

103

(b)(6)

FFC N02L3A

Subject: FW: SUPPLEMENTAL GUIDANCE REGARDING DETAINEE MAIL (U)//

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P R 031553Z OCT 02
 FM CJCS WASHINGTON DC
 TO RUCBACM/USCINCFJFCOM NORFOLK VA
 RHMFISS/USCINCFJFCOM NORFOLK VA
 RUMIAAAA/USCINCSO MIAMI FL
 RHMFISS/USCINCSO MIAMI FL
 RHEFDIA/DIA WASHINGTON DC
 INFO RUEKJCS/SECDEF WASHINGTON DC
 RUENAAA/CNO WASHINGTON DC//N00/N09/N09B//
 RUCBACM/USCINCFJFCOM NORFOLK VA//J00/J00L//
 RHMFISS/USCINCFJFCOM NORFOLK VA//J00/J00L//
 RUMIAAAA/USCINCSO MIAMI FL//SCJ3/SCJ3/SCJ5/SCJA/J00//
 RHMFISS/USCINCSO MIAMI FL//SCJ3/SCJ3/SCJ5/SCJA/J00//
 RUCBCLF/CINCLANTFLT NORFOLK VA//N00//
 RUCOGDF/CJTF 170
 RUCOGDB/CJTF 160
 RULSADO/NAVY JAG WASHINGTON DC//00/01/14//
 RHMFISS/NAVY JAG WASHINGTON DC//00/01/14//
 RUCOGAB/COMNAVREG MIDLANT NORFOLK VA//N00//
 RUCOBRF/NAVSTA VA//00//
 RUCOBRY/NAVBRIG NORFOLK VA//00//
 BT

~~SECRET NOFORN~~

3GID/GENADMIN/CJCS//
 BJ/SUPPLEMENTAL GUIDANCE REGARDING DETAINEE MAIL (U)//
 REF/A/DOC/OUUSD(P)/14FEB02/-/NOTAL//
 REF/B/GENADMIN/CJCS/282135ZMAY02/-/NOTAL//
 REF/C/GENADMIN/USJFCOM/032257ZJUN02/-/NOTAL//
 REF/D/DOC/SECARMY/1NOV97/-/NOTAL//
 NARR/(U) REF A IS SECDEF-APPROVED MAIL POLICY. REF B IS SECDEF
 GUIDANCE CONCERNING RESPONSE TO COURT ORDER TO PERMIT LEGAL COUNSEL
 ACCESS TO DETAINEE HAMDI. REF C IS COMMANDER, USJFCOM, REQUEST FOR
 CJCS GUIDANCE FOR HANDLING OF MAIL IN CASE OF DETAINEE HAMDI. REF
 D IS US ARMY REGULATION "ENEMY PRISONERS OF WAR, RETAINED
 PERSONNEL, CIVILIAN INTERNEES AND OTHER DETAINEES".//
 RMKS/1. (U) IN AMPLIFICATION OF GUIDANCE CONTAINED IN REFS A AND
 B, AND IN RESPONSE TO REF C POSING QUESTIONS CONCERNING DETAINEE
 MAIL HANDLING PROCEDURES, THE SECRETARY OF DEFENSE HAS APPROVED THE
 FOLLOWING MAIL HANDLING GUIDANCE:

A. ~~(S/NF)~~

[Redacted]

B. ~~(S/NF)~~

[Redacted]

(b)(1)

C. ~~(S/NF)~~ INCOMING MAIL: DETAINEES ARE AUTHORIZED TO RECEIVE MAIL FROM FAMILY MEMBERS.

(b)(1)

ENCL (3)

(b)(1)

SOURCES OTHER THAN DETAINEES' FAMILIES. JTF 160 AND JTF 170 WILL COORDINATE WITH NON-GTMO DETAINING COMMANDS TO ENSURE FORCE PROTECTION AND GOOD ORDER AND DISCIPLINE INTERESTS OF SUCH COMMANDS ARE CONSIDERED AND PROTECTED DURING THE SCREENING PROCESS. ONCE SCREENING IS COMPLETE, UNOBJECTIONABLE MATERIAL WILL BE DELIVERED TO DETAINEES DIRECTLY BY JTF 160, OR VIA NON-GTMO DETAINING COMMANDS, AS APPROPRIATE.

D. ~~(S/NF)~~

[REDACTED]

(1) ~~(S/NF)~~

(2) ~~(S/NF)~~

(b)(1)

(3) ~~(S/NF)~~

(4) ~~(S/NF)~~

E. ~~(S/NF)~~ OUTGOING MAIL: UNLESS OTHERWISE DIRECTED BY THE SECRETARY OF DEFENSE OR HIS DESIGNEE, DETAINEES ARE AUTHORIZED TO SEND MAIL TO FAMILY MEMBERS ONLY. NON-GTMO DETAINING COMMANDS WILL FORWARD ALL OUTGOING DETAINEE MAIL, WITH COMMENTS ON CONTENTS, TO JTF 160 AND JTF 170 FOR SCREENING AND POSTING FROM NAVAL BASE, GUANTANAMO BAY. JTF 160 AND JTF 170 WILL SCREEN ALL OUTGOING DETAINEE MAIL AND PROHIBIT COMMUNICATION TO OTHER THAN FAMILY MEMBERS, AS WELL AS COMMUNICATION OF ANY INFORMATION THAT UNDERMINES THE INTELLIGENCE, OPERATIONAL, OR FORCE PROTECTION MISSIONS, OR IS CONTRARY TO GOOD ORDER AND DISCIPLINE WITHIN DETENTION FACILITIES.

(b)(1)

MAIL, WHICH CONTAINS OBJECTIONABLE MATERIAL, WILL BE RETURNED TO THE SENDER AND REWRITTEN, ELIMINATING THE OBJECTIONABLE MATERIAL PRIOR TO BEING POSTED.

(b)(1)

F. (U) REPORTING REQUIREMENTS: IN VIEW OF REPEATED INTERAGENCY AND FOREIGN GOVERNMENT REQUESTS FOR INFORMATION WITH REGARD TO DETAINEE MAIL, COMMANDER, USSOUTHCOM, IS DIRECTED TO PROVIDE THE SECRETARY OF DEFENSE VIA CJCS, A WEEKLY REPORT VIA SITUATION REPORTS THAT CONTAIN WEEKLY AND CUMULATIVE TOTALS OF:

(1) (U) THE NUMBER OF DETAINEE MAIL PIECES RECEIVED.

(2) ~~(S/NF)~~

(b)(1)

(3) (U) NUMBER OF DETAINEE MAIL PIECES DELIVERED TO DETAINEES THAT WEEK.

(4) ~~(S/NF)~~ (b)(1)

(5) ~~(S/NF)~~ NUMBER OF DETAINEE MAIL PIECES FROM GOVERNMENTAL ORGANIZATIONS (INCLUDING COURTS), NONGOVERNMENTAL ORGANIZATIONS AND LEGAL COUNSEL, AS WELL AS THE NUMBER OF PIECES OF MAIL OF A PERSONAL NATURE.

(6) ~~(S/NF)~~ NUMBER OF PIECES OF OUTGOING MAIL FROM DETAINEES.

G. (U) IN VIEW OF THE CURRENT NUMBER OF DETAINEES UNDER USJFCOM COGNIZANCE, USJFCOM MAY SUBMIT A WEEKLY REPORT ADDRESSING PIECES OF COURT MAIL OR MAIL RELATED TO LEGAL PROCEEDINGS ADDRESSED TO DETAINEES UNDER ITS COGNIZANCE RECEIVED DURING THE REPORTING PERIOD. SUCH REPORTS SHOULD IDENTIFY THE SENDER, THE DETAINEE TO WHOM SUCH MAIL WAS ADDRESSED, A DESCRIPTION OF THE CONTENTS OF THE MAIL RECEIVED AND THE CUMULATIVE TOTAL OF SUCH MAIL BEING HELD IN THE CASE OF EACH SUCH DETAINEE. SUCH REPORTS MAY BE SENT BY E-MAIL TO THE CHAIRMAN'S LEGAL COUNSEL, WHO WILL FORWARD THE REPORTS TO THE OFFICE OF DOD GENERAL COUNSEL.

H. (U) SUPPLEMENTAL GUIDANCE WILL BE PROVIDED CONCERNING HANDLING PROCEDURES FOR MAIL TO AND FROM LEGAL COUNSEL AND RELATED MAIL ADDRESSED TO AND FROM DETAINEES WHO HAVE BEEN CHARGED WITH CRIMES.//

DECL/CLBY: (b)(6) JAGC, USN; LEGAL COUNSEL TO THE CJCS; RES: 1.5(A); DECL ON: 27 AUG 2012//

BT
#8002