by Defendants ordering, facilitating, aiding and abetting, acquiescing, confirming and/or conspiring in the commission of the alleged acts reached the highest levels of the United States Government. On information and belief, approval for all alleged acts emanated under **color** of law from orders, approvals, and omissions occurring in the Pentagon, numerous government **agencies headquartered in the District of Columbia, and the offices of Defendant Rumsfeld**, several of which are in the District of Columbia. **Venue** for claims arising from acts of Cabinet officials, the Secretary of Defense and United States agencies lies in the District of Columbia. See id.; Smith v. Dalton, 927 F. Supp. 1 (D.D.C. 1996).

PARTIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Detention in Afghanistan

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

50. Plaintiffs Rasul, Iqbal and Ahmed were herded **into** a **tent**, where **soldiers** forced them to kneel with their legs bent double and their foreheads touching the ground. With their hands and feet still tied, the position was difficult to maintain. Plaintiffs **Rasul**, Iqbal and Ahmed were **repeatedly** and violently beaten **by** Defendant John Does, US soldiers. Each was asked whether he was a member **of** Al Qaeda and when each responded **negatively, each was punched violently and repeatedly by** soldiers. When Plaintiffs **Rasul Iqbal** and Ahmed identified themselves as **British** nationals, Defendants John Doe soldiers insisted they were "not white" but "black" and accordingly could not be British. The soldiers continued to beat them.

51. Plaintiffs Rasul, Iqbal **and** Ahmed were "processed" by American soldiers, **and** had plastic numbered wristbands placed on their wrists. Soldiers **kicked** Plaintiff

Rasul, assigned the number 78, several times during this process. American soldiers cut off his clothes and conducted a body cavity search. He was then **led** through **an** open-air maze constructed **of** barbed wire. Plaintiffs Iqbal, assigned number 79, and Ahmed, assigned number 102, experienced the same inhumane treatment.

52. Plaintiffs Rasul, Iqbal and Ahmed, dehydrated, exhausted, disoriented, and fearful, were summoned by number for interrogation. When called, each was shackled and led to an interrogation tent. Their hoods were removed and they were told to sit on the floor. An armed soldier stood behind them out of their line of sight. They were told that if they moved they would be shot.

53. After answering questions as to their backgrounds, Plaintiffs Rasul, Iqbal and Ahmed were each photographed by soldiers. They were fingerprinted and a swab **from their mouth and** hairs **plucked from** their **beards were taken for DNA identification.**

54. An American soldier questioned **Plaintiff Iqbal** a second time. **Plaintiff Iqbal** was falsely accused by the interrogator of being a member of Al Qaeda. Defendant John **Does**, US soldiers, punched and kicked Plaintiff Iqbal **in** the back **and** stomach before he was dragged to another tent.

55. Personnel believed by Plaintiffs to be British military personnel later interrogated Plaintiffs Rasul, Iqbal **and** Ahmed, with US soldiers present. Plaintiffs **Rasul, Iqbal and Ahmed were falsely accused of being members of the Al Muhajeroon.** During the interrogation, Plaintiffs Rasul, Iqbal and Ahmed were threatened by Defendant John Does, armed American soldiers, with further **beatings** if they did not admit to various false statements.

56. Plaintiffs **Rasul** and Ahmed slept in a tent **with** about 20 other detainees. Plaintiff Iqbal was in another tent. The tents were surrounded by barbed wire.

Detainees were not allowed to talk and were forced to sleep on the ground. American soldiers woke the detainees hourly as **part** of a systematic effort to deprive **them of** sleep.

57. Defendant John **Does**, interrogators and guards, frequently used physical violence and unmuzzled dogs to threaten and intimidate Plaintiffs Rasul, Iqbal and Ahmed and other detainees during the interrogations.

58. At or around midnight of January 12 or 13, 2002, US army personnel entered the tent of Plaintiffs Rasul and Ahmed. Both were made to lie on the ground, were shackled, and rice sacks were placed over their heads. They were led to another tent, where Defendant John Does, US soldiers, removed their clothes and forcibly shaved their beards and heads. The forced shaving was not intended for hygiene purposes, but **rather was, on information and belief, designed to distress and humiliate** Plaintiffs given their Muslim faith, which requires adult males to maintain beards.

59. Plaintiff Rasul was eventually taken outside where he could hear dogs barking nearby and soldiers shouting, "Get 'em boy." He was then given a cavity search and photographed extensively white naked before being given an orange uniform. Soldiers handcuffed Plaintiff Rasul's wrists and ankles before dressing him in black thermal gloves, dark goggles, earmuffs, and a facemask. Plaintiff Rasul was then left **outside for** hours **in freezing temperatures**.

60. Plaintiff Iqbal, who was in another tent, experienced similar treatment of being led from his tent to **be** shaved and stripped naked.

61. Plaintiffs Rasul **and Iqbal** were escorted onto large **cargo** planes. Still shackled and wearing facemasks, both were chained to the floor with no backrests. They were forced by Defendant John Does to sit in an uncomfortable position for the

entire flight to Guantanamo (of approximately eighteen to twenty hours) and were not allowed to move or given access to toilet facilities.

62. Plaintiff Ahmed remained in Kandahar for another month. American soldiers interrogated him four more times. Sleep-deprived and malnourished, Plaintiff Ahmed was also interrogated by British agents who, on information and belief were from the British intelligence agency, **MI5**, and he was falsely told that Plaintiffs Rasul and Iqbal had confessed in Cuba to allegations of membership in the Al Muhajeroon. He was told that he could return to the United Kingdom in exchange for admitting to **various** accusations. Distraught, fearful of further beatings and abuse, and without benefit of contact with family or counsel, Plaintiff Ahmed made various false confessions. Plaintiff Ahmed **was** thereafter transported to Guantanamo.

63. **As noted above, Plaintiff Al-Harith was being held in custody by the Taliban in Southern Afghanistan as a suspected British spy. He** was interrogated and beaten by Taliban troops. When the Taliban government fell, Plaintiff Al-Harith was in a Taliban prison. He contacted the British Embassy through the **ICRC** and by satellite phone and was assured he would be repatriated to Britain. Two days before his scheduled repatriation, US forces informed him that he **was** being detained and taken to Kandahar, where he was held in a prison controlled by **US** forces and interrogated and **beaten** by US troops. Plaintiff Al Harith **was flown to Guantánamo from** Kandahar on or about February 11, 2002.

64. Prior to take-off, Plaintiff Al-Harith, like Plaintiffs **Rasul, Iqbal** and Ahmed, was hooded and shackled; mittens **were** placed on his hands and earphones over his ears. Chains were then placed around his legs, waist and the earphones. The chains

cut into his ears. Goggles were placed on his eyes and a medical patch that, on information and belief, contained muscle relaxant was applied.

Captivity and Conditions at Camp X-Ray, Guantánamo

65. Plaintiffs Rasul and Iqbal were transported to Guantanamo in mid-January 2002. Plaintiffs Ahmed and Al-Harith were transported there approximately one month later. During the trip, Defendant John Does, US soldiers, kicked and punched Plaintiff Ahmed more than twenty times. Plaintiff Al-Harith was punched, kicked and elbowed repeatedly and was threatened with more violence.

66. Upon arrival at Guantánamo, Plaintiffs were placed on a barge to get to the main camp. Defendant John Does, US Marines on the barge, repeatedly beat all the detainees, including Plaintiffs, kicking, slapping, elbowing and punching detainees in the body and head. The Marines announced repeatedly, "You are arriving at your final destination," and, "You are now property of the United States Marine Corps."

67. Plaintiffs were taken to Camp X-Ray, the prison camp for detainees. Soldiers forced all four Plaintiffs on arrival to squat outside in stress positions in the extreme heat. Plaintiffs and the other detainees had their goggles and hoods removed, but they had to remain with their eyes closed and were not allowed to speak.

68. Plaintiff Iqbal, still shackled and goggled, fell over and started shaking. Plaintiff Iqbal was then given a cavity search and transported to another area for processing, including fingerprinting, DNA sampling, photographs, and another wristband.

69. Plaintiff Rasul was forced to squat outside for six to seven hours and went through similar processing. Unmuzzled barking dogs were used to intimidate Plaintiff Rasul and others. At one point, Defendant John Doe, a soldier from a unit known as the

Extreme Reaction Force (ERF), repeatedly kicked Plaintiff **Rasul** in the back and used a riot shield to slam him against a wall.

70. After processing, Plaintiffs were placed in wire cages of about 2 meters by 2 meters. Conditions were cruel, inhuman and degrading.

71. Plaintiffs were forced to sit in their cells in total silence for extended periods. Once a week, for **two** minutes, Plaintiffs were removed from their cells and showered. They were then returned to their cells. Once a week, Plaintiffs were permitted five minutes recreation while their hands remained chained.

72. Plaintiffs were exposed to extreme heat during the day, as their cells were situated in the direct sunlight,

73. Plaintiffs were deliberately fed inadequate quantities of food, keeping them in a **perpetual state of hunger**. **Much of the food consisted of "MRE's"** (meals ready to eat), which were ten to twelve years beyond their usable date. Plaintiffs were served out of date powdered eggs and milk, stale bread from which the mold had been picked out and fruit that was black and rotten.

74. Plaintiffs and other detainees were forced to kneel each time a guard came into their cells.

75. Plaintiffs at night were exposed to powerful floodlights, a purposeful tactic to **promote sleep deprivation among the detainees**. **Plaintiffs and the other detainees** were prohibited from **putting** covers over their heads to block out the light and were prohibited from keeping their arms beneath the covers.

76. Plaintiffs were constantly threatened at **Camp X-Ray**, with guards stating on multiple occasions, 'We could kill you at any time; the world doesn't know you're here: we could kill you and no one would know.'

77. Plaintiff Al-Harith was taken to the medical clinic and **was** told that his **blood** pressure was too **high**. He was given, on information and belief, muscle relaxant pills and an injection of an unspecified substance.

78. **On** various occasions, Plaintiffs' efforts to pray were banned or interrupted. Plaintiffs were never given prayer mats and did not initially receive copies of the Koran. Korans were provided to them after approximately a month. On one occasion, a guard in Plaintiff Ahmed's cellblock **noticed** a copy **of** the Koran on the **floor** and kicked it. On another occasion, a guard threw a **copy of** the Koran in a toilet bucket. Detainees, including Plaintiffs, were also at times prevented from calling out the call to prayer, with American soldiers either silencing the person **who** was issuing the prayer call or playing loud music to drown out the call to prayer. This was part **of** a **continuing pattern of disrespect and contempt for Plaintiffs' religious beliefs and practices**.

Interrogation at Camp X-Ray

79. Plaintiffs were **extensively** interrogated at Camp X-Ray.

80. During interrogations, Plaintiffs were typically "long shackled," whereby their legs were chained using a large padlock. The shackles had sharp edges that scraped the skin, **and** all Plaintiffs experienced deep cuts on and around their ankles, **resulting in scarring and continuing chronic pain. During the interrogations, Plaintiffs** were shackled and chained to **the** floor. **Plaintiffs** were repeatedly urged by American interrogators to admit that they were fighters who went to Afghanistan for "jihad." In return, Plaintiffs were promised that if they confessed to these false assertions, they could return to the United Kingdom. Plaintiff Iqbal, who was interrogated five times by

American forces over three months at Camp X-Ray, was repeatedly encouraged and coerced to admit to having been a "fighter."

81. Plaintiff Al-Harith was interrogated approximately ten times at Camp X-Ray. He was interrogated by both British and American authorities. On one occasion, an interrogator asked Plaintiff Al-Harith to admit that he went to Pakistan to buy **drugs**, which was not **true**. On another occasion, Plaintiff Al-Harith was told that there was a new terrorism **law** that would permit the authorities to put his **family** out in the street if Plaintiff Al-Harith **did not admit** to being a drug dealer or a fighter. **On another occasion**, interrogators promised money, a car, a house and a job if he admitted those things. As they were **not true**, he declined to admit them.

82. Following Plaintiff Ahmed's first several interrogations at Camp X-Ray, he was isolated in a cellblock where there were only Arabic **speakers**. Plaintiff Ahmed, who does not speak Arabic, was unable to communicate with anyone other **than** interrogators and guards for approximately five months.

Conditions at Camp Delta

83. Around May 2002, Plaintiffs were transferred to Camp Delta.

84. At **no time were** Plaintiffs advised as to why they were being transferred, **for what** purpose they were detained, why they were considered "unlawful combatants," and what **medical** and **legal** resources might be **available**.

85. At Camp Delta, Plaintiffs were housed in mesh cages that were **subdivided** from a larger metal container. There was little to **no** privacy and the cages provided little shelter from the heat during the day or the cold at **night**. The cages quickly rusted because of the sea air. The cells contained metal slabs at waist height;

detainees could not sit on the slabs because their legs would dangle off and become numb. There was not enough room in the cells to pray.

86. Constant reconstruction work and large electric generators, which ran 24 hours a day, were used as **part** of a strategic effort to deprive Plaintiffs and others of sleep. Lights were often left on 24 hours a **day**.

87. Plaintiffs Rasul and Iqbal were in the same cellblock. Plaintiff Ahmed **was** placed in isolation for about one month. There was no explanation given as to why Plaintiff Ahmed had been placed in isolation. Following this period, he was placed in a different cell and interrogated by mostly American interrogators who repeatedly asked him the same questions for six months,

88. After **six** months at Camp Delta, Plaintiff Ahmed was moved to a cell directly **opposite** Plaintiff Rasul. Plaintiff **Iqbal** was placed in isolation for about **one** month. Again, no explanation was given for the arbitrary placement in isolation.

89. Plaintiff Ahmed was repeatedly disciplined with periods of isolation for **such** behavior as complaining about the **food** and singing.

90. Plaintiff Iqbal, after about one month at Camp Delta, was moved to isolation and given smaller food **portions** because it was believed he was belittling a military policeman. He was disciplined with another week of isolation when he wrote "have a nice **day**" on a **Styrofoam cup**.

91. After **his** last period of isolation, Plaintiff Iqbal was moved to a block which housed only Chinese-speaking detainees. During his time there, he was exposed to aggressive interrogation. After being there for months, Plaintiff Iqbal's mental condition deteriorated further.

92. Plaintiff Al-Harith was put into isolation for refusing to wear a wristband. Plaintiff Al-Harith was also placed in isolation for writing the letter "D" on a Styrofoam cup. The isolation block was freezing cold as cold air was blown through the block twenty-four hours a day. The isolation cell was pitch black as the guards claimed the lights were not working. Plaintiff Al-Harith was placed in isolation a second time around Christmas 2002 for refusing to take an unspecified injection. When he refused, the ERF was brought in and Plaintiff Al-Harith was "ERFed": he was beaten, forcibly injected and chained in a hogtied position, with his stomach on the floor and his arms and legs chained together above him. The ERF team jumped on his legs and back and kicked and punched Plaintiff Al-Harith. Plaintiff Al-Harith was then placed in isolation for approximately a month, deprived at various intervals of soap, toothpaste or a toothbrush, blankets or toilet paper. He was also deprived of a Koran during this second period of isolation.

93. On information and belief, "ERFings," i.e., the savage beatings administered by the ERF teams, were videotaped on a regular basis and should be available as evidence of the truth of the allegations contained herein.

94. The Camp Delta routine included compulsory "recreation" twice a week for fifteen minutes. Attendance was enforced by the ERF. As soon as fifteen minutes had passed, detainees were immediately returned to their cells. Plaintiff Rasul noted that one would be forced to return to his cell even if in the middle of prayers.

95. Around August 2002, medical corps personnel offered Plaintiffs Rasul, Iqbal and Ahmed injections of an unidentified substance. Plaintiffs Rasul, Iqbal and Ahmed, like most detainees, refused. Soon after, Defendant John Does, the medical corps, returned with the ERF team. The ERF team members were dressed in padded

gear, thick gloves, and helmets. Plaintiffs Rasul, Iqbal and Ahmed were shackled and restrained with their arms and legs bent backwards while medical corps pulled up their sleeves to inject their arms with an unidentified drug that had sedative effects.

96. Plaintiffs Rasul, Iqbal and Ahmed received these injections against their will on **approximately a dozen occasions. Plaintiff Al-Harith received 9 or 10** compulsory injections on six separate occasions.

97. Plaintiff Iqbal was deprived of his Koran and other possessions. His hands were shackled in front of him. When Plaintiff Iqbal looked back, a guard pushed him in the corner. There Defendant John Does punched him repeatedly in the face and kneed him in his thigh.

Isolation and Interrogations at **Camp Delta**

98. **Interrogation booths either had a miniature camera hidden in them or a** one-way **glass** window. Thus, on information and belief, some or all of the interrogations of Plaintiffs and other detainees are recorded and are available as evidence of the truth of Plaintiffs' allegations herein.

99. In December 2002, a tiered reward system was introduced at Camp Delta, whereby detainees were placed on different levels **or** tiers depending on their level of co-operation and their behavior at the camp.

100. **Interrogators and guards frequently promised to provide or threatened to** withdraw of essential items such as blankets or toothpaste – referred to as "comfort items" – in order to coerce detainees into providing information. The truthful **assertion** that Plaintiffs had no information to give did not result in the provision **of** "comfort items." **To the contrary,** the interrogators demanded that the Plaintiffs confess to false allegations and promised "comfort items" in exchange.

101. Isolation of detainees was frequently used as a technique to "wear down" detainees prior to interrogation. There were **two** primary ways in which prisoners would be placed in isolation: (1) for punishment, for a set period of time for a specific reason; or (2) for interrogation, with no specific time limit.

102. Between October 2002 and May 2003, Plaintiff Rasul was interrogated about five or **six** times. Most of the interrogations involved the same questions that had been asked before. In April 2003, Plaintiffs Rasul and Iqbal were given polygraph tests and were **led** to believe that they might be allowed to return home if they passed.

103. After two hours of questioning as to whether he **was** a member of Al Qaeda, Plaintiff Rasul was returned to his cell. Two weeks later, he was interrogated by a woman who may have been army personnel in civilian clothing. She informed him **that he had passed the polygraph test. Plaintiff Rasul was transferred** to a different cellblock and informed by interrogators that they had videos which proved that he and Plaintiffs Iqbal and Ahmed were members of Al Qaeda and linked to the September 11 attacks.

104. A week later, Plaintiff Rasul was transferred to an isolation block, called "November." Plaintiff Rasul asked the army sergeant why he was being moved and was informed that the order was from the interrogators. Plaintiff Rasul was placed in a **metal cell. To make the conditions of confinement continuously debilitating, the air conditioning was** turned off during the day and turned on high at night. Temperatures were near **100** degrees during the day and 40 degrees at night. The extremes of heat and cold were deliberately utilized to intimidate, discomfort and break down prisoners. For one week, Plaintiff Rasul was held in isolation without interrogation. Later, he was taken to a room and "short shackled and placed in an extremely cold room for **six** to

seven hours. Short shackling consists of chaining the ankles and wrists **closely** together to force the detainee into a contorted and painful position. He was unable to move in the shackles and was not afforded an opportunity to go to the bathroom. He was hardly able to walk and suffered severe back pains. He was taken back to his cell without explanation.

105. The next day Plaintiff Rasul was "**short shackled**" and chained to the floor again for interrogation by an US Army intelligence officer named Bashir, also known as Danny. He was shown photographs of three men who were supposedly Plaintiffs **Rasul, Iqbal** and Ahmed with a man purported to *be* Mohammed **Atta**. Plaintiff Rasul repeatedly and truthfully denied being the person in the photograph. Further, he repeatedly and truthfully denied any involvement **with** Al Qaeda or the September 11 **attacks**. **On five or six more occasions, Plaintiff Rasul was** interrogated in similar fashion. During these interrogations, Plaintiff Rasul was not provided with food and was not permitted to pray.

106. Following the first interrogation, on five or six occasions, Plaintiff **Rasul** was removed from **his** cell and brought back to the interrogation block for intervals of about four or five days at a time. He was repeatedly "short shackled," exposed to extremely loud rock or heavy metal music, and left alone in the interrogation **room** for up to 13 hours in the "**long shackle**" position.

107. During this period, a Marine captain and other soldiers arrived at Plaintiff Rasul's cell to transfer him to another block, where **he** would remain in isolation for another two months without "comfort items."

108. On one occasion, Plaintiff Rasul **was** brought to the interrogation room from isolation to be questioned by interrogators from the Criminal **Investigations** Division

(CID). These interrogators, identified as "Drew" and "Terry," informed Plaintiff Rasul that they were going to begin military tribunals.

109. After continued interrogations as to his alleged presence in a photograph with Osama Bin Laden, Plaintiff Rasul explained that he was working in England and going to college at the time the photograph was taken. Plaintiff Rasul told interrogators his place of employment at an English electronics shop and his attendance at University of Central England and implored interrogators to corroborate what he was telling them. The interrogators insisted he was lying. To Plaintiff's knowledge, no effort was made to find corroborating information which would have confirmed that Plaintiff Rasul was living in England at the time of the alleged meeting with Bin Laden in the photograph.

110. About a month after his second isolation period, Plaintiff Rasul was "long shackled" and placed in a room, where he was met by Bashir and a woman dressed in civilian clothing. Bashir informed Plaintiff Rasul that the woman had come from Washington to show him a video of an Osama Bin Laden rally in Afghanistan. After the woman showed Plaintiff Rasul a portion of the video, she asserted that it showed Plaintiffs Rasul, Iqbal and Ahmed sitting down with Bin Laden. The woman interrogator urged Plaintiff Rasul to admit that the allegation was true, but the persons in the video were not the Plaintiffs. Plaintiff Rasul continued truthfully to deny involvement. He was threatened that if he did not confess, he would be returned to isolation. Having been in isolation for five to six weeks, with the result that he was suffering from extreme mental anguish and disorientation, Plaintiff falsely confessed that he was in the video.

111. Plaintiff Rasul was then returned to isolation for another five to six weeks. During that period he had no contact with any human being except with guards and

interrogators who questioned him regarding the identity of certain individuals in photographs.

112. Plaintiff **Rasul** was then transferred to another cellblock, where both Plaintiffs Iqbal and Ahmed were being held. Here, Plaintiff Rasul was denied "comfort items" and exercise privileges.

113. Around mid-August of 2003, Plaintiff Rasul was moved within Camp Delta and placed in another cell block without explanation. After about two weeks, Plaintiff Rasul was taken to a building known as the "Brown Building" and was informed by an army intelligence interrogator named "James" that he would soon be moving to a cell next to Plaintiffs Iqbal and Ahmed.

114. Following the meeting with the army intelligence interrogator, Plaintiff Rasul was brought to "Kilo Block" the next day, where Plaintiffs Rasul, Iqbal and Ahmed were reunited and able to speak with one another.

115. For the next two weeks, Plaintiffs Rasul, Iqbal and Ahmed were brought in succession to be questioned by an army intelligence officer, known only as "James," as to their purported involvement in the 2000 video of Bin Laden.

116. On one occasion, Plaintiff Rasul was administered a voice stress analyzer test by "James."

117. After his last interrogation by "James," Plaintiff Rasul was informed that he would soon be turned over to Navy Intelligence. Before that, however, in September 2003, Plaintiff Rasul was further interrogated. He was brought into an interrogation room for eight hours. He was denied requests to pray and to have food or water. The following day, British officials questioned Plaintiff Rasul. Plaintiff Rasul informed an official, who gave the name "Martin," that he had been kept in isolation for three months

without cause and had severe knee pain from the lack of exercise. Later that evening, Plaintiffs **Rasul**, Iqbal and Ahmed were taken to what was, on information and belief, a CIA interrogation block.

118. Plaintiffs continued to be held in the Kilo Block and were occasionally brought in for interrogation by a navy intelligence officer who gave the name "Romeo."

119. Plaintiff Iqbal was treated in a manner similar to the other Plaintiffs.

120. Plaintiff Iqbal was interrogated on several occasions, sometimes for as long as eight hours.

121. The typical routine was to be "short shackled" and placed in an extremely cold room.

122. Plaintiff Iqbal was relegated to Level 4, the harshest level, for about two weeks, with virtually no "comfort items." Soon after, he was placed in isolation on the instruction of intelligence officers.

123. Plaintiff Iqbal's isolation cell was covered in human excrement. Plaintiff Iqbal had no soap or towels and could not clean the cell. He was unable to sit anywhere.

124. Plaintiff Iqbal was interrogated periodically to review photographs. On one occasion, he was placed in a "short shackled" position and left in a room with the air conditioning turned down to 40°. Plaintiff Iqbal was left in the "short shackle" position for about three hours. Then, Defendant John Doe, an interrogator calling himself "Mr. Smith," entered the room and teased Plaintiff Iqbal about the temperature. "Mr. Smith" told Plaintiff Iqbal that he was able to get anything Plaintiff Iqbal wanted. "Mr. Smith" then pulled out pornographic magazines and taunted him. Plaintiff Iqbal refused to talk to "Mr. Smith." "Mr. Smith" left Plaintiff Iqbal alone for another three or four hours in the

frigid room. In that one day, Plaintiff Iqbal had been "short shackled" for seven to eight hours. Upon returning to his cell, he became ill with flu and requested medication. One of the military police officers, Defendant John Doe, denied him medication, and informed him that he was acting under orders from intelligence.

125. The next day, a Marine Captain and about 15 soldiers escorted Plaintiff Iqbal to another isolation block. He was left there for several days. Prior to his interrogation, Plaintiff Iqbal was "short shackled" and then introduced to an interrogator who gave the name "James". Because the pain from the shackling became excruciating, Plaintiff Iqbal began to scream. After about three or four hours, "James" unshackled him.

126. After three days, Plaintiff Iqbal was taken to the "Brown Building," where he was "long shackled" and left in a room with strobe lighting and very loud music played repeatedly, making it impossible for him to think or sleep. After about an hour, Plaintiff Iqbal was taken back to his cell.

127. The next day, Plaintiff Iqbal was "short shackled" in the interrogation room for five or six hours before later being interrogated by "Drew," who identified himself as an agent from CID. Plaintiff Iqbal was shown photographs, but refused to look at them. He was "short shackled" for about four or five hours more. After a while, he was unable to bear the conditions and falsely confessed that he was pictured in the photographs.

128. Four days later, agents from the FBI interrogated Plaintiff Iqbal about his activities in 2000.

129. Plaintiff Iqbal remained in isolation and was questioned at one point by a military intelligence officer giving the name of "OJ." Soldiers threatened him with further beatings if he did not answer the questions.

130. Plaintiff Ahmed was interrogated on numerous occasions, particularly with respect to his knowledge of the Bin Laden video. He was interrogated every three or four days, and the typical procedure was that he was first "short shackled" and placed in a freezing room with loud music for several hours.

131. Before arriving at Guantánamo, Plaintiff Ahmed was seriously sleep-deprived and malnourished. He was the first of the Plaintiffs to admit to various false accusations by Interrogators.

132. Upon Plaintiff Ahmed's arrival at Camp Delta, he was placed in isolation for about one month. Following this period, he was placed in a different cell and interrogated by mostly American interrogators who asked him the same questions for six months.

133. Plaintiff Al-Harith also was given a lie detector test approximately one year into his detention which he was told he passed.

134. Plaintiff Al-Harith on three or four occasions witnessed Defendant John Does, military police, using an industrial strength hose to shoot strong jets of water at detainees. He was hosed down on one occasion. A guard walked along the gangway alternating the hose on each cell. Plaintiff Al-Harith was hosed down continuously for approximately one minute. The pressure of the water forced him to the back of his cell. The contents of his cell, including his bedding and Koran, were soaked.

135. Plaintiff Rasul, in the next cell, also had all the contents of his cell soaked.

136. In or around February 2004, Plaintiffs heard from military police that they would be released and sent home soon. Before leaving Camp Delta, Plaintiffs all were interrogated a final time. Plaintiffs were asked to sign statements admitting to membership in Al Qaeda and participation in terrorist activity. Plaintiffs declined.

137. In March 2004, Plaintiffs were released from Camp Delta and flown to the United Kingdom.

Injuries

738. Plaintiffs suffered and continue to suffer from the cruel, inhuman, and degrading treatment they experienced during their detention. The "short shackling" which Plaintiffs were exposed to resulted in **deep** cuts at their ankles, permanent scarring, and chronic pain. Plaintiff Rasul **has** chronic pain in **his** knees and back. Plaintiff Ahmed **also** suffers from permanent deterioration of his eyesight because of the withholding of required special lenses as "comfort items."

139. Plaintiff Al-Harith suffers from severe and chronic pain in **his** knees from repeatedly being forced onto his knees and pressed downwards by guards whenever he left his **cell**. **He also has experienced pain in his right elbow.**

140. Plaintiffs further suffer from acute psychological symptoms.

Development and Implementation of a Plan of Torture and Other **Physical** and **Psychological** Mistreatment of Detainees

141. **The torture, threats, physical and psychological abuse inflicted upon** Plaintiffs were devised, approved, and implemented by Defendant Rumsfeld and other Defendants in the military chain of command. These techniques were intended as interrogation techniques to be used on detainees.

142. It **is** well-established that the use of force in interrogation is prohibited by domestic and international law. The United States Army strictly prohibits the use of **such** techniques and advises **its** interrogators that their use may **lead** to criminal **prosecution**. Army **Field Manual 34-52, Ch. 1, "Intelligence Interrogation," provides:**

iii **Against Use of Force**

The use of force, mental torture, threats, insults, or exposure to unpleasant and inhumane treatment of any kind is **prohibited by** law and is neither authorized nor condoned by the US Government... The psychological techniques and principles outlined should neither be confused with, nor construed to be synonymous with, unauthorized techniques such as brainwashing, mental torture, or any other form of mental coercion to include drugs. These techniques and principles **are** intended to serve as guides in obtaining the willing cooperation of a source. The absence of threats in interrogation is intentional, **as** their enforcement and use normally constitute **violations of international law and may result in prosecution.** (Emphasis supplied).

143. Further, according to Field Manual 34-52, ch. 1: 'Experience indicates that the use of force **is** not necessary to gain the cooperation of **sources** for interrogation. Therefore, the use of force **is** a **poor** technique, as it yields unreliable results, may **damage** subsequent **collection efforts**, and can induce the **source** to say whatever he thinks the interrogator wants to hear.'

144. Army Field Manual 27-10, 'The Law of Land Warfare,' summarizes the domestic and international legal rules applicable to the conduct of war. Field Manual 27-10 recognizes the following sources of the law of war:

The law of war is derived from two principal sources:

- a. **Lawmaking Treaties (or Conventions)**, such as the Hague and Geneva Conventions.
- b. Custom. Although **some of the law** of war **has** not been incorporated in any treaty or convention to which the United States is a party, this body of unwritten or customary law is **firmly** established by the custom of nations and well defined by recognized authorities on international law.

ii at Ch. 1, § I.

145. In spite of the prohibitions on the use of force, threats, and abuse in the Army Field Manual, and **is** clear acknowledgement that their use violates

international and domestic law, Defendant Rumsfeld approved techniques that were in violation of those prohibitions and thus knowingly violated the rights of Plaintiffs.

146. In a press release dated June 22, 2004, Defendant Rumsfeld admitted that beginning December 2, 2002, he personally authorized the use of interrogation techniques that are **not** permitted under FM 34-52. Further, in the press release, Defendant Rumsfeld admits that he personally was **consulted** when certain of the techniques were to **be** utilized.

147. The techniques practiced on Plaintiffs – including beatings, "short shackling," sleep deprivation, injections of unknown substances, subjection to **cold** or heat, hooding, stress positions, isolation, forced shaving, disruption **of** religious practices, forced nakedness, intimidation with vicious dogs and threats – were **known to and approved by Defendant Rumsfeld and others in the military chain of command.**

148. Article 3 common to all **four** Geneva Conventions requires that all persons in the hands **of** an opposing force, regardless of their legal status, be afforded certain minimum standards of treatment:

Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in **all** circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or **faith, sex, birth or wealth, or any other similar** criteria. To this end the following acts are and shall remain prohibited at any time **and** in any place whatsoever with respect to the above-mentioned persons:

(a) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture:

(c) Outrages upon personal dignity, in particular, humiliating **and** degrading treatment.

149. The Third Geneva Convention of 1949, Art. 130, bars the "willful killing, torture or inhuman treatment . . . willfully causing great suffering or serious injury to body or health" of any prisoner of war.

150. In February 2002, the White House issued a press release, which advised:

The United States is treating and will continue to treat all of the individuals detained at Guantanamo humanely and, to the extent appropriate and consistent with military necessity, in a manner **consistent** with the principles of the Third Geneva Convention of 1949.

The President has determined that the Geneva Convention applies to the Taliban detainees, **but** not to the al-Qaeda detainees. Al-Qaeda is not a state party to the Geneva Convention; it is a foreign terrorist group. As such, its members are not entitled to POW status.

151. **On information and belief, Defendant Rumsfeld and all Defendants** were aware of **this** statement of the President. Moreover, Defendant Rumsfeld knew that **this** statement of **policy** was a departure from the **previous policy** of the United States that the **laws** of war, including the Geneva Conventions, were always to be honored. Defendant Rumsfeld knew that the Department of State and the uniformed services took the generally recognized position that the Geneva Conventions could not be abrogated or ignored.

152. **However, Defendant Rumsfeld and others deliberated failed to** implement the Presidential Directive in any event. Defendant Rumsfeld and other Defendants in the chain of command had no good faith basis for believing that Plaintiffs were members of or affiliated with Al Qaeda in any way. Indeed, the policy as announced was incoherent in that Defendant Rumsfeld and the other defendants had no way of knowing who was and who was not a member of Al Qaeda or the

Taliban and Defendants took no steps to implement any reliable fact-finding process which might ascertain who was and who was not a member of Al Qaeda or the Taliban, including in particular a "competent tribunal" as mandated by the Third Geneva Convention, Art. 5, U.S. military regulations and long standing practice of the U.S. armed forces

153. Defendant Rumsfeld and all Defendants were aware that torture and other mistreatment perpetrated under **color** of law violates domestic and international law at.

154. Defendant Rumsfeld and all Defendants were **aware** that Plaintiffs were tortured and otherwise mistreated or knew they would be tortured and otherwise mistreated while in military custody in Afghanistan and at Guantánamo.

155. **Defcndnt Rumsfold and all Defendants took no steps to prevent the** infliction of torture and other mistreatment to which Plaintiffs were subjected.

156. Defendant Rumsfeld and all Defendants authorized and encouraged the infliction of torture and other mistreatment against Plaintiis.

157. Defendant Rumsfeld and **all** Defendants were aware that prolonged **arbitrary** detention violates customary international law.

158. Defendant Rumsfeld and all Defendants authorized and condoned the **prolonged arbitrary detention of Plaintiffs.**

Count I
ALIEN TORT STATUTE
Prolonged Arbitrary Detention

159. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

160. As stated by the Supreme Court of the United States, the allegations contained herein “unquestionably describe ‘custody in violation of the Constitution or laws or treaties of the United States.’” Rasul v. Bush, 124 S. Ct. 2686, 2698, n.15 (2004) (citation omitted) (Plaintiffs Rhuhel Ahmed and Asif Iqbal were also Plaintiffs in that case).

161. Plaintiffs Rasul, Iqbal and Ahmed were unarmed and were detained in a prison camp operated by non-U.S. forces and Plaintiff Al-Harith had been detained and mistreated by the Taliban as a suspected British **spy and** was trapped in a war zone when Defendants took physical custody of their persons. Plaintiffs never engaged in combat, carried arms, or participated in terrorist activity or conspired with any terrorist person or organization. Defendants could have had no good-faith reason to believe that **they** had done **so**.

162. The Plaintiffs were detained under the exclusive custody and control of Defendants for *over* two years without due process, access to counsel or family, or a single charge of wrongdoing being levied against them.

163. The acts described herein constitute prolonged arbitrary detention in violation of the law of nations under the Alien Tort Statute, 28 U.S.C. §1350, in that **the** acts violated customary international law prohibiting prolonged **arbitrary** detention **as** reflected, expressed, **and defined in multilateral treaties** and other international instruments, international **and** domestic judicial decisions, and other authorities.

164. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided **and** abetted and/or conspired together in bringing about the prolonged arbitrary detention of Plaintiffs.

165. Defendant's unlawful conduct deprived Plaintiffs of their freedom, of contact with their families, friends and communities. As a result, Plaintiffs suffered severe psychological abuse and injuries.

166, Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count II
ALIEN TORT STATUTE
Torture

167. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

168. The acts described herein were inflicted deliberately and intentionally for purposes which included, among others, punishing the Plaintiffs or intimidating them. The alleged acts did not serve any legitimate intelligence-gathering or other government purpose. Instead, they were perpetrated to coerce, punish, and intimidate the Plaintiffs. In any event, torture is not permitted as a legitimate government function under any circumstances.

169. The acts described herein constitute torture in violation of the law of nations under the Alien Tort Statute, 28 U.S.C. § 1350, in that the acts violated customary international law prohibiting torture as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions and other authorities.

170. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered acquiesced, confirmed, ratified and or/conspired together in bringing about the torture and other physical and psychological abuse of Plaintiffs as described above.

171. Plaintiffs suffered severe, immediate and continuing physical and psychological abuse as a result of the acts alleged herein. Plaintiffs continue to suffer profound physical and psychological trauma from the acts alleged herein.

172. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count III
ALIEN TORT STATUTE
Cruel, Inhuman or Degrading Treatment

173. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

174. The acts described herein had the intent and the effect of grossly humiliating and debasing the Plaintiffs, forcing **them** to act against their will and **conscience, inciting fear and anguish, and breaking their physical and moral resistance.**

175. These acts included in fer al ia repeated severe beatings; the withholding of food, water, and necessary medical care; sleep deprivation; lack of basic hygiene; intentional exposure to extremes of heat and cold and the elements; continuous **isolation** for a period of months; forced injections; sexual humiliation; intimidation with **unmuzzled** dogs; deprivation of the rights to practice their religion and death threats.

176. The acts described herein constitute cruel, inhuman or degrading **treatment in violation of the law of nations under the Alien Tort Statute, 28 U.S.C. § 1350**, in that the acts violated customary international **law** prohibiting cruel, inhuman or degrading treatment as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions and other authorities.

177. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the cruel, inhuman or degrading treatment of Plaintiffs as described above.

178. Plaintiffs suffered severe immediate physical and psychological abuse as a result of the acts alleged herein. Plaintiffs continue to suffer profound physical and psychological trauma from the acts alleged herein.

179. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count IV
VIOLATION OF THE GENEVA CONVENTIONS

180. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as fully set forth herein.

181. As detailed herein, Plaintiffs were held arbitrarily, tortured and otherwise mistreated during their detention in violation of specific protections of the Third and Fourth Geneva Conventions including but not limited to Article 3 common to all four Geneva Conventions.

182. Violations of the Geneva Conventions are direct treaty violations as well as violations of customary international law.

183. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged arbitrary detention, torture, abuse and mistreatment of Plaintiffs as described above.

184. As a result of Defendants' violations of the Geneva Conventions, Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count V
CLAIMS UNDER THE CONSTITUTION OF THE UNITED STATES
Violation of the Eighth Amendment

185. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

186. Defendants' actions alleged herein against imprisoned Plaintiffs violated the Eighth Amendment to the United States Constitution. Over the course of an arbitrary and baseless incarceration for more than two years, Defendants inflicted cruel and unusual punishment on Plaintiffs. Despite never having been tried by any tribunal, Plaintiffs and other detainees were repeatedly denounced as guilty of terrorist acts by Defendant Rumsfeld, President Bush, Vice President Cheney and others. The acts of cruel, inhuman or degrading unusual punishment were imposed based on this arbitrary and impermissible declaration of guilt.

187. Defendants were acting under color of law of the United States at all times pertinent to the allegations set forth above.

188. The Plaintiffs suffered severe physical and mental injuries as a result of Defendants' violations of the Eighth Amendment. They have also suffered present and future economic damage.

189. The actions of Defendants are actionable under Bivens v. Six Unknown Named Federal Agents, 403 U.S. 388 (1971).

100. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged

arbitrary detention, physical and psychological torture and abuse, and other mistreatment of Plaintiffs as described above.

191. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count VI
CLAIMS UNDER THE CONSTITUTION OF THE UNITED STATES
Violation of *the* Fifth Amendment

192. Plaintiffs ~~repeat~~ and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

193. Defendants' actions alleged herein against Plaintiffs violated the Fifth Amendment to the United States Constitution.

194. **The arbitrary and baseless detention of Plaintiffs for more than two years** constituted a clear deprivation of their liberty without due process, in direct violation of their Fifth Amendment rights.

195. The cruel, inhuman or degrading, and unusual conditions of Plaintiffs' incarceration clearly violated their substantive rights to due process. See City of Revere v. Mass. Gen. Hosp., 463 U.S.239, 244(1983).

196. Defendants' refusal to permit Plaintiffs to consult with counsel or to have access to **neutral tribunals to challenge the fact and conditions of their confinement** constituted violations of Plaintiffs' procedural rights to due process.

197. The abusive conditions of Plaintiffs' incarceration served no legitimate government purpose.

198. Defendants were acting under the color of the law of the United States at all times pertinent to the allegations set forth above.

199. The Plaintiffs suffered severe physical and mental injuries as a result of Defendants' violations of the **Fifth** Amendment. They have also suffered present and future economic damage.

200. The actions of Defendants are actionable under Bivens v. Six Unknown Named Federal Agents, 403 US . 388 (1971).

201. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged arbitrary detention, physical and psychological torture and abuse and other mistreatment of Plaintiffs as described above.

202. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count VII
CLAIM UNDER THE RELIGIOUS FREEDOM RESTORATION ACT

203. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

204. Defendants' actions alleged herein inhibited and constrained religiously motivated conduct central to Plaintiffs' religious beliefs.

205. **Defendants' actions imposed a substantial burden on Plaintiffs' abilities to exercise and express their religious beliefs.**

206. Defendants regularly and systematically engaged in practices specifically aimed at disrupting Plaintiffs' religious practices. These acts included throwing a copy of the Koran in a toilet bucket, prohibiting prayer, deliberately interrupting prayers, playing loud rock music to interrupt prayers, **withholding** the Koran without reason or as

punishment, forcing prisoners to pray with exposed genital areas, withholding prayer mats **and confining** Plaintiffs under **conditions where** it was impossible or **infeasible for** them to exercise their **religious** rights.

207. Defendants were acting under the calor of the law of the United States at all times pertinent to the allegations set forth above.

208. The Plaintiffs suffered damages as a direct and proximate result of Defendants' violations of the Religious Freedom Restoration Act, 42 U.S.C.A §§ 2000bb et seq.

209. Defendants are liable **for** said conduct in that Defendants participated **in**, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and **abetted** and/or conspired together in bringing about the **denial, disruption and interference** with Plaintiffs' **religious practices and beliefs as described above.**

210. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

WHEREFORE Plaintiffs each demand judgment against Defendants jointly and severally, including compensatory damages in the amount of \$10,000,000 each (Ten Million Dollars), punitive damages, the costs of this action, including reasonable attorneys' fees, and such other and further relief as this Court may deem just and proper.

Dated October 27, 2004



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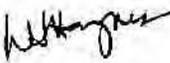


GENERAL COUNSEL

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

November 17, 2004 11:30 a.m.

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II 

SUBJECT: Detainee Lawsuits

- You asked me to provide information about a lawsuit that is purportedly being filed against you by a Moroccan former GTMO detainee, Radhouane Benchakroun.
- We have found no record of a lawsuit filed against you by Mr. Benchakroun or any other Moroccan former GTMO detainee.
 - The Casablanca Assahifa newspaper reported that lawyer Mohamed Hilal intends to file a lawsuit against you on behalf of his client, Radhouane Benchakroun. (Tab A) We have found no record of a current or former GTMO detainee named Radhouane Benchakroun.
 - Five GTMO detainees were released to Moroccan authorities in August 2004, including Radhouane Chekkouri and Brahim Benchakroun. Mr. Hilal apparently represents Brahim Benchakroun.
- Several other former GTMO detainees have filed a lawsuit, *Rasul, et al. v. Rumsfeld, et al.*, against you and other DoD officials in your individual capacities. (Tab B)
 - This case was filed in the United States District Court for the District of Columbia by four former GTMO detainees who are citizens of the United Kingdom and who were released in March 2004. They allege that they were tortured during their detention at GTMO in violation of the Constitution and domestic and international law. They seek \$10M each in compensatory and punitive damages.

COORDINATION: NONE

Attachments: As stated.

Prepared By: Christine S. Ricci, Associate Deputy General Counsel (LC), (b)(6)



11-L-0559/OSD/45508

OSD 19043-04

FOUO

November 5, 2004

TO: Jim Haynes
FROM: Donald Rurnsfeld *DR*
SUBJECT: Lawsuit Information

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

Thanks.

Attach.
FBIS Report re: GITMO Detainee

DHR:ss
110404-15

.....
Please respond by _____

FOUO

11-L-0559/OSD/45509

OSD 19043-04

A



Text

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

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

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

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

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

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

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B

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHAFIQ RASUL
c/o 14 Inverness Street
London NW1 7 HJ
England;

ASIF IQBAL
d/o 14 Inverness Street
London NW17 HJ
England;

RHUHEL AHMED
c/o 14 Inverness Street
London NW17 HJ
England; and

JAMAL AL-HARITH
c/o 159 Princess Road
Manchester M14 4RE
England

CA No. _____

Plaintiffs

- against -

DONALD RUMSFELD
Department of Defense
1000 Defense Pentagon
Washington D.C. 20301-1000;

AIR FORCE GENERAL RICHARD MYERS
Chairman, Joint Chiefs of Staff
9999 Joint Staff Pentagon
Washington, **D.C. 20318-9999;**

ARMY MAJOR GENERAL GEOFFREY MILLER
Former Commander, Joint Task Force
Guantanamo Bay Naval Base, Cuba,
c/o United States Army
Army Pentagon
Washington, **D.C. 203106200;**

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

ARMY MAJOR GENERAL MICHAEL E. DUNLAVEY :
Former Commander, Joint Task Force :
Guantánamo Bay Naval Base, Cuba, :
c/o United States Army :
Army Pentagon :
Washington, DC. 20310-0200; :

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

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

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

ARMY COLONEL TERRY GARRICO :
Commander Camp X-Ray, Camp Delta :
Guantánamo Bay Naval Base, Cuba, :
c/o United States Army :
Army Pentagon :
Washington, D.C. 20310-0200; :

ARMY LIEUTENANT COLONEL WILLIAM CLINE :
Commander, Camp Delta :
Guantánamo Bay Naval Base, Cuba, :
c/o United States Army :
Army Pentagon :

Washington, D.C. 20310-0200;

ARMY LIEUTENANT COLONEL DIANE BEAVER

Legal Adviser to General Dunlavey
Guantanamo Bay Naval **Base, Cuba**
c/o **United States Army**
Army Pentagon
Washington, D.C. 20310-0200

and

JOHN DOES 1-100, individuals **involved** in the illegal
Torture of Plaintiffs at Guantanamo **Bay Naval Base**

All in their personal capacities

Defendants.

COMPLAINT

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

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

INTRODUCTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I AND VENUE

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

14. Venue is proper in this district pursuant to 28 U.S.C. § 1391(a)(3) and 28 U.S.C. § 1391(b)(2). The alleged **acts described** below **are** "inextricably bound up with the District of Columbia in its **role** as the nation's capital." Mundv v. Weinberger, 554 F. Supp. 811, 818 (D.D.C. 1982). Decisions and acts by Defendants ordering, facilitating, aiding and abetting, acquiescing, confirming and/or conspiring in **the** commission of the alleged acts reached the highest levels of the United States Government. On information and belief, approval for all alleged acts emanated under color of law from orders, approvals, and omissions occurring in the Pentagon, numerous government **agencies headquartered in the District of Columbia, and the offices of Defendant Rumsfeld, several of which are in the District of Columbia.** Venue for claims arising from acts of Cabinet officials, the Secretary of Defense and United States agencies lies in the District of Columbia. See id.; Smith v. Dalton, 927 F. Supp. 1 (D.D.C. 1996).

PARTIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FACTUAL ALLEGATIONS

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

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

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

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

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

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

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

tention in Afghanistan

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

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

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

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

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

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

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

43. General Dostum's troops chained Plaintiffs Rasul, Iqbal and Ahmed and marched them through the main gate of the prison, where U.S. Special Forces surrounded them at gunpoint.

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

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

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

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

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

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

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

50. Plaintiffs Rasul, Iqbal and Ahmed were herded into a tent, where soldiers forced them to kneel with their legs bent double and their foreheads touching the ground. With their hands and feet still tied, the position was difficult to maintain. Plaintiffs Rasul, Iqbal and Ahmed were repeatedly and violently beaten by Defendant John Does, US soldiers. Each was asked whether he was a member of Al Qaeda and when each responded negatively, each was punched violently and repeatedly by soldiers. When Plaintiffs Rasul Iqbal and Ahmed identified themselves as British nationals, Defendants John Doe soldiers insisted they were "not white" but "black" and accordingly could not be British. The soldiers continued to beat them.

51. Plaintiffs Rasul, Iqbal and Ahmed were "processed" by American soldiers, and had plastic numbered wristbands placed on their wrists. Soldiers kicked Plaintiff

Rasul, assigned the number 78, several times during this process. **American** soldiers cut off his clothes and conducted a body cavity search. He was then **led** through an open-air maze constructed **of** barbed wire. Plaintiffs Iqbal, assigned **number** 79, and Ahmed, assigned number 102, experienced the same inhumane treatment.

52. **Plaintiffs Rasul**, Iqbal and Ahmed, dehydrated, exhausted, disoriented, and fearful, were summoned by number **for** interrogation. When called, each was shackled and led to an interrogation tent. Their hoods were removed and they were **told** to sit on the floor. An armed soldier stood behind them out of their line **of** sight. They were told that if they moved they would be shot.

53. After answering questions as to their backgrounds, Plaintiffs Rasul, Iqbal and Ahmed were each photographed by soldiers. They were fingerprinted and a swab from their mouth and hairs **plucked** from their **beards were taken for DNA identification**.

54. An American soldier questioned Plaintiff Iqbal a second time. Plaintiff Iqbal was falsely accused by the interrogator of being a member of Al Qaeda. Defendant John **Does**, US soldiers, punched and kicked Plaintiff Iqbal in the back and stomach before he was dragged to another tent.

55. Personnel believed by Plaintiffs to be British military personnel later interrogated Plaintiffs Rasul, Iqbal and Ahmed, with US soldiers present. Plaintiffs Rasul, Iqbal and **Ahmed were falsely accused of being members** of the Al Muhajeroon. During the interrogation, **Plaintiffs** Rasul, **Iqbal** and Ahmed were threatened by Defendant John Does, armed American soldiers, with further beatings if they did not admit to various false statements.

56. Plaintiffs Rasul and Ahmed slept in a tent with about 20 other detainees. Plaintiff **Iqbal** was in another tent. **The** tents were surrounded by barbed wire.

Detainees were not allowed to talk and were forced to **sleep** on the ground. American soldiers **woke** the detainees hourly as part of a systematic effort to deprive them of sleep.

57. Defendant John Does, interrogators and **guards**, frequently used physical violence and **unmuzzled** dogs to **threaten and** intimidate Plaintiffs **Rasul, Iqbal and** Ahmed and other detainees during the interrogations.

58. At or around midnight of January 12 or 13, 2002, US army personnel entered the **tent** of Plaintiffs Rasul and Ahmed. Both were made to lie on the ground, were shackled, and rice sacks were placed over their heads. They were led to another tent, where Defendant John Does, US soldiers, removed their clothes and forcibly shaved their beards and heads. The forced shaving was not intended for hygiene **purposes**, but rather was, **on information and belief, designed to distress** and humiliate Plaintiffs given their Muslim faith, which requires adult males to maintain beards.

59. Plaintiff Rasul was eventually taken outside where he could hear dogs barking nearby and soldiers shouting, "Get 'em boy." He was then given a cavity search and photographed extensively while naked before being given an orange uniform. Soldiers handcuffed Plaintiff **Rasul's** wrists and ankles before dressing him in black thermal gloves, **dark** goggles, earmuffs, and a facemask. Plaintiff Rasul was then **left** outside for **hours in freezing temperatures**.

60. Plaintiff Iqbal, who was in another tent, experienced similar **treatment** of being led from his tent to be shaved and stripped naked.

61. Plaintiffs Rasul and Iqbal were escorted onto large cargo planes. Still shackled and **wearing** facemasks, both were chained to the floor with no backrests. They were forced by Defendant John Does to sit in an **uncomfortable** position for the

entire flight to Guantanamo (of approximately eighteen to twenty hours) and were **not** allowed to move or given access to toilet facilities.

62. Plaintiff Ahmed remained in Kandahar for another month. American soldiers interrogated him four more times. Sleep-deprived and malnourished, Plaintiff Ahmed was also interrogated by British agents who, on information and belief were from the British intelligence agency, **M15**, and he was falsely told that Plaintiffs Rasul and **Iqbal** had confessed in Cuba to allegations of membership in **the** Al Muhajeroon. **He** was told that he could return to the United Kingdom in exchange for admitting to various accusations. Distraught, fearful of further beatings and abuse, and without benefit of contact with family or counsel, Plaintiff Ahmed made various false confessions. Plaintiff Ahmed was thereafter transported to Guantanamo.

63. As noted above, **Plaintiff Al-Harith was being held in custody by the Taliban** in Southern Afghanistan as a suspected British spy. He was interrogated and beaten by Taliban troops. When the Taliban government fell, Plaintiff **Al-Harith** was in a Taliban prison. **He** contacted the British Embassy through the **ICRC** and by satellite phone and was assured he would be repatriated to Britain. Two days before his scheduled repatriation, **US** forces informed him that he was being detained and **taken** to Kandahar, where **he** was **held** in a prison controlled by **US** forces and interrogated and beaten by **US** troops. **Plaintiff Al Harith was flown to Guantnamo from Kandahar on or about February 11,2002.**

64. Prior to take-off, Plaintiff Al-Harith, like Plaintiffs Rasul, **Iqbal** and Ahmed, was hooded and shackled; mittens were placed on his hands and earphones over his ears. Chains were then placed around his legs, waist and the earphones. The chains

cut into his ears **Goggles** were placed on his eyes and a medical patch that, on information and belief, contained muscle relaxant was applied.

Captivity and Conditions at Camp X-Ray, Guantánamo

65. Plaintiffs Rasul and Iqbal were transported to Guantánamo in mid-January 2002. Plaintiffs Ahmed and Al-Harith were transported there approximately one month later. During the trip, Defendant John Does, **US** soldiers, kicked and punched Plaintiff Ahmed more than twenty times. Plaintiff Al-Harith was punched, kicked and elbowed repeatedly and was threatened with more violence.

66. Upon arrival at Guantánamo, Plaintiffs were placed on a barge to get to the main camp. Defendant John Does, **US** Marines on the barge, repeatedly **beat** all the detainees, including Plaintiffs, kicking, slapping, elbowing and punching detainees in the body and **head. The Marines announced repeatedly, "You are arriving at your final destination," and, "You are now property of the United States Marine Corps."**

67. Plaintiffs were taken to Camp X-Ray, the prison camp for detainees. Soldiers forced all four Plaintiffs on arrival to squat outside in stress positions in the extreme heat. Plaintiffs and the other detainees had their goggles and hoods removed, but they had to remain with their eyes closed and were not allowed to speak.

68. Plaintiff Iqbal, still shackled and **goggled**, fell over and started shaking. **Plaintiff Iqbal was then given a cavity search and transported to another area** for processing, including fingerprinting, DNA sampling, photographs, and another wristband.

69. Plaintiff Rasul was forced to squat outside for six to seven hours and went through similar processing. Unmuzzled barking dogs were used to intimidate Plaintiff Rasul and others. At one point, Defendant John Doe, a soldier from a unit known as the

Extreme Reaction Force (ERF), repeatedly kicked Plaintiff **Rasul** in the back and used a riot shield to slam him against a wall.

70. After processing, Plaintiffs were placed in wire cages of about 2 meters by 2 meters. Conditions were cruel, inhuman and degrading.

71. **Plaintiffs were forced to** sit in their cells in total **silence** for extended periods. Once a week, for two minutes, Plaintiffs were removed from their cells and showered. They were then returned to their cells. Once a week, Plaintiffs were permitted five minutes recreation while their hands remained chained.

72. Plaintiffs were exposed to extreme heat during the day, as their cells were situated in *the* direct sunlight.

73. Plaintiffs were deliberately fed inadequate quantities of food, keeping them in a **perpetual state** of hunger. Much **of the food consisted of "MRE's"** (meals ready to eat), which were ten to twelve years beyond their usable date. Plaintiffs were served out of date powdered eggs and milk, stale bread from which **the** mold had been **picked** out and fruit that was black and rotten.

74. Plaintiffs and other detainees were forced to kneel each time a guard came into their cells.

75. Plaintiffs at night were exposed to powerful floodlights, a purposeful tactic to **promote sleep deprivation among the detainees. Plaintiffs** and the other **detainees** were prohibited from putting covers over their heads to block out the light and were prohibited from keeping their arms beneath the covers.

76. Plaintiffs were constantly threatened at **Camp X-Ray**, with guards stating on multiple occasions, "We could kill you at any time; the world doesn't know you're here; we could kill you and no one would know."

77. Plaintiff Al-Harith was taken to the medical clinic and was told that his blood pressure was too high. He was given, on information and belief, muscle relaxant pills and an injection of an unspecified substance.

78. On various occasions, Plaintiffs' efforts to pray were banned or interrupted. Plaintiffs were never given prayer mats and did not initially receive copies of the Koran. Korans were provided to them after approximately a month. On one occasion, a guard in Plaintiff Ahmed's cellblock noticed a copy of the Koran on the floor and kicked it. On another occasion, a guard threw a copy of the Koran in a toilet bucket. Detainees, including Plaintiffs, were also at times prevented from calling out the call to prayer, with American soldiers either silencing the person who was issuing the prayer call or playing loud music to drown out the call to prayer. This was part of a continuing pattern of disrespect and contempt for Plaintiffs' religious beliefs and practices.

Interrogation at Camp X-Ray

79. Plaintiffs were extensively interrogated at Camp X-Ray.

80. During interrogations, Plaintiffs were typically "long shackled," whereby their legs were chained using a large padlock. The shackles had sharp edges that scraped the skin, and all Plaintiffs experienced deep cuts on and around their ankles, resulting in scarring and continuing chronic pain. During the interrogations, Plaintiffs were shackled and chained to the floor. Plaintiffs were repeatedly urged by American interrogators to admit that they were fighters who went to Afghanistan for "jihad." In return, Plaintiffs were promised that if they confessed to these false assertions, they could return to the United Kingdom. Plaintiff Iqbal, who was interrogated five times by

American forces over three months at Camp X-Ray, was repeatedly encouraged **and** coerced to admit to having been a "fighter."

81. Plaintiff **Al-Harith** was interrogated approximately ten times at Camp X-Ray. He was interrogated by both British and American authorities. On one occasion, an interrogator **asked** Plaintiff **Al-Harith** to admit that he went to **Pakistan** to buy drugs, which was not true. On another occasion, Plaintiff **Al-Harith** was told that there was a new terrorism law that would permit the authorities to put his family out in the street if Plaintiff **Al-Harith** **did** not admit to being a drug dealer or a fighter. **On** another occasion, interrogators promised money, a car, a **house** and a job if **he** admitted those things. As they were not true, he declined to **admit** them.

82. Following Plaintiff **Ahmed's** first several interrogations at Camp X-Ray, he was isolated in a **cellblock where there were only Arabic speakers**. Plaintiff **Ahmed**, who does not speak Arabic, was unable to communicate with anyone other than interrogators and guards for approximately five months.

Conditions at Camp Delta

83. Around May 2002, Plaintiffs were transferred to Camp Delta.

84. At no time were Plaintiffs advised as to why they were being transferred, for what purpose they were detained, why they were considered "unlawful combatants," and what **medical and legal resources might be available**.

85. At Camp Delta, Plaintiffs were housed in mesh cages that were subdivided from a larger metal container. There was little to no privacy and the cages provided little shelter from the **heat** during the day or the cold at night. The cages quickly rusted **because** of the sea air. The cells contained metal slabs at waist height;

detainees could not sit on the slabs because their legs **would** dangle off and become numb. There was not enough room in the cells to pray.

86. Constant reconstruction work and large electric generators, which ran 24 hours a day, were used as part of a strategic effort to deprive Plaintiffs and others of sleep. Lights were **often left on 24** hours a day.

87. Plaintiffs Rasul and Iqbal were in the same cellblock. Plaintiff Ahmed was placed in isolation for about one month. There was no explanation given as to **why** Plaintiff Ahmed had been placed in isolation. Following this period, he was placed in a different cell and interrogated by **mostly** American interrogators who repeatedly asked him the same questions for six **months**.

88. After six months at Camp Delta, Plaintiff Ahmed was moved to a cell directly opposite **Plaintiff Rasul**. **Plaintiff Iqbal was placed in isolation for about one** month. Again, no explanation was given for **the** arbitrary placement in isolation.

89. Plaintiff Ahmed was repeatedly disciplined with periods of isolation for such behavior as complaining about the food and singing.

90. Plaintiff Iqbal, after about one month at Camp Delta, was moved to isolation and **given** smaller food portions because it was believed he was **belittling** a military policeman. He was disciplined with another week of isolation when he wrote "**have a nice day**" on a **Styrofoam cup**.

91. After his last period of isolation, Plaintiff Iqbal was moved to a block which housed only Chinese-speaking detainees. During his time there, he was exposed to aggressive interrogation. After being there for months, Plaintiff **Iqbal's** mental condition deteriorated further.

92. Plaintiff Al-Harith was put into isolation for refusing to wear a wristband. Plaintiff Al-Harith was **also** placed in isolation for writing the letter "D" on a Styrofoam cup. The isolation block was freezing cold as **cold** air was blown through the block twenty-four hours a day. The isolation cell was pitch **black** as the guards claimed the lights were **not** working. Plaintiff Al-Harith was **placed** in isolation a **second** time around Christmas 2002 **for** refusing to take an unspecified injection. When he refused, the ERF was brought in and Plaintiff Al-Harith was "ERF'ed"; he was beaten, forcibly injected and chained in a hogtied position, with his stomach on **the** floor and his **arms** and legs chained together above him. The ERF team jumped on his legs and back and kicked and punched Plaintiff Al-Harith. Plaintiff Al-Harith was then placed in isolation for approximately a month, deprived at various intervals of soap, toothpaste or a toothbrush, **blankets** or **toilet paper**. **He was also deprived of a Koran** during this second period **of** isolation.

93. **On** information and belief, "ERFings," i.e., the savage beatings administered by **the** ERF teams, were videotaped on a regular basis and **should** be available as evidence of the truth of the allegations contained herein.

94. The Camp Delta routine included compulsory "recreation" twice a week for fifteen minutes. Attendance was enforced by the ERF. As soon as fifteen minutes had **passed, detainees were immediately returned to their cells**. Plaintiff Rasul noted that one would **be** forced to return to his cell even if in the middle of prayers.

95. Around August 2002, medical corps personnel offered Plaintiffs Rasul, Iqbal and Ahmed injections **of** an unidentified substance, Plaintiffs Rasul, **Iqbal** and Ahmed, like most detainees, refused. Soon after, Defendant John Does, the medical corps, returned with the ERF team. **The** ERF team members were dressed in padded

gear, **thick gloves**, and helmets. Plaintiffs Rasul, Iqbal and Ahmed were shackled and restrained with their arms and legs bent backwards while medical corps pulled up their sleeves to inject their arms with an unidentified drug that had sedative effects.

96. Plaintiffs Rasul, Iqbal and Ahmed received these injections against their will on approximately a dozen **occasions**. Plaintiff **Al-Harith** received 9 or 10 compulsory injections on six separate occasions.

97. Plaintiff Iqbal was deprived of his Koran and other possessions. His hands were shackled in front of him. When Plaintiff Iqbal looked back, a guard pushed him in the corner. There Defendant John Does punched him repeatedly in the face and kneed him in his thigh.

Isolation and Interrogations at Camp Delta

98. Interrogation booths either had a miniature camera hidden in them or a **one-way glass** window. Thus, on information and belief, some or all of the interrogations of Plaintiffs **and** other detainees are recorded and are available as evidence of the truth of Plaintiffs' allegations herein.

99. In December 2002, a tiered reward system was introduced at Camp Delta, whereby detainees were placed on different levels or tiers depending on their level of co-operation and their behavior at the camp.

100. **Interrogators and guards frequently promised to provide or** threatened to withdraw of essential items such as blankets or toothpaste – referred to as "comfort items" – in order to coerce detainees into providing information. The truthful assertion that Plaintiffs had no information to give did not result in the provision of "comfort items." **To** the contrary, the interrogators demanded that the Plaintiffs confess to false allegations and promised "comfort items" in exchange.

101. Isolation of detainees was frequently used as a technique to "wear down" detainees prior to interrogation. There were two primary ways in which prisoners would be placed in isolation: (1) for punishment, for a set period of time for a specific reason; or (2) for interrogation, with no specific time limit.

102. Between October 2002 and May 2003, Plaintiff Rasul was interrogated about five or six times. Most of the interrogations involved the same questions that had been asked before. In April 2003, Plaintiffs Rasul and Iqbal were given polygraph tests and were led to believe that they might be allowed to return home if they passed.

103. After two hours of questioning as to whether he was a member of Al Qaeda, Plaintiff Rasul was returned to his cell. Two weeks later, he was interrogated by a woman who may have been army personnel in civilian clothing. She informed him that he had passed the polygraph test. Plaintiff Rasul was transferred to a different cellblock and informed by interrogators that they had videos which proved that he and Plaintiffs Iqbal and Ahmed were members of Al Qaeda and linked to the September 11 attacks.

104. A week later, Plaintiff Rasul was transferred to an isolation block, called "November." Plaintiff Rasul asked the army sergeant why he was being moved and was informed that the order was from the interrogators. Plaintiff Rasul was placed in a metal cell. To make the conditions of confinement continuously debilitating, the air conditioning was turned off during the day and turned on high at night. Temperatures were near 100 degrees during the day and 40 degrees at night. The extremes of heat and cold were deliberately utilized to intimidate, discomfort and break down prisoners. For one week, Plaintiff Rasul was held in isolation without interrogation. Later, he was taken to a room and "short shackled" and placed in an extremely cold room for six to

seven hours. Short shackling consists of chaining the ankles and wrists **closely** together to force the detainee into a contorted and painful position. He was unable to move in the shackles and was not afforded an opportunity to go to the bathroom. He was hardly able to walk and suffered severe back pains. He was taken back to his cell without explanation.

105. The next day Plaintiff Rasul was "short shackled" and chained to the floor again for interrogation by an **US** Army intelligence officer named Bashir, also known as Danny. He was shown photographs of three men who were supposedly Plaintiffs **Rasul**, Iqbal and Ahmed with a man purported to be Mohammed Atta. Plaintiff Rasul repeatedly and truthfully denied being the person in the **photograph**. Further, **he** repeatedly and truthfully denied any involvement with Al Qaeda or the September 11 attacks. **On five or six more occasions, Plaintiff Rasul was interrogated in** similar fashion. During these interrogations, Plaintiff Rasul was not provided with food and was not permitted to pray.

106. Following the first interrogation, on **five** or six occasions, Plaintiff Rasul was removed from **his** cell and brought back to the interrogation block for intervals of about four or five days at a **time**. He was repeatedly "**short** shackled," exposed to extremely loud rock or heavy metal music, and **left** alone in the interrogation room for up to 13 **hours in the "long shackle" position**.

107. During this period, a Marine captain and other soldiers arrived at Plaintiff Rasul's cell to transfer him to another block, where **he** would remain in isolation *for* another **two** months without **'comfort** items."

108. On one occasion, Plaintiff Rasul was brought to the interrogation room from isolation to be questioned by interrogators from the Criminal Investigations Division

(CID). These interrogators, identified as "Drew" and Terry," informed Plaintiff Rasul that they were going to begin military tribunals.

* 109. After continued interrogations as to his alleged presence in a photograph with Osama Bin Laden, Plaintiff Rasul explained that *he* was working in England and going to college at the time the photograph was taken. Plaintiff Rasul told interrogators his place of employment at an English electronics shop and his attendance at University of Central England and implored interrogators to corroborate what he was telling them. The interrogators insisted he was lying, To Plaintiff's knowledge, no effort was made to find corroborating information which would have confirmed that Plaintiff Rasul was living in England at the time of the alleged meeting with Bin Laden in the photograph.

110. About a month after his second isolation period, Plaintiff Rasul was "long shackled" and placed in a room, where he was met by Bashir and a woman dressed in civilian clothing. Bashir informed Plaintiff Rasul that the woman had come from Washington to show him a video of an Osama Bin Laden rally in Afghanistan. After the woman showed Plaintiff Rasul a portion of the video, she asserted that it showed Plaintiffs Rasul, Iqbal and Ahmed sitting down with Sin Laden. The woman interrogator urged Plaintiff Rasul to admit that the allegation was true, but the persons in the video were not the Plaintiffs. Plaintiff Rasul continued truthfully to deny involvement. He was threatened that if he did not confess, he would be returned to isolation. Having been in isolation for five to six weeks, with the result that he was suffering from extreme mental anguish and disorientation, Plaintiff falsely confessed that he was in the video.

111. Plaintiff Rasul was then returned to isolation for another five to six weeks. During that period he had no contact with any human being except with guards and

interrogators who questioned him regarding the identity of certain individuals in photographs.

112. Plaintiff Rasul was then transferred to another cellblock, where both Plaintiffs Iqbal and Ahmed were being held. Here, Plaintiff Rasul was denied "comfort items" and exercise privileges.

113. Around mid-August of 2003, Plaintiff Rasul was moved within Camp Delta and placed in another cell block without explanation. After about two weeks, Plaintiff Rasul was taken to a building known as the "Brown Building" and was informed by an army intelligence interrogator named "James" that he would soon be moving to a cell next to Plaintiffs Iqbal and Ahmed.

114. Following the meeting with the army intelligence interrogator, Plaintiff Rasul was brought to "Kilo Block" the next day, where Plaintiffs Rasul, Iqbal and Ahmed were reunited and able to speak with one another,

115. For the next two weeks, Plaintiffs Rasul, Iqbal and Ahmed were brought in succession to be questioned by an army intelligence officer, known only as "James," as to their purported involvement in the 2000 video of Bin Laden.

116. On one occasion, Plaintiff Rasul was administered a voice stress analyzer test by "James."

117. After his last interrogation by "James," Plaintiff Rasul was informed that he would soon be turned over to Navy Intelligence. Before that, however, in September 2003, Plaintiff Rasul was further interrogated. He was brought into an interrogation room for eight hours. He was denied requests to pray and to have food or water. The following day, British officials questioned Plaintiff Rasul. Plaintiff Rasul informed an official, who gave the name "Martin," that he had been kept in isolation for three months

without cause and had severe knee pain **from** the lack **of** exercise. Later that evening, Plaintiffs **Rasul**, Iqbal **and** Ahmed were taken to what was, on information and **belief**, a CIA interrogation **block**.

118. Plaintiffs continued to be held in the Kilo Black and were occasionally **brought in for** interrogation by a navy intelligence officer who gave the name "**Romeo**."

119. Plaintiff Iqbal was treated in a **manner** similar to the other Plaintiffs.

120. Plaintiff **Iqbal** was interrogated on several occasions, sometimes for as **long** as eight hours.

121. The typical routine was to be "short shackled" and placed **in** an extremely cold room.

122. Plaintiff Iqbal was relegated to Level 4, the harshest level, **for** about two **weeks**, with **virtually no** "comfort items." **Soon after, he was placed in isolation** on the instruction of intelligence *officers*.

123. Plaintiff Iqbal's isolation cell was covered **in human** excrement. **Plaintiff** Iqbal **had** no soap or towels and could not clean the cell. **He was** unable to **sit** anywhere.

124. Plaintiff **Iqbal** was interrogated periodically to review photographs. On one occasion, he was placed in a "short shackled position and **left** in a room with the air conditioning turned down **to 40**". **Plaintiff Iqbal was left in the "short shackle"** position **for** about three hours. Then, Defendant **John Doe**, an interrogator calling himself "**Mr. Smith**," entered **the** room and teased Plaintiff Iqbal **about** the temperature. "**Mr. Smith**" **told** Plaintiff Iqbal that he was able to get anything Plaintiff Iqbal wanted. "**Mr. Smith**" then **pulled out** pornographic magazines and taunted him. Plaintiff Iqbal refused to talk to "**Mr. Smith**." "**Mr. Smith**" left Plaintiff Iqbal alone for another three **or** four **hours** in the

frigid room. In that one day, Plaintiff Iqbal had been "short shackled" for seven to eight hours. Upon returning to his cell, he became ill with flu and requested medication. One of the military police officers, Defendant John Doe, denied him medication, and informed him that he was acting under orders from intelligence.

125. The next day, a Marine Captain and about 15 soldiers escorted Plaintiff Iqbal to another isolation black. He was left there for several days. Prior to his interrogation, Plaintiff Iqbal was "short shackled" and then introduced to an interrogator who gave the name "James". Because the pain from the shackling became excruciating, Plaintiff Iqbal began to scream. After about three or four hours, "James" unshackled him.

126. After three days, Plaintiff Iqbal was taken to the "Brown Building," where he was "long shackled" and left in a room with strobe lighting and very loud music played repeatedly, making it impossible for him to think or sleep. After about an hour, Plaintiff Iqbal was taken back to his cell.

127. The next day, Plaintiff Iqbal was "short shackled" in the interrogation room for five or six hours before later being interrogated by "Drew," who identified himself as an agent from CID. Plaintiff Iqbal was shown photographs, but refused to look at them. He was "short shackled" for about four or five hours more. After a while, he was unable to bear the conditions and falsely confessed that he was pictured in the photographs.

128. Four days later, agents from the FBI interrogated Plaintiff Iqbal about his activities in 2000.

129. Plaintiff Iqbal remained in isolation and was questioned at one point by a military intelligence officer giving the name of "OJ." Soldiers threatened him with further beatings if he did not answer the questions.

130. Plaintiff Ahmed was interrogated on numerous occasions, particularly with respect to his knowledge of the Bin Laden video. He was interrogated every three or four days, and the typical procedure was that he was first "short shackled" and placed in a freezing room with loud music for several hours.

131. Before arriving at Guantanamo, Plaintiff Ahmed was seriously sleep-deprived and malnourished. He was the first of the Plaintiffs to admit to various false accusations by interrogators.

132. Upon Plaintiff Ahmed's arrival at Camp Delta, he was placed in isolation for about one month. Following this period, he was placed in a different cell and interrogated by mostly American interrogators who asked him the same questions for six months.

133. Plaintiff Al-Harith also was given a lie detector test approximately one year into his detention which he was told he passed.

134. Plaintiff Al-Harith on three or four occasions witnessed Defendant John Does, military police, using an industrial strength hose to shoot strong jets of water at detainees. He was hosed down on one occasion. A guard walked along the gangway alternating the hose on each cell. Plaintiff Al-Harith was hosed down continuously for approximately one minute. The pressure of the water forced him to the back of his cell. The contents of his cell, including his bedding and Koran, were soaked.

135. Plaintiff Rasul, in the next cell, also had all the contents of his cell soaked.

136. In or around February 2004, Plaintiffs heard from military police that they would be released and sent home soon. Before leaving Camp Delta, Plaintiffs all were interrogated a final time. Plaintiffs were asked to sign statements admitting to membership in Al Qaeda and participation in terrorist activity. Plaintiffs declined.

137. In March 2004, Plaintiffs were released from Camp Delta and flown to the United Kingdom.

Injuries

138. Plaintiffs suffered and continue to suffer from the cruel, inhuman, and degrading treatment they experienced during their detention. The "short shackling" which Plaintiffs were exposed to resulted in deep cuts at their ankles, permanent scarring, and chronic pain. Plaintiff Rasul has chronic pain in his knees and back. Plaintiff Ahmed **also** suffers from permanent deterioration of his eyesight **because of** the withholding of required special lenses as "comfort items."

139. Plaintiff Al-Harith suffers from severe and chronic pain in his knees from repeatedly being forced onto his knees and pressed downwards by guards whenever he left his cell. He **also** has experienced pain in his right elbow.

140. Plaintiffs further suffer from acute psychological symptoms.

Development and Implementation of a Plan of Torture and Other Physical and Psychological Abuse of Detainees

141. The torture, threats, physical and psychological abuse inflicted upon Plaintiffs were devised, approved, and implemented by Defendant Rumsfeld and other Defendants in the military chain of command. These techniques were intended as interrogation techniques to be used on detainees.

142. It is well-established that the use of force in interrogation is prohibited by domestic and international law. The United States Army strictly prohibits the use of **such** techniques and advises its interrogators that **their** use may **lead** to criminal **prosecution**. Army **Field Manual 34-52, Ch. 1, "Intelligence Interrogation," provides:**

Prohibition of Use of Force

The use of force, mental torture, threats, insults, or exposure to unpleasant and inhumane treatment of any kind is **prohibited by law** and is neither authorized nor condoned by the US Government. . . The psychological techniques and principles outlined should neither be confused with, nor construed to be synonymous with, unauthorized techniques such as brainwashing, **mental** torture, or **any** other form of mental coercion to include drugs. These techniques and principles are intended to serve as guides in obtaining **the** willing cooperation of a source. The absence of threats in interrogation is intentional, **as** their enforcement and use **normally** constitute **violations of international law and may result in prosecution**. (Emphasis supplied).

143. Further, according to Field Manual 34-52, ch. 1: "Experience indicates that the use of force is not necessary to gain the cooperation of sources for interrogation. Therefore, the use of force is a poor technique, as it yields unreliable results, may **damage subsequent collection efforts, and can induce the source to say whatever** he thinks **the** interrogator wants to hear."

144. Army Field Manual 27-10, "The Law of Land Warfare," summarizes the domestic and international legal rules applicable to the conduct of war. Field Manual 27-10 recognizes the following sources of the law of war:

The **law** of war is derived from two principal sources:

- a. **Lawmaking Treaties (or Conventions)**, such as **the Hague** and Geneva Conventions.
- b. **Custom**. Although **some of the law of war** has not been incorporated in any treaty or convention to which the United States is a party, this body of unwritten or customary law **is** firmly established by the custom of nations and well defined by recognized authorities on international law.

Id. at Ch. 1, § I.

145. In spite of **the** prohibitions on the use of force, threats, and abuse in the Army Field Manual, and its clear acknowledgement that their use violates

international and domestic law, Defendant Rumsfeld approved techniques that were in violation of those prohibitions and thus knowingly violated the rights of Plaintiffs.

146. In a press release dated June 22, 2004, Defendant Rumsfeld admitted that beginning December 2, 2002, he personally authorized the use of interrogation techniques that are **not** permitted under FM 34-52. Further, in the press **release**, Defendant Rumsfeld admits that he personally was consulted when certain of the techniques were to be utilized.

147. The techniques practiced on Plaintiffs – including beatings, “short shackling,” **sleep** deprivation, injections of unknown substances, subjection to cold or heat, hooding, stress positions, isolation, forced shaving, disruption of religious practices, forced nakedness, intimidation with vicious dogs and threats – were **known to and approved by Defendant Rumsfeld and others in the military chain of command.**

148. Article 3 common to all four Geneva Conventions requires that all persons in the hands of an opposing force, regardless of their legal status, be afforded certain minimum standards of treatment:

Persons taking **no** active part in the hostilities, including members of armed **forces** who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or **any** other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or **faith, sex, birth or wealth**, or **any other similar** criteria.

To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(a) Violence to life and person, in particular murder of **all** kinds, mutilation, cruel treatment and torture;

(c) Outrages upon personal dignity, in particular, humiliating and degrading treatment.

149. The Third Geneva Convention of 1949, Art. 130, bars the "willful killing, torture or inhuman treatment . . . willfully causing great suffering or serious injury to body or health" of any prisoner of war.

150. In February 2002, the White House issued a press release, which advised:

The United States is treating and will continue to treat all of the individuals detained at Guantanamo humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Third Geneva Convention of 1949.

The President has determined that the Geneva Convention applies to the Taliban detainees, but not to the al-Qaeda detainees. Al-Qaeda is not a state party to the Geneva Convention; it is a foreign terrorist group. As such, its members are not entitled to POW status.

151. On information and belief, Defendant Rumsfeld and all Defendants were aware of this statement of the President. Moreover, Defendant Rumsfeld knew that this statement of policy was a departure from the previous policy of the United States that the laws of war, including the Geneva Conventions, were always to be honored. Defendant Rumsfeld knew that the Department of State and the uniformed services took the generally recognized position that the Geneva Conventions could not be abrogated or ignored.

152. However, Defendant Rumsfeld and others deliberated failed to implement the Presidential Directive in any event. Defendant Rumsfeld and other Defendants in the chain of command had no good faith basis for believing that Plaintiffs were members of or affiliated with Al Qaeda in any way. Indeed, the policy as announced was incoherent in that Defendant Rumsfeld and the other defendants had no way of knowing who was and who was not a member of Al Qaeda or the

Taliban and Defendants took no steps to implement any reliable fact-finding process **which** might ascertain who **was** and who was not a member of Al Qaeda or the Taliban, including in particular a "competent tribunal" as mandated by the Third Geneva Convention, Art. 5, U.S. military regulations and **long** standing practice of the U.S. **armed** forces

153. Defendant Rumsfeld and all Defendants were aware that torture and other mistreatment perpetrated under color of **law** violates domestic and international **law** at.

154. Defendant Rumsfeld and all Defendants were aware that Plaintiffs were tortured and **otherwise** mistreated or knew they would be tortured and otherwise mistreated while in military custody in Afghanistan and at **Guantánamo**.

155. **Defendant Rumsfeld and all Defendants took no steps** to prevent the infliction of torture and other mistreatment to which Plaintiffs were subjected.

156. Defendant Rumsfeld and **all** Defendants authorized and encouraged the infliction of torture and other mistreatment against Plaintiffs.

157. Defendant Rumsfeld and **all** Defendants were aware that prolonged arbitrary detention violates customary international **law**.

158. Defendant Rumsfeld and **all** Defendants authorized and condoned the **prolonged arbitrary detention of Plaintiffs**.

Count I
ALIEN TORT STATUTE
Prolonged Arbitrary Detention

159. Plaintiffs **repeat** and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

160. As stated by the Supreme Court of the United States, the allegations contained herein "unquestionably describe 'custody in violation of the Constitution or laws or treaties of the United States.'" Rasul v. Bush, 124 S. Ct. 2686, 2698, n.15 (2004) (citation omitted) (Plaintiffs Rhuhel Ahmed and **Asif** Iqbal were also Plaintiffs in that case).

161. Plaintiffs Rasul, Iqbal and Ahmed were unarmed and were detained in a prison camp operated by non-U.S. forces and Plaintiff **Al-Harith** had been detained and mistreated by the Taliban as a suspected British spy and was trapped in a war zone when Defendants took physical custody of their persons. Plaintiffs never engaged in combat, carried arms, or participated in terrorist activity or conspired with any **terrorist** person or organization. Defendants could have had no good-faith reason to believe that **they** had done so.

162. The Plaintiffs were detained under the exclusive custody and control of Defendants for over two years without due process, access to counsel or family, or a single charge of wrongdoing being levied against them.

163. The acts described herein constitute prolonged arbitrary detention in violation of the law of nations under the Alien Tort Statute, 28 U.S.C. §1350, in that the acts violated customary international law prohibiting prolonged arbitrary detention **as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions, and other authorities.**

164. Defendants are liable **for** said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided **and** abetted and/or conspired together in bringing about the prolonged arbitrary detention of Plaintiffs.

165. Defendant's unlawful conduct deprived Plaintiffs of their freedom, of contact with their families, friends and communities. As a result, Plaintiffs suffered severe psychological abuse and injuries.

166. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count II
ALIEN TORT STATUTE
Torture

167. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

168. The acts described herein were inflicted deliberately and intentionally for purposes which included, among others, punishing the Plaintiffs or intimidating them. The alleged acts did not serve any legitimate intelligence-gathering or other government purpose. Instead, they were perpetrated to coerce, punish, and intimidate the Plaintiffs. In any event, torture is not permitted as a legitimate government function under any circumstances.

169. The acts described herein constitute torture in violation of the law of nations under the Alien Tort Statute, 28 U.S.C. § 1350, in that the acts violated customary international law prohibiting torture as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions and other authorities.

170. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered acquiesced, confirmed, ratified and/or conspired together in bringing about the torture and other physical and psychological abuse of Plaintiffs as described above.

171. Plaintiffs suffered severe, immediate and continuing physical and psychological abuse as a **result** of the acts alleged herein. Plaintiffs continue to suffer profound physical and psychological trauma from the acts alleged herein.

172. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count III
ALIEN TORT STATUTE
Cruel, Inhuman or Degrading Treatment

173. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

174. The acts described herein had the intent and the effect of grossly humiliating and debasing the Plaintiffs, forcing **them** to act **against** their will and **conscience**, inciting fear and anguish, and breaking their physical and moral resistance.

175. These acts included inter alia repeated severe beatings; the withholding of food, water, and necessary medical care; sleep deprivation; lack of basic hygiene; intentional exposure to extremes of heat **and** cold and the elements; continuous isolation for a period of **months**; forced injections; sexual humiliation; intimidation with unmuzzled dogs; deprivation of the rights to practice their religion and death threats.

176. The acts described herein constitute cruel, inhuman or degrading **treatment in violation of the law of nation-**, under the Alien Tort Statute, 28 U.S.C. § 1350, in that **the** acts violated customary international law prohibiting cruel, inhuman or degrading treatment as reflected, expressed, and defined in multilateral treaties and other international instruments, international and domestic judicial decisions and other authorities.

177. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly **and/or** indirectly facilitated, ordered acquiesced, confirmed, ratified, aided and abetted **and/or** conspired together in bringing about the **cruel**, inhuman or degrading treatment of Plaintiffs **as** described above.

178. Plaintiffs suffered severe immediate physical and psychological abuse as a **result** of the acts alleged herein. Plaintiffs continue to **suffer** profound physical and psychological trauma from the acts alleged herein.

179. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count IV VIOLATION OF THE GENEVA CONVENTIONS

180. **Plaintiffs repeat and re-allege the** allegations **contained in paragraphs 1** through **158 of** this Complaint as **iffully** set forth herein.

181. As detailed herein, Plaintiffs were held arbitrarily, tortured and otherwise mistreated during their detention in violation **of** specific protections of the Third and Fourth **Geneva** Conventions including but not **limited** to Article 3 common to all four Geneva Conventions.

182. Violations **of** the Geneva Conventions are direct treaty violations as well **as** violations **of** customary international law.

183. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly **and/or** indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted **and/or** conspired together in bringing about the prolonged arbitrary detention, torture, abuse and mistreatment of Plaintiffs as described **above**.

184. As a result of Defendants' violations of the Geneva Conventions, Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count V
CLAIMS UNDER THE CONSTITUTION OF THE UNITED STATES
Violation of the Eighth Amendment

185. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

186. Defendants' actions alleged herein against imprisoned Plaintiffs violated **the Eighth Amendment to the United States Constitution**. Over the course of an arbitrary and baseless incarceration for more than **two** years, Defendants inflicted cruel and unusual punishment on Plaintiffs. Despite never having been tried by any tribunal, Plaintiffs and other detainees were repeatedly denounced as guilty of terrorist acts by Defendant Rumsfeld, President Bush, Vice President Cheney and others. The acts of cruel, inhuman or degrading unusual punishment were imposed based on this arbitrary and impermissible declaration of guilt.

187. **Defendants were acting under color of law of the United States at all times** pertinent to the allegations set forth above.

188. The Plaintiffs suffered severe physical and mental injuries as a result of Defendants' violations of the Eighth Amendment. They have also suffered present and future economic damage.

189. The actions of Defendants are actionable under Bivens v. Six Unknown Named Federal Agents, 403 U.S. 388 (1971).

190. **Defendants are liable for said conduct** in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, **aided and abetted** and/or conspired together in bringing about the prolonged

arbitrary detention, physical and psychological torture and abuse, and other mistreatment of Plaintiffs as described above.

191. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count VI
CLAIMS UNDER THE CONSTITUTION OF THE UNITED STATES
Violation of the Fifth Amendment

192. Plaintiffs repeat and re-allege the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

193. Defendants' actions alleged herein against Plaintiffs violated the Fifth Amendment to the United States Constitution.

194. **The arbitrary and baseless detention of Plaintiffs for more than two years** constituted a clear deprivation of their liberty without due process, in direct violation of their Fifth Amendment rights.

195. The cruel, inhuman or degrading, and unusual conditions of Plaintiffs' incarceration clearly violated their substantive **rights to due process**. See City of Revere v. Mass. Gen. Hosp., **463 U.S. 239, 244 (1983)**.

196. Defendants' refusal to permit Plaintiffs to consult with counsel or to have access to **neutral tribunals to challenge the fact and conditions of their confinement** constituted violations of Plaintiffs' procedural rights to due process.

197. The abusive conditions of Plaintiffs' incarceration served no legitimate government purpose.

198. Defendants were acting under the color of the **law** of the United States at all times pertinent to **the** allegations set forth above.

199. The Plaintiffs suffered severe physical and mental injuries as a result of Defendants' violations of the **Fifth** Amendment. They have also suffered present and future economic damage.

200. The actions of Defendants are actionable under Bivens v. Six Unknown Named Federal Agents, 403 U.S.388 (1971).

201. Defendants are liable for said conduct in that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted and/or conspired together in bringing about the prolonged arbitrary detention, physical and psychological torture and abuse and other mistreatment of Plaintiffs as described above.

202. Plaintiffs are entitled to monetary damages and other relief to be determined at trial.

Count VII
CLAIM UNDER THE RELIGIOUS FREEDOM RESTORATION ACT

203. Plaintiffs repeat **and re-allege** the allegations contained in paragraphs 1 through 158 of this Complaint as if fully set forth herein.

204. Defendants' actions alleged herein inhibited and constrained religiously motivated conduct central to Plaintiffs' religious beliefs.

205. Defendants' actions imposed a **substantial** burden on Plaintiffs' abilities to exercise and express their religious beliefs.

206. Defendants regularly and systematically engaged **in** practices specifically aimed at disrupting Plaintiffs' religious practices. These acts included throwing a copy of the Koran in a toilet bucket, prohibiting prayer, deliberately interrupting prayers, playing loud rock music to interrupt prayers, withholding the Koran without reason or as

punishment, forcing prisoners to pray with exposed genital areas, withholding prayer mats and confining Plaintiffs under conditions **where** it was impossible or infeasible for them to exercise their religious rights.

207. Defendants were acting under the color **of** the law of the United **States** at all times pertinent to the **allegations** set forth above.

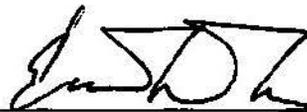
208. The Plaintiffs suffered damages as a direct and proximate result of Defendants' violations of the Religious Freedom Restoration Act, 42 U.S.C.A §§ 2000bb et seq.

209. Defendants are liable for said conduct **in** that Defendants participated in, set the conditions, directly and/or indirectly facilitated, ordered, acquiesced, confirmed, ratified, aided and abetted **and/or** conspired together in bringing about the denial, **disruption** and interference **with Plaintiffs' religious practices and beliefs as described** above.

210. Plaintiffs are entitled to monetary damages and other relief to **be** determined at trial.

WHEREFORE Plaintiffs each demand judgment against Defendants jointly and severally, including compensatory damages in the amount of \$10,000,000 each (Ten Million Dollars), punitive damages, the costs of this action, including reasonable attorneys' fees, and such other and further relief as this Court may deem just and proper.

Dated: October 27, 2004



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Attorneys for Plaintiffs

FOUO

November 29, 2004

TO: President George W. Bush
FROM: Donald Rumsfeld 
SUBJECT: Inspirational Story

Mr. President,

Attached is an inspirational story you will enjoy reading.

Respectfully,

Attach.
11/5/04 *Washington Times: Not Breaking His Stride*

DHR:ss
112904-30

OSD 19077-04

FOUO
11-L-0559/OSD/45564

Washington Times
November 5, 2004
Pg. 2

Not Breaking His Stride

Soldier fights to return to war after losing leg

By Estes Thompson, Associated Press

FORT BRAGG, N.C. — Pfc. George Perez still feels the sweat between his toes when he exercises. He's still plagued with cramps in his calf muscle. And sometimes, when he gets out of bed at night without thinking, he topples over. Pfc. Perez, 21, lost his leg to a roadside bomb in Iraq more than a year ago, but despite the phantom pains that haunt him, he says he is determined to prove to the Army that he is no less of a man — and no less of a soldier.

"I'm not ready to get out yet," he says. "I'm not going to let this little injury stop me from what I want to do."

Pfc. Perez is one of at least four amputees from the elite 82nd Airborne Division to re-enlist. With a new carbon-fiber prosthetic leg, Pfc. Perez intends to show a medical board that he can run an 8-minute mile, jump out of airplanes and pass all the other paratrooper tests that will allow him to go with his regiment to Afghanistan next year.

On Sept. 14, 2003, Pfc. Perez, of Carteret, N.J., and seven other members of his squad were rumbling down a road outside Fallujah when a bomb blast rocked their Humvee. Pfc. Perez recalls flying through the air and hitting the ground hard.

The blast killed one of his comrades. Pfc. Perez felt surprisingly little pain, but when he tried to get up, he couldn't. He saw that his left foot was folded backward onto his knee. His size 12 1/2 combat boot stood in the dusty road a few feet away, still laced.

A photograph of Pfc. Perez's lonely boot transmitted around the world and spread across two pages of Time magazine became a stark reminder that the war in Iraq was far from over. Doctors initially tried to save part of his foot. But an infection crept up his leg, and Pfc. Perez agreed to allow the amputation below the knee joint. "I was going to stay in no matter what," he recalls telling the surgeons. "Do whatever would get me back fastest."

Pfc. Perez was left with a rounded stump that fits into the suction cup of the black carbon-fiber prosthetic leg. When he arrived at Walter Reed Army Medical Center in Washington for his rehabilitation, Pfc. Perez asked a pair of generals who visited his bedside whether it was possible for him to stay in the Army.

"They told me, 'It's all up to you, how much you want it,'" he says. "If I could do everything like a regular soldier, I could stay in." He wasted little time getting started. At one point, a visitor found him doing push-ups in bed. He trained himself to walk normally with his new leg, and then to run with it. Pfc. Perez has to rise at least an hour earlier than his fellow soldiers to allow swelling from the previous day's training to subside enough for his stump to fit into the prosthetic.

But it is a comfort for Pfc. Perez to know that he's not alone. At least three other paratroopers in the 82nd have lost limbs in combat during the past two years and re-enlisted. One of them, Staff Sgt. Daniel Metzdorf, lost his right leg above the knee in a Jan. 27 blast. He appealed three times before the fitness board allowed him to stay on. "I think it's a testimony to today's professional Army," says division commander Maj. Gen. Bill Caldwell. "I also think, deep down, it is a love for their other paratroopers."

In July, amputee program manager Chuck Scoville of Walter Reed told a congressional committee that amputations accounted for 2.4 percent of all wounded in action in the Iraq war — twice the rate in World Wars I and II. Pfc. Perez is one of about 160 Iraq and Afghanistan war veterans who have passed through Walter Reed's amputee patient program. The military says it does not track the number who choose to stay in the service. "It isn't something that historically we've had to deal with a whole lot," says Lt. Col. Frank Christopher, the surgeon for the 82nd Airborne.

Today, Pfc. Perez looks every bit the paratrooper — tall, in ripped-ab shape and serious-looking. His uniform is sharply creased, his maroon beret sits at a precise angle above one eye and the black leather boot on his good leg gleams with a mirror shine. The only thing that sets him apart at a glance is the white running shoe on his prosthetic leg.

Pfc. Perez has to go before another medical fitness board to determine whether he will be allowed to jump again. He also must pass the fitness test for his age — run two miles in less than 16 minutes and do at least 42 push-ups and 53 sit-ups in two-minute stretches.

For now, he must be content with a job maintaining M-16s and M-4s, machine guns and grenade launchers in his company's armory. But his dream is to attend the grueling Army Ranger school at Fort Benning, Ga., a serious challenge to even the most able-bodied soldier.

"I got a lot of things to do," he said. "I want to do as much as I can, as much as they'll let me."

November 30, 2004

TO: President George W. Bush

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

FROM: Donald Rumsfeld 

SUBJECT: Afghan Security Forces Update

Dear Mr. President,

As we discussed yesterday, I will begin sending these updates every two weeks in this shorter format.

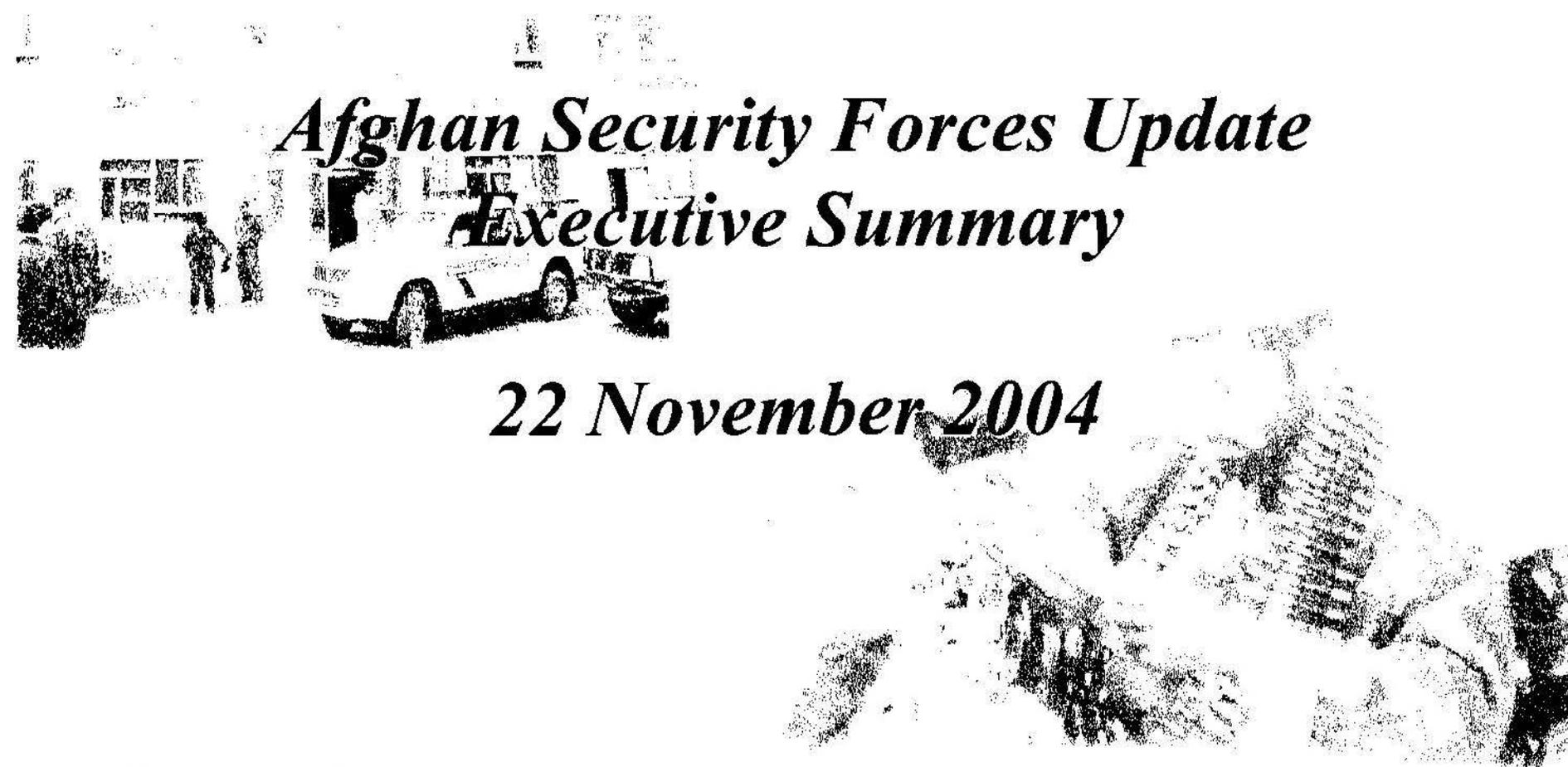
Respectfully,

Attach:
11/22/04 Afghan Security Forces Update

DHR:ss
112404-9

OSD 19098-04

For Official Use Only



*Afghan Security Forces Update
Executive Summary*

22 November 2004

Afghan Security Forces

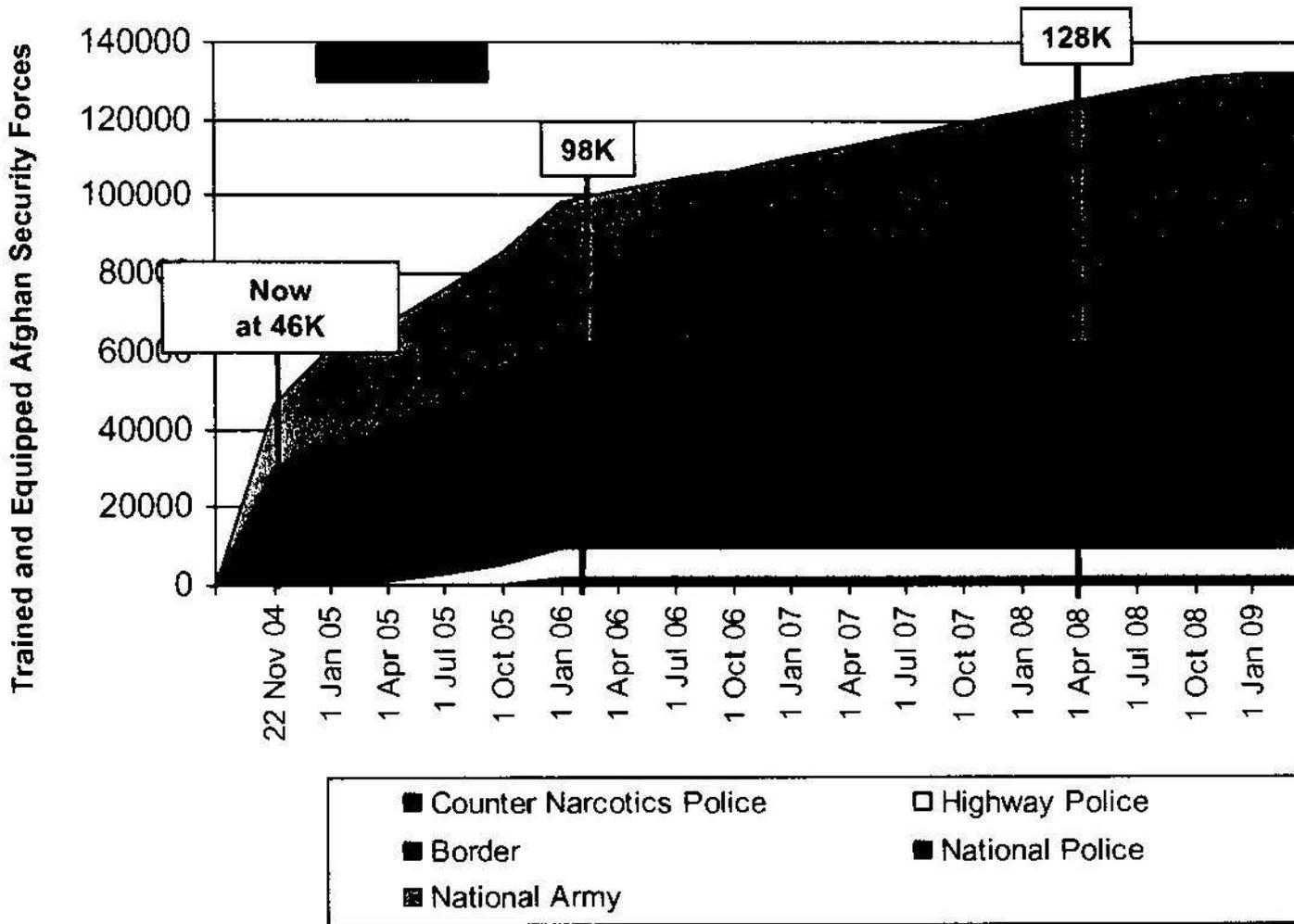
For Official Use Only

• <u>Ministry of Interior Forces</u>	<u>Trained & Equipped</u>
– National Police	30,462
– Highway Police	
– Border Police	
– Criminal Investigator Police	
– Counter Narcotics Police	
• <u>Ministry of Defense Forces</u>	<u>Trained & Equipped</u>
– Afghan National Army Corps	15,523
– Afghan Air Corps	
– Intermediate Commands	
	<hr/>
	45,985

Note: ANA totals dropped because of attrition

Trained and Equipped Afghanistan Security

For Official Use Only



Data As of: 22 Nov 04

11-L-0559/OSD/45570

Ministry of Interior Forces-Projection

For Official Use Only

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

Security Force Element	Trained NLT Dec 05	22-Nov-04	1-Feb-05	1-May-05	1-Aug-05	1-Sep-05 ⁽³⁾
National Police (1)	40,430					
Highway Police	8,000			48%		
Border (2) Police	12,000				68%	
Counter-Narcotics Police	1,570				67%	

Notes:

1. Meeting of the Interagency Police Coordination Action Group (IPCAG) on 16 Nov headed by German Ambassador Schmidt confirmed the new numbers shown for police. Highway, Counter Narcotics, Criminal Investigators and Traffic Police are all in the total figure of 50, 000.
2. The meeting also directed that the Border Police number to be reduced from 24,000 to 12,000. This is in addition to the National Police total of 50,000. The total police is 62,000.
3. 100% Manned and Trained by 1 Jan 06, but equipping will lag behind.

Legend

	70-100 % OF REQUIREMENT
	40-69 % OF REQUIREMENT
	39 % OR LESS OF REQUIREMENT

Data As of: 22 Nov 04

Afghan Armed Forces-Projection

For Official Use Only

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

Afghanistan Security Forces Elements	Endstate	22-Nov-04	1-Feb-05	1-May-05	1-Aug-05	1-Jan-06	1-Apr-07
Ministry of Defense (General Staff)	3,000		48%				
Corps	43,000			41%	47%	51%	
Air Corps	3,000				40%	63%	
Sustaining Institutions	21,000						

Legend	
	70-100 % OF REQUIREMENT
	40-69 % OF REQUIREMENT
	39 % OR LESS OF REQUIREMENT

Data As of: 22 Nov 04

11-L-0559/OSD/45572

Coalition Co

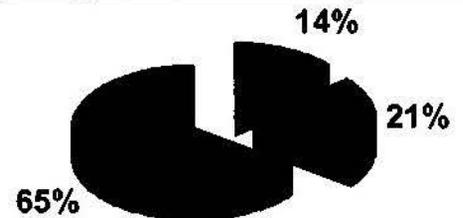
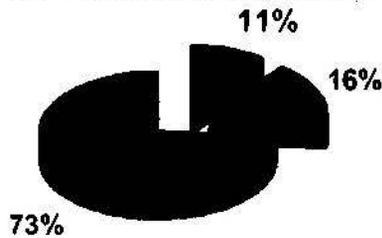
For Official Use Only

OEF & ISAF = 42 Countries

Albania	22	Denmark	55	Iceland	14	Mongolia	17	Spain	
Australia	4	Egypt	65	Ireland	10	Netherlands	472	Sweden	
Austria	3	Estonia	15	Italy	534	New Zealand	8	Switzerland	
Azerbaijan	22	Finland	78	Jordan	174	Norway	254	Turkey	
Belgium	615	France	1,280	Korea	210	Poland	119	UK	
Bulgaria	42	Georgia	50	Latvia	11	Portugal	47	USA	
Canada	1014	Germany	2,201	Lithuania	49	Romania	564		
Croatia	50	Greece	149	Luxembourg	10	Slovakia	66		
Czech Rep	20	Hungary	140	Macedonia	20	Slovenia	22	Total	

Afghan Forces On Hand	68,431
National Police	48,450
Highway	891
Border Police	3,417
Counter Narcotics Police	150
Subtotal On Hand	52,908
MOD/GS	637
Corps	14,028
Air Corps	0
Intermediate Commands	858
Subtotal On Hand	15,523

Afghan Forces On Hand	45,985
National Police	29,121
Highway	389
Border Police	898
Counter Narcotics Police	54
Subtotal On Hand	30,462
MOD/GS	637
Corps	14,028
Air Corps	0
Intermediate Commands	858
Subtotal On Hand	15,523



Data As of: 22 Nov 04

■ Coalition Forces ■ US Forces ■ Afghan Forces

■ Coalition Forces ■ US Forces

11-L-0559/OSD/45573

~~FOUO~~

November 11, 2004

I-04/015279
ES-1373

TO: Doug Feith
CC: Gen Dick Myers
FROM:
SUBJECT: MoD of Argentina

I spoke to the MoD of Argentina on November 10. He said:

- He looked forward to seeing me in South America this next week
- Argentina wanted to work on exercises with our armies.
- He has instructions to talk to me about what he thinks about the coalition in Haiti.
- He looks forward to talking about our mutual interests in the Hemisphere.

I need to know more information about what he is talking about in terms of exercises - what we've done, what he might want to do - before I meet with him there.

Thanks.

Policy Executive Secretariat Note

November 29, 2004

DHR:dh
111104-30

..... Captain Marriott,

Please respond by 11/13/04

The talking points included in the CY 2004 Defense Ministerial of the Americas OASD/ISA trip book for SecDef's meeting with the Argentine Minister of Defense addressed the snowflake issues.

JR,
June Bartlett

June Bartlett
Deputy Director
Policy Executive Secretariat

~~FOUO~~

12-11-04 P04:47 1#

11-L-0559/OSD/45574

OSD 19143-04

Argentina

29 nov 04

11 nov 04

~~FOR OFFICIAL USE ONLY~~

TALKING POINTS FOR ARGENTINA

Bilateral with **Mr. Jose Pampuro, Minister of Defense**
Addressed as: **Mr. Minister PAMPURO** [pronounced "pahm-POO-row"]
16 November 2004, 2:00-2:30 PM

- Your troops (640 in flood-wrecked Gonaives) are performing admirably in Haiti.
 - They persevered in their security mission, even though they lost all their personal effects in the flood and were up to their waists in mud.
- I am keeping an eye on Haiti. It's bleak, and seems to be deteriorating.
 - MG Lugani [chief of the Argentine contingent + Deputy Commander of the UN force, MINUSTAH] impressed the team I sent to Haiti.
 - My team recommended we try to help MINUSTAH with information and in improving situational awareness. That sounds like a good idea.
 - I expect GEN Craddock will visit Haiti shortly. We also plan to send a NEW HORIZONS humanitarian engineering exercise in February.
 - The UN ought to hurry up and get all the forces promised in place (6,700 troops authorized, 3,100 in place). It is hard to see how the Government can govern if MINUSTAH doesn't have troops to provide basic security.
 - Reconstituting the Haitian Army is a bad idea. And integrating ex-military into the police may create more problems than it solves, unless very stringent conditions can be met. MINUSTAH's job is to provide security while the police are rebuilt.
 - There are two Haiti scenarios of especial concern to the US: 1) a humanitarian crisis, such as mass starvation or massacres, and 2) a mass migration.
- Our countries have a strong military-to-military relationship based on peacekeeping.
 - At the 2002 Santiago ministers meeting, I proposed working with Latin America to build up regional peacekeeping capabilities.
 - We are building this idea into a global approach (GPOI).
- I appreciate your personal efforts to get legislation so U.S. servicemen have immunities while on exercises in Argentina.

Argentina

29 Nov 04

11 Nov 04

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/45575

~~FOR OFFICIAL USE ONLY~~

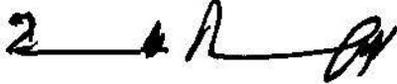
- I know it's a tough sell...not to mention Article 98.
- But it would be a shame if exercises such as UNITAS fell by the wayside because of this. We want to keep working with Argentina.
- I hear MERCOSUR is discussing ideas for a new regional security arrangement.
 - The Central Americans are making strides with their arrangement, the Conference of Central American Armed Forces. SOUTHCOM is an observer, and we've been able to support that effort.
 - Where do you see this heading?
 - Might such a regional arrangement provide the political cover to seek temporary immunities for US troops in countries with no Article 98?
- A new priority for us is science and technology cooperation with the Southern Cone.
 - GEN Kern just visited the new Army Material Command science office in Buenos Aires. I have high hopes for it. This is good for both countries.
 - Our new Office of Naval Research bureau in Chile has only been up a year and is already delivering interesting results.
- What are your thoughts for the Ministerial?
 - I have heard from many of our colleagues about their concern over the nexus between terrorists, drugs, and organized crime gangs.
 - In Quito, I intend to highlight the importance of clearly *defining and coordinating* the roles of military and law enforcement.
 - I understand Colombia will have the same message
- Without clear responsibilities and good coordination, you risk leaving seams that terrorists, traffickers, and criminal gangs can exploit.

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/45576

December 1, 2004

TO: President George W. Bush

FROM: Donald Rumsfeld 

SUBJECT: A Patriot

Mr. President—

You'll want to read this about Mayor Daley's son, Patrick. As you will note, he is a supporter of yours and says it right out to the press!

Respectfully,

Attach.

Sneed, Michael. "He Wants to Serve His Country," *Chicago Sun-Times*, November 30, 2004

DHR:dh
120104-5

3355D

1 Dec 04

OSD 19216-04

11-L-0559/OSD/45577

Chicago Sun-Times
November 30, 2004

'He Wants To Serve His Country'

By Michael Sneed, Sun-Times Columnist

Mayor Daley's only son, Patrick, has joined the Army during a time of war.

He reports to active duty as an enlisted soldier in the Army's regular airborne infantry.

His activation date: between Christmas and New Year's. His destination: presumably North Carolina's Ft. Bragg. His final destination? It could lead him to Iraq or Afghanistan within a year.

"He wants to serve his country," said a Sneed source, "He's a patriot. It's just that it's a pretty dangerous time to be doing so. His father is very proud but his mother, Maggie, is nervous as any mother would be. It's a pretty honorable thing to sign up in a time of war."

Earned MBA

In an exclusive interview with the Sun-Times, Patrick Daley -- who recently graduated with honors from the University of Chicago's MBA program and could have pursued lucrative job offers -- told Sneed why he made the decision.

"It's been in the back of my mind for some time," said Patrick Daley, one of Mayor Daley's four children, including Nora, Elizabeth and a second son, Kevin, who died. "I left West Point during my freshman year when I was 18 years old and always remembered their motto, 'Duty, Honor and Country.' But I was so young and not really old enough to understand what it really meant. But I know now.

"I suppose when you're 18 years old -- as I was at West Point -- you're selfish and I didn't want to devote 10 years to an uncertain future. It took me a while to learn that there's also a virtue in selflessness. And I believe that virtue is to serve your country. And the values of West Point are still with me."

So what turned him around?

"I suppose you could say that one defining moment was Sept. 11 and the nightmare at the World Trade Center. I had flown into New York the night before because I had worked there for Bear Stearns. But I was frustrated, I didn't know how I could help. I didn't know what I could do, so I gave blood and volunteered at a hospital.

Decided in grad school

"But it was really last fall when I decided I wanted to serve my country by joining the military. It wasn't that anything special was happening. I was still in graduate school. But it had always been in the back of my mind. And before I knew it, it was in the forefront. I graduated from the University of Chicago in June and could have gone into investment banking or private equity, but it didn't surprise anyone when I told my close friends I wanted to join the military.

"I'm 29 and on the old side to go into the military but not too old."

11-L-0559/OSD/45578

Patrick Daley's father and uncles were young men during the Vietnam War. "Although my family has a history of serving in the military reserve, I will be the first person in my family to go active."

Patrick Daley decided to enlist rather than enter service through officers training.

"In the military, doors go up and out rather than down," he said. "It's a close bet that I may make a career out of the military, and it's better to start at the bottom. But I can tell you one thing: My family wasn't surprised."

So did Patrick Daley have the biggest collection of G.I. Joes? Was he a big fan of war movies? Did he play soldier as a kid? "I suppose some of that is true, but I will tell you that I always enjoyed military history," said Patrick Daley, who graduated from Mount Carmel High School before finishing his undergraduate degree at the University of Illinois.

It's no secret among Patrick Daley's close friends that he was a big supporter of President Bush. "Well, that's true," he said. "I just hope that I can be of service."

So is he scared?

"Look. I have friends in Iraq and Afghanistan. They tell me it isn't as bad as you read in the press, that much in those countries is working and that we are making progress."

Mayor supportive

So how do his parents feel?

"Dad is very supportive and mom is doing just what mothers are supposed to do, worrying about her son."

In the end, Patrick Daley found a way to fulfill his view of public service. "There are many paths of service -- policeman, fireman, political and the military -- but it's an all-volunteer era. I've always wanted to find a way to serve . . . just like my grandfather and my father. Think of it. It's amazing. I get to serve my country."

December 1, 2004

TO: Stephen J. Hadley

FROM: Donald Rumsfeld *DR*

SUBJECT: Broadcasting

Someone ought to take a look at the Broadcasting Board of Governors and the International Broadcasting Bureau.

My impression is that it gets money from Congress, but it is deadlocked and not functioning well. Apparently, it is a free-standing agency assigned to work on an important matter. Is anyone paying attention to it?

What do you think?

Thanks.

DHR:dh
120104-13

080

1 Dec 04

file

~~SECRET ATTACHMENT~~

August 27, 2004

Afghanistan

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Afghanistan Update Brief

We probably ought to update this Afghanistan Strategic Update brief. After I receive an updated version, we ought to plan to give it to the President, the PC or an NSC at some point.

Thanks.

Attach.
8/23/04 Afghanistan Strategic Update *(cover page only)*

DR 8/30
8/30

DHR.dh
082704-12 (is computer).doc

Please respond by 9/10/04

SIR

*Gen Barro
will brief
Wed 1 Sept.
Ready after
that to
send over
if you approve.*

~~SECRET ATTACHMENT~~

VIR
Jr

27 AUG 04

~~SECRET ATTACHMENT~~

August 27, 2004

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Afghanistan Update Brief

We probably ought to update this Afghanistan Strategic Update brief. After I receive an updated version, we ought to plan to give it to the President, the PC or an NSC at some point.

Thanks.

Attach:
8/23/04 Afghanistan Strategic Update *(cover page only)*

DHR.db
082704-12 (is computer).doc

.....
Please respond by 9/10/04

~~SECRET ATTACHMENT~~

11-L-0559/OSD/45582



~~SECRET//REL OCTF~~

AFGHANISTAN STRATEGIC UPDATE



23 August 2004

~~SECRET//REL OCTF~~

FOUO

FOUO

August 13, 2004

TO: Paul Butler
FROM: Donald Rumsfeld *DR*
SUBJECT: Thank You Note for Mosaic

8/14
v/r
[Signature]

Tunisia

We received quite a large mosaic as a gift, but I don't remember who gave it to me. It was not from this recent trip, but I believe it was from someone in the US. It was not presented to me by the person directly, because it would not fit on the plane.

I would like to see the thank you letter that was prepared. If it isn't good enough, I want to dictate another one.

Thanks.

DHR:dh
081304-2 (is computer) doc

.....
Please respond by 8/18/04

FOUO

DD 8/18

Sir,
Thank you letter
attached.

v/r,
Lt Col Greg Longyel
8/16

13 AUG 04

OSD 19273-04

11-L-0559/OSD/45584

PRO



THE SECRETARY OF DEFENSE
WASHINGTON

APR 5 2004

His Excellency Dali Jazi
Minister of National Defense
Republic of Tunisia

Dear Mr. Minister:

I enjoyed our recent meeting at the Pentagon and I look forward to continued cooperation between our two countries.

The beautiful mosaic arrived in perfect condition, and I do thank you for presenting me with such a memorable gift.

Thank you as well for the nice medallion and the book, Mosaics of Roman Tunisia. You were very kind to remember me with such thoughtful gifts.

With best wishes,

Sincerely,

A handwritten signature in black ink, appearing to be "R. M. ...".

OSD 04852-04

August 9, 2004

333

TO: Gen. Dick Myers
Paul Wolfowitz
Gen. Pete Pace

FROM: Donald Rumsfeld *DR*

SUBJECT: Travel

I would like you folks to limit travel for the period ahead.

We have a lot of things we need to get done and that need senior level thought and attention if we are going to get closure on them. It concerns me that so many of the four of us are gone so often.

Thanks.

DHR:dh
080904-4



Please respond by _____

9 AUG 04

August 2, 2004

TO: Paul Butler
VADM Jim Stavridis

FROM: Donald Rumsfeld *DR*

SUBJECT: Force Deployment Rules

IRAQ

Please set a meeting with Myers, Pace, Chu, Abell, Schoomaker and Brownlee to discuss this memo from David Chu.

Thanks.

Attach.

7/30/04 ASD(P&R) memo to SecDef re: Force Deployment Rules for Operations IRAQI
FREEDOM AND ENDURING FREEDOM

DHR:dh
080204-1

.....
Please respond by 8/5/04

2 AUG 04



PERSONNEL AND READINESS

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

MTA



06-812

ACTION MEMO

July 30, 2004, 1300

FOR: SECRETARY OF DEFENSE

FROM: UNDER SECRETARY OF DEFENSE, PERSONNEL AND READINESS

SUBJECT: Force Deployment Rules for Operations IRAQI FREEDOM and ENDURING FREEDOM

Donald C. ... 30 July 04

The following summarizes for the deployment rules used to source active duty and reserve forces.

Active Component Forces

- Dwell Time: a minimum 1:1 ratio of deployed time (in support of any contingency operation) to home station time. Whenever possible, forces are chosen based upon longest dwell time.
- Forces assigned to other Combatant Commanders may be used if risk is acceptable.
- Units will deploy at required readiness levels.
 - Units with less than required readiness ratings may be used if required training can be accomplished, or the unit can be cross-leveled with appropriate personnel and equipment.
- Time in theater guidelines differ for each Service.
 - Army: Units (not soldiers) will serve one-year boots on the ground (BOG). BOG is defined as when the main body of the unit (not individuals) arrives in the OIF/OEF AOR (e.g., arrival in Kuwait). The Joint Staff has defined BOG as "the window of time a unit (main body) physically arrives in theater until the window of time the unit physically departs the theater."
 - Marine Corps: Marine units below Regimental/Group level deploy for seven months. Regimental/Group Headquarters and above deploy for twelve months. The Marines volunteer their OIF/OEF forces as a "surge" capability if the on-ground situation requires more forces.

Don't

3

what good is it?

Phasing ahead

?



- o Air Force: The Air Force rotates personnel in accordance with its Air Expeditionary Force (AEF) cycle. Beginning September 2004, the baseline deployment will be 120 days in a 20-month cycle. Each Airman deploys only once during a cycle, although some stressed specialties will deploy longer, and in greater frequency. Some deployment rules have been modified at the unit level to increase volunteerism or provide stability in key missions, (e.g. senior personnel rotations in the Combined Air Operations Center are for 1 year).
- o Navy: The Fleet Response Plan (FRP), calls for surge capability to meet global requirements while moving away from traditional scheduled/longer deployments. Currently, CNO deployment goals are 6 months portal to portal with 12 months in a non-deployed status.

- Alternative sourcing is considered before re-deploying active forces in violation of above criteria or service guidelines. Options include:
 - o Can COCOM handle the task with forces already in country, with a gap?
 - o Can the in-country force be extended without violating "boots on ground" criteria?
 - o Can host nation (Iraqi/Afghani) and coalition support be used? *— other assets.*
 - o Can the duty be outsourced and supported by a contractor? *+*
 - o Can similar specialties from other Services support the requirement? *+*
 - o Can other geographic Commanders' forces be used without undue risk? *+*
- Low Density/High Demand (LD/HD) assets are closely managed under the Global Military Force Policy to preserve their capability to respond to emerging crises. Before an asset is tasked above levels sustainable without significant adverse effects, Joint Staff asks:
 - o Can another asset be substituted or lower-priority/exercises joint experiments be cancelled?
 - o Can a Prepare to Deploy Order (PTDO) minimize excessive deployments, while maintaining home-station training?
 - o Can the asset support one AOR, but be quickly re-rolled into another AOR during a crisis?

Reserve Component Forces

- Activate Reserve component forces only after determining that it is both prudent and judicious to do so.
 - o Voluntary duty – no restrictions on tour duration.
 - o Involuntary duty – maximum of 24 cumulative months.
- Involuntarily recalling the Individual Ready Reserve only after considering Selected Reserve members & volunteers.

*over 1 year
by A
1 year*

file

August 2, 2004

TO: Steve Cambone
FROM: Donald Rumsfeld TA
SUBJECT: Guidelines for Agency Review

J 8/4

040 CIA

Have you ever heard of this set of guidelines for handling CIA review of our speeches and papers?

Thanks.

Attach.
7-04 Guidelines for Handling External Request for Agency Review of Speeches and Papers

DHR:dh
080204-3

.....
Please respond by _____

AUG 4 2004

Sir -

This is part of the normal process for clearing "ORCON" information.

It does not represent a change.

SC

8/5

2 AUG 04

Guidelines for Handling External Requests for Agency Review of Speeches and Papers (U)

Last January, we formalized and implemented policy and procedures on how to handle requests for Agency clearance of official speeches and other draft papers. We have just completed a six-month review to adjust and validate the procedures and will soon be ready to release some updated guidance. However, the basic tenets of the guidance will remain the same, and this is a good time to issue a reminder. It is important to remember that a request is looking for Agency clearance and not personal opinion. It is imperative that we get each request into the Agency process. Each of us has a responsibility to ensure that every request is vetted properly. We have asked our customers to send requests via the DCI Operations Center; however, that has not always been the case, and some requests have been submitted directly to Agency officers. If such a request comes to you, you are responsible for getting it into the proper process—via the DCI Operations Center. If a request seems unusual or out of the ordinary, please make sure that you inform your chain of command.

If asked by senior government officials—Undersecretary and above—to review speeches or other draft papers to be placed in the public domain, the following procedures must be adhered to:

- Immediately contact the EA/DDI via the DCI Operations Center (b)(6) that a request has been submitted for formal review of a speech or article.
- Provide a copy of the draft to the DCI Operations Center for appropriate distribution and documentation.
- The official Agency response to the request will be prepared by the EA/DDI, in conjunction with the on-duty EA/DDO, and passed to the requester via the DCI Operations Center with a file copy to the DAC.
- The officer receiving the request should not provide the Agency response.

UNCLASSIFIED

395694ID 7-04

file

August 2, 2004

I-04/010 376
ES-0326

TO: Doug Feith
CC: Paul Wolfowitz
FROM: Donald Rumsfeld
SUBJECT: Drug Problem in Afghanistan

Afghanistan

Let's get a major plan going for the drug problem in Afghanistan

Thanks.

DHR:dh
080204-5

.....
Please respond by 8/30/04

J 8/4
↓

8/3/04 Det 8/5

→ SD

The draft Afghanistan Strategic Review briefing I gave you addresses the drug problem and its connection with warlords, border security, customs collection, terrorism and other problems. I did the briefing together with Pace and Sharp and Barne is developing it further.
Doug Feith

2 Aug 04

→ To SecDef
From Paul Butler
FYI we have another SUTC for the Afghan briefing on Thursday 8/5.

FOUO

file

August 2, 2004

TO: Paul McHale
 VADM Jim Stavridis

CC: Doug Feith

FROM: Donald Rumsfeld *DR*

SUBJECT: Wiring for Homeland Security Council to OSD

311

I don't know what the problem is, but I am disconnected from the Department of Homeland Security and from the Homeland Security Council. The National Security Council knows that I am the member of the NSC, that it is my office that should get contacted, and that we decide in my office who will participate in the meetings.

But with respect to Homeland Security Council and the Department of Homeland Security, we have gotten off on a different foot. Everyone thinks it is Paul McHale who is the member of the Council, and we never even get notified or copied.

I want to end it immediately. Something is fundamentally wrong with the system. I want somebody to take the time to contact those people, talk to them, get their systems changed, and get it completely reversed, so that the principal point of contact in the Department of Defense is my office. I would like a report back no later than tomorrow when that has happened—that the rewiring has taken place for documents, phone calls, SVTC, meetings, whatever.

Thanks.

Answer below

VR Jim

DHR:dh
080204-6

Please respond by

8/3/04

~~FOUO~~

2A9904

TO: SECDEF

3 August 2004

FROM: VADM JIM STAVRIDIS

SUBJ: HOMELAND SECURITY CONNECTION

1. Sir, on the general issue of DoD connectivity to DHS and the HSC, Paul McHale and I have met and are working all our contacts to ensure full connectivity at the appropriate level – decided by YOU – in future interactions. **We have strongly emphasized that our office is the principal point of contact in DoD for all documents, phone calls, SVTC, and meetings. Both HSC and DHS have acknowledged this.** We've also emphasized the need for advance notice!
 - a. I called Dr. Hadley's office and clarified it with them.
 - b. Paul has called Fran Townsend and clarified it with her. He has also spoken with the new Deputy at Homeland Security Council, Mr. Rapuano. Everyone is very clear on the need to loop DoD in general and you in particular up front so we make conscious and correct decisions about who is participating in any given interaction.
2. On the specific issue of the call on Saturday to which you were added late, there were two problems:
 - a. HLS began the call at 1600, but did not request DoD participation until 1620. This issue of late notification will be addressed by the measures above.
 - b. We did experience some communication issues in hooking you into the call once it was clear what was going on. There were difficulties with a cell phone carried by Mr. Cirrelli. I've personally met with Cables and Communication folks to ensure there will not be any repetition.
3. I'm confident this will not be a problem in the future, and Paul and I are tracking closely to ensure it runs smoothly.

V/R Jim

11-L-0559/OSD/45595

August 3, 2004

TO: Paul Butler
VADM Jim Stavridis

CC: Doug Feith

FROM: Donald Rumsfeld *DR.*

SUBJECT: Drugs in Afghanistan

I would like to have a meeting with Mary Beth Long and Doug Feith to talk about drugs in Afghanistan.

Please make a note that when I go to Afghanistan, one of the things I want to focus on is the drug situation, what we are doing and why we aren't doing more.

Thanks.

DIIR:dh
080304-15

.....
Please respond by 8/9/04

Afghanistan

3 Aug 04

August 4, 2004

TO: Larry Di Rita
FROM: Donald Rumsfeld *DR*
SUBJECT: Article

Please get this entire article from the August 9 issue of **New York** magazine.

Thanks.

Attach.
Mailer, Norman. **New York** magazine, August 9, 2004, p. 34-35

DHR:dh
080404-2

.....
Please respond by _____

000,750

4 AUG 04

Mary A. Marshall

(b)(6)

Telephone (b)(6)
Facsimile

000.750

DATE: 8/3

TIME:

TO: Joyce
FROM: Mary MARSHALL

(b)(6)

NUMBER OF PAGES (INCLUDING THIS PAGE)

3

Subject: Woman Mauer

I don't know if you've seen this yet but it is just a statement from an icon of the left + other fringe people.

If he were in a restaurant with you + Dan he would walk over + shake his hand.

4 Aug 01

more to take over the world with military force.

NM Can it be that Iraq is telling us as much?

JBM Let's go back to why the Republicans selected New York for the convention. Do you think they still have hopes of cashing in on the memory of 9/11?

NH A couple of years ago, New York may have seemed like the perfect place to go; the event had been so traumatic. And there is a large political profit in offering emotional closure to a national nightmare like the fall of the Twin Towers. Nine-eleven felled the two most opalescent pillars of the American economy. It also attacked the implicit assumption that if you worked for the corporation, you were part of a new upper class. To offer an analogy, let us suppose that in the seventeenth century, Versailles had been razed and sacked overnight by latter-day Huns. France would have been emotionally gutted. So it was with us. After all, those Twin Towers spoke of America's phallic hegemony in the world even as Versailles declared the divine right of kings.

an American male felt gelded by the event. Equally, the average American housewife was desolated by the terrifying possibility that one could work for years to build a family and lose it all in an hour. How could the Republicans not choose New York as the place to hold their convention? Given the heroic deaths of the New York firemen and police, the site will also appeal to working-class votes. The Republicans will certainly not fail to make the connection that the protesters are besmirching the memory of 9/11. But a couple of years have gone by, and we've also learned that there are a few things wrong about the picture we've had of 9/11. A new set of conspiracy theories are building. There are just too many facts that are not readily explicable.

Maier and John
Buffalo at a
summer rental in
Maine, in 1979.



* —

**Rumsfeld
is the only one
of that coven
I'd call an
honorable man.
Of that whole
gang, he's
the only one
who seems
real to me.**

There may well be room after the convention for the protest movement to look into 9/11 with some critical incisiveness. I am no longer a conspiratorialist—I spent too many years wandering around in the byways of the Warren Report. But there are elements here which are not easy to explain. I don't believe for a moment there was direct complicity. In America, we don't go in as yet for major political coups—there's too much to lose for the powers that be, and we are still a democratic society. But there may have been a sentiment in the administration—let them scream and squeal over this one—that maybe the worst thing in the world might not be that we suffer a disaster. Pearl Harbor, after all, galvanized America. Without Pearl Harbor, we might never have been able to go to war in the company of the Russians. Indeed, Roosevelt was accused of knowing about Pearl Harbor in advance and welcoming it. Well, I wouldn't go that far. I don't think the administration knew that the World Trade Center was going to be attacked. Still, some odd things did happen that day. Immensely odd. There was more than unbelievable inefficiency. I don't know that the 9/11 Commission did all they could with that. They were determined, after all, to bring in a unanimous report. That always means that the radical ends are cutoff. It's like playing poker without the aces, kings, and queens, the twos, threes, and the fours.

JBM What happens if there's a terrorist attack between now and the election?

NM I don't know whether it'll benefit Kerry or Bush. That's hard to decide. Bush has been saying to America: "I've made America more secure. I've made America safer." He could be hurt badly by a large attack. On the other hand, there is a knee-jerk reflex in Americans to rally behind the president when there's a catastrophe. So, I can't pretend to know the answer.

JBM Starting with the WTO protest in Seattle in '99, a culture has formed around the anti-corporate, anti-globalization, anti-Bush movement. Where do you think it's going? Where should it go?

NM A good many people of the right, not flag conservatives but true conservatives, can feel in accord with men and women on the left concerning one deep feeling, it is that the corporations are stifling our lives. Not only economically, where corporations can claim, arguably, that they bring prosperity (and frankly, I'm certainly not schooled enough in economics to argue that point pro or con), but I can say the corporation is bad for us aesthetically speaking, culturally speaking, spiritually speaking. Just contemplate their massive empty architecture, their massive emphasis on TV commercials, which are a

PHOTOGRAPH BY OGDON ON RESS IMAGES

faces,

existential

exception, oddly enough, and by this I'll probably antagonize a good many people, is Donald Rumsfeld. Of that whole gang,

anything, but he does believe in what he says. It isn't as if he searches for the most useful response he can come up with at the moment, to wield or save his power. He's interested in his ideas first. The power is subservient to the ideas.

JBM What makes you say that?

NM Because he's real. He reacts. He doesn't weigh his words. If something makes him angry, he's angry. If something pleases him, he smiles. If he has doubts about how the situation is going, he expresses those doubts. In that sense, he's the only one of that coven I'd call an honorable man. Let me emphasize: I can disagree totally with people I consider honorable. But never have I seen an administration that has had,

products for the same real money.

JBM Well, I agree we're fighting a spiritual war against the corporation. And

make sure you have jobs and food." What they're offering is stability. What we're offering is a deeper quality of life.

NM To win this war will take at least 50 years and a profound revolution in American values. We'd have to get away from manipulation. What we've got now is a species of economic, political, and spiritual brainwashing, vastly superior to the old Soviets, who were endlessly crude in their attempts. Our governmental and corporate leaders are much more subtle. Remember years ago, when you were around 15, you were wearing a shirt that said "stress" on it? And I said, "Not only do you spend money to buy the shirt, but you also advertise the company that sold it to you." And you said,

"Dad, the were

empire-building. He had nothing to offer but world conquest. So, if he's reelected, what will he do if things remain bad in Iraq? You'll look back on the Patriot Act as being liberal and gentle.

JBM I will never look back on the Patriot Act as being liberal and gentle. While the protests will not have a direct, political gain—

NM You agree with me on that?

JBM Yes, I feel confident in saying that given the parameters of how we will be allowed to protest, I don't see any way it could have a direct political gain. However, I do feel that when you're out there, and see all the different types of people who have come together—particularly now with the mixture of groups that will be there—you do get a sense that the spiritual revolution may be awakening. And that's the only hope, I believe, against the total corporatization of America.

NM All right, but if we lose the election, it's going to be a very expensive spiritual education. I would be much happier if the protest movements could spread their activities over the next four years. I don't have a great deal of hope that most of the people involved are really thinking of this election so much as expressing the need to vent, to gain some self-therapy, and to express their outrage at what's been done to them, plus their need to gain power in the counterculture. There's all sorts of motives, some noble, some meretricious. But it's a poor time to exercise our most dramatic democratic privileges. What we do have over all the years to come is the confidence that we breathe a cleaner spiritual air than the greedbags who run our country, and so it is not impossible that over decades to come, much that we believe in will yet come to be. But I do not wish to end on so sweet and positive a note. It is better to remind ourselves that wisdom is ready to reach us from the most unexpected quarters. Here, I quote from a man who became wise a little too late in life:

"Naturally, the common people don't want war, but after all, it is the leaders of a country who determine the policy, and it is always a simple matter to drag the people along, whether it is a democracy, or a fascist dictatorship, or a parliament, or a communist dictatorship. Voice or no voice, the people can always be brought to the bidding of the leaders. This is easy. All you have to do is tell them they are being attacked, and denounce the pacifists for lack of patriotism and exposing the country to danger. It works the same in every country."

That was Hermann Goering speaking at the Nuremberg trials after World War II. It is one thing to be forewarned. Will we ever be forearmed?

August 4, 2004

TO: ADM Vern Clark
cc: Gen. Dick Myers
Gordon England
FROM: Donald Rumsfeld *[Signature]*
SUBJECT: Navy's Initiatives

Attached is an op-ed by Peter Brookes. It looks to me to be an interesting laydown.

I have not sent the President anything that describes what you have been doing. Do you have a brief paper you think would be appropriate for me to send him?

Thanks.

Attach.
Brookes, Peter. "Show of Force." *New York Post*, August 2, 2004, p. 34-35

DHR:dh
080404-3

.....
Please respond by _____

S60.1

4 Aug 04

New York Post
August 2, 2004

Show Of Force

By Peter Brookes

Seven American aircraft-carrier strike groups are plying the world's seven seas right now in one of the biggest military exercises since the end of the Cold War.

Officially, it's the first test of the Navy's new strategy, the Fleet Response Plan (FRP). Unofficially, it puts America's potential foes on notice: The U.S. Army may be stretched pretty thin at the moment — but the U.S. Navy isn't.

It's a bold statement of U.S. power reminiscent of one President Teddy Roosevelt sent in 1907 — the two-year global circumnavigation by the Great White Fleet.

Each carrier strike group (CSG) includes one carrier with 75 aircraft, 4 combat ships, a submarine, cruise missiles and 6,500 sailors. No other nation can put to sea — anywhere on earth — such an incredible display of military might.

With China holding its yearly war games off Taiwan, Iran cracking open U.N.-sealed nuclear facilities and North Korea's continued belligerent nuclear blustering, the exercise, Summer Pulse '04, couldn't come at a more important time.

This exercise is extraordinary. Rarely does the U.S. have more than two of its 12 carriers at sea at any one time. That's because American carriers operate on a two-year cycle — six months at sea, followed by 18 months in the shipyards in overhaul and in training for its next deployment.

Under the Navy's new strategy, the smaller, more responsive CSG has replaced the vaunted, behemoth aircraft-carrier battle group (which consisted of one carrier, 10 to 15 ships and subs and 10,000 sailors) as the Navy's core carrier unit.

The Pentagon wants to be able to send six CSGs anywhere in the world in less than 30 days. Moreover, it plans to have two more CSGs ready within another 90 days to reinforce the first six carriers or relieve two of them.

(Six aircraft carriers — at a minimum — would be needed for a China-Taiwan contingency or a second Korean war.)

But there's more to it than sending 45,000 sailors to sea for the summer, giving a sea trial to the new strategy or sending a shot across the bow of potential troublemakers:

Reassuring Friends and Allies: One of the biggest concerns among America's partners is that U.S. military might is over-committed and unavailable if big trouble breaks out beyond Iraq or Afghanistan. Could America's involvement in the Middle East and South Asia encourage North Korea to invade South Korea or China to coerce Taiwan?

To dispel these fears, the Navy will operate with friends and allies from the Americas, Europe, Africa,

11-L-0559/OSD/45602

Australia and Asia during this groundbreaking exercise. In July, for instance, the USS Enterprise and USS Truman CSGs operated off the coast of Morocco with 10 other nations in a smaller exercise, Majestic Eagle '04.

Reviving Preemption: Some have suggested that the idea of preemption died with the revelation of the intelligence failures over 9/11 and Iraqi WMD. But word that the arrow of preemption has vanished from our quiver is *just* the thing our enemies, especially the terrorists, want to hear.

America must be able to strike first.

Of course, accurate intelligence is a must, but it makes no sense for this nation to take the first punch like we did on 9/11. Being able to muster the power of several aircraft carrier task forces at almost a moment's notice is a tremendous complication and deterrence to those who threaten us.

The aircraft carrier provides America's policymakers with 90,000 tons of cold-steel U.S. diplomacy. Without firing a single shot, the presence of 4.5 acres of floating, sovereign American territory off the coast has made more than one foreign leader think twice about acting foolishly. At the onset of international crises, American presidents often utter the worried words, "Where are the carriers?"

The Navy's forward-leaning FRP gives the commander-in-chief the opportunity to have naval forces available more rapidly than ever before. And though this great nation should always be slow to war, when the president needs a big stick, it's good to know the carriers will be there.

Peter Brookes, a Heritage Foundation senior fellow, is a Naval Academy grad.

11-L-0559/OSD/45603

file

August 4, 2004

TO: Steve Cambone
cc: Paul Butler
FROM: Donald Rumsfeld 
SUBJECT: Formers

8/8/9

640

I want to think about having the former directors of the NSA, NRO, DIA and NGA in to talk about intelligence.

Please get me a list of the last four or five in each of those categories, and let me look at them.

Thanks.

DHR:dh
080404-12

.....
Please respond by 8/13/04

AUG 6 2004

Six-
See attached.

 8/30



4 Aug 04

Erin,

Here is the requested information re: the last five former Directors of NSA. E-mail addresses were not currently available.

Lt Gen Kenneth A. Minihan, USAF (Ret)

(b)(6)

VADM John M. McConnell, USN (Ret)

(b)(6)

ADM William O. Studeman, USN (Ret)

(b)(6)

LTG William E. Odom, USA (Ret)

(b)(6)

Lt Gen Lincoln D. Faurer, USAF (Ret)

(b)(6)

Former Directors of the NRO

The Honorable Robert J. Hermann (Dr.)

(b)(6)

The Honorable Edward C. (Pete) Aldridge, Jr.

(b)(6)

The Honorable Martin C. Faga

(b)(6)

The Honorable Jeffrey K. Harris

(b)(6)

The Honorable Keith R. Hall

(b)(6)

The Honorable Peter B. Teets (current)

DIA FORMER DIRECTORS
as of 9 Jun 2004

LTG HARRY E. (ED) SOYSTER, USA

(b)(6)

Home: (b)(6)

INCUMBENCY: December 1988 - September 1991

LT GEN JAMES R. CLAPPER, JR., USAF

(b)(6)

Work: (b)(6) Director, NIMA as of 13 September 2001)

Home: (b)(6)

INCUMBENCY: 18 November 1991 - 31 August 1995

LT GEN KENNETH A. MINIHAN, USAF

(b)(6)

INCUMBENCY: 1 September 1995 - 15 February 1996

Home: (b)(6)

LTG PATRICK M. HUGHES, USA

(b)(6)

INCUMBENCY: 16 February 1999 - 27 July 1999

Home: (b)(6)

Office: (b)(6)

VICE ADMIRAL THOMAS R. WILSON, USN

(b)(6)

INCUMBENCY: 27 July 1999 - 19 July 2002

Home: (b)(6)

(b)(6)

Home: (b)(6)

(b)(6)

NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY

DATE:

DIRECTOR'S OFFICE

5 Aug 04

Mr. Redmond, next under are the names of the two former directors of NIMA, including their addresses and phone numbers as requested:

RADM J. J. "Jack" Dantone, USN (Ret)

(b)(6)

(H) (b)(6)
(C) (b)(6)

LTG James C. King, USA (Ret)

(b)(6)

(H) (b)(6)
Cell: (b)(6)

NPIC

Ms. Nancy Bone

(b)(6)

(H) (b)(6)

Mr. Leo Hazlewood

(b)(6)

(H) (b)(6)

Mr. Frank Ruocco

(b)(6)

No Phone Listed

DMA

RADM J. J. "Jack" Dantone, USN (Ret)

(b)(6)

(H) (b)(6)

Maj. Gen. Philip W. Nuber, USAF (Ret)

(b)(6)

(H) (b)(6)

Maj. Gen. Raymond E. O'Mara, USAF (Ret)

(b)(6)

(H) (b)(6)

~~UNCLASSIFIED//FOUO~~

720
FOUO

August 5, 2004

TO: Gen. Dick Myers
CC: Doug Feith
FROM: Donald Rumsfeld *DR.*
SUBJECT: Offer from Georgia

The President of Georgia mentioned the possibility of Georgian troops working with Azerbaijan and Ukraine to protect UN personnel in Iraq.

Thanks.

DHR:dh
080504-3

.....
Please respond by _____

Georgia

5 Aug 04

FOUO

OSD 19288-04

11-L-0559/OSD/45609

214
6800

FOUO

R&N

August 5, 2004
I-04/010495
ES-0351

TO: Larry Di Rita
Andy Hoehn
CC: Doug Feith
Ryan Henry
FROM: Donald Rumsfeld *DR*
SUBJECT: POTUS and Global Posture Review

Exec Sec
Please close out this snowflake.
Paul Butler
8/11

320.2 Strategic

The White House is thinking about the possibility of the President talking a bit about the Global Posture Review. The emphasis very likely would be on two things:

1. The good things that accrue to our troops in terms of strain on families and the like.
2. The improved relationships with allies.

We may be getting asked to provide some assistance in that regard.

Thanks.

DHR:dh
080504-7

8/5/04

Please respond by _____

→SD

There's a trove of good material for the President in this field. Hoehn and I can help and will work with D.Rita.

5 Aug 04

FOUO

Doug Feith

OSD 19289-04

11-L-0559/OSD/45610

(b)(6)

(b)(6)

~~FOUO~~

file

SPS 08/14

August 5, 2004

I-02/010495

ES-0351

TO: Larry Di Rita
 Andy Hoehn

CC: Doug Feith
 Ryan Henry

FROM: Donald Rumsfeld *DR*

SUBJECT: POTUS and Global Posture Review

J 8/12
Good words
From Andy
Hoehn
(what

The White House is thinking about the possibility of the President talking a bit about *the* Global Posture Review. The emphasis very likely would be on two things:

1. The good things that accrue to our troops in terms of strain on families and the like.
2. The improved relationships with allies.

a superstar

Pushing this out

+

VR

Ji

We may be getting asked to provide some assistance in that regard.

Thanks.

DHR:dh
080304-7

.....
Please respond by _____

AUG 12 2004

SecDef:

I provided inputs to Marc Thiessen, including your statements over the last year. A draft from Marc is attached. Steve Hadley will circulate the whole text shortly.

Andy Hoehn

FOUO

To prepare for the future, we are also working with allies across the world to restructure our global force posture – the numbers, types, locations and capabilities of U.S. forces around the world. Since the end of the Cold War, our forces have essentially remained where they were stationed during the Cold War. We need to rearrange our forces, so they are positioned to deal with the less predictable dangers of the 21st century – the threats of terrorism, rogue states and weapons of mass destruction.

That is why, over the coming decade, we are going to bring home many of the heavy, legacy forces of the Cold War era, while deploying lighter, more flexible, and rapidly deployable forces across the world. We will also move our troops closer to the places where they are likely to fight, instead of the places where the wars of the last century ended. We will position them so they can surge quickly to deal with unexpected threats. And we will take advantage of 21st century military technologies to reduce the number of U.S. forces stationed at overseas bases, while deploying increased combat power in every region of the world. Today, when one high-tech ship or tank or weapon can deliver the same combat power that once required ten ships or tanks or weapons, it is no longer relevant to measure America's commitment by counting numbers of troops and equipment in a particular country or region.

These changes in our force posture will allow us to strengthen existing alliances, while giving us the opportunity to build new partnerships with countries that are eager to work with U.S. forces and increase cooperation with our military. They will also reduce the stress on our troops, and on military families. Under the plan I am announcing today, we will bring home nearly 70,000 uniformed personnel, and nearly 100,000 families and civilian employees, over the next ten years. For our service members, this will mean more time on the home front and fewer moves over a career. For military spouses it will mean fewer job changes, greater stability, and more time for their kids to spend with grandparents and school friends back home. These changes will also be better for our military communities here in the U.S., allowing us to make better use of domestic bases and training ranges. And they will save the taxpayers money, allowing us to close hundreds of unneeded foreign bases and facilities around the world.

Let me be clear: every step we are taking will increase our ability to project our Nation's military power to deal with today's and tomorrow's dangers. In so doing we will also strengthen the capabilities of our allies, and their ability to be partners in meeting the challenges of the 21st century. For over two years now we have consulted our allies abroad and Congress here at home. We have benefited from this dialogue, and have reflected many of their ideas in our plans. The changes we propose will bring better U.S. military capabilities to every part of the world, improve our ability to protect our allies, and strengthen our ability to deter and, if necessary, defeat any aggressor who threatens the peace and freedom of the world.

A-150-4

720

file

FOUO

August 5, 2004
04/0/0325
es-0365

TO: Doug Feith
CC: Gen. Dick Myers
SUBJECT: Sinai

DN

Do we still have 682 people in the Sinai? Let's figure out a way to cut that in half.
Please come in with a proposal. I want to get going.

Thanks.

Attach.
8/4/04 Response to SD #080404-10

DHR dh
080504-8

.....

Please respond by 8/27/04

8/6/04 #080404-10

→ SD
I've done plans on cutting the Sinai force but it's clear we would have resistance from State and NSC staff now because of Israeli pull-back from Gaza. I'll brief you whenever you're ready.

5 Aug 04

I know there are always arguments that this is not a good time, but I do think it would be easier to succeed with a push in a few months.

FOUO

OSD 19290-04 Ready to discuss w/you. Doug Feith

11-L-0559/OSD/45614

06-08-04 11:03 IN

FOUO

August 4, 2004

TO: VADM Jim Stavridis

SUBJECT: Sinai

Please find out how many folks we still have in the Sinai.

Thanks.

DHR:dh
080404-10

.....
Please respond by 8/10/04

8/10/11

Sir,

Provided in response to SecDef question on number of forces currently in Sinai:

According to the 4 Aug US Army Ops Summary, there are 682 US forces on the Sinai Peninsula ISO the UN MFO mission. Currently the MFO force is USA National Guard. The total force includes the MFO BN, Spt Co, and AVN Co. The MFO mission began in April 1982.

FOUO

11-L-0559/OSD/45615

file

August 6, 2004

TO: Jim Haynes
Ryan Henry

J 8/16

CC: Pete Geren
Gen. Mike Maples

FROM: Donald Rumsfeld *DR*

SUBJECT: Delay in Reporting Detainee Data to Red Cross

383.6

Attached is a memo from the Inspector General, which I found interesting. It apparently was worked over by some **JAG**. Is it accurate?

Thanks.

Attach.

6/29/04 IG memo to SecDef re: DoD Policy on Delays in Reporting Detainee Data to Red Cross

DHR:dh
080504-9

.....
Please respond by 8/20/04

DA 8/25

15 Aug 04

*Sim
Response Attached.*

*V/R,
COL B*

6 Aug 04



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

INFO MEMO

CONTROL #
09746-04

048

June 29, 2004 11:30 a.m.

FOR: SECRETARY OF DEFENSE

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

SUBJECT: Clarity of DoD Policy on Delays in Reporting Detainee Data to Red Cross

- At the conclusion of your June 17, 2004, Press Briefing, during which briefing one reporter asked you if there was "an intention to hide [a certain detainee] from the Red Cross," you asked, "is there anything we want to calibrate on this detainee subject," stating, among other things: "We want to communicate accurately. . . . Our policy is clear, unambiguous and demonstrable."
- By coincidence, on the same day of your Press Briefing, I received a classified briefing in Afghanistan on the protocols governing how and when we provide information about detainees to the International Committee of the Red Cross (ICRC).
- In talking with commanders and staff judge advocates who are dealing daily and routinely with the ICRC on detainee issues in Afghanistan, I learned that there is a "clear, unambiguous and demonstrable" protocol -- at least at Bagram Air Base -- to govern the transfer of data about detainees, and deception is NOT our intention -- against the ICRC or otherwise.
- In order to assist you in responding to any further press questions about reporting detainee information to the ICRC, I asked the intelligence officer and staff judge advocate at Bagram Air Base to prepare an unclassified explanation of why we under certain circumstance delay passing on detainee information to the ICRC. In summary, the primary reasons that we delay reporting detainee information to the ICRC are: (1) force protection; and (2) so as not to hinder our ability to defeat threats.
- I would respectfully submit the attachment as field input or "talking points" for any further press or congressional inquiries on the subject.

COORDINATION: None

Attachment: As stated

Prepared by: L. Jerry Hansen, Deputy Inspector General, (b)(6)

11-L-0559/OSD/45617

FOR OFFICIAL USE ONLY

OSD 09746-04

UNCLASSIFIED

Question regarding Detention Operations in Afghanistan:

I UNDERSTAND NORMAL PRACTICE IS TO ASSIGN AN INTERNMENT SERIAL NUMBER (ISN) WITHIN A REASONABLE PERIOD AFTER DETENTION, AND TO ALLOW ICRC TO INTERVIEW DETAINEES ONCE THE ISN IS ASSIGNED. WHY DON'T WE DO THAT IN EVERY CASE?

Response:

ONCE AN ISN NUMBER IS ASSIGNED TO A DETAINEE AND JCRC ACCESS FOR INTERVIEWS IS GRANTED, WE CAN EXPECT THE ICRC TO PROMPTLY NOTIFY THE FAMILY OF A DETAINEE THAT HE IS IN OUR CUSTODY. IN CERTAIN SITUATIONS, THIS CAN AFFECT FORCE PROTECTION AND HINDER **OUR** ABILITY TO DEFEAT **THREATS**. SPECIFICALLY:

- A terrorist cell that does not know one of its members is in custody will likely continue to operate for at least a limited period of time. If we can learn about the cell from the detainee, we have a good chance of not only stopping its mission, but exploiting or destroying the cell.
- Similarly, disclosure that a highly placed detainee has been captured could provide warnings to the enemy still at large that we possess information regarding their whereabouts. This disclosure could result in their taking measures to avoid capture.
- Notice that an individual has been taken into custody may cause the enemy to make assumptions about the sources and methods used to capture him. In response, the enemy may endanger real sources or innocent people.
- The disclosure that a specific leader or organizer is in custody could cause the enemy to assume the detainee will disclose certain information. As a result, the enemy might hide weapons, move high value targets, or anticipate our actions. This may impact the success of future coalition actions, and could endanger US Forces participating in those actions.
- If enemy forces discover a key leader is in custody, there may be an attempt to gain his release by force. This would clearly endanger the lives of our forces and potentially disrupt our mission.

AS A PRACTICAL MATTER, DELAYING ASSIGNMENT OF AN ISN AND ICRC ACCESS HAS ONLY OCCURRED ON RARE AND INFREQUENT OCCASIONS.

Handwritten note: - some believe that the ISN is not a critical element for AF operations - but best to proceed with caution - Eick 8-11-04

INFO MEMO

August 11, 2004, 7:00 P.M.

FOR SECRETARY OF DEFENSE

FROM: Daniel J. Dell'Orto, Principal ~~Deputy~~ General Counsel



SUBJECT: Delay in Reporting Data on Detainees to the International Committee of the Red Cross (ICRC)

- The DoD Inspector General provided you with talking points on delays in reporting detainee data to the ICRC that appear to have been prepared by the Staff Judge Advocate for CJTF-76 in Afghanistan. (Tab A). You inquired whether these talking points are accurate.
- The talking points appear to be a description of the rationale for delaying notification to ICRC or restricting ICRC access to al Qaida and Taliban detainees in Afghanistan. While they may reflect current US CENTCOM practice with respect to detainees held at Bagram, we do not have a basis to ascertain their accuracy.
- As a general matter, the rationale for delaying ICRC notification that is stated in the talking points is one of imperative military necessity. This rationale would be consistent with the President's February 7, 2002 direction to US Armed Forces with respect to the treatment of al Qaida and Taliban detainees and application of the principles of the Geneva Conventions.
- Use of these talking points to describe matters concerning detainees in Iraq, however, raises more complex legal issues that we are addressing currently within the Department and with other agencies. We continue to work to resolve these issues, but in the interim, these talking points should not be used to address operations in Iraq.
- It is advisable to ensure that the relevant commands have and apply consistent policies and practices concerning notification of detainees to the ICRC, the application of the concept of imperative military necessity, and what is a reasonable delay in notifying ICRC under the requirements of the military mission.
 - You may want to request that US CENTCOM, US SOCOM, the Joint Staff, the Office of Detainee Affairs, and the Office of the Under Secretary of Defense for Intelligence undertake an appropriate review.

COORDINATION None.

ATTACHMENTS:

As stated

August 9, 2004

TO: Steve Cambone
CC: Gen. Dick Myers
Paul Wolfowitz
Gen. Pete Pace
FROM: Donald Rumsfeld *DR*
SUBJECT: Meetings on Intel Legislation

There is going to be a series of meetings on intel, fleshing out the legislation and the proposals, and teeing up issues for the President to decide. It is going to be small—CIA, DoD and NSC for the most part. You should be the DoD representative.

Dick Myers and Pete Pace will want a representative on that group also.

Thanks.

DHR:dh
080904-5

.....
Please respond by 8/20/04

350.09

9 Aug 04

August 9, 2004

TO: Paul Butler
FROM: Donald Rurnsfeld *DR*
SUBJECT: Defense/Justice Issue

Here is a note from Steve Herbits. Please screw your head into it and see if we can get this solved properly. Let me know what it is, and let's try not to take too long on it.

Thanks.

Attach.
8/6/04 Herbits ltr to SecDef

DHR:dh
080904-7

.....
Please respond by 8/27/04

150

9 Aug 04

STEPHEN E. HERBITS

(b)(6)
(b)(6)
TELEPHONE: (b)(6)
FACSIMILE: (b)(6)
E-MAIL: (b)(6)

August 6, 2004

To: Don Rumsfeld

From: Stephen Herbits

Re: Defense/Justice Issue

By Fax: (b)(6)

Dear Don,

The attached is becoming a public issue down here.

You may recall that I acted as the **Chairman's liaison** on the Presidential Advisory Commission on Holocaust Assets in **the United States (Edgar M. Bronfman) in 1998 and 1999, so I am familiar** with the issue in some detail.

I have learned that the **issue** is before advisory mediation as I write **this**, with **Fred Fielding as** the Mediator.

Both Defense and the Justice **Department** have a piece of **this** issue. Its ultimate resolution **should be to** do what is **right**, and particularly what is consistent **with what** the **United States has been asking of other nations during** the last five years. **As you can** imagine, the **Army's** instinct is not necessarily coincident.

Perhaps you and the **Attorney General** can get **this** resolved easily and in a **timely** manner, **i.e.** before public litigation scheduled for October.

Thanks.

VERBATIM

Give Holocaust survivors their due

Below is a letter sent by 17 senators to U.S. Attorney General John Ashcroft last week regarding the case of the Hungarian "Gold Train."

We are writing to express our deep concern about the matter of the "Hungarian Gold Train," in which elderly Holocaust survivors are seeking redress for misconduct by the U.S. government.

As you know, the Gold Train case is one of the most significant outstanding issues in our national effort to ensure justice for Holocaust survivors.

During World War II, the Nazis confiscated the property of Hungary's Jewish community — including precious personal property, religious artifacts, art and even gold wedding bands — and loaded it onto a train headed for Austria, which became known as the "Gold Train."

Property was stolen

When the war ended, the train and its contents were turned over to the United States for safekeeping, with the explicit assurance the stolen property would be returned to its rightful owners. Evidence uncovered by the survivors indicates that much of the property was stolen or wrongfully used by the very people in whose care it had been placed.

For decades, our government maintained that the origin of the property was "unidentifiable" despite efforts of Hungarian Jews to demonstrate proof of ownership. Finally, in 1999, the U.S. Commission on Holocaust Assets revealed the facts and called the Gold Train an "egregious failure" of the United States to follow U.S. laws and policies concerning property restitution.

A group of elderly survivors, now totaling over 3,000, filed suit in federal court in 2001 seeking an accounting of the property and modest restitution.

Finally, in 1999, the U.S. Commission on Holocaust Assets called the Gold Train an "egregious failure" of the United States.

The survivors have now gone to U.S. federal court to seek redress, be given an accounting of what happened and modest compensation for the property that was rightfully theirs. These survivors are elderly, and many of them are in ill health.

There are reports that the judge in this case has warned that officials at the U.S. Department of Justice are "dragging their feet." Most recently, though the department has not yet replied to the substance of the allegations, it has insisted on subjecting the individual elderly survivors to the intimidating process of in-person depositions.

Now the federal judge in Miami has ordered the department to submit to mediation with the survivors. We are writing to urge you to take this opportunity, at last, to reach a fair and expeditious resolution to this case.

Any further delay by the department will mean justice denied for these elderly Holocaust survivors.

Signed:

Hillary Rodham Clinton, D-N.Y.
Christopher Dodd, D-Conn.
John Edwards, D-N.C.
Frank Lautenberg, D-N.J.
Russell Feingold, D-Wis.
Bill Nelson, D-Fla.
Marie Cantwell, D-Wash.
Charles Schumer, D-N.Y.
Debbie Stabenow, D-Mich.
Arlen Specter, R-Pa.
Trent Lott, R-Miss.
Paul Sarbanes, D-Md.
Thomas Carper, D-Del.
Jeff Bingaman, D-N.M.
Patrick Leahy, D-Vt.
Joseph Lieberman, D-Conn.
Carl Levin, D-Mich.

DEPT. OF JUSTICE

1000

ALBERT H. ROSEN, PHILIP H. KAITER, KENNETH E. HILL, GEORGE J. BROWN, MATT GOMEZ

OPINION

SOUTH FLORIDA SUN-SENTINEL (Ft Lauderdale) Editorial, July 23,2004**Promptly Settle 'Gold Train' Suit**
-----**South Florida Sun-Sentinel Editorial Board**

July 23,2004

The U.S. government is trying to shirk responsibility for one of the most shameful episodes in the nation's history. It mustn't get away with it.

Late in World War II, the Nazis seized millions of dollars' worth of gold, jewelry, antiques, artwork and other valuables from Hungarian Jews and put the items on a train to Austria. The war ended shortly thereafter, and the train was turned over to U.S. forces, who explicitly promised to return the heirlooms to their rightful owners.

They never did, and there is substantial evidence that U.S. military personnel took the items, which were later auctioned off in New York. That evidence came to light in 1999, and led to a class-action lawsuit in federal court in Miami by Holocaust survivors and their families, including an estimated 2,000 people in South Florida, seeking compensation for property lost aboard the "Hungarian Gold Train."

Amid accusations that the government was "foot dragging" and "intimidating" elderly plaintiffs, U.S. District Judge Patricia Seitz ordered the parties to submit to mediation, which is to begin early next month. In case no agreement is reached, Seitz has scheduled a September trial.

This case should never go to trial. The U.S. Justice Department should address the issue head-on and reach a just settlement rather than rely on legal technicalities to avoid liability, as it has done so far. For example, it argued that the plaintiffs had filed the suit too late, but Seitz said the case could go forward because the plaintiffs "were induced or tricked by the government's misconduct into allowing the filing deadline to pass."

This is not an image the United States should be projecting at a time when U.S. troops' responsibilities in Iraq include safeguarding Iraqis' personal property and that nation's priceless antiquities.

The Presidential Commission on Holocaust Assets called the Gold Train episode "an example of an egregious failure of the United States to follow its own policy regarding restitution of Holocaust victims' property." Seventeen senators, including Sen. Bill Nelson of Florida, and a number of House members, including South Florida Reps. Alcee Hastings, Robert Wexler, Peter Deutsch, Ileana Ros-Lehtinen and Kendrick Meek, have written to Attorney General John Ashcroft urging him to reach "a fair and expeditious resolution" of the case.

He should promptly accede to their request. The legitimate claims of Holocaust victims are reason enough to do so, but the United States, which preaches *the* rule of law and accountability around the world, also must show that it will not let narrow self-interest stand in the way of its own compliance with the rule of law.

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THE TAMPA TRIBUNE Editorial, Sunday July 25, 2004

Settling An Old Holocaust Debt

Published: Jul 25, 2004

In a few weeks a class-action lawsuit involving a very old dispute goes to court-ordered arbitration. **Hungarian** Jews and their survivors are asking for compensation from the **U.S** government for a little of what was stolen from them at the close of World **War** II.

This is one of those rare cases when strictly following the law won't lead to justice. And a victory for the Justice Department in the Miami case will feel, to the public, like a loss.

The government has a number of arguments. The heirlooms, jewelry, art and gold were first stolen by Nazis, not American troops. After more than a half-century, it's hard to prove who owned what. Consider the wartime confusion. Consider sovereign immunity.

Consider that **Hungarian** Jews were not U.S. citizens at the time. The statute of limitations has run out. There are probably other technicalities that argue against settlement.

The case for giving this dwindling group of former refugees what they ask is simple: It's the right thing to do.

Some history: During World **War** II, the Nazis occupied Hungary and stripped the Jews there of valuables worth perhaps \$100 million. Many **Hungarian** Jews didn't survive the war. Yet the rule-obsessed fascists had handed out receipts for that they stole. The items were loaded into several dozen boxcars and shipped to **Austria**

That's where the invading American troops found the gold train as the war ended. Evidence shows U.S. officers confiscated china, fine furniture and paintings for their offices, and some of the items vanished.

In 1948, possibly to cover the looting, the remaining goods were declared unidentifiable and were auctioned in New York. Paperwork about the unfortunate episode was classified as national security.

Plaintiffs in the class-action suit are asking for up to \$10,000 each. Let's pay gladly and say, "Sorry it took so long."

###

Justice for 'Gold Train' Victims

Over the past decade, this nation played a laudable role in helping to persuade European governments and companies, including recalcitrant Swiss banks, to live up to their moral duty to settle restitution claims by Holocaust survivors even when their legal liability was murky. Regrettably, the Justice Department has taken a much less high-minded approach to a three-year-old lawsuit by elderly survivors over America's mishandling of valuables the Nazis collected from Hungarian Jews and then loaded onto a train heading for Austria.

Instead of facing up to responsibility for the contents of the "Hungarian Gold Train," which the American Army took for safekeeping in 1945, the government has raised a host of technical legal defenses seeking to void the claims, or at least delay the moment of reckoning. This is particularly dismaying since essential facts aren't really in dispute.

They were documented five years ago in a report by a special presidential advisory commission

that detailed "an unexplained departure" from America's otherwise stellar record of adhering to laws and regulations calling for the preservation of victims' assets and their return to the country from which they were seized. Some of the choicest Gold Train loot was either commandeered by high-ranking officers or sold for personal use by Army personnel. Other valuables were auctioned in New York and the proceeds given to a United Nations refugee agency. Still other property was stolen from the warehouse. Two suitcases of gold dust simply vanished. Meanwhile, emphatic calls by the Hungarian government and Hungarian Jewish groups for return of the train's contents were ignored.

The opening of court-ordered mediation sessions last week provides a new opening for a fair and expeditious settlement. Attorney General John Ashcroft ought not hesitate to seize it, much as 17 Republican and Democratic senators wisely counseled him in a recent letter.

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Venice Without

There's a very good chance that when the Venice Biennale — the oldest international exhibition of art — opens next summer, no American artists will be included. That would be a significant cultural and diplomatic default, a confession, in essence, that the United States cannot sustain a coherent cultural policy.

Last December, the already fragile system for choosing American artists for international exhibitions broke down completely. The two nonprofit partners — the Pew Charitable Trusts and the Rockefeller Foundation — pulled their funding, saying they had other priorities. The National Endowment for the Arts, which convenes the panel that vetted artist nominations, dropped out. That left the State Department, which had authorized the development of plans to broaden the selection process.

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*Paul —
Steve Herbert's asked
me to get this editorial
to you. He said call
him anytime.*

8/9

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11-L-0559/OSD/45628

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OFFICE OF THE
SECRETARY OF DEFENSE

August 5, 2004

2004 AUG 2 11 0:45
I-04/010497
ES-353

TO: Doug Feith
CC: Gen. Dick Myers

8/30 J

→ Sec Def
SUBJECT: IPAP Project

The President of Georgia said that the IPAP project in NATO is being slowed down by France and Germany.

Thanks.

DHR:dh
080504-4

.....
Please respond by _____

dit 8/20
dit 8/20

Sir,
Response Attached

V/R, COLB

Upon removal of attachments
this document becomes
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OSD 19300-04

05-03-04 15:31

11-L-0559/OSD/45629

File

~~FOUO~~ ~~CONFIDENTIAL~~ w/ ATTACHMENT

August 15, 2004

I-04/011019
ES-0483

J 8/30

TO: Bill Luti
CC: Gen. Dick Myers
Paul Wolfowitz
Doug Feith

Seidel

SUBJECT: MANPAD Issue

In the meeting with Ivanov, the subject came up about how we could get agreement on the MANPAD issue. Someone suggested telling each other whenever we sell any of them to anyone else. Why doesn't that work?

Thanks.

DHR:dh
081504-10 (ts computer).doc

.....

Please respond by 9/3/04

See Response Attached
ce/8/30
W/10/13

~~FOUO~~ ~~CONFIDENTIAL~~ w/ ATTACHMENT

17-03-04 14:33

11-L-0559/OSD/45630

OSD 19305-04

August 9, 2004

TO: Paul Butler
VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Meeting on Who Receives Security

Please set a meeting with Steve Cambone, Dick Myers, Paul Wolfowitz and me to discuss who receives security.

Thanks.

Attach.
5/3/04 USD(I) memo to SecDef re: Security

DHR:dh
080904-18

.....
Please *respond* by 9/3/04

38.01

9 AUG 04

10:11 AM

am
6/6

TO: Steve Cambone
CC: Paul Wolfowitz
FROM: Donald Rumsfeld
DATE: April 16, 2004
SUBJECT: Attached

Handwritten notes: "Mitb" and "G" in a circle, and "WR" in a circle.

Look at the attached. It shows that people have some security depending on threat level.

I would like to know what security they actually have had during the last 12 months, by month, and what they thought the threat level was.

See the attached.

Thanks.

SIR,
LTG CRADDOCK INQUIRED ABOUT THIS SNOWFLAKE SO I THOUGHT YOU MAY NEED THE INFORMATION AS WELL. ORIGINAL RESPONSE ATTACHED. LISTED ATTACHMENT INCLUDED BEHIND.

VR/CDR NOSENZO
6/14

DHR/azn
04 1604.01

Attach: Attachment B, Info Memo to Cambone from DUSD-CI&S Re: Protective Service Operations

Please respond by: _____ 4/23

UNDER SECRETARY OF DEFENSE

INTELLIGENCE

John Craddock -

This is understandable with a little bit of interpretation.

Bottom line: if these individuals are to have protective details, the #s seem right.

JK
5/3/04



Prepared by: Col Kevin Jacobsen, ODUS JCI&S





INTELLIGENCE

UNDER SECRETARY OF DEFENSE
5000 DEFENSE PENTAGON
WASHINGTON, DC 20301-5000

MAY - 3 2004

MEMORANDUM FOR THE SECRETARY OF DEFENSE

FROM: STEVE CAMBONE 

SUBJECT: Protective Service Operations

- This responds to your question (Tab B), *"I would like to know what security they actually had during the last 12 months, by month, and what they thought the threat level was"* concerning protective service operations conducted by each Military Department (Service).
- Each Service reported data (Tab A), by month that reflects the total number of personnel used to provide personal protection to each protectee. Personal protection is provided by special agents (A) and when applicable are supported by drivers, administrative, and military police, which we call "support" (S).
- In the Services' report, each of the last 12 months is color-coded to show the threat level as determined by the responsible Services' field commanders.
 - Determining a threat to an individual while lacking a specific and credible threat information is subjective. The overall threat levels published by DIA, Department of Homeland Security, and COCOMs are taken into consideration, however the following are other factors field commanders consider when determining the overall threat:
 - Terrorism (kidnapping, assassination)
 - Criminal activities (kidnapping for ransom, assault or murder)
 - Civil disobedience (embarrassment of activities by demonstrators)
 - Wrong place, wrong time (natural disaster, victim of another's accident)
 - Association and/or proximity to another threatened person (collateral effects)

Prepared by: Col Kevin Jacobsen, ODUS (CI&S), (b)(6)

11-L-0559/OSD/45634

- When the Services reported threat level for each month, they used the following general criteria:
 - **LOW:** No significant threat to protectee or the protectee is not exposed to the general population.
 - **MEDIUM:** General information, which shows the protectee may be targeted, based on his/her position or the protectee is exposed to the environment where the terrorist or criminal threat level is assessed as a medium.
 - **HIGH:** Credible and specific information that shows the protectee is targeted and/or the protectee is exposed to an environment where the terrorist or criminal threat level is assessed at high or critical.
- **TAB (C)** was previously provided to you and is attached for background.

COORDINATION: DUSD (CI&S); **Army** CID; Air Force OSI; Navy NCIS

Threat Levels:
 Low - Green
 Medium - Yellow
 High - Red

ARMY LED PROTECTION

OSD/JCS Principals have Agent Only Details

A = Agent
 S = support

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
Sec of Defense													
* Metro	35	34	34	34	34	34	34	34	32	30	31	31	31
Travel													
Total	75	97	102	105	81	104	109	119	70	97	59	126	63
Spt to SecDef's Fam													
Dep Sec of Def													
* Metro	19	19	19	19	19	19	19	20	19	18	17	18	19
Travel													
Total	58	60	121	81	73	59	68	63	42	49	84	60	51
CJCS													
* Metro	8	8	8	8	8	8	8	8	8	8	8	8	8
Travel													
Total	28	29	74	69	62	93	48	58	47	51	60	36	66
VCJCS													
* Metro	8	8	8	8	8	8	8	8	8	7	7	7	7
Travel													
Total	22	28	38	51	32	37	17	30	32	34	37	33	42
SEC ARMY **				0	0	0	0	0	0		0	0	
CSA													
Metro	1	1	1	1	1	1	1	1	1	1	1	1	1
Travel													
Total	36	108	79	8	3	93	64	50	45	43	20	55	57
VCSA**								0					
Gen Franks (RET)													
Metro					3	3	1	1	1	1	1	1	1
Travel					9	4	13	38	23	37	33		34
Total					12	7	14	39	24	38	34	30	35
AMB Bremer**								9	0	7	5	0	0
SHAPE		A-9/S-3	A-9/S-3	A-9/S-3						A-9/S-3	A-9/S-3		A-9/S-3
USAREUR ***													
DEP EUCOM CDR **	A-1/S-35	A-1/S-36	A-1/S-36	A-1/S-36	A-1/S-40	A-1/S-39	A-1/S-37	A-1/S-35	A-1/S-36	A-1/S-36	A-1/S-37	A-1/S-41	A-1/S-41
NATO U.S. Rep ***							A-1/S-13						A-1/S-13
KFOR	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11	A-1/S-11
SFOR	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13	A-1/S-13
CG CFLCC													
DCG CFLCC													
V Corp													

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
III CORPS CDR													
CG, CFC-A													
CG, CJTF-180													
C, OMC-A													
CPA Augment ****													
JFCOM		A-0 / S-1	A-0 / S-1			A-0 / S-1							A-0 / S-2
SOUTHCOM***	A-1/S-18												
USARSO	A-0/S-8												
Total:	A-47/S-322	A-47/S-322	A-47/S-323	A-47/S-322	A-47/S-326	A-47/S-325	A-47/S-322	A-47/S-320	A-47/S-321	A-47/S-322	A-47/S-325	A-47/S-325	A-47/S-326
* Total agent count includes all required agents ISO OSD/JCS Metro Mission on a daily basis													
** Travel Only													
*** Numbers Includes Residence Security and Travel Team													
**** Agents provide support in ITO only													

Threat Levels:

Low - Green

Medium - Yellow

High - Red

NAVY LED PROTECTION

A = Agent
S = Support

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
Washington, DC													
CNO			A-3/S-2		A-3/S-2	A-2/S-2	A-2/S-2	A-3/S-2	A-3/S-2	A-3/S-2		A-4/S-2	A-4/S-2
Travel Support			A-6		A-13	A-4	A-31		A-10	A-11		A-4	A-4
Total	A-2/S-2	A-9/S-2	A-9/S-2	A-6/S-2	A-16/S-2	A-6/S-2	A-33/S-2	A-25/S-2	A-13/S-2	A-14/S-2	A-7/S-2	A-8/S-2	A-8/S-2
SECNAV													
Travel Support			A-3		A-3	A-3	A-3	A-3	A-4	A-4		A-4	A-4
Total	A-2	A-7	A-3	A-3	A-7	A-16	A-7	A-8	A-42	A-29	A-14	A-44	A-18
COMNAVNUKPROP													
Travel Support			A-1		A-1	A-1	A-1	A-1	A-1	A-1		A-1	A-1
Total	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-2	A-2	A-2	A-1	A-4
CMC													
Travel Support			A-2/S-2		A-2/S-2	A-2/S-2	A-2/S-2	A-2/S-2	A-3/S-2	A-3/S-2		A-3/S-2	A-3/S-2
Total	A-8/S-2	A-2/S-2	A-7/S-2	A-5/S-2	A-4/S-2	A-3/S-2	A-4/S-2	A-6/S-2	A-7/S-2	A-19/S-2	A-7/S-2	A-6/S-2	A-7/S-2
Asst CMC													
Travel Support			A-1		A-1	A-1	A-1	A-1	A-1	A-1		A-1	A-1
Total	A-3	A-1	A-1	A-1	A-1	A-4	A-1	A-3	A-2	A-1	A-3	A-1	A-1
Europe													
COMNAVEUR	A-12	A-12	A-12	A-11	A-11	A-11	A-11	A-11	A-10	A-9	A-8	A-8	A-8
Travel Support			A-10	A-6	A-2					A-6		A-9	
Total	A-22	A-31	A-22	A-17	A-13	A-11	A-11	A-11	A-10	A-15	A-8	A-17	A-8
COMSIXTHFLT													
Travel Support	A-3	A-10	A-3	A-1	A-5						A-6	A-4	
Total	A-8	A-15	A-8	A-6	A-10	A-5	A-5	A-5	A-5	A-5	A-11	A-9	A-5
CAOC 7													
Travel Support													
Total	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-4	A-3	A-5	A-4	A-5
Bahrain													
COMUSNAVCENT													
Travel Support													
Total	A-6	A-7	A-6	A-5	A-5	A-6	A-10	A-8	A-6	A-6	A-8	A-8	A-9

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
Hawaii													
COMPAC			A-1		A-1	A-1	A-1	A-1	A-1	A-1		A-1	A-1
Travel Support			A-2						A-7			A-5	A-2
Total	A-1	A-9	A-3	A-16	A-1	A-1	A-1	A-1	A-8	A-1	A-1	A-6	A-3
COMPACFLT													
Travel Support			A-1		A-1	A-1	A-1	A-1	A-1	A-1		A-1	A-1
Total	A-1	A-1	A-20	A-1	A-3	A-1	A-1	A-1	A-1	A-1	A-3	A-8	A-3
Japan													
COMSEVENTHFLT													
Travel Support													
Total	A-1	A-3	A-3	A-1	A-1	A-1	A-1	A-3	A-5	A-3	A-1	A-3	A-2
Iraq													
CPA BASRAH													
CPA HILLAH													
Total				A-4	A-12	A-16	A-16	A-16	A-16	A-16	A-16	A-18	A-18

Inrear Levels:

- Low - Green
- Medium - Yellow
- High - Red

AIR FORCE LED PROTECTION

AF Principals have Agent Only Details

A = Agent

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
SECAF	A-14	A-10	A-6	A-4	A-9	A-10	A-1	A-11	A-3	A-9	A-6	A-4	A-14
USECAF	A-1	A-7	A-3	A-3									
CSAF	A-2	A-2	A-2	A-2	A-2	A-2	A-4	A-6	A-6	A-2	A-9	A-2	A-2
VCSAF	A-1	A-1	A-1	A-3	A-1								
USAFE	A-9	A-9	A-14	A-9	A-9	A-9	A-9	A-9	A-9	A-11	A-9	A-9	A-9
NORTHCOM	A-4	A-8	A-6	A-12									
SOCOM										A-1			
AFMCC/CC													
ACC/CC													
AMC/CC													
AFSOC/CC													
AFSPC/CC													
PACAF/CC													
AETC/CC													
TRANSCOM/CC													
USCENTAF/CC													
SOUTH AF/CC													
CFACC/CC								A-3		A-4	A-12	A-5	A-7
Deputy CFACC/CC													
3rd AF/CC													
12th AF/CC													
13th AF/CC													
CPA Principals													
Chief of Defense (ChoD) Philippines													
ChoD Uzbekistan													
ChoD Colombia													
ChoD Jordan													
ChoD Japan													
ChoD Hungary													
ChoD Bulgaria													
Military of Defense (MoD) Vietnam													
NATO Ministerial								A-70					
Global Air Commander Conference							A-35						
Middle Eastern Air Symposium									A-20	A-20			
Total	A-43	A-49	A-52	A-45	A-48	A-50	A-86	A-138	A-95	A-78	A-80	A-54	A-88

Threat Levels:
 No color code
 annotated: Threat
 level is assessed by
 lead PSO agency

AIR FORCE SUPPORT TO OTHER AGENCY LED PROTECTION

A = Agent

Position	Mar-03	Apr-03	May-03	Jun-03	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04
President of the U.S	A-3	A-1		A-2				A-4	A-2			A-4	
Vice President of the U.S											A-6		A-5
Sec Def		A-1							A-7			A-2	
Deputy Sec Def				A-4					A-4	A-4	A-5	A-6	A-4
CJCS			A-2		A-3			A-3	A-4	A-4	A-4	A-4	A-4
VCJCS					A-5				A-4	A-4	A-4		
CENTCOM	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1	A-1
Deputy CENTCOM						A-2							
SOUTHCOM										A-2			
J5 SOUTHCOM							A-1						
U.S. Ambassador to Ecuador						A-1			A-1				
US Naval Forces SOUTHCOM								A-1					
US Naval Forces Europe/CC						A-2							
Secretary of Energy											A-3		
Chief, US Military Training, CENTCOM											A-2		A-1
President of Latvia													A-1
US SECDEF for Policy												A-1	
USSS					A-4	A-4	A-4	A-4	A-4	A-4	A-8	A-3	A-4
Total	A-4	A-3	A-3	A-7	A-13	A-10	A-6	A-13	A-27	A-19	A-33	A-21	A-20

W. J. ...

US Army Criminal Investigation Command

<u>Position</u>	<u>Location</u>	<u>Name</u>	<u># of SA</u>	<u>Military Police SPT</u>
Sec of Defense	World Wide	Sec Rumsfeld	22	0
Dep Sec of Def	World Wide	Sec Wolfowitz	14	0
CJCS	World Wide	Gen Meyers	7	0
VCJCS	World Wide	Gen Pace	8	0
Sec Army	World Wide	Act Sec Brownlee*	0 fulltime	0
CSA	World Wide	Gen Schoomaker	2	0
VCSA	World Wide	Gen Casey	0 fulltime	0
CENTCOM (RET)	World Wide	Gen Franks (Ret)	1	0
SHAPE	World Wide	Gen Jones	10	0
USAREUR	World Wide	Gen Bell	1	8
DEP EUCOM CDR	Europe	Gen Wald	1	43***
NATOU.S. Rep	NATO	LTG Kinnan	1	15
KFOR	KFOR	TF FALCON	1**	11**
SFOR	SFOR	COMSFOR	1**	13**
CG CFLCC	CENTCOM	LTG McKiernan	1**	12**
DCG CFLCC	CENTCOM	MG Speaks	1**	10**
V Corps CDR	CENTCOM	LTG Sanchez	1**	15**
III Corps CDR	CENTCOM	LTG Metz	1**	10**
CG, CFC-A	AFGAHNISTAN	LTG Barno	1**	12**
CG, CJTF-180	AFGAHNISTAN	BG(P) Austin	1**	15**
C, OMC-A	AFGAHNISTAN	MG Wastin	1**	10**
CPA Augmentation	ITO	CPA	27	120**
Metro Team/Residence	CONUS	Principals 1-4	49	0
Travel Team	World Wide	Principals 1-7	19	0
ATOIC	Pentagon		3	0

* Will change with new SEC Army **Total PSU SA- 174 Total MP SPT- 286**

** BMM and only while deployed

*** Also performs residence and installation security and travel team

Air Force Office of Special Investigations

<u>Position</u>	<u>Location</u>	<u>Name</u>	<u># of SA</u>	<u>Military Police SPT</u>
USAFE	Ramstein AFB	Gen Fogelsong	9	By Threat Level
NORTHCOM	Peterson AFB	Gen Eberheart	4	2 Auth/1 Assigned
SECAF	Andrews AFB	Hon Sec Roche	2	By Threat Level
Dep SECAF	Andrews AFB	Hon Sec Teets	1	By Threat Level
CSAF	Andrews AFB	Gen Jumper	2	By Threat Level
VSAF	Andrews AFB	Gen Moseley	1	By Threat Level
CENTCOM	Mac Dill AFB	Gen Abizaid	1	By Threat Level
AFMC/CC	Wright-Patterson	Gen Martin	1	By Threat Level
ACC/CC	Langley AFB	Gen Hornburg	1	By Threat Level
AMC/CC	Scott AFB	Gen Handy	1	By Threat Level
AFSOC/CC	Mac Dill AFB	Gen Hester	1	By Threat Level
AFSPC/CC	Peterson AFB	Gen Lord	1	By Threat Level
PACAF/CC	Hickham AFB	Gen Begert	1	By Threat Level
AETCICC	Randolph AFB	Gen Cook	1	By Threat Level
CPA	Baghdad, Iraq		14	By Threat Level
TOTAL SA			41	

Naval Criminal Investigative Service

<u>Position</u>	<u>Location</u>	<u>Name</u>	<u># of SA</u>	<u>Additional SPT</u>
SECNAV	Washington D.C.	Hon England	5	By Threat Level
CNO	Washington D.C.	ADM Clark	3	By Threat Level
Cmdt Marine Corps	Washington D.C.	GEN Hagee	3	By Threat Level
NCISHQ	Washington D.C.		6	
COMUSNAVEUR	Naples, Italy	ADM Johnson	10	By Threat Level
COMSIXTHFLT	Gaeta, Italy	VADM Ulrich	3	By Threat Level
DEPCONCAOC	Larissa, Greece		3	By Threat Level
COMPAC	Hawaii	ADM Fargo	1	By Threat Level
COMPACFLT	Hawaii	ADM Doran	1	By Threat Level
COMSEVENTHFLT	Yokosuka, Japan	VADM Willard	1	By Threat Level
COMFIFTHFLT	Bahrain	VADM Nichols	1	By Threat Level
Counter Intel	CENTCOM AOR		20	USMC
Travel/CPA Support	World Wide/Iraq		44	

TOTAL SA 101

TOTAL DOD SA 315 TOTAL SPT- 286 (+)

MAJ Oliver Rose/CIOP-OP (b)(6)
 APPROVED BY: COL Paigutt (b)(6)

August 9, 2004

TO: Doug Feith
FROM: Donald Rumsfeld *DR*
SUBJECT: VOA Broadcasts to Iran

IRAN

Here is a memo from Seth Cropsey and the U.S. International Broadcasting Bureau broadcasts to Iran.

Please take a look at it and get back to me with your suggestions.

Thanks.

Attach.
7/14/04 Cropsey memo to SecDef

DHR:dh
080904-17

.....
Please respond by 8/27/04

Cropsey

*Broadcasting Board of Governors***INTERNATIONAL BROADCASTING BUREAU**

MEMORANDUM for SECDEF

FROM: Seth Cropsey, Director, U.S. International Broadcasting Bureau

SUBJ: Voice of America Broadcasts to Iran

14 July '04

This memo responds to your request of 8 June for information about VOA's Persian language television broadcasts.

VOA Television to Iran

VOA inaugurated a one-half hour daily primetime television news program, *News & Views*, in July 2003. The new program brought to six the number of hours that VOA broadcasts on television to Iran *per week*; (vice Iran's four 24/7 international TV broadcast operations); all VOA TV broadcasts to Iran are transmitted via satellite. The Iranian government admits that there are about three million households that can receive television signals through satellite dishes. Our research places the figure at approximately 15 percent of the adult population or nearly seven million households: satellite broadcasts are a highly effective way of reaching the Iranian people.

News & Views offers a mixture of international, regional, and local news geared to its audience's interests, as well as current affairs programming addressed to viewers' oft-stated thirst for information about human rights, democracy, and civil society.

Iranian Response

Over the previous month and in addition to its regular news stories, *News & Views* featured an interview with Justice Sandra Day O'Connor who told how her appointment by President Reagan as the first female Supreme Court justice "opened many doors to women in the U.S. and the rest of the world." Other features included an interview from London with a journalist and dissident recently released from an Iranian prison who argued that the U.S. mission in Iraq helps guarantee peace and stability in the region as it promotes democratic change. The ruling mullahs' fear of these broadcasts is clear. A panel discussion on the future of democracy that aired the first week in July featured participation by phone from Tehran of a young woman who is the spokesman for a group called "Women For Democracy." The police arrested her and her mother less than a day after the broadcast aired.

In the absence of other accurate and relevant Persian-language television news broadcasts *News & Views* established a large audience immediately. A telephone poll conducted less than two months after the program went on the air last summer determined the audience at about 13 percent of the viewing public. Since then, the program has received similar phone poll results of over 17 percent.

News & Views is a solid and established TV news program that receives a tremendous volume of email from its growing audience—and shares representative emails with its viewers thus establishing a dialogue among Iranians who are unhappy with their rulers and have no other means of communicating this dissatisfaction with fellow citizens. A

recent email asked 'why VOA couldn't air more emails from other listeners on the air?' The answer is that VOA doesn't have the funds to broadcast more than a daily half hour news program.

What Is to Be Done?

The purpose of this memo is to ask your assistance in securing the approximately \$10 million it would take to increase *News & Views* to a three-hour daily program of news and current affairs programming for a single year. The expanded show would cover in-depth such subjects as the extraordinary corruption of the ruling mullahs, their diversion of Iranian taxpayers' revenue to finance international terrorism, the lessons of east and central Europe in throwing off the communist yoke; and extensive reporting on women's issues, separation of church and state, and the different forms of democratic governance that emails from our audience make it clear they desperately want.

The precedent exists for the transfer of DoD funds to international broadcasting in the assistance DoD provided—in approximately the same amount—to build and install radio transmitters in Afghanistan following the defeat of the Taliban. This assistance was highly successful. It increased the security of our deployed forces, and of the U.S. in the same way that longer and more in-depth broadcasts to Iran would divert that country's rulers' sponsorship of terror and efforts in Iraq while it helped advance the cause of democracy in Iran.

A specific and detailed plan for increasing TV news and current affairs programming to Iran from its current level of one-half hour daily to three hours each day appears immediately below. The costs are annual.

TV Requirements

Salaries	\$2,386,088
AP Graphics	\$40,000
Acquired Video	\$200,000
Regional News Feeds	\$100,000
Transmission and Remotes	\$500,000
Overtime	\$100,000
Subtotal	\$3,326,088

Persian Service Requirements:

Salaries	\$2,377,000
Overseas stringers	\$150,000
Domestic stringers	\$50,000
Travel	\$200,000
Telephone Toll	\$10,000
Simultaneous Translators	\$100,000
Office Supplies	\$30,000
Misc expenses	\$20,000
Other Contractual Services	\$50,000
Subtotal	\$2,987,000

IBB	
Satellite Transmission services	\$2,300,000
Research	\$50,000
Advertising	\$100,000
Subtotal	\$2,450,000
One Time Costs:	
Graphic Equipment	\$230,000
Edit Suites Equipment	\$175,000
Open/Sets	\$100,000
Avstar Licenses	\$45,000
VJ Equipment	\$200,000
Minicam Cameras	\$80,000
Cairo Polycom	\$30,000
Library Shelving	\$75,000
Furniture/Computers	\$350,000
Subtotal	\$1,285,000
Total Requirements for FY'04	\$10,048,088

Conclusion

Bernard Lewis observes that Ayatollah Khomeini's spoken words communicated directly to Iran by phone and by cassettes was the first electronically engineered revolution in history. U.S. international broadcasting also reaches the Iranian people directly.

Both ratings and audience response in the form of email, phone calls, and letters from Iran to the Persian language service here in Washington show that Iranians are watching VOA's broadcasts because they are meaningful to their lives. To quote again from VOA's Iranian viewers, Mohammad A's email from Tehran of 31 May sums the audience response best: "We do not have credible and trustworthy media in Iran and all the media is censored. You are now carrying a very significant responsibility and you are the hope of the Iranian youth."

We have an experienced and invigorated management structure in place; the modest plan outlined above responds both to the United States' need to address the Iranian audience, and the latter's clearly expressed desire for more programming that offers hope for a freer and democratic future. All we ask is for the means.

Broadcasting Board of Governors

INTERNATIONAL BROADCASTING BUREAU



OFFICE OF THE DIRECTOR
330 Independence Avenue, SW
Room 3300
Washington, DC 20237
Phone: 202-619-1088; Facsimile 202-401-1327

DATE 7-14-04 NO. OF PAGES (including cover sheet) 4

TO THE ATTENTION OF:

(b)(6)

FAX NUMBER:

(b)(6)

FROM: INTERNATIONAL BROADCASTING BUREAU
DIRECTOR'S OFFICE:

Seth Cropsey

COMMENTS:

Sec. Rumsfeld is
expecting this today.

CONFIDENTIALITY NOTICE

The documents accompanying this facsimile transmission may contain confidential information, which is legally privileged. The information is intended only for use of the recipient named above. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us. You are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance on the contents of this facsimile information is strictly prohibited.

If you do not receive all pages, please call (202) 619-1088 ASAP.

August 9, 2004

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld
SUBJECT: Reducing Troop Numbers

Please set a meeting for the Joint Staff, Policy and me to go over this paper that shows where we have troops around the world. I would like to get those numbers down.

I would like them to come in with suggestions on how to do it.

Thanks.

Attach.
7/7/04 Joint Staff Paper re: US Overseas Troops

DHR:dh
080904-21



Please respond by _____

320.2

9 Aug 04

OFFICE OF THE SECRETARY OF DEFENSE
THE SPECIAL ASSISTANT

PA 8/18

To Sec Def

From Paul Butler

As per attached email from Dr. Cho, CIA personnel director does not think that CIA has been substantially hindered in its college campus recruiting. I'll dig further but I'd stay away from it in today's testimony.

O4D CIA

13 Aug 04

713
1245

~~FOUO~~

file

August 13, 2004

TO: Paul Butler
FROM: Donald Rumsfeld *DR*
SUBJECT: CIA On-Campus Recruiting

Please find out how many colleges prohibit CIA from recruiting on campus and for how many years that has been the case—when it first started during the Vietnam War, etc. I may want to use it in my testimony.

Thanks.

DHR:dh
081304-13 (is computer) doc

.....
Please respond by 8/16/04

040 CIA

~~FOUO~~

13 Aug 04

Butler, Paul, CIV, OSD

pb 8/18

From: Chu, David, CIV, OSD-P&R
Sent: Monday, August 16, 2004 10:22 AM
To: Butler, Paul, CIV, OSD
cc: Wellock, Stephen M., CAPT, OSD-P&R
Subject: RE: SecDef snowflake

Paul:

CIA Personnel Director

Here's (b)(6)'s latest bulletin: "For the last 20 years, no college campuses...denied access to CIA recruiting. During the Vietnam era, a handful...wouldn't allow recruiting on campus...but those colleges didn't preclude CIA from setting up shop in local hotels" off-campus.

Bottom line: I don't think this is an important explanation of our shortfalls, but would be glad to pursue further, especially if SECDEF has some specifics that allow a more sophisticated line of inquiry (e.g., there could have been subtle pressures whose de facto effect was to discourage young Americans from considering the Agency).

David

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

From: Butler, Paul, CIV, OSD
Sent: Monday, August 16, 2004 9:47 AM
To: Chu, David, CIV, OSD-P&R
Subject: RE: SecDef snowflake

Thanks. I think it is very important that we look into the past. The point is to draw out the fact that there are lots of reasons why HUMINT deteriorated so the historical information is very relevant. Thanks

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

From: Chu, David, CIV, OSD-P&R
Sent: Monday, August 16, 2004 8:52 AM
To: Butler, Paul, CIV, OSD
Cc: Wellock, Stephen M., CAPT, OSD-P&R
Subject: RE: SecDef snowflake

Paul:

First check with (b)(6) is that CIA does NOT face recruiting barriers on college campuses. He's double-checking, however. Sometimes a campus will ask CIA to adjust its schedule to avoid confrontation with other events, but that's the extent of any problem he knows about.

As he pursues his due diligence, I've asked him to see if there was indeed a problem in the past, when it occurred. etc.

Hope this helps.

David

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

From: Butler, Paul, CIV, OSD
Sent: Monday, August 16, 2004 8:22 AM
To: Chu, David, CIV, OSD-P&R
Subject: RE: SecDef snowflake

Thanks so much.

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

From: Chu, David, CIV, OSD-P&R
Sent: Monday, August 16, 2004 8:17 AM
To: Butler, Paul, CIV, OSD; Abell, Charles S., CIV, OSD-P&R
cc: Plata, Nancy D., CIV, OSD-P&R; Wellock, Stephen M., CAPT, OSD-P&R
Subject: RE: SecDef snowflake

11-L-0559/OSD/45652

Paul:

I'll call the **CIA** Chief Human Capital Officer, (b)(6) in a few minutes to secure.

David

P.S. to Nancy: Please get me phone number and see if he's available at 8:45.

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

From: Butler, Paul, CIV, OSD
Sent: Sunday, August 15, 2004 12:47 PM
To: Chu, David, CIV, OSD-P&R; Abell, Charles S., CIV, OSD-P&R
Subject: SecDef snowflake

SecDef sent snowflake from the plane asking about how many colleges prohibit **CIA** from recruiting on campus and for how many years that has been the case, when did it **forst** start (Vietnam war era), etc. Needs it tomorrow (Monday) since he may want to use in his testimony. I know we provbably keep this for the military. Any ideas how I go about finding this type of data?

720
FOUO

August 15, 2004

TO: Larry Di Rita
CC: Mary Claire Murphy
FROM: Donald Rumsfeld *DR*
SUBJECT: Invitees to CPA Function

When we have the function for the CPA and Ambassadors from the coalition countries at our house, let's include Margaret Tutwiler, Reuben Jeffery, Larry Di **Rita**, and some of the other people who served in Baghdad.

Thanks.

DHR:dh
081504-1 (ts computer).doc

.....
Please respond by 9

001.1

15 Aug 04

FOUO

11-L-0559/OSD/45654

OSD 19318-04

August 15, 2004

TO: Doug Feith
CC: Paul Wolfowitz
FROM: Donald Rumsfeld *DR*
SUBJECT: Russian-Baltic Border Issues

R U S S I A

In the meetings with Russian MoD Ivanov, the subject came up of some border infringements by NATO aircraft along the Baltics. When I talk to the people from the Baltics, they claim the Russians are infringing on their border.

It seems to me that we ought to encourage NATO to consider the kind of arrangements we have with the Russians, whereby there is a protocol and there are established procedures, so neighbors can live together as good neighbors, rather than fussing at each other.

Please come back to me with a proposal.

Thanks.

DHR:dh
081504-7 (ts computer).doc

.....
Please respond by 9/3/04

15 AUG 04

FOUO

file

August 15, 2004

I-04/011040
ES-0490

RUSSIA

TO: Bill Luti
CC: Gen. Dick Myers
Paul Wolfowitz
Doug Feith

J 8/30

FROM: Donald Rumsfeld *DR*

SUBJECT: Nuclear Safety Visit

Who is going to follow up on the point the Russians brought up about having them do a reciprocal visit on nuclear safety with a NATO country, probably us?

Thanks.

DHR:dh
081504-9 (ts computer).doc

.....
Please respond by 8/27/04

DA 8/30

Sir,
Response attached.

v/r
LtCol Lengyel

15 AUG 04

FOUO



INTERNATIONAL SECURITY
POLICY

ASSISTANT SECRETARY OF DEFENSE
2900 DEFENSE PENTAGON
WASHINGTON, DC 20301-2900

8/20

INFO MEMO

DepSecDef

USD@ 011040 AUG 27 2004

Handwritten signature/initials

4/011040

ES-0490

RUSSIA

FOR SECRETARY OF DEFENSE

FROM: Mira R. Ricardel, ASD/ISP (Acting) *MR* AUG 26 2004

SUBJECT: Response to Questions About Nuclear Safety Visit

- You asked, "who is going to follow up on the point the Russians brought up about having them do a reciprocal visit on nuclear safety with a NATO country, probably us?"
- The person responsible for this issue is Dr. Dale Klein, Assistant to the Secretary for Nuclear, Chemical and Biological Defense Programs.
- Dr. Klein's office is now working to develop a proposal for a reciprocal NATO nuclear accident/incident response exercise, and plans to discuss this matter with officials from the UK and France.

26 AUG 04

15 AUG 04



OSD 19320-04

COORDINATION
On
SecDef Snowflake on Nuclear Safety Visit
18 August 2004

DASD (Forces Policy)

John Rood

JR 8/19/04

Principal Director (Forces Policy)

Mark Schneider

MBS 8/19/04

Director (NATO and Theater Strike)

David Shilling

DMJ 8/19/04

Deputy ATSD for Nuclear Matters

Steve Henry

Reviewed draft; edits
incorporated

720
FOUO

13754-04

file

August 15, 2004

TO: Bill Luti
FROM: Donald Rumsfeld *DK*
SUBJECT: More Info for Cable on Ukraine

J 8/15

Ukraine

For the cable on Ukraine, I talked to the MoD in the car about free and fair elections after bringing it up with Kuchma earlier.

Let's also remember that I mentioned to them the possibility of their helping with protecting the UN and training and equipping Iraqi security forces.

Thanks.

DHR:dh
081504-14 (ts computer).doc

.....
Please respond by

8/15/04

8/15

*BOTH ITEMS REFLECTED IN THE
CABLE - ACTION COMPLETE*

Bill Luti

15 Aug 04

FOUO

11-L-0559/OSD/45659

OSD 19321-04

FOUO file

August 16, 2004

W
L
W

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Checklist for papers

Please talk to GEN Craddock about how we are supposed to handle trips in terms of getting a checklist of thank you notes, taskers, outgoing cables, and a key list of action items.

There is a format for this, and apparently you did not have it. I would like you to get it and see if we can get back into the rhythm.

Thanks.

DHR:ss
081604-9

.....
Please respond by 8/20/04

8/16 *DR* 8/16

Response
Attached.
VLR
Jim

16 AUG 04

FOUO

August 16, 2004

TO: VADM Jim Stavridis
FROM: Donald Rumsfeld *DR*
SUBJECT: Cables and Thank You Notes

In the future, I need to get the cables and thank you notes faster. Saving them until the last leg (when we're doing the SVTCs and I have to read all the material Steve Cambone has sent) just doesn't work. If they do them the same day and get them in on a 5-6 day trip like that, I can easily deal with all of them.

The day we arrived home I didn't have a chance to read the last chunk of them, and then we headed right into a very busy week. It's not a good way to do it; let's get it fixed. If that means someone has to miss going to a function (to a castle, dinner, palace, etc.), then that's what it means. *DR* We have so many people along on the trips so they can trade off responsibilities.

We need to have a checklist – who is assigned which cables so they get them done on time. In the future, let's put a deadline on them.

Thanks.

DHR:ss
081604-1

.....
Please respond by _____

08/18

TO: SECDEF

16 August 2004

FROM: VADM JIM STAVIUDIS

SUBJ: TRIP CHECKLIST and MEMO TO THE PRESIDENT

1. Sir, I spoke with GEN Craddock today, and he provided me a copy of the trip checklist you mentioned. The senior Policy representative on each trip is responsible to construct a detailed matrix for each trip that shows who is responsible for each product and give them hard deadlines for each of the products – cables, thank you, Presidential memo, and so forth. I will personally track this and ensure they do what is required to get the material in each day so there is not a large drop at the end of the trip.
2. I've also spoken with leadership in Policy to re-emphasize that they need to get these products into us in a timely fashion.
3. On the memo for the President, clearly the speechwriter is not the right person to draft this important document. I will ensure that henceforth an appropriate "substance person" is assigned the task, and will pay particular personal attention to its development and drafting. We'll get you a quality product in a more timely fashion on future trips.

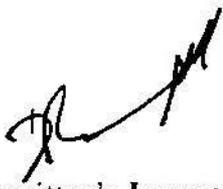
Very respectfully,



August 16, 2004

IRAQ

TO: Steve Cambone

FROM: Donald Rumsfeld 

SUBJECT: Senate Select Committee's Iraq assessment

I just finished reading the conclusions of the Senate Select Committee on Intelligence in their pre-war assessment on Iraq.

It presents a number of conclusions critical of the intelligence community. To the extent that any of the conclusions apply to intelligence community activities involving DOD, please get involved to see that whatever deficiencies may exist are rectified and any other appropriate actions are taken.

Thanks.

Attach.
Select Committee on Intelligence Report

DHR:ss
081604-7

.....
Please respond by 9/10/04

16 AUG 04



720
INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

INFO MEMO

December 1, 2004 5:30 pm

FOR: SECRETARY OF DEFENSE

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

SUBJECT: Boeing Suspension Regarding the Evolved Expendable Launch Vehicle Program

- After you suggested yesterday that we should be looking not only at Department of Defense contracts that might have been tainted by Darleen A. Druyun but also by any other "criminals" associated with Ms. Druyun, the General Counsel volunteered that The Boeing Company, Incorporated, (Boeing) has also been "partially debarred" from government contracting as a result of criminal allegations. Attached, for your convenience, is a brief description of this matter, which was included with my October 8, 2003, Quarterly Update to you.
- Following is a brief summary of my Office's involvement in that matter. Even before receiving your "snowflake" of yesterday, I had already instructed my staff to share whatever information we can with the Acting Undersecretary of Defense (AT&L), who agreed yesterday to address your concerns about contracts tainted by any other "criminals" associated with Ms. Druyun.
- Since September 5, 2002, the Defense Criminal Investigative Service, jointly with the Air Force Office of Special Investigations and the National Aeronautics and Space Administration Office of Inspector General, have been investigating allegations that Boeing used Lockheed Martin Corporation's proprietary documents to successfully bid on Air Force contracts for the Evolved Expendable Launch Vehicle program. On July 24, 2003, the Air Force suspended (a temporary measure short of debarment) three Boeing divisions and three former Boeing employees from government contracting. The affected Boeing divisions are the Launch Systems Division, Chicago, IL; Boeing Launch Services, Chicago, IL; and the Delta Programs Division, Huntington Beach, CA. To date, the divisions are still under suspension, and the investigation continues.
- I will respond more fully to your "snowflake" within the time you requested (1/13/05).

Attachment: As stated.

cc: Acting USD (AT&L); General Counsel

Prepared By: Charles W. Beardall, Acting Deputy Inspector General (b)(6)

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11-L-0559/OSD/45664

OSD 19325-04



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

INFO MEMO

October 8, 2003, 11:30 a.m.

FOR: SECRETARY OF DEFENSE

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

SUBJECT: Inspector General Quarterly Update (July - September 2003)

- Attached at Tab A is a summary of Fourth Quarter FY 2003 significant accomplishments of the Office of Inspector General.
- Over the course of the last quarter I provided 13 Info Memos in lieu of one-on-one briefings whenever there was a need to brief you on IG issues. A summary is at Tab B.
- At the request of the Vice Chairman of the President's Council on Integrity and Efficiency, I drafted a resolution to commemorate the 25th anniversary of the enactment of the Inspector General Act of 1978, signed into law on October 12, 1978, which has been introduced in the House (H. J. Res. 70) by Chairman Tom Davis, House Committee on Government Reform (Tab C), and in the Senate (S. J. Res. 18) by Chairwoman Susan Collins, Senate Committee on Governmental Affairs (Tab D).
- We held our 15th Annual Awards Luncheon on September 25, 2003. It was my privilege to honor those members of the OIG team who set the bar "very much higher" than the high standards of performance we enforce. We were also honored to have Dan Gable as our guest speaker. I have already provided your front office a video of his remarks.

COORDINATION: None

Attachments:
As stated

Prepared by: Joseph E. Schmitz (b)(6)

- ***IG Support to the Combatant Commanders:***
 - The Inspector General and his four Deputies met with the Joint Forces Command (JFCOM) Deputy Commander and staff to review possibilities for partnering. They requested IG support evaluating manpower allocation and acquisition plans, updating Combatant Command IG policy, and formulating a joint IG training curriculum. We return in October to scope projects and plan the way forward.

- ***Improved Financial Performance:***
 - As part of the Department's goal to achieve a favorable audit opinion on the FY2007 DoD financial statements, the Under Secretary of Defense (Comptroller) issued a memorandum to the Services and Defense Agencies to prepare comprehensive mid-range financial improvement plans which will be used as a roadmap for achieving a favorable audit opinion. The Comptroller also directed the OIG, DoD to plan for the increased internal and contract audit resources to meet the FY2007 goal. Reprogramming of about **\$184M** from the Military Departments and Defense Agencies to the OIG, DoD is planned for FY2004; about 96% of the total is for contract support to achieve the 2007 goal.

- ***OIG Transformation:***
 - The Office of the Chief of Staff restructured combining administration, information management, comptroller, and security into a single robust entity. The Deputy Inspector General for Intelligence transitioned two audit teams (14 auditors) to Intelligence and Thomas Gimble was named as the Assistant Inspector General for Intelligence. The Deputy Inspector General for Inspections and Policy established the Inspections and Evaluations Directorate. Initially the directorate will focus on the sexual climate at the Military Academies, human trafficking, support to Combatant Commands and Joint IG doctrine and training.
 - We promulgated four new OIG policy memoranda on the following subjects: "Leadership Assist Visits (Rev.)"; "Release of OIG Reports Containing Privacy Act Protected Information"; "Order of Inspector General Succession (Rev, 1)"; and "Robust Leadership Development and Succession Planning."

- ***Results of Major Criminal Investigations:***
 - Enaam Arnaout of Benevolence International Foundation was sentenced to 11 years for defrauding donors by concealing that donations were used to support terrorist groups.
 - Former Boeing employees were indicted for theft of trade secrets from Lockheed Martin involving Evolved Expendable Launch Vehicle

August 17, 2004

TO: Steve Cambone
FROM: Donald Rumsfeld *DR*
SUBJECT: Note from EUCOM

Please take a look at this note from EUCOM, and tell me what you think we ought to do about it.

Thanks.

Attach
Note from EUCOM

DHR:ss
081704-4

.....
Please respond by 8/31/04

EU
COM

17 AUG 04

FROM: COMEUCOM

16 AUG 04

TO: SECDEF

MR. SECRETARY,

I AM IN RECEIPT OF INSTRUCTIONS TO PROCEED WITH THE TEMPORARY TRANSFER OF 87 PERSONNEL, FOR UP TO ONE YEAR, TO AUGMENT THREE CENTCOM INTELLIGENCE STAFFS. I HAVE CONDUCTED AN ANALYSIS OF THE IMPACT OF SUCH A REDUCTION ON JAC MOLESWORTH AND ITS CRITICALLY IMPORTANT MISSIONS IN SUPPORT OF OUR NATIONAL AND THEATER OBJECTIVES. I HAVE REQUESTED A REVIEW OF THIS REQUIREMENT BY THE JOINT STAFF PRIOR TO EXECUTING THIS DIRECTIVE, AND I HAVE BEEN INSTRUCTED TO COMPLY WITH THE DIRECTIVE PENDING COMPLETION OF THE REQUESTED REVIEW.

I AM WRITING TO VOICE ~~M~~ INTENT TO COMPLY AS REQUESTED, BUT ALSO TO EXPRESS ~~M~~ CONCERN WITH REGARD TO THE IMPACT OF SUCH A REDUCTION ON OUR CRITICAL MISSION CAPABILITIES AT JAC MOLESWORTH. WHEN THIS REDUCTION IS IMPLEMENTED, WE WILL IMMEDIATELY HAVE TO TERMINATE ACTIVITIES FOR ONE YEAR IN THE FOLLOWING AREAS:

1. ALL TARGETING, TO INCLUDE BDA AND TIME SENSITIVE TARGETING
2. ALL AIR TO AIR DEFENSE ANALYSIS
3. ALL ORDER OF BATTLE MAINTENANCE
4. LONG TERM THEATER STRATEGIC ESTIMATES
5. ALL COUNTRY STUDIES IN 91 COUNTRY AOR
6. ALL EXERCISE SUPPORT

FURTHER, WE WILL REDUCE THE FOLLOWING CAPABILITIES:

1. IN DEPTH POLITICAL-MILITARY ANALYSIS OF WESTERN EUROPE
2. RUSSIAN MARITIME FOCUS
3. COLLECTION MANAGEMENT

THE NEGATIVE IMPACT OF THIS REDUCTION ON THIS THEATER WILL BE FELT IN KEY AREAS UPON WHICH WE HAVE COME TO DEPEND FOR GWOT AND OTHER IMPORTANT ACTIVITIES. IT WILL SIGNIFICANTLY REDUCE THE EFFECTIVENESS OF JAC MOLESWORTH AND OUR WARFIGHTING CAPABILITY ACROSS THE BOARD, TO INCLUDE ONGOING SUPPORT TO OTHER COMBATANT COMMANDERS. THE SAME PERSONNEL IDENTIFIED FOR THIS AUGMENTATION MISSION ARE ALREADY PROVIDING SIGNIFICANT SUPPORT TO CENTCOM FOR BOTH OEF AND OIF VIA REACHBACK FOR IN DEPTH ANALYSIS AND ANALYTICAL SUPPORT FROM JAC MOLESWORTH. A SYNERGISTIC AND FOCUSED SUPPORT MISSION, LEVERAGING THE FULL CAPABILITY OF THE JAC, SHOULD BE OF GREATER BENEFIT TO THE GWOT AND TO CENTCOM THAN A DISPERSAL OF THE SAME ASSETS.

I REQUESTED RECONSIDERATION OF THIS REQUIREMENT, PRIOR TO EXECUTION, AS THERE CURRENTLY EXISTS 11 STANDING COMMANDS AND JTFS SUPPORTING OIF AND OEF, EACH HAVING AN ORGANIC INTELLIGENCE STAFF. ~~M~~ HOPE WAS THAT EFFORTS TO CONSOLIDATE/REDUCE DMBINE AND PERHAPS EVEN

11-L-0559/OSD/45668

ELIMINATE SOME OF THESE MULTIPLE STAFFS WOULD HAVE BEEN POSSIBLE AND ADVISABLE BEFORE IMPLEMENTING A REDUCTION OF THIS MAGNITUDE AT JAC, MOLESWORTH.

M RECENT VISIT TO ISRAEL HIGHLIGHTED ISRAELI CONCERN OVER THE RECENT UCP TRANSFER OF LEBANON AND SYRIA TO CENTCOM. THE IDF IS CONCERNED OVER THEIR RESULTING LACK OF ACCESS AND REPRESENTATION WITH CENTCOM ON MATTERS PERTAINING TO THESE TWO COUNTRIES. I HAVE EXPLAINED THAT THE UCP "SEAMS" BETWEEN EUCOM AND CENTCOM ARE "SOFT", VICE RIGID LINES AND THAT WE ARE QUITE ABLE AND WILLING TO BE INTERLOCUTORS WITH CENTCOM AND BACK ON MATTERS PERTAINING TO LEBANON AND SYRIA, IN EFFECT "REPRESENTING" CENTCOM FOR AND TO THEM. AS THEIR DESIRE IS TO DEVELOP GWOT INTELLIGENCE ON A BILATERAL BASIS EVEN FURTHER, THIS IS ANOTHER REASON FOR ADDRESSING THE PENDING JAC MOLESWORTH REDUCTIONS WITH CAUTION.

FINALLY, WE ARE IN THE PROCESS OF ACHIEVING A BREAKTHROUGH OF SORTS WITH REGARD TO BUILDING THE FIRST NATO STRATEGIC INTELLIGENCE CAPABILITY ADJACENT TO JAC, MOLESWORTH, WITH THE INVALUABLE ASSISTANCE OF JAC AND EUCOM PERSONNEL. LACK OF ORGANIC INTELLIGENCE HAS BEEN ONE OF NATO'S CLEAREST WEAKNESSES FOR **MANY** YEARS. CURRENT EFFORTS TO REMEDY THIS SHORTFALL ARE TRULY TRANSFORMATIONAL FOR THE ALLIANCE, AND ARE GENERATING ENTHUSIASM. ANY SIGNIFICANT MANPOWER REDUCTION AT JAC WILL REDUCE OUR ABILITY TO BRING THIS EFFORT TO FRUITION, AT LEAST WITHIN CURRENT TIMELINES AND ESTIMATES.

I HAVE ADVISED THE CHAIRMAN, THE VICE CHAIRMAN, AND USD (I) OF **MY** CONCERNS. I OFFER THESE COMMENTS IN KEEPING WITH MY RESPONSIBILITIES TO PROVIDE MY BEST MILITARY ADVICE WHEN APPROPRIATE AND NECESSARY. IN MY VIEW, THIS IS SUCH A TIME.

UNLESS OTHERWISE INSTRUCTED, EUCOM WILL IMMEDIATELY IMPLEMENT THE DIRECTIVE WE HAVE RECEIVED.

VERY RESPECTFULLY,
JIM

7201
FOUO

file

AUG 23 2004

cc: a%

August 18, 2004

TO: Steve Cambone
FROM: Donald Rumsfeld *DR*
SUBJECT: Mike DeLong's book

J 8/31

Please contact Mike DeLong and be sure he clears his book for classified material.

Thanks.

DHR:ss
081804-3

.....
Please respond by 8/20/04

AUG 21 2004

JH 8/31
Sir,
Response attached.
YR
Lt Col Bengyel

FOUO

OSD 19330-04

11-L-0559/OSD/45670

DB 8/31

MEMEORANDUM FOR SECRETARY OF DEFENSE

Through: Under Secretary of Defense for Intelligence ~~_____~~ AUG 30 2004
From: Deputy Under Secretary of Defense, CI&S ~~_____~~ 30 AUG 04
SUBJECT: LtGen Mike DeLong's Upcoming Publication

As requested, LtGen Mike DeLong was contacted reference the pending release of his book. LtGen Delong stated the CENTCOM Security Office, specifically Mr. Dan Morris, Deputy J-2, CENTCOM and Mr. Barry Hammill, CENTCOM Deputy Judge Advocate General accomplished a security review.

Additionally, LtGen Delong stated that when writing the **book**, he was mindful not to include or go into the who, what, when, why and how.

According to LtGen DeLong, the book is currently in print and expected on store shelves around 12 September 2004.

INFO MEMO

8/25/2004 5:39 PM

FOR: Ms. Haave

FROM: Buckley, M. *[Signature]*

SUBJECT: SecDef Snowflake re: LtGen DeLong's Book

- Please see Colonel Sweat's note: "Is this acceptable to DoD?"
 - o I personally called LtGen DeLong reference this subject. He stated part of his job while assigned to CENTCOM was to review like material for classified information before public dissemination.
 - o He stated he had the book reviewed by Mr. Dan Morris, Deputy J-2; CENTCOM to ensure it met all requirements and did not divulge any classified information. Mr. Morris can be reached at:
 - DSN: (b)(6)
 - Commercial: (b)(6)
- LtGen DeLong's contact information:
 - o Home: (b)(6)
 - o Cell: (b)(6)
 - o He stated I was the fifth or sixth person to call reference this subject.

Prepared by: mmb/(b)(6)

*best professional opinion
no issues -
conversational, no
specificity @ TTPs or security
JAC reviewed as well.
Barry Hamel*

December 2, 2004

TO: Dina Powell
FROM: Donald Rumsfeld *DR*
SUBJECT: Powell Moore

230.02

Here's a background sheet on Powell Moore, and also some points that I have developed with respect to the job he could do as a U.S. Ambassador for this Administration. He is first rate. He is leaving. He would very much like to serve the country. I hope you will see that his name is carefully considered. You never know what might happen, but this is a person who has been carrying the mail, as has his wife, Pam, for many, many decades.

Thanks.

Attach.
Powell Moore Bio
Talking Points on Powell Moore

DHR:ss
120204-1

2 Dec 04

POWELL A. MOORE

Powell A. Moore is the Assistant Secretary of Defense for Legislative Affairs. He was nominated by President Bush for this position on April 23, 2001 and confirmed by the Senate on May 1, 2001.

Mr. Moore formerly served as the Chief of Staff for Senator Fred D. Thompson, Republican of Tennessee, and Chairman of the Senate Committee on Governmental Affairs. Mr. Moore held this position from September 1998 until assuming his current duties.

Active in public policy affairs in Washington for more than 37 years, Mr. Moore is a former Assistant Secretary of State for Legislative Affairs under President Reagan and served on the White House staff under Presidents Nixon, Ford, and Reagan.

Mr. Moore began his Washington career in 1966 as Press Secretary to Senator Richard B. Russell, Democrat of Georgia, and served in this capacity until Senator Russell's death in January of 1971. He then joined the Nixon Administration, first serving as Deputy Director of Public Information for the Department of Justice and later as a member of the White House Legislative Affairs staff.

He left the White House in 1975, and for the subsequent six years, engaged in government relations and legislative affairs consulting, representing a variety of corporations and associations.

Mr. Moore returned to the White House in January 1981 on the day following Ronald Reagan's inauguration as the 40th President of the United States. As Deputy Assistant to the President for Legislative Affairs during 1981, he managed the Senate component of the legislative affairs office at the White House.

In January of 1982, President Reagan nominated him to be Assistant Secretary of State for Legislative Affairs, and he was confirmed by the Senate on February 4, 1982.

After leaving government in late 1983 and before returning in 1998, Mr. Moore advised and represented business interests as a consultant and as Vice President for Legislative Affairs of the Lockheed Corporation.

Mr. Moore was born in Milledgeville, Georgia, on January 5, 1938. He graduated from the University of Georgia in Athens in 1959 after attending preparatory school at Georgia Military College in Milledgeville. After graduation, he was commissioned as an Infantry officer in the United States Army where he served for three and one-half years with tours in Baumholder, Germany, and Fort Benning, Georgia.

Mr. Moore lives in Washington, D.C. with his wife Pamela. He has a daughter, Mrs. Frances M. Preston of Franklin, Tennessee; and a son, Allen Moore of Springfield, Virginia. Mr. and Mrs. Moore together have four grandsons and a granddaughter.

Talking Points to **Support** a Recommendation Of Powell Moore to be an Ambassador

- Powell Moore's career has prepared him to serve as an Ambassador and lead an embassy team to advance the interests of the United States overseas.
- He has a longstanding history of achieving measurable results in developing and implementing strategies to deliver public policy messages.
- As a member of the President's legislative affairs and national security team for the past four years, he has a deep understanding of the President's national security and foreign policy goals
- His career in legislative affairs has provided him with solid preparation for a diplomatic post where accurate reporting and insightful analysis are essential.
- Powell Moore has an in-depth knowledge of the United States government. He has worked for Senators Richard Russell of Georgia and Fred Thompson of Tennessee, on the White House staff under Presidents Nixon, Ford and Reagan and in the Departments of Justice, State and Defense. He also understands the interests and issues of the Nation having worked closely with scores of Senators and Representatives from every region on a variety of issues including trade, manufacturing, agriculture and finance.
- As Assistant Secretary of State and Assistant Secretary of Defense, he has accompanied Members of Congress to more than forty nations where he has participated in meetings with numerous international leaders.
- His introduction to U.S. ties to Europe came early in his career when he served for two years as an Infantry officer in Germany at the time of the Berlin crisis.
- His wife, Pamla Moore, would be an exceptional representative of our nation.
 - Pamla came to Washington from Atlanta in 1989 as a key member of the staff of President G.H.W. Bush's Peace Corp Director, Paul Coverdell. Her association with the late Senator Coverdell spanned more than 20 years in Republican fundraising and political activities in Georgia and in Washington.
 - As Director of the Office of Private Sector Relations for the U.S. Peace Corps, she raised more than \$12 million in private sector donations to support the Peace Corps' initiative into former Warsaw Pact countries.
 - She currently directs the National Blood Foundation, which provides support for transfusion medicine research with an endowment of more than \$4 million.
 - Pamla was an alternate delegate from the District of Columbia to the Republican National conventions in Philadelphia in 2000 and in New York in 2004.
 - On November 2, 2004, she won a non-partisan election with more than 70 percent of the vote to represent the eastern section of Georgetown on a District of Columbia Advisory Neighborhood Commission.
- Powell Moore has loyally served in the Administration of President Bush during his first term and is eager to serve the President and the Nation in a challenging assignment abroad in the second term.

December 3, 2004

TO: Paul Butler
FROM: Donald Rumsfeld *DR*
SUBJECT: Thank You Note for Bill Timmons

3/1.3

If we have not prepared a thank you to Bill Timmons for his heads up on the calling cards for the military, please draft one.

Thanks.

DHR:ss
120304-10

.....
Please respond by 12/9/04

*Cpt Merritt
Another winning project.
Thanks*

Paul

Paul Butler
2/14

3 DEC 04

1 DEC 04

DA 12/3

VIA FAX

Memorandum for the Honorable Donald Rumsfeld

From: Bill Timmons *bill*

Date: 1 December 2004

Subject: Prepaid Telephone **Calling Cards** for **Military**

Request your personal assistance on an issue of importance to our servicemen and women and their families. In the next few weeks the FCC intends to issue an order concerning prepaid calling cards that threatens to increase rates on the military and other users of this low-cost telephone service by as much as 20%.

Ten years ago calling card service that contained promotional advertisements (called enhanced cards) was placed in service. Telephone calls using these enhanced cards are informational and outside regulated service and therefore not subject to intrastate access or universal service fees. After all these years the FCC intends to make these cards fall in a revenue category that will cause troops and other card users to contribute more so others may contribute less.

Consistent with the goals of universal service, the cards today provide low-cost calling for those who need it most - military, senior, rural, minority, and low-income users. The USO provides free pre-paid cards to service personnel as part of "Operation Phone Home program." Wal-Mart, Sam's Club, drug stores, military exchanges, and other retail outlets sell the inexpensive calling cards. Members of Congress have communicated with FCC Chairman Powell not to take money out of soldiers' pockets while they defend our country. In fact, in the closing days of this Congress through report language for the final budget legislation Congress directed the FCC "not to take any action that would directly or indirectly have the effect of raising the rates charged to military personnel or their families for telephone calls placed using prepaid phone cards." On 23 July of this year the Pentagon weighed in when Charles Abell wrote the FCC pointing out the increased costs to service personnel and families if this order were implemented. The FCC chairman put off official action until after the election but now intends to go forward.

Don, about the only avenue open seems to be White House involvement to protect the low-cost prepaid calling cards for the military. May I suggest you call Andy Card and ask him to help?

Thanks a bunch.



William E. Timmons
Chairman Emeritus

Bill Timmons founded Timmons and Company in 1975.

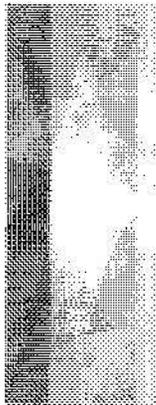
Mr. Timmons is Chairman Emeritus with responsibility for guiding corporate planning. From its formation until 1986, Mr. Timmons served as the company's president, recommending plans designed to achieve clients' goals in their relations with the federal government.

Between 1969-1974, Mr. Timmons was Assistant to the President for Legislative Affairs to Presidents Richard Nixon and Gerald Ford, where he was responsible for the Administrations' legislative programs and the principal advisor on Congressional relations. As a senior White House spokesman on Capitol Hill, he also coordinated strategy for department and agency legislative initiatives. Prior to his White House service, Mr. Timmons served 12 years in senior positions on Capitol Hill as Administrative Assistant to Representative Bill Brock (R-TN) and as an aide to Senator Alexander Wiley (R-WI). Bill served four years in the U.S. Air Force during the Korean War period.

He has held commissions from four Presidents and is a member of numerous professional, service, fraternal, and social organizations. Mr. Timmons has attended every Republican National Convention since 1964. He was Director of Congressional Relations for the Nixon-Agnew campaign in 1968; National Convention Manager for Richard Nixon in 1968 and 1972, for Gerald Ford in 1976, and for Ronald Reagan in 1980 and 1984; and National Political Director for Reagan-Bush in 1980. He was also Deputy Director of the Transition for President-elect Reagan in 1980, and a senior advisor to Vice President George Bush's campaign in 1988 and Senator Bob Dole's bid in 1996. In 2000, he was a senior advisor to Governor Bush for the



Contact



Bryce L. (Larry) Harlow
 President and Managing Director

Richard J. Tarplin
 Chairman and Managing Director

Timmons and Company, Inc.
 1875 Eye Street, N.W.
 Suite 400
 Washington, D.C. 20006
 tel 202.331.1760
 fax 202.822.9376

* Name:

* Email:

Message:

* Required information



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VIA FAX OFFICEMemorandum for the Honorable **Donald Rumsfeld**From: Bill Timmons *Bill*

Date: 1 December 2004

Subject: **Prepaid Telephone Calling Cards** for Military

Request your personal assistance on **an** issue of importance to **our** servicemen and women **and** their families. In the next few weeks the **FCC** intends to issue an order concerning prepaid calling cards that threatens to increase rates on the military and other users of **this** low-cost telephone service by **as much as 20%**.

Ten years **ago** calling card service that contained promotional advertisements (**called** enhanced cards) **was** placed in service. Telephone calls using these enhanced cards are **informational** and outside regulated service and **therefore** not subject to intrastate **access** or **universal** service fees. After all these years the **FCC** intends to make these cards fall in a revenue category that will cause troops and other card users to **contribute** more so others may contribute less.

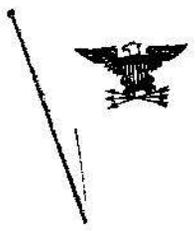
Consistent with the goals of **universal service**, **the** cards today provide low-cost calling for **those** who need it **most** – military, senior, rural, **minority**, and low-income users. The USO provides **free** pre-paid cards to service personnel as part of “**Operation Phone Home** program.” Wal-Mart, **Sam’s Club**, drug stores, **military** exchanges, and other retail outlets sell the inexpensive calling cards. Members of Congress have communicated with **FCC Chairman Powell** not to take money out of **soldiers’** pockets while they defend **our** country. In fact, in the closing days of **this** Congress through **report language** for the **final** budget legislation Congress directed the FCC “not to take any action that would directly or indirectly **have** the effect of **raising** the rates charged to military personnel or their families for telephone calls placed **using** prepaid phone cards.” **On 23 July** of **this** year the Pentagon weighed in when Charles Abell wrote the **FCC** pointing **out** the increased **costs** to service personnel **and** families if this order were implemented. The **FCC chairman** put **off** official action **until** after the election but **now** intends to go forward.

Don, about the **only avenue** open seems to be White House involvement to protect the low-cost prepaid calling cards for the military. May I suggest you call **Andy Card** and **ask** him to help?

Thanks a bunch.

OSD 19346-04

11-L-0559/OSD/45680



THE SECRETARY OF DEFENSE
WASHINGTON

DEC 15 2004

311.3

Mr. Bill Timmons
Chairman Emeritus
Timmons and Company, Inc.
1875 Eye Street, N.W.
Suite 400
Washington, D.C. 20006

Dear Bill,

Thanks for the heads up about the calling card
issue. It is important, and we are looking into it.

I'll be in touch with you.

Sincerely,

15408 04

1410 04

OSD 19346-04

11-L-0559/OSD/45681

FOUO

August 31, 2004

2004-08-31 11:19:23

092

TO: Gen Richard Myers
 Doug Feith

FROM: Donald Rumsfeld *DR*,

SUBJECT: Common Global Environment Assessment

I think we should have a common global environment assessment, and use DoD's Regional Centers and Combatant Commanders to help communicate with the rest of the world so they share our assessment. We need to show them the intelligence and our analysis. We need to get them thinking about the world the way we are thinking about it, or learn from them about what they are thinking.

Only if we have a common understanding of the global environment - the threats and capabilities we face -- will we be likely to end up singing off the same sheet of music.

Please come back to me with a proposal as to how we should proceed.

Thanks.

DHR:ss
 083104-15

.....
 Please respond by 9/14

31 AUG 04

FOUO

OSD 19347-04

11-L-0559/OSD/45682

Policy Executive Secretariat Note

FEB 16 2005

I-04/0 11748/ES-0626

Reference: 083104-15, Common Global Environment
Assessment

Captain Marriott,

Ryan Henry briefed SecDef on October 20, 2004 on
DoD Regional Centers. Attached is the October 20 briefing.

Respectfully request consideration that the
October briefing answers the snowflake action.

June Bartlett
June Bartlett
Deputy Director
Policy Executive Secretariat

~~FOUO~~

August 31, 2004

I-04/011748
ES-0626

TO: Gen Richard Myers
Doug Feith

FROM:

SUBJECT: Common Global Environment Assessment

I think we should have a common global environment assessment, and use DoD's Regional Centers and Combatant Commanders to help communicate with the rest of the world so they share our assessment. We need to show them the intelligence and our analysis. We need to **get** them thinking about the world the way we are thinking about it, or learn from them about what they are thinking.

Only **if** we have a common understanding of the global environment - the threats and capabilities we face -- will we be likely to end **up** singing **off** the same sheet of music.

Please come back to me with a proposal as to how we should proceed.

Thanks.

DHR:ss
083104-15

.....
Please respond by _____

9/14

~~FOUO~~

OSD 19347-04

11-L-0559/OSD/45684

DoD Regional Centers – Post 9/11 Transformation



**SecDef Briefing
20 October, 2004**

DELIBERATIVE DOCUMENT: For discussion purposes only.
Draft working papers. Do not release under FOIA)

11-L-0559/OSD/45685



DoD Regional Centers **Overview**

POLICY

- Assumptions
- Background
- Evolving Vision
- Implementing the Vision
- Next Steps

Bottom Line

- To maximize our Regional Centers' contribution to national security we need to transform**
 - the way we think about Regional Centers
 - the way
 - how



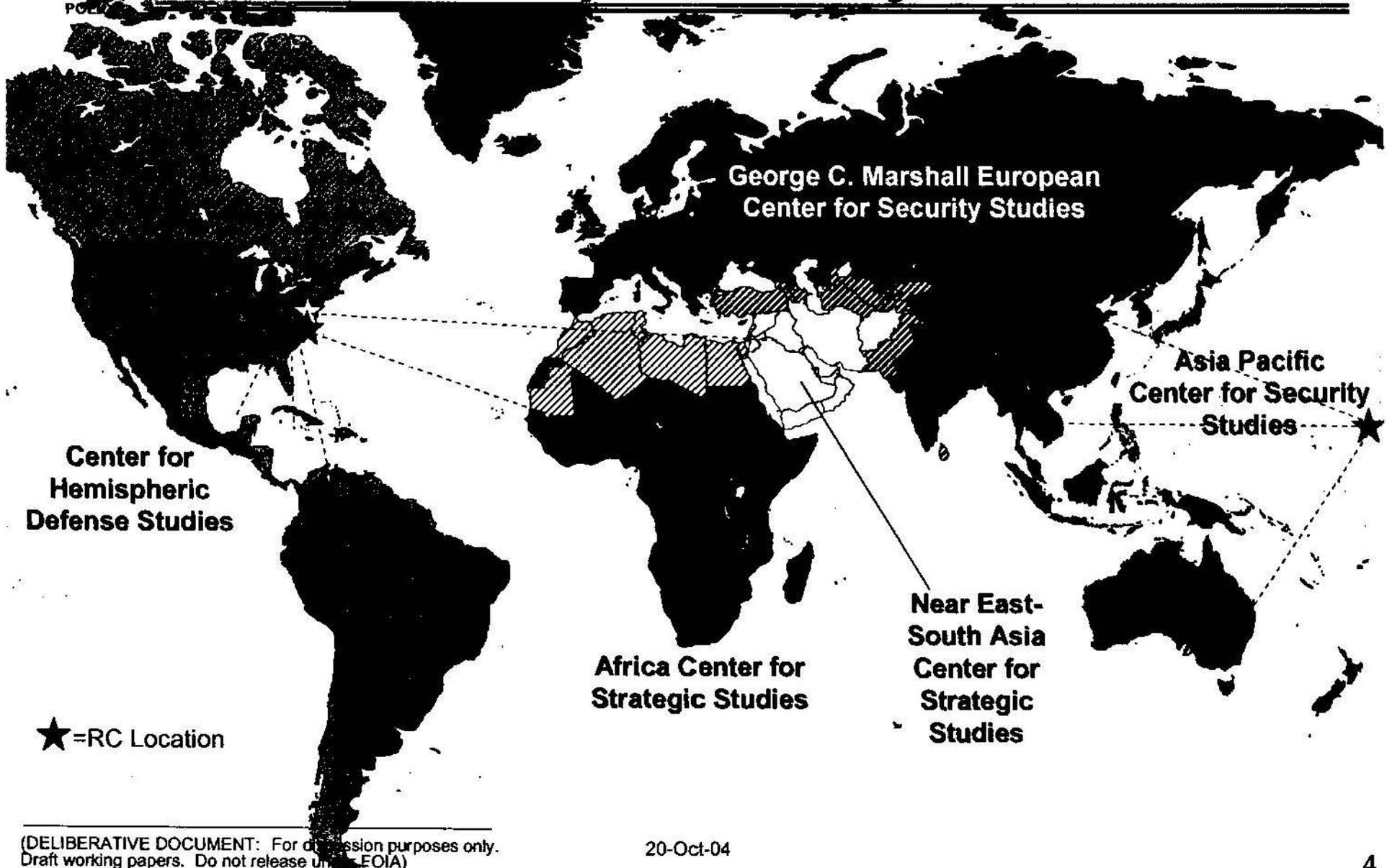
DoD Regional Centers **Assumptions**

- ❑ DoD's five Regional Centers for Security Studies were designed before 9/11 to address the strategic challenges we then faced.
 - And the Marshall Center has largely accomplished its *original mission*
- ❑ In a post-9/11 world, the Regional Centers can now do more to strengthen U.S. national security and international support by
 - ⑨ Harmonizing views on the nature of common security challenges
 - Serving **as a** key USG tool in countering ideological support for terrorism
 - ⑨ **Educating** on the role of defense in civil society (current focus)
- ❑ The value of a collaborative set of centers with a coherent message exceeds the sum of their individual contributions.
 - No one Regional Center is inherently more important than
- ❑ Properly fashioned, Regional Centers can be a test bed for experimentation in interagency "jointness"
 - ⑨ Focusing all elements of USG power
 - ⑨ Proving ground for low-key joint interagency initiatives
 - ⑨ Routine liaison and outreach activities with NGOs, particularly humanitarian organizations, to inform decision-making in crises
- ❑ If the Regional Centers assume a leadership role within the USG security cooperation community, investing in them can have a multiplier effect.



DoD Regional Centers

Areas of Responsibility



(DELIBERATIVE DOCUMENT: For discussion purposes only. Draft working papers. Do not release under FOIA)

20-Oct-04

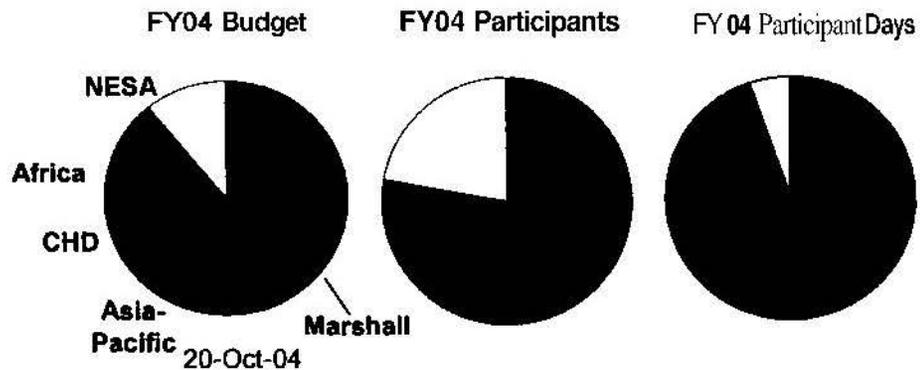
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DoD Regional Centers Background

POLICY

Region	Year	Service	Command	Budget	Participants	Participant Days	Cost per Day
Marshall Center	1993	Army	EUCOM	\$26.9M	2,304	64,566	\$416
Asia-Pacific Center	1995	Navy	PACOM	\$13.8M	1,012	27,732	\$498
Center for Hemispheric Defense	1997	NDU	SOUTHCOM	\$5.5M	862	5,953	\$924
Africa Center	1999	NDU	EUCOM	\$10.3M	905	2,913	\$3,530
Near East-South Asia Center	2000	NDU	CENTCOM	\$6.8M	1,458	5,543	\$1,227
Total				\$63.3M	5,940	106,000	



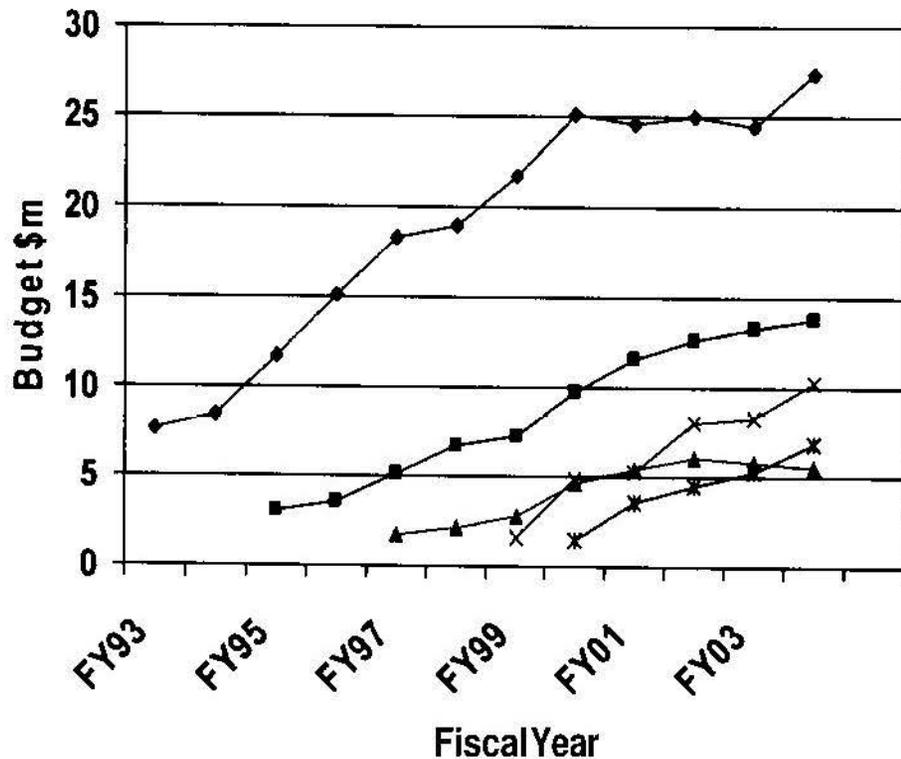
DELIBERATIVE DOCUMENT: For discussion purposes only.
Draft working papers. Do not release under FOIA)



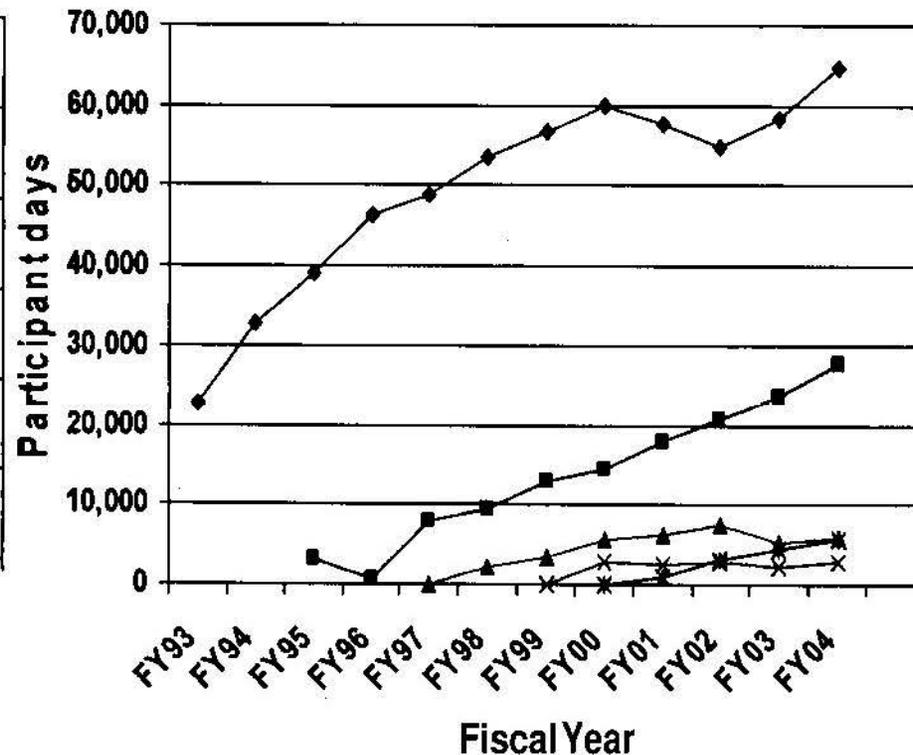
DoD Regional Centers Background

POLICY

Regional Center budgets



Regional Center participants



investment roughly equates to impact



POLICY

DoD Regional Centers

Evolving Vision for the Centers

	<u>Yesterday:</u>	<u>Today:</u>	<u>Tomorrow:</u>
Objective	<ul style="list-style-type: none"> <input type="checkbox"/> Influence thinking in immediate post-Cold War era <input type="checkbox"/> Educate on the role of military in civil society 	<ul style="list-style-type: none"> <input type="checkbox"/> Inform thinking on 21st century security challenges <input type="checkbox"/> Educate on the role of defense in civil society 	<ul style="list-style-type: none"> <input type="checkbox"/> Become USG vanguard in: <ul style="list-style-type: none"> ➤ Harmonizing threat awareness ➤ support ➤ Educating on the role of defense in civil society
Target audiences	<ul style="list-style-type: none"> <input type="checkbox"/> Defense 	<ul style="list-style-type: none"> <input type="checkbox"/> Government national security 	<ul style="list-style-type: none"> <input type="checkbox"/> Public and private national security; other "thinkers"
How they operate	<ul style="list-style-type: none"> <input type="checkbox"/> "Autonomous," not coordinated 	<ul style="list-style-type: none"> <input type="checkbox"/> "Autonomous, but cooperative" 	<ul style="list-style-type: none"> <input type="checkbox"/> "Cooperative and coherent;" working in an integrated fashion with SecDef agenda



DoD Regional Centers

Moving Toward “Tomorrow”

- What is required to transition to “Tomorrow”?
 - 9 Mission
 - 9 Governance
 - 9 Metrics
 - 9 Resources



Mission

POLICY

Today:

- Education and outreach – forums for exchanging views

- Primarily concerned with regional security issues

- Limited target audience
 - 9 Defense elites, primarily military

- Few cooperative programs with government security cooperation organizations

Tomorrow:

- “Strategic communication” – immersion and outreach activities
 - 9 Harmonize threat awareness
 - 9 Counter ideological support for terrorism
 - 9 Educate on role of defense in civil society

- Balanced treatment of global and regional security matters

- Expanded target audience
 - 9 Security elites, including government, “think tanks,” media, NGOs

- Broader cooperative programs
 - 9 Among Regional Centers
 - 9 Interagency “joint” experimentation centers
 - 9 Foreign government-sponsored think tanks





DoD Regional Centers Governance

POLICY

Today:

- Regional Centers independent institutions, now starting to collaborate
- Various governance models
 -
 - Different practices regarding
 - Multiple and not
 - Fragmented, limiting legislation
 - *Hit or miss audits*
 - Few arrangements
- Directors semi-connected to SecDef
 - DoD

Tomorrow:

- Harmonized, collaborating institutions
- Unifying governance model
 - One Directive consolidating oversight
 - One _____
 - Single _____
 - _____
 - *USDP-initiated*
 - Memoranda of agreement, e.g., between Regional Centers and Defense Security Cooperation Agency, NDU, or other institutions
- Directors more directly connected to SecDef through USD(P)
 - "Joint" interagency staffing – DoD Director, DoS Deputy, interagency staffing



DoD Regional Centers **Metrics**

POLICY

Today:

- Metric formulation and data collection are ad hoc
- Existing metrics not used to guide center activities

Tomorrow:

- Consistent metrics for measuring:
 - Effectiveness of generating attitudinal shifts of participants
 - *Entry and exit surveys*
 - Policy insights gained
 - *Ability to feed the OUSD(P) policy process*
 - Quality of product
 - *Demand for product*
 - Operational effectiveness
 - *Outside support (money, staff, facilities, etc.)*
 - DoD and interagency value added
 - *Venue of choice for security cooperation outreach activities*



POLICY

DoD Regional Centers Support

Today:

The newer centers have smaller budgets but equal potential value

➤ Newer centers responsible for strategically important regions

Asymmetric resources

➤ The largest budget is ~6x the size of the smallest

Funding fluctuations complicate planning

Few visits from officials

➤ Minimum participation by US military

Uneven technology applications

Tomorrow:

Centers have equal DoD

Roughly symmetric resources (within 25%)

Stable funding with increased performance
➤ Discretionary funding is a performance

Robust participation by officials
➤ Increased DoD and wide

Learning technology



DoD Regional Centers
Next Steps

POLICY

- Work with Center Directors to develop a model for post 9-11 ■
Regional Centers
 - Generate an execution plan to transform mission and
 - Develop roadmap for making Regional Centers interagency “jointness”
 - Make initial inquiries with USAID, DOS,
 - Identify Regional Centers’ post 9-11 path and support/resource needs
 - Develop integrated post 9-11 curriculum
 - Develop program for Senior OSD participation

- Approve establishment of a single Executive Agent

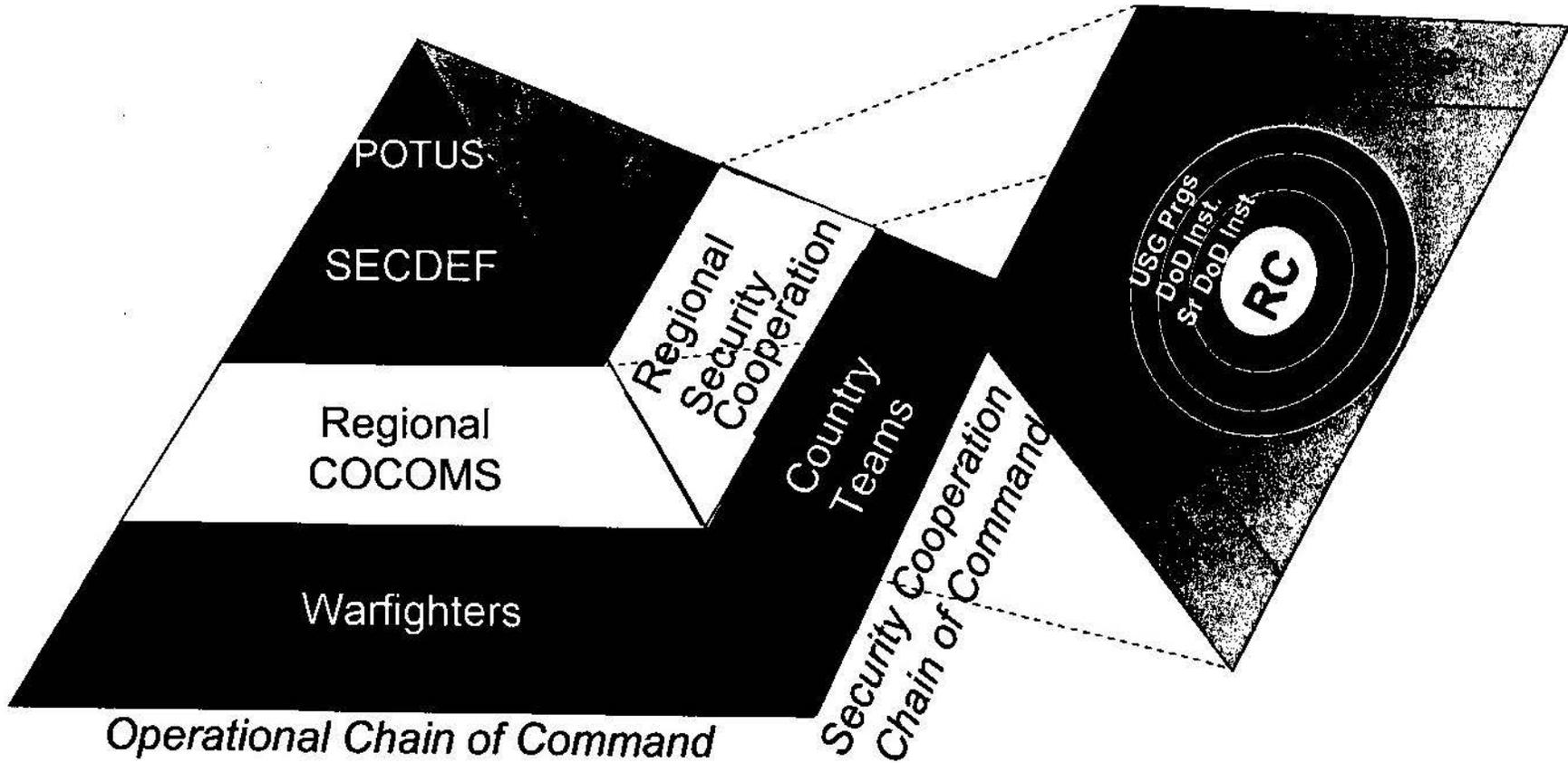
- Approve establishment of a single Board of Visitors

- Follow through on requested legislation



POLICY

DoD Regional Centers **Future Role**



(DELIBERATIVE DOCUMENT: For discussion purposes only.
Draft working papers. Do not release under FOIA)

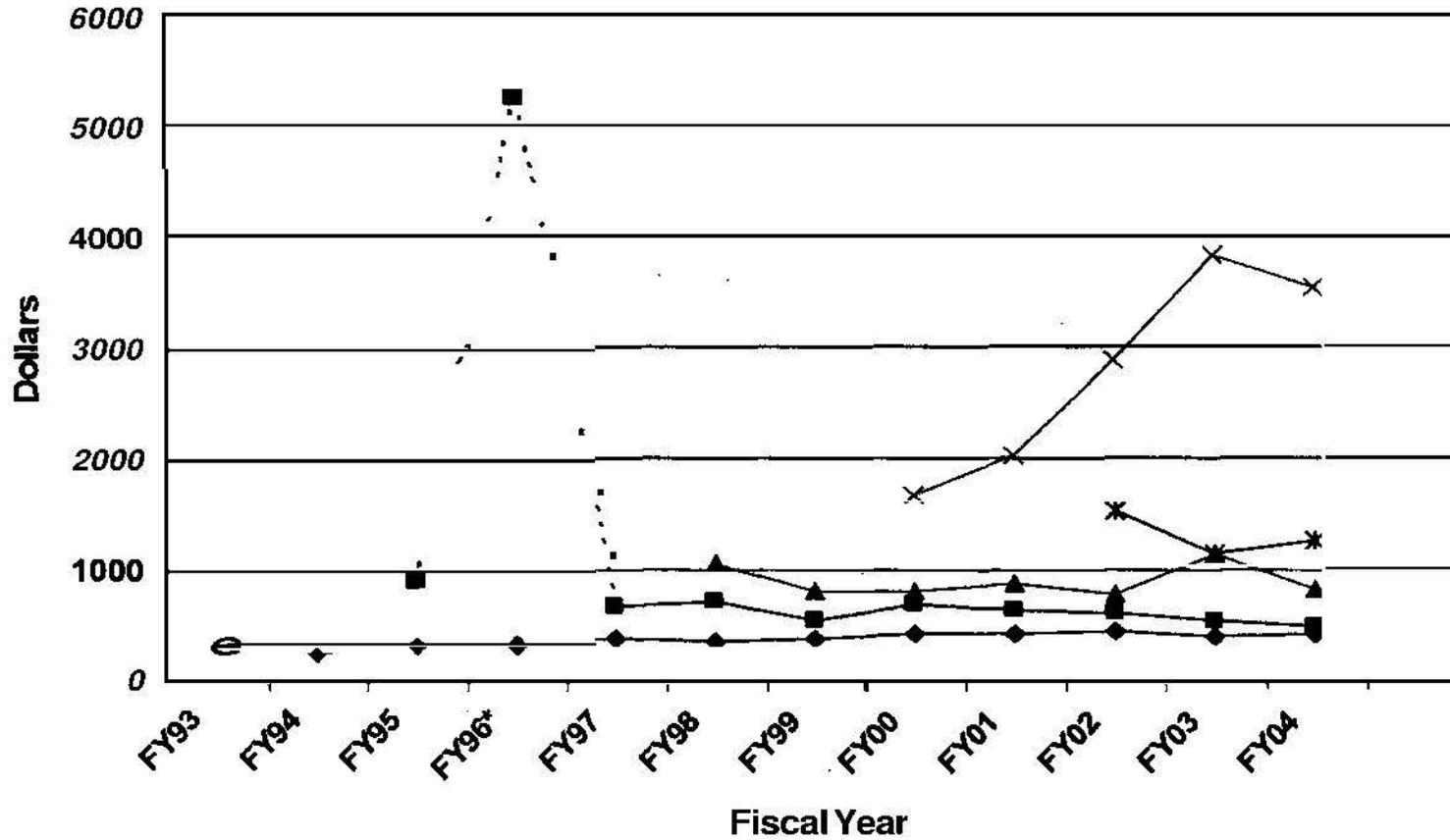


DoD Regional Centers
Backup



DoD Regional Centers Background

Dollars Spent per Participant Day



* Asia-Pacific FY96 discrepancy caused by first year start-up costs



DoD Regional Centers
Background

POLICY

Measures of Efficiency

	Baseline Fiscal Year	Current Fiscal Year	% Change	Unit Cost	Unit Cost	Net % Change
Marshall (1993)	22,680	64,566	+185%	\$338	\$416	+ 23%
Asia-Pacific (1995)	3,290	27,732	+743%	\$912	\$498	- 45%
CHDS (1997)	2,055	5,953	+190%	\$1,036	\$924	- 11%
Africa (1999)	2,918	2,913	-0.2%	\$1,668	\$3,530	+ 112%
NESA (2000)	825	5,543	+572%	\$1,521	\$1,227	- 19%



DoD Regional Centers

Consolidated Legislative Proposal

- ❑ Reinforces unified governance model
 - Gives all Regional Centers the same authority

- ❑ Broadens participant base to include
 - Foreign security elites (not just defense elites)
 - Variety
 - Other security

- ❑ Allows Regional Centers to accept gifts and donations
 - Increases accounting transparency by creating a gift fund
 - Permits foreign and domestic

- ❑ Authorizes Regional Centers to charge for education and training
 - Allows Foreign Military Sales (FMS), International Military (IMET), and other security assistance funds to be used for



DoD Regional Centers USG Educational Institutions with International Participants

POLICY

Regional Centers (5)

- Africa Center
- Asia-Pacific Center
- Center for Hemispheric Defense
- Marshall Center
- Near East-South Asia Center

Senior DoD Institutions (11)

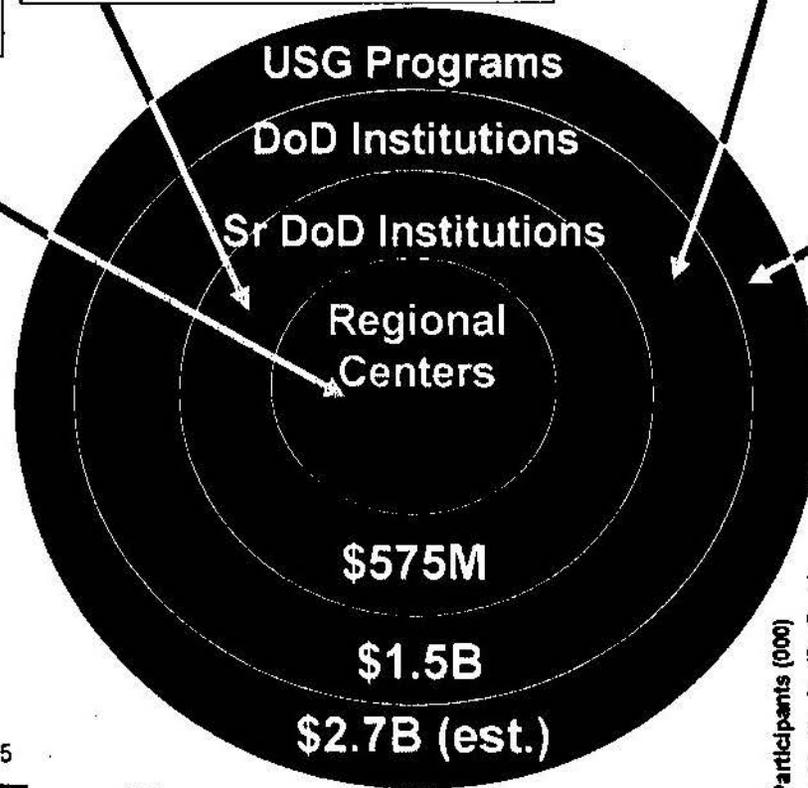
- National Defense University
- Naval Postgraduate School
- Service War Colleges (3)
- Air Force Institute of Technology

DoD Institutions (65)

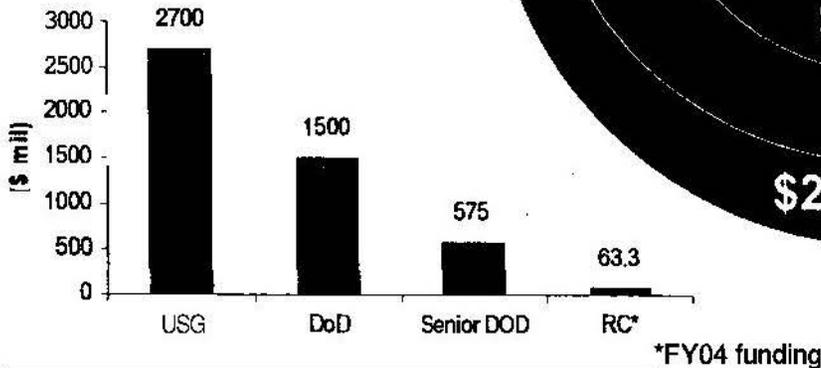
- Service academies
- Education and training in warfighting, support skills, and intel

USG Programs (218)

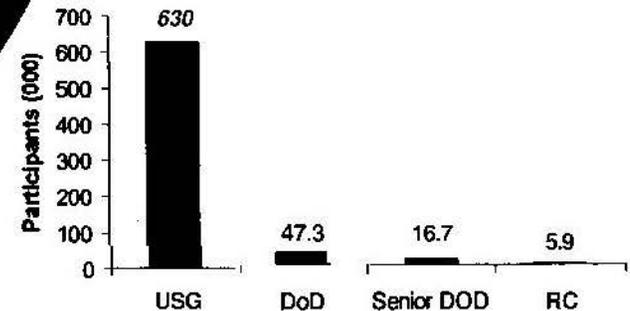
- DoS
- DoE
- USAID
- 51 Other Federal Agencies



FY03 Funding



Annual Participants



(DELIBERATIVE DOCUMENT: For discussion purposes only. Draft working papers. Do not release under FOIA)

20-Oct-04

11-L-0559/OSD/45703



POLICY

Senior DoD Institutions with International Students

- 5 Regional Centers for Security Studies
- National Defense University
- Naval Postgraduate School
- Air Force Institute of Technology
- Army War College
- Naval War College
- Air War College

FOUO

SENSITIVE

August 31, 2004

ATTACHMENT # 27

TO: Paul Wolfowitz
Doug Feith
Steve Cambone

FROM: Donald Rumsfeld

DR

SUBJECT: 9/11 Commission Recommendation

Please read the attached on the 9/11 Commission Recommendation on paramilitary activity.

Thanks.

Attach
08/30/04 O'Connell Info Memo to SecDef

DHR:ss
083104-17

.....
Please respond by _____

SENSITIVE

ATTACHMENT

FOUO

OSD 19348-04

11-L-0559/OSD/45705

000.5

31Aug04

~~FOR OFFICIAL USE ONLY~~
- SENSITIVE -

INFO MEMO

SIR → 0131
Rcmd pass
to GEN
CRADDOCK.
AUG 30 2004 VI

FOR SECRETARY OF DEFENSE

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

Jim
Rouwell
30 Aug 04

SUBJECT: 9/11 Commission Recommendation for Consolidated Paramilitary Activities

At a recent roundtable, you asked me to contact 9/11 Commissioner John Lehman about the above subject. You wanted to know the basis for the recommendation.

John said the Commission's time with CIA (including Director) led them to conclude:

- Agency had "haphazard" approach to paramilitary missions.
- Common thread throughout Agency approach was "unwillingness to take risk". They insisted on legal review at every step. CIA was "reluctant to pull the trigger when opportunities were presented."
- Commission thought entire Agency approach was "muddled, at best."
- Commission sees Agency/DOD mismatch – DOD has capability, CIA has authorities.
- Commission believed SECDEF's post 9-11 actions vis-a-vis SOCOM and Special Ops in general placed DoD in far superior position to conduct these operations.
- Commission was reluctant to cite Agency/national weaknesses in unclassified report.
- Mr. Lehman asked to bring Commissioner Kerrey to the Pentagon for SO/LIC overview.

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/45706

August 30, 2004

TO: Peter Rodman
FROM: Donald Rumsfeld
SUBJECT: VOA Broadcasts to Iran

IRAN

Please talk to Seth Cropsey personally, for me, on this matter.

Thanks.

Attach.
8/8/04 Feith Memo on VOA; 8/26/04 Rodman Info Memo to SecDef; 10/24/03 Rodman Action Memo to SecDef (018009/03)

DHR:ss
083004-10

.....
Please respond by 9/17

30 AUG 04

FOUO

August 9, 2004

I-04/010681
ES-0418

TO: Doug Feith

SUBJECT: VOA Broadcasts to Iran

Here is a memo from Seth Cropsey and the U.S. International Broadcasting Bureau broadcasts to Iran.

Please take a look at it and get back to me with your suggestions.

Thanks.

Attach.
7/14/04 Cropsey memo to SecDef

J 8/30

DHR dh
080904-17

.....
Please respond by 8/27/04

Sir,
Response attached.

vr
Lt Col Lengyel
8/30

FOUO

10-03-04 15:30 IN

11-L-0559/OSD/45708

19314-04

cf
AUG 26 2004

INFO MEMO

DepSecDef
USD(P) *FIR (FOUSOP) 8/27*
I-04/010681-ES
ES-0418

FOR SECRETARY OF DEFENSE

FROM: Peter W. Rodman, Assistant Secretary of Defense (ISA) *PR* 26 AUG 2004

SUBJECT: VOA Broadcasts to Iran (SecDef Snowflake)

- You asked for my suggestions regarding International Broadcasting Bureau Director Seth Cropsey's request that DoD supply the funds for an increase in VOA's TV broadcasts to Iran.
- We supported this proposal when it was submitted to the Deputy last year (memo attached).
- As was the case then, there still does not appear to be any legal way to transfer DoD funds to VOA for this purpose.
- If the IBB goes to OMB for this funding increase, we should be prepared to support it.

DUSD (NESA) *PR*

PDASD(ISA) *cf*

UST
ISA

ASSISTANT SECRETARY OF DEFENSE
2400 DEFENSE PENTAGON
WASHINGTON, DC 20301-2400

10
EF-7313
11/3
10/29/03 LKA

SECURITY AFFAIRS

ACTION MEMO

DEP SEC DEF HAS SEEN
PW Decision: OTHER
NOV 8 2003
w/ Cmts

I-03/014800

USDP

FOR: DEPUTY SECRETARY OF DEFENSE

FROM: Assistant Secretary of Defense, International Security Affairs
(Peter Rodman (b)(6))

24 OCT 2003

SUBJECT: Proposal to Fund IBB Farsi TV to Iran

Background:

Seth Cropsey, Director of the International Broadcasting Bureau (IBB), submitted a proposal to us to fund an increase in IBB TV broadcasting to Iran from one half hour per day to three hours per day, for the period of one year. (TAB A) The cost is nearly \$10 million. The amount is included in the IBB's fiscal year 2005 budget request, but the IBB would like to begin the increased broadcasts now.

- We support this proposal. As Iran increases its propaganda broadcasts into Iraq to destabilize the situation there, we should improve our ability to counter Tehran's dis- and mis-information campaigns by speaking directly to the Iranian people, who are receptive to our broadcasts.
- OGC advises that the Department of Defense cannot under any circumstances fund this program directly or transfer funds to the IBB to fund this initiative.
- The Office of the Under Secretary of Defense Comptroller has evaluated this proposal, and has forwarded it to OMB to see if OMB has funding sources that can be used for this purpose.

Recommendation: That you phone Robin Cleveland to express our support for this program and to see if OMB has resources that can be used for this purpose.

Attachments: As stated

SPL ASSISTANT IN CHARGE	11/3
SR ISA CALDWELL	11/3
EXECSEC MARRINI	10/29

DEPSECDEF DECISION:

APPROVED: _____

DISAPPROVED: _____

OTHER: IBB can say that it looks like a good idea to us. PDASD (ISA)

for DUSD NESA (b)(6)

Prepared by: Robert Reilly/NESA/NG (b)(6)

They will have to argue their own case, how



NOV 2003 113009

*Broadcasting Board of Governors***INTERNATIONAL BROADCASTING BUREAU**

MEMORANDUM for SECDEF

FROM: Seth Cropsey, Director, U.S. International Broadcasting Bureau

SUBJ: Voice of America Broadcasts to Iran

14 July '04

This memo responds to your request of 8 June for information about VOA's Persian language television broadcasts.

VOA Television to Iran

VOA inaugurated a one-half hour daily primetime television news program, *News & Views*, in July 2003. The new program brought to six the number of hours that VOA broadcasts on television to Iran *per week*; (vice Iran's four 24/7 international TV broadcast operations); all VOA TV broadcasts to Iran are transmitted via satellite. The Iranian government admits that there are about three million households that can receive television signals through satellite dishes. Our research places the figure at approximately 15 percent of the adult population or nearly seven million households; satellite broadcasts are a highly effective way of reaching the Iranian people.

News & Views offers a mixture of international, regional, and local news geared to its audience's interests, as well as current affairs programming addressed to viewers' oft-stated thirst for information about human rights, democracy, and civil society.

Iranian Response

Over the previous month and in addition to its regular news stories, *News & Views* featured an interview with Justice Sandra Day O'Connor who told how her appointment by President Reagan as the first female Supreme Court justice "opened many doors to women in the U.S. and the rest of the world." Other features included an interview from London with a journalist and dissident recently released from an Iranian prison who argued that the U.S. mission in Iraq helps guarantee peace and stability in the region as it promotes democratic change. The ruling mullahs' fear of these broadcasts is clear. A panel discussion on the future of democracy that aired the first week in July featured participation by phone from Tehran of a young woman who is the spokesman for a group called "Women For Democracy." The police arrested her and her mother less than a day after the broadcast aired.

In the absence of other accurate and relevant Persian-language television news broadcasts *News & Views* established a large audience immediately. A telephone poll conducted less than two months after the program went on the air last summer determined the audience at about 13 percent of the viewing public. Since then, the program has received similar phone poll results of over 17 percent.

News & Views is a solid and established TV news program that receives a tremendous volume of email from its growing audience—and shares representative emails with its viewers thus establishing a dialogue among Iranians who are unhappy with their rulers and have no other means of communicating this dissatisfaction with fellow citizens. A

recent email asked 'why VOA couldn't air more emails from other listeners on the air?' The answer is that VOA doesn't have the funds to broadcast more than a daily half hour news program.

What Is to Be Done?

The purpose of this memo is to ask your assistance in securing the approximately \$10 million it would take to increase *News & Views* to a three-hour daily program of news and current affairs programming for a single year. The expanded show would cover in-depth such subjects as the extraordinary corruption of the ruling mullahs, their diversion of Iranian taxpayers' revenue to finance international terrorism, the lessons of east and central Europe in throwing off the communist yoke, and extensive reporting on women's issues, separation of church and state, and the different forms of democratic governance that emails from our audience make it clear they desperately want.

The precedent exists for the transfer of DoD funds to international broadcasting in the assistance DoD provided—in approximately the same amount—to build and install radio transmitters in Afghanistan following the defeat of the Taliban. This assistance was highly successful. It increased the security of our deployed forces, and of the U.S. in the same way that longer and more in-depth broadcasts to Iran would divert that country's rulers' sponsorship of terror and efforts in Iraq while it helped advance the cause of democracy in Iran.

A specific and detailed plan for increasing TV news and current affairs programming to Iran from its current level of one-half hour daily to three hours each day appears immediately below. The costs are annual.

TV Requirements

Salaries	\$2,386,088
AP Graphics	\$40,000
Acquired Video	\$200,000
Regional News Feeds	\$100,000
Transmission and Remotes	\$500,000
Overtime	\$100,000
Subtotal	\$3,326,088

Persian Service Requirements:

Salaries	\$2,377,000
Overseas stringers	\$150,000
Domestic stringers	\$50,000
Travel	\$200,000
Telephone Toll	\$10,000
Simultaneous Translators	\$100,000
Office Supplies	\$30,000
Misc expenses	\$20,000
Other Contractual Services	\$50,000
Subtotal	\$2,987,000

IBB	
Satellite Transmission services	\$2,300,000
Research	\$50,000
Advertising	\$100,000
Subtotal	\$2,450,000
One Time Costs:	
Graphic Equipment	\$230,000
Edit Suites Equipment	\$175,000
Open/Sets	\$100,000
Avstar Licenses	\$45,000
VJ Equipment	\$200,000
Minicam Cameras	\$80,000
Cairo Polycom	\$30,000
Library Shelving	\$75,000
Furniture/Computers	\$350,000
Subtotal	\$1,285,000
Total Requirements for FY'04	\$10,048,088

Conclusion

Bernard Lewis observes that Ayatollah Khomeini's spoken words communicated directly to Iran by phone and by cassettes was the first electronically engineered revolution in history. U.S. international broadcasting also reaches the Iranian people directly.

Both ratings and audience response in the form of email, phone calls, and letters from Iran to the Persian language service here in Washington show that Iranians are watching VOA's broadcasts because they are meaningful to their lives. To quote again from VOA's Iranian viewers, Mohammad A's email from Tehran of 31 May sums the audience response best: "We do not have credible and trustworthy media in Iran and all the media is censored. You are now carrying a very significant responsibility and you are the hope of the Iranian youth."

We have an experienced and invigorated management structure in place; the modest plan outlined above responds both to the United States' need to address the Iranian audience, and the latter's clearly expressed desire for more programming that offers hope for a freer and democratic future. All we ask is for the means.

August 30, 2004

TO: Larry Di Rita
Matt Latimer
FROM: Donald Rumsfeld
SUBJECT: Force Posture Testimony

The testimony I will present in mid-Sept to the SASC on Force Posture is terribly important. I would like to get the first half by this Friday.

Please get an outline from Dr. Cambone to get started. We need to discuss transformation in the broadest sense and then bring it down to force posture because the force posture arrangements are a direct result of our ability to use greater flexibility and agility.

Thanks.

DHR:ss
083004-5

.....
Please respond by 9/3

320.2 Strategic

30 AUG 04

FOUO

August 30, 2004

TO: Larry Di Rita
FROM: Donald Rumsfeld *DR*
SUBJECT: Geren Paper

Please take a look at the attached, from Pete Geren, and see me on it tomorrow.

Thanks.

Attach.
Abu Ghraib paper by Pete Geren

DHR:ss
083004-6

.....
Please respond by 9/1

FOUO

OSD 19351-04

11-L-0559/OSD/45715

“Mr. Chairman, I know you join me today in saying to the world, judge us by our actions, watch how Americans, watch how a democracy deals with the wrongdoing and with scandal and the pain of acknowledging and correcting our own mistakes and our own weaknesses.”

-- Secretary of Defense Rumsfeld
May 7, 2004 before the Senate Armed Services Committee

Lost in the public conversation about the recently released reports on Abu Ghraib is a powerful and important message for the world and for Americans – for Baby Boomers who cut their political teeth on Watergate and Generation X’ers who did so on Whitewater.

It is an important message for Americans who have grown to expect accountability for public officials to be a game of semantic dodge ball, who have watched people they wanted to trust hide behind clever spin, hair-splitting, high fences and legal technicalities.

These reports came forward in a world of low expectations. Many, if not most, expected a whitewash from the Rumsfeld-appointed Schlesinger Panel and a team of Generals investigating Generals. It is understandable that Americans, with their civic morality numbed by Whitewater, Watergate and various other “Gates”, expected no more than whitewash from the people they have placed in positions of trust.

On May 7, 2004 in a hearing before the Senate Armed Services Committee, the Secretary of Defense invited the world’s scrutiny of our handling of this grave affair. He said:

“Mr. Chairman, I know you join me today in saying to the world, judge us by our actions, watch how Americans, watch how a democracy deals with the wrongdoing and with scandal and the pain of acknowledging and correcting our own mistakes and our own weaknesses.”

He offered this view of American values:

“We value human life. We believe in individual freedom and in the rule of law. For those beliefs, we send men and women of the armed forces abroad to protect that right for our own people and to give others who aren’t Americans the hope of a future of freedom.

Part of that mission, part of what we believe in, is making sure that when wrongdoings or scandal do occur, that they're not covered up, but they're exposed, they're investigated, and the guilty are brought to justice."

The events of the last week proved the Secretary true to his words. They proved that this Administration will follow the facts where they lead, put the full story before the American people, and stand accountable.

Let me add further, this was done in a Presidential election year, in a close election, two months before election day, a period during which even the most virtuous could be tempted to stray from their convictions.

Over one-hundred and seventy years ago, an adopted son of Texas, Sam Houston, lived by the creed, "Hew to the line and let the chips fall where they may." Today, President Bush, another adopted son of Texas, has demonstrated that his Administration will live by those words.

Abu Ghraib is a painful chapter in American history. It was, as Secretary Rumsfeld described it, a "body blow" to our country. As terrible as the cost has been, the crimes of Abu Ghraib would have been compounded had the world seen politics as usual, had America done anything but what this Administration has done.

On May 7, with calls for his resignation echoing in the Senate Armed Services Committee chamber, Secretary Rumsfeld announced the standard for this Administration's review of Abu Ghraib:

"And there's no question but that the investigations have to go forward... And it does not matter one whit where the responsibility falls. It falls where it does."

Sam Houston could not have said it better nor meant it more. The events of the last week bear witness to that fact. Let the world take note and watch how this democracy deals with wrongdoing and scandal.



August 27, 2004

383.6

TO: Pete Geren
 Gen. Maples

cc: Ryan Henry

FROM: Donald Rumsfeld @-

SUBJECT: Wrapping Up

It seems to me we are at a point where we ought to begin wrapping up the prison abuse issues.

Specifically, why don't we make a list of all the problems that have been found in the various investigations and reports, and then list what we have done or are doing to correct each one.

The fact is that, as we get into new circumstances, things have to be reviewed and adjusted. Problems occur and, as they occur, we will fix them. In each case, show whose responsibility the problem was and who has been assigned the task of fixing it. In almost every case, it will be the Army. The Army has to fix the training, fix the military intelligence, etc.

Please come up with a format and talk to me about this.

Thanks.

DHR:dh
082704-5 (ts computer).doc



Please respond by 9/10/04

23 AUG 04

72

file

August 21, 2004

TO: Paul Wolfowitz
cc: Powell Moore
FROM: Donald Rumsfeld *DR*
SUBJECT: Response to Senator McCain

452T

Please get an answer to John McCain on the attached letter he sent to John Handy.

Thanks.

Attach.
8/20/04 McCain ltr to Gen. Handy

DHR dh
082604-4 (is computer) doc

.....
Please respond by 9/3/04

3700904

*Closed.
Gen Handy replied
to ltr to Sen McCain
See attachment*

11-L-0559/OSD/45719
OSD 19355-04

SIR --- 8/25
FYI.
VIR
Jan

JOHN MCCAIN
ARIZONA
CHAIRMAN
COMMITTEE ON COMMERCE,
TRANSPORTATION,
AND TOURISM
SUBCOMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON INDIAN AFFAIRS

G
SEN
COM
COI

United States Senate

241 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-2308
(202) 224-2326
4400 SOUTH RURAL ROAD
SUITE 3-135
TUCSON, AZ 85703
(480) 947-2326
3400 EAST ARIZONA
BILYARDIA CENTER
SUITE 1100
PHOENIX, AZ 85028
(602) 993-3610
480 WEST FARGO BOYSCOUTS
SUITE 100
TUCSON, AZ 85741
(520) 470-8334
TELEPHONE FOR HEARING IMPAIRED
(800) 878-7133
(800) 878-0170

August 20, 2004

General John W. Handy, USAF
Commander
Air Mobility Command
402 Scott Drive, Unit 3EC
Scott Air Force Base, IL 62225-5310

Dear General Handy:

I write regarding your statements recently reported in *U.S. News and World Report* that "I am not a muscle man, but I have stuck my finger through significant pieces of metal," and "I could poke a hole into the corroded areas of the airplane." The quotes were characterized as supporting the acquisition of new air refueling tankers for the Air Force.

As you are aware, the Secretary of Defense has ordered a thorough analysis of alternatives regarding the tanker replacement program. As you also know, this was precipitated by findings of a Defense Science Board task force that, among other things, there is no evidence that corrosion poses an imminent catastrophic threat to the KC-135 fleet mission readiness and that the Air Force's maintenance regime is well poised to deal with corrosion and other aging problems. In fact, the findings indicate that the Air Force's claims of unmanageable corrosion problems and cost growth were overstated. It also found that the KC-135E can fly to 2040. These findings disproved assertions to the contrary repeatedly made by civilian Air Force leadership regarding the purportedly urgent need to lease 100 Boeing 767s. In other words, the 'dominating rationale' cited by the Air Force to Congress for having taxpayers pay billions of dollars more for leasing Boeing's KC-767A tankers than they would for buying them outright, has been conclusively shown to be without merit. The Air Force's representations on this issue remain a matter of continuing investigative concern. I discussed my concerns about such misconduct in a letter to the Secretary, dated July 28, 2004.

Aspects of that deal, ranging from the how the original Air Force proposal passed through Congress outside the normal budget process to the improper conduct of senior executives at the Boeing Company, have been exhaustively reviewed and fundamentally criticized by the Senate Committee on Armed Services; the Senate Committee on Commerce, Science and Transportation; the Department of Justice; the Defense Department's Office of the Inspector General; the Defense Science Board; the Congressional Budget Office; the General Accounting Office; the Congressional Research Service; the Office of Management and Budget; the Defense Department's Office of Programs, Analysis and Evaluation; the Institute for Defense Analysis; the Industrial College of the Armed Forces, National Defense University and others. Notably, White House Chief of Staff Andy Card and former Defense Department Comptroller General

PRINTED ON RECYCLED PAPER

2 d 188 ON

2
AUG 25 2004 10:43 AM

Gov Zakheim have also weighed in with serious concerns about various aspects of the tanker program. Regrettably, your comments reflect a disturbing trend that I recently noted in my letters of March 12, 2004 and July 28, 2004 to the Secretary of Defense, whereby Air Force *uniformed* officers continue to publicly support an acquisition strategy that has been conclusively shown to be a folly.

I hope that you will agree that the path forward on the tanker replacement program that the Secretary of Defense ordered needs to be conducted objectively, independently, and free from political pressure. As such, it is not well-served by such commentary.

Sincerely,

John McCain
John McCain

cc: Secretary of Defense Donald Rumsfeld

NO 881 R. 3

AUG 25 2004 10:43AM

3

OSD Copy

9/23



UNITED STATES TRANSPORTATION COMMAND

508 SCOTT DR
SCOTT AIR FORCE BASE IL 62225-8367

A.O. _____
ACTION JJR
COORD _____
DUE _____

SECRET
2004 SEP 23 11:17
14 September 2004

The Honorable John McCain
United States Senate
Washington DC 205 10-0505

Dear Senator McCain

Thank you for your letter regarding tanker recapitalization, 20 Aug 04. I was disheartened to read the *U.S News and World Report* account of a "fight between the Air Force and the Senate" in the sentence leading into my quote regarding the health of our KC-135Es. I share your eagerness to learn the results of the KC-135 Recapitalization Analysis of Alternatives (AoA) and the OSD-led Mobility Capability Study (MCS). Rest assured I have no preference or agenda regarding an acquisition strategy or a particular tanker platform. I continue to take very seriously my responsibilities to provide robust aerial refueling capabilities to combatant commanders around the globe in support of our nation's objectives.

Sincerely

John W. Handy
JOHN W. HANDY

Commander

cc:
The Honorable Donald H. Rumsfeld

11-L-0559/OSD/45722

OSD 14471-04

D&D

August 25, 2004

TO: Paul Wolfowitz
CC: Powell Moore
FROM: Donald Rumsfeld *DR*
SUBJECT: DFI Fund Response

IRAQ

Please draft a response to these three Senators' letter on the CPA and DFI, and let me see your proposed draft from you to them before it goes.

Thanks.

Attach.

8/19/04 Senators Wyden, Harkin, and Dorgan ltr to SecDef [OSD #12458-04]

DHR:dh
082504-28 (ts computer).doc

.....
Please respond by 9/3/04

25Aug04

OSD 19357-04

11-L-0559/OSD/45723



23 AUG 2004

**From the Desk of
Paul Wolfowitz**

8/23

Sec Def -

*This could be a big
issue -*

*I will call you about
it.*

Paul W.

United States Senate
WASHINGTON, DC 20510

August 19, 2004

The Honorable Donald Rumsfeld
Department of Defense
The Pentagon
Washington, DC 20301

OFFICE OF THE
SECRETARY OF DEFENSE
2004 AUG 20 PM 2:34

Dear Secretary Rumsfeld:

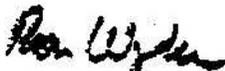
We are writing about recent press reports that indicate \$8.8 billion in Development Fund for Iraq (DFI) money cannot be accounted for. The reports indicate that the Coalition Provisional Authority (CPA), which was in charge of the money throughout the period in question, allocated the money to Iraqi ministries earlier this year, prior to the termination of the CPA. The CPA apparently transferred this staggering sum of money with no written rules or guidelines for ensuring adequate managerial, financial or contractual controls over the funds.

Among the disturbing findings are that the payrolls of the ministries, under CPA control, were reportedly padded with thousands of ghost employees. In one example, the report indicates that the CPA paid for 74,000 guards even though the actual number of guards couldn't be validated. In another example, 8,206 guards were listed on a payroll, but only 603 real individuals could be counted. Such enormous discrepancies raise very serious questions about potential fraud, waste, and abuse.

The reports raise anew very serious questions about the quality of the CPA's oversight and accountability in the reconstruction of Iraq. Iraq is now a sovereign nation, but it is clear that the United States will continue to play a major role in the country's reconstruction. It is therefore imperative that the U.S. government exercise careful control and oversight over expenditures of taxpayer dollars. Continued failures to account for funds, such as the \$8.8 billion of concern here, or Halliburton's repeated failure to fully account for \$4.2 billion for logistical support in Iraq and Kuwait, and the refusal, so far, of the Pentagon to take corrective action are a disservice to the American taxpayer, the Iraqi people and to our men and women in uniform.

We are requesting a full, written account of the \$8.8 billion transferred earlier this year from the CPA to the Iraqi ministries, including the amount each ministry received and the way in which the ministry spent the money, as well as a date certain for when the Pentagon will finally install adequate managerial, financial and contractual controls over taxpayer dollars and DFI expenditures in Iraq. We look forward to hearing from your office in the next two weeks.

Sincerely,


Ron Wyden


Tom Harkin


Byron Dorgan

OSD 12458-04



DEPUTY SECRETARY OF DEFENSE

1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

SECRET

SEP 27 2004 9:05

RA 9/28

INFO MEMO

September 10, 2004 2:25 PM

FOR: SECRETARY OF DEFENSE

FROM: Paul Wolfowitz *PW* SEP 27 2004

SUBJECT: CIO for DoD

- You asked me to pull together a small group to address issues raised by Ken Krieg in his Aug. 13, 2004 memo to you regarding the roles and authority of CIOs.
- Such a group is being assembled and will meet on Oct. 1st in your conference room. The agenda and attendee list are attached. We are working with your schedule and hope you will be able to attend the last session.
- As Ken noted, the Department has a CIO. John Stenbit occupied that position when he was here, and Lin Wells is acting in that capacity now.
- The question remains, how do we move the Department to use this person/role effectively? Ken pointed out, "In leading private sector companies, the CIO is one of the key business leaders. The position is the strategic leader on information inside the enterprise and has significant authority in partnership with the senior sector leaders (equivalents of service secretaries, service chiefs, etc.)".
- Independently, Art Cebrowski has proposed a change to the charter for the ASD(NII)/CIO to enhance his role; a revised charter along these lines is being staffed.
- In addition, various net-centric transformational initiatives are coming to fruition. Information-based approaches are proving their operational worth in Iraq, Afghanistan, and elsewhere.

COORDINATION: Ken Krieg *JK*

Attachments: As stated

0200000

105 SEP 04

25 AUG 04

OSD 19370-04

11-L-0559/OSD/45726

Prepared by: Linton Wells 11 (b)(6)

DRAFT

Agenda Department of Defense Meeting with Industry Chief Information Officers October 1, 2004 The Pentagon, Room 3E921

- 0800 – 0820** **Arrival**
- 0820 – 0830** **Welcome & Introductions**
- *Mr. Pete Geren, Special Assistant
Office of the Secretary of Defense*
 - *Mr. John Kasich
Managing Director, Lehman Brothers
Former Chairman, U.S. House of Representatives Budget Committee*
- 0830 – 0845** **Meeting Goals and Expectations**
- *Mr. Ken Krieg
Director, Program Analysis & Evaluation
Office of the Secretary of Defense*
 - *Mr. Mark Kvanme
Partner
Sequoia Capital*
- 0845 – 0930** **DoD Briefing - VADM (Ret) ~~At~~ Cebrowski**
- *DoD CIO Perspective Lin Wells, Acting DoD CIO/ASD(NII)*
 - *Why IT is Crucial to the Warfighter and DoD Key Challenges
Mr. John Garstka
Assistant Director for Concept and Operations for Force Transformation
Office of the Secretary of Defense*
 - *Netcentric Operations Experience – Global War on Terrorism
Senior Military – BG Cone preferred*
- 0930 – 0945** **Break**

DRAFT

0945 – 1145

Moderated Discussion: Role of CIO in a Netcentric Enterprise

Mr. Ken Krieg

Industry CIO Organization Structure, Challenges, and Perspectives

- 1000 – 1010 *Mr. Robert B. Carter, Executive Vice President,
Chief Information Officer, Federal Express*
- 1010 – 1020 *Mr. Brad Boston, Senior vice President and
Chief Information Officer, Cisco Systems*
- 1020 – 1030 *Ms. Carol Kline, Chief Information Officer,
America Online*
- 1030 – 1040 *Mr. Robert DeRodes, Executive Vice President and
Chief Information Officer, Home Depot, Inc.*
- 1040 – 1050 *TBD
Chief Information Officer – Johnson & Johnson*
- 1050–1100 *Large Transition Company Representative
(i.e. Automotive, GE, or CitiGroup, etc.)*

1145 – 1200

Break

1200 – 1300

Working Lunch

- *Round Table Discussions and Recommended Actions*

1300 – 1315

Break

1315 – 1400

Discussion with Department of Defense Leadership-Ken Krieg

- *Secretary of Defense*
- *Deputy Secretary of Defense*
- *Service Secretaries*
- *Chairman of the Joint Chiefs of Staff*
- *DoD CIOs/Private Sector CIOs*

DRAFT

Department of Defense Meeting with Industry Chief Information Officers
Updated as of: September 10, 2004

Attendee List (Defense)

	Name	Title/Organization
1.	Boutelle LTG, Steven	Chief Information Officer, Department of Army
2.	Cebrowski VADM (Ret), Art	Director, Office of Force Transformation, Office of the Secretary of Defense
3.	Geren, Pete	Special Assistant, Office of the Secretary of Defense
4.	Gilligan, John	Chief Information Officer, Department of the Air Force
5.	Guthrie, Priscilla	Deputy, Chief Information Officer, Department of Defense
6.	Krieg, Ken	Director, Program Analysis & Evaluation, Office of the Secretary of Defense
7.	Lentz, Robert	Director, Information Assurance, Department of Defense, Chief Information Office
8.	Myers, Margaret	Principal Director, Chief Information Officer, Department of Defense
9.	Shea LtGen, Robert	J-6, Joint Chiefs of Staff
10.	Wells II, Linton	Acting, Chief Information Officer, Department of Defense
11.	Wennergren, Dave	Chief Information Officer, Department of the Navy

Attendee List (Industry)

	Name	Title/Organization
12.	Banahan, Tom	Managing Director, Lehman Brothers
13.	Boston, Brad	Senior Vice President and Chief Information Officer, Cisco Systems
14.	Carter, Robert	Executive Vice President, Chief Information Officer, Federal Express
15.	DeRodes, Robert	Executive Vice President and Chief Information Officer, Home Depot
16.	Kline, Carol	Chief Information Officer, America Online
17.	James, Wilber	Partner, Rockport Capital
18.	Kasich, John	Managing Director, Lehman Brothers
19.	Kvamme, Mark	Partner, Sequoia Capital
20.	Schlein, Ted	General Partner, Kleiner Perkins Caufield & Byers
21.	TBD	Chief Information Officer, Johnson & Johnson
22.	TBD	Chief Information Officer, Large Transition Company

DRAFT

Other Attendees

Name	Title/Organization
23.	Contractor, Defense Venture Catalyst Initiative Support
24. Cocca, Vivian	Information Assurance Transformation Leader, Assistant Secretary of Defense, Networks and Information Integration
25. Dingman,	Contractor, Defense Venture Catalyst Initiative Support
26.	Assistant Director for Concept and Operations for Force Transformation Office of the Secretary of Defense
27. Goldman,	Contractor, Defense Venture Catalyst Initiative Support
28.	Deputy Under Secretary of Defense for Science & Technology
29.	Associate Director for Information Assurance and Defense Venture Catalyst Initiative
30. McVaney,	Defense Business Board*
31. Sega, Ronald	Director of Defense Research and Engineering, Secretary of Defense, Under Secretary for Acquisition Technology & Logistics
32. van Tilborg, Andre	Director, Information Systems, Deputy Under Secretary of Defense, Science & Technology

**Request from Office of the Secretary of Defense (Comptroller)*

Wrap up with Additional Senior Invitees

Secretary of Defense
Deputy Secretary of Defense
Service Secretaries
Chairman of the Joint Chiefs of Staff

BACKGROUND



ASSISTANT SECRETARY OF DEFENSE
6000 DEFENSE PENTAGON
WASHINGTON, DC 20301-6000

1355
a/10
M/20

NETWORKS AND
INFORMATION
INTEGRATION
(ACI/IS)

Sep 10, 2004

Dep Sec Def,

This responds to your request of
Aug 30 for a memo you could send
to Sec Def about CIO issues. We're
making good progress, and I think
the meeting on Oct 1 will be valuable

Jim



UNCLASSIFIED

Revised

9/10
BACK
1855
9/10

OFFICE OF THE DEPUTY SECRETARY OF DEFENSE

The Military Assistant

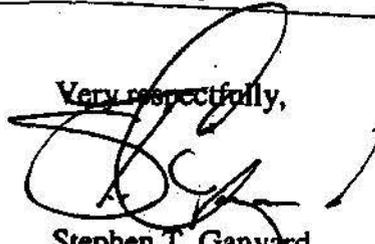
30 August 2004 - 1030 Hours

29/23
9/21

SUBJECT: CIO

Sir,
The DSD has asked that you please prepare a response that DSD can send to SecDef.
Also, please coordinate the response with Mr. Ken Krieg. Please see attached document.

Very respectfully,



Stephen T. Ganyard
Colonel, USMC
Military Assistant to the
Deputy Secretary of Defense

Suspense: 8 September 2004

UNCLASSIFIED

11-L-0559/OSD/45733

AK 8/13/04

August 13, 2004

Memorandum for: Secretary of Defense
Deputy Secretary of Defense

From: Ken Krieger *KK*

Cc: Pete Geren

Subject: Snowflake Response on CIO

Several months ago you asked me to think about whether we should have a CIO in the Department. The easy answer is yes.

By responsibility and title you have one in the Assistant Secretary for Network and Information Integration - who is dual-hatted as CIO. Lin Wells serves in that capacity on an acting basis until either Fran Harvey or an alternate is confirmed by the Senate.

The harder answer is that there is still a wide gap in the standard view of the role of the CIO between that in the private sector and the government. In leading private sector companies, the CIO is one of the key business leaders. The position is the strategic leader on information inside the enterprise and has significant authority in partnership with the senior sector leaders (equivalents of service secretaries, service chiefs etc.) to create a joint, enterprise approach to information. In DoD's case, converting to an approach like this will require significant changes in the roles and behaviors of Services, Agencies, and OSD alike.

Interestingly, Pete Geren informed me that the Kasich Group has identified this as a significant issue of interest. Pete is arranging a seminar on October 1 in the Pentagon with John Kasich and a number of leading private sector CIOs to think about the question of how DoD might adapt the role given the breadth and complexity of our enterprise.

It might be useful to get a number of the senior leaders of the Department in this seminar. If you are interested, I will work with Pete to keep you informed.

COPY

429
36



OFFICE OF THE SECRETARY OF DEFENSE
DEFENSE
HAS BEEN
APPROVED - PW
JUL 1 2004

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

TRANSFORMATION
OFFICE

ACTION MEMO

June 24, 2004, 10:30 AM

Butler

FOR: DEPUTY SECRETARY OF DEFENSE

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

AK Cebrowski 6/24

SUBJECT: Transformation and ASD(NII)/DoD CIO Charter

Since the stand-up of **ASD(NII)/DoD CIO** a little over a year ago, the organization's charter **has** been in **staffing**. The Department **is** missing a significant transformational opportunity if the charter **goes** forward in its present form. I suggest the Department leverage the NII charter development to adopt an enterprise-wide approach to information **management, in** lieu of the fragmented, piecemeal processes we now have.

The key issue is if we are to have a CIO, how do **we** do it right.

Defense Transformation hinges on the successful development of a net-centric capable force and the recognition that information and communications technology (ICT) **and** information **activities** are our **great source of power**, yet we **seem** to be poorly organized for it. **This is a** governance issue which requires us to craft new organizational relationships to exploit **this** new source of power effectively. Specifically, the broad relationship between **owners** of the processes that **ICT** supports **and the DoD CIO** must be crafted for success using demonstrated effective commercial business models.

Unlike successful firms, DoD lacks an enterprise-wide approach to the management of **its ICT** resources. Services' authorities, fragmented ICT oversight by **various** acquisition executives and bureaucratic legacies **all** impede the development of an integrated approach to information management. **This was** one of the concerns and recommendations **I** presented **in** my Strategic Transformation Appraisal to the **SLRG**. During my briefings to the individual Service Secretaries **and** Service Chiefs it continually surfaced **as an** issue of frustration.

To serve you and the Secretary best, the DoD CIO should perform four roles, as is done in successful **firms**, with authorities appropriate to each:

- Principal staff assistant and advisor on ^(IT) ~~IT~~ and information management, networks, and related areas
- Enterprise-level strategist ^{from} the **ICT** perspective
- **ICT** architect for the DoD enterprise
- DoD-wide **ICT** executive

TSA SD	6/28
SA DSD	
SPMA DSD	4/2/04
EX-105 563 - 04 M/9/05	

Implementing these roles will involve technical, organizational, cultural and operational change. There is no good time for this fight, but there is a significant chance for success under you and the Secretary. I'm prepared to work with Lin Wells and others. I have discussed this with Fran Harvey.

I'm asking your concurrence to begin this approach, since there will be significant resistance from some quarters.

Pursue the approach FW Non Concur _____ Other _____
JUL 2004

COORDINATION: NONE

Prepared by: A. K. Cebrowski, Director, Force Transformation (b)(6)

file

Response

1400
8/24

August 25, 2004

SECRET
787 577 - 6 00 2:05

TO: Paul Wolfowitz
FROM: Donald Rumsfeld *DR*
SUBJECT: CIO for DoD

Please put together a small group to address this question that Ken Krieg discusses in the attached memo, and get back to me with a report by October 1.

Thanks.

Attach.
8/13/04 Krieg memo to SecDef/DepSecDef re: memo #042704-6

DHIL:dh
062364-26 (to computer).doc

.....

Please respond by 10/1/04

DR 9/28

Sir,
Response attached.
v/R,
Lt Col Lengyel

020000

25 AUG 04

OSD 19370-04

August 25, 2004

TO: VADM Jim Stavridis

CC: **Larry** Di Rita

FROM: Donald Rumsfeld *DR*

SUBJECT: Information Needed Today

Please get me that piece of **paper** I had that **shows** how **many** courts martial there *are* per year (there were four categories) at any given time.

Also, get me:

- the total number of active, guard, reserve and civilian employees in the Department **of** Defense, separately
- the total number of prisons under the jurisdiction of DoD **and** overseas, separately
- **who** (what organizations) in DoD is responsible for managing the people in the **prisons**
- who is responsible for training the people **who** work in the prisons—MPs and MI
- who is responsible for training **the** military intelligence people
- the total number of people involved with prisons—the guards, the military police, **and** also the **interrogation people**
- the total number of detainees that have existed from the time I came in (on a chart)—what the total number was at the **peak** and what it is now.

I need all the answers to these questions before tomorrow morning.

Thanks.

DHR:dh
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.....
Please respond by 8/26/04

2504

25AUG04

August 25, 2004

SEC. 7

2004-08-25 01:2:10

TO: Honorable Andrew H. Card, Jr.

CC: Vice President Richard B. Cheney
Dr. Condoleezza Rice

FROM: Donald Rumsfeld 

SUBJECT: Transforming the USG

Attached is a short draft presentation on transforming the U.S. Government for the 21st century. This brief is obviously in an early stage.

Andy, it seems to me that these are the kinds of national security, homeland security and other issues that you folks in the White House are considering. Clearly, they don't fit neatly into the responsibilities of any single department or even into any one of the White House councils. But then, the problems we face in the world don't fit neatly into any one department or into any one of the various White House councils.

In any event, we have folks in DoD who have been thinking about some of these things. If anything here is of interest to you, the Vice President or Condi, let me know. We would be happy to try to be helpful. If you would like to talk about any of these ideas, let me know.

Thanks.

Attach.

8/20/04 Transforming the U.S. Government for the 21st Century

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OSD 19381-04

11-L-0559/OSD/45740

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25Aug04

Transforming the U.S. Government for the 21st Century

23 August 2004

**This briefing is classified
~~FOR OFFICIAL USE ONLY~~**

Draft Working Papers Not Subject to FOIA

Purpose

- Public attention generated by 9/11 Commission report and Congressional hearings have focused Nation on need to improve national security
- Opportunity for Administration to:
 - Go beyond 9/11 Commission recommendations
 - Go beyond the issue of terrorism
 - Prepare for broader challenges of 21st century
- Consider whether the USG might:
 - Restructure ***institutions***
 - Create or realign ***authorities***
 - Take further ***action***

Restructure Institutions – Illustrative Ideas

- **Domestic intelligence** – Go beyond law enforcement approach and integrate with foreign intelligence while duly preserving civil liberties?
- **Strategic Communications** – Create entity in the USG that draws on US private sector prowess in media, IT, advertising, and entertainment?
- **NSC and HSC** – Restructure organizations?
- **US Country Teams** – Transform US Embassy Country Teams for 21st century operations?
- **UN and other international institutions** – Reorganize to prevent crises and assist member states that lack capacity for effective governance?
- **National Guard** – Organize, train and equip the National Guard for homeland defense?

Create or Realign Authorities – Illustrative Ideas

- **Interagency “Jointness”** – Increase through “Goldwater-Nichols” for whole USG?
- **Build Local Capacity** – Help international partners build their capacity to counter enemies and replace US forces
 - Seek additional authorities for: “Train and Equip,” Commander’s Emergency Response Program (CERP), Global Peace Operations Initiative
- **Homeland Security** – Is it time for review of how USG responsibilities and authorities are allocated to ensure right capabilities and assets address key problems?
- **Congress** – Streamline Congressional oversight (e.g., Joint Committees; smaller committees; merged authorization and appropriation committees) and speed nomination/confirmation process?

FOUO

Take Action – Illustrative Ideas

- **Bio-Defense** – Launch Strategic Bio-Defense Initiative?
- **Common Threat Assessments** – Implement initiative to develop common threat assessments with key allies and partners?
- **Non-Governmental Action** – Mobilize private philanthropies and utilize public-private partnerships to promote educational reform and economic development in Muslim world?
- **Civilian/Military Recruiting and Retention** – Review incentives/disincentives for public/military service?

Way Ahead

- Assign tasks to refine ideas and develop action plans (assign duties, set deadlines, develop metrics, track progress)
- Recommend to Congress actions requiring new legislation
- Develop draft Executive Orders where appropriate

Back-up Slides

11-L-0559/OSD/45747

FOUO

Additional Illustrative Ideas

- Establish standing USG planning function for building & maintaining coalitions
- Establish “National Security University” educational system for interagency
- Expand unconventional warfare, civil affairs and foreign internal defense capabilities
- Establish Deputy National Intelligence Director to serve as all-source intelligence “archivist” and Chief Information Officer for Intel Community
- Re-evaluate USG national roles and missions (as USG)
- Build civilian reserve for international stability & reconstruction operations security and intelligence
- Strengthen weak governments that they can increase legitimacy and authority in “ungoverned” territory via civic action projects

8/20/2004

FOUO

11-L-0559/OSD/45748

72

August 21, 2004

2004 AUG 21 2:23

TO: Larry Di Rita
FROM: Donald Rumsfeld
SUBJECT: PA on Global Posture



320.a

Attached is Andy Hoehn's memo on the global force posture summary. Your folks ought to get a full court press on it.

Thanks.

Attach.
8/20/04 DASD (Strategy) memo to SecDef re: Global Posture: Reaction to POTUS Speech

DIIR:dh
082104-11 (ts computer).doc

.....

Please respond by 8/27/04

21 AUG 04

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04-87

INFO MEMO

I-04/011142-STRAT

DepSecDef

AUG 20 2004

USD/P

PDUSD/P

[Handwritten signature]

AUG 20 2004

J 8/20

Aug 18

FOR SECRETARY OF DEFENSE

FROM: Andy Hoehn, Deputy Assistant Secretary of Defense for Strategy

SUBJECT: Global Posture: Reaction to **POTUS** Speech (U)

Here is an update on recent reactions to the President's posture announcement on August 16. Public Affairs reports that coverage overall has been 90% positive.

- Foreign reaction, especially official statements, has been almost universally positive, while domestic reaction has been somewhat more mixed.
 - Domestic media tends to emphasize US politics, while foreign media gives more prominence to the strategic value of the review.
- In general, those who have done sufficient fact-finding (e.g. Wall Street Journal and BBC) have responded very positively.

DOMESTIC

- Op-eds offer expected election-season political commentary, such as Ron Asmus's critical Aug 18 piece in the Washington Post.
 - But op-eds Charles Krauthammer in the Post and Marcus Corbin in the Baltimore Sun were highly supportive.
- Most editorials – like the Washington Post, Boston Globe, and Detroit Free Press – offer a generally understanding, if mixed, viewpoint. Some common themes are:
 - Credit for the Administration's strategic rationale;
 - Support for long-overdue moves in Europe;
 - Concern about impact in Korea; and
 - Criticism for announcing the changes at a campaign event.
- Only a few editorials have been decisively positive or negative:
 - The Wall Street Journal's good piece was the result of time **we** invested with their editorial writers.
 - The New York Times' negative editorial was expected – they wrote a similarly negative piece on US-German relations last **May**.
 - The Philadelphia Inquirer produced an oddly negative and speculative editorial, which we have responded to via a letter to the editor.

FOREIGN

- Foreign official reaction has been positive – testimony to our consultation efforts over the past 9 months.
 - Ranges from very positive (Australia, Italy) to surprisingly benign (Russia).
- In foreign media, the review's strategic aspects have received significant attention, along with **stones** on local impact and speculation about US political motives.
- See the attached paper for samples of both official and press statements from allies and interested parties.

WAY AHEAD

- Your op-ed is being finalized.
- We will continue to respond to negative editorials via letters and to **push** out op-eds **like** Doug Feith's **piece** in the August 19 Washington Post.
- We will encourage combatant commanders to speak out.
- We will approach selected Defense Policy Board members – such as Harold Brown, James Schlesinger, and Barry Blechman – to write op-eds and take interviews.
- SASC plans a hearing on 20 September.

ATTACHMENT: As stated.

Prepared by: Mike Brown and Sean Smeland, Strategy, (b)(6)

See DEF → WE'VE ASKED DIA IF THEY CAN PROVIDE ANY INSIGHT INTO REACTIONS FROM N. KOREA, CHINA, OR FRANCE. *J. [Signature]*

SAMPLE OF FOREIGN REACTION

Official

- Karsten Voight, German PM Schroeder's coordinator for US relations: "This is positive... a success story."
- UK MoD: "The UK government and NATO have been consulted ... but it is too early to say what impact there will be on US deployments in the UK"
- Italy MFA: "Absolutely not [a symbol of a weaker commitment]. The Cold War is a thing of the past."
- Japan MFA: "Japan welcomes the review of the US military framework that will better suit the global security environment and further contribute to peace and stability."
- South Korea MFA: "The South Korean government has been well aware of this plan."
- Australia MoD: "It will improve the US capability to contribute to international efforts to defeat global threats."
- Russia's MoD: "I don't see anything alarming in these **plans.**"

Note: No official commentary reported yet from China, France, Singapore, or India.

Press

- Germany: *Deutsche Welle* and *Frankfurter Allgemeine* – likely negative impacts on the German economy and local affinities for US troops, but also the need for NATO to improve its own capabilities.
- UK: *BBC* and *Financial Times* – largely favorable discussion of the strategic rationale and implications, but speculation on the fate of UK-based F-15s.
- Japan: *Japan Times* and *Asahi* – praise for the strategic rationale, and detailed reporting on specific proposals for posture in Japan.
- South Korea: *Korea Herald* – focuses exclusively on impact in Korea and ongoing Future of the Alliance talks.
- Australia: *Sydney Morning Herald* – new posture may weaken deterrence in Korea.
- Singapore: *The Straits News* – quotes from President, **very** little discussion of strategy or implications in Asia.
- India: *The Hindu* – cursory discussion of the rationale, with quotes from the President and critics.
- France: Minimal exposure in French press, mostly quotes from the President and critics.

Note: Little press commentary to date from China or Russia.

no

03 JUL 2004 11:23 AM
20040721-2 PM 2:30

August 21, 2004

TO: Matt Latimer
FROM: Donald Rumsfeld *DR*
SUBJECT: Operation OVERLORD

Germany

Here are some interesting thoughts about Operation OVERLORD you might want to take a look at.

Thanks.

Attach.
8/18/04 Historian memo "OVERLORD What Ifs"

DJR dh
082104-16 (ts computer).doc

.....
Please respond by _____

21 Aug 04

OSD 19384-04

11-L-0559/OSD/45753



HISTORICAL OFFICE

**OFFICE OF THE SECRETARY OF DEFENSE
1777 NORTH KENT STREET
ARLINGTON, VA 22209-2165**

August 18, 2004

MEMORANDUM FOR: R. F. DUBOIS

SUBJECT: OVERLORD What ifs

In response to your E-Mail, "what went wrong with Operation Overlord", herewith some of the more obvious observations.

Operation OVERLORD was an operational plan for the first 90 days (D + 90) of a campaign to defeat the Germans in Northwest Europe in 1944. Retrospective analyses of the campaign have identified what are considered errors in planning and execution.

Planning:

1. Concentration on knowledge of coastal area landing sites to relative neglect of inland areas.
2. Insufficient attention to problem of bocage or hedgerow areas which became major obstacles to operations.

Execution:

1. Inadequate intelligence on German unit disposition. Presence of German 32nd Division at Omaha Beach not previously detected; made Omaha landing a bloodbath for U.S. forces on 6 June.
2. Landing at wrong places – U.S. 4th Division landed one kilometer south of where it was supposed to on Utah Beach. This caused delays in advance inland.
3. Failure to take Caen as early as planned. Caen was a key objective, the gateway to Paris. Instead of a few days it took the better part of two months to capture it.
4. Hedgerow fighting. These obstacles held up advances for weeks. U.S. forces not properly prepared in advance to cope with them.



11-L-0559/OSD/45754

5. Failure to close the Falaise – Argentan gap in August. British and American forces missed the opportunity to bag more than a dozen German divisions by leaving open a 25-mile gap in the planned encirclement. Most of the Germans escaped. Success of this maneuver might have shortened the war by months, since it is unlikely that the Germans could have stopped what probably would have been a much more rapid Allied advance to the German border.

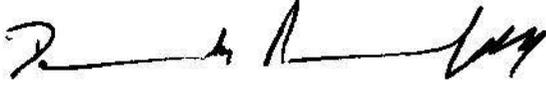
Alfred Goldberg

Alfred Goldberg
OSD Historian

SECRET
2004-08-21 09:33

August 21, 2004

TO: President George W. Bush

FROM: Donald Rumsfeld 

SUBJECT: Global Posture Reaction

Mr. President—

Attached is a summary of some of the immediate reactions to your announcement with respect to global posture adjustments. I thought you might like to see it.

We look forward to seeing you on Monday.

Respectfully,

Attach.

8/20/04 DASD (Strategy) memo to SecDef re: Global Posture: Reaction to POTUS Speech

DHR:dh
082104-10 (ts computer).doc

320.2 STRATEGIC

214

0 SD 19385 - 04

048721

INFO MEMO

1-04/011142-STRAT

DcpSecDef

AUG 20 2004

USD/P [Signature] AUG 20 2004

PDUSD/P [Signature]

J 8/20

Andy H.

FOR SECRETARY OF DEFENSE

FROM: Andy Hoehn, Deputy Assistant Secretary of Defense for Strategy

SUBJECT: Global Posture: Reaction to POTUS Speech (U)

Here is an update on recent reactions to the President's posture announcement on August 16. Public Affairs reports that coverage overall has been 90% positive.

- Foreign reaction, especially official statements, has been almost universally positive, while domestic reaction has been somewhat more mixed.
 - Domestic media tends to emphasize US politics, while foreign media gives more prominence to the strategic value of the review.
- In general, those who have done sufficient fact-finding (e.g. Wall Street Journal and BBC) have responded very positively.

DOMESTIC

- Op-eds offer expected election-season political commentary, such as Ron Asmus's critical Aug 18 piece in the Washington Post.
 - But op-eds Charles Krauthammer in the Post and Marcus Corbin in the Baltimore Sun were highly supportive.
- Most editorials – like the Washington Post, Boston Globe, and Detroit Free Press – offer a generally understanding, if mixed, viewpoint. Some common themes are:
 - Credit for the Administration's strategic rationale;
 - Support for long-overdue moves in Europe;
 - Concern about impact in Korea; and
 - Criticism for announcing the changes at a campaign event.
- Only a few editorials have been decisively positive or negative:
 - The Wall Street Journal's good piece was the result of time we invested with their editorial writers.
 - The New York Times' negative editorial was expected – they wrote a similarly negative piece on US-German relations last May.
 - The Philadelphia Inquirer produced an oddly negative and speculative editorial, which we have responded to via a letter to the editor.

Z

FOREIGN

- Foreign official reaction has been positive – testimony to our consultation efforts over the past 9 months.
 - Ranges from very positive (Australia, Italy) to surprisingly benign (Russia).
- In foreign media, the review's strategic aspects have received significant attention, along with stories on local impact and speculation about US political motives.
- See the attached paper for samples of both official and press statements from allies and interested parties.

WAY AHEAD

- Your op-ed is being finalized.
- We will continue to respond to negative editorials via letters and to push out op-eds like Doug Feith's piece in the August 19 Washington Post.
- We will encourage combatant commanders to speak out.
- We will approach selected Defense Policy Board members – such as Harold Brown, James Schlesinger, and Barry Blechman – to write op-eds and take interviews.
- SASC plans a hearing on 20 September.

ATTACHMENT: As stated.

Prepared by: Mike Brown and Sean Smeland, Strategy, 614-0421

SecDEF → WE'VE ASKED DIA IF THEY CAN PROVIDE ANY INSIGHT INTO REACTIONS FROM N. KOREA, CHINA, OR FRANCE. *J. Smeland*

SAMPLE OF FOREIGN REACTION

Official

- Karsten Voight, German PM Schroeder's coordinator for US relations: "This is positive... a success story,"
- UK MoD: "The UK government and NATO have been consulted ... but it is too early to say what impact there will be on US deployments in the UK"
- Italy MFA: "Absolutely not [a symbol of a weaker commitment]. The Cold War is a thing of the past."
- Japan MFA: "Japan welcomes the review of the US military framework that will better suit the global security environment and further contribute to peace and stability."
- South Korea MFA: "The South Korean government has been well aware of this plan."
- Australia MoD: "It will improve the US capability to contribute to international efforts to defeat global threats."
- Russia's MoD: "I don't see anything alarming in these plans."

Note: No official commentary reported yet from China, France, Singapore, or India.

Press

- Germany: *Deutsche Welle* and *Frankfurter Allgemeine* – likely negative impacts on the German economy and local affinities for US troops, but also the need for NATO to improve its own capabilities.
- UK: *BBC* and *Financial Times* – largely favorable discussion of the strategic rationale and implications, but speculation on the fate of UK-based F-15s.
- Japan: *Japan Times* and *Asahi* – praise for the strategic rationale, and detailed reporting on specific proposals for posture in Japan.
- South Korea: *Korea Herald* – focuses exclusively on impact in Korea and ongoing Future of the Alliance talks.
- Australia: *Sydney Morning Herald* – new posture may weaken deterrence in Korea.
- Singapore: *The Straits News* – quotes from President, very little discussion of strategy or implications in Asia.
- India: *The Hindu* – cursory discussion of the rationale, with quotes from the President and critics.
- France: Minimal exposure in French press, mostly quotes from the President and critics.

Note: Little press commentary to date from China or Russia.

TAB A

~~FOUO~~

NOV 18 10 51 AM '04
October 29, 2004

890

35009

TO: Gen Dick Myers

CC: Paul Wolfowitz
Steve Cambone

FROM: Donald Rumsfeld *DR*

SUBJECT: Tracking Ideas

I think we need to put more discipline into the task of tracking individual human beings. We need to get a Manhattan Project going that integrates a variety of intelligence disciplines and military capabilities.

Please see me with some ideas.

Thanks.

DHR:sa
102904-16

.....
Please respond by 11/30/04

2902704

0 SD 19409-04

~~FOUO~~

Tab A

December 2, 2004

TO: Gen Dick Myers
Gen Pete Pace

c c : ADM Giambastiani

FROM: Donald Rumsfeld *DR*

SUBJECT: Joint Task Force HQ Brief

I was impressed with Ed Giambastiani's concept for the JTF HQ. Clearly a lot of good work by his staff and the Joint Staff as well went into it.

I do want to see you carefully think through whether it ought to be an active cadre of folks instead of reserves. I cannot see any reason whatsoever to use reserves. Once you think that through, I'd like to see an implementing document that I can sign in the next two weeks. We need to move out on this.

Thanks.

DHR:ss
120204-10

.....
Please respond by 12/16/04

Thanks.

322

a Dec 04

December 3, 2004

TO: The Honorable Andrew H. Card
FROM: Donald Rumsfeld *DR*
SUBJECT: Prepaid Calling Cards for Military

Attached is a note from my friend, Bill Timmons, raising a matter of importance and concern on telephone credit cards for the military. It is self-explanatory.

The solution lies totally outside the Department of Defense, as I read it. I would very much appreciate your interest in this.

Thank you, sir.

Attach.
12/1/04 Memo to SecDef from Bill Timmons

DHR:ss
120304-3

311M

3 Dec 04

VIA FAX

Memorandum for the Honorable Donald Rumsfeld

From: Bill Timmons *Bill*

Date: 1 December 2004

Subject: Prepaid Telephone Calling Cards for Military

Request your personal assistance on an issue of importance to our servicemen and women and their families. In the next few weeks the FCC intends to issue an order concerning prepaid *calling cards* that threatens to increase rates on the military and other users of this low-cost telephone service by as much as 20%.

Ten years ago calling card service that contained promotional advertisements (*called* enhanced cards) was placed in service. Telephone calls using these enhanced cards are informational and outside regulated service and therefore not subject to intrastate access or universal service fees. After all these years the FCC intends to make these cards fall in a revenue category that will cause troops and other card users to contribute more so others may contribute less.

Consistent with the goals of universal service, the cards today provide low-cost calling for those who need it most - military, senior, rural, minority, and low-income users. The USO provides free pre-paid cards to service personnel as part of "Operation Phone Home program." Wal-Mart, Sam's Club, drug stores, military exchanges, and other retail outlets sell the inexpensive calling cards. Members of Congress have communicated with FCC Chairman Powell not to take money out of soldiers' pockets while they defend our country. In fact, in the closing days of this Congress through report language for the final budget legislation Congress directed the FCC "not to take any action that would directly or indirectly have the effect of raising the rates charged to military personnel or their families for telephone calls placed using prepaid phone cards." On 23 July of this year the Pentagon weighed in when Charles Abell wrote the FCC pointing out the increased costs to service personnel and families if this order were implemented. The FCC chairman put off official action until after the election but now intends to go forward.

Don, about the only avenue open seems to be White House involvement to protect the low-cost prepaid calling cards for the military. May I suggest you call Andy Card and ask him to help?

Thanks a bunch.



SECRETARY OF THE ARMY
WASHINGTON

INFO MEMO

2004 077-3 File 5: 41

FOR: SECRETARY OF DEFENSE *12/13/04*

FROM: Francis J. Harvey, Secretary of the Army

SUBJECT: Command Sergeant Major (CSM) James R. Jordan's Retention
Beyond Retention Control Point (RCP)

- This information memorandum is in response to your inquiry concerning the November 28, 2004, Fayetteville Observer article regarding CSM Jordan.
- CSM Jordan is the Brigade CSM for the 35th Signal Brigade (Airborne), XVIIIth Airborne Corps, Fort Bragg, North Carolina. The above-mentioned article reported that CSM Jordan had requested to extend beyond his mandatory retirement date in order to deploy with his unit to Iraq, but did not clearly report the status of his request.
- The Army Human Resources Command approved CSM Jordan's request on September 13, 2004. His request was approved as an exception to policy in accordance with Army Regulation 601-280, paragraph 3-10. The approved 14-month exception, thru August 2006, will allow CSM Jordan to deploy with his unit and then retire upon completion of redeployment processing.
- This was a good news / personal interest story.

COORDINATION: NONE

Prepared By: LTC David R. Alexander III (b)(6)

Fayetteville (NC) Observer
November 28, 2004

Senior NCO Jordan Decides To Stay With His Team

By Henry Cuningham, Military editor

Command Sgt. Maj. James R. Jordan asked to stay in the Army for a year beyond his mandatory retirement date so he could complete a deployment to Iraq with the 35th Signal Brigade.

"We are currently at war," Jordan said. "We are doing things, and it requires leaders to do certain things. That's what I am, a leader."

Like his younger brother, retired basketball star Michael Jordan, James Jordan loves his job, believes in helping his team, expects maximum effort from those around him, and will leave on his own terms.

The sergeant major stands 5-foot-7. His brother is about 6-foot-6. At Fort Bragg, the older brother has kept a low profile and avoided calling attention to his family connection.

Command Sgt. Maj. Jordan and about 500 soldiers of the brigade are scheduled to depart today for a year in Iraq.

Under normal conditions, the 47-year-old Jordan, who entered basic training in June 1975 and had three assignments in Korea, would start winding down his Army career in the spring as he approached the 30-year mark.

His colonel promised to support whatever decision he made, but Jordan had no intention of getting on an airplane April 29, flying home and leaving his brigade.

"That's not the way you want to end a 30-year career," Jordan said.

"People ask, 'Why?'" said Col. Bryan Ellis, the brigade commander. "The answer is, he is completely selfless. We all want to see it go well."

No-nonsense

Jordan is a no-nonsense noncommissioned officer with a shaved head and a wry sense of humor. In his job, he advises the commander as the senior enlisted soldier in the brigade of 2,450. Many of them are young specialists and sergeants facing back-to-back extended tours overseas.

"If you don't believe in selfless service, you are not going to make it in this business," Jordan said.

It's not your age that counts, it's your mind, said Jordan, the oldest person in the brigade. He went to airborne school, where most soldiers are in their teens or early 20s, as a 36-year-old first sergeant. At 47, he will run eight miles for physical training and expects soldiers to be alongside him, not lagging behind.

Three years of Junior ROTC at New Hanover High School in Wilmington helped convince Jordan that the Army was for him.

11-L-0559/OSD/45765

"I figured I wanted to be a soldier, plus I was the oldest of five kids," he said. "I wanted to get out of the house and do something myself."

In the early 1990s, he, as a sergeant first class, was the noncommissioned officer in charge of the team fielding the Mobile Subscriber Equipment, the Army's cell phone system.

"You would ask senior people for the answers to questions," said Ellis, the brigade commander. "They would always say, 'Talk to Sgt. 1st Class Jordan.' He was the one that had the answers about anything - the training, the fielding, the maintenance."

As Jordan sees it, his job is to help get the brigade to Iraq and back and resume the hectic work of providing communications for the 18th Airborne *Corps* around the world.

"The brigade has got to be prepared to do the mission when we return," Jordan said. "Quite a few critical people are preparing to get out of the Army when they return."

Preparing for danger

In recent months, he has been focused on preparing his soldiers for the dangers of Iraq.

"One of the things we found out is you've got quite a few soldiers who are technically smart," Jordan said. "They can make a computer do everything you want it to do."

But the computer-savvy soldiers also must know what to do on a Fort Bragg firing range or when a convoy is ambushed in Iraq.

"Your technical skills ain't going to help you be able to put steel where it needs to be," he said.

"Technical' ain't got nothing to do with it out there. You've got to be 'tactical' -just as qualified as the infantry."

And don't tell the command sergeant major that a soldier can't pass the marksmanship test.

"That's the wrong answer," he said. "You'll stay at that till you get it done. If you don't get it done today, you're going back tomorrow. Then tomorrow you get a little bit of love because I'll be standing over top of you, making sure you get it right."

That's what a sergeant major is for, he said.

A noncommissioned officer can't be effective sitting in an office or standing back with hands on hips, he said.

"Some of my family really don't even know what I do," he said. "They know I'm in the Army. That's about it. My immediate family and my wife, my kids, not extremely happy, but they are on the team. They say, 'Daddy, do what you've got to do.'"

Jordan said his mother told him he has "been in it forever."

"I've been doing this by myself for so long, being my own person, being my own soldier," he said. "I'm going to continue doing it the same way until the day I feel like I need to hang it up, not when they feel like I need to hang it up."

11-L-0559/OSD/45766

FOUO

November 30, 2004

113004-1 81 5: 41

TO: Fran Harvey
CC: GEN Pete Schoomaker
Gen Dick Myers
FROM: Donald Rumsfeld DR
SUBJECT: Extension

I take it there is a way for Chief Master Sergeant Jordan to stay in the service for an extra year, as he has requested. Please advise.

Thanks.

DHRdh
113004-1

.....
Please respond by 12/9/04

FOUO

11-L-0559/OSD/45767

OSD 19544-04

FOUO

November 30, 2004

2004 11 30 15:01

TO: Fran Harvey
CC: GEN Pete Schoomaker
Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Extension

I take it there is a way for Chief Master Sergeant Jordan to stay in the service for an extra year, as he has requested. Please advise.

Thanks.

DHRdh
113004-1

.....
Please respond by 12/9/04

FOUO

11-L-0559/OSD/45768

OSD 19544-04

~~FOUO~~

14
9/7
10/4

September 7, 2004

11-170-3 11/27

TO: Paul Wolfowitz
FROM: Donald Rumsfeld *DR*
SUBJECT: E-mail from Ron Arons

Please take care of the attached e-mail regarding an idea to disarm Al-Sadr's people.

Thanks.

Attach.
08/18/04 E-mail from Ron Arons to SecDef re: HIDA technology

DHR:as
090704-10

.....
Please respond by _____

Iraq

7 Sep 04 26 Aug 04

~~FOUO~~

OSD 19580-04

ASST

(b)(6)

From: Ron Arons [(b)(6)]
Sent: Thursday, August 26, 2004 11:10 AM
To: Donald Rumsfeld
Subject: A couple of Ideas

2004 8/26 - 3 11:10:23

Dear Mr. Secretary,

Maybe I'm missing something but.....

Why can't we use HyperSound technology, already in the Defense Department's hands, to disarm Al-Sadr's people guarding the mosque? I direct you to the following article: <http://www.raven1.net/hssweapon.htm>

Why can't we throw a couple of smoke or stink bombs at Al-Sadr's people guarding the mosque.

Just some thoughts

Ron Arons
Princeton '78

1
502 -
I've emailed him back looking for his email trail
address. I'll let you know when I see it.

cancel

ATTACH.

NY TIMES MAGAZINE ARTICLE RE: HIDA (05/23/02)

OSD 195 80-04

ATC HyperSonic Sound as a Weapon

By Marshall SELLIA New York Times March 23, 2003
5035 words, Late Edition - Final , Section 6 , Page 34 , Column 3

Original link:

<http://www.nytimes.com/2003/03/23/magazine/23SOUND.html>

For the moment, though, HSS is unfinished business. As night must follow day, there are Defense Department applications. Norris and A.T.C. have been busy honing something called High Intensity Directed Acoustics (HIDA, in house jargon). It is directional sound -- an offshoot of HSS -- but one that never, ever transmits Handel or waterfall sounds. Although the technology thus far has been routinely referred to as a "nonlethal weapon," the Pentagon now prefers to stress the friendlier-sounding "hailing intruders" function.

In reality, HIDA is both warning and weapon. If used from a battleship, it can ward off stray crafts at 500 yards with a pinpointed verbal warning. Should the offending vessel continue to within 200 yards, the stern warnings are replaced by 120-decibel sounds that are as physically disabling as shrapnel. Certain noises, projected at the right pitch, can incapacitate even a stone-deaf terrorist; the bones in your head are brutalized by a tone's full effect whether you're clutching the sides of your skull in agony or not.

"Besides," Norris says, laughing darkly, "grabbing your ears is as good as a pair of handcuffs."

Nimble holding a big black plate, Norris stands with me in an A.T.C. sound chamber. Since he's poised behind the weapon, he will hear no sound once it's powered up: not a peep. "HIDA can instantaneously cause loss of equilibrium, vomiting, migraines -- really, we can pretty much pick our ailment," he says brightly. "We've delivered a couple dozen units so far, but will have a lot more out by June. They're talking millions!"

(Last month, A.T.C. cut a five-year, multimillion-dollar licensing agreement with General Dynamics, one of the giants of the military-industrial complex.)

Norris prods his assistant to locate the baby noise on a laptop, then aims the device at me. At first, the noise is dreadful -- just primarily wrong -- but not unbearable. I repeatedly tell Norris to crank it up (trying to approximate battle-strength volume, without the nausea), until the noise isn't so much a noise as an assault on my nervous system. I nearly fall down and, for some reason, my eyes hurt. When I bravely ask how high they'd turned the dial, Norris laughs uproariously. "That was nothing!" he bellows.

"That was about 1 percent of what an enemy would get. One percent!" Two hours later, I can still feel the ache in the back of my head.

7201

HOLD



ADMINISTRATION AND MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

ACTION MEMO

300.8

FOR: SECRETARY OF DEFENSE

FROM: Raymond F. DuBois, Director, Administration and Management

Ray DuBois 12/7/04

SUBJECT: Services/Non-OSD Directives Review

- In your attached snowflake of November 17, 2004, you requested information on what the Services and non-OSD elements of DoD are doing to update their directives. You asked for an analysis of their directive systems, and for a memo prompting a comprehensive review of their directives.
- Defense Agency/Activity directives promulgate their DoD-wide policy through the WHS-administered directives systems. Their parent USDs and ASDs oversee the content.
- The Services have their own procedures for publication of directives, regulations, and instructions, which vary widely. WHS reviewed the Services' policy level publications and identified the following sample data reflecting publications in selected functional areas that are older than January 1999:
 - o Air Force: 14 of 21 Directives in the Manpower/Organization series (66%).
 - o Army: 28 of 29 Regulations in the Organization/Functions series (97%).
 - o Navy: 18 of 22 Instructions in the Operations/Readiness series (82%).
 - o Marine Corps: 92 of 126 Orders in the General Admin/Mgmt series (73%)
- All four services have actions ongoing to modernize their publications programs in various stages of development.
- The Joint Staff is actively managing its Directives Program, with only 27 out of 267 publications (10%) older than five years. Updates to many of these older publications are awaiting release of updated DoD issuances.
- The memorandum to the Service Secretaries is attached at Tab A, with courtesy copy provided to the CJCS.

7 DEC 04

RECOMMENDATION: That you sign the memorandum at Tab A

COORDINATION: NONE

Attachment: As stated

Prepared By: Mr. John C. Krysa, WHS/ESCD, (b)(6)

OSD 19721-04

17NOV04



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

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS

SUBJECT: Review of Service Directives

In recent years, we have adopted significant changes in DoD and Service policies, programs, missions, organizations, and responsibilities. World events, current and emerging threats, and evolving technologies have all helped drive these changes. It is imperative that we codify in our policy level directives, regulations, and instructions the decisions we make to guide our departments through these changing times.

At my direction, OSD Components conducted a comprehensive review of DoD Directives to ensure that they are current with today's defense posture. Of 653 DoD Directives, 259 were certified as current, 317 required revision, and 77 will be cancelled. A sample review of your directives, regulations, and instructions indicates your Service requires a similar review. In selected functional areas, the majority of your policy level issuances are older than five years.

Therefore, I request that you conduct a thorough review of your publications to ensure that they are current with Service guidance and consistent with their counterpart DoD Directives. As DoD Directives are revised or cancelled, these changes will be posted on the following web site: <http://www.dtic.mil/whs/directives/>. I direct your attention to this web site because revisions and cancellations of DoD Directives may guide your prioritization of effort.

Please provide me an assessment of your policy level publications by February 1, 2005 to include your plan of action.

cc: Chairman, Joint Chiefs of Staff



11-L-0559/OSD/45773

19
0800

How



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

ACTION MEMO

201003-7 15:19

FOR: SECRETARY OF DEFENSE

FROM: Raymond F. DuBois, Director, Administration and Management

SUBJECT: Services/Non-GSD Directives Review

Paul Butler
2/13 fuB

Ray DuBois 12/7/04

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- The memorandum to the Service Secretaries is attached at Tab A, with courtesy copy provided to the CJCS.

Thanks

2-02

24/11

RECOMMENDATION: That you sign the memorandum at Tab A

COORDINATION: NONE

Attachment: As stated

MA SD	SMA DSD	3/3/04	
TSA SD	SA DSD	12/10	
EXEC SEC	M12/9		
	6/21/8	7/2/8	

Prepared By: Mr. John C. Krysa, WHS/ESCD, (b)(6)

OSD 19721-04



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

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS

SUBJECT: Review of Service Directives

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2

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Please provide me an assessment of your policy level publications by February 1, 2005 to include your plan of action.

cc: Chairman, Joint Chiefs of Staff



11-L-0559/OSD/45775

FOUO

November 17, 2004

TO: Ray DuBois
FROM: Donald Rumsfeld *DR*
SUBJECT: DoD Directives

300.8

I just looked over **this** "DoD Directives Review Update." It really is disappointing that we are **only** at 50% after four years.

What about the Services? What about other non-OSD elements of DoD?

Why don't you get **a** list of all of those **and** draft a memo for me to send to all of them to get them **to** do the **same thing**. Let's stay on top of **this**.

Thanks so much.

Attach.

11/12/04 Dir, A&M memo to SecDef re: DoD ~~Directives~~ Review Update [OSD 18207-04]

DHR:db
111704-3

.....
Please respond by 12/3/04

1748004

FOUO

7209

~~FOUO w/CONFIDENTIAL ATTACHMENT~~

NOV 11 2004
I-04/015082
ES-1376

TO: Doug Feith
FROM:
SUBJECT: Iceland

Please take a look at this Reykjavik cable and tell me what you think we ought to do.

Thanks.

Attach.
AMEMBASSY REYKJAVIK Cable O 090748Z NOV 04: "Iceland: How to Get Started"

DHR:dh
111104-9

.....
Please respond by 12/3/04

ICELAND

~~FOUO w/CONFIDENTIAL ATTACHMENT~~

2-11-04 P04:46 IN

OSD 19751-04

11-L-0559/OSD/45777

11 Nov 04

~~FOUO~~

November 29, 2004

TO: Doug Feith

SUBJECT: Afghanistan

According to Abizaid, with respect to the drug strategy for Afghanistan, it appears not to be synchronized -- no one's in charge. Department of State has to develop a strategy. Other countries in the region want to get involved -- Pakistan, Uzbekistan, Turkmenistan, Tajikistan, along with Afghanistan. Why don't you see what you can do about that.

Thanks.

DHR:ss
112904-23

.....
Please respond by 12/23/04

AFGHANISTAN

29 Nov 04

OSD 19788-04

~~FOUO~~

11-L-0559/OSD/45778

7201
~~FOUO~~

~~SECRET~~

October 29, 2004

I-04/014576

ES-1235

2004 OCT 13 10:13

TO: Doug Feith
FROM:
SUBJECT: Chinese MOD Invitation

In my meeting with the Chinese CHOD yesterday, he reiterated the Chinese MOD's invitation for me to come to China.

DHR:ss
102904-8

.....
Please respond by _____

China

OSD 19845-04

Upon removal of attachments
this document becomes

~~FOUO~~

~~FOUO~~

~~SECRET~~

11-L-0559/OSD/45779

29-10-04 18:06 JN

29 OCT 04

TAB A
FOUO

October 29, 2004

TO: Gen Dick Myers
FROM: Donald Rumsfeld *DR.*
SUBJECT: Location of Civil Affairs

What is taking so long in deciding where Civil Affairs ought to be located? If they don't agree I want it kicked up to me and I will figure it out. Let's get it moving.

Thanks.

DHR:ss
102904-25

.....
Please respond by 11/5/04

322

29 OCT 04 9 Dec 04

FOUO

Tab A

OSD 19857-04

~~OSD 13900-04~~

11-L-0559/OSD/45780



CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20318-9999

INFO MEMO

OFFICE OF THE
SECRETARY OF DEFENSE

781 550 10 AM 6:33
CM-2228-04
9 December 2004

322

FOR: SECRETARY OF DEFENSE

FROM: General Richard B. Myers, CJCS *RBW 12/7*

SUBJECT: Location of Civil Affairs (SF-888)

- **Answer.** The following is an interim response to your question (TAB A). My staff has requested USSOCOM schedule an OpsDepts Tank session during December to review three concepts for the assignment of Civil Affairs (CA) forces under either USSOCOM or the Army.
- **Analysis.** On 26 August, an Army CA Tiger Team briefed the Army Vice Chief of Staff on three concepts for the assignment of CA units (TAB B). On 8 November, USSOCOM recommended CA forces supporting USSOCOM be assigned to USSOCOM, others should be assigned to the Army. The Army, however, recommends all CA forces be assigned to USSOCOM. The purpose of the OpsDepts Tank is to develop a recommended course of action for your decision.

COORDINATION: TAB C

Attachments:
As stated

Prepared By: LtGen James T. Conway, USMC; Director, J-3; (b)(6)

9 Dec 04

~~FOR OFFICIAL USE ONLY~~

11-L-0559/OSD/45781

OSD 19857-04



TAB B

CHAIRMAN OF THE JOINT CHIEFS OF STAFF

WASHINGTON, D.C. 20316-9999

ACTION MEMO

CH-2043-04

13 September 2004

FOR: SECRETARY OF DEFENSE

DepSec Action _____

FROM: General Richard B. Myers, CJCS *RBMY 9/10*

SUBJECT: Location of Civil Affairs (CA)

- **Question.** "When are we going to get closure on where **the** Civil Affairs functions ought to **be** located? What is **the** pacing item there? Is it getting on my schedule?" (**TABA**)
- **Answer.** The **Army** has completed its study of the issue. **VCSA** was briefed on 26 Aug and approved a recommendation that all **CA** and **PSYOP** Units remain assigned to US **Army** Special Operations **Command** (**USASOC**).
- **Analysis.** TAB B summarizes **Army** staff briefing to the **VCSA**. **TAB C** is a **VCSA** memorandum giving the **USASOC** Commander his recommendation.

RECOMMENDATION: Approve the scheduling of a meeting **with** you, USD(P), CSA, **CMC**, **CDRUSSOCOM** and me to review the **Army** recommendation.

Approve _____ Disapprove _____ Other _____

COORDINATION: TAB D

Attachments:

As stated

Prepared By: Lt Gen Norton A. Schwartz, USAF; Director, J-3; (b)(6)

Tab B

11-L-0559/OSD/45782

OSA 13900-04

APR 27 2004

755

TO: Gen. Dick Myers
CC: Paul Wolfowitz
FROM: Donald Rumsfeld *DR*
SUBJECT: Location of Civil Affairs

When *are we going to get* closure on where the Civil Affairs functions ought to be located? What is the *pacing item* there? Is it *getting on my* schedule?

Thanks.

DHR:dh
042304-14

.....
Please respond by 5/9/04

Tab B

11-L-0559/OSD/45783

30 August 2004

INFORMATION PAPER

Subject: **Army** "Tiger Team" Briefing to Vice Chief of Staff

1. **Purpose.** To summarize latest **Army** briefing on Civil Affairs (CA) issues.
2. **Key Points.** On 26 August, the CA/PSYOP Tiger Team (**CAPOTT**) briefed the Vice Chief of Staff, **Army** (VCSA) on **options** for the assignment of CA **units**.
 - The CAPOTT presented the following findings:
 - **CA (and PSYOP)** forces can best **support** operations by remaining under US **Army** Special Operations **Command (USASOC)** . Reassigning **CA** to **Army** Forces Command **would** not increase **Army** interest in these activities, improve the **transition** to post-combat stabilization operations, nor **support** the **Army** Campaign Plan.
 - Addressing **CA and PSYOP** challenges requires partnership between US **Army** Forces Command and **USASOC**.
 - Operations **would** benefit from creation of a full-time strategic-level **Civil Military Operations (CMO) planning/coordination capability**.
 - The **Army** **should** consider elevating CMO to a doctrinal "battlefield operating system."
 - **USASOC** **must** redesign the current **CA and PSYOP** force structure for **modularity** and **use Total Army Analysis** to review AC/RC mix.
 - **Extending the** Reserve Component **CA** branch to the Active Component and creating a **PSYOP** branch **would** promote the management, professionalism and availability of those officers.
 - VCSA approved the findings **and** gave the following guidance:
 - Continue to work the force structure **for CA and PSYOP**.
 - Determine **how** to integrate CA, **PSYOP** and supported units per the **Army Campaign Plan**. **This** should **include** Combat **Training** Centers.
 - Return in 90 days to brief the implementation plan.

Tab B

11-L-0559/OSD/45784



DEPARTMENT OF THE ARMY
OFFICE OF THE WCE CHIEF OF STAFF
201 ARMY PENTAGON
WASHINGTON DC 20310-0201

26 AUG 2004

**MEMORANDUM FOR COMMANDING GENERAL, UNITED STATES ARMY
SPECIAL OPERATIONS COMMAND (AIRBORNE), FORT BRAGG, NC 28310**

**SUBJECT: Results of G-3 Directed Civil Affairs (CA) and Psychological Operations
Tiger Team (CAPOTT)**

1. As per our meeting and your request for assistance on 29 April 2004, I convened a Civil Affairs and Psychological Operations Tiger Team (CAPOTT) to analyze your Civil Affairs and PSYOP "Way Ahead" concept. The Team **also** analyzed **two** additional concepts for points of comparison. The team consisted of members of the **Army** Staff, selected Army major commands, and selected outside agencies. It ensured all doctrinal, organizational, training, materiel, leadership, personnel, and facilities issues were reviewed and considered.
2. The Tiger Team determined civil affairs and psychological operations forces **could** best support the Army by remaining under the Army Special Operations Command (USASOC). The Army's Force Generation Model's emphasis on **modularity** will assure that this capability is realized as CA and PSYOP staff planners will be assigned down to the BCT UA level. The Tiger Team recommends that USASOC should redesign the current CA and PSYOP force structures for modularity and **relook the AC/RC mix**.
3. During the conduct of the Tiger Team review and assessment the following three concepts were developed:
 - a. **Concept 1** – USACAPOC, with all currently **assigned** forces, remains assigned to USASOC and transforms to support modularity.
 - b. **Concept 2** – **HQ USACAPOC** with all **CA** and PSYOP Forces reassigned to **JF'COM**.
 - c. **Concept 3** – **SOE** supporting forces assigned to USASOC and conventional forces assigned to FORSCOM.
4. **Recommendation:** The CAPOTT endorses **Concept 1** by utilizing the comparison criteria of Training/Readiness, Modularity, Flexibility, and Predictability. Recommend USASOC begin coordination with **FORSCOM** to support transformation and support modularity IAW Concept 1.

Tab B

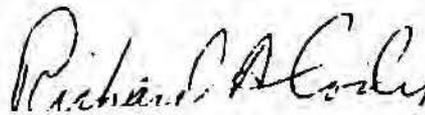


11-L-0559/OSD/45785

SUBJECT: Results of G-3 Directed Civil Affairs and Psychological Operations Tiger Team (CAPOTT)

5. Although this constitutes the closure of this Tiger Team, the members are available to assist in any capacity. We need to continue to build on the momentum gained thus far. Furthermore, USASOC's pursuit of branches for CA and PSYOP will help to increase professionalism, management, and availability of the officers in those branches.

6. The POC for this action is COL Jose Olivero, HQDA, G-3, MOSO-SOD, DSN (b)
(b)(6) Comm: (b)(6)



RICHARD A. CODY
General, United States Army
Vice Chief of Staff

TAB C

COORDINATION PAGE

Unit	Name	Date
USA	MG Robinson	23 November 2004
USMC	COL Van Dyke	23 November 2004
OSD(SOLIC)	COL Romano	3 November 2004
USSOCOM	Col Buckmelter	2 November 2004
USJFCOM	COL Milburn	23 November 2004

~~FOUO~~

December 9, 2004

TO: Honorable Andrew H. Card, Jr.
CC: Dina Powell
FROM: Donald Rumsfeld *DR*
SUBJECT: Jim Denny - Proposed Candidate for the President's Commission on Tax Reform

012

Attached is a background sheet of James M. Denny. He is world-class - a brilliant lawyer and financial expert.

As you will see from his background sheet, he has broad experience. He is a solid Republican. He would be a superb member of the President's Commission on Tax Reform.

Please let me know if I can provide any additional information.

Thanks.

Attach.
Jim Denny Background Sheet
Denny political contributions

DHR:dh
120504-18

9/22/04

~~FOUO~~

OSD 19861-04

11-L-0559/OSD/45788

November, 2004

James M. **Denny** is a retired Vice Chairman of Sears, Roebuck and Co. He joined Sears in 1986 as Vice President-Finance, became Chief Financial Officer in 1988, Vice Chairman in 1992 and retired in 1995 upon completion of the program to unbundle the financial services/retail conglomerate through a series of spin-offs and sales of its financial services businesses. Earlier positions include Executive Vice President and Chief Financial Office with G.D. Searle and Co., Chairman of Pearl Health Services, Inc., a publicly held Searle-affiliated company, and Treasurer of the Firestone Tire & Rubber Company. He began his career as a lawyer, practicing in New York and Paris with the firm of Dewey, Ballantine, Bushby, Palmer and Wood.

Denny is a director of ChoicePoint, Inc., GATX Corporation, and Gilead Sciences, Inc., where he also serves as Chairman, and several private companies. Previous board memberships include Allstate Corporation, Astra AB, General Binding Corporation, General Instrument Corporation, The Principal Financial Group, and Sears, Roebuck and Co. Since his retirement from Sears, he has been engaged in investment related activities including serving on the advisory Board of Evanston Capital Management and as an advisor to William Blair Capital Partners, LLC. from 1995 to 2000 and as a trustee of the Searle Family Trusts.

Denny is a director and a past Chairman of Northwestern Memorial Healthcare Corporation and is current Chairman of Northwestern Memorial Foundation. He is a member of the Board of Directors of Georgetown University and the Board of Trustees of DePaul University. He also serves as a member of the boards of the Catholic Extension Society and the

November, 2004

Catholic Theological Union, a member of The Bernardin Center National Advisory Board, and as a Vice **Chair** of the Finance Council of the Archdiocese of Chicago. **He** received the Princeton Club **of** Chicago's Community service award in 1999, **an** honorary degree from Catholic Theological Union in **2003**, and was the American Ireland Fund 2002 Chicago Dinner Honoree.

Denny attended Princeton University from 1950 to 1954 **and**, following completion of military service in Korea, graduated **from** the University **of** Minnesota **in** 1957 and the Georgetown University law Center in 1960 where **he** was **an** editor / officer of the **law** review.

(b)(6)

James M. & (b)(6)

1999 through 2004 Political Contributions

<u>Date</u>	<u>Name</u>	<u>Paid Amount</u>
05/28/1999	Porter for Congress	500.00
05/28/1999	Governor George W. Bush Presidential Exp.	1,000.00
12/17/1999	Empower America Supporter	1,000.00
05/04/2000	Abraham Senate 2000	1,000.00
06/09/2000	Mark Kirk for Congress	1,000.00
06/09/2000	McCullum for U.S. Senate	2,000.00
06/09/2000	McCullum for U.S. Senate	2,000.00
09/22/2000	Mark Kirk for Congress	1,000.00
10/20/2000	Illinois Victory 2000	5,000.00
11/16/2001	Bill Simon for Governor	250.00
11/16/2001	Citizens For Corinne Wood	1,000.00
10/03/2002	Illinois Republican Party	5,000.00
04/08/2003	Illinois Republican Party	25,000.00
06/23/2003	Andy McKenna for Senate	2,000.00
09/09/2003	Bush - Cheney '04	2,000.00
09/09/2003	Bush - Cheney '04	2,000.00
05/11/2004	Illinois Republican Party	10,000.00
07/26/2004	RNC Presidential Trust	5,000.00
09/21/2004	CITIZENS FOR KARMEIER	1,000.00
10/07/2004	Martinez for U.S. Senate	1,000.00
Total Political Contributions		<u>68,750.00</u>
TOTAL		<u>\$ 68,750.00</u>

Additional Family Contributions to Bush - Cheney '04

09/09/2003	(b)(6)	2,000.00
		<u>\$ 16,000.00</u>

Consolidated Denny Family Contributions

\$ 84,750.00

December 10, 2004

TO: GEN John Abizaid

CC: Gen Dick Myers
Paul Wolfowitz
Doug Feith
GEN George Casey

FROM: Donald Rumsfeld 

SUBJECT: Militia Theory

Attached is an e-mail I received on militias. What do you think of it?

Thanks.

Attach.

11/16/04 Pickard e-mail to SD re: Militia Theory

DHR:dh
120904-49

.....
Please respond by 1/6/05

IRAQ

10 Dec 04

(b)(6) CIV, OSD

From: (b)(6)
Sent: Wednesday, November 17, 2004 4:02 PM
To: (b)(6)
Subject: FW: Militia theory

From DR's email

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

From: Ronn S. Pickard [mailto:(b)(6)]
Sent: Tuesday, November 16, 2004 11:51 PM
To: Donald Rumsfeld
Subject: MILITIA THEORY

Don,

The Department of Defense has no militia theory.

Fundamentally, the term "militia" refers to a citizenry voluntarily mobilized for the common defense.

The strategy of terrorism is ultimately simple. A community is criminally attacked. The folks in the community naturally organize to defend themselves. Terrorist allies within the government block the government from passing proper laws to enable the community to defend itself lawfully and openly. Terrorist allies within the community attacked promote the formation of illegal militias and, thus, control the linkage between illegal militia units. The illegal militia units are then run up against each other and the government. Totalitarianism results. A well regulated militia would make such shenanigans impossible.

Things immediately became unglued in Iraq after Allawi stated that there would be "no militia laws". How could the people of Iraq possibly support a government that seeks to disarm and disorganize them in the face of such violence? Without a lawful self-defense how much easier could it be for terrorists to dominated communities?

The Kurdish militia had repelled Saddam Hussein and his agents when they were in power with a minimum of support from the United States. The Allawi government with U.S. support has sought to stand down the Kurdish militia and replace them with government paid police. The result as with the situation in Mosul was predictable. The militia has to be properly regulated not eliminated.

There is a world of difference between a well regulated militia, a poorly regulated militia, an unregulated militia, and an illegal militia. The Department of Defense has no analysis of the difference.

The principles of a well regulated militia are universal, although unknown to the D.O.D.

1. The basic militia unit must be neighborhood based so that the members are first defending their own families and neighbors. This makes the militia unit naturally conservative and responsible. It would be extremely difficult for a neighborhood based militia unit under proper regulations to sustain illegal activities because everyone in the neighborhood would know what they were doing. It would be too easy for authorities to investigate reports of misbehavior and provide remedial discipline.
2. The members of the basic militia unit elect their own sergeant. This makes the militia unit a bulwork of democracy and assures community support for the unit.
3. The militia sergeants must swear into "the regular uniformed officer corps" -- in municipalities this means the local police station. Sergeants serve, in effect as reserve police officers. They are always subject to the martial laws. No law commands individual militia members to mobilize unless the order comes from a governor or the president. However, the social conditions of the basic militia unit effectively require members to mobilize at the call of their sergeants unless there are exceptional political conditions afoot.

11/17/2004

11-L-0559/OSD/45793

Once mobilized, militia members are under the martial laws.

Our Constitution gives it to the Congress to write the militia code for the nation and leaves it to the states to implement that code. The President becomes commander-in-chief of the militia if he declares a state of emergency.

The Congress never wrote the appropriate militia code. The lack of a national militia code resulted in the militias of the individual states becoming independent only state organs -- which was the necessary precondition if not the ultimate cause of the Civil War.

It would be easy to implement a good Standard Militia Code in Iraq. Provide the form for neighborhoods to form units and elect sergeants. Assign local police officers to the units and ex-military personnel to drill them. This would put an immediate end to the insurgency because it would give the citizenry the mechanism to lawfully root it out and also prevent the only course to power the insurgency depends upon.

If even the weak PLA issued a Standard Militia Code, the Palestinian people would immediately and openly establish neighborhood militia units. These units would put a prompt end to the petty crime in the neighborhoods that is the necessary precursor to the gangs and larger illegal militia organizations. Once the Palestinian neighborhood militias were up and properly regulated, they would quickly put an end to any intimidation by the existing illegal militias such as that of Hamas and the al Aqsa Martyr's Brigade. What seems so difficult from a centralized political perspective is essentially simple on the neighborhood level.

The political opposition to well regulated militias is simply motivated. If folks in a neighborhood had a well regulated militia unit, they would use different but similar neighborhood based organization to address other political concerns. The well regulated militia entrenches the principles of freedom, democracy, and good government.

This is evident in urban American. Good neighborhood watches use the natural principles of a well regulated militia. Where the good neighborhood watch exists, the community is safe. Governing urban Democratic Parties actively and systematically oppose those who independently select their neighborhood leadership for any purpose. We have the common phenomenon of Democratic politicians pulling back their opposition to a neighborhood's self-organizing when crime surges and then pouncing back in after the the crime is reduced. The meetings are flooded out with public employees, etc., when the crisis is solved. In minority areas where the Democrats' hold is especially strong, gangs can simply take over. Although the American neighborhood watch rarely displays arms, they are present in the background.

The well regulated militia simply formalizes the rights and procedures that are natural and appropriate. The well regulated militia, of course, also instructs and disciplines the use of arms.

The problems with militias around the world are predictable when we look at how the individual principles of the well regulated militia are manifest or absent. In Iraq, even urban militias are tied to family and tribes rather than being neighborhood based. Local unit leaders are appointed not elected. The regular uniformed officer corps plays no role. It would be easy to replace these structures with a well regulated militia structure.

The well regulated militia requires that the regular uniformed officer corps is under local civil authority except for states of emergency.

It should be expected that members of a well regulated militia in their individual capacity as citizens would form civic associations and have political impacts. It would be best for such associations to follow the principles of American non-profit organizations.

It is also proper that militias have communications and joint operational infrastructures by which they can operate if their regular uniformed officers are absent. Those communications and joint operational infrastructures should develop under the law and the supervision of the regular uniformed officer corps. For instance, in case of strife, a police department headquarters could be compromised or officers might need to be sent to particular hotspots. The neighborhood militia should still be able to mobilize and communicate. When regular officers return, their authority should be immediately recognized.

It is common in America for citizens to take action to apprehend a suspect, and for those citizens to immediately follow the orders of police officers when they arrive on the scene. The principles involved are natural.

Under our Constitution, our Congress should enact legislation that gives our citizens the specific right and regulations to form neighborhood militia units, elect sergeants, and be assigned officers. If we had a Standard Militia Code, the neighborhoods across the America would form militia units virtually overnight. Street crime and neighborhood gangs would vanish in a few short weeks. This is not a pipe dream. It is based on practical experience. I served as chair of an ad hoc community neighborhood watch in a high crime minority area in Los Angeles. At one point we dissolved what had become the heaviest drug trafficking intersection in Los Angeles in two weeks without arrests -- then the politicians swept in.

My concern is with applying the natural principles of a well regulated militia without written regulations and formal structures. Although this immediately pacifies neighborhoods, the corruption of these structures looms.

We should take advantage of the crises in this country and abroad to enact the full regulatory structures that would govern appropriately long after the crises are past. Parties will always seek to dominate and exploit any neighborhood structures (let alone militia) for other political purposes. Only by good regulations can militia be properly governed and sustained.

Presently, the D.O.D. position is against any militia because it has no theory of regulation let alone the regulations themselves.

Citizens have the natural right to mobilize for the common defense. It is essential that this be properly regulated. The alternative is untenable.

At the time our Constitution was written the wisdom of the following words of the Second Article of the Bill of Rights was self-evident:

"A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

Your D.O.D. has analysts who would be willing to work on the development of militia theory and a Standard Militia Code. Would you care for names?

It would be easy to have the assistance in doing this from police departments across America. The people would support, the Congress would pass, and the President would sign such a code.

Sincerely yours,
Ronn S. Pickard

(b)(6)



720
SECRET
OCT 15 10 21 16

OCT 15 2004
I-64/013802
ES-1049

TO: Doug Feith
FROM:
SUBJECT: Post-Election Plan

I need a report on how the U.S. Government is going to hold the Coalition together after the Iraq election, and keep the troops we need in there. We must get ahead of the curve.

I need to be persuaded that you and the Department of State are doing what we need to do to see that that happens.

Thanks.

DHR:ss
101404-5

.....
Please respond by 10/29/04

-04 16:54 118

0 SD 19871-04

720

~~FOUO~~

10/19/04 17:17

October 19, 2004
I-04/013970
ES-1093

TO: Doug Feith
CC: Gen Dick Myers
FROM:
SUBJECT: Coalition Members

I want a report as to what countries we're working with to help them pare down their coalition forces slightly, so they don't pull out completely.

We can afford to have some smaller countries take 50 or 100 people out and still manage the problem. But losing them completely would be harmful.

Thanks.

DHR:ss
101904-4

.....
Please respond by 11/5/04

OSD 19872-04

~~FOUO~~

11-L-0559/OSD/45797

19-10-04 18:46 IN



COMPTROLLER

720
UNDER SECRETARY OF DEFENSE
1100 DEFENSE PENTAGON
WASHINGTON, DC 20301-1100

OFFICE OF THE
COMPTROLLER

DEC 10 AM 11:26

INFO MEMO

December 9, 2004, 5:00 PM

FOR SECRETARY OF DEFENSE
DEPUTY SECRETARY OF DEFENSE

FROM: Tina W. Jonas *TWJ*

SUBJECT: Government Accountability Office (GAO) Report on Defense Department's Failure to Track Personnel Spending

- You asked me to look into an Early Bird article referencing a GAO report regarding oversight of Military Personnel appropriations. (TAB A)
- The GAO report cited in the article criticized the Department for insufficient oversight of the use of Military Personnel appropriations.
- We do have proper controls in place to ensure that we properly use funds appropriated for Military Personnel. In addition, we agree with the GAO report that the Department would benefit from increasing oversight and having greater visibility into the execution of the Military Personnel appropriation.
- We have drafted explicit guidance that requires reviews that will provide greater visibility and will monitor compliance through our financial metrics program. This guidance is under review by other agencies prior to its incorporation in the Department of Defense Financial Management Regulation.
- It may be appropriate in some cases to make changes to current accounting systems to gain this visibility. I have asked the Military Departments to do a cost benefit analysis of making changes to current systems. If the analysis shows that these changes would provide increased visibility and improved internal controls, and that they are cost effective, we will pursue them through our financial system improvement effort.

COORDINATION: None.

Attachment:
As stated

Prepared By: Terri McKay, (b)(6)

1101

9 Dec 04

TAB

A

FOUO

December 1, 2004

TO: Tina Jonas
CC: Paul Wolfowitz
FROM: Donald Rumsfeld *DR*
SUBJECT: GAO Report

What is this item about in today's *Early Bird* referencing a GAO report that says DoD is not providing proper oversight to ensure that military personnel appropriations are directed to cover pay, benefits and expenses?

Thanks.

Attach.

McGlinchey, David. "Defense Department Not Tracking Personnel Spending, Report Says," *GovExec.com*, November 30, 2004.

DHR:dh
120104-17

.....
Please respond by 12/9/04

FOUO

11-L-0559/OSD/45800

GovExec.com
November 30, 2004

Defense Department Not Tracking Personnel Spending, Report Says

By David McGlinchey

The Defense Department is not providing sufficient oversight to ensure that military personnel appropriations actually are directed to cover pay, benefits and expenses, according to a new Government Accountability Office report.

As a result of the report, the Office of the Secretary of Defense **has** ordered a study on the cost and time needed to modify the relevant financial systems to comply with regulations.

GAO released **similar** findings to lawmakers in **2003**, and the fiscal **2004** conference report on defense appropriations called on the Pentagon to "strengthen the **annual** review process" and "provide transparency of disbursements at the same level **as** the budget submission."

In the report released **this** week, however, GAO announced that the Pentagon is not following congressional direction on oversight.

"**The military** services are not matching obligations to disbursements at the individual disbursement transaction level in all the years that disbursements can occur **as** required by the Financial Management Regulation," the report (GAO-05-87R) said. "Additionally, the services are not reporting the obligation balances at the budget submission level **as** directed by congressional conferees."

In their report, GAO noted that military personnel appropriations, also **known as MILPERS**, make up a significant amount of the Defense Department's budget. In fiscal **2003**, MILPERS accounted for more than \$109 billion. That figure also includes allowances, housing, travel and reserve training. GAO investigators said the insufficient budget review is stopping lawmakers from making informed decisions on funding.

"**This has** made it difficult, if not impossible, for decision-makers to oversee how the services actually use MILPERS funds," the GAO report said.

The investigators took the Office of the Secretary of Defense to task for failing to implement the reforms from the top.

"OSD **has** not provided the services with explicit instructions in the Financial Management Regulation requiring them to review MILPERS obligations," the report said. "Moreover, OSD has not effectively monitored the services' compliance with the Financial Management Regulation's requirement to review obligation balances. Unless the services strengthen their year-end reviews and certification processes, the actual **use** of MILPERS funds will continue to be masked, and the baseline for future budget requests may be inaccurate."

GAO did note that the Army **has** made some progress in developing prior year financial reports with great detail. In a Nov. **23** directive, top Defense officials ordered the Air Force, Navy and the Defense Finance and Accounting Service to complete a feasibility study on recording and reporting detailed

11-L-0559/OSD/45801

disbursements for prior years' spending. That study is scheduled to be completed by Jan. 31, 2005.

72
FOUO

ES-1644
04/01667R

December 9, 2004

TO: Doug Feith
FROM:
SUBJECT: Defense Policy Board

Please send me the complete list of Defense Policy Board members. I want to make some changes.

Thanks.

DHR:dh
120904-33

.....
Please respond by 12/10/04

FOUO

OSD 19898-04

11-L-0559/OSD/45803 -1 -2

~~FOR OFFICIAL USE ONLY~~

POLICY EXECUTIVE SECRETARIAT NOTE

December 10, 2004

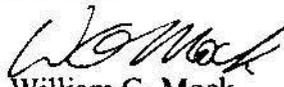
I-04/016678

ES-1644

To: CAPT Marriott, Executive Secretary

Subject: Defense Policy Board - Snowflake #120904-33

In response to the SecDef's note, attached is the current list of Defense Policy **Board** members.


William G. Mock
Director, PES

cc: PDUSDP
USDP/SA

~~FOR OFFICIAL USE ONLY~~

0 SD 1 9898 -04

11-L-0559/OSD/45804

FOUO

ES-1644
04/01667R

December 9, 2004

TO: Doug Feith

FROM:

SUBJECT: Defense Policy Board

Please send me the complete list of Defense Policy Board members. I want to ~~make~~ some changes.

Thanks.

DHR:dh
120904-33

.....
Please respond by 12/10/04

FOUO

OSD 19898-04

11-L-0559/OSD/45805

**Defense Policy Board
as of October 2004**

Members:

Dr. Kenneth Adelman	Senior Counselor, Edelman Public Relations
Honorable Richard Allen	Senior Counselor, APCO Worldwide
Dr. Martin Anderson	Senior Fellow, Hoover Institution
Dr. Gary Becker	Professor, University of Chicago
Dr. Barry Blechman	President & Chairman, DFI International
Dr. Harold Brown	Counselor, CSIS Partner, Warburg Pincus & Co
Ms. Victoria Clarke	Comcast
Dr. Eliot Cohen	Professor, Johns Hopkins University
Ms. Devon Cross	President, Donors' Forum on International Affairs
Gen(Ret) Ronald Fogleman	Chairman and CEO, Durango Aerospace, Inc
Amb Thomas Foley	Partner, Akin, Gump, Strauss, Hauer & Feld LLP
Hon Tillie Fowler	Partner, Holland & Knight LLP
Hon Newt Gingrich	CEO, The Gingrich Group
GEN (Ret) Charles Horner	Consultant and Author
Dr. Fred Ikle	Chairman of the Board, Telos Corporation and CMC Energy Services
ADM (Ret) David Jeremiah	President Technology Strategies & Alliances
GEN (Ret) John Keane	URS Corporation
Dr. Henry Kissinger	Chairman, Kissinger Associates, Inc
VP Dan Quayle	Investment Banker, International Consultant

Dr. James Schlesinger

Senior Advisor, Lehman Brothers

Dr. Kiron Skinner

Assistant Professor, Carnegie Mellon
University and Research Fellow, Hoover
Institution

Dr. Helmut Sonnenfeldt

Guest Scholar, Brookings Institution

Dr. Ruth Wedgwood

Professor of International Law and Diplomacy
and Director of International Law and
Organization, Johns Hopkins

Mr. Christopher Williams

Partner, Johnston and Associates

Honorable Pete Wilson

Former Governor, California

Mr. R. James Woolsey

Partner, Shea & Gardner

December 10, 2004

TO: President George W. Bush
CC: Vice President Richard B. Cheney
The Honorable Colin Powell
Dr. Condoleezza Rice

FROM: Donald Rumsfeld 

SUBJECT: Iraqi Security Forces Update

Dear Mr. President,

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

Respectfully,

Attach.
12/06/04 Iraqi Security Forces Update

DHR:ss
121004-4

OSD 19907-04

Handwritten note: 12/10/04

Handwritten note: 10 Dec 04

For Official Use Only

Iraqi Security Forces Update

6 December 2004

Data as of: 06 DEC 04 Version M1

11-L-0559/OSD/45809

Grand Total all Iraqi Security

For Official Use Only

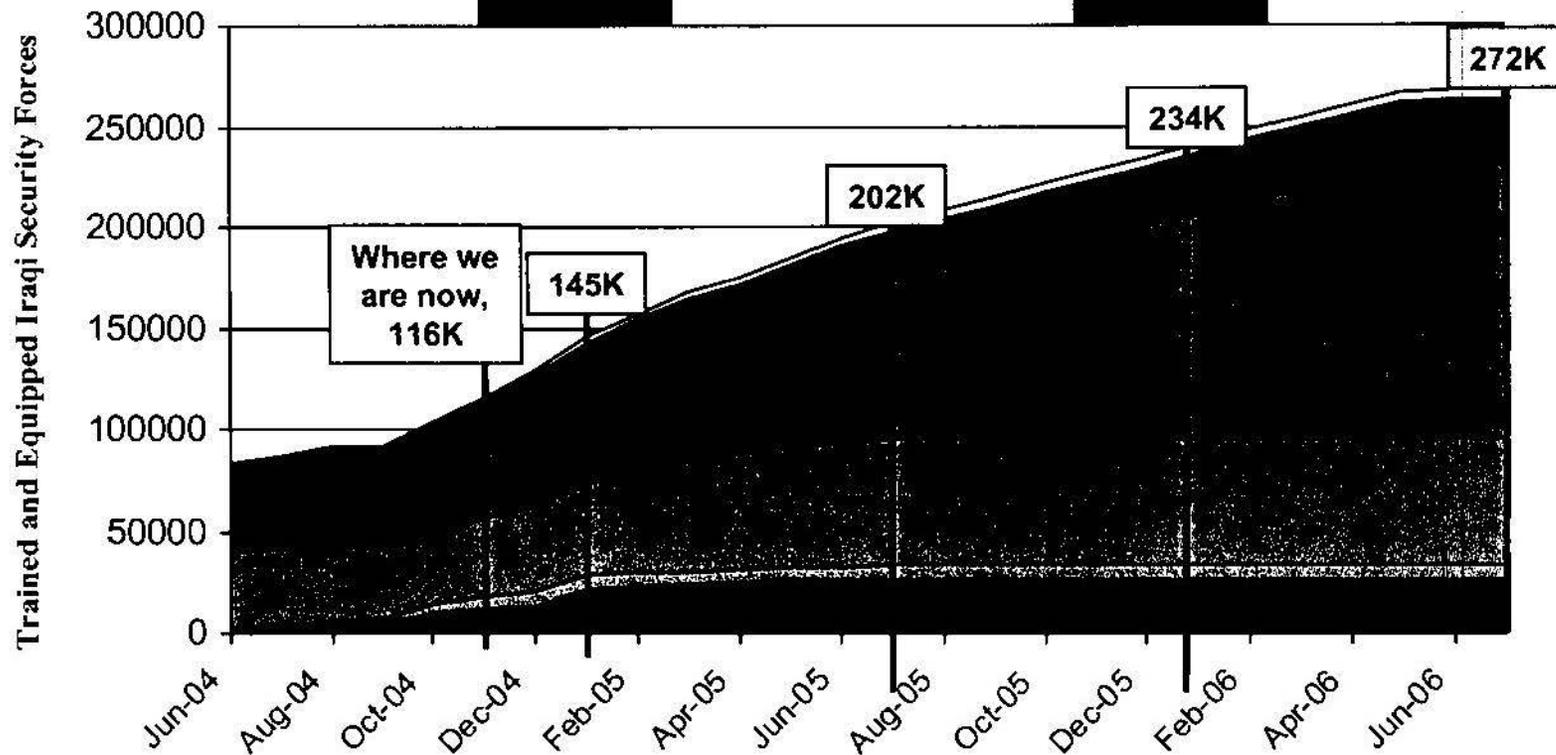
• <u>Ministry of Interior Forces</u> (Police, Civil Intervention, Emergency Response, Border Enforcement, Highway Patrol, Dignitary Protection)	<u>Trained & Equipped</u> 69,310
• <u>Ministry of Defense Forces</u> (Army, National Guard, Intervention Force, Special Operations, Air Force, Coastal Defense Force)	<u>Trained & Equipped</u> 46,930
	<hr/> 116,240

Data as of: 06 DEC 04

11-L-0559/OSD/45810

Trained and Equipped Iraqi Security Forces

For Official Use Only



May 2003=
0 Iraqi Security
Forces



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

Data as of: 06 DEC 04

11-L-0559/OSD/45811

Ministry of Interior Forces-Projection

For Official Use Only

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

Security Force Element	Current Targeted End State	06 DEC 04	1 FEB 05	1 MAY 05	1 AUG 05	1 JAN 06	1 MAY 06
Regular Iraqi Police ⁽¹⁾	135,000			46%	59%	70%	78%
Special Police Regiments	1,200		50%	86%	100%	100%	100%
Public Order Battalions	3,600		100%	100%	100%	100%	100%
Emergency Response Unit	270	54%	85%	100%	100%	100%	100%
Iraqi Highway Patrol ⁽²⁾	6,300		UNDER DEVELOPMENT				
Bur. of Dignitary Protection	500	97%	100%	100%	100%	100%	100%
Special Police Commando Battalions	2,019	45%	78%	85%	100%	100%	100%
Dept of Border Enforcement ⁽³⁾	29,360	46%	54%	66%	74%	84%	94%

Notes

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

Data as of: 06 DEC 04

Legend

- 70-100 % OF REQUIREMENT
- 40-69 % OF REQUIREMENT
- 39 % OR LESS OF REQUIREMENT

Ministry of Defense Forces-Projection

For Official Use Only

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

Security Force Element	Current Targeted End State	06 DEC 04	1 FEB 05	1 MAY 05	1 AUG 05	1 JAN 06
Iraqi Regular Army	27,000		88%	100%	100%	100%
Iraqi Intervention Force	6,584		100%	100%	100%	100%
Iraqi National Guard	61,904		74%	100%	100%	100%
Commando Battalion	1,516	58%	67%	82%	100%	100%
Iraqi Counter Terrorism Force	451		40%	58%	76%	100%

*Based on achievement of Limited Operational Capability

Data as of: 06 DEC 04

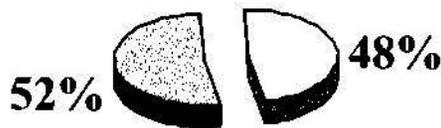
Legend	
	70-100 % OF REQUIREMENT
	40-69 % OF REQUIREMENT
	39 % OR LESS OF REQUIREMENT

MNF-I and Iraqi Security Forces

For Official Use Only

MNF-I = 32 Countries									
Albania	73	El Salvador	381	Korea	3,109	Norway	9	Tonga	44
Australia	389	Estonia	58	Latvia	120	Poland	2,488	Ukraine	1,587
Armenia	0	Georgia	300	Lithuania	101	Portugal	135	United Kingdom	9,207
Azerbaijan	151	Hungary	272	Macedonia	33	Romania	744	US	139,397
Bulgaria	320	Italy	3,109	Moldova	11	Singapore	33		
Czech Rep	98	Japan	792	Mongolia	132	Slovakia	103		
Denmark	392	Kazakhstan	30	Netherlands	1,622	Thailand	0	Total	165,213

IRAQI FORCES ON HAND	180,838
IRAQI POLICE SERVICE	92,772
CIVIL INTERVENTION FORCE	3,277
EMERGENCY RESPONSE UNIT	245
BUREAU OF DIGNITARY PROTECTION	576
HIGHWAY PATROL	521
SPECIAL POLICE COMMANDO BATTALIONS	3,900
DEPT OF BORDER ENFORCEMENT	18,109
ARMY	11,718
NAT'L GUARD	41,850
INTERVENTION FORCE	6,424
SPECIAL OPS FORCES	674
AIR FORCE	206
COASTAL DEFENSE	611



Iraqi Forces On Hand MNF-I

Data as of: 06 DEC 04

IRAQI FORCES TRAINED AND IN TRAINING	135,051
IRAQI POLICE SERVICE	55,075
CIVIL INTERVENTION FORCE	2,641
EMERGENCY RESPONSE UNIT	245
BUREAU OF DIGNITARY PROTECTION	576
HIGHWAY PATROL	141
SPECIAL POLICE COMMANDO BATTALIONS	2,830
DEPT OF BORDER ENFORCEMENT	15,518
ARMY	10,340
NAT'L GUARD	42,128
INTERVENTION FORCE	4,063
SPECIAL OPS FORCES	674
AIR FORCE	206
COASTAL DEFENSE	611



Trained Iraqi Forces MNF-I

Notes

Armenia & Thailand pending deployment of their forces

Other Forces

Facilities Protection Service

73,992

NATO Training Team = 59

For Official Use Only

Back Up

Data as of: 06 DEC 04

11-L-0559/OSD/45815

Iraqi Security Forces MoI Update

For Official Use Only

COMPONENT	AUTHORIZED	ON DUTY	TRAINED & EQUIPPED	TRAINED & EQUIPPED ON 31 JAN '05	100% OF AUTHORIZED TRAINED & EQUIPPED
POLICE	135,000	92,727	50,798*	52,800	JUL '06
CIVIL INTERVENTION FORCE	3,720	3,277	1,091	3,121	JUL '05
EMERGENCY RESPONSE UNIT	270	245	147	270	FEB '05
BORDER ENFORCEMENT	29,360	18,590	14,999	16,107	AUG '06
HIGHWAY PATROL	6,300	521	141**	141	TBD
DIGNITARY PROTECTION	500	576	484	500	DEC '04
SPECIAL POLICE COMMANDO BNS	4,450	3,900	1,650	4,450	JAN '05
TOTAL	179,600	119,355	69,310	77,389	AUG '06

*Increase in police from last report due to inclusion of updated training data (from last two month's graduations) on the 3-week Transition Integration Program. Trained police include 34,801 from the three-week TIP training, and 15,997 8-week academy graduates.

** Drop from last week due to losses from intimidation of Iraqi Highway Patrol in the Anbar Province.

Data as of: 06 DEC 04

Iraqi Security Forces MoD Update*

For Official Use Only

COMPONENT	AUTHORIZED	OPERATIONAL*	31 JAN '05	100% FULL OPERATIONAL CAPABILITY
REGULAR ARMY	27,000	3,428** 4 BNS	13 BNS	JUL '05
NATIONAL GUARD	61,904	40,115*** 39 BNS	45 BNS	SEP '05
INTERVENTION FORCE	6,584	2,062 3 BNS	9 BNS	MAY '05
SPECIAL OPS	1,967	674 2 BNS (-)	2 BNS(-)	SEP '05
AIR FORCE	502	167 1 SQDN (-)	TBD BASED ON AIRCRAFT PROCUREMENT	TBD BASED ON AIRCRAFT PROCUREMENT
COASTAL DEFENSE	582	484 2 SQDNS	2 SQDNS	TBD BASED ON PATROL BOAT PROCUREMENT
TOTAL	98,539	46,930 48 BNS 3 SQDNS	69 BNS 3 SQDNS	MAR '06

- * Operational: unit is conducting security operations.
- ** Includes trained Army personnel above battalion level, as well as in operational battalions.
- *** Drop from last report reflects losses due to intimidation in Anbar Province.
- **** Drop of five battalions due to moving the training location of three battalions from a base that suffered construction delays caused by AIF attacks to another training base, and due to delay in starting two battalions' training because unexploded ordnance caused delay in making training space available at Numiniyah. Two battalions will complete training by 6 Feb, and the last three by 27 Feb.

Data as of: 06 DEC 04

Iraqi Security Forces Training

For Official Use Only

COMPONENT	TRAINING	NUMBER IN TRAINING
Iraqi Police Service	3 Week TIP Training 8 Week Academy Specialized Training	371 4,277 177
Civil Intervention Force	5 Week Specialized Training	1,550
Emergency Response Unit	8 Week Specialized Training	98
Dept of Border Enforcement	4 Week Academy Specialized Training	519
Highway Patrol	3 Week TIP Training 8 Week Academy Training	0 NA (Prior Service IPS)
Bureau of Dignitary Protection	3 Week Initial Training 2-3 Week Advanced Training Mentoring by US Contractors	92
Special Police Commandos	Specialized Training (Tadji Base)	1,180
Iraq Regular Army	Cadre: 4 Weeks Basic Training: 8 weeks Collective Training: 4 Weeks	6,912
Iraqi National Guard	Basic Training: 3 Weeks Collective Training: 4 Weeks	2,013
Iraqi Intervention Force	Cadre: 4 Weeks Basic/Collective Training: 8 Weeks Urban Operations Training: 5 weeks	2,001
Iraqi Special Ops Force - Commando Battalion - Counter Terrorist Task Force	Field Training Provided by US Special Forces (Small Unit tactics Ranger type training) 12 Week course on Close Quarter Combat	
Air Force	Varies by specialty: 1-6 months	39
Coastal Defense Force	Basic Training: 8 Weeks followed by specialized Training at Umm Qasr (In Progress)	130
TOTAL		19,359

Data as of: 06 DEC 04

Iraqi Security Forces Missions

For Official Use Only

Unit	Mission
Police	<ul style="list-style-type: none"> • Provide law enforcement, public safety and internal security
Civil Intervention Force	<ul style="list-style-type: none"> • Provide a national level, high end, rapid response police capability to counter large scale disobedience and insurgents.
Special Police Commando Bns	<ul style="list-style-type: none"> • Provide a direct action, special operations, and counter insurgency capability in support of Ministry of Interior.
Emergency Response Unit	<ul style="list-style-type: none"> • Provide a special operations police capability in support of the Iraqi Police Service.
Department of Border Enforcement	<ul style="list-style-type: none"> • Protect the integrity of Iraq's border and monitor and control the movement of persons and goods
Highway Patrol	<ul style="list-style-type: none"> • Provide law enforcement, public safety, and internal security, and convoy security along Iraq's Highways.
Bureau of Dignitary Protection	<ul style="list-style-type: none"> • Provide close protection, convoy security, and fixed-site security for Iraqi key political leaders.
Regular Army	<ul style="list-style-type: none"> • Defend Iraq against external threats. • When directed, assist the Ministry of Interior in providing defense against internal threats to national security.
National Guard	<ul style="list-style-type: none"> • Conduct stability operations to support the achievement of internal security, including (as required) support to Ministry of Interior elements. • Conduct Constabulary duties in support of internal security
Intervention Force	<ul style="list-style-type: none"> • Conduct operations in order to defeat anti-Iraqi forces in Iraq, with primary focus on urban areas • Assist in the restoration of a secure and stable environment in which the Iraqi Police Services and Iraqi National Guard can maintain law and order
Commando Battalion	<ul style="list-style-type: none"> • Support for Iraqi Counter Terrorist Force. Similar in organization, training, and mission to US Army Ranger Battalion
Counter-Terrorist Task Force	<ul style="list-style-type: none"> • Direct action counter-terrorism similar in organization, mission, and training to US Special Operations Forces with counter-terrorist function
Air Force	<ul style="list-style-type: none"> • Provide aerial reconnaissance, and rotary and fixed wing transport for Iraqi Security Forces and authorities
Coastal Defense Force	<ul style="list-style-type: none"> • Conduct security operations on the Iraqi coastline and over territorial waters, including gas and oil platforms out to 12 nautical miles • In conjunction with DBE, conduct police operations on the Iraqi coastline and out to 12 nautical miles to counter piracy, smuggling and other unlawful activities

Data as of: 06 DEC 04

Significant Events Since Last

For Official Use Only

Manning:

- **1000 recruits report to training for the Regular Army.**
- **128 soldiers reported to the 1st Transportation Regiment after c training with the Iraqi Training Battalion**
- **500 recruits are starting the Border Enforcement Course in Jor**

Training:

- **2,486 begin eight week training course at Jordan Training Faci**
- **743 Public Order Battalion personnel, and 807 Police Mechaniz (formerly called Special Police Regiment) started their 5-week i program**
- **760 direct recruited soldiers completed training with the 1st Div assigned throughout the Division**

Equipping:

- **Issued 2,442 weapons, 6,900 body armor vests, 1 million round ammunition and 6,220 set of uniforms to Ministry of Interior Fo**
- **Issued 2,000 and uniforms,122 vehicles 1.02 millions rounds of to Ministry of Defense Forces.**

Data as of: 06 DEC 04

11-L-0559/OSD/45820

Significant Events Since Last Report

For Official Use Only

Building:

- **\$775M worth of construction work continues; Some slippage due to security situation in Sunni areas.**
- **Assessment of damage to police infrastructure is ongoing; submitted bids for work on five previously assessed stations valued at \$1.5 million, and began construction at eight others valued at \$2.5 million.**

Mentoring/Employing:

- **7th Battalion , 3 Brigade (Iraqi Intervention Force) is conducting local security operations and force protection mission in Samarra.**
- **Both 1st and 2nd Brigades (Iraqi Intervention Force) are conducting operations in vic Fallujah.**
- **Four battalions in the An Bar province have become ineffective due to intimidation and losses; new timeline reflects adjusted estimate to equip and base new battalions based on estimated contracted delivery dates for equipment; infrastructure timeline pending.**
- **1st Special Police Commando Battalion has elements operating in Mosul, 2nd Special Police Commando Battalion has elements operating in , North Babil, Baghdad and Sammara and 3rd Special Police Commando Battalions is operating in Baghdad.**

DEC 16 2004

TO: Paul Wolfowitz
FROM: Donald Rumsfeld *DR*
SUBJECT: Incentive Pay for SOF

322

Please have a meeting between Doug Brown and David Chu regarding this memo. Then come to me with a proposal as to what you think we ought to do for incentive pay for Special Operations Forces.

Thanks.

Attach.
12/10/04 USD (P&R) memo to SD re: Incentives to Increase Retention of Special Operations Forces

DHR:dh
121504-16

16 Dec 04

.....
Please respond by 1/13/05

10 Dec 04



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



INFO MEMO

DEC 15 2004

PERSONNEL AND
READINESS

December 10, 2004, 11:57 AM

FOR: SECRETARY OF DEFENSE

DEPSEC _____

FROM: David S.C. Chu, USD (P&R)

David S.C. Chu, 10 Dec 04

SUBJECT: Incentives to Increase Retention of Special Operations Forces (SOF)

- We worked closely with the SOCOM staff and Services to develop an optimal compensation package that focuses on retention of highly trained/experienced SOF special operators.
- The Services recognize the need to increase targeted retention incentives for special operators. However, Services viewed SOCOM's initial proposed set of incentive pays as excessive. Instead, the Services agreed that favorable retention results could be attained with a more conservative incentive package.
- A balance of special duty pay, retention bonuses, and assignment pay will comprise the following retention incentive package, effective January 1, 2005.
 - o Special Duty Assignment Pay: \$375/mo for SOF enlisted in MFP-11 billets
 - o Selective Reenlistment Bonus: Services determine use based on retention needs
 - o Critical Skills Retention Bonus: Creative contracts maximize retention potential

[REDACTED]	\$150,000	\$75,000	\$50,000	\$30,000	\$18,000	\$8,000
------------	-----------	----------	----------	----------	----------	---------

* 1 year contract option for members who have completed 24 years of service only.

- o Assignment Incentive Pay: \$750/mo for enlisted with 25 or more years of service
- We will closely monitor SOF retention to ensure timely adjustments in compensation are implemented.

COORDINATIONS: NA

Prepared By: Lt Col Melissa Applegate, ODUSD(MPP)/Compensation (b)(6)



OSD 19962-04

11-L-0559/OSD/45823

OFFICE OF THE SECRETARY OF DEFENSE
THE SPECIAL ASSISTANT

TO Tom O'Connell
From Paul Butler

Not sure if you'd see
this but thought you would
be interested.



Paul Butler

12/14

322

14 Dec 04

10 Dec 04

OSD 19962-04

~~FOUO~~

OFFICE OF THE
SECRETARY OF DEFENSE

NOV 04 2004 **TLA**

NOV 03 2004
11 2 26

TO: David Chu

CC: Mike Wynne

FROM: Donald Rumsfeld *DR*

SUBJECT: SMART Program for Math and Science Education

As you work on the idea of increasing the number of young Americans who study math and science subjects, please ensure that any incentive program you create includes an associated obligation. For example, if we are going to pay for some years of education in math or science, we should expect a commitment on their part to serve in the Department using the education the taxpayers have paid for. Please don't move forward on a plan that doesn't include a return on the taxpayers' investment.

Thanks.

DHR:dh
110304-3

.....

Please respond by 12/5/04

USD	PDUSD
RA	HA
PI	Readiness
MPP	CPP
PLANS	MC&FP
CCO	

~~FOUO~~

11-L-0559/OSD/45826

OSD 19965-04



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

SECRETARY OF DEFENSE
OFFICE OF THE SECRETARY

INFO MEMO

NOV 13 11 9: 26

December 8, 2004 - 1:00 PM

FOR: SECRETARY OF DEFENSE

FROM: DR. DAVID S. C. CHU, USD(P&R)

David S. C. Chu *Chu 9 Dec 04*

SUBJECT: SMART Program for Math and Science - Snowflake (attached)

- You asked that the SMART Program include an associated obligation for payment of a student's education.
- We've done just that. The Program has a payback component, both for service and funding. Scholars and Fellows will be required to sign a written service agreement to serve in the Department of Defense for a time equal to their scholarship/fellowship, and refund the government if they do not honor their obligation.
- The financial obligation may be waived by you, or in a case of bankruptcy.
- The conditions of a service agreement requirement are currently in law and are being applied in other training and scholarship programs for employees seeking to obtain an academic degree.

ATTACHMENT: As stated

Prepared by: Janice Thigpen, ODUSD (CPP), (b)(6)



FOUO

CONFIDENTIAL
PROHIBITED FROM RELEASE

NOV 04 2004 

NOV 03 2004
NOV 03 09:26

TO: David Chu

CC: Mike Wynne

FROM: Donald Rumsfeld 

SUBJECT: SMART Program for Math and Science Education

As you work on the idea of increasing the number of young Americans who study math and science subjects, please ensure that any incentive program you create includes an associated obligation. For example, if we are going to pay for some years of education in math or science, we should expect a commitment on their **part** to serve in the Department using the education the taxpayers have paid for. Please don't move forward on a plan that doesn't include a return on the taxpayers' investment.

Thanks.

DHR:dh
110304-3

.....

Please respond by 12/5/04

USD	PDUSD
RA	HA
PI	Readiness
MPP	CPP
PLANS	MC&FP
CCO	

FOUO

11-L-0559/OSD/45828

OSD 19965-04

OFFICE OF THE SECRETARY OF DEFENSE
THE SPECIAL ASSISTANT

11/4

To Mike Wynne -
From Paul Butler

Mike -

Snowflake came out on
this topic which I'm sure
you will see shortly. Probably
better to do a quick snowflake
response and attach this. Just
consolidates to one doc and
we can close out the snowflake.

Regards



Paul Butler

11/4



UNDER SECRETARY OF DEFENSE
ACQUISITION, TECHNOLOGY & LOGISTICS

Nov 3, 2004

Sec. Rumsfeld.

Wanted to assure you
that there is a Service Req.
for Defense Education.

Jerry & I didn't have
specifiers - wanted to be sure.

This satisfies a desire
to get a pool of 'clearable'
Grads in Science and Tech.
The trends have been
bad for 10-15 years in
critical areas.

Best
Mike Wynne

“(e) SERVICE AGREEMENT FOR RECIPIENTS OF ASSISTANCE.—“(1) To receive financial assistance under this section—

“(A) in the case of an employee of the Department of Defense, the employee shall be required to enter into a written agreement to continue in the employment of the department for the period of obligated service determined under paragraph (2) of this subsection; and

“(B) in the case of a person not an employee of the Department of Defense, the person shall be required to enter into a written agreement to accept employment in the Department of Defense for the period of obligated service determined under paragraph (2) of this subsection.

“(2) For the purposes of this section, the period of obligated service for a recipient of a scholarship or fellowship shall be determined by the Secretary of Defense. Generally, the period of obligated service may not be less than the total period for which the recipient was provided financial assistance. The period of obligated service is in addition to any other period for which the recipient is obligated to serve in the civil service of the United States.

“(3) An agreement entered into under this subsection shall include any terms and conditions that the Secretary of Defense determines necessary to protect the interests of the United States or otherwise appropriate for carrying out this section.”

“(f) REFUND FOR PERIOD OF UNSERVED OBLIGATED SERVICE.—“(1) A person who is not an employee under this program, but who receives financial assistance under this section and who voluntarily fails to complete the educational program for which financial assistance has been provided, or fails to maintain satisfactory academic progress as determined in accordance with regulations issued by the Secretary, shall refund to the United States an appropriate amount, as determined by the Secretary;

“(2) A person who is an employee under this program who—

“(A) voluntarily fails to complete the educational program for which financial assistance has been provided, or fails to maintain satisfactory academic progress as determined in accordance with

11/3/2004

regulations issued by the Secretary; or

“(B) before completion of the period of obligated service required—

“(i) voluntarily terminates his or her employment, or

“(ii) is removed from his or her employment on the basis of misconduct, shall refund to the United States an appropriate amount, as determined by the Secretary of Defense.

“(3) **An** obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

“(4) **The Secretary of Defense may waive, in whole or in part, a refund required under paragraph (1) of this subsection if the Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.**

“(5) **A** discharge in bankruptcy under title 11, United States Code, that is entered less than five years after the termination of an agreement under this section does not discharge the person signing such agreement from a debt arising under such agreement or under this subsection.”

NOV 30 2004

November 30, 2004

TO: David Chu
CC: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Changing Force Structure in Guard

Please report back to me after you have had that December 3 meeting with Blum on how to change force structure in the National Guard.

Thanks.

Attach.

11/17/04 SecDef memo #111704-10, USD (P&R) memo to SecDef#OSD 18887-04

Di:R:dh
113004-11

.....
Please respond by 12/9/04

11/18/04

November 17, 2004

SECRET

NOV 23 PM 6:31

TO: David Chu
CC: Gen Dick Myers
FROM: Donald Rumsfeld *DR*
SUBJECT: Virginia National Guard

I understand that the Virginia National Guard is not good. Everywhere I turn, someone tells me they are resigning or that they are not recruiting and so forth.

What do we do about fixing it? Should someone talk with the Governor? Does it need new leadership? What do you propose?

Thanks.

DHR:ab
111704-10

.....
Please respond by 12/17/04

DR 11/30

FOUO

TOTAL P.01



PERSONNEL AND READINESS

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

NOV 23 PM 6:31



INFO MEMO

November 22, 2004 - 15:00

FOR: SECRETARY OF DEFENSE

FROM: David S. C. Chy, USD(P&R)

David S. C. Chy

SUBJECT: Virginia National Guard — SNOWFLAKE (attached)

Paul Butler
11/29

- The Virginia Army National Guard achieved only 65 percent of its FY 2004 recruiting mission, but 94.8 percent of its strength mission.
- The Virginia Air National Guard is performing better, achieving 98.3 percent of its FY 2004 strength mission.
- Virginia Army National Guard is one of nine that have missed their ARNG recruiting missions for the past four years.
 - o They are: CT, DE, HI, IL, LA, MA, MD, VA and VI.
 - o Overall, the Virginia Army National Guard missed its FY 2004 recruiting mission of 56,002 by 7,209 and its authorized strength of 350,000 by 7,081.
- We have engaged the Guard leadership to look at a rebalancing of structure.
 - o We will meet with LTG Blum and his Directors on December 3 to establish the "way ahead".

Attachment: As stated

Prepared by: Mr. Rich Krimmer, OASD/RA(M&P) (b)(6)

TSA SD	11/29
SRMA SD	
MA SD	11/29
EXEC SEC	11/24
ESR	11/24





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



INFO MEMO

PERSONNEL AND
READINESS

December 10, 2004 – 10:00 AM

FOR: SECRETARY OF DEFENSE

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

SUBJECT: *David S. C. Chu 10 Dec 04*
Guard Realignment—SNOWFLAKE (attached)

- Initial meeting with LTG Blum on December 1st; more work is needed before we can provide you with a plan.
- General Blum has already alerted the state adjutants general (in writing) that future force structure will flow to states with sustained recruiting and retention success, at the expense of states that fall short.
- This is an opportunity to rebalance the Guard, building units of the type we now need, shedding those less necessary.
- We will lay out a plan that plots by state how strength should move, and the numbers and types of new units that should be established. I anticipate forwarding this to you by the end of next week.

RECOMMENDATION: Information Only

Attachment:
As stated

cc: General Myers



OSD 19971-04

11-L-0559/OSD/45836

11/29



PERSONNEL AND READINESS

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

2004 NOV 23 PM 6:31



INFO MEMO

November 22, 2004 - 15:00

Paul Butler
11/29

FOR: SECRETARY OF DEFENSE
FROM: David S. C. Chu, USD(P&R)
SUBJECT: Virginia National Guard — SNOWFLAKE (attached)

- The Virginia Army National Guard achieved only 65 percent of its FY 2004 recruiting mission, but 94.8 percent of its strength mission.
- The Virginia Air National Guard is performing better, achieving 98.3 percent of its FY 2004 strength mission.
- Virginia Army National Guard is one of nine that have missed their ARNG recruiting missions for the past four years.
 - o They are: CT, DE, HI, IL, LA, MA, MD, VA and VI.
 - o Overall, the Virginia Army National Guard missed its FY 2004 recruiting mission of 56,002 by 7,209 and its authorized strength of 350,000 by 7,081.
- We have engaged the Guard leadership to look at a rebalancing of structure.
 - o We will meet with LTG Blum and his Directors on December 3 to establish the "way ahead".

Attachment: As stated

Prepared by: Mr. Rich Krimmer, OASD/RA(M&P), (b)(6)

TSA SD	11/29
SRMA SD	
MA SD	11/29
EXEC SEC	11/24
ESR	11/21



FOUO

OFFICE OF THE
SECRETARY OF DEFENSE

November 17, 2004

ES-1436
04/015594-ES

CENTRAL AMERICA

TO: Peter Rodman
CC: Doug Feith

SUBJECT: Central American Cooperative Security

Should we think about encouraging and helping the Central American countries form a cooperative security organization that is more robust than the entity they currently have? It wouldn't be a Central American NATO, but it could be better organized, trained and equipped than it currently is.

Why don't you think about it and let me know what you come up with.

Thanks.

DHR:dh
111704-5

.....
Please respond by 12/3/04

17 Nov 04

FOUO

November 17, 2004

ES-1436
04/015594-ES

TO: Peter Rodman
CC: Doug Feith

SUBJECT: Central American Cooperative Security

Should we think about encouraging and helping the Central American countries form a cooperative security organization that is more robust than the entity they currently have? It wouldn't be a Central American NATO, but it could be better organized, trained and equipped than it currently is.

Why don't you think about it and let me know what you come up with.

Thanks.

DHR:dh
111704-3

.....
Please respond by 12/3/04

10 Dec 04
knowflake Response
Handcarry to OSD
CCD
Policy
ES

→ Sec Def
We have begun
consultations with State
and NSC staff on
this idea.
PWR

FOUO

OSD 19980-04

18-11-04 P12:15 N

11-L-0559/OSD/45839

DEC 14 2004

TO: Commanding Officer, USS John F Kennedy

cc: Gordon England
ADM Vern Clark

FROM: Donald Rumsfeld 

SUBJECT: Return of JFK to Homeport

Welcome home from an exceptional combat cruise. You did a superb job during our Ministers of Defense meeting afloat, and the excellence you showed in that event clearly was reflected throughout the cruise.

Well done!

DHR:ss
121304-30



Please respond by _____

5601

14 Dec 04

OSD 20042-04

720
~~CONFIDENTIAL~~
~~FOUO~~

ES-1372

04/015276-ES

November 11, 2004

TO: Doug Feith
VADM Jim Stavridis

SUBJECT: Phone Calls to MoDs

We need a project to have me systemtically call MoDs. I should probably do one or two per week -NATO allies, countries helping in Afghanistan and Iraq, countries doing something for Haiti or Liberia, countries we are trying to get to do something, countries who have experienced casualties, etc.

If I did one or two per week, it seems to me we could work through the list every six months. It would be a very good thing to do and would make a difference.

Thanks.

DHR:dh
111104-4

.....
Please respond by 12/3/04

~~FOUO~~

~~CONFIDENTIAL~~

12-11-04 P04:46 IN

Attached

Upon removal of attachments
this document becomes

~~FOUO~~

OSD 20061-04

002
300
11/11/04

1 Jul-14-04
Scanner

June 30, 2004

TO: Paul Wolfowitz
FROM: Donald Rumsfeld DR
SUBJECT: Comptroller 6/25/04 Weekly Report

Please get on these issues raised in Lairy Lanzillotta's attached letter.

Thanks.

Attach.

6/25/04 USD(C) memo to SecDef re: Weekly Report 06/25/04 [OSD 09611-04]

DHR:dh
063004-2

.....
Please respond by 7/19/04

020 USC

30 Jun 05

120



THE SECRETARY OF DEFENSE
WASHINGTON

DEC 15 2004

332.1

Mr. William B. Magrath

(b)(6)

Dear Mr. Magrath,

Thank you for your recent letter regarding your brother, Private First Class John Magrath, and his Medal of Honor **flag**.

You raised an important question, and I have passed it along to the Under Secretary for Personnel and Readiness, Mr. David Chu. He will be in touch with you.

I do appreciate your brother's service to our nation.

Sincerely,

15 DEC 04

OSD 20087-04

22 NOV 04

Mr. William B. Magrath

(b)(6)

Dear Mr. Magrath,

Thank you for your recent letter regarding your brother, Private First Class John Magrath, and his Medal of Honor flag.

You raised an important question, and I have passed it along to the Under Secretary for Personnel and Readiness, Mr. David Chu. He will be in touch with you.

I do appreciate your brother's service to our nation.

Sincerely,

51007A M

GOM

Paul Butler
12/14

9.11-

CS is tasked this to UPR, David Chu.
This will serve as an interim
response

Thx
CSL 12/14

November 22, 2004

TO: Paul Butler
FROM: Donald Rumsfeld 
SUBJECT: Letter from Bill McGrath

Please **look** into this letter from Bill Magrath regarding the Congressional Medal of Honor flag and follow **up** with him.

Let me know what was done.

Thanks.

Attach.
11/8/04 Letter from Bill McGrath

DHR:ss
112204-4

.....
Please respond by 12/10/04

CSC
NGBD INTERIM from
SD TRS TRSL FULL
RESPONSE

EM 2.1

22 NOV 04

OSD 20087-04

William B. Magrath

(b)(6)

Nov. 8, 2002

Dear Mr. Rumsfeld:

I have been **told** by the "Congressional Medal Of Honor Society" that Congress approved, and President Bush signed a **Bill** approving a " M a l Of Honor" flag.

My brother PFC John Magrath was killed in action in **Italy** in 1945 and awarded the "Medal Of Honor" posthumously. The only one in the 10th Mountain division so honored.

I would like to fly a **MOH flag** in **his memory**, but the "Congressional **Medal Of Honor Society**" **told me** this past week that only recipients of the "Medal Of Honor" from July of 2002 can have one.

Is John less deserving of having one **because** he gave his life for **his Country** in 1945? The least his Country *can do for him* is to **let him** have a **MOH Flag** fly in his **honor**.

I understand that the Department of Defense is responsible **for distributing the flags**.

We have John's MOH displayed in our home here in (b)(6) We would be honored if **you could spare** the time to visit **us**, and read his citation.

Awaiting your comments, I am,

Respectfully yours,

Bill
Bill Magrath



OSD 20087-04

11-L-0559/OSD/45846



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

PERSONNEL AND
READINESS

INFO MEMO

February 17, 2005, 9:00 AM

FOR: SECRETARY OF DEFENSE

FROM: David S. C. Chu, Under Secretary of Defense (P&R)

David S. Chu 2/18/05
(Signature and date)

SUBJECT: Letter from Bill Magrath

- This responds to your note, "Please look into this letter from Bill Magrath regarding the Congressional Medal of Honor Flag and follow up with **him**. Let me know what was done" (Tab A).
- Our staff responded directly to **Mr.** Magrath on December 22, 2004 (Tab B).
- The flag is a new entitlement and authorized for only those individuals who receive the Medal of Honor after October 23, 2002. The statutory sections, initiated by Congress, do not allow issuance of flag to those who received the Medal of Honor prior to this date.
- We will seek, in coordination with the Services, a change in legislation to also authorize the presentation of a flag to current living Medal of Honor award recipients and those living primary next of kin of deceased Medal of Honor award recipients.

COORDINATION: Tab C.

Attachments:
As stated

Prepared by: Lt Col Tim Donohue, ODUSD (MPP) OEPM, (b)(6)



11-L-0559/OSD/45847

OSD 20087-04

November 22, 2004

TO: Paul Butler
FROM: Donald Rumsfeld *DR*
SUBJECT: Letter from Bill McGrath

Please look into this letter from Bill McGrath regarding the Congressional Medal of Honor flag **and follow up with him.**

Let me **know** what was done.

Thanks.

*ESR - LTC FENZEL
PER ISSUES - PLS
SEE WMBRG THIS IS*

Attach.
11/8/04 Letter from Bill McGrath

DHR:ss
112204-4

*M
1/11*

.....
Please respond by 12/10/04

*Spec Sec
Could you check on
this and see what was
done.
Thanks*

Paul Butler
|||

William B. Magrath

(b)(6)

Nov. 8, 2002

Dear Mr. Rumsfeld:

I have been told by the "Congressional Medal Of Honor Society" that Congress approved, and President Bush signed a Bill approving a "Medal Of Honor" flag.

My brother PFC John Magrath was killed in action in Italy in 1945 and awarded the "Medal Of Honor" posthumously. The only one in the 10th Mountain division so honored.

I would like to fly a MOH flag in his memory, but the "congressional Medal Of Honor Society" told me this past week that only recipients of the "Medal Of Honor" from July of 2002 can have one.

Is John less deserving of having one because he gave his life for his Country in 1945? The least his Country can do for him is to let him have a MOH flag fly in his honor.

I understand that the Department of Defense is responsible for distributing the flags.

We have John's MOH displayed in our home here in (b)(6) We would be honored if you could spare the time to visit us, and read his citation.

Awaiting your comments, I am,

Respectfully yours,


Bill Magrath



11-L-0559/OSD/45849

OSD 20087-04

CORRESPONDENCE TASKER

Classification: UNCLASSIFIED

Date: 1/27/2005

Control Number: 0117959

Route To: USDADMIN/CCO

External Reference: OSD 20087-04

Controlling Organization: ADMIN/CCO

Document Date: 11/8/2004

Original Suspense Date: 12/28/2004

Document Originator: MCGRATH, W

Current Suspense Date: 12/28/2004

Create Date: 12/14/2004

Signature Level:

Subject: WOULD LIKE TO FLY A CONGRESSIONAL MEDAL OF HONOR FLAG HONORING HIS BROTHER WHO DIED IN ITALY 1945

Action: Reply Direct

ADDITIONAL INSTRUCTIONS:

COORDINATIONS

Signature: _____

Date/Time: _____

Printed Name: _____

11-L-0559/OSD/45850



PERSONNEL AND
READINESS

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



22 DEC 2004

William B. Magrath

(b)(6)

Dear Mr. Magrath:

Thank you for your recent letter to the Secretary of Defense regarding the Medal of Honor flag. Since my office is responsible for the Department's military awards policy, I was asked to respond.

The Department of Defense Appropriations Act for Fiscal Year 2003, section 903, required the Secretary of Defense to design and designate a flag as the Medal of Honor Flag. Pursuant to **this** law and codified in title 10, United States Code, the Medal of Honor Flag **shall** be presented each person to whom a medal of honor is awarded after the date of the enactment of the law, which was October 23, 2002.

It is clearly not our intent to slight those, including your belated brother, who have given unselfishly in service to their Nation and no doubt added immeasurably to the defense of **our** nation. However, **under** the provisions of **this** law, the Department does not have the authority to grant the flag to prior recipients of the Medal of Honor or their next of kin. While the requirement may seem stringent, the past and current awards system provides for suitable recognition of individual members' acts of valor and the sacrifices made by all Service men and women.

I hope **this** information is helpful. I appreciate your personal interest in **this** matter and concern for the recognition of those who have faithfully served the United States of America.

Sincerely,

Terry L. Miatz
Acting Deputy Director, Policy
Officer and Enlisted Personnel Management
(Military Personnel Policy)



11-L-0559/OSD/45851

OSD 20087-04

Donohue, Tim S., Lt. Col., OSD-PB

Subject: FW: Snowflake: MOH Flag Request

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

From: Hall, Nikki, LTC, DoD OGC
Sent: Wednesday, January 19, 2005 1:10 PM
To: Donohue, Tim S., Lt. Col., OSD-P&R
Subject: RE: Snowflake: MOH Flag Request

Tim -

The statutes are pretty clear. The specific language is "after October 23, 2002..." To award a Congressional Medal of Honor flag to anyone who was awarded the MOH prior to October 23, 2002 will take a change in the legislation authorizing the presentation. This may be a situation where a change would be beneficial to pursue.

Cheers

Nikki

Lieutenant Colonel Nikki A. Hall
Associate Deputy General Counsel
(Personnel & Health Policy)
Phone: (b)(6) Fax: (b)(6)

CAUTION: This message may contain information protected by the attorney-client, work product, deliberative process, or other privilege. Do not disseminate without the prior approval of the Office of the DoD General Counsel.

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

From: Donohue, Tim S., Lt. Col., OSD-P&R
Sent: Wednesday, January 19, 2005 11:27
To: Hall, Nikki, LTC, DoD OGC
cc: Mintz, Terry L, CIV, OSD-P&R; Earle, Sheila M, CIV OSD-P&R
Subject: Snowflake: MOH Flag Request

Nikki,

Ref past discussions, we're beginning to see some inquiries on MOH flag eligibility and we're hamstrung by the 23 Oct 02 and future forward date. Do we have any leeway with policy to alter award of flag -- for all past MOH recipients, all living members only?

Specifically, here's most recent inquiry and our reply. We now have a SecDef snowflake, "Pls look into this letter from Bill McGrath regarding the Congressional Medal of Honor flag and follow up with him. Let me know what was done." DR. Appreciate your assist
Thanks, Tim

<< File: MoH Flag Request - Magrath.doc >>

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

From: Sprance, William, Mr, DoD OGC
Sent: Tuesday, August 17, 2004 12:59 PM
To: Donohue, Tim S., Lt. Col., OSD-P&R
Subject: RE: MOH Flag

Tim,

Pursuant to 10 U.S.C. 3755 (Army), 6257 (Navy) and 8755 (Air Force), as well as 14 U.S.C. 505 (Coast Guard), the Medal of Honor flag is authorized for those individuals who receive the MOH after October 23, 2002. The statutory sections do not authorize those who received the MOH before October 23, 2002, to receive the flag.

R/
Bill

11-L-0559/OSD/45852

William R. Sprance
Associate Deputy General Counsel
(Personnel and Health Policy)
Department of Defense, Office of the General Counsel
(b)(6)
sprancew@dodac.osd.mil <<mailto:sprancew@dodac.osd.mil>>

This message may contain information protected by the attorney work product, attorney-client, deliberative process or other privilege. Do not disseminate without the approval of the Office of the General Counsel

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

From: Donohue, Tim S, Lt. Col., OSD-P&R
Sent: Monday, August 16, 2004 10:51 AM
To: Sprance, William, M, DoD OGC
Cc: Link, Ryan A, CPT, OSD-P&R; Loo, Bradford G, CIV, OSD-P&R
Subject: FW: MOH Flag

Bill,

We're working on creating a Medal of Honor Flag and a question has come up on which MOH recipients are entitled to receive the flag. The attached P.L. **107-248** at bottom, contains a reference for each Service -- Sec **3755** covers Army is below. Here's our questions:

- 1- Are all past MOH recipients, prior to legislation enactment (23 Oct **2002**), entitled to receive the MOH flag?
- 2- Or does President give flag to just those MOH recipients after enactment of this legislation (23 October **2002**)?

Appreciate your interpretation/advice on who gets -- as it will affect policy development and flag distribution.

Thanks, Tim

<< OLE Object: Picture (Device Independent Bitmap) >>

3/4
1130



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

775 1130 -2 PM 4: 48

PERSONNEL AND
READINESS

INFO MEMO

February 17, 2005, 9:00 AM

FOR: SECRETARY OF DEFENSE

FROM: David S. C. Chu, Under Secretary of Defense (P&R) David S. C. Chu 28/2/05
(Signature and date)

SUBJECT: Letter from Bill Magrath

- This responds to your note, "Please look into this letter from Bill Magrath regarding the Congressional Medal of Honor Flag and follow up with him. Let me know what was done" (Tab A).
- Our staff responded directly to Mr. Magrath on December 22, 2004 (Tab B).
- The flag is a new entitlement and authorized for only those individuals who receive the Medal of Honor after October 23, 2002. The statutory sections, initiated by Congress, do not allow issuance of flag to those who received the Medal of Honor prior to this date.
- We will seek, in coordination with the Services, a change in legislation to also authorize the presentation of a flag to current living Medal of Honor award recipients and those living primary next of kin of deceased Medal of Honor award recipients.

COORDINATION: Tab C.

Attachments:
As stated

Prepared by: Lt Col Tim Donohue, ODUSD (MPP) OEPM, (b)(6)

Paul Butler
Paul Butler
3/4

MA SD	SMA DSD		
TSA SD	SA DSD	3/4	
EXEC SEC	M 3/4		
ESR MA	7 3/3		



November 22, 2004

TO: Paul Butler
FROM: Donald Rumsfeld 
SUBJECT: . Letter from Bill McGrath

Please **look** into this letter from Bill McGrath regarding the Congressional Medal of Honor flag and follow **up** with **him**.

Let me know what was done.

Thanks.

ESIL - LTC FENZEL
PER ISSUES - PLS
SEE WNGRS THIS IS

Attach.
11/8/04 Letter from Bill McGrath

DHR:ss
112204-4

my 1/11

.....
Please respond by 12/10/04

Exec Sec
Could you check on
this and see what was
done.
Thanks

Paul Butler


William B. Magrath

(b)(6)

Nov. 8, 2002

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Is John less deserving of having one because he gave his life for his Country in 1945? The least his *Country* can do for him is to let him have a MOH Flag fly in his honor.

I understand that *the* Department of Defense is responsible for distributing the flags.

We have John's MOH displayed in our home here in (b)(6) We would be honored if you could spare the time to visit us, and read his citation.

Awaiting your comments, I am,

Respectfully yours,

Bill
Bill Magrath



11-L-0559/OSD/45856

OSD 20087-04

CORRESPONDENCETASKER

Classification: UNCLASSIFIED

Date: 1/27/2005

Control Number: 0117959

Route To: USDADMIN/CCO

External Reference: OSD 20087-04

Controlling Organization: ADMIN/CCO

Document Date: 11/8/2004

Original Suspense Date: 12/28/2004

Document Originator: MCGRATH, W

Current Suspense Date: 12/28/2004

Create Date: 12/14/2004

Signature Level:

Subject: WOULD LIKE TO FLY A CONGRESSIONAL MEDAL OF HONOR ~~FLAG~~ HONORING HIS BROTHER WHO DIED IN ITALY 1945

Action: Reply Direct

ADDITIONAL INSTRUCTIONS:

COORDINATIONS

Signature: _____

Date/Time: _____

Printed Name: _____

11-L-0559/OSD/45857



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



22 DEC 2004

PERSONNEL AND
READINESS

William B. Magrath

(b)(6)

Dear Mr. Magrath:

Thank you for your recent letter to the Secretary of Defense regarding the Medal of Honor flag. Since my office is responsible for the Department's military awards policy, I was asked to respond.

The Department of Defense Appropriations Act for Fiscal Year **2003**, section **903**, required the Secretary of Defense to design and designate a flag as the Medal of Honor Flag. Pursuant to this law and codified in title 10, United States Code, the Medal of Honor Flag shall be presented each person to whom a medal of honor is awarded after the **date** of the enactment of the law, which was October **23, 2002**.

It is clearly not our intent to slight those, including your belated brother, who have given unselfishly in service to their Nation and no doubt added immeasurably to the defense of **our** nation. However, under the provisions of this law, the Department does not have the authority to grant the flag to prior recipients of the Medal of Honor or their next of kin. While the requirement may seem stringent, the past and current awards system provides for suitable recognition of individual members' acts of valor and the sacrifices made by all Service men and women.

I hope this information is helpful. I appreciate your personal interest in this matter and concern for the recognition of those who have faithfully served the United States of America.

Sincerely,

Terry L. Mintz, Sector, Policy
Acting Deputy Director
Officer and Enlisted Personnel Management
(Military Personnel Policy)



OSD 20087-04

11-L-0559/OSD/45858

SUBJECT: Medal of Honor Flag

Office of General Counsel

Lt Col Nikki Hall, 19 January 2005



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



22 DEC 2004

PERSONNEL AND
READINESS

William B. Magrath

(b)(6)

332.1

Dear Mr. Magrath:

Thank you for your recent letter to the Secretary of Defense regarding the Medal of Honor flag. Since my office is responsible for the Department's military awards policy, I was asked to respond.

The Department of Defense Appropriations Act for Fiscal Year 2003, section 903, required the Secretary of Defense to design and designate a flag as the Medal of Honor Flag. Pursuant to this law and codified in title 10, United States Code, the Medal of Honor Flag shall be presented each person to whom a medal of honor is awarded after the date of the enactment of the law, which was October 23, 2002.

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Sincerely,

Terry I. Mintz
Acting Deputy Director, Policy
Officer and Enlisted Personnel Management
(Military Personnel Policy)

(8 NOV 04)

9117959
OSD 20087-04



720
~~FOUO~~

December 14, 2004

TO: Dr. Condoleezza Rice
FROM: Donald Rumsfeld *DR*
SUBJECT: Iceland

Condi,

I'm ready to go and start the process on Iceland, along the lines of the memo I gave you. I need a yes or no. It is \$281 million/year, and we just had our budget reduced by \$10 billion.

Thanks.

DHR:ss
121404-4

INTERNAL

~~FOUO~~

OSD 20124-04

14 DEC 2004

11-L-0559/OSD/45861

720
~~FOUO~~

November 19, 2004

I-04/015675
ES-1454

TO: Doug Feith
FROM:
SUBJECT: Japanese

Please coordinate with me on dates when we do the Japanese 2+2.

Thanks.

DHR ss
111904-22

.....
Please respond by 12/3/04

~~FOUO~~

19-11-04 17:37 IN

OSD 20130-04

11-L-0559/OSD/45862

December 13, 2004

TO: Jim Haynes
FROM: Donald Rumsfeld 
SUBJECT: Withdrawal of Marine from Romania

Tell me legally what went on with respect to the quick withdrawal of that Marine from Romania, Was that part of our SOFA agreement? Is it unusual, is it normal?

Thanks.

DHRss
121304-7

.....
Please respond by 12/22/04



GENERAL COUNSEL

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

INFO MEMO

2004 DEC 15 11 16 AM

December 14, 2004, 6:00 PM

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel

SUBJECT: Withdrawal of Marine from Romania

- You asked what the legal basis was for the quick withdrawal of the Marine Security Guard (MSG) detachment commander from Romania, whether his removal was pursuant to the SOFA, and whether this action was unusual.
- MSG personnel are accredited members of the Administrative and Technical (A&T) staff of the Embassy.
 - This status – pursuant to the Vienna Convention on Diplomatic Relations -- gives them immunity from host nation criminal jurisdiction, and from civil jurisdiction for acts relating to official duties (the same immunity that foreign embassy staff personnel have in the U.S.).
 - As part of the Embassy **staff**, he was not covered by NATO/Partnership for Peace Status of Forces Agreement (SOFA).
- The decision to remove the Marine from Romania was made at the Embassy in Bucharest (by the Ambassador, in consultation with the Deputy Chief of Mission and the Regional Security Officer).
 - His removal was consistent with government practice in similar situations involving embassy staff, and was not done pursuant to the SOFA.
- The Vienna Convention does not explicitly provide for removal of Embassy staff from a host country, but removal is consistent with the immunity afforded to them.
- This purpose of providing immunity is not to benefit individuals, but to have consistent rules for how countries should treat diplomatic personnel stationed in their territory. A country may waive a person's **immunity**. We are not aware, however, of any past **U.S.** waiver of the immunity of an MSG member.



11-L-0559/OSD/45864

OSD 20142-04

FOUO

OFFICE OF THE
SECRETARY OF DEFENSE
December 13, 2004

2004 DEC 15 PM 13 49

TO: Jim Haynes
FROM: Donald Rumsfeld *DR*
SUBJECT: Withdrawal of Marine from Romania

Tell me legally what went on with respect to the quick withdrawal of that Marine from Romania. Was that **part** of our SOFA agreement? Is it unusual, is it normal?

Thanks.

DHRss
121304-7

.....
Please respond by 12/22/04

FOUO

11-L-0559/OSD/45865

OSD 20142-04