Information Packet

17 May 2004

The Army Reserve is continually changing to meet the challenges of the 21st Century – ensuring we sustain and strengthen the skills necessary to support the Army and defend the nation's interests. The Army Reserve Strategic Communications Team develops, synchronizes and conveys messages to inform internal and external audiences on significant Army Reserve events and developments that impact the Army Reserve.

The Army Reserve
Serving with an Army at War

Abu Ghraib Detainee Abuse

The Army is a values-based organization committed to respecting and adhering to international and U.S. laws and standards pertaining to our military operations. The Army Reserve is totally committed these values and to providing trained and ready soldiers for the Global War on Terror. The allegations as to what occurred at this prison are not indicative of the outstanding service of the other 210,000 Army Reserve Soldiers serving their nation. We have included a letter from LTG Helmly on leadership and various statements on issues pertaining to this situation.

The documents in this packet are bookmarked and you may access each individually by clicking on the bookmark tab on the left side of your screen. They can be printed individually or as a total packet.

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For additional Information, Questions or Comments – Contact COL
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DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF, ARMY RESERVE
WASHINGTON, DC 20310-2400

REPLY TO
ATTENTION OF

May 17, 2004

Chief, Army Reserve Staff Group

Fellow Army Reserve Soldiers:

By now, you have probably heard various accounts of detainee abuse at the Abu Ghraib detention facility in Iraq. Army Reserve Soldiers are named in most of these reports.

These offensive acts undermine and conflict with the emphasis on strong values and respect for law and ethics to which this institution adheres. The individuals who allegedly committed these crimes against detainees in Iraq will be dealt with in accordance with the due process of law and the Uniform Code of Military Justice. Though the media reports may make it appear this matter was just uncovered, the public revelations are actually the result of a thorough, deliberate effort to ensure the detention facilities were being operated correctly, an effort instituted after a courageous Soldier stepped forward.

As Commander of the US Army Reserve Command, I accept my responsibility to lead this organization in a manner fully consistent with law and Army values. The Army Reserve's mission is to provide trained and ready units and Soldiers to the Army. To ensure we can accomplish this mission, my job is to set and enforce the policies and standards that our organization and its members will follow. It is also my responsibility to ensure our organization remains sensitive and responsive to the needs of our Soldiers, their families and employers.

As Soldiers in this organization, we all accept responsibilities, and at all times are responsible and accountable for our personal actions and conduct. When we take the oath of service, we agree to support and defend the Constitution of the United States. The oath is a promise and a commitment. It is enduring and inescapable.

Wearing the uniform means taking responsibility for our actions by living the Army values and the Warrior Ethos. Integrity means we do what is right, legally and morally. Personal courage means we face fear, danger and adversity. Selfless service means we put the welfare of our Nation, the Army, and our subordinates ahead of our own. The Warrior Ethos makes a difference on the battlefield: *I will always place the mission first. I will never accept defeat. I will never quit. I will never leave a fallen comrade.* Throughout history, Soldiers have lived the American values and upheld the standards of ethical conduct that laid the foundation for the law of land warfare and the Geneva Convention. Make no mistake – living the Army values and the Warrior Ethos is not easy to do, but it is the right thing to do.

Finally, as a member of the Army Reserve, we assume a leadership role both within the organization and elsewhere. Family, friends, neighbors, co-workers, business and community professionals in our hometowns admire and respect our service and sacrifice. Our daily actions should reflect that trust and confidence. *Leaders at all levels must do the right thing for the right reason – always!*

For all these reasons, duty in the Army Reserve represents a serious commitment of purpose. As members of the Army Reserve, we accept a shared responsibility to ensure the integrity of the institution that has been an integral part of the Army for nearly 100 years. We have suffered many casualties in this war. We cannot and will not allow our reputation as selfless servants upholding the highest values to become one of those casualties.

As we continue our mission, we must honor the sacrifice of our fallen, wounded, and captured comrades by conducting ourselves, at all times and in all situations, in a respectful and law-abiding manner. I am proud of you, the magnificent men and women who volunteered to fill the ranks of the Army Reserve. God Bless you, your family, your employers, and the United States of America.

James R. Helmly 5/16
Lieutenant General, US Army
Chief, Army Reserve

Documents listed
as 2-5 in TOC
are included in USARC
index & purview
POC - David Goldsmith

Public

Newspaper article

Update on Operation IRAQI FREEDOM

From Army Reserve Magazine, Volume 49, Number 4

According to Air Force Gen. Richard B. Myers, Army Reserve Soldiers are doing exactly what they were designed to do, and America is grateful for their service. Speaking recently before the Reserve Officers Association Mid-Winter Conference, Myers noted that Army Reserve Soldiers have become so seamlessly integrated into the total force that it is virtually impossible to tell an Army Reserve Soldier from an active service member. Equally important, he noted that America needs its Army Reserve Soldiers if this country is to win the war on terror.

In discussing how seamlessly the Army Reserve has integrated into the total force, Myers cited an account by a member of a mixed Army Reserve and active duty C-17 Globemaster III crew after a harrowing experience in Iraq. After taking off from Baghdad International Airport, one of the plane's engines was hit by a surface-to-air missile, forcing an emergency landing. According to the pilot of the plane, the lives of all of the people on that plane were saved because of the high level of coordination and communication between all members of the total force.

"I never forget that our Army Reserve Soldiers are a treasure and an important advantage to this great country," said Myers, noting that Army Reserve Soldiers remain absolutely essential to Operation Iraq Freedom. "Reserve service has a long history in America, and today is no different," he continued. "In times of need, when our country needs them the most, Army Reserve Soldiers lock arms to form an unbreakable, unbeatable team — dedicated to defending the liberties we all cherish and to supporting the people who are struggling to enjoy that same freedom."

Here are some of their stories.

HELPING SADDAM LOSE FACE

Until recently, most Iraqis were forced to carry a reminder of Saddam Hussein in their pockets. A picture of his face appeared on all printed Iraqi money. However, all of that has changed now that the Central Bank of Iraq has issued a "new" dinar.

According to Capt. Mark St. Laurent, brigade action officer for the Iraqi currency exchange program and a civil affairs officer with the 354th Civil Affairs Brigade, an Army Reserve unit from Riverdale, Maryland, the introduction of the new dinar is a significant step in Iraq's move away from the former regime.

"Replacing the Saddam dinar signals the end of the old regime. No longer will he be viewed as an everyday figure," said St. Laurent. "It also helps reinforce the legitimacy of the new government and the Central Bank's control of the economy."

Consistent with the shift toward a new government in Iraq run by the Iraqi people, coalition forces are playing only a minor role in the currency exchange program. They are providing security only when needed at exchange sites to protect the safety of the citizens and to ensure the proper distribution of the money.

"Replacing the Saddam dinar signals the end of the old regime."

The new dinar, which is printed on higher quality paper and contains several security devices, such as a watermark, embedded security strip and textured ink, will unify the currency across Iraq. People can exchange their old Saddam dinars for the new ones at a one-to-one rate. However, the former national dinar, known as the "Swiss dinar," which is used mainly in the north of Iraq, is worth 150 new dinars.

"This is good for the people of Iraq," said Dr. Mohamed Jasim, who recently exchanged his money at the Adamihya Commercial Bank of Iraq. "It is a symbol of moving forward."

HAVING A BEAR OF A TIME

Although most Army Reserve Soldiers in Iraq carry assault rifles or machines guns, a tranquilizer gun has become the weapon of choice for several members of the 352nd Civil Affairs Command, an Army Reserve unit from Riverdale, Maryland, as they work to bring about major overhauls of the Baghdad Zoo, also known as the Zawra Zoo. Sadir, a 32 year old female brown bear at the Zoo, already has benefited greatly from the presence of these Soldiers. Recently, they surgically removed a cancerous tumor from her abdomen.

"The tumor was becoming infected, so we had to anesthetize her with a dart gun before making some incisions and removing the diseased tissue," said Col. Mark Gants, CJTF-7 veterinarian. "There were a few blood vessels in there that we had to tie off in order to get the bleeding stopped before closing her up again."

Gants, who was head surgeon on the project, was assisted by Spc. Erin McLoughlin, a veterinary technician with the 72nd Medical Detachment, and Lt. Col. Jose Lozada, a veterinarian with the 352nd Civil Affairs Command.

Operating on-site in Sadir's enclosure at the Zoo, the team prepared the bear for surgery. After anesthesia was administered, McLoughlin and one of the Zoo's Iraqi staff members shaved the fur surrounding the site of the tumor. Gant then made the necessary incisions to remove the tumor whole.

The real challenge, however, began after the malignant mass was removed. The blood vessels that were cut in order to extract the tumor were filling the wound with blood. And, in the time that it took to stop the bleeding, the tranquilizer began to wear off. Consequently, the team had to move extremely quickly to suture the incision, clean up and get out of the cage. Fortunately for the team, they were able to exit the enclosure before Sadir regained full consciousness.

...the main motivation behind the U.S. Army's involvement at the Zoo is to train local staff and veterinarians to assume full responsibility for the facilities once the Soldiers are gone.

According to Lozada, the main motivation behind the U.S. Army's involvement at the Zoo is to train local staff and veterinarians to assume full responsibility for the facilities once the Soldiers are gone.

"The veterinarians in Iraq are victims of professional isolation. In addition, they have been sorely neglected like most other resources in this nation," said Lozada. "Our hope is that, by involving Zoo staff members and veterinarians in surgical procedures and vaccination processes, they quickly will regain control over this invaluable facility and its inhabitants."

TRAINING IRAQI POLICE AT WEAPONS RANGE

Iraqi police officers had a chance to hone their skills recently on a live-fire weapons range with the help of Soldiers from the 382nd Military Police Detachment, an Army Reserve unit from San Diego, California, assigned to the 18th Military Police Brigade. The weapons training was part of a three-week course called the "Iraqi Police Integration Program," designed to teach existing Iraqi police officers basic weapons fundamentals and tactics.

"The training will make them more effective as police officers," said Cpl. Kenneth Johnson, a military policeman with the 382nd and the weapons range noncommissioned officer in charge of the training. "Many of them have never even fired a weapon."

According to Johnson, the training consisted of two days of classroom training on the safe use of weapons, as well as four days of actual training on the weapons range. On the final day of training, the police officers received their weapons qualification.

"They were taught the basics of shooting a firearm, as well as how to put rounds down range and pray they hit the target," added Johnson.

According to police captain Sammad Al Hayani, Iraqi police rarely practiced with a weapon in the past.

"There were no shooting and no good pistols before," he said.

Iraqi police rarely practiced with a weapon in the past.

Basics of marksmanship included such fundamentals as breath control, sight alignment, and the proper way to squeeze the trigger. On the range, the Iraqi police participated in target shooting from three distances, with the longest distance being 15 meters using Glock 19 Series pistols.

"The police officers really had no idea of the weapons' capabilities, and they had no confidence in their own abilities," said Johnson. "It is good to see them gain mo re confidence. I expect they will become a more valuable asset as their weapons skills increase."

RENOVATING TWO PRIMARY SCHOOLS

School children in grades 1 through 6 recently returned to two newly renovated primary schools in the Abu Ghraib area of western Baghdad. A team from the 490th Civil Affairs Battalion, an Army Reserve unit from Abilene, Texas, managed the renovations and repairs at the two schools, Ruqia Primary School and al-Fayda Primary School.

Capt. Thane Thompson, a team chief for the 490th who hails from Monterey, California, was the officer in charge of the project.

"The coalition is doing a lot of positive restoration work, and the vast majority of Iraqis that we deal with are extremely appreciative," said Thompson.

More than $80,000 was spent on the repairs and renovations at the two schools. The Ruqia school project cost $34,000, while the al-Fayda school project cost $46,000. The funding was provided by the 354th Civil Affairs Brigade, an Army Reserve unit based in Riverdale, Maryland, and came from the Commanders' Emergency ReliefFunds.

Immediately following the main combat phase of the war, both schools were completely looted. All of the furniture and equipment had been stolen, and even the doors and windows, as well as all light fixtures, wiring and switches, were removed and taken elsewhere. All that was left were the walls and the roofs. So the schools were unusable until the Army Reserve arrived.

"My team coordinated the project from start to finish. We conducted the initial assessments defining the scope of work, found contractors to help with cost estimates, prepared the funding proposals and got the funding approved, and contracted with local construction companies to do the work," said Thompson.

"We also did quality control inspections every couple of days and paid the contractors for their work," he added.

In both cases, the work included masonry, grounds maintenance, windows and glass replacement, interior finishing, and plumbing and electricity.

The commander of the 490th Civil Affairs Battalion, Lt. Col. Donna Hinton, cut the ribbon at the grand opening of the Ruqia School, stating: "This is a happy day for everyone. The children are happy to have a good school to go to, the school staff are extremely appreciative, and the Soldiers are satisfied that they have accomplished a great work."

DELIVERING SUPPLIES TO CAR BOMBING VICTIMS

Much needed help was delivered to innocent victims of a recent terrorist attack in Baghdad. Members of the 422nd Civil Affairs Battalion, an Army Reserve unit from Greensboro, North Carolina, coordinated with the Iraqi Ministry of Labor and Social Services to deliver food, blankets and clothing to residents left homeless following a car bombing attack on the Al Shaab police station in the Al Adhamiya area of Baghdad.

According to Maj. Jack Nales, a civil affairs officer with the 422nd, four homes, two shops and the police station were damaged and deemed unsuitable for habitation as a result of the car bombing. Seven families were left homeless, while others experienced looting that seriously reduced the amount of their supplies. The homeless families now reside in an abandoned neighborhood advisory council building located behind the former police station.

"We have seven families that are homeless as a result of the attack," said Capt. Chuck Tinney, a civil affairs officer with the 422nd. "All they have left is pretty much the clothes on their backs. They just happened to be in the wrong place at the wrong time."

According to Tinney, his unit would continue to try to provide as much help as necessary to allow the families to get back on their feet.

"This is an ongoing project," added Tinney. "They still need mattresses, stoves and refrigerators, as well as other support."

Tinney said the non-governmental organization, Premiere Emergence, plans to assess the damage and to rebuild the homes that were destroyed.

"Thankfully, no lives were lost," said Spc. Walter Christopher, a civil affairs specialist with the 422nd. "When we are able to help people, it makes us feel good. This is the good part of our job."

MAKING FRIENDS THROUGH THE NEWSPAPER

The 361st Psychological Operations Company (Tactical), an Army Reserve unit from Bothell, Washington, has come up with an invaluable tool for creating public awareness of safety hazards, as well as for disseminating information on what U.S. and coalition forces are doing in Iraq. Known as "Baghdad Now," the newspaper is published monthly and distributed free to more than approximately 70,000 Iraqi nationals.

"The paper discusses how we are interacting with the Iraqi government during this transitional period and, together, how we are improving life in Baghdad," said Staff. Sgt. Richard K. Wilson, team chief with the 361st. "More importantly, it allows the people to know what's going on so they can better see how we are making a difference."

According to Wilson, handing out the newspapers also allows the Soldiers to keep their fingers on the pulse of the community.

"Any time you give these people something, their defenses come down. It's human nature," added Wilson. "We gain instant access to them and their feelings by giving them something. They then are more ready to help us spread the messages expressed in the newspaper."

By showing the Iraqi people how the coalition forces are helping to improve life in Baghdad, the psychological operations team hopes to increase positive attitudes toward the coalition and put an end to anti-coalition aggression.

"Any time you give these people something, their defenses come down. It's human nature."

Through face-to-face encounters, the psychological operations team also is forming ties with community leaders, such as religious leaders, medical practitioners and professors, who are helping to spread a more positive message.

"It is extremely important that we gain the support of these key communicators. So far, we've built strong, solid relations within the community," said Wilson. "More and more, we are finding that they are coming forward to speak on our behalf."

GOING BACK TO SCHOOL

For many school-age children in Baghdad, school has been out since the beginning of Operation Iraqi Freedom. However, for Iraqi children who used to attend the Darweesh school in the western Abu Ghraib province of Baghdad, school is now back in session thanks to the efforts of the Soldiers of the 414th Civil Affairs Battalion, an Army Reserve unit from Utica, New York.

Recently, more than 500 children lined up along the sides of the Darweesh school courtyard to welcome the members of the 414th during a ribbon cutting ceremony designed to mark the official reopening of the school.

Both Spc. Maynard Ainken, the 414th Darweesh school team leader who maintained oversight during the schools' renovation, and Sgt. Louis Polsinelli, a team leader with the 414th who also was a member of the team that helped orchestrate the school's restoration, were among the Soldiers honored during the opening celebration.

"When we first started driving through the area, people often would throw rocks at us," said Polsinelli. "Now, however, after having opened a few schools and demonstrating some real progress, people want to come up and talk to us. They want to interact with us. I think our work has had a tremendous impact on the attitudes of the Iraqi people."

According to Col. Vincent Taylor, commander of the 354th Civil Affairs Brigade, an Army Reserve unit from Riverdale, Maryland, it's teams like the 414th that make the reconstruction efforts possible.

"However, doing assessments, making funding proposals, contacting contractors, taking bids, and overseeing progress on renovation and construction efforts are not the only tasks under the purview of civil affairs teams like the 414th," said Taylor. "They also must act as liaisons with the Iraqi people, bridging any cultural and social gaps that stand in the way of progress."

"When a civil affairs team like the 414th accomplishes something like they have accomplished here at Darweesh, they are not only refurbishing a school structure. They are building bridges to the future of Iraq," added Taylor.

"The hearts and minds involved in this project are infinitely more important than the school buildings themselves," said Ainken. "Every child at this school will remember coalition Soldiers being here and helping them with their schools. They will remember that American Soldiers were here when they raised their flag on opening day."

INTRODUCING HEALTH CARE MANAGEMENT TO THE NEW IRAQ

Recently, a physicians' leadership workshop was held for local Iraqi doctors and other health care professionals at the Iraqi Forum in Baghdad. Led by Capt. Caroline Pogge, a civil affairs officer with the 411th Civil Affairs Battalion, an Army Reserve unit from Danbury, Connecticut, 28 students, including doctors, pharmacists and representatives from the Iraqi Ministry of Health were in attendance.

The intent of the workshop was to give Iraqi physicians a basic course in health care management — a topic that rarely has been emphasized in the country's health care education according to Pogge, an Army Reserve Soldier who works as a hospital administrator in Sayre, Pennsylvania, in her civilian life.

"What we've found here is that many of the physicians in charge of Iraq's clinics or hospitals have little or no basic management skills," said Pogge. "This is something we are trying to correct with the local physicians in communities around Baghdad."

Previously, Pogge had met several of the doctors attending the workshop. Many came from clinics and hospitals in eastern Baghdad where the 411th works in the 2nd Armored Cavalry Regiment's area of operations.

The course was based on one that Pogge took at the University of Kentucky as part of her training in the United States. An eight-day crash course, it is broken into several courses on leadership, decision making, human resources, resource allocation, and project management, all of which emphasize group work, case studies and hands on learning.

According to Pogge, working on problems in groups is probably one of the most important parts of the course.

"Management doesn't have to be autocratic," said Pogge, who hopes Iraq's Ministry of Health will adopt the course for use in the future with more physicians throughout Iraq. "It often is helpful to consult with your staff and to bring them into the process. This is one of things we are trying to teach the health care professionals attending this course."

According to Pogge, the experience has been extremely rewarding.

"It's exciting to go home with a sense of accomplishment — a sense of having helped the local medical community make a smoother transition," said Pogge. "That's what civil affairs in the military is all about — accomplishment."

MOVING PASSENGERS THROUGH AREA 51

The Army has begun operations at a new air passenger terminal in Kuwait, with the goal of transporting hundreds of Soldiers daily to destinations within the Operation Iraqi Freedom theater.

"Soldiers will be traveling by intra-theater airplane into and out of Iraq," said Maj. Vivian Gaz, officer in charge of the 319th Movement Control Team, an Army Reserve unit from Dover, Delaware, responsible for operations at the terminal.

The terminal is composed of several tents, which are being used as passenger holding areas, and a parking lot and turn-around area for buses dropping off and picking up passengers.

"The plan is for Soldiers to be here only about three hours tops," added Gaz. "We will have MREs (Meals Ready to Eat) and water here. Soldiers should have their last hot meal at their departing camps."

To keep operations as efficient as possible, plans call for using only a single type of tactical aircraft. All of the planes will be configured to carry the same number of passengers, as well as two baggage pellets.

The terminal is anticipated to ease some of the congestion at the military APO (airport point of debarkation) in Kuwait. Most travel through the new terminal will be work-related, meaning rest and recuperative travel will not be processed through the terminal. And the terminal will service four airfields — Baghdad International Airport, Balad, Mosul, and al Asad.

"The plan is for Soldiers to be here only about three hours tops."

A small permanent party of Army Soldiers will be stationed at the terminal, dubbed "Area 51" after the locale in Nevada that UFO fantasists theorize is an extraterrestrial stomping ground. Soldiers to be here hours tops."

DELIVERING THE GOODS

The 358th Civil Affairs Team A (CAT-A), an Army Reserve Unit from Norristown, Pennsylvania, provides direct support to the Multi-National Division–South East (MND-SE) while assigned to Combined Joint Task Force 7 (CJTF-7) in support of Operation Iraqi Freedom. The CAT-A is headquartered in Samawah, Iraq, and coordinates humanitarian assistance activities in close coordination with the Coalition Provisional Authority (CPA), U.S. Agency for International Development (USAID), and the Iraq and Kuwait Humanitarian Operations Center (HOC).

The responsibilities of the CAT-A include providing civil military staff augmentation and civil affairs planning and assessment support to maneuver commanders; providing linguistic, regional and cultural expertise to support commanders; identifying and facilitating foreign nation support; minimizing civilian interference with military operations; conducting area studies and assessments in support of civil military operations; and conducting inter-agency liaison and operations when directed. Some projects the team is involved in include the Rumaytha Sewage Project, Kamidia Medical Supplies Project, the Cleaner and Brighter Iraq Project, and the Rumaytha Girl's Primary School Dental Class Project.

The Rumaytha Sewage Project initially involved installation of gravity drainage, which included installing sewage pipes and manholes, and connecting the pipes to a sump pit. Also installed were a sump pump, pressure line, and electrical backup generation system. The project resulted in availability of cleaner drinking water, better sewage disposal, and an improved quality of life for the people of Rumaytha.

"I love this country, and I love helping these people," said Sgt. 1st Class Thomas D. Bucci, the 358th CAT-A's noncommissioned officer in charge and supervisor of the Rumaytha Sewage Project, who is proficient in the local language.

Sgt. Scott Bambu, a civil affairs specialist assigned to the 358th CAT-A also is proud of his contributions in Iraq. He served as project coordinator for the Kamidia Medical Supplies Project, which was designed to help replenish medical supplies, equipment and medications in and around the Muthanna Governate. According to Bambu, the Kamidia Medical Supplies Facility has played a vital role in supplying essential items to those medical facilities and hospitals most in need.

"I am delighted to be in a position to make a difference," said Bambu.

The Cleaner and Brighter Iraq Project was designed to temporarily employ up to 100,000 Iraqi citizens to clean up 11 communities throughout the Muthanna Govemate, including the cities of Samawah, Khider, Ramaytha, and Salman. Maj. Kelly Thrasher, 358th CAT-A team leader, managed the project, working with the Iraqi Ministry of Public Works to assist them in achieving their employment and community clean up goals.

"This project has been very popular with the Iraqis because it employs so many people," said Thrasher. "It's great to see the Iraqi people helping themselves."

The Rumaytha Girl's Primary School Dental Class Project involved the issuance of 700 toothbrushes and tubes of toothpaste provided by the 358th CAT-A, followed by training in proper dental care.

Col. Robert P. Stall, commander of the 358th Civil Affairs Brigade, recently visited his Samawah CAT-A stating, "The Samawah CAT-A is one of the finest special operations teams I have operating in Iraq. Every one of my Soldiers is coordinating, supervising and managing several humanitarian assistance project simultaneously. I'm proud of the great work they are doing in helping the Iraqi people in service to our country."

"The Samawah CAT-A is one of the finest special operations teams I have operating in Iraq."

ARMY RESERVE

Generals At Odds Over Abuse At Prison
Washington Times
May 26, 2004
Rowan Scarborough

An Army investigation and congressional hearings have spotlighted a series of conflicting statements about Iraqi prisoner abuse between the top brass and the general who once ran Abu Ghraib prison and who was stripped this week of her brigade command.

Some military advocates say Brig. Gen. Janis Karpinski received light punishment because she is one of the Army's few female generals. Recommended for a reprimand, she instead received a minor letter of admonishment.

At first, she kept her command of the 800th Military Police Brigade. But as pressure mounted from Congress to punish higher-ups — not just enlisted MPs at the prison — the Army this week temporarily reassigned her to a reserve unit at Fort Jackson, S.C.

The differences pitting Gen. Karpinski against superiors go to the heart of why the infamous prison near Baghdad was dysfunctional and why it became the venue for continued physical and psychological abuse of Iraqi detainees by military police.

Gen. Karpinski, a reservist who lives in Hilton Head, S.C., and works as a business consultant, says the scandal stemmed from a lack of manpower at Abu Ghraib and no clear direction from the military command in Baghdad led by Lt. Gen. Ricardo Sanchez. She denies knowledge of any abusive behavior before the scandal broke.

But Maj. Gen. Antonio M. Taguba, who completed the first of several ongoing administrative investigations, lays some blame squarely at the feet of Gen. Karpinski. His report says she did not act on recommendations from a series of fault-finding inquiries before the ill treatment began in October.

"Had the findings and recommendations contained within their own investigations been analyzed and actually implemented by Brig. Gen. Karpinski, many of the subsequent escapes, accountability lapses and cases of abuse may have been prevented," Gen. Taguba wrote.

Some pro-military persons have seized on the Abu Ghraib scandal as an example of a "politically correct" military that does not want to punish a female general.

"I think they've been handling her with kid gloves," said Elaine Donnelly, who heads the Center for Military Readiness. "The fact that she is a woman general who portrayed herself as a victim may have had something to do with it."

On her suspension, Mrs. Donnelly said, "Frankly, I wonder why it has taken so long. She was there before, during and after the worst of the abuse. I'm not convinced at all by her argument she did not know."

William S. Lind, who directs the Center for Cultural Conservatism at the Free Congress Foundation, writes in a column this week that, "The apparent breakdown in discipline among the MPs at Abu Ghraib may relate to the presence of women, and especially to the fact that the commander was a woman. ... The climate of 'political correctness' (or, to give it its true name, cultural Marxism) that has infested and overwhelmed the American armed forces makes it almost impossible to discipline a woman — and risky for a man to attempt to do so."

Whatever the reason, one theme is clear: Abu Ghraib was a disaster waiting to happen. Rules on uniforms were not enforced; soldiers wrote poems and other sayings on their helmets; saluting of officers was not enforced. Records on inmates and escapes were spotty. Regulations were not posted; no MP had been trained adequately in detainee operations.

"I have never seen a more dysfunctional command relationship in the history of me looking at the military like that jail," Sen. Lindsey Graham, South Carolina Republican, told Gen. Sanchez at a Senate hearing last week.

"Sir," the three-star general responded, "It was dysfunctional before the 19th of November."

His reference to that date was a message to his critics, including Gen. Karpinski. She has blamed problems on the turnover of prison command from her 800th Brigade on that date to the 205th Military Intelligence Brigade. Some MPs accused of misconduct contend they acted on orders from 205th officers. But most abuses occurred in October and early November prior to the 19th, according to Gen. Taguba.

The exchange was just one example of disputes of fact between the one-star general and more senior officers:

•At the same hearing, Gen. Sanchez was asked about Gen. Karpinski's statements that she objected to the 205th taking over the jail. "Senator," Gen. Sanchez replied, "General Karpinski never talked to me about interference. ... There was never a time where General Karpinski surfaced to me any objections to that tactical control order."

•Gen. Karpinski has quoted Maj. Gen. Geoffrey Miller as saying he came to Iraq to "Gitmo-ize" Abu Ghraib. It was a reference to Gen. Miller's tenure as the top jailer at Guantanamo Bay, Cuba, where suspected terrorists from the Afghanistan war are being held.

Said Gen. Miller, "Senator, I did not tell General Karpinski I was going to 'Gitmo-ize' Abu Ghraib. I don't believe I have ever used that term ever."

Gen. Karpinski told Gen. Taguba that she paid regular visits to various detention centers. But the Taguba report states, "The detailed calendar provided by her aide-de-camp does not support her contention. Moreover, numerous witnesses stated that they rarely saw Brig. Gen. Karpinski."

Asked by Sen. John McCain, Arizona Republican, to respond to Gen. Karpinski's assertion she was excluded from certain sections of Abu Ghraib where the abuse occurred, Gen. Taguba answered, "I disagree with that."

Gen. Karpinski could not be reached for comment this week. But in a previous interview, and in a written rebuttal to Gen. Taguba dated April 1, she vigorously defended her tenure as Iraq prison warden.

"The brigade suffered with diminishing personnel strength, without the benefit of a personnel replacement system," she wrote. "We were successful in all missions, despite numerous challenges and while operating in a combat zone, because the brigade was determined and committed to do so."

As to Gen. Taguba's comment that she was "extremely emotional" during her testimony to him, Gen. Karpinski wrote, "The comments describing my emotional demeanor during a portion of my interview are misconstrued. Any implication of soldiers or the unit failing will elicit a strong emotional response from a caring and compassionate commander. The emotion was intense passion for my soldiers.

"Throughout my tenure in command I escorted hundreds of VIPs and media representatives through the numerous facilities the 800th Military Police Brigade secured. I consistently received rave reviews from all in attendance."

Gen. Karpinski, who took control of the penal system in Iraq on June 30, 2003, is now back home in South Carolina. She has waged a spirited media campaign on cable TV news channels to defend her record and to warn she will not be scapegoat.

The Army granted her permission to talk as long as she does not appear in uniform and does not disparage the Army.

Gen. Taguba recommended she be reprimanded and stripped of her command — a career-ending move. Gen. Sanchez apparently overruled him, sticking by an admonishment issued in January.

Gen. Sanchez said at the Senate Armed Services Committee hearing that some of those already punished could face additional penalties. Gen. Karpinski's lawyer, Neal A. Puckett, said he does not think the statement applies to his client, who had no knowledge of the abuse until a soldier blew the whistle in January.

A Pentagon official said Gen. Karpinski is not the subject of any criminal investigation but is "still vulnerable to further administrative charges."

Prison Investigator's Army Experience Questioned
Washington Post
May 26, 2004
Walter Pincus

Maj. Gen. George R. Fay, who is leading the Army's investigation into the role of military intelligence at Abu Ghraib prison and other detention facilities in Iraq, is an insurance company executive who has been on active duty for five years.

Fay, the Army's deputy chief of staff for intelligence, was still listed as a managing director of the Chubb Group of Insurance Companies in its 2003 annual report. He was selected March 31 to head the sensitive investigation into intelligence practices and procedures in Iraq, and began work on April 23, said Lawrence T. DiRita, the Defense Department assistant secretary for public affairs.

Pentagon officials, lawmakers and others are looking to Fay to help answer a central question in the Abu Ghraib prison scandal: whether the military intelligence soldiers responsible for interrogating detainees directed or encouraged military police officers to commit the abuse captured in photographs that have roiled the Arab world and damaged U.S. credibility. Fay's probe into military intelligence follows the widely reported Army investigation by Maj. Gen. Antonio M. Taguba that focused primarily on the role of military police.

Two Pentagon officials and one public affairs officer in Iraq said yesterday they could not say who chose Fay to run the inquiry, but one Army official said the orders "were cut by" Lt. Gen. Ricardo S. Sanchez, the commanding general in Iraq.

At Chubb, Fay was executive vice president for claims and operations worldwide when he was activated in 1999. Originally commissioned through the Reserve Officers Training Corp Program in 1970, he served four years on active duty as a counterintelligence officer.

Fay worked for Chubb but had a series of Army reserve posts, primarily in the New York area, from 1974 until 1999, when he was activated and assigned as deputy commanding general of the Army Intelligence and Security Command.

Once activated, as a colonel, he was quickly promoted, first to brigadier general in 2000 and last year to major general. In October, he became deputy chief of staff for intelligence at the Pentagon.

Fay has continued to make political contributions since he started active duty in 1999, some through the Chubb Corporation Political Action Committee (Chubbpac), according to public records. In 2000, he gave $500 to the campaign of Bob Franks, a New Jersey

Republican running for the Senate; $1,000 to the New Jersey Republican State Committee; and $1,000 to Chubbpac. In 2001 he gave $2,500 to Chubbpac and in 2002 another $2,500, but made no similar donations in 2003, according to election records. In the years before he went on active duty, Fay gave smaller contributions to Chubbpac. In 1997, he contributed $1,500 to the New Jersey Republican Party. In 1990, he gave $1,000 to New Jersey Democrat Bill Bradley's Senate campaign.

Defense Department regulations permit political contributions by military personnel but it is unusual for them to go through a corporate political action committee.

Sen. John W. Warner (R-Va.), chairman of the Senate Armed Services Committee, said yesterday he was unaware of Fay's background as a reservist and his political contributions. "These are very hard facts and have to be considered," Warner said. He added that "we don't have reason to question whether he will do other than an honorable job."

Warner also said he expects Fay's review of the role of military intelligence to include policies and decisions made not just in Iraq but also at the Pentagon. Fay, Warner said, should look "into the intelligence chain of command, not only in Centcom [the military command covering Iraq], but also back here in Washington."

A Pentagon public affairs officer yesterday said Fay was "on the road and not taking any questions about his investigation."

Richard Kohn, professor of military history at the University of North Carolina at Chapel Hill, said yesterday that Fay's limited experience as a reservist "does not inspire confidence in the investigation." He said the choice "is troubling. It raises the most basic question as to who chose him and why and what his tasking is."

At hearings before Warner's Senate committee on May 11, Undersecretary of Defense for Intelligence Stephen A. Cambone said that Fay had conducted interviews in Iraq and was going to Germany "to see people who have since rotated from Iraq to Germany. And then will come back here to meet others."

Cambone, in answer to a question, said he expected that Fay would include the military intelligence activities at Guantanamo Bay, Cuba, in his inquiry. "If General Fay didn't realize that was the subject of his investigation, sir, he is now painfully aware of it," he said.

Cambone could be one of those interviewed by Fay since he told Warner's committee that in August 2003 he encouraged Maj. Gen. Geoffrey D. Miller, then head of Guantanamo, to go to Iraq to determine how to get a better intelligence through interrogation of detainees. Among other things, Miller advised that military police help intelligence officers by setting conditions for interrogations.

It was after Miller's visit to Abu Ghraib and some of his suggestions were implemented that many of the questionable activities took place.

Head Of U.S. Prisons Is Off Active Duty And Loses Her Command
Reuters
May 25, 2004
Will Dunham

An American general in charge of U.S.-run prisons in Iraq when the abuse of prisoners took place has been suspended as commander of the military police brigade at the heart of the scandal and removed from active duty, the Army said yesterday.

Brig. Gen. Janis Karpinski, a Rahway, N.J., native who had commanded the 800th Military Police Brigade, was suspended from her duties, said Lt. Col Pamela Hart, an Army spokeswoman at the Pentagon.

Karpinski previously was formally admonished on Jan. 17 by Lt. Gen. Ricardo Sanchez, the top U.S. commander in Iraq.

The Army returned Karpinski yesterday to the Army Reserve from active-duty status, said Al Schilf, an Army Reserve spokesman. In addition, Karpinski no longer serves as commander of her Uniondale, N.Y.-based brigade, and was "temporarily attached" to the U.S. Army Readiness Command at Fort Jackson, S.C., Schilf said. The Army was seeking an "acting commander" of the brigade, Schilf said.

Karpinski currently lives in Hilton Head, S.C.

Karpinski told the Washington Post she was notified in an e-mail yesterday of her suspension but has not yet been given a formal explanation.

"You'd think somebody would pick up the phone and call me," she said, lashing out at the Army hierarchy. "That should have been the protocol courtesy. I am a general officer. Nobody could spend the 25 cents to call me?"

Seven U.S. soldiers have been charged with abusing Iraqi prisoners at Abu Ghraib on the outskirts of Baghdad. Army Maj. Gen. Antonio Taguba's report on the abuse faulted Karpinski's "poor leadership." Photographs show U.S. soldiers physically and sexually abusing and humiliating prisoners.

Asked whether Karpinski could face criminal charges, Schilf did not answer directly, but said, "This action doesn't close any doors."

Karpinski, who has served in the Army for 27 years, has argued that the cell blocks where the abuse was centered were controlled by U.S. military intelligence, not military police.

About two months after the Red Cross warned U.S. commanders of widespread prisoner abuses, Karpinski assured the Red Cross in a confidential letter that Iraqi detainees were being given the best treatment possible and that even more "improvements are continually being made."

Yesterday, however, Karpinski insisted she was "set up."

Meanwhile, the Washington Post, quoting Pentagon and other administration officials, reported today that Bush plans to appoint a new, higher-ranking military commander for Iraq, capping an overhaul of the command structure that is likely to replace Sanchez as the top general on the ground there.

Sanchez has been besieged lately by questions about his oversight of detainee operations in Iraq, especially his role in the scandal over the abuse of Iraqi detainees by U.S. soldiers at Abu Ghraib. But administration officials said the move to install a new four-star commander has been under consideration for months, well before the mistreatment of detainees became major news. It is not clear what will happen to Sanchez.

General Who Led Abu Ghraib Prison Guard Unit Has Been Suspended
Associated Press
May 25, 2004

An Army general accused by military investigators of providing too little supervision for an Iraqi prison where abuse of inmates took place has been suspended from her command, officials say.

The decision to temporarily move Brig. Gen. Janis Karpinski, a native of Rahway, N.J., from her command of the 800th Military Police Brigade came amid reports that the top U.S. military officer in Iraq, Army Lt. Gen. Ricardo Sanchez, is due to be replaced soon.

Karpinski and other officers in her brigade were faulted by Army investigators for paying too little attention to day-to-day operations of the Abu Ghraib prison and for not moving firmly enough to discipline soldiers for violating standard procedures.

Karpinski's suspension, which has not yet been announced by the Army, was the latest in a series of actions against officers and enlisted soldiers implicated in the abuse scandal at the prison near Baghdad.

Sanchez will be replaced in Iraq in what officials said was his scheduled rotation after 13 months of duty there. Gen. George Casey, the Army's No. 2 officer as vice chief of staff, was in line for the post, reported NBC News, The New York Times, the Los Angeles Times and The Washington Post.

Secretary of State Colin Powell, appearing Tuesday on CBS's "The Early Show," said he had heard the reports but could not say whether Sanchez's departure was in any way related to the prison abuse problem.

Powell did say, however, that "we all knew this was coming about as part of the normal rotation of commanders. General Sanchez has done a terrific job and he's been there for over a year now, so it seems to me in the normal scheme of things."

Last week, Spc. Jeremy Sivits received the maximum penalty of a year in prison and a bad-conduct discharge in the first court-martial stemming from the abuse of Iraqis at the prison. He was among seven members of the 372nd Military Police Company that have been charged.

Karpinski, who has returned to the United States, has not been charged with an offense. Being suspended from her command does not mean she has been relieved of command, so technically she could be reinstated, although the intensity of the international furor over the Abu Ghraib prisoner abuse makes that highly unlikely, said the officials, speaking on condition of anonymity.

In his widely cited investigation report on the Abu Ghraib abuse allegations, Maj. Gen. Antonio Taguba found heavy fault with Karpinski's performance and recommended that she be relieved of command and given a formal reprimand. Instead she was given a less-severe "memorandum of admonishment" on Jan. 17 by Sanchez.

Taguba reported that despite the documented abuse of prisoners, he saw no evidence that Karpinski ever attempted to remind the military police in her command of the requirements of the Geneva Conventions, which protect prisoners of war and civilian detainees in times of armed conflict.

Sanchez To Be Replaced
Associated Press
May 25, 2004
Terence Hunt

The top U.S. military officer in Iraq, Lt. Gen. Ricardo Sanchez, will be replaced as part of a command restructuring that has been in the works for several months, administration officials said Tuesday. The Pentagon also suspended Brig. Gen. Janis Karpinski from her command.

Both have become symbols of lax supervision at the Abu Ghraib prison where U.S. soldiers allegedly abused Iraqi inmates.

President Bush praised Sanchez during a photo opportunity in the Oval Office. "Rick Sanchez has done a fabulous job," the president said as he met with a group of Iraqis. "He's been there for a long time. His service has been exemplary."

At the Pentagon, Larry Di Rita, chief spokesman for Defense Secretary Donald H. Rumsfeld, said both Rumsfeld and Joint Chiefs chairman Gen. Richard Myers "are very

impressed with the work Gen. Sanchez performed from the very beginning" of his service in Iraq. Sanchez took command there in May 2003.

Regarding suggestions that Sanchez's departure is linked to the abuse scandal, Di Rita said, "That's just wrong."

Karpinski and other officers in the 800th Military Police Brigade were faulted by Army investigators for paying too little attention to day-to-day operations of the Abu Ghraib prison and for not moving firmly enough to discipline soldiers for violating standard procedures.

Karpinski's suspension, which has not yet been announced by the Army, was the latest in a series of actions against officers and enlisted soldiers implicated in the abuse scandal at the prison near Baghdad.

Sanchez will be replaced in Iraq in what administration officials said was his scheduled rotation after 13 months of duty there. Gen. George Casey, the Army's No. 2 officer as vice chief of staff, was in line for the post, defense officials said Monday.

Di Rita said, "There has been no final decision" on who will replace Sanchez.

Secretary of State Colin Powell, appearing Tuesday on CBS's "The Early Show," said he had heard the reports but could not say whether Sanchez's departure was in any way related to the prison abuse problem.

Powell did say, however, that "we all knew this was coming about as part of the normal rotation of commanders. General Sanchez has done a terrific job and he's been there for over a year now, so it seems to me in the normal scheme of things."

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"I don't know what the grounds are," Karpinski told MSNBC Monday night. "I know that I've been suspended. When I see it in writing, there will be an explanation for it. And what that means is I'm suspended from my position as the commander of the 800th Military Police Brigade, and they assign me to another position until whatever the reason is, whatever the basis is, is cleared."

In his widely cited investigation report on the Abu Ghraib abuse allegations, Maj. Gen. Antonio Taguba found heavy fault with Karpinski's performance and recommended that she be relieved of command and given a formal reprimand. Instead she was given a less-severe "memorandum of admonishment" on Jan. 17 by Sanchez.

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TOP TIER PRINT

Abuse of Captives More Widespread, Says Army Survey
New York Times
May 26, 2004
Douglas Jehl, Steven Lee Myers and Eric Schmitt

An Army summary of deaths and mistreatment involving prisoners in American custody in Iraq and Afghanistan shows a widespread pattern of abuse involving more military units than previously known.

The cases from Iraq date back to April 15, 2003, a few days after Saddam Hussein's statue was toppled in a Baghdad square, and they extend up to last month, when a prisoner detained by Navy commandos died in a suspected case of homicide blamed on "blunt force trauma to the torso and positional asphyxia."

Among previously unknown incidents are the abuse of detainees by Army interrogators from a National Guard unit attached to the Third Infantry Division, who are described in a document obtained by The New York Times as having "forced into asphyxiation numerous detainees in an attempt to obtain information" during a 10-week period last spring.

The document, dated May 5, is a synopsis prepared by the Criminal Investigation Command at the request of Army officials grappling with intense scrutiny prompted by the circulation the preceding week of photographs of prisoner abuse at Abu Ghraib. It lists the status of investigations into three dozen cases, including the continuing investigation into the notorious abuses at Abu Ghraib.

In one of the oldest cases, involving the death of a prisoner in Afghanistan in December 2002, enlisted personnel from an active-duty military intelligence unit at Fort Bragg, N.C., and an Army Reserve military-police unit from Ohio are believed to have been "involved at various times in assaulting and mistreating the detainee."

The Army summary is consistent with recent public statements by senior military officials, who have said the Army is actively investigating nine suspected homicides of prisoners held by Americans in Iraq and Afghanistan in late 2002.

But the details paint a broad picture of misconduct, and show that in many cases among the 37 prisoners who have died in American custody in Iraq and Afghanistan, the Army did not conduct autopsies and says it cannot determine the causes of the deaths.

In his speech on Monday night, President Bush portrayed the abuse of prisoners by American soldiers in narrow terms. He described incidents at Abu Ghraib prison in Iraq, which were the first and most serious to come to light, as involving actions "by a few American troops who disregarded our country and disregarded our values."

According to the Army summary, the deaths that are now being investigated most vigorously by Army officials may be those from Afghanistan in December 2002, where two prisoners died in one week at what was known as the Bagram Collection Point, where interrogations were overseen by a platoon from Company A, 519th Military Intelligence Battalion, from Fort Bragg.

The document says the investigation into the two deaths "is continuing with recent re-interviews," both of military intelligence personnel from Fort Bragg and of Army Reserve military police officers from Ohio and surrounding states, who were serving as guards at the facility. It was not clear from the document exactly which Army Reserve unit was being investigated.

On March 4, 2003, The New York Times reported on the two deaths, noting that the cause given on one of the death certificates was "homicide," a result of "blunt force injuries to lower extremities complicating coronary artery disease." It was signed by an Army pathologist.

Both deaths were ruled homicides within days, but military spokesmen in Afghanistan initially portrayed at least one as being the result of natural causes. Personnel from the unit in charge of interrogations at the facility, led by Capt. Carolyn Wood, were later assigned to Iraq, and to the Joint Interrogation and Debriefing Center at Abu Ghraib.

Lt. Col. Billy Buckner, a spokesman for the 18th Airborne Corps, said in an e-mail message on Monday that no one from the 519th Military Intelligence Battalion had yet been disciplined in connection with any deaths or other misconduct in Iraq. He declined to say if anyone from the unit was the subject of an ongoing investigation.

The document also categorizes as a sexual assault a case of abuse at Abu Ghraib last fall that involved three soldiers from that unit, who were later fined and demoted but whose names the Army has refused to provide.

As part of the incident, the document says, the three soldiers "entered the female wing of the prison and took a female detainee to a vacant cell."

"While one allegedly stood as look-out and one held the detainee's hand, the third soldier allegedly kissed the detainee," the report said. It says that the female detainee was

reportedly threatened with being left with a naked male detainee, but that "investigation failed to either prove or disprove the indecent-assault allegations."

The May 5 document said the three soldiers from the 519th were demoted: two to privates first class and one to specialist. One was fined $750, the other two $500 each.

In what appeared to be a serious case of abuse over a prolonged period of time, unidentified enlisted members of the 223rd Military Intelligence Battalion, part of the California National Guard, were accused of abusing Iraqi detainees at a center in Samarra, north of Baghdad.

The unit, based in San Francisco, operated under the command of the Third Infantry Division, the armored force that led the Army assault on Baghdad last April and continued to patrol the city and the surrounding region into the summer.

According to the Army summary, members of the 223rd "struck and pulled the hair of detainees" during interrogations over a period that lasted 10 weeks. The summary said they "forced into asphyxiations numerous detainees in an attempt to obtain information."

The accusations were based on the statement of a soldier. No other details of the abuse — not the number of suspected soldiers nor the progress of the investigation — were disclosed.

A spokeswoman for the California National Guard in Sacramento, Maj. Denise Varner, said she could not discuss any investigation.

Another incident, whose general outlines had been previously known, involved the death in custody of a senior Iraqi officer, Maj. Gen. Abed Hamed Mowhoush, who died last November at a detention center run by the Third Armored Cavalry, of Fort Carson, Colo. Soldiers acknowledged to investigators that interviews with the general on Nov. 24 and 25 involved "physical assaults."

In fact, investigators determined that General Mowhoush died after being shoved head-first into a sleeping bag, and questioned while being rolled repeatedly from his back to his stomach. That finding was first reported in The Denver Post.

According to Army officials and documents, at least 12 prisoners have died of natural or undetermined causes, including nine in Abu Ghraib. In six of those cases, the military conducted no autopsy to confirm the presumed cause of death. As a result, the investigations into their deaths were closed by Army investigators.

In another case, an autopsy found that a detainee, Muhammad Najem Abed, died of cardiac arrest complicated by diabetes, without noting, as the investigation summary does, that he died after "a self-motivated hunger strike."

In two cases, involving the deaths of prisoners at Abu Ghraib on Jan. 16 and Feb. 19, investigations continue even though the causes are believed to be natural. In the Feb. 19 case, Muhammad Saad Abdullah was found dead with "acute inflammation of the abdomen." An autopsy classified the death as natural, apparently caused by "peritonitis secondary to perforating gastric ulcer."

Army officials have been reluctant to discuss the type of detail that the document describes, even when investigations into the cases are closed. The Army has refused to make public the synopses of Army criminal investigations into the deaths or assaults of Iraqi or Afghan prisoners while in custody.

At a Pentagon briefing on Friday, a senior military official and a senior Pentagon medical official said the Army was investigating the deaths of 37 detainees in Iraq and Afghanistan, an increase from at least 25 deaths that a senior Army general described on May 4.

Army officials have given rough breakdowns of those deaths, including those ruled natural deaths, homicides and ongoing investigations. But Army officials have been stingy with details. Of the two homicide cases the Army has closed, for instance, officials have given only spare details about a soldier who shot and killed an Iraqi detainee who was throwing rocks at the guards. The soldier was demoted and dishonorably discharged from the Army.

When asked Friday about details of pending investigations that military medical examiners had characterized as homicides, and that had been described in news accounts, a senior official would only confirm, "That's an ongoing investigation."

The official described the dates, locations and number of deaths involved in four cases ruled justifiable homicide, all in Iraq, including three at Abu Ghraib. But the official did not give details about the individual cases.

Who Would Try Civilians of U.S.? No One in Iraq
New York Times
May 26, 2004
Adam Liptak

Though civilian translators and interrogators may have participated in the abuse at Abu Ghraib prison, prosecuting them will present challenges, legal experts say, because such civilians working for the military are subject to neither Iraqi nor military justice.

On the basis of a referral from the Pentagon, the Justice Department opened an investigation on Friday into the conduct of one civilian contractor in Iraq, who has not been identified.

"We remain committed to taking all appropriate action within our jurisdiction regarding allegations of mistreatment of Iraqi prisoners," Mark Corallo, a Justice Department spokesman, said in a statement.

Prosecuting civilian contractors in United States courts would be "fascinating and enormously complicated," said Deborah N. Pearlstein, director of the U.S. law and security program of Human Rights First.

It is clear, on the other hand, that neither Iraqi courts nor American courts-martial are available.

In June 2003, L. Paul Bremer III, the chief American administrator in Iraq, granted broad immunity to civilian contractors and their employees. They were, he wrote, generally not subject to criminal and civil actions in the Iraqi legal system, including arrest and detention.

That immunity is limited to their official acts under their contracts, and it is unclear whether any abuses alleged can be said to have been such acts. But even unofficial conduct by contractors in Iraq cannot be prosecuted there, Mr. Bremer's order said, without his written permission.

Similarly, under a series of Supreme Court decisions, civilians cannot be court-martialed in the absence of a formal declaration of war. There was no such declaration in the Iraq war.

In theory, the president could establish new military commissions to try civilians charged with offenses in Iraq, said Jordan Paust, a law professor at the University of Houston and a former member of the faculty at the Army's Judge Advocate General's School. The commissions announced by President Bush in the wake of the Sept. 11 attacks do not, however, have jurisdiction over American citizens.

That leaves prosecution in United States courts. There, prosecutors might turn to two relatively narrow laws, or a broader one, to pursue their cases.

A 1994 law makes torture committed by Americans outside the United States a crime. The law defines torture as the infliction of severe physical or mental pain or suffering.

But some human rights groups suspect that the administration may be reluctant to use the law, because its officials, including Defense Secretary Donald H. Rumsfeld, have resisted calling the abuse at Abu Ghraib torture.

"If they don't want to use the word `torture,' " Ms. Pearlstein said, "prosecutions under the torture act aren't likely."

A 1996 law concerning war crimes allows prosecutions for violations of some provisions of the Geneva Conventions, including those prohibiting torture, "outrages upon personal dignity" and "humiliating and degrading treatment."

Bush administration lawyers cited potential prosecutions under the law as a reason not to give detainees at Guantánamo Bay the protections of the Geneva Conventions. But the administration has said that the conventions apply to detainees in Iraq.

Both the torture law and the war-crimes law provide for long prison sentences, and capital punishment is available in cases involving the victim's death.

The broader law, the Military Extraterritorial Jurisdiction Act, allows people "employed by or accompanying the armed forces outside the United States" to be prosecuted in United States courts for federal crimes punishable by more than a year's imprisonment. People who are citizens or residents of the host nations are not covered, but Americans and other foreign nationals are.

The law has appar

ARMY RESERVE

Generals At Odds Over Abuse At Prison
Washington Times
May 26, 2004
Rowan Scarborough

An Army investigation and congressional hearings have spotlighted a series of conflicting statements about Iraqi prisoner abuse between the top brass and the general who once ran Abu Ghraib prison and who was stripped this week of her brigade command.

Some military advocates say Brig. Gen. Janis Karpinski received light punishment because she is one of the Army's few female generals. Recommended for a reprimand, she instead received a minor letter of admonishment.

At first, she kept her command of the 800th Military Police Brigade. But as pressure mounted from Congress to punish higher-ups — not just enlisted MPs at the prison — the Army this week temporarily reassigned her to a reserve unit at Fort Jackson, S.C.

The differences pitting Gen. Karpinski against superiors go to the heart of why the infamous prison near Baghdad was dysfunctional and why it became the venue for continued physical and psychological abuse of Iraqi detainees by military police.

Gen. Karpinski, a reservist who lives in Hilton Head, S.C., and works as a business consultant, says the scandal stemmed from a lack of manpower at Abu Ghraib and no clear direction from the military command in Baghdad led by Lt. Gen. Ricardo Sanchez. She denies knowledge of any abusive behavior before the scandal broke.

But Maj. Gen. Antonio M. Taguba, who completed the first of several ongoing administrative investigations, lays some blame squarely at the feet of Gen. Karpinski. His report says she did not act on recommendations from a series of fault-finding inquiries before the ill treatment began in October.

"Had the findings and recommendations contained within their own investigations been analyzed and actually implemented by Brig. Gen. Karpinski, many of the subsequent escapes, accountability lapses and cases of abuse may have been prevented," Gen. Taguba wrote.

Some pro-military persons have seized on the Abu Ghraib scandal as an example of a "politically correct" military that does not want to punish a female general.

"I think they've been handling her with kid gloves," said Elaine Donnelly, who heads the Center for Military Readiness. "The fact that she is a woman general who portrayed herself as a victim may have had something to do with it."

On her suspension, Mrs. Donnelly said, "Frankly, I wonder why it has taken so long. She was there before, during and after the worst of the abuse. I'm not convinced at all by her argument she did not know."

William S. Lind, who directs the Center for Cultural Conservatism at the Free Congress Foundation, writes in a column this week that, "The apparent breakdown in discipline among the MPs at Abu Ghraib may relate to the presence of women, and especially to the fact that the commander was a woman. ... The climate of 'political correctness' (or, to give it its true name, cultural Marxism) that has infested and overwhelmed the American armed forces makes it almost impossible to discipline a woman — and risky for a man to attempt to do so."

Whatever the reason, one theme is clear: Abu Ghraib was a disaster waiting to happen. Rules on uniforms were not enforced; soldiers wrote poems and other sayings on their helmets; saluting of officers was not enforced. Records on inmates and escapes were spotty. Regulations were not posted; no MP had been trained adequately in detainee operations.

"I have never seen a more dysfunctional command relationship in the history of me looking at the military like that jail," Sen. Lindsey Graham, South Carolina Republican, told Gen. Sanchez at a Senate hearing last week.

"Sir," the three-star general responded, "It was dysfunctional before the 19th of November."

His reference to that date was a message to his critics, including Gen. Karpinski. She has blamed problems on the turnover of prison command from her 800th Brigade on that date to the 205th Military Intelligence Brigade. Some MPs accused of misconduct contend they acted on orders from 205th officers. But most abuses occurred in October and early November prior to the 19th, according to Gen. Taguba.

The exchange was just one example of disputes of fact between the one-star general and more senior officers:

•At the same hearing, Gen. Sanchez was asked about Gen. Karpinski's statements that she objected to the 205th taking over the jail. "Senator," Gen. Sanchez replied, "General Karpinski never talked to me about interference. ... There was never a time where General Karpinski surfaced to me any objections to that tactical control order."

•Gen. Karpinski has quoted Maj. Gen. Geoffrey Miller as saying he came to Iraq to "Gitmo-ize" Abu Ghraib. It was a reference to Gen. Miller's tenure as the top jailer at Guantanamo Bay, Cuba, where suspected terrorists from the Afghanistan war are being held.

Said Gen. Miller, "Senator, I did not tell General Karpinski I was going to 'Gitmo-ize' Abu Ghraib. I don't believe I have ever used that term ever."

Gen. Karpinski told Gen. Taguba that she paid regular visits to various detention centers. But the Taguba report states, "The detailed calendar provided by her aide-de-camp does not support her contention. Moreover, numerous witnesses stated that they rarely saw Brig. Gen. Karpinski."

Asked by Sen. John McCain, Arizona Republican, to respond to Gen. Karpinski's assertion she was excluded from certain sections of Abu Ghraib where the abuse occurred, Gen. Taguba answered, "I disagree with that."

Gen. Karpinski could not be reached for comment this week. But in a previous interview, and in a written rebuttal to Gen. Taguba dated April 1, she vigorously defended her tenure as Iraq prison warden.

"The brigade suffered with diminishing personnel strength, without the benefit of a personnel replacement system," she wrote. "We were successful in all missions, despite numerous challenges and while operating in a combat zone, because the brigade was determined and committed to do so."

As to Gen. Taguba's comment that she was "extremely emotional" during her testimony to him, Gen. Karpinski wrote, "The comments describing my emotional demeanor during a portion of my interview are misconstrued. Any implication of soldiers or the unit failing will elicit a strong emotional response from a caring and compassionate commander. The emotion was intense passion for my soldiers.

"Throughout my tenure in command I escorted hundreds of VIPs and media representatives through the numerous facilities the 800th Military Police Brigade secured. I consistently received rave reviews from all in attendance."

Gen. Karpinski, who took control of the penal system in Iraq on June 30, 2003, is now back home in South Carolina. She has waged a spirited media campaign on cable TV news channels to defend her record and to warn she will not be scapegoat.

The Army granted her permission to talk as long as she does not appear in uniform and does not disparage the Army.

Gen. Taguba recommended she be reprimanded and stripped of her command — a career-ending move. Gen. Sanchez apparently overruled him, sticking by an admonishment issued in January.

Gen. Sanchez said at the Senate Armed Services Committee hearing that some of those already punished could face additional penalties. Gen. Karpinski's lawyer, Neal A. Puckett, said he does not think the statement applies to his client, who had no knowledge of the abuse until a soldier blew the whistle in January.

A Pentagon official said Gen. Karpinski is not the subject of any criminal investigation but is "still vulnerable to further administrative charges."

Prison Investigator's Army Experience Questioned
Washington Post
May 26, 2004
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Fay, the Army's deputy chief of staff for intelligence, was still listed as a managing director of the Chubb Group of Insurance Companies in its 2003 annual report. He was selected March 31 to head the sensitive investigation into intelligence practices and procedures in Iraq, and began work on April 23, said Lawrence T. DiRita, the Defense Department assistant secretary for public affairs.

Pentagon officials, lawmakers and others are looking to Fay to help answer a central question in the Abu Ghraib prison scandal: whether the military intelligence soldiers responsible for interrogating detainees directed or encouraged military police officers to commit the abuse captured in photographs that have roiled the Arab world and damaged U.S. credibility. Fay's probe into military intelligence follows the widely reported Army investigation by Maj. Gen. Antonio M. Taguba that focused primarily on the role of military police.

Two Pentagon officials and one public affairs officer in Iraq said yesterday they could not say who chose Fay to run the inquiry, but one Army official said the orders "were cut by" Lt. Gen. Ricardo S. Sanchez, the commanding general in Iraq.

At Chubb, Fay was executive vice president for claims and operations worldwide when he was activated in 1999. Originally commissioned through the Reserve Officers Training Corp Program in 1970, he served four years on active duty as a counterintelligence officer.

Fay worked for Chubb but had a series of Army reserve posts, primarily in the New York area, from 1974 until 1999, when he was activated and assigned as deputy commanding general of the Army Intelligence and Security Command.

Once activated, as a colonel, he was quickly promoted, first to brigadier general in 2000 and last year to major general. In October, he became deputy chief of staff for intelligence at the Pentagon.

Fay has continued to make political contributions since he started active duty in 1999, some through the Chubb Corporation Political Action Committee (Chubbpac), according to public records. In 2000, he gave $500 to the campaign of Bob Franks, a New Jersey

Republican running for the Senate; $1,000 to the New Jersey Republican State Committee; and $1,000 to Chubbpac. In 2001 he gave $2,500 to Chubbpac and in 2002 another $2,500, but made no similar donations in 2003, according to election records. In the years before he went on active duty, Fay gave smaller contributions to Chubbpac. In 1997, he contributed $1,500 to the New Jersey Republican Party. In 1990, he gave $1,000 to New Jersey Democrat Bill Bradley's Senate campaign.

Defense Department regulations permit political contributions by military personnel but it is unusual for them to go through a corporate political action committee.

Sen. John W. Warner (R-Va.), chairman of the Senate Armed Services Committee, said yesterday he was unaware of Fay's background as a reservist and his political contributions. "These are very hard facts and have to be considered," Warner said. He added that "we don't have reason to question whether he will do other than an honorable job."

Warner also said he expects Fay's review of the role of military intelligence to include policies and decisions made not just in Iraq but also at the Pentagon. Fay, Warner said, should look "into the intelligence chain of command, not only in Centcom [the military command covering Iraq], but also back here in Washington."

A Pentagon public affairs officer yesterday said Fay was "on the road and not taking any questions about his investigation."

Richard Kohn, professor of military history at the University of North Carolina at Chapel Hill, said yesterday that Fay's limited experience as a reservist "does not inspire confidence in the investigation." He said the choice "is troubling. It raises the most basic question as to who chose him and why and what his tasking is."

At hearings before Warner's Senate committee on May 11, Undersecretary of Defense for Intelligence Stephen A. Cambone said that Fay had conducted interviews in Iraq and was going to Germany "to see people who have since rotated from Iraq to Germany. And then will come back here to meet others."

Cambone, in answer to a question, said he expected that Fay would include the military intelligence activities at Guantanamo Bay, Cuba, in his inquiry. "If General Fay didn't realize that was the subject of his investigation, sir, he is now painfully aware of it," he said.

Cambone could be one of those interviewed by Fay since he told Warner's committee that in August 2003 he encouraged Maj. Gen. Geoffrey D. Miller, then head of Guantanamo, to go to Iraq to determine how to get a better intelligence through interrogation of detainees. Among other things, Miller advised that military police help intelligence officers by setting conditions for interrogations.

It was after Miller's visit to Abu Ghraib and some of his suggestions were implemented that many of the questionable activities took place.

Head Of U.S. Prisons Is Off Active Duty And Loses Her Command
Reuters
May 25, 2004
Will Dunham

An American general in charge of U.S.-run prisons in Iraq when the abuse of prisoners took place has been suspended as commander of the military police brigade at the heart of the scandal and removed from active duty, the Army said yesterday.

Brig. Gen. Janis Karpinski, a Rahway, N.J., native who had commanded the 800th Military Police Brigade, was suspended from her duties, said Lt. Col Pamela Hart, an Army spokeswoman at the Pentagon.

Karpinski previously was formally admonished on Jan. 17 by Lt. Gen. Ricardo Sanchez, the top U.S. commander in Iraq.

The Army returned Karpinski yesterday to the Army Reserve from active-duty status, said Al Schilf, an Army Reserve spokesman. In addition, Karpinski no longer serves as commander of her Uniondale, N.Y.-based brigade, and was "temporarily attached" to the U.S. Army Readiness Command at Fort Jackson, S.C., Schilf said. The Army was seeking an "acting commander" of the brigade, Schilf said.

Karpinski currently lives in Hilton Head, S.C.

Karpinski told the Washington Post she was notified in an e-mail yesterday of her suspension but has not yet been given a formal explanation.

"You'd think somebody would pick up the phone and call me," she said, lashing out at the Army hierarchy. "That should have been the protocol courtesy. I am a general officer. Nobody could spend the 25 cents to call me?"

Seven U.S. soldiers have been charged with abusing Iraqi prisoners at Abu Ghraib on the outskirts of Baghdad. Army Maj. Gen. Antonio Taguba's report on the abuse faulted Karpinski's "poor leadership." Photographs show U.S. soldiers physically and sexually abusing and humiliating prisoners.

Asked whether Karpinski could face criminal charges, Schilf did not answer directly, but said, "This action doesn't close any doors."

Karpinski, who has served in the Army for 27 years, has argued that the cell blocks where the abuse was centered were controlled by U.S. military intelligence, not military police.

About two months after the Red Cross warned U.S. commanders of widespread prisoner abuses, Karpinski assured the Red Cross in a confidential letter that Iraqi detainees were being given the best treatment possible and that even more "improvements are continually being made."

Yesterday, however, Karpinski insisted she was "set up."

Meanwhile, the Washington Post, quoting Pentagon and other administration officials, reported today that Bush plans to appoint a new, higher-ranking military commander for Iraq, capping an overhaul of the command structure that is likely to replace Sanchez as the top general on the ground there.

Sanchez has been besieged lately by questions about his oversight of detainee operations in Iraq, especially his role in the scandal over the abuse of Iraqi detainees by U.S. soldiers at Abu Ghraib. But administration officials said the move to install a new four-star commander has been under consideration for months, well before the mistreatment of detainees became major news. It is not clear what will happen to Sanchez.

General Who Led Abu Ghraib Prison Guard Unit Has Been Suspended
Associated Press
May 25, 2004

An Army general accused by military investigators of providing too little supervision for an Iraqi prison where abuse of inmates took place has been suspended from her command, officials say.

The decision to temporarily move Brig. Gen. Janis Karpinski, a native of Rahway, N.J., from her command of the 800th Military Police Brigade came amid reports that the top U.S. military officer in Iraq, Army Lt. Gen. Ricardo Sanchez, is due to be replaced soon.

Karpinski and other officers in her brigade were faulted by Army investigators for paying too little attention to day-to-day operations of the Abu Ghraib prison and for not moving firmly enough to discipline soldiers for violating standard procedures.

Karpinski's suspension, which has not yet been announced by the Army, was the latest in a series of actions against officers and enlisted soldiers implicated in the abuse scandal at the prison near Baghdad.

Sanchez will be replaced in Iraq in what officials said was his scheduled rotation after 13 months of duty there. Gen. George Casey, the Army's No. 2 officer as vice chief of staff, was in line for the post, reported NBC News, The New York Times, the Los Angeles Times and The Washington Post.

Secretary of State Colin Powell, appearing Tuesday on CBS's "The Early Show," said he had heard the reports but could not say whether Sanchez's departure was in any way related to the prison abuse problem.

Powell did say, however, that "we all knew this was coming about as part of the normal rotation of commanders. General Sanchez has done a terrific job and he's been there for over a year now, so it seems to me in the normal scheme of things."

Last week, Spc. Jeremy Sivits received the maximum penalty of a year in prison and a bad-conduct discharge in the first court-martial stemming from the abuse of Iraqis at the prison. He was among seven members of the 372nd Military Police Company that have been charged.

Karpinski, who has returned to the United States, has not been charged with an offense. Being suspended from her command does not mean she has been relieved of command, so technically she could be reinstated, although the intensity of the international furor over the Abu Ghraib prisoner abuse makes that highly unlikely, said the officials, speaking on condition of anonymity.

In his widely cited investigation report on the Abu Ghraib abuse allegations, Maj. Gen. Antonio Taguba found heavy fault with Karpinski's performance and recommended that she be relieved of command and given a formal reprimand. Instead she was given a less-severe "memorandum of admonishment" on Jan. 17 by Sanchez.

Taguba reported that despite the documented abuse of prisoners, he saw no evidence that Karpinski ever attempted to remind the military police in her command of the requirements of the Geneva Conventions, which protect prisoners of war and civilian detainees in times of armed conflict.

Sanchez To Be Replaced
Associated Press
May 25, 2004
Terence Hunt

The top U.S. military officer in Iraq, Lt. Gen. Ricardo Sanchez, will be replaced as part of a command restructuring that has been in the works for several months, administration officials said Tuesday. The Pentagon also suspended Brig. Gen. Janis Karpinski from her command.

Both have become symbols of lax supervision at the Abu Ghraib prison where U.S. soldiers allegedly abused Iraqi inmates.

President Bush praised Sanchez during a photo opportunity in the Oval Office. "Rick Sanchez has done a fabulous job," the president said as he met with a group of Iraqis. "He's been there for a long time. His service has been exemplary."

At the Pentagon, Larry Di Rita, chief spokesman for Defense Secretary Donald H. Rumsfeld, said both Rumsfeld and Joint Chiefs chairman Gen. Richard Myers "are very

impressed with the work Gen. Sanchez performed from the very beginning" of his service in Iraq. Sanchez took command there in May 2003.

Regarding suggestions that Sanchez's departure is linked to the abuse scandal, Di Rita said, "That's just wrong."

Karpinski and other officers in the 800th Military Police Brigade were faulted by Army investigators for paying too little attention to day-to-day operations of the Abu Ghraib prison and for not moving firmly enough to discipline soldiers for violating standard procedures.

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Sanchez will be replaced in Iraq in what administration officials said was his scheduled rotation after 13 months of duty there. Gen. George Casey, the Army's No. 2 officer as vice chief of staff, was in line for the post, defense officials said Monday.

Di Rita said, "There has been no final decision" on who will replace Sanchez.

Secretary of State Colin Powell, appearing Tuesday on CBS's "The Early Show," said he had heard the reports but could not say whether Sanchez's departure was in any way related to the prison abuse problem.

Powell did say, however, that "we all knew this was coming about as part of the normal rotation of commanders. General Sanchez has done a terrific job and he's been there for over a year now, so it seems to me in the normal scheme of things."

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"I don't know what the grounds are," Karpinski told MSNBC Monday night. "I know that I've been suspended. When I see it in writing, there will be an explanation for it. And what that means is I'm suspended from my position as the commander of the 800th Military Police Brigade, and they assign me to another position until whatever the reason is, whatever the basis is, is cleared."

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TOP TIER PRINT

Abuse of Captives More Widespread, Says Army Survey
New York Times
May 26, 2004
Douglas Jehl, Steven Lee Myers and Eric Schmitt

An Army summary of deaths and mistreatment involving prisoners in American custody in Iraq and Afghanistan shows a widespread pattern of abuse involving more military units than previously known.

The cases from Iraq date back to April 15, 2003, a few days after Saddam Hussein's statue was toppled in a Baghdad square, and they extend up to last month, when a prisoner detained by Navy commandos died in a suspected case of homicide blamed on "blunt force trauma to the torso and positional asphyxia."

Among previously unknown incidents are the abuse of detainees by Army interrogators from a National Guard unit attached to the Third Infantry Division, who are described in a document obtained by The New York Times as having "forced into asphyxiation numerous detainees in an attempt to obtain information" during a 10-week period last spring.

The document, dated May 5, is a synopsis prepared by the Criminal Investigation Command at the request of Army officials grappling with intense scrutiny prompted by the circulation the preceding week of photographs of prisoner abuse at Abu Ghraib. It lists the status of investigations into three dozen cases, including the continuing investigation into the notorious abuses at Abu Ghraib.

In one of the oldest cases, involving the death of a prisoner in Afghanistan in December 2002, enlisted personnel from an active-duty military intelligence unit at Fort Bragg, N.C., and an Army Reserve military-police unit from Ohio are believed to have been "involved at various times in assaulting and mistreating the detainee."

The Army summary is consistent with recent public statements by senior military officials, who have said the Army is actively investigating nine suspected homicides of prisoners held by Americans in Iraq and Afghanistan in late 2002.

But the details paint a broad picture of misconduct, and show that in many cases among the 37 prisoners who have died in American custody in Iraq and Afghanistan, the Army did not conduct autopsies and says it cannot determine the causes of the deaths.

In his speech on Monday night, President Bush portrayed the abuse of prisoners by American soldiers in narrow terms. He described incidents at Abu Ghraib prison in Iraq, which were the first and most serious to come to light, as involving actions "by a few American troops who disregarded our country and disregarded our values."

According to the Army summary, the deaths that are now being investigated most vigorously by Army officials may be those from Afghanistan in December 2002, where two prisoners died in one week at what was known as the Bagram Collection Point, where interrogations were overseen by a platoon from Company A, 519th Military Intelligence Battalion, from Fort Bragg.

The document says the investigation into the two deaths "is continuing with recent re-interviews," both of military intelligence personnel from Fort Bragg and of Army Reserve military police officers from Ohio and surrounding states, who were serving as guards at the facility. It was not clear from the document exactly which Army Reserve unit was being investigated.

On March 4, 2003, The New York Times reported on the two deaths, noting that the cause given on one of the death certificates was "homicide," a result of "blunt force injuries to lower extremities complicating coronary artery disease." It was signed by an Army pathologist.

Both deaths were ruled homicides within days, but military spokesmen in Afghanistan initially portrayed at least one as being the result of natural causes. Personnel from the unit in charge of interrogations at the facility, led by Capt. Carolyn Wood, were later assigned to Iraq, and to the Joint Interrogation and Debriefing Center at Abu Ghraib.

Lt. Col. Billy Buckner, a spokesman for the 18th Airborne Corps, said in an e-mail message on Monday that no one from the 519th Military Intelligence Battalion had yet been disciplined in connection with any deaths or other misconduct in Iraq. He declined to say if anyone from the unit was the subject of an ongoing investigation.

The document also categorizes as a sexual assault a case of abuse at Abu Ghraib last fall that involved three soldiers from that unit, who were later fined and demoted but whose names the Army has refused to provide.

As part of the incident, the document says, the three soldiers "entered the female wing of the prison and took a female detainee to a vacant cell."

"While one allegedly stood as look-out and one held the detainee's hand, the third soldier allegedly kissed the detainee," the report said. It says that the female detainee was

reportedly threatened with being left with a naked male detainee, but that "investigation failed to either prove or disprove the indecent-assault allegations."

The May 5 document said the three soldiers from the 519th were demoted: two to privates first class and one to specialist. One was fined $750, the other two $500 each.

In what appeared to be a serious case of abuse over a prolonged period of time, unidentified enlisted members of the 223rd Military Intelligence Battalion, part of the California National Guard, were accused of abusing Iraqi detainees at a center in Samarra, north of Baghdad.

The unit, based in San Francisco, operated under the command of the Third Infantry Division, the armored force that led the Army assault on Baghdad last April and continued to patrol the city and the surrounding region into the summer.

According to the Army summary, members of the 223rd "struck and pulled the hair of detainees" during interrogations over a period that lasted 10 weeks. The summary said they "forced into asphyxiations numerous detainees in an attempt to obtain information."

The accusations were based on the statement of a soldier. No other details of the abuse — not the number of suspected soldiers nor the progress of the investigation — were disclosed.

A spokeswoman for the California National Guard in Sacramento, Maj. Denise Varner, said she could not discuss any investigation.

Another incident, whose general outlines had been previously known, involved the death in custody of a senior Iraqi officer, Maj. Gen. Abed Hamed Mowhoush, who died last November at a detention center run by the Third Armored Cavalry, of Fort Carson, Colo. Soldiers acknowledged to investigators that interviews with the general on Nov. 24 and 25 involved "physical assaults."

In fact, investigators determined that General Mowhoush died after being shoved head-first into a sleeping bag, and questioned while being rolled repeatedly from his back to his stomach. That finding was first reported in The Denver Post.

According to Army officials and documents, at least 12 prisoners have died of natural or undetermined causes, including nine in Abu Ghraib. In six of those cases, the military conducted no autopsy to confirm the presumed cause of death. As a result, the investigations into their deaths were closed by Army investigators.

In another case, an autopsy found that a detainee, Muhammad Najem Abed, died of cardiac arrest complicated by diabetes, without noting, as the investigation summary does, that he died after "a self-motivated hunger strike."

In two cases, involving the deaths of prisoners at Abu Ghraib on Jan. 16 and Feb. 19, investigations continue even though the causes are believed to be natural. In the Feb. 19 case, Muhammad Saad Abdullah was found dead with "acute inflammation of the abdomen." An autopsy classified the death as natural, apparently caused by "peritonitis secondary to perforating gastric ulcer."

Army officials have been reluctant to discuss the type of detail that the document describes, even when investigations into the cases are closed. The Army has refused to make public the synopses of Army criminal investigations into the deaths or assaults of Iraqi or Afghan prisoners while in custody.

At a Pentagon briefing on Friday, a senior military official and a senior Pentagon medical official said the Army was investigating the deaths of 37 detainees in Iraq and Afghanistan, an increase from at least 25 deaths that a senior Army general described on May 4.

Army officials have given rough breakdowns of those deaths, including those ruled natural deaths, homicides and ongoing investigations. But Army officials have been stingy with details. Of the two homicide cases the Army has closed, for instance, officials have given only spare details about a soldier who shot and killed an Iraqi detainee who was throwing rocks at the guards. The soldier was demoted and dishonorably discharged from the Army.

When asked Friday about details of pending investigations that military medical examiners had characterized as homicides, and that had been described in news accounts, a senior official would only confirm, "That's an ongoing investigation."

The official described the dates, locations and number of deaths involved in four cases ruled justifiable homicide, all in Iraq, including three at Abu Ghraib. But the official did not give details about the individual cases.

Who Would Try Civilians of U.S.? No One in Iraq
New York Times
May 26, 2004
Adam Liptak

Though civilian translators and interrogators may have participated in the abuse at Abu Ghraib prison, prosecuting them will present challenges, legal experts say, because such civilians working for the military are subject to neither Iraqi nor military justice.

On the basis of a referral from the Pentagon, the Justice Department opened an investigation on Friday into the conduct of one civilian contractor in Iraq, who has not been identified.

"We remain committed to taking all appropriate action within our jurisdiction regarding allegations of mistreatment of Iraqi prisoners," Mark Corallo, a Justice Department spokesman, said in a statement.

Prosecuting civilian contractors in United States courts would be "fascinating and enormously complicated," said Deborah N. Pearlstein, director of the U.S. law and security program of Human Rights First.

It is clear, on the other hand, that neither Iraqi courts nor American courts-martial are available.

In June 2003, L. Paul Bremer III, the chief American administrator in Iraq, granted broad immunity to civilian contractors and their employees. They were, he wrote, generally not subject to criminal and civil actions in the Iraqi legal system, including arrest and detention.

That immunity is limited to their official acts under their contracts, and it is unclear whether any abuses alleged can be said to have been such acts. But even unofficial conduct by contractors in Iraq cannot be prosecuted there, Mr. Bremer's order said, without his written permission.

Similarly, under a series of Supreme Court decisions, civilians cannot be court-martialed in the absence of a formal declaration of war. There was no such declaration in the Iraq war.

In theory, the president could establish new military commissions to try civilians charged with offenses in Iraq, said Jordan Paust, a law professor at the University of Houston and a former member of the faculty at the Army's Judge Advocate General's School. The commissions announced by President Bush in the wake of the Sept. 11 attacks do not, however, have jurisdiction over American citizens.

That leaves prosecution in United States courts. There, prosecutors might turn to two relatively narrow laws, or a broader one, to pursue their cases.

A 1994 law makes torture committed by Americans outside the United States a crime. The law defines torture as the infliction of severe physical or mental pain or suffering.

But some human rights groups suspect that the administration may be reluctant to use the law, because its officials, including Defense Secretary Donald H. Rumsfeld, have resisted calling the abuse at Abu Ghraib torture.

"If they don't want to use the word `torture,' " Ms. Pearlstein said, "prosecutions under the torture act aren't likely."

A 1996 law concerning war crimes allows prosecutions for violations of some provisions of the Geneva Conventions, including those prohibiting torture, "outrages upon personal dignity" and "humiliating and degrading treatment."

Bush administration lawyers cited potential prosecutions under the law as a reason not to give detainees at Guantánamo Bay the protections of the Geneva Conventions. But the administration has said that the conventions apply to detainees in Iraq.

Both the torture law and the war-crimes law provide for long prison sentences, and capital punishment is available in cases involving the victim's death.

The broader law, the Military Extraterritorial Jurisdiction Act, allows people "employed by or accompanying the armed forces outside the United States" to be prosecuted in United States courts for federal crimes punishable by more than a year's imprisonment. People who are citizens or residents of the host nations are not covered, but Americans and other foreign nationals are.

The law has apparently been invoked only once, in a case involving charges that the wife of an Air Force staff sergeant murdered him in Turkey last year. The case will soon be tried in federal court in Los Angeles.

The law was passed to fill a legal gap that had existed since the 1950's, when Supreme Court decisions limited the military's ability to prosecute civilians in courts-martial during peacetime.

In 2000, a three-judge panel of the federal appeals court in New York, citing that gap, reluctantly overturned the conviction of an American civilian who had sexually abused a child in Germany. In an unusual move, the judges sent their decision to two Congressional committees. That helped encourage enactment of the law that year.

The law requires the Pentagon, in consultation with the State and Justice Departments, to establish regulations on how to carry it out. Though it was enacted four years ago, the regulations are still under consideration.

In any event, there are gaps and uncertainties in the law.

For one thing, it applies only to contractors employed by the Defense Department. Contractors hired by other agencies, like the C.I.A., are not covered.

It is also unclear precisely where in the United States such prosecutions could be brought. Legal scholars have suggested that three places might be available: the area of the defendant's last known residence, the place where the defendant is first brought from abroad and the District of Columbia.

In addition to such criminal charges, the companies that provided the translators and interrogators may be subject to civil suits for money, under a 1789 law that allows federal

courts to hear "any civil action by an alien for a tort only, committed in violation of the law of nations." Torture is such a violation, legal experts say.

The Supreme Court is considering a case concerning the scope of that law, which has been used to hold American companies accountable for abusive actions abroad.

But, in an echo of the defenses offered by several members of the military police who have been ordered to face courts-martial for actions in Iraq, companies may be able to offer a "government contractor defense," in an effort to show they were operating under specific instructions from the government.

U.S. Civilian Working at Abu Ghraib Disputes Army's Version of His Role in Abuses
New York Times
May 26, 2004
Joel Brinkley

John B. Israel, an Iraqi-American Christian and one of two civilian contractors implicated in the Abu Ghraib prison scandal, returned home to California a few weeks ago and, until Monday, was living quietly with his wife, Rosa.

In an interview on Monday at their home in Santa Clarita, Calif., Ms. Israel said that her husband had not even hired a lawyer.

Mr. Israel, who was born in Baghdad in 1955, was one of three Iraqi-Americans working as translators at Abu Ghraib. The Army report on the abuses described him as "either directly or indirectly responsible for the abuses at Abu Ghraib."

On Monday, his employer, SOS Interpreting, with offices in New York and suburban Washington, called Mr. Israel here for talks. That same evening, SOS issued its first statement about Mr. Israel, saying simply that the company, a subcontractor for the Titan Corporation for the work in Iraq, "fully intends to cooperate with the Army and with Titan" in the investigations. SOS said it would have nothing more to say.

Almost nothing was known about Mr. Israel before now. Among a raft of documents from the Army investigation, obtained by The New York Times, is a brief statement by Mr. Israel in which he denies any knowledge of the abuses. In it he says he arrived in Iraq on Oct. 14 and served as a translator for military intelligence. Asked if he had "witnessed any acts of abuse," he wrote: "No I have not."

Ms. Israel said her husband was "just a translator" and knew nothing of the Abu Ghraib abuses. She said a fellow employee had given his name to investigators. She would not say when he expected to return home, and he could not be reached for comment.

The Army report said that Mr. Israel's statement of ignorance ran contrary to the testimony of several witnesses. It also said he did not have a security clearance, and recommended that he be disciplined.

But if the failure to hold a secret or top-secret security clearance is a prosecutable offense, almost every translator working in Abu Ghraib would be found guilty. The Army records show that, of 15 Titan or SOS translators working at Abu Ghraib prison last fall, only one held a security clearance. Nearly all of them are foreign-born American citizens, and most come from backgrounds that have nothing to do with the sort of government work that would require a security clearance.

Khalid Oman, for example, was a hotel manager in Kalamazoo, Mich., before leaving for Iraq last fall to work as a translator for Titan, said his roommate, Sam Alsaud, in an interview, adding that Mr. Oman had never worked as a translator before answering a Titan advertisement. Mr. Oman is still in Iraq. "I guess he was looking for adventure," Mr. Alsaud added. "But he's upset. Things haven't turned out like he expected."

Mr. Oman, 29, was born in the United States while his father, a Saudi, was here attending college. Now he is working at Abu Ghraib. He was not implicated in the scandal.

The one translator who reported on his Army form that he held a "secret" clearance, Bakeer Naseef, a Jordanian-American, worked as a security guard for a private company before taking the job in Iraq, said his daughter, Siham. That job — at the reception desk of a technology company in Austin, Tex. — did not appear to require a clearance, and she did not know where he might have obtained one. She said he had not worked as a translator before. He, too, is still in Iraq.

The CACI Corporation employed all of the contract interrogators at Abu Ghraib, including Stephen Stefanowicz, who is the other contractor implicated in the scandal. The Army records show that each CACI employee held a secret or top-secret clearance (though two of them did not answer that question). Eleven of the 29 employees served in the military previously; others held a range of jobs with contractors, and other private companies — even police forces — that would have required a clearance.

Kenneth Powell, whose job is to screen prisoners at Abu Ghraib, according to the documents, recently retired after 24 years with the Mobile, Ala., police force, where presumably he picked up the skills, and the security clearance, to screen Iraqi prisoners. Like all the relatives interviewed, his wife, Jackie, said she had not known where in Iraq he was serving.

Education among all the contract employees varied. Most had some college education; 18 of the 44 had a four-year degree, or more; seven had only a high school diploma. Six of those were CACI employees.

The forms asked the workers if they used aliases, and several offered fearsome ones. Kevin Bloodworth, an Air Force veteran from Great Fall, Mont., who is serving as an

interrogator, said he was known as Blood. And Timothy Duggan, an interrogator from Pataskala, Ohio, who said he was 6 feet tall and weighed 225 pounds, offered his alias, Big Dog.

General Is Said To Have Urged Use of Dogs
Washington Post
May 26, 2004
R. Jeffrey Smith

A U.S. Army general dispatched by senior Pentagon officials to bolster the collection of intelligence from prisoners in Iraq last fall inspired and promoted the use of guard dogs there to frighten the Iraqis, according to sworn testimony by the top U.S. intelligence officer at the Abu Ghraib prison.

According to the officer, Col. Thomas Pappas, the idea came from Maj. Gen. Geoffrey D. Miller, who at the time commanded the U.S. militarydetention center at Guantanamo Bay, Cuba, and was implemented under a policy approved by Lt. Gen. Ricardo S. Sanchez, the top U.S. military official in Iraq.

"It was a technique I had personally discussed with General Miller, when he was here" visiting the prison, testified Pappas, head of the 205th Military Intelligence Brigade and the officer placed in charge of the cellblocks at Abu Ghraib prison where abuses occurred in the wake of Miller's visit to Baghdad between Aug. 30 and Sept. 9, 2003.

"He said that they used military working dogs at Gitmo [the nickname for Guantanamo Bay], and that they were effective in setting the atmosphere for which, you know, you could get information" from the prisoners, Pappas told the Army investigator, Maj. Gen. Antonio M. Taguba, according to a transcript provided to The Washington Post.

Pappas, who was under pressure from Taguba to justify the legality and appropriateness of using guard dogs to frighten detainees, said at two separate points in the Feb. 9 interview that Miller gave him the idea. He also said Miller had indicated the use of the dogs "with or without a muzzle" was "okay" in booths where prisoners were taken for interrogation.

But Miller, whom the Bush administration appointed as the new head of Abu Ghraib this month, denied through a spokesman that the conversation took place.

"Miller never had a conversation with Colonel Pappas regarding the use of military dogs for interrogation purposes in Iraq. Further, military dogs were never used in interrogations at Guantanamo," said Brig. Gen. Mark Kimmitt, spokesman for U.S. forces in Iraq.

Pappas's statements nonetheless provide the fullest public account to date of how he viewed the interrogation mission at Abu Ghraib and Miller's impact on operations there. Pappas said, among other things, that interrogation plans involving the use of dogs,

shackling, "making detainees strip down," or similar aggressive measures followed Sanchez's policy, but were often approved by Sanchez's deputy, Maj. Gen. Walter Wojdakowski, or by Pappas himself.

The claims and counterclaims between Pappas and Miller concern one of the most notorious aspects of U.S. actions at Abu Ghraib, as revealed by Taguba's March 9 report and by pictures taken by military personnel that became public late last month. The pictures show unmuzzled dogs being used to intimidate Abu Ghraib detainees, sometimes while the prisoners are cowering, naked, against a wall.

Taguba, in a rare classified passage within his generally unclassified report, listed "using military working dogs (without muzzles) to intimidate and frighten detainees" as one of 13 examples of "sadistic, blatant, and wanton criminal abuses" inflicted by U.S. military personnel at Abu Ghraib.

Experts on the laws of war have charged that using dogs to coerce prisoners into providing information, as was done at Abu Ghraib, constitutes a violation of the Geneva Conventions that protect civilians under the control of an occupying power, such as the Iraqi detainees.

"Threatening a prisoner with a ferocious guard dog is no different as a matter of law from pointing a gun at a prisoner's head and ordering him to talk," said James Ross, senior legal adviser at Human Rights Watch. "That's a violation of the Geneva Conventions."

Article 31 of the Fourth Geneva Convention bars use of coercion against protected persons, and Common Article Three bars any "humiliating and degrading treatment," Ross said. Experts do not consider the presence in a prison of threatening dogs, by itself, to constitute torture, but a 1999 United Nations-approved manual lists the "arranging of conditions for attacks by animals such as dogs" as a "torture method."

But Pappas, who was charged with overseeing interrogations at Abu Ghraib involving those suspected of posing or knowing about threats to U.S. forces in Iraq, told Taguba that "I did not personally look at that [use of dogs] with regard to the Geneva Convention," according to the transcript.

Pappas also said he did not have "a program" to inform his civilian employees, including a translator and an interrogator, of what the Geneva Conventions stated, and said he was unaware if anyone else did. He said he did not believe using force to coerce, intimidate or cause fear violated the conventions.

Brig. Gen. Janis L. Karpinski, who commanded the prison guards at Abu Ghraib's cellblocks 1A and 1B until Nov. 19, when Pappas assumed control, said in an interview that Navy, Army and Air Force dog teams were used there for security purposes. But she said military intelligence officers "were responsible for assigning those dogs and where they would go."

Using dogs to intimidate or attack detainees was very much against regulations, Karpinski said. "You cannot use the dogs in that fashion, to attack or be aggressive with a detainee. . . . Why were there guys so willing to take these orders? And who was giving the orders? The military intelligence people were in charge of them."

Taguba never interviewed Miller or any officer above Karpinski's rank for his report. Nor did he conduct a detailed probe of the actions of military intelligence officials. But he said he suspected that Pappas and several of his colleagues were "either directly or indirectly responsible for the abuses at Abu Ghraib."

In a Feb. 11 written statement accompanying the transcript, Pappas shifted the responsibility elsewhere. He said "policies and procedures established by the [Abu Ghraib] Joint Interrogation and Debriefing Center relative to detainee operations were enacted as a specific result of a visit" by Miller, who in turn has acknowledged being dispatched to Baghdad by Undersecretary of Defense Stephen A. Cambone, after a conversation with Secretary of Defense Donald H. Rumsfeld.

Cambone told lawmakers recently that he wanted Miller to go because he had done a good job organizing the detention center at Guantanamo Bay, and wanted Miller to help improve intelligence-gathering in Iraq.

Some senators, however, have noted that the Bush administration considers Guantanamo detainees exempt from the protections of the Geneva Conventions, and wondered if Miller brought the same aggressive interrogation ideas with him to Iraq, where the conventions apply.

When asked at a May 19 Senate hearing if he and his colleagues had "briefed" military officers in Iraq about specific Guantanamo interrogation techniques that did not comply with the Geneva Conventions, Miller said no.

He said he brought "our SOPs [standard operating procedures] that we had developed for humane detention, interrogation, and intelligence fusion" to Iraq for use as a "starting point." He added that it was up to the officers in Iraq to decide which were applicable and what modifications to make.

But Pappas said the result of Miller's visit was that "the interrogators and analysts developed a set of rules to guide interrogations" and assigned specific military police soldiers to help interrogators -- an approach Miller had honed in Guantanamo.

After calling the use of dogs Miller's idea, Pappas explained that "in the execution of interrogation, and the interrogation business in general, we are trying to get info from these people. We have to act in an environment not to permanently damage them, or psychologically abuse them, but we have to assert control and get detainees into a position where they're willing to talk to us."

Pappas added that it "would never be my intent that the dog be allowed to bite or in any way touch a detainee or anybody else." He said he recalled speaking to one dog handler and telling him "they could be used in interrogations" anytime according to terms spelled out in a Sept. 14, 2003, memo signed by Sanchez.

That memo included the use of dogs among techniques that did not require special approval. The policy was changed on Oct. 12 to require Sanchez's approval on a case-by-case basis for certain techniques, including having "military working dogs" present during interrogations.

That memo also demanded -- in what Taguba referred to during the interview as its "fine print" -- that detainees be treated humanely and in accordance with the Geneva Conventions.

But Pappas told Taguba that "there would be no way for us to actually monitor whether that happened. We had no formal system in place to do that -- no formal procedure" to check how interrogations were conducted. Moreover, he expressed frustration with a rule that the dogs be muzzled. "It's not very intimidating if they are muzzled," Pappas said. He added that he requested an exemption from the rule at one point, and was turned down.

In the interview transcript, Taguba's disdain for using dogs is clear. He asked Pappas if he knew that after a prison riot on Nov. 24, 2003, five dogs were "called in to either intimidate or cause fear or stress" on a detainee. Pappas said no, and acknowledged under questioning that such an action was inappropriate.

Taguba also asked if he believed the use of dogs is consistent with the Army's field manual. Pappas replied that he could not recall, but reiterated that Miller instigated the idea. The Army field manual bars the "exposure to unpleasant and inhumane treatment of any kind."

At least four photographs obtained by The Washington Post -- each apparently taken in late October or November -- show fearful prisoners near unmuzzled dogs.

One MP charged with abuses, Spec. Sabrina D. Harman, recalled for Army investigators an episode "when two dogs were brought into [cellblock] 1A to scare an inmate. He was naked against the wall, when they let the dogs corner him. They pulled them back enough, and the prisoner ran . . . straight across the floor. . . . The prisoner was cornered and the dog bit his leg. A couple seconds later, he started to move again, and the dog bit his other leg."

Timing of general's departure questioned
USA Today
May 26, 2004
Dave Moniz and Tom Squitieri

Lt. Gen. Ricardo Sanchez is likely to be judged the highest-ranking casualty of a troubled occupation and a corrosive prisoner-abuse scandal, both of which tarnished the year he has been the top U.S. commander in Iraq.

Sanchez, whose pending departure was acknowledged by the Pentagon Monday, is the highest-ranking officer to come under direct scrutiny since the prisoner-abuse scandal at Iraq's Abu Ghraib prison erupted a month ago.

Pentagon officials say Sanchez's departure has been in the works for months and is no reflection on his performance in the war or the scandal. But some military experts say the timing is not coincidental.

"The prison-abuse scandal is a damaging blow," says retired Army general Barry McCaffrey, a 1991 Gulf War veteran who has at times been highly critical of the U.S.-led occupation.

Others say Sanchez will become a scapegoat for a flagging counterinsurgency campaign that has overshadowed U.S. forces' quick defeat of Saddam Hussein's regime 13 months ago. Loren Thompson, a military analyst at the Lexington Institute in Arlington, Va., says Sanchez was asked to preside over a military occupation in the midst of a chaotic guerrilla campaign that took Defense Secretary Donald Rumsfeld and subordinates completely by surprise.

It is impossible, Thompson says, to separate Sanchez's fate from the difficult counterinsurgency he was asked to prosecute. "This is just not the kind of war we like to fight," Thompson says.

Sanchez was rumored to be a candidate to head U.S. Southern Command in Miami, which would promote him from three stars to a full four-star general, though that possibility could be in question. "Pentagon leaders were recognizing the fact that some atrocious behavior occurred while he was in command, and that has probably shaken their confidence in his suitability for the higher job," Thompson says.

President Bush praised Sanchez on Tuesday, saying the Rio Grande City, Texas, native has "done a fabulous job."

Sanchez quickly began a criminal investigation in mid-January after the first computer disk containing photos of prisoner abuse at Abu Ghraib was given to Army investigators. But Army investigators and members of the Senate Armed Services Committee have raised questions about his role in the scandal:

* The Pentagon has denied reports that Sanchez frequently visited Abu Ghraib prison around the time prisoners were being abused. Sanchez's boss, U.S. Central Command head Gen. John Abizaid, said last week that Sanchez visited on at least one occasion.

* Sanchez has been criticized for issuing an order last November putting military intelligence officers in control of Abu Ghraib. An investigation of prisoner abuse by Army Maj. Gen. Antonio Taguba said the order created friction and confusion that may have contributed to abuses by prison guards.

* Sanchez signed a memo Oct. 12, 2003, that called for military intelligence officers to work closely with military police at the prison to "manipulate an internee's emotions and weaknesses."

* Sanchez admitted in Senate testimony last week that he had not seen Red Cross warnings about prisoner abuses in Iraq that were sent months before the abuses at Abu Ghraib came to light.

The Pentagon said Tuesday that Sanchez's replacement has not been chosen. But a former high-ranking military officer with direct knowledge of the selection process said it will be Gen. George Casey, the Army's vice chief of staff. Casey, the Army's second-highest-ranking general, is regarded by his peers as among the most competent leaders in the Army. He is also close to Abizaid, who commands all U.S. forces in the Middle East.

The Lexington Institute's Thompson says Sanchez was handicapped by Rumsfeld's desire to prove that a "transformed" military could quickly win wars with relatively small numbers of troops and new thinking. "Instead," Thompson says, "they didn't understand the country, they didn't have good intelligence and they did not commit enough forces."

General Advised on Use of Dogs
In Iraq Prison, Army Report Says
Wall Street Journal
May 26, 2004
David S. Cloud and Greg Jaffe

The U.S. Army general overseeing the Iraqi prison system advised a senior officer at Abu Ghraib prison last summer that using military dogs during interrogations was effective at getting prisoners to divulge information, according to people who have reviewed testimony in still-secret annexes of the Army report by Major General Antonio Taguba.

Major General Geoffrey Miller's suggestion that dogs helped produce successful interrogations led Col. Thomas Pappas, the senior intelligence officer at Abu Ghraib, to use the technique against Iraqi prisoners, Col. Pappas told Army investigators, according to two people familiar with his statement.

Col. Pappas's account, if accurate, is significant because it would indicate a larger role by senior Army officers than the Pentagon has acknowledged in putting in place coercive interrogation practices that later figured in abuse of prisoners.

Gen. Miller, who was appointed earlier this year to oversee all detainees under U.S. Army custody in Iraq, said through a spokesman that he does not remember mentioning

use of dogs to Col. Pappas during a visit to Iraq in late August and early September. "It's not something he ever recalls discussing with Col. Pappas, certainly not for use in any interrogations," said the spokesman, Lt. Col. Barry Johnson.

But a soldier in Col. Pappas's unit, the 205th military intelligence brigade, said in an interview with The Wall Street Journal that he had been told that Col. Pappas and Gen. Miller had discussed the merits of using dogs in interrogations during this period.

It remains unclear how extensively dogs were used against prisoners at Abu Ghraib. Pentagon officials say that Lt. Gen. Ricardo Sanchez, the top U.S. commander in Iraq, had to personally approve use of dogs against any prisoner and that muzzles were mandatory. The officials say he never gave such approval.

But on Nov. 30, Col. Pappas sent a memo to Gen. Sanchez asking for permission to use "barking dogs," among other techniques, against a prisoner, according to an official who has read the memo. In one photograph taken at the prison in December a naked prisoner cowers while two leashed but unmuzzled dogs growl at him, according to an official who has seen the memo. A second photo shows the prisoner lying on the floor bleeding, apparently after being bitten.

Col. Pappas, who has declined all requests for interviews, appears to have an incentive for attributing coercive techniques used at Abu Ghraib to senior officers. The report by Gen. Taguba recommends that Col. Pappas be reprimanded for, among other allegations, failing to ensure his soldiers followed rules governing permissible interrogation techniques.

At the time he went to Iraq, Gen. Miller was commanding the U.S. detention facility at Guantanamo Bay, Cuba. Pentagon officials, worried about the growing insurgency in Iraq and the poor results of interrogations, sent him to Iraq to examine the prisons there and recommend changes. During his trip, he visited Abu Ghraib, where Col. Pappas moved his headquarters in September.

Col. Pappas said in the classified annex to the Army's Taguba report that his soldiers used dogs with and without muzzles in the prison when interrogating prisoners, the officials said. Dogs were used in interrogations at Guantanamo but they were always muzzled, a soldier familiar with procedures there said.

Explaining the decision not to use muzzles sometimes at Abu Ghraib, Col. Pappas said, "It's not very intimidating if they're muzzled," according to one of the officials with knowledge of the statement. Col. Pappas said that dogs were always kept on leashes, the official said.

At least two Army dog handlers have told investigators that, despite their own reservations, they were ordered by Col. Pappas's unit to use unmuzzled dogs against Abu Ghraib detainees, according to the officials who have reviewed the report.

Gen. Miller told lawmakers last week that following his Iraq visit he laid out recommendations to military leaders on how to better collect intelligence and conduct interrogations. Throughout September and early October, military lawyers and intelligence officers drafted four sets of rules for interrogating prisoners, the last of which was adopted in mid-October. Gen. Miller's rules from Guantanamo were used as a framework for crafting the new guidelines, senior military officials have said.

But officials said they realized that practices employed at Guantanamo, where prisoners are not covered by the Geneva Conventions, were not appropriate in all cases in Iraq, where the prisoners were entitled to at least partial protection of the treaties.

One soldier who was involved in interrogations at Abu Ghraib said that with each new draft, the rules seemed to put more restrictions on what soldiers could do to detainees.

For example, initially soldiers could force prisoners to assume stress positions, such as holding their arms above their heads in the open sun for more than an hour, without the approval of the commanding general, the soldier said. By late October, such tactics could only be used with the commander's approval.

"Things did get stricter between the September rules and the October rules," this soldier said.

In his investigation, Gen. Taguba questioned Col. Pappas extensively about the requirement that Gen. Sanchez's approval was needed for dogs and whether the rules specified they should be muzzled, said the people who have seen the report. Col. Pappas does not respond directly, one of the officials said, but he does say using dogs was a procedure that he had discussed with Gen. Miller.

Scandal Derailed Plans for Ground Commander in Iraq
Lt. Gen. Sanchez had been due to assume a new post. Now he's the Army's odd man out.
Los Angeles Times
May 26, 2004
John Hendren

The Abu Ghraib prison abuse scandal upset Pentagon plans to reshuffle a group of generals this summer, leaving Lt. Gen. Ricardo Sanchez, the top ground commander in Iraq, without a clear-cut assignment, officials said Tuesday.

Defense officials had planned to shift Sanchez as well as the Army's vice chief of staff and a top aide to Defense Secretary Donald H. Rumsfeld into new positions. But they were forced to tear up the plan and start over after the prison scandal grew, creating political and operational obstacles, officials said.

Sanchez was to take over the Southern Command, a post in which he would have overseen U.S. forces throughout Central and South America and the Caribbean, according to a senior Defense official who spoke on condition of anonymity.

That job requires Senate confirmation, a process that Defense officials feared would drag on because of continuing congressional questions about how some members of the U.S. military treated detainees in Iraq. Though not faulting Sanchez, a three-star general, Defense officials said that lingering questions might have delayed Senate approval of the fourth star required for the higher command.

"This is not reflective of Sanchez's role in any of this," the senior Defense official said. "It's just prudent, common sense that you're not going to get him through the confirmation process until next year. So now what do you do with SouthCom? Once you pull someone out, the whole daisy chain shifts."

Under the original Pentagon plan, Lt. Gen. Bantz J. Craddock, a three-star general who is a close Rumsfeld ally and aide, was to be nominated for a fourth star and would have taken over a command in Iraq. With Sanchez temporarily sidelined, Pentagon officials opted to send Craddock to the Southern Command and send four-star Gen. George W. Casey, the second-in-command of the Army, to head a new, higher-ranked billet that will replace Sanchez's post in Iraq. Assignments of three- and four-star officers must be approved by the Senate.

Other military sources suggested that revisions in the current Pentagon plan for the generals were still possible. Under a scenario outlined by a former military official familiar with the plan to turn over sovereignty to Iraq next month, Craddock would take Casey's post as the No. 2 uniformed Army official and Pentagon officials would continue to press Sanchez for the SouthCom post, relying on his appeal as the highest-ranking Latino in the military.

In either case, the delicate minuet would shift Casey out of the Army's No. 2 uniformed post after less than a year, and put a respected commander in Iraq, the most sensitive command outside the United States. Casey has worked with Rumsfeld as director of the Joint Staff since January 2003 and has allies on Capitol Hill. Although Pentagon officials have insisted that the shuffle is part of normal rotation of officers, it comes as the administration is suffering from sinking approval ratings at home and waves of criticism abroad.

"If something isn't working and you think the strategy is sound, the logical assumption is that the people who are executing it are the problem," said analyst Loren Thompson of the Lexington Institute, an Arlington, Va., public policy group.

Sanchez, who rose from poverty to become a high-ranking Army officer, has won loyal allies among his colleagues. Raised two miles from the Mexican border in Rio Grande City, Texas, Sanchez was recently named by Hispanic magazine as Hispanic of the Year.

"I would just say that Rick Sanchez has had the hardest job in the U.S. Army over the last year-plus," said retired Army Maj. Gen. William Nash, now a military analyst at the Council on Foreign Relations in Washington. "And that he's been faced with trying to make a coherent operation out of a lot of incoherent parts."

Nash said Sanchez, who also has endured criticism for the rekindled Iraqi insurgency, had to deal with insufficient numbers of troops, shifting political guidance and the U.S.-led Coalition Provisional Authority, which Nash said was "less than fully organized and fully in command."

Military officials hope a new command structure will improve communication between the military leadership in Iraq and the U.S. civilian presence, which will be transformed from the occupation authority to an embassy.

Military and civilian officials in Baghdad and Washington have described persistent friction between L. Paul Bremer III, the U.S. civilian administrator in Iraq, and the military leaders — Sanchez and his superior, Gen. John Abizaid, head of the U.S. Central Command.

"Now, it couldn't be worse," said one official who recently left the coalition authority, speaking on condition of anonymity. "Nobody talks to anybody."

Sanchez will be replaced as commander in Iraq
Washington Times
May 26, 2004

The Pentagon will replace its top commander in Iraq, a move that U.S. officials said was not related to the abuse of prisoners at Abu Ghraib.

Army Lt. Gen. Ricardo Sanchez will be replaced in June or July, said U.S. officials, who suggested that Army Chief of Staff Gen. George Casey is the most likely candidate to replace Gen. Sanchez.

"There has been no final decision on a replacement, but General Casey is a top candidate," one official told Reuters. Other officials, saying the change of command was not a result of revelations about prisoner abuse, noted that Gen. Sanchez was due for a rotation of duty after 13 months of commanding in Baghdad.

Also yesterday, the Army suspended Brig. Gen. Janis Karpinski as commander of the military police brigade implicated in the abuse of Iraqi prisoners at Abu Ghraib.

Gen. Karpinski and other officers in the 800th Military Police Brigade were faulted by Army investigators for paying too little attention to day-to-day operations at Abu Ghraib and for not moving firmly enough to discipline soldiers for violating standard procedures.

Seven U.S. soldiers have been charged with physically and sexually abusing and humiliating Iraqi detainees at the prison near Baghdad.

At the Pentagon, Larry Di Rita, chief spokesman for Defense Secretary Donald H. Rumsfeld, said both Mr. Rumsfeld and Gen. Richard B. Myers, chairman of the Joint Chiefs of Staff, "are very impressed with the work General Sanchez performed from the very beginning" of his service in Iraq.

President Bush yesterday praised Gen. Sanchez at an Oval Office event.

"Rick Sanchez has done a fabulous job," Mr. Bush said of the general. "He's been there for a long time. His service has been exemplary."

Gen. Sanchez testified before a Senate committee last week on the Abu Ghraib abuse scandal and took responsibility.

Meanwhile, officials said yesterday the Army is planning to send into combat thousands of soldiers whose normal job it is to play the role of the "enemy" at training ranges in California and Louisiana.

The Pentagon also is considering adding another National Guard brigade, the 155th Separate Armored Brigade from Mississippi, to Iraq in the next rotation of ground forces, other Army officials said.

About 2,500 soldiers from the 11th Armored Cavalry Regiment, which serves as a professional enemy force at the National Training Center at Fort Irwin, Calif., will be deployed to Iraq, officials said, as will the 1st Battalion of the 509th Infantry, which plays a similar role in training at Fort Polk, La.

Press wrestles with grim clips ; Media extensively cover the prison scandal while rejecting the most obscene images.
Christian Science Monitor
May 26, 2004
Randy Dotinga

Buffeted by a roiling debate over explicit images of violence, American news organizations are walking a fine line between good journalism and bad form as they try to cover the war in Iraq without alienating readers and viewers.

Should they listen to commentators demanding the broadcast of the unedited video of Nicholas Berg's execution? Is it time to downplay the prison-abuse photos to help protect US soldiers, or time for the media to throw all its unpublished images onto the Internet?

Mainstream newspapers and major TV networks have been groping for a middle ground as they cover both the prison-abuse scandal and war casualties while rejecting the most violent and obscene images.

Some TV news programs chose to show the moment when Mr. Berg's killer pulled out a knife before killing the visiting American. But none showed the decapitation itself. And The Washington Post, which published another round of prison-abuse pictures on Friday, has declined to run dozens of photos for a variety of reasons, in some cases because they're too sexual or violent. "These are human beings, and we're trying to be judicious," says executive editor Leonard Downie Jr.

But those efforts haven't quelled controversy over the volatile images, according to a new Christian Science Monitor/TIPP survey and other polls. Many Americans support the media's watchdog role of investigating and exposing prisoner abuse, while others worry that repeated display of shocking photos may cross boundaries of propriety at home or prompt new attacks on Americans abroad.

In seeking the right balance, mainstream news organizations are grappling not only with their own traditions but with emerging rivals, such as the Internet and talk radio.

Vaughn Ververs, editor of The Hotline, National Journal's online political newsletter, argues that the press is in danger of becoming irrelevant, with so many people turning to the Internet - where the Berg video is enormously popular - in search of the most complete war coverage. News organizations are "no longer the gatekeepers of what Americans see and don't see," says Mr. Ververs. "They're at risk of losing their audience to a large extent."

The quandary of what to show

Still, the media outlets play a gatekeeper role, weighing what a general audience, including children, should see.

The Post is especially cautious about what it puts on the front page, Mr. Downie says. Indeed, many newspapers have chosen to stuff the most shocking photos inside, where they're often smaller and in black-and-white. In California, The Sacramento Bee ran a warning on the front page about explicit material on an inside page.

The Christian Science Monitor, too, has been careful in passing disturbing images along to readers.

"We ask ourselves what is truly new information, whether it is still news by the time we publish, and whether publishing amounts to facing an important issue or simply wallowing in the depiction of suffering or causing further harm to the victims," says Monitor editor Paul Van Slambrouck. "All this means we've been highly selective and used images only when essential to the meaning of the story."

Standards are different in the radio world, even amid an industrywide crackdown on explicit programming in the wake of the Janet Jackson's breast-exposing incident during the Super Bowl. Local and national radio talk-show hosts, including Fox News

commentator and bestselling author Sean Hannity, aired the unedited audio of the Berg video, complete with the victim's gruesome screams. "I know you don't want to hear this. But you should make yourself hear it, because it is ... evil in your midst," Mr. Hannity said.

Along a similar vein, Laura Schlessinger, the radio psychologist known as "Dr. Laura," told listeners last week that high-school students should, with parental permission, watch the Berg video to better understand the war.

Little worry of tampering with history

Newsroom denizens do say there's one thing they're not worrying about - the effect of the Iraqi images on world events. "It doesn't enter into the consideration at all, and it shouldn't," said veteran reporter Terence Smith, correspondent for "The NewsHour with Jim Lehrer" on PBS. "What we're trying to do is report the news and what's going on, not affect the war effort one way or another. And it would be very hard to decide what the ultimate impact of these photos will be."

According to a Monitor/TIPP poll finished last week, most Americans have another perspective. Some 52 percent disapprove of the release of the prison-abuse photos. A similar question in a CBS News poll found 43 percent objecting to the images' release. And forty-nine percent of those polled by CBS said the media spent too much time on prisoner-abuse stories.

While those numbers suggest antipathy toward, or at least frustration with, the press, ombudsmen at five daily newspapers - in Houston, Sacramento, San Francisco, Seattle, and Tucson, Ariz. - report that the most graphic images from Iraq spawned only mild to moderate interest among readers. There's much more uproar when papers tinker with TV listings, the comics, or the crossword puzzle.

Houston Chronicle reader representative James T. Campbell says liberals wanted to see more prison photos, while conservatives clamored for more images of Berg to show terrorists are "barbarians."(c) Copyright 2004. The Christian Science Monitor

Why are they smiling?
The stresses of war can distort morality and draw out the worst in human nature, psychologists say, but sadistic behavior is not inevitable.
Christian Science Monitor
May 26, 2004
G. Jeffrey MacDonald

The camera doesn't lie, but it does raise a troubling question: As human beings are treated like animals, why is this "girl next door" smiling?

That question continues to haunt a disbelieving American public which in April gasped to see a photo of GI Lynndie England cheerily leading around a naked Iraqi prisoner on a

leash at Abu Ghraib prison. Apparently ordinary guys, too, posed - with smiles - beside men they'd allegedly beaten and piled high in a pyramid to get them to talk. Just following orders, some said, yet the question remains: Why such happy faces?

Psychologists, theologians, and a journalist who researched war for years hold that, under certain conditions, otherwise ordinary people can be susceptible to adopting a warped mentality in which they take pleasure in another's suffering - also known as sadism.

What, exactly, causes some people to engage in sadistic behavior is something of a mystery, they say. But most cite the strangeness of a war zone, where otherwise honorable people - awash in feelings of duty, camaraderie, and revenge - sometimes lose the moral compass that guided their behavior in their former lives.

Two main theories abound on such cruelty: One is that war can make good people callous, even sinister; the other is that everyone already is a bit cruel, and war just tends to bring out the worst of it.

The fiery emotions of war and a foreign environment can conspire to lower moral inhibitions, says one psychologist who has studied people's justifications for evil and violent behavior. In extreme cases, they may even transform honorable young men and women into hardened characters who can induce pain without remorse.

"Personalities can become quite different," says Arthur Miller, a Miami University (Ohio) social psychologist and editor of the new book "The Social Psychology of Good and Evil." "As you victimize other people, you convince yourself you're doing a good thing or else you go crazy. When this person returns, their families in fact are not seeing the person they knew."

Others, however, say extreme conditions can bring to the fore irascible tendencies common to some young adults, and the mission in war - to get the job done - might at times cause a certain degree of sadism.

"You've got to see the enemy as less than human," says Lance Morrow, a former Time Magazine journalist who interviewed Serbian warlords for his 2003 book "Evil: An Investigation." "Glee expresses your power. The glee evident at Abu Ghraib is part of a parading of power over powerlessness. It's aimed at breaking down the suspect by giving them a sense of powerlessness.... [But] glee in wartime also covers up fear."

Mr. Morrow regards soldiers' conduct at Abu Ghraib as "terrible" and "stupid" but not "evil," since he says these humiliation tactics hardly rival the ruthless killing sprees he observed in Rwanda or Bosnia in the 1990s. In fact, stories of warriors who enjoy inflicting torture have dotted accounts from Attila the Hun to Adolf Hitler, although the spying eye of a camera - and its strange ability to forge a smile anytime - is relatively new.

Nonetheless, incidents documented at Abu Ghraib do constitute "sadism," according to other sources for this story, and might shed light on a seldom-studied side of human behavior.

As for the ordinary person's propensity for sadism, psychologists have no choice but to cite studies dating from 25 years ago. That's because ethical regulations have for decades prohibited researchers from encouraging cruel behavior or even a simulation of it. The result is a dearth of fresh data to explain how sadistic behavior can become habitual for other- wise good people, as the multitude of theories in psychology and elsewhere can attest.

James Waller, social psychologist at Whitman College and author of "Becoming Evil: How Ordinary People Commit Genocide and Mass Killing," says soldiers called upon to humiliate the enemy must either learn to relish the task or run the risk of being paralyzed by guilt.

"The [victim] dehumanization process occurs because the perpetrator needs it to commit these atrocities," Mr. Waller says. "It becomes easier for them to do what they do if they buy into the justification that this person fully deserves what they're getting. In fact, in this alternative moral universe, it would be an act of injustice not to belittle and abuse them."

Getting to that point, Waller says, depends on accepting rhetoric that equates the enemy with vermin - in this case, perceiving them as terrorists who measure up as sub-human and worthy of annihilation. Yet even with such ample rhetoric in mind, he says, a person may hesitate until he or she completes a first act of brutality, which "opens a floodgate" of base human behavior.

Crossing that threshold, which can seem unthinkable from an outside perspective, tends to occur when an individual feels bound to a group and compelled to adhere to group standards, Dr. Miller says. He cites a 1960s study in which Yale psychologist Stanley Milgram showed that ordinary people, when instructed by an authority figure, will administer seemingly deadly shock "therapies" to a stranger. Another study by Philip Zimbardo at Stanford University in 1971 ended abruptly because subjects, simulating prison guards, "became sadistic."

Still, the mystery lingers: Why the enjoyment in watching others suffer? Perhaps glee merely covers up fear or shame beneath the pressures of war. But theologians quickly cast the indictment wider. Some see humankind perpetually struggling with a dark desire to wish enemies humiliated and to laugh when they are.

Even a professor of moral theology knows the sadistic impulse from personal experience. Thomas Massaro of Weston Jesuit School of Theology recalls driving in the Bronx years ago when another driver cut him off. Further up the road, he saw the same driver had crashed into a pole. His first reaction was gleeful: "At least for a minute, I said, 'Ha! I hope he has expensive damage to his car!' "

Professor Massaro soon repented for wishing another ill, but not before gaining a new insight: The thirst for revenge includes a longing to laugh at the wrongdoer's misfortune.

"These are inmates suspected of having shot at US soldiers," Massaro says. "These [guards] at Abu Ghraib could have had friends killed by these enemies." To resist the desire to degrade and dehumanize is the moral imperative, he says, but doing so in certain settings requires an uncommonly steely will.

Some personalities, too, might be more prone to sadism than others, psychologists suggest. To reduce the likelihood of sadism among its prison guards, Maryland uses a personality inventory to screen out those with "a tendency to do bad things and nasty things," says William Sondervan, former Maryland commissioner of corrections and now director of professional development for the American Correctional Association.

Even after a screening, however, tensions can lead to temptations. In Maryland's rural prisons, 77 percent of inmates are African-Americans from urban areas, while 99 percent of guards are whites from the local vicinity. When an HIV-positive inmate splashes a guard with his urine, blood, or feces, Mr. Sondervan says, guards can be tempted to take pleasure in striking back. But those who can't control that impulse are reprimanded or fired.

"People who do those things tend to get weeded out," Sondervan says.

In military settings such as Abu Ghraib, however, staffing shortages can preclude the luxury of personality screening - and sadistic behavior can result. People who have a high opinion of themselves but feel easily threatened are quickest to become enraged and to delight in seeing the offender suffer, Miller says. "Then you have the mix that can really be devastating."

Whether personality is a major factor in manifesting sadism among ordinary people is a matter of debate. Waller, for one, questions whether personality should even be considered as a factor.

Not everyone, sources agree, will succumb even to the strongest pressures to behave sadistically. Army soldier Joseph Darby, who reported the abuse at Abu Ghraib to his commander, chose to resist even though it meant he might be labeled a traitor. Yet in the aftermath of Sept. 11, it seems an angry America in search of security may have lessened the vigilance against cruelty.

"After 9/11, there came a mentality that said, 'We cannot afford to be nice. We have to do whatever it takes to find these people and bring down Osama bin Laden,' " Morrow says. "It seems to me that this is the atmosphere where these things may occur."(c) Copyright 2004. The Christian Science Monitor

US Denies General's Move Is Reprimand

Financial Times
May 26, 2004
Peter Spiegel

US officials yesterday insisted the decision to replace the American general in charge of coalition forces in Iraq this summer is part of a normal rotation of commanders rather than a reprimand for the escalating prisoner abuse scandal.

Lieutenant General Ricardo Sanchez, who has been the top US general on the ground for more than a year, has come under intense pressure in recent weeks following reports that he may have been aware of interrogation tactics used by American soldiers at Baghdad's notorious Abu Ghraib prison. The Pentagon has denied any prior knowledge by Gen Sanchez.

"Rick Sanchez is doing a fabulous job," President George W. Bush said yesterday. "He's been there for a long time. His service has been exemplary."

However, the timing of the Pentagon's announcement, coupled with reports that Gen Sanchez may not get his expected next assignment - a promotion to head US Southern Command, which oversees all operations in Latin America - has led to speculation that the general is being punished for the Abu Ghraib scandal.

Separately, Brigadier General Janis Karpinski, the commander of the military police brigade responsible for manning Abu Ghraib, was suspended this week from her job pending the completion of investigations.

Administration officials and military leaders were eager to shoot down speculation that Gen Sanchez is being punished.

"We typically keep our combat commanders in theatre for a year," said Brigadier General Mark Kimmitt, the US military spokesman in Baghdad.

"We have always expected Gen Sanchez to depart some time after transfer of sovereignty. My personal expectation was, like me, he would be departing some time in the June time period," he said.

Gen Sanchez is expected to be replaced this summer by General George Casey, vice chief of staff of the army.

WIRES

U.S. Army survey cites wider prisoner abuse-NYT.
Reuters
May 26, 2004

A U.S. Army synopsis of deaths and mistreatment involving prisoners in American custody in Iraq and Afghanistan shows a pattern of abuse involving more military units than previously known, The New York Times reported on Wednesday.

The summary, dated May 5, was prepared by the Criminal Investigation Command at the request of Army officials, according to the newspaper.

It outlines the status of investigations into 36 cases, including the continuing probe into the abuses at Abu Ghraib prison on the outskirts of Baghdad, the paper said.

The Iraq cases date back to April 2003, the Times reported. In an incident reported to have taken place last month, a prisoner detained by Navy commandos died in a suspected case of homicide blamed on "blunt force trauma to the torso and positional asphyxia," the paper said.

The U.S. forces' treatment of prisoners has come under scrutiny because of revelations about the physical and sexual abuse of Iraqi inmates at the Abu Ghraib prison. Seven U.S. soldiers have been charged with abusing Iraqi prisoners there.

In a speech on Tuesday, U.S. President George W. Bush said the prison "became a symbol of disgraceful conduct by a few American troops who dishonored our country and disregarded our values," and said the notorious prison would be demolished as a "symbol of Iraq's new beginning."

One of the oldest cases listed in the May 5 document involves the death of a prisoner in Afghanistan in December 2002, the paper said.

The document said enlisted personnel from a military intelligence unit at Fort Bragg, North Carolina, and an Army Reserve military-police unit from Ohio are thought to have been "involved at various times in assaulting and mistreating the detainee," according to the Times.

Members of the 223rd Military Intelligence Battalion, which is part of the California National Guard, were accused of abusing Iraqi detainees last spring in Samarra, north of Baghdad, the Times reported.

The Army summary said the unidentified enlisted personnel "forced into asphyxiations numerous detainees in an attempt to obtain information" over a 10-week period, according to the paper.

U.S. general linked to use of dogs at prison-Post.
Reuters
May 26, 2004

The U.S. Army general sent by the Pentagon to bolster the collection of intelligence from prisoners at Abu Ghraib is said to have urged the use of guard dogs to frighten Iraqis

detainees, The Washington Post reported on Wednesday, citing sworn testimony by the top U.S. intelligence officer at the prison.

Col. Thomas Pappas testified that the idea came from Maj. Gen. Geoffrey Miller, then commander of the U.S. detention center at Guantanamo Bay, Cuba, and was implemented under a policy approved by Lt. Gen. Ricardo Sanchez, the top U.S. military officer in Iraq, the newspaper reported.

Senior defense officials said on Tuesday that Sanchez was being replaced as the U.S. commander in Iraq. But they argued the change was not triggered by the Abu Ghraib Iraqi prisoner abuse scandal.

According to a transcript obtained by The Washington Post, Pappas told the Army investigator, Maj. Gen. Antonio Taguba: "It was a technique I had personally discussed with General Miller, when he was here" visiting the prison.

"He said that they used military working dogs at Gitmo, and that they were effective in setting the atmosphere for which, you know, you could get information" from the prisoners, Pappas said in the testimony.

Miller, who assumed command of Abu Ghraib this month, denied through a spokesman that the conversation took place, the newspaper said.

"Miller never had a conversation with Colonel Pappas regarding the use of military dogs for interrogation purposes in Iraq. Further, military dogs were never used in interrogations at Guantanamo," Brig. Gen. Mark Kimmitt, spokesman for U.S. forces in Iraq, told the Post.

According to the Post, Pappas testified that interrogation plans involving the use of dogs, shackling, "making detainees strip down," or similar aggressive measures followed Sanchez's policy, but were often approved by Sanchez's deputy, Maj. Gen. Walter Wojdakowski, or by Pappas himself.

At least four photographs from Abu Ghraib obtained by The Washington Post show fearful prisoners near unmuzzled dogs.

Sergeant Disciplined for Speaking of Abuse
Associated Press
May 25, 2004
David Rising

A U.S. Army sergeant who gave an insider's view of Abu Ghraib prison to the media has lost his security clearance and has been disciplined by the military for speaking out, he told The Associated Press on Tuesday.

Sgt. Samuel Provance said that although soldiers he served with in Iraq were treating him as a pariah, he would not change a thing if given a second chance.

"My soldiers who were at Abu Ghraib are so scared now they're not even talking to me anymore -- I'm like a villain, but would I do it again? Of course I would, because I stand behind what I said," Provance said in a telephone interview from Heidelberg, Germany, where his military intelligence unit is based.

"I knew what was being reported was not true."

Provance, 30, is with the 302nd Military Intelligence Battalion, a unit of the 205th Military Intelligence Brigade, which has been implicated in the abuse at Abu Ghraib. The scandal broke after photographs were made public of U.S. soldiers abusing prisoners, sparking worldwide outrage.

Unlike early reports suggesting the abuses were failings by individual soldiers, Provance told the AP and other media outlets that interrogators at the prison viewed sleep deprivation, stripping inmates naked and threatening them with dogs as normal ways of dealing with "the enemy."

Provance, who was in charge of a computer network at the prison for five months ending in February, said he had not seen abuse himself but was told about it by interrogators.

Provance, of Williamsburg, Va., was notified by the Army that he was an official witness in the case after the scandal broke, and on May 14, his company commander ordered him not to talk with anyone about what he had seen, he said.

Instead, he decided he would give interviews to set the record straight.

"I wanted to make sure I got out what I could in what time I had before I was silenced at a higher level," he said. "I'm standing behind my First Amendment right to free speech, and it's a matter of does the constitution have more weight than a company level commander."

On Friday, Provance was called before his battalion commander, who yanked his clearance to work at top secret sites and administratively "flagged" him, meaning he cannot receive honors, awards or seek promotion until the status is removed.

An Army official, who spoke on condition of anonymity, confirmed from Washington that Provance lost his security clearance and faces other disciplinary action for discussing the investigation with the media.

In Germany, a spokesman for V Corps, which oversees Provance's unit, said he knew of no disciplinary action, but that the sergeant had been ordered not to talk to the media.

"The last word I got is that he was given an order not to talk with anyone about the case while the investigation was ongoing, and if any type of action was levied against him, it would be a result of him not obeying that order," said Lt. Col. Kevin Gainer. "It could compromise the whole investigation by putting out information and maybe influencing others."

Provance said he has been in the Army for five years and would like to stay, but that it might not be possible.

"I like the Army, the Army is a great organization, it's just there are individuals within it that screw it up," he said. "I would like to believe I have a future in the army, but I don't know what's going to come out of this."

Pentagon to replace top U.S. commander in Iraq.
Reuters
May 25, 2004
Charles Aldinger

The Pentagon will replace Army Lt. Gen. Ricardo Sanchez as the top U.S. military officer in Iraq, senior defense officials said on Tuesday. But they argued that the change was not triggered by the Abu Ghraib Iraqi prisoner abuse scandal.

Gen. George Casey, Army vice chief of staff, has emerged as the top candidate to replace Sanchez in Baghdad in June or July, said the officials, who asked not to be identified.

"There has been no final decision on a replacement, but Gen. Casey is a top candidate," one official said.

"This has absolutely nothing to do with Abu Ghraib," added another defense official. "The secretary (Defense Secretary Donald Rumsfeld) is very mindful that the perception (of punishment) might arise. But it simply is not the case."

Brig. Gen. Janis Karpinski, who was in charge of U.S.-run prisons in Iraq during the abuse, has been suspended as commander of the military police brigade at the heart of the scandal.

Seven U.S. soldiers have been charged with physically and sexually abusing and humiliating Iraqi prisoners at Abu Ghraib in a scandal that has inflamed the Arab world and undermined U.S. efforts in the country before the handover on June 30 to an interim Iraqi government.

President George W. Bush praised Sanchez.

"Rick Sanchez has done a fabulous job. He's been there for a long time. His service has been exemplary," Bush said in response to a question from reporters at the White House.

But defense analyst Loren Thompson of the Lexington Institute, who has close connections to the Pentagon, said, "You'd have to be pretty naive to think that the problems with abuse of detainees had no impact at all on this decision."

The defense officials offered no explanation other than that Sanchez had served the normal year-long rotation in Iraq.

SANCHEZ TOOK RESPONSIBILITY

Sanchez testified before a Senate committee last week on the scandal and took responsibility for the abuse because it happened during his time as commander. But he said he was not aware of the abuse while it was happening and moved quickly to investigate after learning about it.

"The secretary and the chairman (Gen. Richard Myers, chairman of the Joint Chiefs of Staff) both believe from what they understand now that Gen. Sanchez handled the matter of Abu Ghraib in a very professional matter," said Lawrence Di Rita, Rumsfeld's chief spokesman.

Sanchez is being considered for an appointment to head the U.S. Southern Command in Miami, a post carrying the fourth star of a full general, officials said.

Casey is a full general, and Rumsfeld has for months been considering making a four-star general the overall commander in Iraq, responsible for the broad direction of coalition military affairs while a three-star general handles day-to-day military operations. Lt. Gen. Thomas Metz serves in that capacity.

Thompson doubted replacing Sanchez was intended to make him the scapegoat in the Abu Ghraib scandal, but said Pentagon leaders were "recognizing the fact that some atrocious behavior occurred while he was in command, and that has probably shaken their confidence in his suitability for the higher job."

Thompson said numerous problems have been associated with Sanchez's tenure as top commander in Iraq since June 2003, as he has faced the difficult task of defeating an insurgency.

"Look at all the problems Sanchez has faced: a flawed strategy, dreadfully inaccurate intelligence, inadequate forces on the ground, flagging domestic support, and a political leadership that seems to have multiple agendas above and beyond simply defeating the insurgents," Thompson said.

"This is not a prescription for success. Gen. George Patton (the respected American World War Two commander) would be at a loss to have to deal with these kinds of problems."

EDITORIALS

Abuse by Outsourcing
Washington Post
May 26, 2004

AMONG THE MANY disturbing aspects of the abuse at Abu Ghraib prison is the involvement of private contractors in conducting interrogations. Contractors are playing a widening role in the military, and never more so than in the war in Iraq. Private-sector workers feed and house U.S. troops, maintain sophisticated weapon systems and provide security for the Coalition Provisional Authority. Their growing involvement, and the consequent blurring of military and private roles, was brought home horrifically in March with the murder and mutilation of four security guards employed by Blackwater USA.

But privatized interrogation is troubling on a whole new level. Testifying before the Senate Armed Services Committee, Lt. Gen. Lance L. Smith said 37 contract interrogators were working for the military in Iraq. The revelation underscores the need for rigorous debate about their proper function in wartime, their position in the chain of command and the laws that govern their activities.

Interrogating prisoners is a sensitive function, one that needs to be conducted under clearly delineated rules by people who are properly trained and supervised and, if necessary, subject to punishment. As the country is learning, uniformed personnel don't always meet those criteria. But private citizens are not appropriate for the job.

Maj. Gen. Antonio M. Taguba, who investigated conditions at Abu Ghraib, testified that guards at the prison viewed the contractors as having "competent authority" to direct their activities. His report found that Steven A. Stefanowicz, a contract interrogator for CACI International Inc., an Arlington-based company, "clearly knew his instructions equated to physical abuse" and concludes that Mr. Stefanowicz and John Israel, a civilian interpreter, "were either directly or indirectly responsible for the abuses." Gen. Taguba recommended that Mr. Stefanowicz be reprimanded, fired and stripped of his security clearance.

While seven soldiers have been charged in connection with the abuses, however, the process appears to be notably slower as it applies to the private contractors, who are not subject to military discipline. The Taguba report has been complete for months, yet there is no indication that any prosecutorial activity was in the works before the abuses became public. It wasn't until late last week that the Justice Department said it had opened a criminal investigation of a civilian contractor.

Congress presciently enacted the Military Extraterritorial Jurisdiction Act in 2000 in an effort to cover such crimes, but the law has scarcely been used and has significant gaps. For one thing, it applies only to U.S. citizens; Gen. Taguba said that two translators involved in abuses were from third countries. It also only applies to contractors working for the military -- not other government agencies. Rep. Martin T. Meehan (D-Mass.) introduced a measure last week to close those loopholes.

Meantime, CACI's contract with the Army is administered by the Interior Department and is so vaguely worded that it gave no indication the company would ultimately be called on to supply interrogators, according to Post reporter Ellen McCarthy; that arrangement is now under review. CACI executives have said they haven't been notified of any charges; when the news of Abu Ghraib abuses broke, the company was reduced to downloading the Taguba report from the Internet. If this is the oversight that's in place for contractors, it's time to reassess whether military privatization has gone too far.

Demolition won't do
Baltimore Sun
May 26, 2004

TEARING DOWN the Abu Ghraib prison won't dispel the haunting images of American soldiers abusing Iraqi prisoners.

It won't renew the reputation of the United States among the Iraqi people or rehabilitate its image around the world. And more to the point, it won't heal the psychic wounds of the Iraqis battered there. President Bush's offer, made in his speech Monday night, to demolish the infamous prison and replace it with a state-of-the art prison system shows a lack of understanding of how best to deal with the political fallout of the prisoner abuse scandal.

The American military's shame over the mistreatment of prisoners at Abu Ghraib can't be purged with a bulldozer. That brick-and-mortar solution voiced in a highly political address by Mr. Bush sounded like a presidential speechwriter's fix for the Abu Ghraib problem. Mr. Bush couldn't ignore the abuse scandal, so it became a couple of paragraphs on his TelePrompTer, the proposed razing of Abu Ghraib a symbolic aside.

A more nuanced and honest response to the Abu Ghraib injustices would have been to emphasize the criminal investigations under way and reiterate the U.S. commitment to punish those involved. Demolishing Abu Ghraib only conforms to the stereotype of an imperial power flexing its muscle.

Mr. Bush did say that he would defer to the wishes of the Iraqi people on the future of Abu Ghraib, and that is as it should be. If the new transitional government in Iraq wants to demolish the prison, it should.

The United States could then use its aid to cultivate the more genial aspects of a civil society -- schools, roads, hospitals, housing, courts, projects such as those it has launched over the past year. When the Bush administration sought $20.3 billion to rebuild Iraq, it asked for $99 million to build or update 26 jails and prisons. Haven't we spent enough on warehousing prisoners?

The Bush administration should be focused on training and equipping an Iraqi police force so that law and order can be restored and maintained without relying on U.S. forces. That may take a year or longer -- but it should be a top priority.

The Abu Ghraib prisoner abuse scandal will remain a part of the U.S. legacy in Iraq; destroying the structure that embodies this shameful episode of the American military occupation won't erase what occurred there.

Officials should consider preserving part of prison
Detroit Free Press
May 26, 2004

Blow it up or tear it down. It doesn't much matter. Nothing this country does to the prison buildings that made Abu Ghraib a household word can erase the horrific damage that was done there. Abu Ghraib has become synonymous with torture, for decades by the henchmen of ousted Iraqi dictator Saddam Hussein, most recently by U.S. soldiers after the war that ended Hussein's regime. Destroying the structure cannot destroy the events it housed, the memories of victims, the photographs of abuse.

As U.S. officials move forward with plans to raze Abu Ghraib, which President George W. Bush outlined in his Monday night address, they should consider leaving part of the structure intact, a monument to dark chapters in human history.

Similar travesties have been appropriately memorialized. Elements of World War II concentration camps draw hushed visitors in Europe. Stone forts known as slave castles because captives were held there for shipment to the United States have been preserved on the west coast of Africa. A photography exhibit coming to the Charles H. Wright Museum of African American History in Detroit this summer will recall the shameful past of lynchings in this country.

Shining a light on humanity's horrible deeds can prevent a repetition of past mistakes.

That serves the cause of human rights better than any new maximum-security prison the United States will build on the Abu Ghraib site.

Iraqis who suffered in the prison or lost loved ones there may rejoice temporarily at its destruction. So too may U.S. officials eager to put this ugly chapter behind them.

But for generations, a part of Abu Ghraib should remain, as a testament to what went wrong -- and what was done to make it right.

Of course, that chapter of this history has yet to be written.

Abuse of Iraqis shocks citizens, who demand and will receive answers
Columbus Dispatch
May 25, 2004

For many Americans, the ever-more-sickening revelations of degradation at Abu Ghraib prison are a nightmare that refuses to end. People of conscience, trying to reconcile what they have seen and heard with what they know and believe about America, feel sucker-punched by each new chapter.

Critics claim that the scandal gives lie to the notion of American exceptionalism: that America, founded on a system of ethical ideals, honors human dignity and, more than any other nation, can speak with authority to the rest of the world about freedom and respect for individual rights.

Those who value these ideals are right to feel betrayed by Abu Ghraib, but they need not be ashamed of America. Painful as it is, the scandal -- and more important, the American response to it -- has reaffirmed those values.

Given the bizarre cruelty undertaken in the prison, one can't help being dismayed.

Most recently, the world learned of videos that show U.S. soldiers smiling and flexing while beating and debasing the Iraqis in their custody. One video, showing scenes of disgusting inhumanity throughout the prison, ends with soldiers turning the cameras on themselves as they have sex with each other.

This must end any hope on the part of ashamed Americans that the Abu Ghraib abuses were the work of grimly dutiful soldiers who may have deplored the acts but believed them a necessary evil in the nasty business of gathering intelligence.

But the story doesn't end in the hellish hallways of Abu Ghraib, and that is the point. Those sickening revelations keep coming because Americans are outraged. The U.S. government releases more information because American citizens demand it.

The fact that some individual Americans, from the prison guards on up the chain of command, proved capable of ordering and carrying out such acts doesn't mean America is not exceptional. It does mean that individual Americans are just as prone to inhumanity as any other people.

Decent people in any country would be disgusted and saddened to see their soldiers treating captives brutally. In very few countries would they have, inculcated from childhood, a sense of being entitled to an investigation and explanation, much less an apology, from their government.

Americans rightfully feel entitled to such accountability. It is what makes American culture and politics exceptional.

As very real and frightening enemies gather strength, Americans must cherish both that humanity and that sense of entitlement.

Like A Woman
Richmond Times-Dispatch
May 24, 2004

Among the many aspects of the prison abuse scandal at Abu Ghraib, one has gone almost unremarked: the deep-seated misogyny it has highlighted.

An Associated Press story from earlier this month quotes Dhia al- Shweiri, who is said to have spent time in Abu Ghraib twice under Saddam Hussein and once under Americans. Al-Shweiri says he was tortured under Saddam - beaten, electrocuted, and hung from the ceiling with his hands tied behind his back. But, he told the AP, "that's better than the humiliation of being stripped naked. . . . [The Americans] made us stand in a way that I am ashamed to describe. They came to look at us as we stood there. They knew this would humiliate us. We are men. It's okay if they beat me. Beating [doesn't] hurt us, it's just a blow. But no one would want their manhood to be shattered. They wanted us to feel as though we were women, the way women feel, and this is the worst insult, to feel like a woman."

This is the worst insult, to feel like a woman. Few sentences could so concisely sum up the perverse sexism in much of the Arab world.

Experts interviewed for a Times-Dispatch - story underscored the point, perhaps inadvertently. "One of the worst things that can happen is that you shave off a man's beard," said one. "It is seen as challenging his manliness." Another told the newspaper, "It is most shameful to make a person naked and then photograph him, especially a Muslim male." Especially a Muslim male?

Americans should be concerned, foremost, with the behavior and attitudes of their fellow Americans. But that does not mean they need to be concerned with the behavior and attitudes of their fellow Americans to the exclusion of everything else. If the abuses at Abu Ghraib were wrong - and they most emphatically were - it should be noted in passing that the form of those abuses was made possible by another, underlying wrong within broad swaths of Arabic culture.

COMMENTARY

Terrorists Have No Geneva Rights
Wall Street Journal
May 26, 2004
John Yoo

In light of the Abu Ghraib prison scandal, critics are arguing that abuses of Iraqi prisoners are being produced by a climate of disregard for the laws of war. Human rights advocates, for example, claim that the mistreatment of Iraqi prisoners is of a piece with President Bush's 2002 decision to deny al Qaeda and Taliban fighters the legal status of

POWs under the Geneva Conventions. Critics, no doubt, will soon demand that reforms include an extension of Geneva standards to interrogations at Guantanamo Bay.

The effort to blur the lines between Guantanamo and Abu Ghraib reflects a deep misunderstanding about the different legal regimes that apply to Iraq and the war against al Qaeda. It ignores the unique demands of the war on terrorism and the advantages that a facility such as Guantanamo can provide. It urges policy makers and the Supreme Court to make the mistake of curing what could prove to be an isolated problem by disarming the government of its principal weapon to stop future terrorist attacks. Punishing abuse in Iraq should not return the U.S. to Sept. 10, 2001 in the way it fights al Qaeda, while Osama bin Laden and his top lieutenants remain at large and continue to plan attacks.

It is important to recognize the differences between the war in Iraq and the war on terrorism. The treatment of those detained at Abu Ghraib is governed by the Geneva Conventions, which have been signed by both the U.S. and Iraq. President Bush and his commanders announced early in the conflict that the Conventions applied. Article 17 of the Third Geneva Convention, which applies to prisoners of war clearly state that: "No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever." This provision would prohibit some interrogation methods that could be used in American police stations.

One thing should remain clear. Physical abuse violates the Conventions. The armed forces have long operated a system designed to investigate violations of the laws of war, and ultimately to try and punish the offenders. And it is important to let the military justice system run its course. Article 5 of the Fourth Geneva Convention, which governs the treatment of civilians in occupied territories, states that if a civilian "is definitely suspected of or engaged in activities hostile to the security of the States, such individual person shall not be entitled to claim such rights and privileges under the present Convention as would, if exercised in favor of such individual person, be prejudicial to the security of such State." To be sure, Art. 31 of the Fourth Convention prohibits any "physical or moral coercion" of civilians "to obtain information from them," and there is a clear prohibition of torture, physical abuse, and denial of medical care, food, and shelter. Nonetheless, Art. 5 makes clear that if an Iraqi civilian who is not a member of the armed forces, has engaged in attacks on Coalition forces, the Geneva Convention permits the use of more coercive interrogation approaches to prevent future attacks.

A response to criminal action by individual soldiers should begin with the military justice system, rather than efforts to impose a one-size-fits-all policy to cover both Iraqi saboteurs and al Qaeda operatives. That is because the conflict with al Qaeda is not governed by the Geneva Conventions, which applies only to international conflicts between states that have signed them. Al Qaeda is not a nation-state, and its members -- as they demonstrated so horrifically on Sept. 11, 2001 -- violate the very core principle of the laws of war by targeting innocent civilians for destruction. While Taliban fighters had an initial claim to protection under the Conventions (since Afghanistan signed the treaties), they lost POW status by failing to obey the standards of conduct for legal

combatants: wearing uniforms, a responsible command structure, and obeying the laws of war.

As a result, interrogations of detainees captured in the war on terrorism are not regulated under Geneva. This is not to condone torture, which is still prohibited by the Torture Convention and federal criminal law. Nonetheless, Congress's definition of torture in those laws -- the infliction of severe mental or physical pain -- leaves room for interrogation methods that go beyond polite conversation. Under the Geneva Convention, for example, a POW is required only to provide name, rank, and serial number and cannot receive any benefits for cooperating.

The reasons to deny Geneva status to terrorists extend beyond pure legal obligation. The primary enforcer of the laws of war has been reciprocal treatment: We obey the Geneva Conventions because our opponent does the same with American POWs. That is impossible with al Qaeda. It has never demonstrated any desire to provide humane treatment to captured Americans. If anything, the murders of Nicholas Berg and Daniel Pearl declare al Qaeda's intentions to kill even innocent civilian prisoners. Without territory, it does not even have the resources to provide detention facilities for prisoners, even if it were interested in holding captured POWs.

It is also worth asking whether the strict limitations of Geneva make sense in a war against terrorists. Al Qaeda operates by launching surprise attacks on civilian targets with the goal of massive casualties. Our only means for preventing future attacks, which could use WMDs, is by acquiring information that allows for pre-emptive action. Once the attacks occur, as we learned on Sept. 11, it is too late. It makes little sense to deprive ourselves of an important, and legal, means to detect and prevent terrorist attacks while we are still in the middle of a fight to the death with al Qaeda. Applying different standards to al Qaeda does not abandon Geneva, but only recognizes that the U.S. faces a stateless enemy never contemplated by the Conventions.

This means that the U.S. can pursue different interrogation policies in each location. In fact, Abu Ghraib highlights the benefits of Guantanamo. We can guess that the unacceptable conduct of the soldiers at Abu Ghraib resulted in part from the dangerous state of affairs on the ground in a theater of war. American soldiers had to guard prisoners on the inside while receiving mortar and weapons fire from the outside. By contrast, Guantanamo is distant from any battlefield, making it far more secure. The naval station's location means the military can base more personnel there and devote more resources to training and supervision.

A decision by the Supreme Court to subject Guantanamo to judicial review would eliminate these advantages. The Justices are currently considering a case, argued last month, which seeks to extend the writ of habeas corpus to al Qaeda and Taliban detainees at Guantanamo. If the Court were to extend its reach to the base, judges could begin managing conditions of confinement, interrogation methods, and the use of information. Not only would this call on the courts to make judgments and develop policies for which they have no expertise, but the government will be encouraged to keep its detention

facilities in the theater of conflict. Judicial over-confidence in intruding into war decisions could produce more Abu Ghraibs in dangerous combat zones, and remove our most effective means of preventing future terrorist attacks.

Mr. Yoo, a law professor at Berkeley, is a scholar at the American Enterprise Institute and a former Bush Justice Department official.

Down the Sewer to Abu Ghraib
Los Angeles Times
May 26, 2004
Rebecca Hagelin

Rebecca Hagelin is a vice president of the Heritage Foundation.

The horrific images of degrading acts by American soldiers at Abu Ghraib prison are, in a sense, nothing new. Millions of Americans feast on similar scenes every day.

The sickening photo of a female soldier blindly staring at the spectacle of her human prisoner, naked and leashed like a dog, is but the latest evidence of a culture gone stark raving mad.

For the last several decades, American culture has been rotting. While we've been busy fighting enemies around the world, we've discarded basic morality here at home. As a result, we've steadily weakened our stature in the world and placed ourselves in grave danger of falling from within.

The evidence pointing to cultural rot is indisputable: Americans spend $10 billion a year on pornography — as much as we spend on sporting events. The average teenager views nearly 14,000 sexual references a year on television.

Power is equated with sex, and sex with power — on television, in movies, magazines, billboards and music. At times, it appears as if Americans have had enough. Remember the outrage over Janet Jackson "flashing" at the Super Bowl? How about the disgust over the video of high school girls humiliating, urinating on and beating younger students in an "initiation" stunt? Now there's Abu Ghraib. And we're shocked ... again?

Some denounce the reprehensible behavior, point an accusing finger at the military and return to their family room easy chairs, where they sit transfixed by mindless programming while their kids retreat to their bedrooms and consume endless hours of sleaze on MTV.

We have been sliding down the slippery sewer of cultural immorality for so long that we don't even realize that we're covered with stinking sludge.

Amid the noble struggle to establish and maintain a nation of moral integrity, freedom and faith in God, our history has also included periods punctuated by acts of shame. The

horrors of slavery come to mind. Yet, almost alone among nations throughout history, the United States has always managed to hold itself accountable for its ills, take corrective action and move to a higher level in our treatment of others.

Why? Because Americans once shared a collective understanding that ours is a society based on faith in God and his immutable laws of unconditional love, decency and the simple but powerful concept of treating others as we would be treated.

Our schools taught biblical principles. Our families gathered regularly in churches and synagogues. Prayer was a standard part of life — both private and public. Americans were taught the Ten Commandments and the rich Judeo-Christian history of our country.

But that all changed in the 1960s, when there began a steady removal of God and his absolutes from the public square. As a nation we forgot, as President Lincoln said, "that the fear of the Lord is the beginning of wisdom." Schools were purged of prayer and biblical values, leaving a vacuum that was soon filled with the preaching of moral relativism, sexual anarchy and a trashing of U.S. history. Now, about 40 years later, there is no collective understanding of our Judeo-Christian history and the values that once permeated our halls of government, our schools and our lives.

Our nation once looked to the truth of the Proverbs: "To receive instruction in wise behavior, righteousness, justice and equity; to give prudence to the naive, to the youth knowledge and discretion." Today, we teach our children to rely on their own wisdom and judgment, formed by endless hours of sexualized programming, situational ethics and group thinking. And we're surprised by the behavior of a few Americans at Abu Ghraib?

Our military is addressing the abuses that occurred in a prison far away and holding accountable those who are responsible — but what are the rest of us doing to restore civility and decency here at home? In order to preserve a real future for our children and our nation, we must rediscover the timeless principles that helped us to become the world's "last, best hope" — and restore them to our daily lives.

Abu Ghraib troubles Americans abroad
Baltimore Sun
May 26, 2004
Laura Hambleton

Until about nine months ago, when we moved from Chevy Chase to Pretoria, my 9-year-old son read the newspaper every day. He started with the sports pages, flipped to the end of the feature section for the comics and finished by studying the front page. He crunched his cereal while he scanned the headlines and read captions. On the occasion when a photograph caught his eye, he would often read the story.

In South Africa, my son's newspaper habit has gone dormant. He doesn't yet love the country's rugby team, the Springboks, as he loves his New England Patriots. He hasn't learned the ins and outs of cricket, as he knows every nuance of the Boston Red Sox. He

now glances at a local newspaper if it is left out on the kitchen counter, searching for a comic strip.

He did so the other day when the Pretoria News carried a front-page picture of Army Pfc. Lynndie R. England in the Abu Ghraib prison in Iraq. I watched my son reach for the paper to pull it toward him, but I was quicker. I deftly turned the paper toward me and turned to an inside page of comics. I committed an age-old act: diverting the attention of my child from a harsh reality. The irony is I am the wife of a newspaperman and the day's news is our dinnertime conversation. This time, though, I didn't want to approach the subject.

My son loves America. He defends it and promotes it. A few months ago, a boy in his class said that South Africa has the best beaches. My son countered by asking if the boy had been to Delaware, North Carolina, Florida, Maine, California. Now there are beautiful beaches, he said.

But what ammunition would he have to defend the actions of American soldiers in Iraqi prisons? For that matter, what would he make of the beheading of 26-year-old Nicholas E. Berg, in a game of one-upmanship?

To be sure, war is treacherous and messy, as is the aftermath, which the photographs so succinctly and powerfully portray. Even the Federal Express man who comes to my house at least once a week to deliver packages told me that everyone does these heinous acts in war. No big deal, in his mind. The bizarreness now is someone documented it, he said.

Perhaps that is exactly the point, because the contrast between Private England's smiling face -- real or staged -- and the words first used when we rode into Iraq on such a high moral ground are jarring.

No wonder I am not feeling high and mighty these days as an American overseas. I bowed my head and spoke quickly when I bought a newspaper at my neighborhood news stand the other day with the headline, "How the CIA teaches the world to torture."

"I'm ashamed to be an American right now," said a friend in an e-mail from Rome. "And I'm very, very angry that these people were stupid enough to act in these reprehensible ways. The outpouring of support and sympathy after 9/11 here was a beautiful thing. Flowers covered the entire entrance to the embassy and made all of us Americans cry. Most of that feeling has completely disappeared now."

The father of one of my son's friends told me recently that when a driver asked him where he was from, he hesitated. He almost said Canada, as some Americans here say and American journalists have said for many months in Iraq, but he admitted the United States. The driver responded with a drawn-out "Ohhh."

I often am stopped and asked which part of the States I live in, after someone hears my accent. I am asked if I like South Africa and where I've been. A man I walk with many Sunday mornings with our dogs tells me how he'd like to move to America and that he likes President Bush.

I hear it a lot.

At the same time, my 12-year-old daughter tells people I didn't fly a flag after 9/11. I didn't put a flag sticker on my car, and I don't wear red, white and blue on the Fourth of July.

What kind of American are you? she asks, half in jest and half looking for a serious answer.

I am an American who loves my country, but I expect so much more from it, especially when I'm living in a place such as South Africa, where the majority of the people for so long had no voice.

As my son has, the world gave America the benefit of a doubt. In Pretoria, and around the world, that no longer seems true.

Laura Hambleton is a freelance journalist who lives in Pretoria, South Africa.

CENTER FOR ARMY LESSONS LEARNED (CALL)

News from the Front!

SEP-OCT 02

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The Contemporary Role of Children as Combatants

by Mr. Ralph D. Nichols, Military Analyst, Center for Army Lessons Learned (CALL)

In the contemporary operational environment (COE), many different scenarios and asymmetrical threats challenge U.S. forces. One of the situations that our troops may face in the near future, and have certainly faced in the past, is how to deal with children as potential combatants. Many anecdotal and verifiable reports of children soldiers (defined as under the age of 18 years old, and as young as 5 or 6 years old) confronted and confounded U.S. troops during the Vietnam conflict in the decade of the 1960s and first half of the 1970s. Vietnamese children served as sources for human intelligence for regular North Vietnamese fighting forces, and for the guerilla elements of the Viet Cong. Some of these children were active combatants. In this capacity, they shouldered and fired in anger their Chinese- or Russian-procured AK-47 sub-automatic weapons against U.S. forces. Reports of children luring soldiers into ambushes, and even wiring themselves for detonation (booby-trapped explosives set off upon contact with U.S. troops) are well known. These events represent recent historical examples of U.S. forces facing children fighters. In 1993 our troops fought with rebel factions in the streets of Mogadishu, Somalia (urban warfare). Many of these rebel forces were comprised in part with children. In the movie "Black Hawk Down" (patterned after the insightful book by Mark Bowden), a memorable, dramatic moment occurs when a U.S. soldier thrusts the door open to a house only to be confronted with a very young male child (under the age of 10 by appearance) thrusting a gun barrel at close distance against him. The soldier is faced with the immediate ethical dilemma of whether or not to attempt to kill someone trying to kill him. Only the "someone" is a small child.

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REPRODUCE AND DISTRIBUTE THIS BULLETIN TO SUBORDINATE ELEMENTS!

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Currently, the Combined Arms and Services Staff School (CAS^3) dedicates a lesson to ethical decisionmaking. An incident that occurred in Operation DESERT STORM, involving a Special Forces "A Team," and a child is examined. The situation is reprinted in its entirety below. The situation remains relevant, in the context of the current worldwide war against terrorism, with Afghanistan as the predominant theater of operations presently, with the possibility of a renewed conflict with Iraq looming on the near horizon.

"SITUATION:

You are a captain and the leader of a Special Forces "A Team."

Your team is hiding in a *wadi* (depression) well forward of other U.S. forces to monitor enemy troop movements along a key MSR (main supply route).

There's not much movement on the MSR during the day, so the members of your team normally stay well camouflaged in "spider holes" to prevent discovery. At night, the soldiers come out of their spider holes to observe and report movement on the MSR, as well as to take care of any other essential activities.

On the second day of the operation, a group of Bedouins (nomads) set up camp near the team's position. A young girl – she looks to be about 5 or 6 years old – wanders into the wadi and finds a U.S. candy wrapper that had been carelessly dropped by one of your soldiers. The little girl picks up the candy wrapper and begins to walk back toward her camp.

You don't know the loyalties of this particular group of the Bedouins, but you're reasonably sure the adults will be curious enough that they'll come looking for the source of the obviously American candy wrapper. Although the spider holes are well camouflaged, someone walking among them will undoubtedly notice them. Your position, and, therefore, your mission, will be compromised.

All the members of your team have weapons with silencers. Any one of them can shoot the girl before she leaves the concealment of the wadi. Chances are, the Bedouins won't see or hear a thing. You quickly review several possible courses of action:

1) You can order your team to kill the girl before she leaves the wadi.

2) You can do nothing and hope that no one finds the team's hiding position.

3) You can send a soldier out to capture the girl and prevent her from returning to the Bedouin camp.

4) You can abort the mission, and the team can exfiltrate and evade enemy forces until reaching safety or being extracted."[1]

After some period of discussion, the CAS^3 students agree on what they would do in this type of situation. The actual course of action (COA) that was pursued and successfully accomplished by the actual A Team was to abort the mission, and extract the team (COA 4). This lesson brings to life the enhanced situational awareness that soldiers must possess when engaged in potential or actual armed conflict, when civilians, and especially children, are present on the battlefield. This can occur unexpectedly in a remote area (as illustrated in the above scenario in an Iraq desert), or in a crowded urban area. In the CAS^3 example, the child is clearly not a hostile, active combatant. The young nomad girl is simply a curious child.

From the last two decades of the 20th century to the present, an estimated two million children died in armed conflicts, many in Africa. Three times that number may have been seriously injured or permanently disabled. Over 12 million children became orphans. Many of the children that perished in the tribal, ethnic wars (such as Rwanda) were bearing arms. It was not uncommon to see a male child as young as five years old up to 17 years of age conscripted to fight or perish.

[1] **"Ethical Decision Making,"** U.S. Army Combined and Services Staff School, Appendix 10 to Section II, Lesson 7. ***The Candy Wrapper, F440-7,*** September 2002.

So what is new in the fact that children are serving as hostile combatants? During World War II in Western Europe, young German youth served in the *Wehrmacht* (translated as "German Army"), especially during the latter stages of the conflict, circa 1944. The Hitler Youth Brigade that fanatically and hopelessly helped defend Berlin against the rapid onslaught of the Soviet Army from the East, and the converging allied forces, led by General Dwight D. Eisenhower from the West, comes to mind. The German youth that served during this period of World War II were predominately teenagers between the ages of 13 to 17. In a war of attrition, the manpower pool was drying up for Nazi Germany. Hitler, in addition to impressing the youth of Germany into the dying war effort, also resorted to conscripting older adults (50 to 65 years of age). What Nazi Germany did in World War II in losing a war of attrition as a nation state is not dissimilar to what other nations have done in modern warfare (since the 18th century). When pressed for manpower needs, the nation resorts to widening the available draft ages for combatants, thus teenagers and senior citizens in increasing numbers begin to appear in armed conflicts.

In the same recent period (1980s to the present) that produced massive children casualties in tribal, ethnic and civil wars in Africa, an even larger number of males fatally succumbed to the sexually transmitted disease that continues to threaten the continent – the HIV-AIDS virus. Thus armies were filled with whatever resources were available – young male children. One could speculate in this manner that nations are doing what they have always done – fill armies with whatever manpower pool is readily available for the stated purpose of conducting warfare.

The role of children as primary hostile combatants is expanding worldwide. "Wars are now being fought in backyards and in the streets of cities instead of on more defined battle lines, putting women and children at more risk," according to Christine Knudsen of Save the Children organization. Her observations are based on work done in Chechnya and Guinea in West Africa.[2] According to a Reuters Foundation report in May 2002, civilians are increasingly bearing the brunt of war casualties, and, in particular, children. Around the turn of the 20th century, only five percent of war casualties were civilian. That figure jumped to 65 percent in World War II, and has reached astronomical proportions with more recent conflicts – 90 percent.[3]

With asymmetrical warfare, there are no front lines. In Africa, Sri Lanka, Cambodia, Burma, El Salvador, Mozambique and many other areas that have intrastate conflicts between informal militia, war takes place in the midst of communities. Civilians are targets because of the ethnic, religious and/or tribal group to which they belong. Caught in this crossfire, children and adolescents are vulnerable to exploitation by the opposing warring factions. In 1986, when the National Resistance Army battled its way into Kampala, Uganda UN observers were shocked to see four and five year olds in the ranks. Uganda's rebel army had an estimated 3,000 child soldiers under the age of 16, including 500 young girls.[4] Approximately 250,000 children under 18 (some as young as five) served in 33-armed conflicts in 1995 and 1996 alone.[5]

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[2] ***"Women and Children Bear Brunt of War,"*** **Reuters Foundation Report,** Sue Pleming, 2 May 2002, website: http://www.alertnet.org/thenews/newsdesk/431553.

[3] Ibid.

[4] Admiral John Shanahan (USN Retired), Television Show Transcript, ***"Child Soldiers: Invisible Combatants,"*** produced on 29 June 1997, website: http://www.edi.org/adm/1042/transcript.html.

[5] Ibid.

Why are children being thrust into the role of combatants? Is it merely to fill manpower requirements? There are other reasons for the recent dramatic upsurge in seeing children as combatants:

● **Forced recruitment, also known as press-ganging or impressments.** This was commonplace in the El Salvador civil war of 1980-1992, and in Afghanistan. This is the beginning of a tyranny of fear and indoctrination that is designed to weaken the child psychologically, and to make them highly compliant and subservient to their commanders.[6]

● **Some children volunteer for duty because they believe it's the only way to guarantee regular meals, clothing and protection.** Unaccompanied children with no parents to protect them, people who are fearful that they will die of hunger or from inadequate health care seek military activity.[7]

● **Many current religious, ethnic-rooted disputes, such as Palestine, Bosnia-Herzegovina, Kosovo and Northern Ireland, have taken place over generations.** In-bred hatred passed down from their parents compels children to become soldiers as soon as they enter teens.[8]

● **"I joined because I wanted power, because the first rebel soldiers who came into Sierra Leone were killing our brothers, seizing power and were bad," the words of a former child soldier.[9]**

● **Light assault weapons, such as the American M-16 and widely available AK-47, are easier for children to use and shoulder.** The worldwide spread of these weapons makes them more accessible to obtain.[10]

● **In many ways children make desirable soldiers; they do what they are told.** If they are recruited early enough, they have only a limited sense of right or wrong. Sometimes, they are given dangerous assignments, or they are given orders to commit acts of atrocity. From the mouth of a former child soldier: "Sometimes we killed 10, 15, or 30. And at the end of it all, we all celebrate by drinking rum, smoking cannabis. We could even take the blood and rub it into our skins."[11]

● **Survival in "total war."** The "African World War" still simmering in central Africa grew directly from the Rwandan Civil War and consequent genocide. After the war began, the then government of Rwanda mounted a sustained information campaign to portray all rebels and their sympathizers – defined as anyone not pro-government – as subhuman. The most common label applied was the *Kinyarwandan* term for "cockroaches." Rebel military leaders took in children of both ethnic groups to protect them. Calling them "the little boys," the children were often under 10 years of age. They served as messengers, and *in extremis* combatants. The government on the other hand created an entire youth-based militia, the *Interahamwe*, dedicated to extermination of the Tutsi and all Hutu tribe moderates. The post-genocide dilemma has been: What to do with such youths afterwards? It supposedly has been easier to demobilize the little boys of the rebel army that won the war. The genocidal youth of the *Interhamwe* have been a thornier issue. Indeed, the continued existence of *Interahamwe*, and allied hardcore military units from the previous regime led to the expansion of the Rwandan war beyond the country's borders.

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[6] Admiral John Shanahan (USN Retired) Television Show Transcript, ***"Child Soldiers: Invisible Combatants,"*** produced on 29 June 1997, website: http://www.edi.org/adm/1042/transcript.html.

[7] Ibid.

[8] Ibid.

[9] Ibid.

[10] Ibid.

[11] Ibid.

The overwhelming majority of the estimated quarter-million child soldiers are found in the poorest nations on earth such as Afghanistan, Angola, Southern Sudan, Somalia, Mozambique and Sierra Leone. It is entirely possible that U.S. soldiers may have faced young soldiers in recent skirmishes in Afghanistan.

Lessons Learned

Situational Awareness: ***Since an estimated quarter-million soldiers in the world are children, we may end up fighting a faction or nation that has a portion of their force that is under the age of 18.*** Enhanced situational awareness of civilians on the battlefield, along with carefully monitored and well-reasoned rules of engagement to limit collateral damage to civilians, must be constantly monitored. With no front lines in asymmetrical warfare, this will be a complex issue with which to wrangle.

Rules of Engagement (ROE): ***Many American soldiers are socialized in Judeo-Christian values during their adolescent years prior to active military service.*** They are not conditioned to respond to fight against "kids." This constitutes an "unfair fight" in most minds raised in the U.S. However, when someone is shooting at you with live ammunition, should the ROE remain the same? Do you return fire with the intent to maim or kill your opponent? Soldiers need to quickly discern between a hostile combatant and an innocent civilian and make the right choice at the right time (e.g., the candy wrapper scenario). Some of the pointed issues that relate to ROE are:

- **How do you distinguish between children and adult fighters in combat?**
- **How should the ROE be adjusted to accommodate the possibility of fighting children?**
- **What is the ROE for children combatants collecting intelligence; is it the same or different than adult soldiers?**

Leader Attributes: *FM 22-100,* **Army Leadership,** *outlines the physical, mental and emotional attributes that our leaders must possess.* Some of the notable mental attributes that would be brought to bear in a situation that involves U.S. forces fighting children are:

- **Possess and display will, self-discipline, initiative, judgment, self-confidence, intelligence, common sense and cultural awareness.**
- **Analyze situations.**
- **Balance resolve and flexibility.**
- **Think and act quickly and logically, even when there are no clear instructions or the plan falls apart.** (**NOTE:** Perhaps clear, well-thoughtout ROE as applied to children combatants will help ameliorate this challenge.)

Combat leaders will be challenged to the maximum to maintain emotional equilibrium when fighting adolescents. The applicable emotional attributes that will challenge leaders in a situation that deals with U.S. forces fighting children are:

- **Remain calm during conditions of stress, chaos, and rapid change.**
- **Exercise self-control, balance, and stability.**
- **Demonstrate mature, responsible behavior that inspires trust and earns respect.**

The physical attributes that challenge leaders when faced with fighting under-age soldiers are:

- **Cope with hardship.**
- **Continue to function under adverse conditions.**

Post-Conflict: *Some of the myriad considerations to consider after hostilities cease are:*

● **What accommodations should be made for adolescent enemy prisoners of war (EPWs) and casualties?**

● **What are the public affairs, psychological operations (PSYOP) and civil affairs considerations?**

● **What role do non-government agencies play in regard to children soldiers; how much interface and responsibility do U.S. forces have in this effort?**

● **What roles, if any, do U.S. forces have in repatriation of former children soldiers?**

● **What post-conflict needs do U.S. soldiers have (i.e., post-traumatic syndrome, other psychological adjustments to "normalcy")?**

Conclusion and Recommendations

It is difficult to predict the next conflict – what conditions may exist, where, and how the fight will take place. In the COE, with no front lines associated with an asymmetrical threat, "total" warfare cuts a large swath, engulfing communities, and increasingly endangering civilians, especially children. In an age of proliferation of weapons of mass destruction, the variety of threats has multiplied exponentially. The "threat" now encompasses many more children serving as combatants. Our forces need to recognize this and be prepared to deal with the complexities associated with this alarming trend. How can we more effectively deal with the role of children on the modern battlefield?

● **Military leaders at all levels (tactical, operational and strategic), in concert with political and diplomatic officials State department) associated with the nation's security, must be cognizant of the emerging dangers of children serving as hostile combatants.**

● **Army leaders must exercise sound judgment in conjunction with the desired leader attributes highlighted from FM 22-100 when dealing with children (as intelligence gatherers, actual combatants, and innocent bystanders) on the battlefield.**

● **Innovative, comprehensive, detailed deliberate planning that factors in ROE for children on the battlefield, ethical decisionmaking, cooperation and integration of non-government agencies (NGOs) to deal with hostile conflict and post-conflict concerns needs to take place with a goal of minimizing civilian casualties, while simultaneously ensuring adequate force protection for U.S. troops.**

Photo courtesy of Center for Defense Information website.

● **Integrate role players as children in an urban environment at the combat training centers (CTCs).** In this manner, our troops will be confronted with the multi-faceted roles of children on the modern seamless battlefield of the present and near future. It will surely test their resolve, the Military Decision-Making Process (MDMP), leader attributes, ROE and force protection. Role players should serve as sources of human intelligence (HUMINT), hostile combatants, innocent bystanders, and as orphaned, homeless, and starving refugees. This would give our troops rotating through the CTCs a more realistic portrayal of children and civilians on the battlefield in an urban warfare setting that U.S. forces are already facing now in parts of Afghanistan and the Balkans (Bosnia-Herzegovina and Kosovo) and theaters of operation on the horizon.✪

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The Infantry Platoon: A Diary of Trends

by SFC Robert J. Ehrlich, Task Force 2, JRTC

This diary was compiled from 13 rotations at the Joint Readiness Training Center (JRTC), Fort Polk, Louisiana. It draws lessons from 33 platoon after-action reviews (AARs), offering them under the categories of sustain and improve. The diary is intended as a broad brush of typical platoon operations during rotations at JRTC. It is not set in a format of tactics, techniques, and procedures (TTP) or field manual (FM). It does provide an excellent start point for the junior leader preparing for a rotation. It is also useful for the company commander in establishing training goals at Home Station.

1. SUSTAIN:

a. Soldier attitudes. Soldier attitudes on JRTC rotations have been generally high. Soldiers are motivated and ready for the training. Although there are some soldiers that do not want to be in the rotation, a majority are highly motivated, eager to get into the field, and looking for a fight with the opposing forces (OPFOR).

b. Mail. Every unit on a JRTC rotation has gotten mail, even during short rotations such as the Army National Guard units. This helps ensure that motivation and morale stay high.

c. Rations. T-Rations and hot rations have been delivered during many rotations in the defense phase or in battalion or brigade assembly areas. This has a profound impact on soldier attitudes. During a few rotations, some companies set up assembly areas and serve T-Rations during the movement-to-contact phase. Again, this is a great morale booster. Many soldiers commented that unit leaders really care about them if they are willing to set up an assembly area with perimeter security and provide a hot meal. A refit and re-arming operation during combat operations works wonders.

d. Taking charge. Junior leaders are quick to take charge when senior leaders become casualties. Although they are sometimes not fully prepared to plan and conduct combat operations, they assume command quickly and take action. Some Home-Station training needs to be conducted to help better prepare them for leading patrols, especially the junior NCOs and senior specialists.

e. Rehearsals. Generic rehearsals are conducted almost every rotation, especially at the immediate staging base (ISB) or prior to deployment.

f. Aggressiveness. Soldiers and platoons are aggressive during rotations. Sometimes they are overly aggressive and fail to use battle drills. That said, an aggressive stance against the enemy shows them you are ready to fight and they often break contact from the unit. Channel the aggression into violent execution of battle drills.

g. Use of strong skilled soldiers. Using soldiers with strong skills provides immediate benefits and shows that leaders know their men, their strengths and weaknesses. All too often, units depend too much on the strong skilled soldiers and burn them out. The wise leader makes sure that the others are up to speed on their training, and rotates soldiers on the various duties.

h. Communicating with locals. This is a plus in combat operations. Talk with the locals when you come in contact with them. They are a wealth of information about trails, weather, location of enemy, when the enemy comes around, and other matters. Some units avoid the locals, but the majority approach and talk to the locals.

i. Encoding numbers. Some units use this to great effect on internal platoon frequencies. The format of "STOP DANGER" has been widely used as such:

S	T	O	P	D	A	N	G	E	R
0	1	2	3	4	5	6	7	8	9

Figure 1

Any other 10-letter word group can be used, so long as the letters do not repeat. How it is used. Grid coordinated and frequencies are the most common use for this. **Example:** A frequency of 55.750 would be sent as AAGAS.

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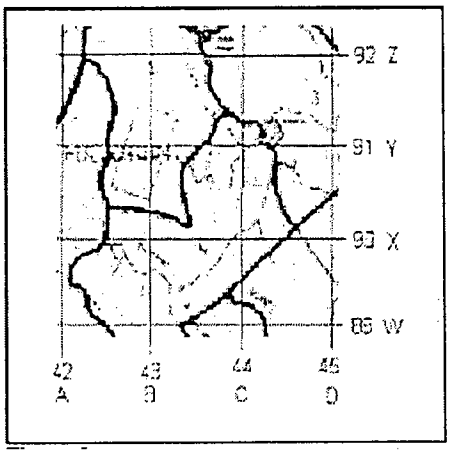

Figure 2

j. Tiers on a Map. This is another technique for small unit communications, especially when there are not enough frequency hopping SINCGARS radios. Platoons may not have enough SINCGARS to replace all the squad radios (AN/PRC-126 or 127 radios). It is simple to use.

The grid you want to send in is: WQ435905.
Encoded, using tiers, it would look like: I Set - WQ, Grid - B5X5.
This allows the processing of sensitive information over unsecured communications.

k. Standing operating procedures (SOPs). Generally, platoon SOPs are unwritten. Even so, they are fairly well understood by all members of the platoon. This could pose a problem in war for new and replacement soldiers. They do not know the platoon SOPs and will have to learn them while they are in a combat zone.

l. Equipment accountability. Accountability of platoon equipment is pretty good. Very few platoons lose gear. Platoon sergeants and squad leaders checking soldier equipment for tie downs, and conducting hands-on checks prior to moving out on missions, pre-combat inspections (PCI) are the key.

2. IMPROVE (AREAS NEEDING ATTENTION):

a. PLANNING.

(1) Clear, simple orders. Clear, simple orders are the ticket at platoon and lower levels. Many times the orders are vague in content and wordy. If the orders are vague, lower leaders add excessive words so that the soldiers think the leaders know what is going on. Leaders need to remember the old statement – Keep It Simple Soldier (KISS). A simple, clear, properly articulated order does not need to be a book or novel, but one page with the meat and potatoes of what we are doing.

(2) Task, purpose, method, and end state = a focused mission and intent. This is the hardest for many to understand. The task is the assigned mission(s). The purpose is what we are to do (destroy the enemy, defend in sector). The method is how we will accomplish this. And the end state is the vision of the outcome. All must be clear, simple, and to the point so that every soldier fully understands what is to be done. But all too often, it is unclear and missing key ingredients and we execute without having a clear understanding of what we are doing.

(3) Time Management. *The 1/3–2/3 rule has pretty much died at the platoon level. Generally speaking, this comes from higher-level orders arriving late for immediate execution.* But leaders need to ensure that their subordinates have time to conduct their own planning and allow information to be disseminated prior to moving out. This holds especially true for the defense and during movement to contact. All too often, the squad leaders receive the order, and then have no time to inform their soldiers what is going on before picking up and moving out. The outcome is soldiers do not know what the mission or task is or what they are going to do. Instead, they follow the leader and feel left in the dark.

(4) Task organization. *All too often platoon leaders try to do all planning and then execute that plan as if they were in solitary confinement. In about 36 to 48 hours, they are lethal weapons--for the OPFOR.* They must learn to task-organize the platoon and subordinate leaders, especially in the planning of missions and execution of the defense. That means tasking platoon sergeants and squad leaders in planning the operations they will have to execute. This also develops them as leaders. In the defense, they can be executing and coordinating the preparation while the platoon leader is developing the plan and verifying the plan with the commander.

(5) Combat Service Support (CSS). Generally this is poorly planned at platoon level, especially casualty evacuation (CASEVAC) and resupply. Normally, there is a platoon combat command post (CCP) and a company CCP established, but no plan on how to extract casualties including routes in and out. Few personnel have or know how to use a nine-line medical evacuation (MEDEVAC) request. Soldiers need to know this so they feel comfortable in the fact that the unit can and will get them extracted in a timely manner if they become a casualty. And that there is a planned route for resupply instead of the company supply truck or battalion resupply driving around looking for them.

(6) **Integration of attachments.** This area is definitely one for improvement, especially when there are attachments such as engineers (breach teams). They are rarely included in the planning or issuance of the order. Even those who are rarely coordinate communications with the platoon. In the defense, BIFVs, engineers, or tanks often collocate with the platoon but never integrate into operations. The outcome is no mutual support and integration into the line of defense.

(7) **Combat multipliers.** This area has profound outcomes, many negative if not considered. All too often, platoons conducting search-and-attack operations get decisively engaged. Even as that occurs, attack aviation are flying nearby or on top of them searching for the enemy with no communications between the ground and the air. Or in the attack, BIFVs and tanks drive into the objective while dismounted infantry is pinned down by well-aimed fire. Again no communications link these heavy and light elements.

Supporting arms are invaluable when used properly. A BIFV or tank can easily provide cover and fire for a platoon to get from a wood line to a building and establish a foothold. Attack air can easily find caches or the exact position of the enemy so the platoon can close with and destroy them. But this only happens if the assets are on the platoon frequency or the platoon is given the frequencies to talk to the combat multipliers.

One unit overcame this in a unique way. A Kiowa Warrior was searching an area and located a large cache, then came to the nearest platoon and flew around them. The pilot pointed out the window to the location. The pilot then went back and flew in circles over the cache. The platoon did not understand and continued moving away from the cache. The pilot then wrote a note on a piece of paper, attached it to something heavy, and dropped it on the platoon. Then the platoon understood what the pilot wanted and destroyed the cache. Certainly not the preferred technique, but it worked in this instance because that pilot wanted to support the troops.

(8) **Adjacent unit coordination.** All too often, this is not conducted. The outcome is chance contact between units and potential fratricides. It is almost impossible to establish an effective defense without such coordination. That said, it is seldom done and even when coordination is made, it is poorly done. A checklist would help prevent fratricide and chance contacts with other friendly elements, especially when near company or battalion boundaries.

(9) **Rehearsals.** Rehearsals need to be focused for *EVERY* mission even if only a backbrief when receiving a new mission. Such focused rehearsals are rare. Usually they are generic, uncoordinated and almost never focused on the specific mission. Prior to executing an ambush, soldiers must rehearse *that ambush* so each fully understands his role be it POW/search, aid and litter, or assault across the objective. But this does not happen. The results are confusion and poor performance.

(10) **Fire Support.** Fire support at platoon level is generally planned poorly. Its execution is even worse. The FO is force-fed from above, rarely given the flexibility to plan target reference points (TRPs) for the platoon. Often TRPs are on prominent terrain features too far from the planned route, rendering them useless. Careful route planning that incorporates a fire plan can eliminate many immediate requests so often used. The forward observers (FOs) are trained in Fire Support planning, allow them to do their job. A good planning tool was developed by the fire support division here at JRTC and published in the Center for Army Lessons Learned (CALL) **Newsletter No. 90-1,** ***Fire Support for the Maneuver Commander,*** Feb 90. Have the FOs and leaders review this publication and implement the content into their planning and operations.

(11) **Contingencies.** The old what-ifs need to be considered. This rarely happens at the platoon level even in the case of a basic five-point plan for a leader's reconnaissance, a squad patrol, reconnaissance and surveillance (R&S) patrol, or other similar operations. Again, get back to the basics here. Even a lost communications contingency is rarely ever planned. One technique is to build a set of contingencies and number them in the platoon TACSOP. Then they are part of the platoon's SOP and become known to all members of the platoon. This way, during operations, they can be referred to as per the SOP, and only a basic five-point plan needs to be issued.

(12) **Dissemination of information.** A soldier needs to know five basic things during operations: where he is going; what he is doing; when he will leave and return; when is chow; and when he will get mail? As long as a soldier has the basic information, he feels like a part of a team and can focus on the mission.

b. EXECUTION:

(1) **Battle drills.** Platoon and squad battle drills are rarely executed at JRTC. Usually, the unit is caught off guard and control breaks down immediately. Rather than maneuver or support by fires, soldiers just start running in the direction of fire. Battle drills are unfamiliar and there is no coordinated effort among the squad or platoon. In the best of cases, casualties are high even if the unit "wins." More often, the OPFOR inflicts casualties and fades without losing the initiative. Soldiers and small units must rehearse battle drills until they can do them without thought. A technique for Home-Station training is to incorporate some drills into daily physical training (PT). They become "grass drills" for operations. While running down a road, you come across an open field. Run off into the field and conduct a drill or two, then get back onto the road and finish the run. This adds variety to PT and helps soldiers understand their drills and where they fit into the battle drill. The platoon and squad battle drills are:

- **React to Contact.**
- **Platoon Attack.**
- **Squad Attack.**
- **Break Contact.**
- **Breach a Mined Wire Obstacle.**
- **Enter a Building/Clear a Room.**

(2) Navigation skills. Navigation is one of the oldest and most difficult of soldier skills. It requires practice to master and the number of masters are steadily declining. GPS is not a panacea. Terrain association and map reading are still necessary. More and more units are relying on the plugger to give them accurate grids on where they are. Soldiers without a plugger do not know where they are. The basics need to be stressed here: a map, compass and pace count. The plugger is used to confirm location.

(3) Movement techniques.

(a) Platoons are not using proper movement techniques. Soldiers have a tendency to walk in a file. Leaders must ensure their soldiers to do the hard right over the easy wrong. The file is for restrictive terrain or very low visibility. Even then soldiers should not trail behind the other. There is even a right way and wrong way to use the file. Review FM 7-8 for proper techniques. Some techniques that worked well are:

- **Platoon Wedge and Vee.**
- **Squad Wedge.**
- **Fire Team Wedge on R&S patrol.**

b) Individual movement is generally poor. Soldiers run toward the enemy in the open. Soldiers do not use individual movement techniques of the Low Crawl, High Crawl and 3-5 second rush. Or they use them improperly. Even if they do use individual movement techniques (IMTs), they do not use available cover. They may get down near a tree some 20 inches in diameter but they don't use it as cover. Again, back to the basics. Employ some of this training during PT in the open field that you are running by.

(c) Night Movements. Again soldiers tend to operate in a file and forget proper movement techniques. Even on fairly open terrain, soldiers will go into in a file if allowed rather than use a wedge. Even with night vision goggles (NVG), they naturally tend to move back into a file formation. The general consensus is good illumination equals poor NVG use.

(4) Security. A general lack of security is the reason units get caught unaware at JRTC. Security must be 360° at all times. Security means soldiers watch their flanks, rear elements watch behind, and soldiers scan their sectors during movements. During halts, soldiers tend to do a rucksack flop, especially radio-telephone operators (RTO) and FOs. Soldiers need to face out and scan their sectors, RTOs and FOs need to drop the ruck on a long halt and get behind their ruck in the prone to monitor the radio. At danger areas, such as roads or clearings, leaders must heighten awareness of the situation and increase security rather than allow soldiers to bunch up. At patrol bases or assembly areas, security should never go below 50 percent unless approved by the company commander. If a patrol or other mission departs, security should be at 100 percent until they return. These are all basics taught in our schools. But time and time again, units disregard them when out in the box. Soldiers always drift toward an individual "Cone of Comfort." For most soldiers, this is that area from their feet to about 15 feet in front of them on the march. As fatigue increases, the cone narrows, especially with a heavy rucksack. Soldiers tend to watch this area, dulled into believing that as long as the enemy is not inside the cone of comfort they are safe. Scan your sector not the cone. The OPFOR can and will hurt you without even getting close to the cone.

(5) Awareness. Battlefield awareness and situational awareness are the foundations of security. If the soldiers scan their sector on the move, they are aware of their surroundings. They are less likely to be caught off guard. They are also less likely to miss opportunities to hurt the enemy. It is not uncommon for a platoon or company to walk right next to an enemy CP or cache and never see it. Everyone is in the cone of comfort, watching the soldier in front of him. At times, they get into a firefight with a friendly unit because the two elements bumped into each other. Situational and battlefield awareness comes from constant scanning of sectors and equally constant monitoring of one's position in the unit scheme of maneuver. Fixated compass men or leaders' eyes glued to a plugger rather than guiding on a map drift into another unit's sector. Surprised, they fail to identify targets. The results are fratricide, confusion, and a golden opportunity for an OPFOR counterstroke.

(6) Use of combat multipliers. As discussed earlier, attack aviation, BIFVs, M1 tanks, engineers, and other support equipment can have a profound impact on engagements with the enemy. But they need to be integrated from the planning of the operation to its execution and future operations. Know their strengths and limitations. Those guide how to employ them. They can easily be integrated into the find, fix, or finish aspect. Even if they are not task-organized to the platoon, they can still be used for support if they are in the area. This means having a communications plan and frequencies. As far as equipment goes, knowledge on the proper use of and employment of the MOPMS, JAVELIN, M240MG, and the WAM is lacking. Many times units and soldiers have difficulty using the equipment. Clearly, equipment familiarization and training at Home Station would reduce these problems.

(7) Fire Support.

(a) Clearance of fires is a systemic problem at the platoon and company levels. Battle tracking can eliminate 90 percent of the problem. The fix is simple: a platoon calls in a grid every 300 meters. If operating as squads, then squad grids are called in all the way up to the company; platoon grids are called into the battalion. This way fires can be cleared as quickly as possible and placed on the enemy.

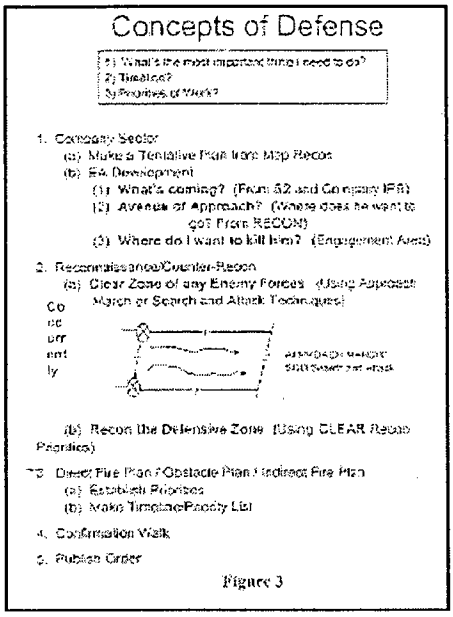

Figure 3

(b) Shift vs Polar missions. During movements, the platoon FO can really make some money if he and his RTO *know* the polar mission technique. Polar missions are simple, requiring friendly location, direction to the enemy, distance, method, and a target description. Every leader should know that basic information at all times. Even a single soldier can make all the difference in the world here, as was the case during one rotation. The platoon was caught in a cross fire and was down to a single man who grabbed the FO radio. He initially tried a grid and when that didn't work, in a polar mission. He placed 45 rounds of HE right on top of the enemy platoon, inflicting 95-percent casualties and destroying two 82-mm mortars before being shot by a sniper. He was named hero of the battle in the rotation AAR.

(8) Reporting. Clear, concise, timely reports must be sent up to higher. Poor reporting results in missed opportunities and casualties. All soldiers need to use the basic SALUTE format. ***If the battalion or company uses a different format, then every soldier needs to fully understand it and know how to use it. And all higher and support units must know it!*** In one event, a platoon literally filed past an enemy CP and resupply point just 50 meters away. No one saw the vehicles and OE-254 until the last platoon noticed it. They tried to call in a report, but it was not timely and the description was not clear. As a result, the unit was ordered to continue to march, missing an opportunity to take out the enemy CP and resupply point. The unit kicked itself during the AAR when it became clear what they had missed. Again this goes back to basics: scanning sectors; situational and battlefield awareness; timely and accurate reporting.

(9) Mission-essential equipment. All mission equipment must accompany the platoon on every mission.

(a) *Binoculars* allow users to scan greater distances with greater clarity. The binocular (bino) reticles can aid the user in calling and adjusting fires. Assistant gunners, FOs and leaders should all have binos with them.

(b) *Pluggers* allow the unit to confirm location and get accurate grids for indirect fire missions. If used properly and soldiers have a strong working knowledge of the equipment, it can *back up* navigation. By punching in way-points, units can navigate with azimuths and distances from way point to way point. For fires, using the Average Mode can get the grid locked into a 10 digit with accuracy (a field survey), but this requires time (360 seconds or 5 minutes).

(c) *Spare Barrels* are rarely carried during training because of MILES play. *But the unit should train as it fights. These items should NEVER be left behind. Tripods, T&Es and Pintles should ALWAYS be near the machine gunners.* At every long halt, the gun should be mounted and placed at a minimum the 12 o'clock position and the main avenue of approach. The tripod allows the gunners to placed well-aimed, controlled fire onto any target that may present itself.

c. DEFENSE:

(1) Clear the area to occupy. Units must search and attack an area selected for the defense prior to an occupation. This ensures that the area is clear of the enemy and that the enemy does not have eyes on all the defense operations. This is a technique and has been proven effective during multiple operations at JRTC at the platoon and company levels.

(2) Positioning of crew-served weapons. Crew-served weapons are the small unit's greatest source of firepower. The defense should be built around them with the infantry set in to protect them. Usually the exact opposite takes place. They are tacked onto the platoon defense almost by route method, one on either flank or assigned by subunit or leader. That often puts them in poor areas for observation and avenues of fire. Careful consideration must be taken to ensure that the crew-served weapons can cover the areas of highest threat for dismounted and light skin-mounted operations. They must also ensure that they meet the requirements of the defense. The only way to determine where those emplacements should be is to look at the terrain as the attacker will look at it.

(3) Range cards and sector sketches. Range cards and sector sketches are for the most part sub-standard and do not provide a clear picture of the area of coverage or have adequate information to support the area of coverage. Again, the best way to develop a range card and sector sketch is to study the terrain from the attacker's viewpoint. Soldiers and leaders need to refer to FM 7-8 and **STP 7-11BCHM 14-SM-TG,** ***Task 071-312-3007.*** Prepare a range card for an M60 or M240 MG. Bring copies of DA Form 5517-R, Standard Range Card. Range cards printed on plastic are durable and are not affected by weather. For sector sketches, refer to FM 7-8, Chapter 2, paragraph 2-23.

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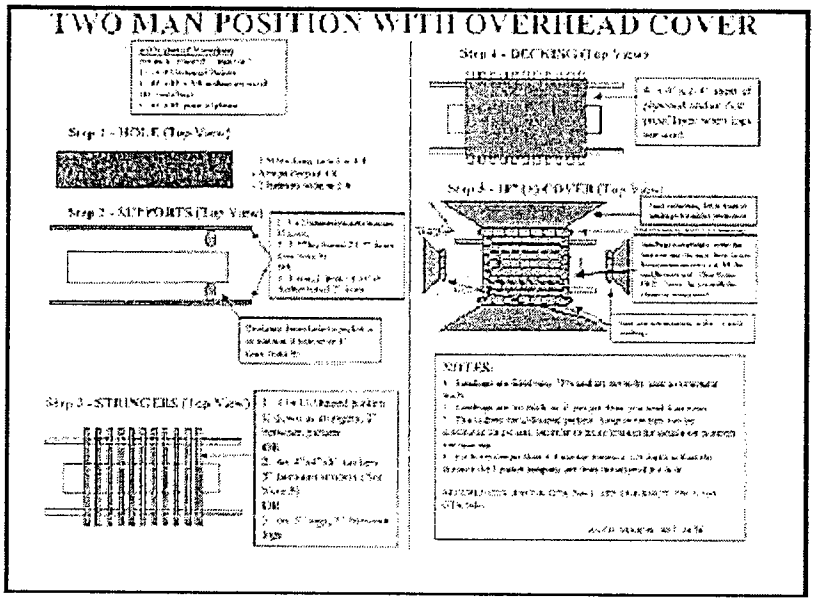
(4) Security. Security during defense operations is another problem area. Take a unit that has been on the move for several days and then put it in the defense. Soldiers will, without fail, see that as an opportunity to rest. The defense is a leadership challenge. During the preparation phase, the soldiers are busy. Most soldiers are busily preparing their positions and units have but one to two personnel on security. That is a calculated risk that sometimes has to be accepted; the key is realizing that it is a risk as the unit focuses on setting in the defense by the specified "not later than (NTL)" time. When the clock strikes that hour, platoons are set at 100-percent readiness. They are keyed up, but they are also tired. In a short time, they reduce security 50 percent. Then human nature starts to work and soon 25-percent security is in effect. By the wee hours of the morning, platoons are usually at 5-percent security or less. Observer/controllers (O/Cs) have videoed every soldier in platoons in the fetal position in the bottom of the fighting positions. Hence, the leadership challenge of the defense. Soldiers are already tired and face a wearing job in establishing a defense. Once that is ready, leaders need to troop the line hourly after the NLT defend time. Rotate the responsibility among the platoon leader, platoon sergeant and squad leaders to ensure that all the soldiers are performing their tasks and ready to defend when the enemy comes into the sector. Never allow the soldiers to go below 50-percent security, unless directed by the company or battalion headquarters. The defense is not a rest stop.

(5) Priorities of work. Platoons fail uniformly to set priorities of work. The platoon and company team must establish clear priorities of work list, then enforce it. There is a list published in FM 7-8 that can be used as a guide or adopted as the platoon priorities checklist. Trying to handle too many tasks at once prevents unified effort in task accomplishment or accomplishment at sub-standard levels. Focus and unity in effort will help prevent this from occurring.

(6) Manuals and government training aids (GTA). Field manuals are called field manuals for a reason. They are not "coffee table books" intended for the unit recreation area at Home Station. **FM 7-8,** ***Infantry Rifle Platoon and Squad,*** and **FM 7-10,** ***The Infantry Rifle Company,*** and **GTA 7-4-6,** ***Company Team Defense,*** are valuable sources of information when preparing for the defense, and must be on hand when preparing and executing the defense. On average, there is only one copy of FM 7-8 available and this is usually provided by the O/Cs to assist the unit in its efforts.

(7) Interlocking fires. A defense that has gaps in its fires is an invitation for defeat. Every platoon sets in a defense that has at least one area with NO interlocking fire. Each time, the enemy finds and exploits it. Care and attention must be taken to ensure that interlocking fire is obtained in the platoon defense, and mutually supporting fires are obtained in the company defense. Again, walking the terrain and examining it from the attacker's perspective is key. Have an individual go downrange while the sector sketches are being made. This identifies dead space and areas not covered by grazing fire. It also confirms interlocking fire. If the soldier is within the sectors of fire for the two positions, then there is interlocking fire. If not, then sectors need adjusting to support each other.

(8) Communications plan. During the defense, communications are essential. They tie the positions together, keeping soldiers informed on what is happening. They provide information to the subordinate leaders. They need to be as secure and as quiet as possible. PRC-126s and 127s are fine but are unsecure. Wire communications are secure and should extend from the CP to each of the squad leaders. A tug line is a silent means of alerting individual positions and to upgrade security. The tug line can be simple 550 cord in the platoon defense kit. But communications are more than simple means of passing information. Communications are personal, both spoken and unspoken. Leaders need to get out of their positions and go to each of the squad's positions. That effort does more than simply tell the soldiers what is going on. It lets them know that their leaders care. Lastly, there needs to be a no-communication plan. Losing communications with the company with no backup can be more than embarrassing; it can be fatal. If the company headquarters and or adjacent platoons have been over-run by the enemy and are coming up the flanks, it is better to find that out earlier. A good communications plan can help prevent some of the problems associated with lost communications.



(9) **CASEVAC.** This area concerns the CSS community and line soldiers. But is often poorly planned. The service support plan must include a route into and out of the platoon and company sector of defense. It must also include a route from the platoon CCP to the company CCP.

(10) **Escape routes.** An escape route needs to be planned in the platoon defense in case the platoon is over-run, a possibility almost never addressed. An escape route allows survivors to get to a covered and concealed area, consolidate and reorganize, then counter-attack the enemy. Instead, the escape efforts are ad hoc, leaving the survivors to fend for themselves against a focused enemy.

(11) **Camouflage and concealment.** Equipment left on the ground and not used in the defense is rarely concealed. This provides a signature for the enemy to focus on and gives the platoon defense away. Generally, the barrier materials are left on the ground, right where they were dropped off. Rucksacks are positioned behind the fighting positions and rarely, if ever, camouflaged. Attention to detail, and adding this to the defense checklist or priorities of work would help prevent this from occurring.

(12) **Fighting positions.** Fighting positions have rarely been built to standard. To survive the indirect fire attack that precedes an attack, the fighting positions must have a minimum of 18 inches of overhead cover. The engineer section at JRTC has put together a diagram and standard (tested) for a fighting position built with long pickets. It takes 18 long pickets for a two-man fighting position. There are other diagrams available at JRTC and are sent to each of the engineer elements prior to arrival at JRTC. If you didn't get them, ask your O/Cs; they will be happy to provide the diagrams.

(13) **Alternate and supplementary positions.** These are rarely designated. Even if they are, soldiers do not know where they are, much less prepare them. Usually, the factor related to this is time management. Alternate and supplementary positions must be designated, and at a minimum, dug to hasty standards.

(14) **Rehearsals.** Defensive rehearsals are generally radio drills, well after the NLT defend time. Rehearsals must be conducted during both day and night conditions. This will help ensure that all soldiers know the plan and how their part fits into the plan. A physical rehearsal to shift to alternate positions or perhaps reinforce flanks allows the soldiers to see the terrain. It may also uncover weaknesses that a radio drill won't get at. As a minimum, soldiers must know the withdrawal from primary to alternate and supplementary positions, and the reinforcement drill for the flanks. Otherwise, when attacked and they begin to fall back to alternate/supplementary positions, they become disoriented.

(15) **Hasty positions.** There have been several instances when a platoon has been moved only minutes or an hour or so prior to the dismounted attack. In this case, soldiers picked up and moved, then simply lay on the ground to defend. *The earth is the defender's friend: get close!* Leaders and soldiers need to get down and scratch out hasty positions as quickly as possible in the new area to defend. Even a hasty fighting position adds needed protection for the force. In the event artillery begins coming in on the element, being slightly below surface level gives more protection than laying on the surface; some of the shrapnel will pass over and miss the soldier in a hasty position. Units in a company assembly area or battalion assembly area should prepare hasty position. This simple act of scratching out a hasty position will help save a soldiers life, and presents less of a target for the enemy to place well-aimed, accurate fires upon.

d. ADMIN.

(1) **SOPs.** SOPs at platoon level are generally weak to non-existent. What procedures do exist are usually passed word of mouth and vague at best. Platoons need to establish a platoon tactical standing operating procedures (TACSOPs) or use the sample version that is outlined in FM 7-8. Anything that soldiers can refer to in hard copy to refresh their memory is better than a non-existing (written) reference. This will also help to integrate new or replacement soldiers as to how the platoon operates in a field environment.

(2) Doctrinal manuals. FM 7-8 needs to be carried by team leaders and above at the platoon level. This is a ready reference to many of the questions that arise during normal operations at JRTC and the field exercises at Home Station. Many view this manual as the bible for squad and platoon operations, but it is simply a reference item that has proven its worth in many exercises and operations.

(3) Company and battalion TACSOPs. Company and battalion TACSOP must be on hand at the platoon level. At a minimum, the platoon leader and platoon sergeant must have a copy during operations. During every rotation, there have been instances that an event occurs and could be answered by the company or battalion TACSOP if the platoon had a copy with them. Not to mention the reports that are contained within each, that are often neglected to be included in the platoon TACSOP.

(4) Pre-combat checks and inspections. These generally occur at the ISB and nowhere else. All too often, an R&S patrol is sent out during the day and fails to take mission-essential items for the patrol. Then the patrol gets caught in the dark without NVGs because they planned on getting back before dark. Or a patrol moved out to register fires but forgot to take binoculars or a spare plugger battery. Proper planning, and PCIs prevent such mistakes.

(5) Marksmanship. Marksmanship is an area of OPFOR excellence and blue forces (BLUFOR) mediocrity. Soldiers need to practice, practice, practice prior to entering the area of operations. Some techniques that have been tried, tested and proven are:

a) Hose-clamp the transmitter in place, but not so tight that it starts to destroy the transmitter.

b) Do not drop or bang the rifle around once it has been zeroed.

c) Day zeroing and training.

- **25 meters initially.**
- **Then confirm the zero at 50 and 100 meters.**
- **Practice at 150 then 200 meters with a harness.**
- **Practice at 150 and 200 meters with a soldier with harness and halo. Soldier needs to be walking, running, and conducting IMT.**

d) Night zeroing and training.

- **Zero PVS-4s, PAQ-4s, and AIMs at 25 meters initially.**
- **Confirm the zero at 50, then 100 meters.**
- **Practice at 100, then 150 meters with the SAAF and a harness.**
- **Practice at 100 and 150 meters with a soldier with harness and halo. Soldier needs to be walking, running, and conducting IMT.**

(6) Weapons and equipment maintenance. Weapons and equipment are routinely neglected during the rotation. All too often, the weapons are seen with the brown rusty camouflage on them. Equipment is broken and not turned in for repair or replacement. Even the crew-served weapons are have been neglected and fail to operate when needed. A little attention to detail, preventative maintenance checks and services (PMCS), and priorities of work would go a long way here. Every gun and every other soldier should have a weapon cleaning kit at a minimum. Broken or unserviceable needs to be identified and turned in for repair immediately, not carried around as dead weight. Keep mission-essential equipment in top working order.

(7) Personal hygiene. After a couple of days, soldiers start to look like the war torn and tattered men of World War II. An unshaven face, weak to no camouflage, even bad breath really takes its toll. Soldiers must carry and use a personal hygiene kit, even in the field. There is no excuse for this at any level, but every rotation it is seen. Leaders must enforce personal hygiene standards with their soldiers even in the field; it must be one of the priorities of work before anyone gets any sleep.

(8) Physical fitness. Physical fitness at home stations must be geared to the unit mission essential task list (METL). Very often, soldiers are ill prepared for the movements in the field and fall out of the movement, especially with their rucksack load. Non-battle injuries play just as hard a toll on the unit and morale as a valid battle injury, perhaps even more so. Soldiers expect some to be injured during hostile acts. They don't expect soldiers who cannot carry their loads to fall out of the movement. Every rotation, there are multitudes of non-battle injuries (NBI) attributed to heat, soldier load, lack of sleep, or physical fitness. Better training before deployment can help prevent some of this from happening, especially on the fitness-level issues.

(9) What else works? What else works are the things that are non-standard, but should be considered to help the unit fulfill its wartime mission.

(10) CamelBak hydration system. One of the greatest inventions yet seen at JRTC is the CamelBak. Every O/C is issued a CamelBak and thoroughly believes in its worth. The bottom line is "Hydrate or Die."

(11) Walkie-Talkies. Several units came through JRTC with Radio Shack walkie-talkies fitted with whisper microphones and earpieces. Although this was a platoon solution to broken squad radios turned in to maintenance, it worked very well. They bought, out of pocket, several sets and had them all tuned to the same frequency, which was below what could be punched into a 127 or 77 radio. It worked well, and was very quiet. (NOT AUTHORIZED AT JRTC.)✪

The best form of welfare for soldiers is realistic, tough, first class training. --Rommel

INTEGRATING Combat Service Support WITH THE Military Decision-Making Process *(A TECHNIQUE)*

by LTC Matt Higginbotham, DLRO, Command and General Staff College

Lieutenant Colonel Gary H. Wade, in his summary of ***Rapid Deployment Logistics: Lebanon, 1958,*** states: ***"General Adam's forces accomplished the overall mission in Lebanon. The tailoring of logistical forces worked, but not without drawbacks. The designated support units must have a working knowledge of the plans so that they can devise complementary plans. Support units, like combat units, must train together to ensure teamwork. Higher headquarters must integrate the nonorganic combat service support units into the planning process to ensure that those units have the opportunity to rehearse the aspects of plans that affect their operations."***

CSS planning, logistics estimates, and integration continually receive a "*needs emphasis*" rating at the combat training centers (CTCs). The complexity of integrating CSS with the MDMP at the brigade, division and corps levels remains a challenge for logistic planners.

Regardless of the type of operation (offense, defense, support or stability), successful integration of CSS during the MDMP is paramount. CSS integration is most effective if it is continuous, concurrent and provides detailed logistics analysis. Unsuccessful integration of CSS in the MDMP results in an unsubstantiated logistics analysis provided to commanders during critical decision-making.

This article is written for the tactical CSS planner (specifically, the G4, S4, and Support Operations Officers). Hopefully, it will provide a useful technique in integrating the CSS Battlefield Operating System with the MDMP to facilitate a thorough logistics analysis. Consider the following steps:

STEP 1: CSS integration before the MDMP (Integration of the CSS planner with the planning staff).

Prior to a staff planning session, CSS planners must integrate their staff/section with the respective planning staff (includes all BOS representatives). This requires the G4/S4 and Support Operations Officers to proactively seek information from either the Chief of Staff or Executive Officer (XO) of the planning headquarters. Staff planning SOPs, **FM 101-5, *Staff Organizations and Operations,*** and planning timelines assist planners in the MDMP. The linkage of the CSS planner with other BOS planners provides the logistician a 360-degree picture before, during and after the MDMP.

The CSS planner contributes to the MDMP by knowing his or her respective supported unit's task organization (habitual) and all organic capabilities. A unit's task organization with its current capabilities provides the foundation for future CSS planning. The challenge becomes how to build upon and organize a unit's current CSS status with new mission requirements.

STEP 2: CSS integration during the MDMP (CSS Analysis).

Typically, CSS planners focus more on CSS products (resulting from the MDMP) than conducting a thorough logistic analysis of the mission. CSS products include the following:

a. Paragraph 4 (Service Support) of an OPORD/OPLAN.
b. The CSS Overlay.

c. Annex I (Service Support) to an OPORD/OPLAN.

The logistician has several planning tools and techniques to assist with CSS planning. Unfortunately, many planners fail to consolidate, organize and prepare the enormous amounts of data for analysis. The planner's challenge becomes how to prepare and organize the information for a thorough analysis (See enclosure. *Note:* The enclosure provides the CSS planner a technique in aligning (integrating) CSS considerations with the MDMP).

The G4/S4 and Support Operations Officer identifies, organizes and analyzes logistic data. This process is often referred to as the ***"science"*** of logistics planning. The ***"art"*** of logistic planning is taking this analysis and applying it to the battlefield in a support concept (visualization). Commanders expect a thorough logistic analysis prior to the CSS planner recommending the feasibility and acceptability (regarding resources) of a COA. The results from the CSS analysis may significantly influence a commander's decision to approve or disapprove a staff's recommended COA. Therefore, how do CSS planners prepare the required CSS information for analysis? One tool often neglected by CSS planners in preparing information for analysis is the logistics estimate.

The ***Logistics Estimate*** seems to be one of the most misunderstood documents for the CSS planner. According to **FM 101-5, *Staff Organizations and Operations,*** Appendix C:

> ***"The logistics estimate is an* analysis *of how service support* factors *can affect mission accomplishment. It contains the G4's (S4's) conclusions and recommendations about the feasibility of supporting major operational and tactical missions."***

The logistics estimate is a tool used to consolidate all characteristics of the area of operations (AO), enemy forces, friendly forces, and CSS considerations. Consolidating CSS considerations/data with other BOS information enables the CSS planner to properly conduct an analysis. Based on the results from the CSS analysis, planners have enough information to conduct a separate analysis for each COA. The last section of the logistics estimate includes a CSS comparison of COAs with recommendations followed by conclusions. These recommendations and conclusions provide the commander critical CSS information required in COA decision-making.

The doctrinal format for the logistics estimate and other staff estimates is FM 101-5 (Appendix C). Additionally, another logistics estimate format is found in **CGSC ST 101-6, *CSS Battlebook*** (Chapter 2). *NOTE: **Automated and other logistic planning tools provide the logistician quantifiable data by the various commodities. This data is only useful if the proper analysis is conducted. Inserting this data into the logistics estimate requires the CSS planner to ask the question, "So what?"***

STEP 3: CSS outputs resulting from the MDMP CSS analysis.

The primary CSS products required for an OPORD/OPLAN are paragraph 4 (Service Support), the CSS Overlay, and Annex I (Service Support). Upon completion of Step 6 (Course-of-Action Approval) to the MDMP, all staff sections prepare OPORD/OPLAN products for submission to subordinate units. The G3s/S3s may distribute initial products as early as the warning order. CSS products are most effective if prepared concurrently throughout the MDMP (refer to enclosure). The information for CSS products results from the analysis provided in the logistics estimate.

CONCLUSION

Successful integration of CSS within the MDMP remains a challenge for the tactical logistician. CSS planners today use different planning resources to assist them with CSS analysis. Generating numbers and data is but one step in the overall process. The most important step becomes properly integrating this data into the MDMP. Otherwise, the volume of CSS information serves a less valuable purpose, and may fail to answer the question, "So what?"✪

Enclosure: CSS Steps to the MDMP

MDMP STEPs	CSS CONCURRENT STEPS TO MDMP
1. Receipt of Mission.	1. ***Gather CSS Tools.*** • Higher Headquarters (HHQ) Orders. • Task Organizations. • Para 4 (support concepts). • Annex I • CSS Overlays with Maps of AO. • CSS Matrices. • Parent unit capabilities. • Automated Planning Tools (LEW, OPLOG Planner). • Staff planning SOPs/planning timelines. • Historical logistics estimates/logistics estimate formats.
2. Conduct Mission Analysis. a. Analyze HHQ Orders.	2a. Analyze HHQ orders with focus on task organization (attachments/detachments), mission, commander's intent, concept of operations, AO boundaries (contiguous, noncontiguous, linear, nonlinear), paragraph 4 (support concepts), support relationships and service support annexes (Annex I, two levels up).
b. Conduct IPB.	b. Conduct IPB/**LPT and LPB (Logistic Preparation of the Theater or Battlefield).** CSS planners assist the G2/S2 and engineers with CSS logistic preparation of the battlefield information such as: support infrastructure of AO, HNS, airfield/road network, bridge classifications, hard-stand utility, possible logistics nodes, MSRs, LOCs inside and outside AO, support area requirements, RSOI considerations.
c. Determine tasks (specified, implied, and essential).	c. Determine tasks (specified, implied, and essential). Extract specified tasks from HHQ orders under *task to subordinate units*. Many maneuver tasks will generate implied CSS tasks. Include all **CSS FACTS and ASSUMPTIONS.** Extract any **REQUIREMENTS** from these initial tasks and facts/assumptions. Additionally, based on unit capabilities and CSS facts, calculate initial **REQUIREMENTS** from the various logistic planning tools.
d. Review available assets.	d. After studying the task organization, specified and implied tasks, the CSS planner analyzes the support relationships of assigned, attached, OPCON, or DS units. Based on the relationships, additional internal or external support **REQUIREMENTS** may be generated. Compare organic support **CAPABILITIES** with additional support **CAPABILITIES** of assigned, attached, OPCON or DS units added to task organization. Build a separate **TASK ORGANIZATION FOR SUPPORT** highlighting all additional support **CAPABILITY** required that exceeds organic support capability. This generates **SHORTFALLS.** In addition, provide the present CSS situation (current status of all CSS functions) as a start point for future CSS analysis. The current status can be in matrix format.
e. Determine constraints.	e. Determine constraints/**SHORTFALLS**. This is where the logistician identifies all shortfalls in support requirements. Task organization changes (noted above) and CSS considerations to the type mission (offensive, defensive, stability or support) generate **SHORTFALLs.** Prepare initial **CSS OVERLAY.** At a minimum, include locations of current and proposed support locations, operational boundaries (from operational graphics), MSRs from HHQ, locations of major maneuver HQ, locations of major CSS units and mission graphics (OBJs) if available.

MDMP STEPs	CSS CONCURRENT STEPS TO MDMP
f. ID critical facts and assumptions.	f. Refine critical **CSS FACTS and ASSUMPTIONS** list from all available plans, orders, estimates and AO/country studies. Focus on critical CSS facts and assumptions before operations and possibly during operations. Structure by CSS function.
g. Conduct risk assessment.	g. Conduct **CSS RISK ASSESSMENT.** Prepare initial **LOGISTICS ESTIMATE.** Consolidate all CSS information gathered from previous paragraphs into the logistics estimate. Remember, the logistics estimate is a working document.
h. Determine initial CDR's CCIR.	h. Know what they are. Also, focus on requirements from actions at NAIs.
i. Determine initial recon annex	i. Determine support requirements and concept for reconnaissance effort. At corps level, include a support concept for the ACR; at division level, a support concept for the Division Calvary Squadron; and at brigade level, a support concept for the Brigade Reconnaissance Troop. Include these concepts in the logistics estimate. Additionally, prepare initial **REAR AREA DEFENSE PLANS.**
j. Plan use of available time.	j. Refine **PLANNING TIMELINE**, **LOGISTICS ESTIMATE**, and develop initial **CSS MATRIX (optional).** Prepare initial **SUPPORT CONCEPT** from information gathered in logistics estimate and concurrent planning with BOS reps.
k. Write the restated mission.	k. Continue to refine the **SUPPORT CONCEPT, CSS OVERLAY**, and prepare an initial **ANNEX I (SERVICE SUPPORT)** from logistics estimate.
l. Conduct mission analysis briefing.	l. As part of the MA briefing, the CSS planner must prepare to brief the initial **SUPPORT CONCEPT** and current statuses of commodities, by CSS function. Additionally, include any critical logistics **TASKS** and **SHORTFALLS.** Any shortfalls mentioned must include proposed recommendations to alleviate shortfall.
m. Approve restated mission.	m. Understand restated mission and any CSS implications.
n. Develop initial CDR's intent.	n. Understand CDR's intent. Ensure information and CSS analysis captured in logistics estimate support this intent.
o. Issue the Cdr's guidance.	o. Capture CSS **PRIORITIES** and **CONSIDERATIONS** mentioned by the Commander when issuing guidance. **ENSURE** all logistic analysis meet this guidance.
p. Review facts and assumptions.	p. Review **CSS FACTS and ASSUMPTIONS**. Focus on those assumptions that have become facts.
3. Course-of-action development.	3. Based on logistic information gathered in logistics estimate, begin to apply analysis of **REQUIREMENTS, CAPABILTIES,** and **SHORTFALLS** to each proposed COA. Consider developing a **CSS MATRIX** highlighting key considerations by CSS function for each COA (a technique).
4. Course-of-action analysis (wargame).	4. Apply information from the logistics estimate to the operational synchronization matrix to assist in the wargame. Each COA should have specific CSS considerations, priorities of support identified, logistic unit locations, and a feasibility analysis conducted with CSS risk identified. The greater the risk to CSS units, the lesser the feasibility (supportable), or identification of ways to mitigate the risk.
5. Course-of-action comparison.	5. During COA comparison, the CSS planner must inform the Commander, Chief of Staff or designated representative of the CSS feasibility or supportability of a COA. **DO NOT WAIT FOR COA APPROVAL TO PROVIDE SUPPORTABILITY ANALYSIS.** This is where the CSS planner needs to articulate, from the analysis of information in logistics estimate, the following: **Most Supportable,** with associated risks; **Supportable,** with associated risks; and **Least Supportable,** with associated risks.
6. Course-of-action approval.	6. CSS planners refine **SUPPORT CONCEPT (Para 4), TASK ORGANIZATION for SUPPORT, CSS OVERLAY,** and refine **ANNEX I (SERVICE SUPPORT),** from information in the **LOGISTICS ESTIMATE.**
7. Orders production.	7. CSS Planners prepare and submit **Paragraph 4, ANNEX I,** and the **CSS OVERLAY** to the OPLAN/OPORD for distribution to subordinate units.

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A Company-Grade Guide to Strategic Deployability in the Light Artillery World

by 1LT Asslan Sayyar, Bn Adjutant, 3-320th FA, 101st ABN Div (Air Assault)

A light artillery battalion, in the midst of their support cycle, has all of its personnel tasked out in every conceivable direction. Soldiers man gates and head out on funeral detail. Large-scale collective training is not being conducted and personnel are not available. It is at a moment like this when a single phone call can instantly alter the immediate, foreseeable future. . .deployment. A deployment that is to occur within 48-36 hours via strategic air into hostile territory. The battalion immediately mobilizes its resources to pushing the first firing battery out while continuing to support their tasking requirements. The hours lengthen, fatigue sets in, but the task is done. The lead elements are ready to deploy and those left behind shore up the lessons learned. While the mission was accomplished, the amount of quick-reaction required by company-grade officers at the battery level could have largely been prevented and it can cause one to ask the question, "Were we really prepared for this?"

How often have we overlooked the shortcomings in our battery's ability to deploy by justifying to ourselves that "when the time comes, we'll have time," or "we'll get plenty of notice," or "there will be a build-up period?" The nature of today's international scene makes statements like these sound quite irresponsible. In the world of the light division, the likelihood of deploying to meet threats that require quick reaction remains high. It is important to note that the maneuver elements we support do not possess the amount of equipment, and do not need the amount of reaction time that a light artillery battery does. As a result, it is vital that lieutenants and captains in firing and headquarters batteries alike devote the extra time to ensure that they will be ready to move when the brigade combat team (BCT) they support does.

The company grade officer, especially the lieutenant, is the first line of attack in ensuring that adequate preparation is being conducted in the realm of strategic deployability. Executive officers, fire direction officers, and platoon leaders are the planners in the unit that is closest to "the trenches." Lieutenants that devote the time to ensure their battery is prepared will allow their chain of command to be free to concentrate on the tactical realities deployed units face once in theater. This article outlines areas within impacting readiness that lieutenants and captains can expertly manage and improve upon. As a company grade officer, you can enhance your battery's readiness in the realms of training, supply, maintenance, and personnel management.

Training

Instruction at the battery level in all facets of deployability is vital. However, before that is to occur, the leadership must be well-versed in the requirements and direction the battery training must take. The leadership involved comprises your unit's movement team. An officer representative can direct the planning involved while an NCO representative can bring practical experience to the table. It is also recommended that the battery's mechanic is also a part of this team since he has immediate knowledge of the unit's equipment and its status. At Ft. Campbell, KY, there is a Strategic Deployability School (SDS) that a large portion of the 101st Airborne Division (Air Assault)'s lieutenants attend which satisfies the requirement for trained leaders. It is recommended that this course, or the equivalent on other posts, be completed prior to entry into a firing battery if possible. Individuals occupying Fire Support Officer positions are prime candidates for this option. Outside of SDS, being hazardous material (HAZMAT) qualified is also important. A large quantity of the equipment we transport via air and sea is subject to stringent United Nations (UN) and federal regulations with which we must comply if we are to flow into theatre unhindered.

Once the leadership is trained at the individual level, the battery can be trained at the collective level. Training should focus primarily on the areas of rail and air. Soldiers need to be trained in proper rail-loading techniques to include all safety requirements. A proper understanding of the manning necessary, along with the blocking and bracing needed for each load, is imperative. Air movement encompasses a wider range of training. This includes proper preparation of vehicles for airlift, pallet-building classes, training identified chalk-leaders in their

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responsibilities, possessing enough shoring during loading, and successfully maintaining all load-plans and HAZMAT documents. Having a unit movement officer (UMO) book at the battery level will help greatly in this endeavor. Here a lieutenant can annotate and keep track of the individual and collective training the battery has completed and still requires.

Sample Predeployment Preparation Activities

SECTION	*ITEM*	*REMARKS*
Unit Equipment Lists	AUEL	The Authorized Unit Equipment List (AUEL) is created through TC-ACCIS software and annotates all vehicles, howitzers, and major storage devices on your property book.
	DEL	The Deployed Unit Equipment List (DEL) is an off-shoot from your AUEL and lists all equipment that is part of the package with which your unit will deploy. *This doesn't necessarily mean all items from the AUEL are included.*
Air	Air-Load Plans	Created by ALPS software, your loads for transport via strategic air should include plans for C-5, C-17, and C-141. *NOTE: ALPS software updates frequently; be aware of version changes and how they might impact your load plans.*
	Chalk Leader Memorandums	Have memorandums signed by the UMO specifically identifying chalk leaders for the respective aircraft for which you have loads planned; make these individuals aware that this entails responsibility for all personnel and cargo on their chalk.
	Training Memorandums	Annotate training conducted by your unit that involve air loading and 463L Pallet building.
	Battalion Air Movement SOP	This should be updated annually.
Rail	Rail-Load Plans	Rail-Load plans are created via TC-ACCIS and should include all items off of your DEL.
	Battalion Rail Movement SOP	Update annually.
	Training Memorandums	Note all rail-load training conducted by your unit.
Convoy	Vehicle Load Plans	All howitzers, vehicles, trailers, and generators in the unit should have load plans done on them. *Note: Ensure the weights, dimensions, and serial numbers on all of the loads are accurate; this will prevent your unit from having to reprint shipping labels when alerted.*
	Convoy Training Memorandums	Track all convoy training conducted.
	Battalion Convoy SOP	Update annually.
	Task Force Assembly Area (TFAA) Packets	Each of your vehicles should have a TFAA packet containing a copy of a Joint Air Lift Inspection Record, its load plan, as well as a Shipper's Declaration of Dangerous Goods (SDDG). *Note: Make these packets weatherproof; they will be exposed to rain.*
Miscellaneous	Publications	There is a slew of Army, Navy, Air Force, and FORSCOM pubs and regs that govern unit movement. Your unit will require you to keep different ones on hand. For the sake of space, maintain them on CDs and acquire on-line updates as needed.
	Maps/Diagrams	Maintain maps, routes, and diagrams to all the rail areas, airfields, and assembly areas in your area.

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Outside of these training events, one should also look into planning and adequately resourcing a Capstone exercise that will test how valuable the training has been while also checking the systems the unit has in place. A Battery Emergency Deployment Readiness Exercise (EDRE) can serve to validate every step of the deployment process from the initial alert to Task Force Assembly Area (TFAA) operations. Your battalion will assist you in providing resources, or put you in contact with the appropriate agencies, to conduct such an exercise. Initiate the EDRE with an alert and have your unit do a complete load-up of all their vehicles and equipment. Maintain strict adherence to your unit's prescribed timeline and have all personnel and equipment checked and ready to board the aircraft accordingly. A thorough and honest AAR at the conclusion of an EDRE will further serve to enhance battery preparedness to deploy.

Supply

A property book that is not being managed successfully will serve to slow down unit movement procedures at a time when the last thing anyone wants to deal with is supply. Lieutenants, often the Fire Direction Officer (FDO), who serve as battery supply officers while in garrison, should keep this in mind when supervising day-to-day operations in this area. The establishment of a garrison battle rhythm for your supply sergeant is ideal in this area. Institute a constant rotation where hand receipts are being updated and all property is properly identified and tracked via ULLS-S4. It would also serve to properly identify the amount of Class II the battery requires to sustain operations for 15 days after initial deployment.

Outside of that, two issues that tend to come up are excess and shortages. Excess is property on the battery commander's hand receipt that does not have use in battery operations (MTOE authorized or not). Major General Cody, former commander, 101st Airborne Division (Air Assault), instituted a program in early 2001 titled "Slim Eagle" which affords commanders at Ft. Campbell the opportunity to turn in excess property as long as it is identified via NSN or serial number, allowing it to be removed from hand receipts. An opportune time to turn in excess material is at the conclusion of EDRE operations. Go through all of your battery's storage facilities after your load-up is complete. Chances are anything left behind is something that should probably be turned in at the earliest opportunity. Doing this in a training environment will pay dividends in the long run.

Shortages are an entirely different animal. Supply officers need to keep meticulous track of the commander's shortage annexes and continuously push for ordering property on those shortages. Create a priority list that tracks your unit's shortages in the order of most to least necessary if alerted; this can be your critical shortage list. Additionally, ensure your battalion is aware of the shortages you are tracking. Battalion commanders will periodically afford you the opportunity to order all the shortages you annotate. Budgetary availability may prevent you from ordering all that you would like; however, the imminence of deployment will suddenly afford your battery the opportunity to acquire all the equipment it requires. If this does not occur, DO NOT laterally transfer equipment from other batteries within your battalion. While this might alleviate your battery's supply woes, it will have the unfortunate drawback of placing your sister batteries in bad shape and it is likely they will be preparing to deploy as well.

Maintenance

A soldier and his unit will be more willing to fight when he knows that his equipment will not fail him when he needs it the most. It is here that maintenance comes in to play. When we think of maintenance, the first thing that springs to mind are vehicles and howitzers. Field Artillery units across the Army are ingrained into a very thorough focus in this area. While vehicle and howitzer maintenance are important parts of the battery's readiness, we must also remember that fire control equipment, along with individual and crew-served weapons maintenance, is also a part of the montage that is a well-maintained unit. Communications and NBC equipment also fall under this category. In most of these areas, the Executive Officer (XO) of the battery plays a key role. Vehicles and howitzers need to be continuously serviced to -10/-20 standards. If the battery has not done so already, placing your vehicles on the low mileage program by submitting the appropriate paperwork and conducting a biannual service will minimize the amount of services your vehicles will have to go through each year. Howitzer services, occurring on a quarterly basis, should happen in conjunction with a frequent and thorough scrub of their -4s. Unfortunately, light artillery units do not possess howitzer maintenance facilities at the battalion or DIVARTY level, forcing XOs to

coordinate with outside support units and accommodate their schedules. This lengthens the time needed to conduct services and often impacts your battery's time to train. A unit MTOE change in this area would be ideal; however, it is not a reality at this moment in time.

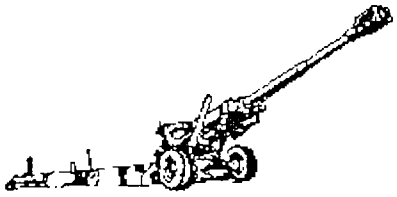
The battery's Uniform 6 equipment is also a part of your management of maintenance for deployment. Your howitzer mechanic's equipment, especially his supply of nitrogen and WTR, needs to be reviewed as often. Howitzers, such as the M119A1, behave differently under varying weather conditions and, consequently, have different requirements to maintain firing capability. Planning for all weather contingencies needs to be considered. As an XO, you should maintain a unit basic loadlist of POL items that are necessary for combat operations. Your howitzer mechanic should keep a supply of POL that ensures the guns are properly functioning in all climate zones. Deploying to an area that can get extremely cold, such as Afghanistan, when you were preparing for a fight in a temperate zone can potentially make your battery unable to shoot, and, therefore, useless to the maneuver you support.

Directly linked to being able to have firing capability is keeping track of the status of the battery's fire control equipment. The gunline's Collimeter's, M140 Alignment Devices, sights, and Gunner's Quadrants, along with the battery's aiming circles and the Gun-Laying Positioning System (GLPS), as well as the FDC's AFATDS, HTU, and BCS hardware, all serve as lynch-pins in your ability to conduct combat operations and, as a result, deploy. Establish systems, if you have not already, to keep track of these vital pieces of equipment. Add these items to the sheets you already use to track your vehicles and howitzers so you do not lose sight of them. Track purging dates as well as points of contact to the manufacturers of these sensitive pieces of equipment. If they are not in your battalion's ULLS box, they should be. The same goes for all of the battery's individual and crew-served weapons.

Personnel

All the equipment and organization in the world are nothing without personnel. Undoubtedly well-trained, the soldiers of the battery need to have their personal affairs in hand if a deployment is to go smoothly. All individuals in the battery should have Soldier Readiness Packets (SRPs) that contain their shot records, next-of-kin information, life insurance data, wills and power of attorney, extra identification tags, and family care plans as applicable. An excellent system to employ to keep your unit's SRP readiness at 100 percent is making SRP updates a quarterly affair while also using them as part of new soldiers' inprocessing requirements. All of this information should be maintained at the battery and summarily forwarded to your S-1 for redundancy. The battery's Family Readiness Group (FRG) program is also an integral part of deployability. Maintaining a battery FRG booklet that can keep family members informed will prevent issues from arising while the battery is deploying. The book should include point of contact phone numbers along with a list of agencies that exist to assist families of deployed personnel. A strong FRG leader is also a must in this arena. Keeping family members informed will have the secondary effect of keeping your soldiers' minds on the job at hand and be the last link in the chain that will pull your battery into the theater of operations.

Conclusion



All the aforementioned factors, training, supply, maintenance, and personnel management, if constantly scrutinized, will make the pains of deployment minimal to nonexistent. Do not forget that training in those areas are vital to smooth deployment procedures. A lot of the material, although generally covered, has application in all light artillery batteries. The company grade officer, as a primary planner and trainer, using these guidelines or improving upon them as applicable, will alleviate a lot of his chain of command's concern in the realm of strategic deployment.✪

The Detainee Personal Identification Data Collection Process in Afghanistan

by CPT Richard J. Hughbank, 519th MP Bn, Ft Polk, LA, and MAJ Jennifer L. Curry, Total Force Integrator, Ft Leonard Wood, MO, members of a CALL Combined Arms Assessment Team (CAAT)

When the U.S. Army began Operation ENDURING FREEDOM and their campaign in Afghanistan, the Afghan Military Forces (AMF) were already holding up to 4,500 detainees throughout the Coalition Joint Operational Area (CJOA) Afghanistan. U.S. forces were directed to collect personal identification data (PID) on all potential Taliban and al-Qaeda members in an effort to identify America's newest enemies.

Collecting PID creates a better database for identifying potential enemy threats and to screen these individuals to determine if they meet the criteria to be treated as detainees. If an individual meets the specified criteria, he is taken into custody in a detainee status and secured for further processing. Host Nation forces would encounter pockets of resistance throughout the area of operation (AO) and secure them for U.S. forces to conduct PID collection operations. These operations were conducted in conjunction with multiple battlefield operating systems (BOSs) in a combined arms effort to properly conduct the collection of PID. PID collection packets, consisting of names, fingerprints, DNA, and digital photos, have become a key tool in America's "War On Terrorism."

Prior to the arrival of the PID team, Special Operations Forces (SOF) liaison with leaders of the local indigenous population ensuring candidates for detainee status actually exist at a prescribed location and that the area is prepared for military forces to enter and conduct PID collection operations. A PID collection operation consists of eight different teams (refer to attached schematic).

➡ **Command and Control (C^2) Team.** The C^2 team consists of key leaders and support soldiers. Key members of this team include the battalion S3 (or similar type capability), a battle captain, a communications soldier, a driver/gunner, and a Staff Judge Advocate (SJA) officer. This team is located inside the security perimeter in a position that allows for observation of the entire operation. Members of the team maneuver throughout the PID area, ensuring a smooth transition between the various stations and positive control over the detainees until they reach the holding area. The S3 is responsible for overall mission accomplishment, proper detainee handling, and guidance in any case not covered during the mission brief. The battle captain ensures mission success by conducting liaison operations with the SOF on the ground and ensuring the PID collection site is established and operational. The communications specialist carries FM capability for communicating with air support and other friendly forces in the AO, and as a secondary communications system for internal communications with the security forces on the perimeter for conducting detainee operations. Communications are maintained internally between the security positions and the C^2 communications specialist. Actions on the objective and Rules of Engagement (ROE) are discussed during mission rehearsals. The driver/gunner remains vigilant of the surroundings throughout the PID collection operation. The SJA representative provides legal assistance/guidance as needed throughout the entire operation.

➡ **Perimeter Security Team.** The perimeter security team is comprised of two military police (MP) squads and a platoon leader (security element size is based on METT-TC). Organic MP teams are placed to ensure 360-degree outward coverage of the perimeter. The perimeter size is determined by METT-TC. The number of detainees dictates the size of the holding and staging areas and the number of personnel at the mobile interrogation team (MIT) stations. The MIT stations determine the distance necessary to ensure privacy with each detainee during the screening process. The PID and medical teams need minimal space to conduct operations within the security perimeter.

Photo from website <www.news.bbc.co.uk>

➡ **Staging Area Security Team.** The staging area is a preliminary location from which to isolate and establish control over those individuals selected for processing. The staging area security team consists of two soldiers with either

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an M4/16 or an M249 in tactical overwatch positions. All detainees are bound at the feet and hands and have hoods covering their heads for disorientation. Two guards are positioned with their backs to the center of the perimeter to prevent potential fratricide if weapons fire becomes necessary.

➡ **Personal Identification Data Collection Team (PID).** MP and Criminal Investigations Division personnel are ideal for PID collection operations based on their organic functions of detaining personnel and conducting investigative operations. The PID team is the second stage in all PID collection operations. A team consists of three soldiers, with multiple teams operating simultaneously if enough security teams are available. The PID gathering builds or adds to an existing database through the collection of dexorybo nucleic acid (DNA) samples by swabbing the mouth and collecting hair follicles, fingerprints, and digital photos of the upper torso area. All individuals being detained must be put through this process for data collection. Upon collecting the data and storing it in the proper containers, all information will be processed through the appropriate database.

➡ **Mobile Interrogation Team (MIT).** The MIT consists of interrogators and interpreters. The MIT determines if a detainee fits the screening criteria given by higher headquarters. The screening process takes approximately 10-15 minutes per individual. If a person does not fit the criteria, they are turned back over to the leader of the indigenous population or, in this case, the AMF. If they do meet the criteria, they are taken into U.S. forces' custody and escorted to the medical station.

➡ **Medical Team.** The medical team consists of a unit medic at a minimum, but a Physician's Assistant is preferable. The medical team conducts a cursory medical examination of the detainee for any previous injuries sustained before coming under the control of U.S. forces. Any injuries identified are noted accordingly and, if necessary, tended to at that time. The medical team also allows for prior notification at the theater collection point if more advanced medical attention is necessary upon arrival.

➡ **Holding Area Team.** The holding area is established to maintain control over those individuals who have been identified as meeting the criteria by the MIT, and who will remain in U.S. forces' custody for transport out of the AO to the theater collection point. The staging area security team consists of two soldiers with either an M4/16 or an M249 in tactical overwatch positions. All detainees are bound at the feet and hands and have hoods covering their heads for disorientation. Two guards are positioned with their backs to the center of the perimeter to prevent potential fratricide if weapons fire becomes necessary.

➡ **Detainee Security Team.** Once the detainees are brought into the PID operations security perimeter, the detainee security team will take charge of all movement and detainee control until they are either released back to the AMF or transported back to the theater collection point. Each security team consists of two soldiers that secure the detainee throughout the process. Once the detainee enters the holding area, the detainee falls under the control of the holding area security team, and the detainee security team returns to the staging area to conduct another PID escort. This process continues until all detainees have been processed through the PID and screening areas. The perimeter security teams will only assist if absolutely necessary to help maintain positive control. Overall security of the detainees while in flight is also the responsibility of the detainee security team.

To date, PID collection operations have been conducted in over five different areas throughout Afghanistan, collecting data on over 3,500 potential members of terrorist organizations.

The military police corps is playing a critical role in the PID collection process. From the collection of data, to the security of detainees during the operations, and subsequent aerial escort missions back to the collection points, the military police have proven to be a true combat multiplier in Afghanistan.✪

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WAKE UP AND SMELL – THERE'S SOMETHING WRONG!

by COL (Ret) Daniel H. French,
U.S. Army Command and General Staff College

While doing some reading and research in back issues of *CALL Quarterly Trends at the CTCs,* I was struck by a blinding flash of the obvious. We are still making the same tactical mistakes in training, and what we *did* wrong then, we still *do* wrong today. We consistently seem to have the same difficulties each and every rotation. Why, and what are the real problems? Are the officers who we are selecting for promotions and command stupid – or do they lack tactical experience and a sense for warfighting? Are our staffs incompetent – or just poorly trained? Surely, they all read the same magazines on their profession of arms, see what has to be fixed, and have the capability to put together a training plan focused on these "needs improvement" trends. Do we not understand training, training management, and our warfighting capabilities? Are the Combat Training Centers (CTCs) too difficult a problem for us to solve? Are we looking at the right things, identifying the right problems, and, more importantly, are we looking at how we might be able to fix the problems? Is our doctrine too rigid, complicated, lacking flexibility – or do we not understand our doctrine? How can an Army that is so great not fix simple things such as:

"Platoon leaders are not using mortars when they make contact;"

"Commanders and staffs do not understand the MDMP;"

"Commanders are not capable of making decisions in a timely manner?"

After looking at this closely and from seeing this at the CTCs as a player, observer/controller, and OPFOR commander, there seem to be multiple reasons for our inability to train and fight well.

ESTABLISHING A TRAINING PROGRAM

Among the first questions we should ask are, "What are the training objectives? Do we have a clear vision of what we must accomplish during a training cycle – individual, leader, and collective? Are we warfighting-focused in training? How are we conducting training? How are we preparing for training? Where in our Army do we teach our officers and NCOs about training and training management? Where do we teach NCOs how to train our soldiers, and how do we establish standards? The Training Circulars (TCs) are wonderful as a starting point, but where do we talk about how to conduct a battalion or company-training meeting? Where do we show them the tools necessary to conduct a training meeting? In the Cavalry Scout/Armor Crewman (19D/K) Basic Noncommissioned Officer Course (BNCOC), our NCOs receive a total of two hours on training and training management. These NCOs are the very foundation of our individual training programs and a key ingredient for our training development. If platoons and companies are the foundation for successful warfighting, where do these young officers and NCOs get the basics they need to prepare and conduct training? Where do we develop standards for individual training, and what represents a trained ("T") rating as we develop our training plan?

The foundation for good training rests with the commander's ability to identify the training objectives for his unit. What must his unit do to be successful in combat, and what does it look like? What are the critical tasks his unit must accomplish, and what are the standards for each task (individual, leader and collective)? For example, as a commander of a mechanized brigade, I might need to see my units, conduct a tactical road march of a certain distance, conduct a movement to contact, attack, and defend. I would look at this over the period of a year, put out my annual training guidance at least six months prior to the training year, and then further focus my subordinate units with quarterly training guidance. Coordination with my Command Sergeant Major to identify individual tasks will ensure I tie my training objectives together. This is a very simple process but one that takes the ability to see your unit first and foremost as a warfighting force.

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As a battalion commander, and later as a brigade commander, I watched company commanders wrestle with training meetings and management, and I saw them conduct training that was not acceptable. After much hard work by some brilliant, young captains, we put together a Training Leader Development class to give company commanders the tools they needed to prepare and conduct effective training meetings. I've attached slides, which may not provide the total answer, but provide a system for the conduct of effective training meetings.

Training for warfighting requires preparation, and too often we miss this piece of the puzzle. By focusing our young officers first on the preparation for training, and then on the conduct of the training event, we help ensure successful execution. If we can put a system in place, we can better use time and conduct meaningful training for our soldiers. Then we need our leaders to make training as realistic as possible. They need to focus on battle training, not on teaching garrison classes. Leaders need to be able to visualize what their activities might look like under combat conditions and translate that vision into simple and effective training exercises. They should read ***Realistic Combat Training*** by Robert Rigg, written in 1955, but certainly pertinent to training today. Soldiers join the Army wanting a physical and mental challenge, not to be put to sleep with unimaginative, boring training. The training centers received the message, but CTCs should not be the only place where our soldiers receive tough, realistic training. We need to create an environment that looks, feels, and smells like combat. Include moulage kits, smoke and pyrotechnics, physical and mental challenges – for all soldiers in each and every training event. We must create the "fog and friction" of combat so our leaders become adaptive to every situation.

A young soldier from the 10th Mountain Division was interviewed as the Division entered Haiti, and he was asked if he thought this was a difficult mission. His response, "No, I have been to the JRTC." This is how all our soldiers should respond concerning Home-Station training. We need to challenge our soldiers and ourselves by setting realistic conditions and putting them in the most difficult environment possible. We have lost much of this as our Vietnam veterans depart the service. Those of us who served under these great soldiers learned about combat and how to train for success. We had platoon sergeants who took the time to teach us what training should look like and how to make it realistic for our soldiers. Today's environment and threat certainly provide questions as to what future battlefields will look like, but one Ranger after the Somalia debacle probably had it about right when he said, "I must train my soldiers to live fire in situations that are confusing and turmoil surrounds them. If they perform well here, they will perform well in combat." This is not a bad philosophy for establishing your training program.

TRAINING EXECUTION

Once we have established a training program, we must move to the important issues of the execution of training and define what is good training. Training must be as close to combat as we can make it. It must have all the sights, sounds, feel, and smells of combat, or we cheat our soldiers. I believe in the "Crawl, Walk, Run" methodology for training. The "Crawl" phase is very basic as we lay the foundation for understanding and learning. As we move to the "Run" phase, soldiers should see complex live-fires, limited visibility, MOPP IV, and the "fog of war." Why do we wait for our CTCs to set this up for us? JRTC puts out a live-fire manual that walks you through the simple, inexpensive, but effective ways to set up a live fire at your Home Station, including targets and safety zones.

At Home-Station training, we have to put a new emphasis on marksmanship training. We can no longer believe that our marksmanship program is complete once we conduct weapons qualification. We must carry it on to combat marksmanship, where soldiers fire their weapons under combat-like conditions, not on a sterile weapons qualification range. During one live-fire convoy ambush, soldiers jumped off the truck, assumed a good prone firing position, and let the rounds fly. Unfortunately, no targets fell, but lots of wasted rounds flew down range. These soldiers had never been taught to move to a position from which they could see and engage their targets. They had also never fired from the kneeling unsupported or standing position. While this seems simple to most of us, unless we train our soldiers, and they are confident in moving under fire with their weapons, that will not be combat marksmen. All soldiers, whether combat arms, combat support, or combat service support, must become proficient riflemen if we are to be successful in the next conflict.

The future battle will surround us and the enemy will be everywhere. That means we must train convoy live fires for support personnel and provide classes not only on MOS-related subjects, but also on warfighting. These include tasks such as how to prepare range cards,

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prepare fighting positions, emplace claymores, and the proper use of hand grenades. There will be much uncertainty on tomorrow's battlefield, and our rear areas provide lucrative targets for the enemy. We must, therefore, ensure we train *all* our soldiers. We must have soldiers capable of protecting themselves and understanding what it takes to win. Soldiers throughout the battlefield must not only pull maintenance, conduct sick call, and process administrative paperwork – they must be proficient in all aspects of warfighting.

THE MILITARY DECISION-MAKING PROCESS (MDMP)

Next, let's take a look at the MDMP, an important process because it organizes your thoughts for warfighting. This process is well suited for division and corps-level planning, but for the untrained and inexperienced staff, it is far too slow and cumbersome for the quick, agile, tactical planning expected by commanders on the future battlefield. The MDMP provides a wonderful framework for teaching staff planning to subordinates and allowing them to see why the process is important – and to see that creating a product is not the key. What we expect from this process is an understanding of the enemy, terrain, and ourselves.

Does a commander with over 15 years experience really need a MCOO to tell him where the enemy can go and how terrain will affect the operation? Who is the most experienced person in the unit at battalion and above, and who best understands the personalities, strengths, and weaknesses of his subordinate commanders? The staff is responsible for looking at capabilities, requirements, and identifying the shortfalls to support the COA the commander has selected. The current MDMP process puts far too much emphasis on creating a product vice understanding the fight and seeing the future. Staff officers spend far too much time making slides and creating products instead of seeing the fight as the commander does and then determining how to support the commander's fight.

Strict, blind adherence to the MDMP process also tends to look at the fight in a linear fashion instead of orchestrating activities throughout the battlespace. A good example of this is our synchronization matrix, which shows time over battlefield operating systems (BOSs). What are we synchronizing? Is not the intent of the process to set up and solve tactical problems in a linear fashion? What if we took the battlefield activities: gain and maintain contact, disrupt the enemy, fix the enemy, maneuver, and follow through, and synchronized these based on an event and the effects we desire to attain. For example, the chart would look like this:

	BATTLEFIELD ACTIVITIES					
BOS	*Gain/Maintain*	*Contact*	*Disrupt*	*Fix*	*Maneuver*	*Follow Through*
Intelligence Event:						
Effects:						
Maneuver Event:						
Effects:						
Fire Support Event:						
Effects:						
Air Defense Event:						
Effects:						
M/C/S Event:						
Effects:						
CSS Event:						
Effects:						
C^2 Event:						
Effects:						
CRITICAL EVENTS:		*COMMANDER'S DECISION POINTS:*				

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The commander must identify the critical events he sees for this operation, such as: EVENT: Locate division reconnaissance, EFFECTS: Destroy 70 percent. Now, each BOS proponent will determine what they can do and how they will assist in meeting the effects the commander desires. For example, the Intelligence BOS will put: EVENT : UAV identify division reconnaissance, EFFECTS: locate at NAIs ___, ___. For a battalion, you would only have four to seven critical events, and for a brigade, no more than seven. Thus, the commander focuses his staff on the events that must be synchronized and the effects they need to create. This allows the staff to use their systems to create the effects the commander needs and also permits the executive officer to shift resources to meet the effects the commander requires for success. During this process, the commander should be forward, seeing the battlefield and talking to subordinate commanders to develop a common picture of the fight and to cement his intent early on. Using his knowledge of subordinate units' strengths and weaknesses, the commander begins to develop what intelligence requirements he needs to make decisions. This matrix allows us to synchronize what we must do – battlefield activities, with the effects we want our BOS to create for us. The staff must realize that until the effects are created, you must continue to put resources toward accomplishing the effects, or ask the commander if a change to the plan is needed.

The following is an example of how this might work. The brigade commander is forward in the TAC and should receive the mission and guidance from higher headquarters at this location. The commander and S3 immediately begin to develop a COA. The commander takes time to visualize the fight, discuss options with the S3, and then writes his draft intent, while the S3 works on an overlay. The FSCOORD begins to look at essential fire support tasks (EFSTs), how he will support the scheme of maneuver, and the commander begins working his CCIR. The XO or the battle captain should come forward and pick up the products and ensure he has the same vision of the fight as the commander and return to the staff. The staff then evaluates available capabilities to meet the commander's requirements, refines necessary control measures, identifies preparation and execution actions requiring brigade-level coordination, and produces the final order for the commander's approval. From start to finish, this process should take no more than six hours until an order is issued. Now, the brigade commander is free to go around the battlefield, talking to subordinate commanders, watching preparations, and ensuring his subordinates and he have a common view of the fight. Ideally he is discussing how they collectively view the enemy in sector, how they envision the fight taking place, and how he will address issues or concerns. Throughout this process, the S3 takes notes and keeps the XO informed of any changes or adjustments to the plan.

TYING IT ALL TOGETHER

Finally, we come to tying together training and warfighting. Why do we put the CTCs as the *Capstone* of our training plan, when, in reality, they should just be a *stepping-stone* toward our becoming true warfighters. How often do we see units put on their training calendars "The Road to the CTC?" Our final destination must be to "fight and win our nation's wars," and the CTCs are merely tools to evaluate where we are and where we need to go in our training. We need to execute training as if we are preparing to fight a war, and we must establish clear standards on what we expect for success. We need to establish what constitutes a "T" at all levels – from individual tasks to leader tasks to collective tasks.

Have we identified clear standards for our soldiers and units, or are we in an "I feel like" analysis of training? A rating of "T" for a movement to contact should be done at night, live fire, in MOPP 4. That is how we will fight. We always hear that to be successful we must be proficient at squad and platoon training. Well, that means they are a "T" in all individual, leader, and collective tasks before we move to the next level. I know multi-echelon training is important, but we must place a clear focus on these elements if we are to succeed. We cannot pay lip service to this; we must hold commanders accountable. Staffs must maintain their proficiency during major training events. When a unit deploys, every operation and every day for the staff is a tactical planning exercise that must include daily jumping of the TOC.

How can the CTCs help us more? Let's get away from checklists and units getting a "pat on the back," merely because they produced documents vice fought the war. Let's look at execution and determine what was the problem, or what was done right. Let's get O/Cs to help us determine the best way to fix something and clearly identify problems as either a training issue, a resource issue, or a competency issue of the commander and staff.

Our Army is too great, and our leaders far too talented to not accept this challenge and fix what we need to truly be the best army in the world.✪

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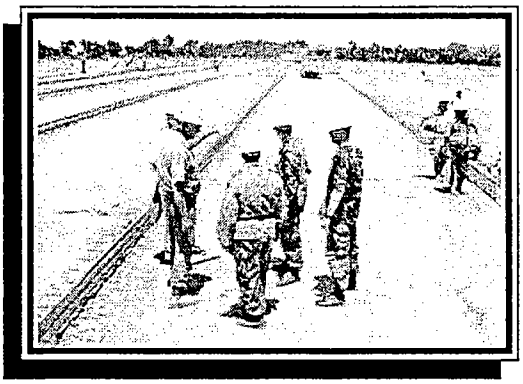

Military and contractor personnel review the construction of helicopter pads at East Timor's Dili Airport. (Photo courtesy of <www-cgsc.army.mil/milrev>)

Contractors on the Battlefield Plan Now or Pay Later

by MAJ Sam Hamontree, USA

(Previously published in the *Armed Forces Journal,* June 2002.)

The DOD components shall rely on the most effective mix of the total force, cost and other factors considered, including active, reserve, civilian, host nation, and contract resources necessary to fulfill assigned peacetime and wartime missions.
— DoD Instruction 3020.37

Many issues related to the use of contractors on the battlefield (COB) are of growing concern at all echelons of the Department of Defense. The greatest hurdle in planning for the use of COB and actually requisitioning their services boils down to a fundamental lack of understanding about contractor deployment, force protection, and support requirements.

Different types of COB perform different functions and have unique requirements for deployment integration in the Time-Phased Force Deployment Data (TPFDD) sequence, funding procedures, and contracts to support the military in a battlefield environment.

The Army is a strong advocate of "training the way you're going to fight;" however, this concept is not adequately applied to contractor support. The military enjoys the knowledge and expertise of various services provided by contractors in garrison settings. This dependence on contractor support at home stations must be considered during contingency or deployment planning sessions.

Contractors are a force multiplier, both in garrison and on the battlefield. A technique used to determine the continuity of contractor support from a garrison to battlefields is to directly ask each contractor providing essential mission support, "What provisions are in your contract to deploy with my unit to combat and how are you getting there?" If a contractor in garrison is not designated to deploy with your unit, raise the issue though the chain of command.

Civilians have established themselves as an integral and vital part of the Department of Defense's total force team. With distinction, they perform critical duties in virtually every functional area of combat support and combat service support, both at home and abroad.
– AF Pam 10-231, Federal Civilian Deployment Guide

Contractors have played vital roles on battlefields for centuries. The United States began its own revolution with an augmentation of COB and has continued to use them. So if contractors have had a hand in conflicts since this nation was founded, why does each new generation of the military have to rediscover the lessons associated with integrating this old practice into new conflicts?

In the past, two predominate reasons kept COB from becoming a doctrinally recognized part of military planning: lack of recognition and doctrine. Most civilians and many military personnel do not realize the impact that contractors have had on battlefields. As a result, when conflicts and wars terminate, efforts to capture lessons learned from the COB have had little emphasis. This issue is now being addressed by the military, and significant progress in being made in the areas of establishing COB regulations and incorporating COB provisions in field manuals and during training exercises.

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TYPES OF COB

No one knows better than I the tremendous work that Brown and Root has done in Somalia. The flexibility and competence demonstrated by your employees were key factors in allowing U.S. forces to transition logistical support to the UN.

– General John M. Shalikashvili, USA, while Chairman of the Joint Chiefs of Staff

As doctrine and terminology related to employing COB are developed, it is important to understand the definitions of the various types of contractors that populate modern battlefields, and appreciate their unique requirements. Each type requires different considerations in contract procurement, tracking management, support, and force protection. Furthermore, some contracts may dictate the incorporation of contractors in the TPFDD.

Three broad categories of contractor support are provided by theater support contractors, external support contractors, and systems contractors.

Theater support contractors perform services that are oriented to the immediate needs of the operational commander. Examples are services such as light construction, port operations, transportation, and security augmentation. Some historic examples of services provided by theater support contractors include loading and offloading aircraft that were involved in the Berlin Airlift Operation, and the stevedores who provided port service during U.S. military involvement in Vietnam.

Generally, theater support contractors are procured from the principal assistant responsible for contracting (PARC). The PARC is the commander's senior acquisition advisor responsible for planning and managing all theater support contractors. The urgency of the contract and the magnitude of the cost will determine which venue is used to obtain the contractors. Theater support contractors are more likely to contract Host-Nation Support (HNS) because of the nature of the services being provided. While the commander is responsible for the safety and security of the contractors, there is normally no requirement for their integration into the TPFDD; however, their presence should be coordinated and included in operational plans so that their administrative and logistical requirements will be identified to the appropriate planners.

Consideration must be given to potential shortfalls and unexpected support requirements. Military contracting officers follow operational principles and guidelines outlined in Field Manual 100-10-2 to acquire the needed contingency contracting. The contracting officer coordinates with the appropriate staff directorates (G1 through G6) and the hosting U.S. embassy staff for recommendations and compliance with HNS agreements. HNS resources improve response time and free airlift and sealift assets for other priority needs. Contingency contracting complements, but doesn't replace, available operational military support systems.

External support contractors provide the combatant commander and his staff the capability to use pre-planned contractor support to augment support capabilities through the Logistics Civil Augmentation Program (LOGCAP) umbrella and the Air Force Contract Augmentation Program (AFCAP).

A task force designated to participate in a peacekeeping deployment may require general ground and intermediate aviation-maintenance support, but a maintenance company's Modified Table of Organization and Equipment is not designed for supporting extended maintenance operations over wide areas. Further, the units probably also have support responsibilities to other customers at their Home Stations. The service component commander can fill the void of military capabilities with agencies such as LOGCAP and AFCAP.

System contractors provide support to materiel systems. Most system contractors enhance readiness and continuity in training on advanced or recently fielded systems; however, some system contractors perform maintenance and operations that are unique to the military.

These system contractors perform services that have no military counterpart, yet are required during both garrison and deployed operations. Currently, there is no doctrinal definition to distinguish these types of system contractors. The differences inherent in the duties performed by these system contractors have significant implications for planners.

There are two broad categories of system contractors: mission enhancing and mission essential.

Mission-enhancing system contractors provide assistance to equipment that is newly fielded, modified, technically challenging or maintenance-intensive.

New and upgraded fielded equipment is normally accompanied by a field service representative (FSR). The FSR is a contractor with an inordinate amount of experience with, or developmental knowledge about, the equipment. Such contractors are supplied from the applicable program managers (PMs) for periods of from one to three years, depending on the system.

During the warranty period, the PM funds deployment of the contractors; usually, one or two of them go with a battalion. Their small numbers, minimal equipment-support requirements, and the short duration of their service pose little disruption when they are

integrated into the deployment phase, which does not necessarily mean their incorporation in the TPFDD.

Most units continue to utilize the FSRs beyond a system's warranty period to increase readiness and depth in maintenance capabilities, including training. The mission-enhancing contractors' services are still managed through the PM offices but are paid for either by the unit or the installation. But regardless of who pays the bill, a unit that wants contractor assistance during deployments should contact its PM to ensure there are provisions for "their" contractors to deploy to a battlefield environment.

Bear in mind that if the contractor service is not being funded by the PM, the service of a contractor in a potentially hostile environment will increase costs dramatically. For budget planning, ensure that those costs are included in budget estimates and/or contingency operation funding requirements.

Mission-essential system contractors do not augment organic capabilities or provide assistance with a system – they are the only support for the system. Mission-essential system contractors operate or maintain new or highly sophisticated systems that the U.S. military cannot maintain itself, such as some unmanned aerial vehicles and specialized NBC contamination-detection vehicles.

Incorporating mission-essential contractors in operational plans (OPLANs) and contingency plans (CONPLANs) is crucial. They are vital and must be included in the TPFDD. Units with mission-essential contractors for direct or general support during peacetime should also review all applicable OPLANs and CONPLANs to ensure that contractors are included in the TPFDD and their deployment requirements are not in conflict with their contracts.

CIVILIANS ACCOMPANYING THE FORCE

War hath no fury like a non-combatant.
– C. E. Montague

Two issues that make contractors on the battlefield controversial are their proximity to combat operations and the consequent force-protection requirements. The military has made provisions to grant contractors on the battlefield a status as civilians accompanying the force" (CAF), which is recognized by the Geneva Convention. But no matter how the American perspective categorizes contractors, their official U.S.-bestowed status is irrelevant if an enemy does not acknowledge our definition of CAF or abide by the Geneva Convention. Deploying U.S. military forces to support our national interests and expecting our adversaries to understand the American perspective of war is naïve and unrealistic.

As contractors assume wider supporting roles, particularly those that involve operating equipment, their activities blur distinctions between CAF and combatants. According to Army Regulation 715-9, contractors may not be used in, or undertake any role that could jeopardize their status as, CAF. With the integration of technology and tactics, such as the complex video and communication systems that control UAVs, contractors are providing the type of cutting-edge support likely to result in enemy casualties.

As the traditional concept of the forward edge of the battle area continues to fade in asymmetrical warfare, contractors will be drawn ever closer to opposing forces. Contractors who support and operate systems armed with weapons in a hostile environment need a change in regulations that incorporates consideration of the evolving role of CAF.

Many of our past military involvements have been limited wars; however, to our adversaries they have been total war. In the morality of war, jus in bello raises the issue of discriminating in the treatment of combatants, non-combatants, and CAF.

The participants and the nature of a particular conflict often determine how members of the opposing force and their supporters will be treated. There are those who hold a firm belief that COB assisting the adversary are just as liable as combatants; therefore, there is often no moral distinction between targeting either a combatant or a CAF who is involved in arming or feeding the combatant.

Provisions for contractors to bear arms for defensive purposes on the battlefield further complicate the ability of adversaries to discriminate between combatants and CAF. Force-protection considerations for COB should be taken to protect them based on the enemy's perspective. Ultimately, it will be the adversaries' perspective that will determine how contractors will be perceived and treated in warfare.

PRINCIPLES OF CONTRACTOR SUPPORT

Field Manuals 100-10-2 and 3.100.21 outline principles for COB support, and are useful in verifying a range of requirements. While the following principles are not inclusive, they should be considered when planning or reviewing the use of contractors on the battlefield:

- **Commanders are responsible for protecting COB in their area of operations.**
- **Contractors must have not only the appropriate skills but also the equipment necessary to accomplish their support requirements.**

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➥ **Contracted support must be integrated into the overall support plan.**

➥ **Military and contractor systems must not place additional burdens on soldiers.**

➥ **There must be a plan for support before contractors arrive in the theater, and in the event that contractors either do not deploy or cannot continue to provide contracted services.**

➥ **Significant changes in contractor activities may require contract modifications.**

➥ **Contractors manage and supervise their employees.**

In accordance with Army Regulation 715-9, contractor employees generally are not assigned below echelon-above-division level, but may be temporarily deployed forward as needed, consistent with the combatant commander's policy, the tactical situation, and the terms and conditions of the contract.

Peacekeeping operations deploy units as task forces requiring split-base support and logistical operations, but neither ground nor aviation maintenance support units have the MTOE authorization of equipment and personnel to conduct such operations for extended periods or over considerable distances. Many of the higher level maintenance functions require external support contractors either to augment home-based or deployed-force operations.

Normally, external contractor support tends to deploy forward to augment support on the battlefield rather than in garrison. Contractors augmenting MTOE capabilities are used on a basis of approximately one (contractor for military) to one in their support roles. An advantage of this support is that they are not encumbered by some of the additional duties associated with the military, such as responsibilities for guard duty, KP, or training.

PLANNING FOR CONTRACTOR SUPPORT

Despite significant efforts to effectively manage LOGCAP, U.S. Army, Europe officials' inexperience and lack of understanding of the contract, the contractor's capabilities, and program management created problems during deployment and resulted in unnecessary costs. The General Accounting Office Report on Bosnia Peacekeeping operations, such as those in the Balkans, creates challenges for logistical planning. Often 25 percent of a higher level maintenance unit's personnel will deploy in support of peacekeeping operations. Significantly, the 25 percent of personnel who deploy might represent 100 percent of the capability to support a specific system that still requires support at the Home Station.

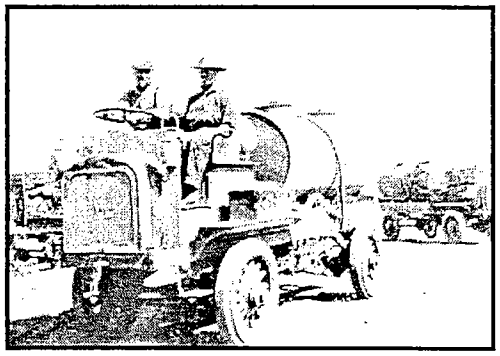
This void is normally filled by contractors in garrison. Additionally, external contractors are hired to fill the same support requirements for the peacekeeping operations in theater, creating a duplication of effort and a drain on funds. Unit readiness issues are also masked by the 25-percent deployed; who will fill the TPFDD in support of another contingency operation?

As decisions are made for COB, there must be a clear understanding of the numbers and requirements of contractors required to deploy and the impacts on the units deploying and those remaining in garrison.

Planners from battalion to unified command staff levels must be informed of contractor requirements. The vertical flow of information will allow planners to adjust apportioned forces in the event of peacekeeping operations or in a two-theater operation plan.

If any facet of contractor support is not planned for, such as how they get to the battlefield, their positioning on the battlefield, medical and life support systems, or force protection, the commander faces a potential loss of combat effectiveness. These issues must be addressed by operators and logisticians in the planning process.

As today's military incorporates systems that are increasingly technical and require contractor support, planning and integration of contractors on the battlefield is essential to maximize the potential of new technologies.✪



Teamsters driving U.S. Army fuel trucks near Colonia Dublan during the 1916 Mexican Punitive Expedition. Photo obtained from <www-cgsc.army.mil/milrev>.

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Civil Affairs – Respect and Mission Accomplishment Operation ENDURING FREEDOM

by SSG Franklin R. Peterson, Delta Company, 3-187 Inf, RAKKASAN

While assigned as an Infantry Section Leader in Afghanistan from April through September 2002, my unit conducted numerous patrols focusing on reconnaissance and route clearance, as well as verifying the status of various water wells and the attitude of the civilian populace. We normally operated with at least two-up armored HMMWVs, one with a .50 caliber and the other with an MK19. For some patrols we added an additional two-cargo M966 HMMWV. A medic, an interpreter, and an Afghanistan soldier always accompanied the six to twelve U.S. Infantrymen. At times we would have "add-ons" including counter-intelligence (CI) agents, leaders and staff previewing routes, or members from CALL. I was selected to lead many additional patrols because of the rapport established between the local elders and my team.

187th Infantry Regiment

"RAKKASANS"

We met our interpreters several days before we started the patrols. We spent many hours together and were taught some of the basic language and local customs. I asked the correct way to show proper respect to the different age groups of people with special focus on the elders. The elder of the village is a well-respected and usually educated man but is not necessarily the oldest male in the village. It is his responsibility to ensure the needs of the village are met. He is expected to greet strangers (accepting the risk himself) and decide if they bode good or evil for his people. The younger village members show him sincere respect and respond to his requests immediately. I wanted to be sure the villagers were not offended as we conducted our patrols through their villages and farms.

Usually we would stop about 200-300 meters from the village and set up security. Then the interpreter and I would walk up to the village and seek out the elder. The first visit was usually tense but, with a friendly smile and a handshake, we began the slow process of building trust. I had the assurance that my patrol was watching my back and the interpreter would tell the elder that we meant no harm to his village or his people. We also asked a few questions to ensure that we had a good understanding of the best way to travel through the area. Some example questions are:

(1) Would you mind if we drove through town or is there a safe by-pass around the village? Usually the response would be that we were welcome to drive through town.

(2) Where do the children play so we can watch for them and make sure they are a safe distance from the trucks? In every case, we were shown the play area and thanked for our concern.

(3) Do you mind if we come back through again? We were invited back and thanked for helping them.

We would then usually be invited for tea. I asked the interpreter if they would be offended if I declined. He explained that if I did not accept the offer, then the elder would not believe we were friendly and meant them no harm. So, after sharing tea for about 20 minutes, we were safely on our way through town. The extra time for public relations was critical to the success of our mission.

Tactics, Techniques and Procedures

As we became better acquainted in each of the villages, we expanded our questions to gather more intelligence about the areas. Some example questions are:

(1) Are there any strangers moving into your village that did not live here before the war? On some occasions, there were and the information was passed to the S2.

(2) Have your people found any new mines while they were farming/working? The people started to warn us about the mines to include helping us mark some safe routes through existing minefields.

(3) Have you seen any of the Taliban soldiers in this area?

When some of the towns became hostile or closed their gates because of some careless patrols conducted by other nations' forces, I was tasked with taking my team on patrol and attempting to re-establish rapport so

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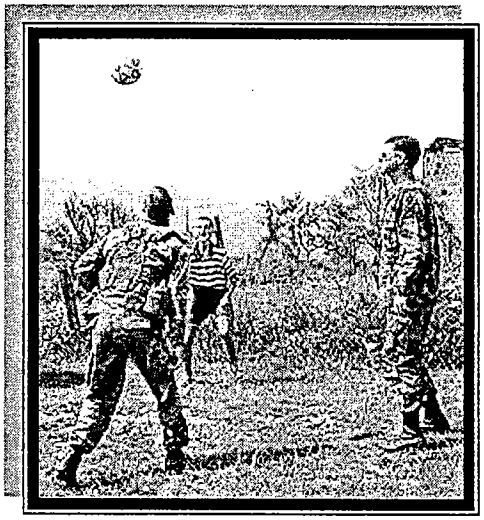
the route would open again. Fortunately, because of the earlier visits when we took the time to show some respect and share in their customs, the doors were reopened and patrolling resumed. I would then take their complaint to the S2 to be worked through proper channels.



Soldiers on patrol take a few moments to kick a soccer ball with local children. (Photo from *Stars and Stripes* website.)

The reputation for having good rapport with the locals led to my selection to conduct several CI and HA (humanitarian aid) missions. On these missions, there were usually a lot of children in the towns. I would assist the patrol by keeping the children out of the way. Getting the kids interested in me worked well. I would take out a pen and some paper and ask one of their names in their own language. Then I would write it in English as best I could and ask them to write the name in Pashtu. When we had both written the name, the paper was given to the child. The activity allowed the gunners to pull security without having children in the kill zone and the leaders to accomplish the CI or HA intent. The Intelligence staff and the local Elder commended the effectiveness of this technique.

Another simple technique was to wave a lot. This caused the locals to wave and allowed us to locate the people with weapons more readily. In addition, we seemed friendly and that resulted in friendlier responses whenever we stopped for information or for a security halt.

On several occasions, we heard of people that were harassed by previous patrols. After some sincere questioning of the locals, we learned that the previous patrol had in some way been viewed as disrespectful. Usually, the disrespectful perspective was based on a simple activity that we take for granted such as passing out candy or ink pens to the children. Although the children loved it, the adults looked on the practice as not respecting their ability to provide for their own. We would go to the Elder and explain our custom of sharing and apologize for the offense. Then we would ask the proper way to give these items to the kids. The answer was simple. Give the items to the Elder and he would pass the candy or ink pens to the villagers. At this point, the villagers became comfortable with this tradition because respect was then focused on the village Elder.

Soldiers hand out toys they bought with their own money to children who eagerly await the soldiers' visits. (Photo from *Stars and Stripes* website.)

Because of the success of our earlier patrols, my team was selected to escort Akmed Karzi, the king's brother. This was a great honor, and I was thrilled to lead the escort. I was informed that my team was selected by the S5 specifically because of the earlier reports about the success of the CI, HA, and patrol missions. The task was to lead him through a village with a known minefield and to mark the route for safe passage.✪

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Chapter 3
Operational Intelligence
Topic D: Collection

Observation Synopsis:

In an unconventional environment such as found in Afghanistan, HUMAN Intelligence (HUMINT) was the most effective collection method and supported actions from the tactical to strategic level. Beyond the theater MI brigade's interrogation and counterintelligence assets, the CFLCC possessed few organic collection assets, relying primarily on national and theater capabilities to collect information in support of ground operations. The Interrogation and CI battalion typically drew 90% of its linguists from contractors, other services, and the reserve component, but for this operation, received only Reserve Component augmentation. In other cases, the Army identified and deployed linguists, only to discover that their language or proficiency level was incorrect or insufficient.

The CFLCC had access to non-Army collection systems, such as the Predator Unmanned Aerial Vehicle (UAV), which became an essential tool in collecting information in a highly non-permissive environment. Access and tasking priority was not always sufficient to meet organization needs, particularly because ground force commanders found innovative uses for the employment of this scarce resource that conflicted with the owning service's view of targeting and collection.

The Joint Interrogation Facility (JIF). The Theater MI Brigade had the capability to establish only one JIF capable of gathering information from prisoners or detainees. While with augmentation this would have been adequate for sequential operations, larger or more simultaneous operations likely would have overwhelmed the unit's ability to accomplish the mission.

In the context of unconventional operations countering terrorists, Military Police and Military Intelligence doctrinal solutions for establishing tactical interrogation and holding facilities were proven to be inadequate in providing the war fighters and the commanders with the capability to exploit HUMINT sources and develop future contacts. Operations at Bagram demonstrated that an organization like the Joint Interagency Task Force (JIATF) must play a central and leading role in interrogation operations because of the nature of the war on terrorism. The JIATF integrates the capabilities of CIA, DHS, FBI, and conventional military HUMINT forces into a fusion cell capability. The JIATF must have the authority to task military units and must have the resources and authority to conduct unique HUMINT operations. These types of operations require a non-doctrinal approach to interrogation operations and innovative or "outside the box" methods to interdiction operations. The typical "JIF" or tactical exploitation facility is not the appropriate solution. It requires an integrated operational focus supported by fused intelligence to conduct responsive detection and apprehension operations of terrorists. Furthermore, from an MP perspective it is also a uniquely different mission as it is not

just a "Detainee" or EPW holding facility. Instead, it is a unique operational intelligence exploitation facility in which the MP resources must be subordinate to the JIATF in regards to evacuation / release decisions on detainees.

A related point is that the doctrinal approaches to "EPW" or "Detainee" operations initially utilized by CFLCC did not take full advantage of the various policies adopted by civilian leadership to deal with the unique nature of this unconventional operation. The laws and policies regarding the war against terrorism must be used to the maximum extent possible and support flexibility for commanders instead of acting as restrictive barriers. The laws permit greater latitude than what is exercised in conventional operations. Commanders must understand the need for custodial interrogations of people whom U.S. forces have no intention of detaining. In addition, there is a need for absolute non-disclosure of the identities of all persons in custody until they have been determined to be not of high value or high intelligence value. This approach is not risk free, but success requires innovative action. This innovative action must facilitate:

a. Segregation of high value individuals.
b. "Incentive Program" controlled by intelligence personnel dictates level of treatment above minimal standards.
c. Release v. Repatriation of individuals (There are differences between the two.)
d. Interrogators must have TS Clearances

Interrogators must have more strategic level training (i.e. – Training must emphasize unconventional interrogation operations and place less emphasis on tactical EPW interrogations). In addition to this increased training, all interrogators should have TS Clearances to be able to work seamlessly with the JIATF.

Flexibility should be provided to commanders on the ground on the ability to determine to hold or release persons that are not deemed to be a High Value or High Intelligence Value.

High Value individuals must be segregated from the general detainee populace. MP and interrogation assets must be able to cover and accommodate these situations.

Linguist Support. The Interrogation and CI Battalion, lacked sufficient linguists to accomplish the mission without augmentation from contractors and Reserve Component augmentees.

The Joint Interrogation Facility was designed to fill 90% of its requirements from joint, contractor, and reserve component manning. The Reserve Component provided limited, high quality manning, but no other services contributed to the manning of the JIF, except for the USMC while it was responsible for the installation at Kandahar. The result was a shortage of linguists, and initially, insufficient manning.

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The mission of screening and interrogating large numbers of important detainees demanded native-proficiency level linguists in order to perceive cultural nuances, understand a variety of dialects, and accurately understand acquired information. The most effective means of acquiring native linguists was through contracting. The Army could not provide, and did not have an effective system in place to identify and contract for, this support. On its own initiative, the Interrogation and CI Battalion was able to initiate the process to find and contract for a linguist in a critically short, but essential, language prior to deployment.

Another factor contributing to initial difficulties was that the Army identified linguists by language group, not specific language and dialect, and many linguists were only marginally proficient. As a result, the Interrogation and CI Battalion had to return 60% of the linguists provided to the United States because they did not possess the requested language, or where not sufficiently skilled in the language they possessed.

Unmanned Aerial Vehicle (UAV): UAVs became one of the most important collection assets in theater because they allowed commanders and intelligence staffs a real time, visual view of the battlefield. Overall, the Predator met CFLCC requirements for imagery collection in Afghanistan and could support Army operations in the future, although its capabilities could be improved with the addition of a laser designator for locational and targeting use.

The USAF operated and controlled all military UAVs in theater. The CFLCC was given tasking authority of these UAVs during high priority operations, but there were often conflicts of purpose and task. Because the system resided with the Air Force, their analysts were trained primarily to identify and track air-appropriate targets. While the Air Force was supportive to Army requirements when tasked by CENTCOM, they were not capable of exploitation the ground-oriented products required by the CFLCC. This need to exploit imagery in a more rapid, focused fashion tailored to Army needs was not acknowledged by the USAF during the operation. The Theater MI Brigade has created a UAV Exploitation Team (UET) that captured UAV images and exploited them to facilitate ground-oriented analysis, adding considerably to the amount of intelligence derived from each UAV mission.

The ability to see the battlefield on video and simultaneously at virtually any level of command also created the opportunity for leaders to participate in battles to an unprecedented degree. While this had benefits in terms of speed of the decision-making process and shared awareness of the battlefield, it may have resulted in multi-echelon participation in decisions normally made at lower levels. Most commanders and staff officers expressed frustration at being "micromanaged" from one or two levels above them.

generally reduced when NGOs begin sustained operations. The C-JCMOTF's continued presence could have caused tensions with NGOs. NGOs cooperated with our HA efforts, but prefer to avoid an obvious association with the military. A Civil Military Operation Center (CMOC) in title alone creates the perceived association NGOs seek to avoid. CMOCs in direct support (generally battalions) were referred to as Civil Humanitarian Liaison Centers (CHLC-pronounced Chic-lit), the term used by the British military. It also immediately identifies the level of the CA force, since CMOC is used at all levels of support.

The collection and classification of information and samples of Dexorybo Nucleic Acid (DNA) collected through the Personnel Identification Data (PID), and the subsequent Mobile Interrogation Team (MIT) process has enhanced the ability to provide FP through the immediate identification of suspected criminals, and it has also enhanced the nations ability to collect criminal intelligence information for future pursuit and processing of suspected criminals (terrorists). When the campaign on the "War Against Terrorism" in Afghanistan, the Afghan Military Forces (AMF) were already holding approximately 3200 detainees throughout the Coalition Joint Operational Area (CJOA) Afghanistan. US forces were directed to collect PID on all potential Taliban and al-Qaeda members in an effort to identify America's newest enemies. PID collection packets (consisting of names, fingerprints, DNA, and digital photos) became a key tool in our fight in the AOR. Once a detainee has completed the PID process, they are screened by the MIT to determine if they meet the criteria established by the CFLCC for retention under the custody of the US forces and subsequent movement to the Theater Short Term Holding Facility (STHF) in the AOR. Increased training needs to occur between the MP and the Military Intelligence (MI) community to ensure that all tactics, techniques and procedures (TTP) are comprehensively addressed. These types of missions are ideal for both the MP and the MI branches because of the mobility and flexibility of the MP Corps, and the MI requirement for collection and processing in information. Due to the uniqueness and newly implemented process that occurred, it is recommended that the both the MP and MI communities address the cooperative affect that these missions require.

The additional duty appointment of an MP Bn staff officer was assigned to address the issues and concerns identified by the International Committee of the Red Cross (ICRC) in reference to the detainees being held throughout the AOR. The MP Battalion staff officer provided a cooperative relationship between the ICRC and the MP Bn conducting the detainee operation. The ICRC staff representative performs as a liaison/mediator between the Bn Commander, the unit conducting the interment process within the wire and the ICRC detainee representative. The additional tasking of an ICRC Coordinator is usually conducted at the brigade level. However, the MP Bn Commander identified the need to have a facilitator within his own staff in order to facilitate the relationships that he knew were required when working with the ICRC. The ICRC involves itself with the observation and interaction of detainees/EPW within a area of conflict. The ICRC consistently referred to the detainees as EPWs; however, the MP Bn continued to explain and enforce the use of the term detainee when coordinating/cooperating with the ICRC. Several issues arose regarding the ICRC at Kandahar and Bagram due to the amount of time the detainees were being held. The collection facility at both Kandahar and Bagram were originally designed to be temporary (24-48 & 24-72 hour) holding facilities. The average time a detainee is being held at Bagram in one month, Kandahar's

average time is a little longer. This presents inherent danger to the overall base/base cluster defense plan due to the target of opportunity the detainee facility provides to the enemy. The unit ICRC (additional duty appointee) needs to receive training/information exchange of the requirements/responsibilities of the ICRC prior to arrival in theater to conduct detainee operations. Staff representatives tasked to perform as C2 multipliers when dealing with agencies outside of the traditional military spectrum, is an overall positive approach to addressing entities that will inherently be on the battlefield and within the AOR during most operations.

Several training requirements may be identified for future development of units/services who are responsible for the preponderance of FP activities in an active theater of operations. The initial hand-off between the Marine Corps and the MP Company (Co) (CS), and the MP Co (CS) and the MP (Guard) Company incurred several issues concerning consistent implementation of procedures in reference to conducting the handling of the detainees. In order to facilitate the training and hand-over, CFLCC sent a specialized detainee/Enemy Prisoner of War (EPW) team to help ensure that as smooth a transition between units would occur. Eventually the issues were resolved, but have created persistent problems with the unit, the detainees and the ICRC.

Additional training requirements when working in a Joint operations include, but are not limited to the following: detainee security in-transit, coordination with Military Intelligence in the conduct of internee interrogation, and EPW processing, etc., and extraction of detainees by air and other available means. Future warfare will require MPs to extract detainees/EPWs early in the fight. During the unconventional warfare phase, and starting in early combat operational phases, to gain real time intelligence value which will shape the current operations (Personal Identification Data (PID)/Mobile Interrogation Team (MIT)/and Military Intelligence Support Team (MIST). The MIST consists of, but not limited to, Special Operation Forces (SOF), Civil Affairs (CA), and Counter Intelligence (CI). The purpose of the MIST is to repair inadvertent/perceived damage conducted by United States personnel and is information based, not the retrieval of suspects (i.e., low over flight of homes without roofs was considered an invasion of privacy, particularly concerning the female Afghan). Presently conducting inter-theater transfer of detainees. The collection of detainees initially begins in a forward collection sight. Then the detainees are moved to a Detainee Collection Point, formerly known as the Division Collection Point, for initial processing. The detainees are then moved to a Short Term Holding Facility (STHF), formerly known as the Corps Holding Area. Ultimately, the detainees will be transferred to an out of theater longer term holding facility. Echeloning of evacuation level does not necessarily, in the nonlinear battlefield, connote threat level. In this AO the division collection point was at lower threat condition (THREATCON) Level than in the STHF, although the division collection point was closer to the objective area. This is a change in the traditional battlefield approach to the collection and processing of detainees/enemy prisoner of war (EPW), and an excellent representation of a noncontiguous asymmetrical environment. MPs remain the force of choice in these environments, and thus ultimately an increase is feasible in order to support CINC's objectives, and ultimately National Command Authority (NCA) goals.

The ability to conduct United States (U.S.) Law and Order (L&O) missions, both on Camp Doha and in the theater of operations are restricted to U.S. military personnel only. The ARCENT Kuwait PM is only authorized to conduct L&O requirements within the confinement

of Camp Doha. During events where U.S. personnel participate in misconduct off post, they are subject to the local law enforcement agencies this is where the OMC is utilized. The Office of Military Cooperation (OMC) provides a liaison to assist in any incidents that may occur both on and off the installation. U.S. security contract personnel are not authorized to perform personal security details (PSD) off post due to the restriction of weapons off post. However, U.S. soldiers are allowed to conduct military operations off post while armed. L&O missions vary depending on the location within the area of responsibility for the Central Command (CENTCOM). L&O missions conducted in the theater of operations allows for the investigation and prosecution of any case against a U.S. soldier by U.S. forces. A cooperative approach to establishing L&O authority is very dependent on the situation, and most importantly what the Host Nation wishes to allow. Establishing a cooperative approach to conducting L&O missions should be conducted by highly trained and experienced personnel within the Military Police/Criminal Investigation Directorate (CID) field.

The training of leaders in the field, particularly those dealing with the interpretation and enforcement of FP in a battlefield environment, needs additional Level II threat and anti-terrorism training. Additional Force Protection training will enhance Military Police and other Force Protection personnel/entities capability to provide guidance and overarching planning concerning the needs for - standoff, entry control requirements, identifying high value targets (HVT), airport security, etc. This is especially important when integrated into a joint/combined/coalition operation. By providing Force Protection Level II threat and anti-terrorism training to both officer's and non-Commissioned Officers (NCO) will enhance their ability to respond to these types of requirements in the growing number of joint/combined/coalition operations. Recommend officer's and NCO's ability would greatly improve if these types of topics were included/improved in current officer and NCO career developmental courses. For officer's, this training would be best provided as a supplement to the Officer's Basic Course (OBC) with a refresher or advanced level of training at the Advance Course (OAC). For the NCO, this training would be best provided at the Basic Non-Commissioned Officer's Course (BNCOC) with a refresher or advanced level of training at the Advance Non-Commissioned Officer's Course (ANCOC). The recommendation for this training at these levels is because of their increased opportunity to become involved with these types of requirements/missions.

Key Lessons Learned:

- Providing HA concurrent with combat operations may result in continued military presence of NGOs in the AOR.
- Uniforms can be a force protection issue when conducting HA in a semi-permissive environment. It is important to have a good relationship with the NGOs and address their concerns, but to not compromise safety of soldiers or integrity of mission.
- Increased training needs to occur between the MP and the Military Intelligence (MI) community to ensure that all tactics, techniques and procedures (TTP) are comprehensively addressed.

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- These types of missions (PID/MIT) are ideal for both the MP and the MI branches due to the mobility and flexibility of the MP Corps, and the MI requirement for collection and processing in information.
- Combined training, incorporating several different Army branches of service, needs to occur due to these increasing mission requirements concerning detainees/EPW, and engaging populations in the AOR.
- The preferred methods for the use of linguists are those habitually found within the MI community due to the security and sensitivity of the interview. However, due to the shortage of military linguists versed in the languages used throughout the AO, civilian contract linguists were required in order to complete this process. The lack of Army linguist presents an increasing problem as we employ our forces in remote and austere environments.
- A cooperative approach to establishing L&O authority is very dependent on the situation, and most importantly what the Host Nation wishes to allow.
- A cooperative approach to conducting L&O missions should be conducted by highly trained and experienced personnel within the Military Police/Criminal Investigation Directorate (CID) field.
- By providing Force Protection Level II threat and anti-terrorism training to both officer's and non-Commissioned Officers (NCO) will enhance their ability to respond to these types of requirements in the growing number of joint/combined/coalition operations.

Chapter 9
Public Affairs

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Introduction:

This chapter focuses on the Coalition Forces Land Component Command (CFLCC) Public Affairs (PA) mission to fulfill the Army's obligation to keep the American people and the Army informed, and to help establish the conditions that lead to confidence in the Army's readiness to conduct operations across the spectrum of conflict. Public Affairs are critical battlefield functions in the War on Terrorism in today's global environment.

Public Affairs assisted the commander in monitoring and understanding public opinion, explaining the situational context of events and communicating the Army's perspective clearly and accurately. Synchronized, well-planned and actively executed public affairs tactics, techniques and procedures (TTP) significantly clear the fog of war and impacted the morale and effectiveness of the force. Public affairs reduced distractions, misinformation, uncertainty, confusion and other factors that cause stress and undermine efficient operations.

Coalition Forces Land Component Command Public Affairs Mission Statement:

"Conduct Public Affairs activities in support of coalition land forces operational objectives to destroy Al Qaida and resisting Taliban forces in order to prevent the re-emergence of transnational terrorist groups, and expand stability operations to support the Interim Authority/Government of Afghanistan in order to establish a safe and secure world environment."

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Chapter 9
Public Affairs
Topic A: Providing Public Affairs

Observation Synopsis: The Coalition Forces Land Component story was told, with varying degrees of success, to audiences, both internal (U.S. military, allied military and civilians) and external (U.S. citizens at home and the international civilian community). The objective of the Public Affairs (PA) information campaign was to tell the story of the forces fighting the war on Terrorism to targeted internal and external audiences. It is important that commanders understand the direct correlation between media coverage and the confidence of key audiences in the U.S. Military Services. There are some issues that are more challenging than others to discuss with the media. One of the greatest challenges to deal with is that of casualties, both friendly fire and civilian. While these casualties are never easy to address it is important that commanders, while expressing sincere regret for loss of life, facilitate timely and accurate media coverage.

Internal Communication: Forward deployed PA elements wrote stories and took photographs then send them back to CFLCC-command information for review/editing and marketing. The CFLCC Command Information (CI) NCO edited the stories and then forwards to CENTCOM PA, ARCENT Atlanta PA and various outlets (such as ARNEWS) for marketing. The CI effort for Operation Enduring Freedom (OEF) was slow to start for several reasons, but has steadily improved. Some of the challenges at the beginning included:

(1) Few public affairs assets forward (problems with getting transportation priority for PA assets),
(2) Lack of communications (email) prevented filing of stories, and
(3) Forward PA personnel had to set up operations in very austere situations, and
(4) PA assets at times were completely devoted to media escort.

External: Since the transition to an active posture, the main effort for PA in Afghanistan has been media facilitation. The goal was to accommodate all media desiring access to troops and operations within the confines of operational security. Any national media representative (NMR) wishing to spend the night was able to do so. Conditions were extremely austere but the basic necessities were available. PA also facilitated unilateral media that showed up at the gate on a daily basis. The CFLCC PA staff escorted media in and out of Afghanistan on military aircraft originating from and terminating in Kuwait. Basically, the media flew into Kuwait commercially and were transported in and out of the theater by military aircraft.

Key Lessons Learned:

- Internal and external audiences want to know what is happening and why.
- Media will be there!
- The vast majority of both civilian and military media representatives were committed to providing responsible, accurate and balanced coverage.

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Observation Synopsis: The relationships between the public affairs officers and their commanders were outstanding. Commanders depended upon their PAOs to advise them and consequently the PAOs had direct access to the commanders and were deeply involved in the planning process.

Commanders in the AOR recognized that effective public affairs operations are critical to successful Army operations. PAOs contributed to wargaming and mission analysis. The Coalition Forces Land Component Command (CFLCC) and CFLCC-FWD PAOs were standing members of the Operational Planning Group (OPG), the Information Operations Working Group (IOWG) and were involved in all aspects of the Military Decision Making Process (MDMP).

The PAOs also:

- Assisted with the numerous Congressional delegation visits
- Prepared commanders and subject matter experts for press briefings
- Provided media analysis
- Conducted command information program
- Advised the commanders and staff about the impact of media coverage upon media operations
- Advised the commanders and staff how military operations would be perceived and covered by the media and interpreted by the public
- Supervised the Coalition Public Information Center
- Provided the media access and facilitated the completion /filing of their stories
- Coordinated and synchronized operations and information with higher and lower headquarters

CFLCC PAO has unlimited access to the CFLCC command group. Commanders at forward locations relied heavily on and were pleased with the efforts of their PAOs.

Key Lessons Learned:

- It was very effective for the PAO to play an integral role in the MDMP, key working groups, wargaming and mission analysis

Observation Synopsis: There was insufficient published Public Affairs Guidance (PAG) and it was often reactionary rather than proactive. PAG should be prepared and approved as early as possible. Anticipating the need for specific PAG and developing drafts ahead of time can accomplish this. Leaders generally understand the need for timely approval of PAG but with the many competing priorities higher headquarters must place a priority upon quick approval and turn around of proposed public affairs guidance (PPAG).

The PAG issued for Operation Enduring Freedom (OEF) pertaining to operations in Afghanistan was incremental and reactive. Initial PAG was restrictive and passive due to host nation sensitivities and limitations, restrictions on covering special operations, operational

security and hesitation on the part of the higher headquarters to empower subordinate units to speak. When the posture changed from passive to active it was difficult to catch up and then get out in front of the media. PAG submitted by the Coalition Forces Land Component Command (CFLCC) to higher headquarters was routinely bogged down in the approval process and on occasion was overcome by events. On several occasions, the CFLCC went directly to OSD at the last minute. Reactive PAG (such as that concerning detainee operations) was useful, but often came too late. PAG for Operation Anaconda was done at the tactical level and worked well.

Key Lessons Learned:

- Initial PAG should be prepared as early as possible
- PA posture should be "active" whenever operational security and force protection permit
- Higher headquarters needs to be responsive in approving (PPAG)
- Restrictive PAG increases chances of inaccurate and frustrated reporting, causes speculation and limits the ability to tell the story

Observation Synopsis: The correct public affairs (PA) units must be deployed to support theater media and command information operations. It is recommended that warfighting headquarters deploy with sufficient organic public affairs assets and equipment. Imperative also is the selection of the appropriate supporting PA unit to augment them. The Press Camp Headquarters (PCH) was not the correct public affairs unit for the required mission and organic public affairs assets with deployed units were inadequate. A mobile Public Affairs Detachment is the correct PA unit to support this type/scope mission.

Battlefield commanders have two sources of tactical and operation public affairs support. The first is the PA section organic to the warfighting headquarters. The second is a PA unit attached to augment the commands PA capability. In the Coalition Forces Land Component Command (CFLCC) area of Responsibility (AOR) the organic PA assets that accompanied the deployed units were inadequate to meet the demands. This was due in part to the restrictive "footprint" that limited the total number of personnel who could deploy.

Conducting PA planning, facilitating the media, researching and providing information, executing PA training, and other related support operations is manpower intensive and requires specific training and equipment. It is important to select and deploy the correct unit for the mission.

A Press Camp Headquarters was not the appropriate unit but they miraculously rose to the occasion. The PA unit designed, staffed and equipped for this mission is a Mobile Public Affairs Detachment (MPAD). When the PCH was alerted for deployment there was an expectation, based upon plans at the time, that a large theater media center would be required. Unfortunately, the PCH was erroneously placed on the Time phase Force Deployment Data (TPFDD) to report to Kuwait, CFLCC Headquarters, before the mission had fully developed and before they were needed. There is no explanation for how this error occurred but with eleven days notice the PCH rallied, prepared and deployed into the theater. Real world operations

required that the PCH be split into smaller elements and deployed to multiple locations. A PCH is not designed or equipped to be split up and work in four different locations, as they were required to do. The PCH did a great job despite the lack of personnel and resources and a mission that was not theirs.

The CFLCC had also requested an MPAD to perform inner-theater Public and Command Information missions. This request was denied based on the deployment of the PCH. The MPAD skills, staffing and equipment would have provided untold capability. However, with support from deployed HQ CFLCC PA staff and creative employment of the PCH, required public affairs missions were accomplished. The Command Information mission would have been better is the appropriate PA units had deployed.

Public Affairs assets available in theater during the Operation Enduring Freedom missions in Afghanistan were:

- A Press Camp headquarters – dispersed throughout the theatre from Kandahar, Bagram, Kabul and at times Mazar-e-Sharif (MES)
- A Public Affairs Detachment (PAD) – was based out of K2, also worked in MES and Bagram; rotated back to the states
- Task Force Mtn PAO – based out of Bagram
- Task Force Rakkasan PAO – base at Kandahar, subordinate to Task Force Mtn PAO
- JSOTF PAO – based out of K2 and had Navy representation at Kandahar

Key Lessons Learned:

- The warfighting headquarters must bring sufficient organic public affairs assets to perform the basic PA missions
- Selection and deployment of the appropriate public affairs unit, with the suitable personnel and equipment is imperative
- The correct unit to deploy with the Task Force was a Mobile Public Affairs Detachment (MPAD)
- Deployed public affairs assets were successful in accomplishing their mission even though they were understaffed and inappropriately employed but at a significant cost to the deployed command, the higher headquarters and the individual deployed PA personnel
- The PAD redeployed too early because they did not anticipate further missions bringing large numbers of media back into the AOR

Observation Synopsis: The public Affairs Officer was a member of the Information Operations Working Group (IOWG) and had excellent coordination with the IOWG

The IOWG provided a forum for managers of information to plan, coordinate, and execute IO events. The Coalition Forces Land Component command (CFLCC) public affairs officer attends weekly Information Operations Working Group meeting to help synchronize missions with the CFLCC objectives. The PA gathered, coordinated and disseminated information with and from other members of the working group. Lower echelon PAOs at the

subordinate Task Force levels were also members of their unit IOWG and contributed significantly to the planning and execution of overall information operations. Working groups and other IO meetings provided a situational awareness through the information provided by maneuver and support units.

Key Lessons Learned:

- Public affairs officers were active members of the Information Operations Working Group and provided important information to coordinate the IO campaign
- Public affairs operations contribute many products in the execution of the IO campaign

Observation Synopsis: Most of the Public Affairs personnel were adequately trained. However, the writing and photographic skills of some of the journalists were weak and some of the officers were not familiar with doctrinal tactics, techniques and procedures (TTP). PA Unit commanders did ensure necessary professional references were available. On-the-job mentoring and supplemental training is critical to mission success.

Experience and training levels of deployed PA personnel varied widely. This was particularly true in the Reserve Component where some RC PAOs work in public relations jobs in their civilian careers and others have little or no experience. In the active component, the situation has improved with the implementation of OPMS 21 and early CFD, but we still have officers going into critical PAO positions with little or no experience. Training continued while performing PA missions through mentoring and on-the-job training.

Key Lessons Learned:

- There will be varying degrees of competence and experience
- On-the-job training and mentoring is valuable

ARCENT CAAT Initial Impressions Report (IIR)

Chapter 9
Public Affairs
Topic B: Media Operations/ Public Information

Observation Synopsis: Getting media into the theater was a challenge because of the limited space on aircraft, competition with higher priority passengers and equipment, and absence of available commercial conveyance. All traveling personnel are provided transportation on a space available basis. Media should be placed on the waiting list as soon as they arrive at the transient point between commercial and military air transportation. If there is an impending significant event or operation and media must be moved immediately to the site to accompany the forces, it is recommended that the appropriate command representative "block" space on the aircraft.

It was difficult to transport media into the AOR. In the early stages of military operations in Afghanistan it was particularly difficult. While it is was not quite as difficult in the latter phases of operations the challenge still remained. On many occasions there were significant events that warranted coverage but the media could not get there. If media cannot get into the area of operations in a timely manner the story cannot be told and we cannot meet our obligation to keep the American people informed.

Key Lessons Learned:

- The public affairs staff and commanders had to be actively involved to ensure travel into the AOR was approved and made available
- Use of military aircraft to get into the theater is a must in an austere environment when there is no commercial transportation available
- To ensure media access to cover US Forces we must facilitate timely transportation into and around the theater.

Observation Synopsis: Media access was a success story. Commanders facilitated unprecedented access. This access to soldiers and ongoing operations resulted in outstanding and detailed coverage by print and broadcast journalists. The goal in granting access should be "maximum access with minimum delay" while safeguarding operational security and force protection. Embed media in units whenever possible. This is the best way to facilitate access.

Media access was very slow and limited in the beginning of operations. This was the case for many reasons. When U.S. forces were located in Uzbekistan, host nation sensitivities prohibited any media coverage of operations and units there. Additionally, when conventional forces were working with Special Forces units there was no media access permitted.

Once located in Afghanistan, Command guidance was to allow maximum access without compromising operational security and force protection. In varying degree, commanders at all echelons allowed access for the media to talk to their soldiers. Some were more accommodating than others. Some were more prepared and experienced than others. But overall access was

very good. One commander said that when he allowed his soldiers to talk, the truth was told and reporters "got it right." The media preferred to talk to soldiers, airmen and marines who were really participating in the operations rather than the public affairs spokesperson. This access also gave audiences the opportunity to see the situation through the eyes of those living it.

Media access to combat operations was particularly successful and the result was an accurate and realistic story of war and it consequences. Media that were embedded with units provided unprecedented coverage. Thousands of newspaper headlines, broadcast leads, magazine covers and lead articles vividly told the stories. Americans were interested and wanted to know what was happening. The accurate reports bolstered their confidence in the capability of their armed forces.

"Working with the media is one of the most important things I do."

Major General, Task Force Mountain Commander

There were two specific areas where media access or lack there of became an issue. Those areas were media access to cover U.S. casualties and detainees.

CASUALTIES There was no access granted to photograph U.S. casualties. Commanders on the ground made decisions concerning media access to photograph wounded or killed service members. Their decisions were universally very conservative. On one occasion, the media at Camp Rhino were actually secured inside so that they could not take photos of injured or killed service members. As always, there was a delicate balance to be achieved between the concerns for the family, respect for the individual and the need to inform the American people of the brutal reality of combat. When commanders allowed casualties (wounded) to be photographed it was from a distance and angle that did not show the service members face until next of kin had been identified. The flag draped coffins were the symbolic photographs of the killed in action.

AL QAEDA AND TALIBAN DETAINEES The Public Affairs Guidance (PAG) pertaining to the detainees dictated extremely restrictive coverage. The supplemental PAG did not permit photos or any coverage of detainees when in transit. Because there was no proactive/preemptive release of information or photos there was a void that resulted in inaccurate interpretation and reporting. When the first detainees were to be moved the forward deployed public affairs team was prepared to release photos and information to ensure the media had an accurate understanding of why the detainees were handled, dressed, controlled and moved as they were. However, they were denied permission to do so. As a result, the first pictures of the detainees were grossly misinterpreted and the public was misinformed or mislead. It is always easier to be out in front and preemptive rather than being required to clean up the battlefield after the fact.

ARCENT CAAT Initial Impressions Report (IIR)

Key Lessons Learned:

- When media were provided access the accurate story was reported
- Host nation sensitivities may limit media access
- There is extremely limited media access to Special Operations forces and missions
- When media were not provided with information the result was speculation, misinformation and inaccuracy
- When commanders were negative and restrictive the strained relationship lead to less favorable reporting and frustration
- Some commanders still have a distrust of the media and are hesitant to allow access

OBSERVATION SYNOPSIS: Public Affairs Officers and Commanders minimize potential compromises in operational security and force protection through the development and enforcement of media ground rules. Appropriate ground rules were established in Afghanistan that governed the conduct of news gathering and the release and/or use of specified information.

Public Affairs Officers (PAO) and the commanders safeguarded sensitive information that could jeopardize the successful outcome of the mission or endanger the lives of soldiers while complying with the DOD Principles of Information by strictly enforcing the ground rules. The penalty for violating grounds rules was loss of access to U.S. troops and facilities. DoD and the Combined CFLCC both developed Public Affairs Guidance (PAG) and each forward location created additional ground rules specific to their locations and operations.

Task Force Mountain Public Affairs Officer discussed ground rules with the media before a press briefing

The most significant ground rule was absolutely no Special Operating Forces (SOF) coverage without CENTCOM approval. Also, the detainee photograph and interview ground rules were significant. A few reporters attempted to circumvent both of these ground rules but only two were denied access for violations.

ARCENT CAAT Initial Impressions Report (IIR)

Key Lessons Learned:

- Media ground rules prevented compromises in OPSEC and Force Protection
- Ground rules change as the mission dictates or as operations move through different phases

Observation Synopsis: News media coverage greatly influences the perceptions of soldiers, family members, the domestic and international publics and political leaders. There is a direct correlation between media coverage and the confidence of key audiences in US military services. The majority of the Operation Enduring Freedom media coverage has been extremely balanced and accurate.

TIME Magazine, 18 March 2002, devoted much of the issue to the War on Terrorism. The lead story was a detailed account of the Operation Anaconda that included descriptions, maps, timelines and photos that accurately told the story so everyone could understand it.

The overall professionalism and character of the media was excellent. This can be attributed to giving the media access and allowing them to stay with the troops so they gain an appreciation and understanding for what we are doing (context). Martha Radditz from National Public Radio put it best... "Grant me access and I'm a lap dog. Deny me access and I'm an attack dog." The media proved they could be trusted not to compromise operational security or force protection and to embargo sensitive information until after an operation. For example, many members of the media, particularly those who were embedded were aware of Operation Anaconda from its conception yet did not divulge any information inappropriately. Almost all media abided by the ground rules and only two were expelled and denied further access.

The primary method/venue used to successfully tell the story to both internal and external audiences was media facilitation (escorts, embeds, phone interviews, briefings, responses to query (RTQ), hometown news releases, command information and marketing of internal stories and the Internet. There were also successes marketing internal products through the American Embassy in Kuwait to target Arab/Muslim outlets.

Twenty to 100 media representatives covered theater operations on a daily basis. There were media representatives from most major U.S. national press (CBS, ABC, NBC, FOX, CNN, MSNBC, Newsweek, Time, U.S. News and World Report, WSJ, USA Today, New York Times, L.A. Times, Baltimore Sun, Washington Post, Associated Press, Newhouse News Service,

National Public Radio), many regional and local organizations covering specific units, a wide variety of international media (Reuters, BBC, AFP, APTV, Al Jazeera, Pakistan News Agency, Russian News Agency, Voice of America, variety of German and Canadian press), and several miscellaneous media (Hustler, Gear Magazine, VH1, Discovery Channel, Esquire).

Karzai, interim leader of Afghanistan and
MG Hagenback, Commander, Task Force Mountain

While the majority of the coverage was accurate and balanced, the coverage of civilian casualties became an issue. It is inevitable that when war is fought in any country, no matter how careful targeting may be, that there will be civilian casualties. An overarching theme was that forces were doing all within their power to preclude civilian casualties and when they did occur the message was one of condolence. A perception exists that civilian casualties can be avoided by the correct use of precision and "smart" munitions. This made the understanding and acceptance of civilian casualties extremely difficult. There is a belief that we can fight a war and only kill the bad guys.

Key Lessons Learned:

- When media are provided access to commanders, subject matter experts and troops the cover will be balanced, accurate, informative and interesting
- Reporting on civilian casualties is necessary

Observation Synopsis: Media access and reporting on Special Operations Forces, even though limited, was unprecedented and told a very important but little understood story. For the first time, media were actually embedded on at least six missions. The glimpse into the necessarily private world of Special Mission Forces provided valuable insight to the American people and garnered new support for their important role.

ARCENT CAAT Initial Impressions Report (IIR)

When reporting on Special Operations the media were not permitted to release operational details in order to protect certain capabilities, identities and units in order to maintain maximize operational flexibility. However, limited coverage of Special operating forces demonstrated the bravery, courage, professionalism and skill of these unique forces.

Media representatives were very positive about their unprecedented access to some Special Forces Operations. But they expressed their concern that the Department of Defense demonstrated favoritism by hand-picking the media representatives to go on the missions.

Key Lessons Learned:

- Special operations can be covered without jeopardizing operational security
- The American people gained an understanding of the importance of the special mission forces they never had before

Observation Synopsis: The embedding of individual members of the media during Operation Enduring Freedom Missions in Afghanistan was an extremely effective way to facilitate access and accurate reporting. Embedding media in units was an excellent means to ensure access and resulted in accurate, detailed and timely coverage of events. Media were embedded not only to accompany units on operations but also to gain a better understanding of the unit's mission, personnel and routine.

Embedded media work, eat and live with the unit. Therefore, those who may not have known much about the Army, except from an intellectual level, gained a firsthand operational understanding and were able to accurately explain/report what was happening on the ground.

Commanders expressed their satisfaction with embedded media and most said they "would never go on another mission without embedding media". The fact that media were embedded gave them direct access, on an ongoing basis, to the unit's leaders and soldiers. This was a success and never resulted in the divulging of classified or sensitive information that jeopardized operational security or force protection. As a matter of fact, the media were aware of Operation Anaconda from the onset of planning and they did not compromise the mission in anyway.

Due in large part to the fact that media were embedded and that six pooled to actually accompany the units on Operation Anaconda, the reporting was incredibly descriptive, detailed and accurate. The graphics, timelines, photos and narrative descriptions were extraordinary.

"I will never go on another mission without embedded media."

Colonel, Task Force Rakkasan Commander

Key Lessons Learned:

ARCENT CAAT Initial Impressions Report (IIR)

- Embedded media gain a much better understanding of the unit and their missions when they are embedded with the unit.
- Access is much greater and easier for embedded media
- Embedded media, through their detailed understanding of a unit, report more accurately and descriptively
- Both the media and the units reap positive benefit from embedding
- Prior to actual deployments units should train and participate in exercises with embedded media as part of the scenario
- Commanders, from the onset, plan for embedded media

Observation Synopsis: Doctrine and policy dictate that media be pooled only as a last resort when limited by complex combat missions and available space on military aircraft and vehicles. This was the case in Afghanistan. Media were seldom pooled during military missions. Because media were embedded and allowed access to events as they unfolded there was little usefulness or need to pool media. However, on a few occasions it was necessary to pool media because of logistical or transportation restraints. Combat and cave exploitation missions are examples of those events which sometimes required pooling.

The telling photos, videos and stories prepared by the pooled media on the Anaconda missions were shared with other media.

Photo taken by Warren Zinn – US Army Pool, GETTY

When covering the actual execution of Operation Anaconda combat missions it was necessary to create a pool from the already embedded media. (Embedded media should be provided the first opportunity to be a part of the pool rather than bringing media into theater as part of a pool.)

The commander determined that six media could go on the mission. It is normal practice for the media to, amongst themselves, select the pool representatives. However, in this case the Task Force commander selected three of six members of the pool based upon their long and continuous coverage of the unit. The media representatives chose the other three. The office of

the Assistance Secretary of Defense, Public Affairs intervened and required the theater pool to share products with all national and international media

Observation Synopsis: Press briefings are scheduled and conducted to facilitate accurate reporting, provide access and reinforce themes and messages. These crucial press briefings were conducted during all phases of the Enduring Freedom operations in Afghanistan. It is important that commanders and subject matter experts are trained and prepared to successfully participate in press briefings. Commanders, soldiers and public Affairs officers (PAO) were well prepared. Press Briefings were professional, informative and timely.

Commanders and subject matter experts willingly participated and media were generally satisfied with the content and flow of information. The public affairs staff provided training, developed messages, recommended an opening statement and provided anticipated questions and answers.

British Commander talking with the media during a press briefing in Bagram, Afghanistan

Key Lessons Learned:

- Well prepared commanders presented a much better press briefing
- Recommended themes and messages help all to speak with one voice and sync with higher and lower headquarters
- Press briefings provide factual information and allow media representatives to ask questions and get clarification

ARCENT CAAT Initial Impressions Report (IIR)

Observation Synopsis: It became necessary to rapidly shift and augment public affairs assets from one location to the next as the mission changed. PA assets must develop and maintain this flexible capability to accommodate access and accurate coverage.

Media interest was the most intense at the onset of an operation. As missions changed so did the media interest. When interest and locations changed there was a need to move public affairs assets to accommodate media operations. The forward deployed PA assets developed this capability despite extremely limited personnel, transportation and equipment. Through creative planning and use of available resources combined with the Task Force Commander's emphasis, it was possible to redistribute public affairs assets and the media. However, the shift did not always occur as quickly as the mission required. An example of a necessary shift of PA assets was when operation Anaconda was taking place and large numbers of media wanted to be located at bases where the forces were staging, departing and returning. The volume of media and the complex intensity of the operation required a shift in assets within the AOR and augmentation personnel from the higher headquarters PA staff, the Coalition Forces Land Component Command (CFLCC) Public Affairs.

Key Lessons Learned:

- Media interest and requirements will change as the mission changes
- Media interest and volume will ebb and wane as the intensity of the ongoing operations increases and decreases
- There must be a preexisting plan to shift assets as the mission dictates
- There must be an ability to get the PA assets and media to different locations in a timely manner

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Chapter 9
Public Affairs
Topic C: Command/ Internal Information

Observation Synopsis: There were many methods used to produce and disseminate the Army Story through the Command Information (CI) Program. The Public Affairs (PA) assets organic to the units produced command Information (CI) products, the Press Camp Headquarters, the Public Affairs Detachment and HQ Coalition Forces Land Component Command PA personnel. The CI products were slow to begin and limited in scope and volume because of the requirement to facilitate the large number of media in the Area of Responsibility (AOR).

The military journalists in Afghanistan produced news stories with photos, and stand-alone photos, as well as serving as media escorts. They sent their stories and photos by e-mail to the copy editor to be further edited and marketed by PA soldiers in Kuwait. Articles were edited and packaged prior to being sent to CENTCOM-PAO to be cleared. Another copy was sent to ARCENT-PAO in Atlanta. Once the products are cleared, CENTCOM and ARCENT marketed the stories to many other places, including Army or DoD web sites, such as the Army home page, and the Operation Enduring Freedom and the Defend America web sites and ARNEWS/ArmyLink.

The news stories and photos were also sent to the appropriate post newspapers and Army magazines, such as Soldiers, Army Reserve, National Guard, armor, aviation, logistics, and other branch magazines as appropriate. The stories and photos were also sent to local newspapers near the home posts of units in the news, and to soldiers' hometown newspapers, when that information was available. The intent was to tell the Army story, in both words and photographs, in a positive light, in as many publications, in as many places, as possible.

News stories were written in Microsoft Word. The original raw, or TIFF, files of photos were copied onto CDs, without being cropped, color-corrected, or altered in any way. High-resolution copies of the same photos, but in JPEG format, were also written onto CDs. Stories and photos were treated as national, historical records and were placed into Army and DoD imagery collection agencies and will eventually be put into the National Archives.

Also, the Desert Voice is a weekly newsmagazine published by the PAD for soldiers in Kuwait.

Key Lessons Learned:

- Trained PA assets (military journalists) must be available to produce command information products
- PAOs must market and follow-up with HQDA to ensure use of availability of submitted products

ARCENT CAAT Initial Impressions Report (IIR)

Observation Synopsis: The There was no Public Affairs Plan provided by CENTCOM. The only plans published were prepared by the CFLCC and the forward deployed PAOs. The plan for a synergistic PA Information Campaign must be worked and supported at all echelons of command. An overarching Public Affairs Campaign plan should be prepared in the planning phase and supplemental plans prepared for each phase of the operation.

The CFLCC in Kuwait and forward PAOs produced plans as they were needed. On occasion, plans were produced independently that were not approved by higher headquarters. The plan developed for the "Completion of Operation Anaconda" was excellent.

Key Lessons Learned:

- Development and execution of PA Information Campaign Plans are key to a synchronized effort
- PA Plans provide pertinent themes, messages and facts
- Plans help prevent speculation and misinformation
- Speaking with one voice is important for credibility

Observation Synopsis: Army web sites, newspapers and magazines, as well as radio and TV, were used to provide information to target audiences. Specifically for web sites, the Army home page, the Operation Enduring Freedom site, the Defend America site, and ArmyLink, as well as the CENTCOM and ARCENT web sites all displayed news stories and photos of deployed units and individuals. As for newspapers and magazines, major Army publications such as Soldiers Magazine, the Army Reserve magazine, the National Guard magazine, and branch magazines, such as armor, infantry, aviation, logistics, etc., were targeted as well as Army newspapers, such as post newspapers and Army Reserve Regional Support Command newspapers.

Key Lessons Learned:

- Command Information Products must be aggressively marketed
- Use all available tools to reach a large number of the targeted population
- There must be a process to ensure that command information is being "pushed" to all deployed personnel. The Desert Voice, a weekly magazine published by the 4th PAD at Camp Doha, provided command information for soldiers in Kuwait. A new publication, the Afghanistan Observation Post, published by CKTF Mountain, provided command information for soldiers in Afghanistan. The publications are set out in heavily-used common areas where soldiers are likely to find them. Also where available use of email is common as well as public folders on the email systems.
- Families of the deployed units are kept informed best through post newspapers, web sites and family readiness group activities at the respective posts.

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Observation Synopsis: Command Information is the responsibility of all PA personnel but due to their limited number and the taxing demand of large-scale media operations the PA assets in theater spent most of their time facilitating the media. It is important that a plan be developed and executed which ensures the production of command information products. Time must be managed so that all journalists may be required to write and/or produce command information products.

Available military journalists were used for two purposes: to escort media representatives throughout the theater and from Kuwait to Afghanistan; and to produce news stories and photographs, or, in the case of broadcasters, to record the news on videotape for broadcast. The journalists did not produce a newspaper or magazine. Instead, they sent news stories and photos to Coalition Force Land Component Command (CFLCC) who then forwarded the products to CENTCOM-PAO and ARCENT-PAO, and sometimes-other places, for distribution and marketing. Armed Forces Radio and Television Service (AFRTS) supported command information by providing satellite radio and television service to forward locations. It has been a challenge to get broadcast stories produced in Afghanistan back to AFRTS to air.

Key Lessons Learned:

- Even though they are not more important, media operations, by their nature and presence, demand and get more attention than command information when there are limited PA assets
- Poor communication assets inhibit the transmission of command information
- Public Affairs Officers must make sure journalists have time to work on command information products
- The chain of command continues to be the primary means of disseminating command information
- Field newspapers are valuable tools for command information but the assets were not available to dedicate to producing one

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Chapter 9
Public Affairs
Topic D: Public Affairs Logistics and Technology

Observation Synopsis: The Public Affairs (PA) mission cannot be accomplished without sufficient communication equipment. Prior to deployments, PA units must assess the environment of the Area of Operations (AOR) and acquire the necessary equipment. PA units must have the capability to rapidly transmit information. This can be accomplished by leveraging available technology. There was insufficient reliable communication equipment to transmit information in a timely manner. Modified Tables of Organization and Equipment documents should include satellite capable, stand alone computers that work as phone, fax, and will link to anywhere in the world, even the most remote location. The dependence upon phone lines for internet access results in unreliable and extremely slow communications. Satellite capability provides timely and dependable access.

Afghanistan is an austere environment with limited viable communication capability. It was several months before the Army had connectivity with some of the sites and most still only have sporadic telephone and computer connectivity. There was also very limited capability to send material electronically because most of the lines were Secure Internet Protocol Router (SIPR) rather than Nonsecure Internet Protocol Router (NIPRT), therefore, non-classified material could not be sent through secure lines. There were also frequent requirements for the forward deployed PA staff to send information products to Coalition Forces Land Component Command (CFLCC), Central Command (CENTCOM), Department of the Army (DA), and Department of Defense (DoD). Without the availability of technologically advanced and reliable communications equipment it was impossible to comply in a timely manner. Using the available systems and phone lines it took 3-5 minutes to transfer and send a photograph through the internet. The media, using current technology could send the same photo in a fraction of that time via satellite equipment.

Key Lessons Learned:

- In an austere, immature theater there is always a lack of reliable communications capability and competition with the other battle staffs for the resources.
- There is a need to send photos, stories and videos to locations around the world.
- The lack of appropriate phones and computer connectivity impacts negatively on the mission to tell the Coalition/Joint/Army story in the fight against terrorism.
- There is a need for satellite capable, stand alone computers that work as phone, fax, and will link to anywhere in the world

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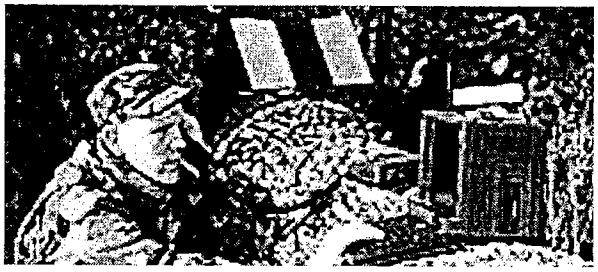

Soldier uses stand alone satellite computer system that gives him the capability to call, fax and use the internet anywhere in the world. Photos and documents can be transmitted rapidly from the most isolated locations.

Observation Synopsis: A standard package with the necessary equipment to conduct successful public affairs and media operations was unavailable. Commanders need and expect their organic and augmentation public affairs assets to hit the ground ready to operate.

There was an expectation that the PA staff would come prepared to perform their mission and, like other staff sections, come with the mission essential equipment. When the Task Force arrived in Afghanistan media were already there but there were insufficient PA personnel and equipment to adequately facilitate media coverage. The large number of media required a more robust PA staff and much of the basic equipment required to support them was unavailable.

Different PA units have different authorized equipment based upon their (Mobilization Table of Equipment (MTOE). An organic, standardized, pre-packaged and containerized "kit" of essential public affairs equipment should be sent with the earliest deploying PA assets so that there can be immediate media facilitation and Command Information. The public affairs media operations kit should include:

-satellite capable, stand alone computers that work as phone, fax, and will link to anywhere in the world, even the most remote locations
-copier
-generator
- two media tents

- ten phone devices
- one production suite for editing and producing video products
- one digital video camera for taping press conferences and for media training
- five lap top computers
- two quality digital cameras for command information

Key Lessons Learned:

- The Mobilization Table of Equipment (MTOE) for the organic public affairs is inadequate. Critical pieces of equipment are not resourced
- The Public Affairs (PA) augmentee units seldom have the required equipment to set up and operate a Coalition Public Information Center (CPIC)
- In an austere, immature theater it is not possible to purchase the equipment needed on the local economy
- PA units must arrive with a complete package of equipment and be ready to operate immediately

Observation Synopsis: There were outstanding Coalition Public Information Centers (CPIC) in Bagram and Kandahar despite the austere environment and lack of equipment. A CPIC is the hub for all media activity and synchronizes information, access, information and support. Units must develop a plan to staff, equip and operate a CPIC.

A single Coalition Public Information Center (CPIC) or Media Operations Center was not established. CENTCOM had plans to set up two theater level information bureaus but they never materialized. It was to be staffed with a Press Camp Headquarters (PCH). The Coalition Forces Land Component Command (CFLCC) planned to establish one in Kuwait and then one in Qatar, but host-nation sensitivities in both these countries made this infeasible. One of the problems with establishing a theater level information bureau in Afghanistan was that there were no commercial airports for the journalists to fly into. Coalition Public Information Centers (CPIC) were established at Bagram and Kandahar. The CPIC at Kandahar was the primary location until Task Force Mountain arrived at Bagram to establish the CFLCC-FWD headquarters and conduct Operation Anaconda. Bagram then became the focal point. Kuwait became the central location from which media were brought into country. The CFLCC PAO coordinated and escorted journalists flying commercially into Kuwait City to the CPICs in Bagram or Kandahar via military air. The commander of the CPIC in Kandahar was the PCH Commander. He was supported by elements of his PCH. He was also the TF Rakkasan PAO. A major from the CFLCC and elements of the PCH manned the CPIC in Bagram. The director of the Bag ram CPIC was subordinate to the Task Force Mountain PAO. CFLCC maintained the flexibility to surge personnel to various locations based on the situation.

ARCENT CAAT Initial Impressions Report (IIR)

Key Lessons Learned:

- Missions and geographically dispersed units may require setting up multiple Media Operations Centers or Coalition Public Information Centers
- Public affairs assets must be able to shift as the mission dictates embedding media is the most efficient and effective way to ensure access and get the media to "the fight" or along on the mission
- The CPIC needs the capability to communicate to anywhere from anywhere in the world.

Observation Synopsis: There were not enough vehicles to transport media and support PA Operations. When the media cannot get to required locations they cannot cover the operation. PA vehicles should be classified as mission essential, acquired and dedicated for PA missions. If sufficient organic vehicular support is unavailable, leased vehicles are an option.

Ground Transportation assets in the theater were extremely limited. The PA units did not have organic vehicles to transport media and supplies. Because of the requirement to fly all resources into the theater PA vehicles were often "bumped" by equipment and vehicles deemed to be a higher priority.

There were also very limited numbers of leased vehicles available because they do not exist in Afghanistan in significant numbers. PA staff had to depend largely upon borrowed vehicles with undependable availability.

Key Lessons Learned:

- Vehicles are needed to ensure media get to locations to cover events and operations.
- High Mobility Multi-purpose Wheeled Vehicles (HMWWV) and Sport Utility Vehicles (SUV) were best suited for the rough terrain and poor roads.

Chapter 9
Public Affairs
Annex A: Coalition Task Force Afghanistan Annex F

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Coalition Joint Task Force-Afghanistan
Bagram, Afghanistan
201930Z Feb 02

(U) ANNEX F (PUBLIC AFFAIRS) TO CTF-AFGHANISTAN OPORD OPERATION ENDURING FREEDOM

(U) REFERENCES:

a. Joint Pub 3.61, Doctrine for Public Affairs in Joint Operations, 14 May 1997.

b. SecDef Public Affairs Guidance (PAG) Casualty and Mortuary Affairs—Operation Enduring Freedom, 012100Z Nov 01.

c. SecDef Consolidated Public Affairs Guidance (PAG) for News Media Coverage of Operation Enduring Freedom, 072020Z Dec 01.

d. CFLCC-PAO Public Affairs Guidance (PAG) Establishment of Detainee Holding Facilities 111112Z Dec 01.

e. SecDef Public Affairs Guidance (PAG) for Operations Friendship's Gate (Mazer-E Sharif) and Friendship's Door (Bagram), 201915Z Dec 01.

f. SecDef Msg 302330Z Nov 01 Any servicemember email.

g. Frago 2 to CFLCC OPORD 02-018 Establishment of CTF Afghanistan 130016Z Feb 02.

1. (U) Situation:

a. (U) General. World attention focuses on Afghanistan AO as US and coalition forces continue to combat Al Qaeda and Taliban forces in Afghanistan to ensure homeland security.

b. (U) Friendly Forces:

(1) (U) Office of the Assistant Secretary of Defense for Public Affairs, (OASD –PA).

(a) Provides PAG.

(b) Retains release authority for all U.S. specific matters related to this operation.

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(c) Supports/conducts regular press briefings.

(2) (U) HQ CENTCOM PA. McDill, AFB, Fla.

(a) Informs internal military audiences by providing coverage of joint operations.

(b) Validates PA manning requirements. Tasks services to fill valid requirement.

(c) Issues news releases on all casualties; post these releases on the CENTCOM website: http://www.centcom.mil/default.asp.

(3) CFLCC PAO. Camp Doha, Kuwait.

(a) (U) Combined Forces Land Component PAO continues as our higher HQ PAO and all operational releases/events will be sent to CFLCC-PAO.

(b) (U) Until CTF-AF PAO certifies they are fully operational, CFLCC-PAO retains full C2 of PAO assets in the Afghanistan AO and all reports will continue to be sent there.

(c) (U) Provides policy guidance and changes to approved PA guidance to CTF-Afghanistan Commander.

(d) (U) Coordinates manpower augmentation for CTF-Afghanistan PAO.

(4) Joint Special Operations Task Force (JSOTF) PAO.

(5) (U) Joint Coalition Civil Military Operations Task Force (JCMOTF) PAO, Kabul, AFG.

(6) (U) US State Department PAOs in US Embassies in Afghanistan AOI.

c. (U) Attachments and Detachments:

(1) 314th Press Camp Headquarters.

d. (U) Unfriendly Forces:

(1) (U) Governments and forces opposed to operations.

(2) (U) Media opposed to operations.

(a) TBD

(b) TBD

e. (U) Assumptions:

(1) DELETED

(2) (U) The following events will generate national and international media interest during any U.S. action in the Afghanistan area of operations:

(a) (U) Confrontations with opposing forces, up to and including actual combat operations.

(b) (U) U.S. casualties.

(c) (U) Mistaken targetry/civilian casualties.

(d) (U) Follow-on movements and deployments.

(3) (U) US and international media will

(a) Be in the AOR before, during and after all operations.

(b) Want to embed with deploying forces.

(c) Play a significant role in shaping U.S. and international audience attitudes to conflict/crisis.

(d) May possess and use communications equipment capable of providing live Internet, TV and Radio broadcasts from remote locations under very austere conditions.

(4) (U) Local and regional news media vicinity home stations will accept and publish almost any stories from the Afghanistan AOR.

(5) (U) Deployed forces will need CI products to keep informed of happenings both in theater and on the home front.

(6) (U) Forces and family members remaining at home station will be hungry for any news from the Afghanistan AOR, especially news about their deployed forces.

2. (U) Mission: CTF-AF Public Affairs assumes responsibility for all coalition Public Affairs in the Afghanistan AO on or about 21Feb02 in order to assist in the destruction of Al Qaeda, keep coalition service members and fighters informed, continue public support for OEF, and support the Afghan Interim Authority.

3. (U) Execution.

ARCENT CAAT Initial Impressions Report (IIR)

a. (U) Intent. We will finish phase III of this operation with a world public that continues to support ongoing combat ops and who understands our genuine HA/CA efforts, a media that generally supports our effort, and that believes we have been as open and truthful as possible, deployed troops who understand their part in this critical operation and who feel in touch with their homes, and our non-deployed forces and family members feel in touch with the deployed troops.

We will do this by a coordinated IO campaign that provides maximum exposure of the great efforts of our coalition soldiers, sailors, airmen, Marines, and civilians to coalition media and by producing stories and photos we exporting to coalition media who can't/aren't in this AO.

Remember that we are a combat multiplier only if we understand and support the strategic and political goals of our CINC.

b. (U) Concept of Operations. CTF-Afghanistan PAO conducts 24-hour ops at CTF-Afghanistan Headquarters, Bagram providing C2 and direction to PA forces in the AO. The 314th PCH operates the CPIC at Bagram and sub-CPICs at locations (Kandahar, Kabul, MES, and K2) that support the CINC's IO intent through media facilitation, and, until a PAD arrives in the AO, Command Information support to deployed troops.

c. (U) Execution:

(1) (U) PHASE I: DEPLOYMENT AND BUILDUP:

(a) (U) CTF-Afghanistan PAO establishes 24-hour ops at CTF-AF HQ in Bagram on or about 21Feb02.

(b) (U) Coordinate and provides guidance to subordinate units in Afghanistan AO.

(c) (U) CTF-AF prepares news release for CFLCC to issue announcing formation of CTF-AF to home station and national media.

(2) (U) PHASE II: INTEGRATION AND EMPLOYMENT

(a) U) Combined Press Information Center operational at Bagram and Sub-CPICs operational where we want the media to go and where we have PAO and CI coverage requirements (currently at Kandahar, Kabul, MES, and K2) NLT 28Feb02.

(3) (U) PHASE III: EXIT AND REDEPLOYMENT:

(a) (U) Plan to support redeployment or withdrawal, as appropriate.

(b) (U) Provide continuity with follow-on PA assets

(c) (U) CENTCOM, FORSCOM, and Reserve PA assets re-deploy on order.

d. (u) Public Affairs tasks.

ARCENT CAAT Initial Impressions Report (IIR)

(1) CTF-AF PAO will

(a) Coordinate with CFLCC PAO for release of operational information.

(b) Provide C2 of OPCON PA assets.

(c) Provide guidance and intent from Commander, CTF-AF, to all CTF-AF PA assets.

(d) Actively participate in CTF-AF Information Operations planning and execution.

(e) Conduct PA planning and analysis for the CTF commander.

(f) Accompany the CTF-AF cdr to all his media events.

(2) (U) The 314th PCH.

(a) On order, OPCON to CTF-AF.

(b) Operates the Combined Press Information Center, at Bagram in the hangar across from the CTF-AF TOC, to inform internal and external audiences by facilitating media and producing CI products NLT 28Feb02 in order to assist in the destruction of Al Qaeda, keep coalition service members and fighters informed, continue public support for OEF, and support the Afghan Interim Authority.

(c) Be technologically capable to serve as the base force to support ARFOR or Joint PA media center operations.

(d) Develop information strategies and campaigns in support of operations.

(e) Ensure life support and back-up communications are available for media representatives at Bagram, Kandahar, Kabul, and MES.

(f) Monitor international and national print news via Internet for analysis and review of external media messages.

(g) Upon availability of satellite television, Monitor international and national print news via internet for analysis and review of external media messages.

(h) Evaluate and conduct public affairs training programs for the CTF.

(i) Operate Sub-CPICs at Kandahar, Kabul, Mazar-E-Sharif, and other locations as required to support the IO plan.

(j) (U) Provide one NCO to 507th CSG at K2 NLT 28 Feb02 in order to provide PA advice to the 507th and JSOTF commanders, CI coverage to the thousands of troops there, and crisis communications capability in case of an incident.

(k) Ground transport personnel, equipment, and media to separate locations in and around the area of operations with organic vehicles.

(l) Respond to media queries.

(m) Continue to actively entice and embed media with CTF-AF forces in order to inform the American public about progress in the war.

(n) (U) Publish CI newspaper at CPIC weekly. Send all papers, on the day of publication, as a PDF file to sub-CPIC to add local information to, print and distribute at their locations. Also send to all other CTF-AF PA personnel, home stations of units mentioned in each issue, CFLCC PAO, US Army Office of the Chief of Public Affairs, and Armed Forces Information Service. As soon as possible, move to a weekly contracted, 8-page tabloid.

(o) Retain release authority for non-operational CTF-AF information.

(p) Send photos and stories to home station PAOs and local and regional newspapers to keep our non-deployed troops, families, and local community members informed.

(q) Prepare and electronically send to HNR HQ at http://hn.afnews.af.mil/ at least five Hometown News Releases per day in order to keep American public involved with the war effort. See CTF-AF PAO for username, password, and release code.

e. Coordinating Instructions.

(1) (U) Basic Command Messages. CTF-PAO will update these as the operation moves from active combat ops to CA/HA centered. So we are ALL on the SAME message, disseminate and use these messages only. Send recommended changes/additions to CTF-AF PAO.

(a) We will continue to find, capture and destroy terrorist cells and prevent Afghanistan from becoming a safe haven for terrorists.

(b) We are not here to rebuild Afghanistan. We are helping to set the stage and lay the foundation for the Afghan people to affect change within their own country.

(c) Our war is against terrorists—not Islam or the Afghan people.

(d) *Respond to query only.* We have no permanent bases in the CENTCOM AOR. We do have a continuing presence.

(2) (U) Coordination of Release of Information.

(a) CFLCC-PAO must clear release of all operational information.

(b) CPIC commander has release authority for non-operational events: i.e. stories and photos of MPs on guard duty or airmen playing volleyball. CC all releases to CTF-AF PAO and CFLCC-PAO.

(3) (U) There will be no reporting or photographing SOF forces or equipment.

(4) (U) There will be no reporting or photographing of detainee operations.

f. (U) Historical records

(a) CPIC will archive, by burning on CD all photos retained—understanding that photographers will shoot many more digital photos than they save--with cutlines embedded into the PhotoShop document: caption, date created, City, country name, byline, and byline title (shooter's unit).

(b) CPIC will archive news stories that concern the CTF-Afghanistan AOR from the following media: NY Times, Washington Post, Associated Press, USA Today, and LA Times.

(c) All staff and units will keep historical records for after action reports. CTF-Afghanistan PAO will produce weekly CTF-AF history.

g. (U) Ensure PA efforts equitably represent all Reservists, National Guard troops and Individual Mobilization Augmentees.

h. (U) Arrangements for news media representatives:

(1) Media Registration. CTF-Afghanistan PAO uses established DoD procedures; procedure is to maintain accountability, not accredit. All accredited media must sign ground rules. Intent is to support all bona fide media.

(2) Media facilities. ICW unit S-1s, CPIC will provide life support, including chow and sleeping areas, to media representatives consistent with U.S. objectives and operational requirements.

(3) Embedded Media.

(a) We encourage embedded media, both with deploying units from CONUS and with units in the CTF-AF AO.

(b) CENTCOM PAO ICW CFLCC-PAO approves requests for embedded media.

(c) Embedded media must sign hold harmless agreement.

(4) Requirements to facilitate media travel into the theater:

(a) Obtain Theater Clearance from by the CENTCOM PAO.

(b) Obtain Country Clearance from specific country teams (US Embassy).

(c) Media must get their own visas through the host country embassy.

(d) (U) Afghanistan and Kyrgastan are the easiest as is Bahrain when clearances are submitted in a timely fashion. Kuwait, Yemen, and Turkey are possible with appropriate coordination and clearances. Saudi Arabia is very difficult. Due to host nation sensitivities, we cannot bring journalists without visas into, even in transit: Oman, Uzbekistan, Qatar, and UAE. Remember to begin planning as early as possible.

(e) Shots. Inform media traveling to this AO that service members and DA civilians coming to the Afghanistan AO get these immunizations:

(1) Influenza, Tetanus, Yellow Fever, Typhoid, MMR, OPV (Polio), MGC (Meningitis).

(2) Service members and DA Civilians also receive tests for HIV and TB, Cipro to carry in case of exposure to Anthrax and preventative medication for malaria. Also, a DNA sample is taken.

(5) In order to travel in any US vehicle or aircraft, media must have Travel Authorization signed by the CTF-AF Commander.

i. (U) Commander's Critical Information Requirements (CCIR)—if these happen, wake up the CTF-AF PAO.

(1) Any CTF-AF casualty or class A accident.

(2) Any CTF-AF caused civilian casualty.

(3) Media OPSEC violations.

(4) Any negative incident between coalition forces and Afghan Interim Administration.

(5) Classified employment of coalition forces observed by media (i.e. the Marine helicopters that departed on a mission in December that we said were "not going anywhere.")

4. (U) Service Support.

a. CTF-Afghanistan C1 ensures daily delivery of the European *Stars and Stripes* to the

deployed forces.

b. Any Service Member mail is not authorized to the CTF-AF AOR due to security concerns raised after the Anthrax incidents of Fall 2001. IAW reference f, any service member email is suggested.

c. CTF-AF C4 will provide CPIC 20 cots and a tent/building to bed down visiting media. Media is responsible for their own sleeping gear.

d. CPIC must provide number of media at each base to the base S4 so they can include in headcount for CL I.

e. Generally, media must provide their own Kevlar helmet and body armor, but for specific short-duration missions, CPIC will provide those. Until that gear can arrive at CPIC, CPIC will, with the assistance of CTF-AF PAO, short-term hand receipt that gear from non-deploying service members.

5. (U) Command and Signal.

a. (U) Command.

(1) The CTF-AF PAO will be located at the CTF-AF HQ at Bagram.

(2) The CPIC will be located at Bagram.

(3) 314th PCH will provide an LNO to CFLCC-PAO at Camp Doha.

b. (U) Signal.

(1) (U) CTF-Afghanistan PAO requires SIPRNET and NIPRNET drops, DSN telephone drop, and AFN feed.

(2) (U) Media will use commercial communications whenever available. When not available, media may use non-classified military communications systems to transmit media reports, contingent with operational situation. Current PAG does not authorize military security review of media reports.

(3) (U) CTF-AF provides satellite television to the CTF-AF PAO and the CPIC.

(4) (U) Key phone numbers:

(a) CENTCOM PAO: 312-651-4190

(b) CFLCC PAO: 318-438-8040/2583

(c) CTF-Afghanistan PAO: 318-640-1230

(5) (U) Ensure all PA personnel practice OPSEC, including closing classified laptops and covering classified paperwork when journalists are in our work areas.

c. (U) Reports.

(1) (U) CTF-AF PAO sends media analysis, focused on CTF-Afghanistan AOR, to all CTF-Afghanistan commanders and primary staff daily NLT 1100Z (1600 local Uzbekistan time) using Early Bird, JFCOM Media Summary, and surfing of NY Times, Washington Post, CNN, Reuters, Watertown Daily Times, and Syracuse Post-Standard Web pages.

(2) (U) All PA units in CTF-AF AO reports the following to the CTF-PAO daily NLT 1100Z.

(a) Current Location
(b) PA personnel by grade and unit
(c) Status (Green/Amber/Red/Black)
(1) Personnel
(2) Computers
(3) Communications
(4) Photographic Equipment
(d) CI products in last 24 hours
(e) Media
(1) Registered
(2) Embedded
(3) Current queries
(4) Current activities
(5) PA events planned/projected
(6) Analysis of Media reporting and interests
(f) VIP Visitation
(g) General Remarks

(3) (U) CTF-Afghanistan PAO briefs CTF-Afghanistan Cdr at 1200Z on public affairs issues, i.e. media visits, queries.

(4) (U) CTF-AF PAO provides daily Public Affairs sitrep to CFLCC-PAO NLT 1300Z.

(5) (U) All PA sections report sensitive items inventory complete daily at 0800 (local) and 2000 (local) to the CTF-AF PA SGM.

6. (U) Safety.

a. All PA orders and instructions will include safety for all operations, especially night operations.

b. Before issuing live ammunition to any PA personnel, and weekly on Saturdays, the highest-ranking PA NCO physically present at each location will review ROE and specific weapons clearing procedures.

ACKNOWLEDGE.

HAGENBECK
Major General

OFFICIAL

Chapter 9
Public Affairs
Annex B: Master Ground Rules

CJTF-Mountain Ground Rules Agreement

1. All interviews will be on the record. Security at the interview source is the policy.

2. At U.S. tactical or field locations and encampments, a Public Affairs escort will be required because of security, safety, and mission requirements. When escorted, media must remain with military escorts until released and will follow instructions regarding their activities.

3. Media will not carry personal weapons.

4. Under no circumstances will media take photographs or video any detainees or detainee facilities in Afghanistan. No interviews with detainees will be granted.

5. Media will not photograph Special Operations Forces personnel or their equipment.

6. Media will stay in areas as directed by CJTF Public Affairs staff.

7. The following categories of information are not releasable since their publication or broadcast could jeopardize operations and endanger lives:

a. For U.S. or coalition units, specific numerical information on troop strength, equipment or critical supplies (e.g. artillery, tanks, landing craft, radars, trucks, water, etc.).

b. Names of military installations or specific geographic locations of military units in the USCENTCOM area of responsibility, unless specifically released by the Department of Defense.

c. Information regarding future operations, current operations or strikes including postponed or cancelled operations.

d. Information regarding security precautions at military installations or encampments.

e. Photography that shows level of security at military installations or encampments, especially aerial and satellite photography which reveals the name or specific location of military units or installations.

f. Information on intelligence collection activities including targets, methods and results.

g. Information on special operations units U.S. or Coalition, unless otherwise directed by CJTF-Mountain PAO staff.

h. Information on coalition forces, unless specifically cleared by the CJTF-Mountain PAO.

i. Information on effectiveness of enemy electronic warfare.

j. Information on effectiveness of enemy camouflage and cover.

k. Additional guidelines the CJTF-Mountain PAO determines necessary to protect tactical security.

l. Registration

a. I am not aware of any existing physical or health conditions which would adversely affect my covering strenuous combat activities." _____ (Initial)

b. "I (insert name) _____, am (insert job description) _____ an employee of _____(insert news organization), have read the aforementioned media ground rules and agree, with my signature, to abide by them. I also understand that violation of these ground rules is cause for the revocation of my media accreditation with CJTF-Mountain."

_____

Signature Date

_____

Printed Name, affiliate, address & phone number

_____

Witness Signature Date

_____

Witness Printed Name, Rank & Organization

ARCENT CAAT Initial Impressions Report (IIR)

Hold Harmless Agreement

Hold Harmless/Release From Liability Statement

1. I recognize that covering combat and other military operations carries with it certain inherent risks to life, limb and equipment.

2. I recognize that the U.S. military, in pursuing the successful accomplishment of its mission, cannot guarantee my personal safety or the safety of my equipment.

3. I hereby release the U.S. Government and the U.S. military of any liability from and hold them harmless for any injuries I may suffer, or any equipment that may be damaged as a result of my covering combat or any other military operations.

4. I understand that my agreement to this statement is a condition of being credentialed to cover U.S. military operations and receiving assistance for that coverage.

_____

Signature Date

_____

Printed Name, affiliate, address & phone number

_____

Witness Signature Date

_____

Witness Printed Name, Rank & Organization

Chapter 9
Public Affairs
Annex C: CG's Anaconda News Briefing statement

First I'd like to thank you for coming.

I'd like to offer my condolences to the family and friends of our fallen comrades.

I'm going to open with a brief statement describing Operation Anaconda. Then I will take your questions.

And I'd like to remind everyone that exactly 177 days ago these very people we are fighting here killed more than 3000 innocent civilians from around the globe as they went about their lives. That is why we are here.

As President Bush said in his State of the Union Address, America and Afghanistan are now allies against terror.

This mission involved soldiers, sailors, airmen, and Marines from 8 different countries, as well as our Afghan allies. This was truly a team effort. And the uncommon valor displayed by these service members is truly awe-inspiring.

Several weeks ago we began to get information from various sources, including local residents afraid of these terrorists, that Al Qaeda extremists and non-Afghan Taliban were gathering near Sherkankhel.

Our information indicated over one hundred of these terrorists were gathering to plan and launch terrorists acts against the Afghan Interim Administration and against as coalition forces.

Our campaign had already seriously damaged the Al Qaeda network, but they are fanatics and they still work to destabilize this beautiful country.

000156

ARCENT CAAT Initial Impressions Report (IIR)

Due to the size of the enemy concentration and the difficulty of the terrain and weather there—the village itself is at 2500 meters and the mountains to the east rise to 3500 meters (over two miles high)—we began planning a large, complex, multinational operation—but we attempted to make the component parts as simple as possible.

We conducted a hammer and anvil type of operation.

Afghan forces led by General Zia and supported by US forces, moved from Gardez in the northeast to attack the area around Sherkankhel. This was the hammer.

The anvil consisted of Afghan forces under General Kamal Khan Zadran, General Zakim Khan as well as two U.S. Infantry battalions.

The Afghan forces sealed escape routes to the north and west of the town while two battalions from Colonel Wiecinski's Task Force Rakkasan, 1st Battalion, 87th Infantry from the 10th Mountain Division and 2nd Battalion, 187th Infantry from the101st Airborne Division; air assaulted from Bagram into blocking positions to the south and northeast of the area, thus effectively sealing off the extremists' escape routes

We also had lots of help from a wide range of coalition special operations forces who conducted reconnaissance missions in this area

At D-Day we had more than 1000 Afghan forces and another 1000 coalition forces from 8 different countries in the fight.

We went in Saturday morning, D Day, as General Zia began his movement. We conducted a dawn air assault, with multiple landing zones. Within 2 hours we had secured and routed the enemy at every landing zone but one.

At that southernmost LZ, the 1-87 Infantry battalion headquarters and a platoon from Charlie Company, 1-87 Infantry, immediately began to receive heavy mortar and machinegun fire, both from the ridge to the east and the village of Marzak to the west.

After a painstaking, positive identification process, we determined that there were no non-combatants in Marzak, so we targeted that village, relieving the intense pressure on the 1-87 forces there.

Also that morning, General Zia's force came under mortar fire, killing three Afghans and one of our Special Forces soldiers accompanying that force.

- I decided to delay a second air assault into the area to continue to engage the enemy forces vicinity Marzak with our fire support platforms.

Saturday night, we pulled out the unit in the far south and inserted forces to the north—we reinforced success.

On Monday night (D+2) we inserted a Special Forces team in the south. Unfortunately, the helicopter inserting this team took fire on the landing zone, and was forced to pull out—somehow one man was left behind. The pilot managed a controlled landing several kilometers north of the insertion point, where they discovered he was missing.

We never leave a man behind, so we immediately launched a quick reaction force that also took fire on the same landing zone. The quick reaction force, in a truly heroic action, held off overwhelming odds, killing more than forty of the terrorists.

Unfortunately, six of our men were killed; six heroes who refused to leave a fellow warrior behind. After a long day on the battlefield, we extracted that entire force—including the body of the man we went to save—the terrorists had killed him.

ARCENT CAAT Initial Impressions Report (IIR)

The battle continues: General Zia and his forces are back in the fight, and we continue to isolate the enemy. Yesterday we killed several hundred Al Qaeda attempting to reinforce their terrorist friends.

We continue to maneuver in the objective area and have cleared numerous caves and enemy compounds.

Today, we killed many more fanatics who are intent on killing us.

I don't know when this battle will end, but we will stay here until all the terrorist surrender or die.

Now, when we moved into this operation we prepared restrictive rules of engagement to ensure we didn't harm non-combatants.

Also we worked very hard on our identification system to ensure we detained Al Qaeda and specific Taliban members and only Al Qaeda and specific Taliban members. Our enemy is neither the religion of Islam nor the people of this country.

The results speak for themselves: several hundred Al Qaeda and Taliban terrorists who now will not be able to kill innocent men, women, and, children.

The last phase of this operation will be humanitarian assistance. We already have civil affairs teams providing assistance in the area.

We will expand our humanitarian assistance to other areas, once they have been cleared of terrorists.

I'd like to share one tale of heroism with you. When 1-87 infantry went in the south, they landed between an enemy position above them and an enemy village beside them. One soldier, wounded, was lying in freezing snow, but was able to place effective fire on

an Al Qaeda mortar position Every time the terrorists came out of their cave with their mortar, he fired at them and forced them to take cover.

> This wounded soldier kept this up all day and when he was finally evacuated his body core temperature was in the low 90s, but still he didn't want to leave. He saved his buddies lives—he is a real American hero.

Apaches.

In the war between freedom and fear, freedom will win because the citizens of the world are willing to make the sacrifices necessary to ensure victory.

Now I will take your questions.

Chapter 9
Public Affairs
Annex D: Public Affairs Annex for Operation Anaconda

Copy ___ of ___ copies

Combined Forces Land Component Command (Fwd)
Bagram, Afghanistan
201200Z Feb 02

(U) ANNEX F (PUBLIC AFFAIRS) TO CTF-AFGHANISTAN OPORD ANACONDA

(U) REFERENCES:

a. SecDef Public Affairs Guidance (PAG) Casualty and Mortuary Affairs—Operation Enduring Freedom, 012100Z Nov 01.

b. SecDef Consolidated Public Affairs Guidance (PAG) for News Media Coverage of Operation Enduring Freedom, 072020Z Dec 01.

c. CFLCC-PAO Public Affairs Guidance (PAG) Establishment of Detainee Holding Facilities 111112Z Dec 01.

7. (U) Situation:

a. (U) General. This is the largest combat operation of the war and will generate intense interest by international media. OPSEC is also a concern, as we must not allow media to report our movements to our enemies. Balancing OPSEC, our great soldiers and airmen deserve recognition for heroism and the American public has a right to know about their armed forces.

b. (U) Friendly Forces:

(1) TBD

(2) (U) Joint Coalition Civil Military Operations Task Force (JCMOTF) PAO, Kabul, AFG.

(3) (U) US State Department PAOs in US Embassies in Afghanistan AOR.

(4) (U) PAO assets in Kandahar.

(a) (U) Seven 314th Press Camp Headquarters personnel

(b) (U) 101st PAO with TF Rakkasan

(5) Two CFLCC PAO personnel in Bagram

c. (U) Attachments and Detachments:

(1) 314th Press Camp Headquarters OPCON after 21Feb02.

d. (U) Assumptions:

(1) (U) Combat Operations phase of Anaconda will last 6-8 days.

(2) The following events will generate national and international media interest during any U.S. action in the Afghanistan area of operations:

(a) (U) U.S. casualties.

(b) (U) Mistaken targetry/civilian casualties.

(3) (U) US and international media will

(a) Be in the AOR before, during and after all operations.

(b) Watch our forces airlift out of Bagram and the FARPs.

(c) Want to come here, as this is the HQ, the FOB, where they will have to embed from and where all the troops are.

(d) Want to stay on base considering the security conditions and lack of accommodations off base.

(e) Be willing to go out with our CA teams after Anaconda is over.

(f) Once they are here, want to stay even after Anaconda.

(4) Facts:

(a) Kabul is a two-hour drive from Bagram and the road is unsecure at night.

(b) Do not know how long Anaconda will last.

8. (U) Mission: CTF-AF Public Affairs facilitates media and participates in Information Operations in order to assist in the destruction of Al Qaeda, keep coalition service members and fighters informed, continue public support for OEF, and support the Afghan Interim Authority.

ARCENT CAAT Initial Impressions Report (IIR)

9. (U) Execution.

(U) Intent. There will be no media releases that violate OPSEC; the story of our valiant service members gets out to the Coalition publics AFTER the operation; the publics and media will continue to have confidence in our war fighting capabilities as well as in our openness; the world will understand the coalition and Afghan contributions; any casualties/accidents will be released ASAP--in consideration of OPSEC.

a. (U) Concept of Operations. CTF-Afghanistan PAO prepares IO plan to explain increased air activity in our AO; facilitates media coverage of mission successes; embeds media with the CTF TOC, and with combat units if possible; prepares releases for successful and unsuccessful mission accomplishment; and sends story/photos back to home station PAOs and local news outlets.

b. (U) Execution:

(1) PHASE I: Setting the conditions:

(a) Prepare plan to respond to media enquires about increased air activity and TF Rakkasan deployment.

(b) Embed Newhouse News journalist and photographer with CTF-AF.

(2) PHASE II: Insertions

(a) Ask CENTCOM for approval to send a trusted journalist with TF Rakkasan.

(b) Send Combat Camera with one of the combat units

(3) PHASE III: Combat Operations:

(a) Prepare releases in case of aircraft accident, fratricide, or civilian casualties.

(4) Phase IV: Assessment and transition.

(a) Prepare and get pre-approval for releases for successful and unsuccessful mission accomplishment.

(b) Publicize our successes to meet the CINC's IO guidance to degrade morale and stress inevitability of defeat of remain Al Qaeda, and to emphasize that US/Coalition forces will remain until all Al Qaeda are captured or eliminated.

(c) Get CFLCC approval for post-operation interviews with participants, including a news conference with the Cdr CTF-AF at the CTF-Afghanistán TOC location.

ARCENT CAAT Initial Impressions Report (IIR)

c. Schedule

(1) D-Day: Embedded media go in.

(2) D+ 2: Embeds come out and file

(3) D+3: New set of embeds go in

D+4 (Thursday morning): CG news conference 0730L (1800 East Coast time) This allows us to make the evening news as well as the print news cycle.

(4) D+5: Begin making selected U.S. and coalition soldiers available for interviews, including phone interviews to hometown media as well as national media.

(5) D+10: Send home selected soldiers to appear on national shows such as Good Morning America. (Need CENTCOM help to expedite this.)

d. Public Affairs tasks.

(1) (U) CTF-AF PAO will

(a) Coordinate with CFLCC PAO for release of operational information.

(b) Provide C2 of OPCON PA assets.

e. Coordinating Instructions.

(1) (U) Command Messages.

(a) We will continue to find, capture and destroy terrorist cells and prevent Afghanistan from becoming a safe haven for terrorists.

(b) This mission shows the resolve of the coalition and the Afghan Interim Government to rid themselves of these outside, Al Qaeda, anti-Islamic extremists.

(c) Our war is against terrorists—not Islam or the Afghan people.

(2) (U) We will make every attempt to get operators rather than PAO on camera/in stories.

(3) Security concerns

(a) We **will** protect SOF and OGA identity, even at the cost of stopping all coverage.

(b) We **will** protect OPSEC, especially timing of air assaults, even at the cost of stopping all coverage.

(4) Battle embed plan

(a) In order to get the most bang for the buck with limited spaces (and spaces are limited to not overload the air lift and the commander on the ground) We will rotate media out to the battle in the following priorities: (We will fill the a priority first, then the b priority, then the c.) Media who has rotated out will have to wait until media in their category here at Bagram are

exhausted, then they can go back in.

(1) News Videographer
News Still photos
News writer

(2) News videographer
News Still Photos
News Writer

(3) Documentary videographer
On-air talent

(5) (U) Encounters with media on the battlefield.

(a) Non-embedded media should be treated like any other civilians on the battlefield. If you keep civilians from an area, keep media from the area. If you detain civilians, detain media. However, realize the power of media to shape world opinion and the political nature of this war, therefore, ASAP record all conversations and interactions with the media and relay this information to the PAO so we can mitigate any negative stories.

(6) As the media will report on TF Rakkasan's air operations in Phase 1, we will report truthfully, "TF Rakkasan is moving troops to Bagram to better support activities in the Afghanistan AO."

(7) Media living on post

(a) Will not routinely embed with units unless it's for a particular story, TALCE, perimeter security, etc.

(b) Will not escorted to latrines, chow, tents, etc., only when doing official media functions

(8) Media living in Kabul will be met at the gate by PAO soldiers; media must show ID to enter the gate. They will be frisked, bags searched etc. by MPs as part of base security. Will be escorted while on post and escorted back to the gate during before 1600L.

(9) (U) Coordination of Release of Information.

(a) CTF-AF PAO must clear release of all operational information.

(b) There will be no reporting or photographing SOF forces or equipment.

(c) There will be no reporting or photographing of detainee operations.

f. Critical Public Affairs Information Requirements.

(1) Any CTF-AF casualty or class A accident.

(2) Any CTF-AF caused civilian casualty.

(3) Media OPSEC violations.

(4) Any negative incident between coalition forces and Afghan Interim Administration.

(5) Classified employment of coalition forces observed by media (i.e. the Marine helicopters that departed on a mission in December that we said were "not going anywhere.")

g. Additional ground rules:
(1) No live shots of the flight line.
(2) Any allowed flight line shots will be embargoed 12 hours to ensure we do not compromise stories.
(3) No shots of non-afghans in civilian clothes.
(4) No shots of SOF or other governmental agencies personnel or their compounds
(5) No mention that SOF or OGAs are here
(6) No mention of other countries forces without that countries prior approval.
(7) No use of any electronic transmission device, including cell phones, within 3 hours of any large helicopter activity.
(8) Media will not be allowed in the TOC.
(9) All interviews will be arranged through/approved by PAO.

10. (U) Service Support.

a. CJTF-Mountain C-4 will provide tents, cots, food, and water for embedded media.

11. (U) Command and Signal.

a. The CTF-AF PAO will be located at the CTF-AF HQ at Bagram.

b. The Combined Press Information Center will be located at Bagram.

c. CJTF-Mountain ICW PAO must make one NIPERNET line available to the media on demand.

ACKNOWLEDGE.

HAGENBECK
Major General

OFFICIAL

Chapter 9
Public Affairs
Annex E: Public Affairs Paragraph to Operation Anaconda Order

3.D.25 (U) INSTRUCTIONS FOR PAO

3.D.25.A. PAO. THERE WILL BE NO MEDIA RELEASES THAT VIOLATE OPSEC; THE STORY OF OUR VALIANT SERVICE MEMBERS GETS OUT TO THE COALITION PUBLICS AFTER THE OPERATION; THE PUBLICS AND MEDIA WILL CONTINUE TO HAVE CONFIDENCE IN OUR WAR FIGHTING CAPABILITIES AS WELL AS IN OUR OPENNESS; THE WORLD WILL UNDERSTAND THE COALITION AND AFGHAN CONTRIBUTIONS; ANY CASUALTIES/ACCIDENTS WILL BE RELEASED ASAP--IN CONSIDERATION OF OPSEC.

3.D.25.A.1. CTF-AFGHANISTAN PAO PREPARES IO PLAN TO EXPLAIN INCREASED AIR ACTIVITY IN OUR AO; FACILITATES MEDIA COVERAGE OF MISSION SUCCESSES; EMBEDS MEDIA WITH THE CTF TOC, AND WITH COMBAT UNITS IF POSSIBLE; PREPARES RELEASES FOR SUCCESSFUL AND UNSUCCESSFUL MISSION ACCOMPLISHMENT; AND SENDS STORY/PHOTOS BACK TO HOME STATION PAOS AND LOCAL NEWS OUTLETS.

PHASE I: SETTING THE CONDITIONS: PREPARE PLAN TO RESPOND TO MEDIA ENQUIRES ABOUT INCREASED AIR ACTIVITY AND TF RAKKASAN DEPLOYMENT. EMBED NEWHOUSE NEWS JOURNALIST AND PHOTOGRAPHER WITH CJTF-AF.

PHASE II: INSERTIONS ASK CENTCOM FOR APPROVAL TO SEND A TRUSTED JOURNALIST WITH TF RAKKASAN. SEND COMBAT CAMERA WITH ONE OF THE COMBAT UNITS

PHASE III: COMBAT OPERATIONS: PREPARE RELEASES IN CASE OF AIRCRAFT ACCIDENT, FRATRICIDE, OR CIVILIAN CASUALTIES.

PHASE IV: ASSESSMENT AND TRANSITION.

PREPARE AND GET PRE-APPROVAL FOR RELEASES FOR SUCCESSFUL AND UNSUCCESSFUL MISSION ACCOMPLISHMENT. PUBICIZE OUR SUCCESSES TO MEET THE CINCS IO GUIDANCE TO DEGRADE MORALE AND STRESS INEVITABILITY OF DEFEAT OF REMAIN AL QAEDA, AND TO EMPHAZISE THAT US/COALITION FORCES WILL REMAINUNTIL ALL ALQAEDA ARE CAPTURED OR ELIMINATED. GET CFLCC APPROVAL FOR POST-OPERATION INTERVIEWS WITH PARTICIPANTS, INCLUDING A NEWS CONFERENCE WITH THE CDR CTF-AF AT THE CTF-AFGHANISTAN TOC LOCATION.

3.D.25.A.2. COMMAND MESSAGES. WE WILL CONTINUE TO FIND, CAPTURE AND DESTROY TERRORIST CELLS AND PREVENT AFGHANISTAN FROM BECOMING A SAFE HAVEN FOR TERRORISTS. THIS MISSION SHOWS THE RESOLVE OF THE COALITION AND THE AFGHAN INTERIM GOVERNMENT TO RID THEMSELVES OF THESE OUTSIDE, AL QAEDA, ANTI-ISLAMIC EXTREMISTS. OUR WAR IS AGAINST TERRORISTS—NOT ISLAM OR THE AFGHAN PEOPLE.

3.D.25.A.3 ENCOUNTERS WITH MEDIA ON THE BATTLEFIELD. NON-EMBEDDED MEDIA SHOULD BE TREATED LIKE ANY OTHER CIVILIANS ON THE BATTLEFIELD. IF YOU KEEP CIVILIANS FROM AN AREA, KEEP MEDIA FROM THE AREA. IF YOU DETAIN CIVILIANS, DETAIN MEDIA. HOWEVER, REALIZE THE POWER OF MEDIA TO SHAPE WORLD OPINION AND THE POLITICAL NATURE OF THIS WAR, THEREFORE, ASAP RECORD ALL CONVERSATIONS AND

INTERACTIONS WITH THE MEDIA AND RELAY THIS INFORMATION TO THE PAO SO WE CAN MITIGATE ANY NEGATIVE STORIES. AS THE MEDIA WILL REPORT ON TF RAKKASAN'S AIR OPERATIONS, CTF-AF SHOULD MOVE SOME TROOPS AND AT LEAST ONE HELICOPTER TO BAGRAM SO WE CAN REPORT TRUTHFULLY, "TF RAKKASAN IS MOVING TROOPS TO BAGRAM TO BETTER SUPPORT ACTIVITIES IN THE AFGHANISTAN AO."
3.D.25.A.4. COORDINATION OF RELEASE OF INFORMATION. CTF-AF PAO MUST CLEAR RELEASE OF ALL OPERATIONAL INFORMATION. THERE WILL BE NO REPORTING OR PHOTOGRAPHING SOF FORCES OR EQUIPMENT. THERE WILL BE NO REPORTING OR PHOTOGRAPHING OF DETAINEE OPERATIONS.
3.D.25.A.5. CRITICAL PUBLIC AFFAIRS INFORMATION REQUIREMENTS. ANY CTF-AF CASUALTY OR CLASS A ACCIDENT. ANY CTF-AF CAUSED CIVILIAN CASUALTY. MEDIA OPSEC VIOLATIONS. ANY NEGATIVE INCIDENT BETWEEN COALITION FORCES AND AFGHAN INTERIM ADMINISTRATION. CLASSIFIED EMPLOYMENT OF COALITION FORCES OBSERVED BY MEDIA (I.E. THE MARINE HELICOPTERS THAT DEPARTED ON A MISSION IN DECEMBER THAT WE SAID WERE "NOT GOING ANYWHERE.")

Chapter 9
Public Affairs
Annex F: Operation Anaconda Mission Ground Rules

1. Agreement between embedded media representatives and Task Force Rakkasan, giving access to combat operations for the period beginning 25 Feb 02 to 5 Mar 02 (approximate).

2. All coverage for this operation must be pooled to allow for maximum coverage by all media at Kandahar Airfield. This allows the pool members in various positions/locations to capture other aspects of the operation and also allows non-pool members at Kandahar Airfield access to the operation.

3. As a member of the Media Pool – Kandahar, I agree to the following restrictions in addition to the normal OEF ground rules:

4. I will only release the story after completion of any active mission to be determined by Task Force Commander, COL Wiercinski.

5. I will not capture imagery of deployed Special Operations Forces (SOF) or mention specific SOF units, techniques, or procedures. However, such statements as "a SOF unit conducted an air assault into the area" are allowed.

6. Pool members will not transmit or broadcast any copy/imagery from remote locations. Upon immediate return to Kandahar Airfield, pool members will distribute unedited copy/imagery to other media representatives at Kandahar Airfield. This period of distribution will begin immediately upon arrival and end when distribution is complete for on site media representatives.

7. If this operation includes the collection of detainees, I agree to the following:

7A. Coverage, including photo/video coverage, will not identify detainees by name or by image. (i.e., close up images of individual face(s) that would allow individuals to be identified will not be permitted).

7B. Coverage of detainees in transit is not permitted, including ground and air movement between the field site and detention facilities.

7C. Coverage of detainee interrogations or interviews is not permitted. Media interviews with detainees are not permitted.

8. Pool members will not carry satellite equipment, nor use flash photography or lighting during daylight or night operations.

10. To maintain operational security, pool members will not broadcast, transmit, or otherwise release any information until mission completion.

11. Pool members will not identify specific troop movements, destinations, and locations until mission completion.

Signature and Date:

Witness:

Chapter 9
Public Affairs
Annex G: Public Affairs Paragraph to Post-Operation Anaconda Order

3.D.25 (U) INSTRUCTIONS FOR PAO

3.D.25.A. ENDSTATE. THIS OPERATION IS AS SUCCESSFUL AS ANACONDA: NO MEDIA RELEASES VIOLATE OPSEC; THE AFGHAN PUBLIC IN THE KHOWST REGION LEARNS OF OUR EFFORTS ON THEIR BEHALF; THE PUBLICS AND MEDIA CONTINUE TO HAVE CONFIDENCE IN OUR WAR FIGHTING CAPABILITIES AS WELL AS IN OUR TRUTHFULLNESS; THE WORLD UNDERSTANDS THE COALITION AND AFGHAN CONTRIBUTIONS; ANY CASUALTIES/ACCIDENTS ARE RELEASED ASAP--IN CONSIDERATION OF OPSEC; WE MEET THE CINCS IO GUIDANCE TO DEGRADE MORALE AND STRESS INEVITABILITY OF DEFEAT OF REMAIN AL QAEDA, AND TO EMPHAZISE THAT US/COALITION FORCES WILL REMAIN UNTIL ALL AL QAEDA ARE CAPTURED OR ELIMINATED.

3.D.25.A.1. COMMAND MESSAGES. WE WILL CONTINUE TO FIND, CAPTURE AND DESTROY TERRORIST CELLS AND PREVENT AFGHANISTAN FROM RETURNING TO A SAFE HAVEN FOR TERRORISTS. THIS MISSION SHOWS THE CONTINUING RESOLVE OF THE COALITION AND THE AFGHAN INTERIM GOVERNMENT TO RID THEMSELVES OF THESE OUTSIDE, AL QAEDA, ANTI-ISLAMIC EXTREMISTS. OUR WAR IS AGAINST TERRORISTS—NOT ISLAM OR THE AFGHAN PEOPLE.

3.D.25.A.2. MEDIA EMBEDDS. ALL NON-SOF COMMANDERS WILL ATTEMPT TO EMBED AT LEAST 3 MEDIA—STILL, VIDEO, AND WRITER—IN EACH BATTALION-SIZED UNIT ON EVERY NON-CLASSIFIED MISSION. ON LONGER MISSIONS, THESE MEDIA WILL ROTATE EVERY 48-72 HOURS.

3.D.25.A.3 ENCOUNTERS WITH NON-EMBEDDED MEDIA ON THE BATTLEFIELD. THE KHOWST REGION IS HEAVILY POPLUATED AND THERE IS A VERY HIGH PROBABILITY WE WILL ENCOUNTER MEDIA DURING OUR OPERATIONS. TREAT NON-EMBEDDED MEDIA AS YOU WOULD ANY OTHER CIVILIAN ON THE BATTLEFIELD. IF YOU KEEP CIVILIANS FROM AN AREA, KEEP MEDIA FROM THE AREA. IF YOU DETAIN CIVILIANS, DETAIN MEDIA. HOWEVER, REALIZE THE POWER OF MEDIA TO SHAPE WORLD OPINION AND THE POLITICAL NATURE OF THIS WAR. THEREFORE, RECORD ALL CONVERSATIONS AND INTERACTIONS WITH THE MEDIA AND RELAY THIS INFORMATION ASAP TO THE PAO SO WE CAN MITIGATE ANY NEGATIVE STORIES.

3.D.25.A.4. RELEASE OF INFORMATION. CJTF-MTN PAO APPROVES RELEASE OF ALL OPERATIONAL INFORMATION. THERE WILL BE NO REPORTING OR PHOTOGRAPHING SOF FORCES OR EQUIPMENT OR OF DETAINEE OPERATIONS. MEDIA WILL EMBARGO 12 HOURS ALL PHOTOGRAPHS AND REPORTS OF FLIGHTLINE OPS. ALL NON-SOF PERSONELL ARE ENCOURAGED TO SPEAK TO ESCORTED MEDIA TO HELP TELL THE COALITION STORY.

3.D.25.A.5. CRITICAL PUBLIC AFFAIRS INFORMATION REQUIREMENTS. ANY CJTF-MTN CASUALTY OR CLASS A ACCIDENT. ANY CJTF-MTN CAUSED CIVILIAN CASUALTY. ENCOUNTERS WITH MEDIA ON THE BATTLEFIELD. MEDIA OPSEC VIOLATIONS. ANY NEGATIVE INCIDENT BETWEEN COALITION FORCES AND AFGHAN INTERIM ADMINISTRATION.

ARCENT CAAT Initial Impressions Report (IIR)

Chapter 9
Public Affairs
Annex H: Secretary Rumsfeld's Principles of Information

February 26, 2002 1:16 PM

SUBJECT: Principles for the Department of Defense

1. Do nothing that could raise questions about the credibility of DoD. DoD must tell the truth and must be believed to be telling the truth or our important work is undermined.

2. Do nothing that is or could be seen as partisan. The work of this Department is non-partisan. We have to continuously earn the support of all the people of the country and the Congress. To do so we must serve all elements of our society without favor.

3. Help to create an environment in DoD hospitable to risk-taking, innovation, and creativity. This institution must be able to house people of all types.

4. Work vigorously to root out any wrongdoing or corruption in DoD. Waste undermines support for the Department, and robs DoD activities of the resources they need.

5. Consistently demonstrate vigilance against waste. It is the taxpayers' money, earned by people who work hard all across this land. We owe it to them to treat their dollars respectfully, and we owe it to the importance of our responsibilities to see that every dollar is spent wisely.

6. Reflect the compassion we all feel when innocent lives are lost, whether US service people or innocents killed by collateral damage.

7. Demonstrate our appreciation for the cooperation we receive from other nations and for the valuable contributions coalition forces bring to our efforts – whether in peacetime by way of strengthening the deterrent, or in wartime by securing victory.

8. Because of the complexity of our tasks, DoD must work with other departments and agencies of the federal government in a professional manner, respectful of others' views but willing to raise issues to the next higher level up the chain of command, as necessary.

9. DoD personnel – civilian and military – must not compromise classified information. It is a violation of federal criminal law, and those who do so are criminals. They are also individuals who have lost their moorings and are willing to put lives of the men and women in uniform at risk. They must be rooted out, stopped and punished.

ARCENT CAAT Initial Impressions Report (IIR)

10. The public needs and has a right to know about the unclassified activities of DoD. It is our obligation to provide that information professionally, fully and in good spirit.

11. Nothing is more important than the men and women who work in this Departmentthey are its heart and soul and its future. Our country's success depends on them. We must all treat them with respect, show our concern for them and for their lives and their futures, and find opportunities to express our full appreciation for all they do for our country.

12. The Legislative Branch is in Article I of the Constitution; the Executive Branch is Article II. That is not an accident. We must respect the Constitutional role of Congress, learn from those who have knowledge that can be helpful and work constructively, with revolving coalitions, to achieve the important goals of the Department and the country.

13. Finally, the President of the United States is our Commander-in-Chief. Those of us in DoD – military and civilian – believe control, are respectful of it and must be vigilant to see that our actions reflect that important Constitutional obligation.

Donald Rumsfeld

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The Detainee Personal Identification Data Collection Process in Afghanistan

by CPT Richard J. Hughbank, 519th MP Bn, Ft Polk, LA, and MAJ Jennifer L. Curry, Total Force Integrator, Ft Leonard Wood, MO, members of a CALL Combined Arms Assessment Team (CAAT)

When the U.S. Army began Operation ENDURING FREEDOM and their campaign in Afghanistan, the Afghan Military Forces (AMF) were already holding up to 4,500 detainees throughout the Coalition Joint Operational Area (CJOA) Afghanistan. U.S. forces were directed to collect personal identification data (PID) on all potential Taliban and al-Qaeda members in an effort to identify America's newest enemies.

Collecting PID creates a better database for identifying potential enemy threats and to screen these individuals to determine if they meet the criteria to be treated as detainees. If an individual meets the specified criteria, he is taken into custody in a detainee status and secured for further processing. Host Nation forces would encounter pockets of resistance throughout the area of operation (AO) and secure them for U.S. forces to conduct PID collection operations. These operations were conducted in conjunction with multiple battlefield operating systems (BOSs) in a combined arms effort to properly conduct the collection of PID. PID collection packets, consisting of names, fingerprints, DNA, and digital photos, have become a key tool in America's "War On Terrorism."

Prior to the arrival of the PID team, Special Operations Forces (SOF) liaison with leaders of the local indigenous population ensuring candidates for detainee status actually exist at a prescribed location and that the area is prepared for military forces to enter and conduct PID collection operations. A PID collection operation consists of eight different teams (refer to attached schematic).

➡ **Command and Control (C^2) Team.** The C^2 team consists of key leaders and support soldiers. Key members of this team include the battalion S3 (or similar type capability), a battle captain, a communications soldier, a driver/gunner, and a Staff Judge Advocate (SJA) officer. This team is located inside the security perimeter in a position that allows for observation of the entire operation. Members of the team maneuver throughout the PID area, ensuring a smooth transition between the various stations and positive control over the detainees until they reach the holding area. The S3 is responsible for overall mission accomplishment, proper detainee handling, and guidance in any case not covered during the mission brief. The battle captain ensures mission success by conducting liaison operations with the SOF on the ground and ensuring the PID collection site is established and operational. The communications specialist carries FM capability for communicating with air support and other friendly forces in the AO, and as a secondary communications system for internal communications with the security forces on the perimeter for conducting detainee operations. Communications are maintained internally between the security positions and the C^2 communications specialist. Actions on the objective and Rules of Engagement (ROE) are discussed during mission rehearsals. The driver/gunner remains vigilant of the surroundings throughout the PID collection operation. The SJA representative provides legal assistance/guidance as needed throughout the entire operation.

➡ **Perimeter Security Team.** The perimeter security team is comprised of two military police (MP) squads and a platoon leader (security element size is based on METT-TC). Organic MP teams are placed to ensure 360-degree outward coverage of the perimeter. The perimeter size is determined by METT-TC. The number of detainees dictates the size of the holding and staging areas and the number of personnel at the mobile interrogation team (MIT) stations. The MIT stations determine the distance necessary to ensure privacy with each detainee during the screening process. The PID and medical teams need minimal space to conduct operations within the security perimeter.

Photo from website <www.news.bbc.co.uk>

➡ **Staging Area Security Team.** The staging area is a preliminary location from which to isolate and establish control over those individuals selected for processing. The staging area security team consists of two soldiers with either

an M4/16 or an M249 in tactical overwatch positions. All detainees are bound at the feet and hands and have hoods covering their heads for disorientation. Two guards are positioned with their backs to the center of the perimeter to prevent potential fratricide if weapons fire becomes necessary.

➡ **Personal Identification Data Collection Team (PID).** MP and Criminal Investigations Division personnel are ideal for PID collection operations based on their organic functions of detaining personnel and conducting investigative operations. The PID team is the second stage in all PID collection operations. A team consists of three soldiers, with multiple teams operating simultaneously if enough security teams are available. The PID gathering builds or adds to an existing database through the collection of dexorybo nucleic acid (DNA) samples by swabbing the mouth and collecting hair follicles, fingerprints, and digital photos of the upper torso area. All individuals being detained must be put through this process for data collection. Upon collecting the data and storing it in the proper containers, all information will be processed through the appropriate database.

➡ **Mobile Interrogation Team (MIT).** The MIT consists of interrogators and interpreters. The MIT determines if a detainee fits the screening criteria given by higher headquarters. The screening process takes approximately 10-15 minutes per individual. If a person does not fit the criteria, they are turned back over to the leader of the indigenous population or, in this case, the AMF. If they do meet the criteria, they are taken into U.S. forces' custody and escorted to the medical station.

➡ **Medical Team.** The medical team consists of a unit medic at a minimum, but a Physician's Assistant is preferable. The medical team conducts a cursory medical examination of the detainee for any previous injuries sustained before coming under the control of U.S. forces. Any injuries identified are noted accordingly and, if necessary, tended to at that time. The medical team also allows for prior notification at the theater collection point if more advanced medical attention is necessary upon arrival.

➡ **Holding Area Team.** The holding area is established to maintain control over those individuals who have been identified as meeting the criteria by the MIT, and who will remain in U.S. forces' custody for transport out of the AO to the theater collection point. The staging area security team consists of two soldiers with either an M4/16 or an M249 in tactical overwatch positions. All detainees are bound at the feet and hands and have hoods covering their heads for disorientation. Two guards are positioned with their backs to the center of the perimeter to prevent potential fratricide if weapons fire becomes necessary.

➡ **Detainee Security Team.** Once the detainees are brought into the PID operations security perimeter, the detainee security team will take charge of all movement and detainee control until they are either released back to the AMF or transported back to the theater collection point. Each security team consists of two soldiers that secure the detainee throughout the process. Once the detainee enters the holding area, the detainee falls under the control of the holding area security team, and the detainee security team returns to the staging area to conduct another PID escort. This process continues until all detainees have been processed through the PID and screening areas. The perimeter security teams will only assist if absolutely necessary to help maintain positive control. Overall security of the detainees while in flight is also the responsibility of the detainee security team.

To date, PID collection operations have been conducted in over five different areas throughout Afghanistan, collecting data on over 3,500 potential members of terrorist organizations.

The military police corps is playing a critical role in the PID collection process. From the collection of data, to the security of detainees during the operations, and subsequent aerial escort missions back to the collection points, the military police have proven to be a true combat multiplier in Afghanistan.✪

OBSERVATIONS FROM OPERATIONS IRAQI FREEDOM AND ENDURING FREEDOM (31 MAY-13 JUNE 2003)

1 JULY 2003

1. The following is a compilation of OBSERVATIONS that the JRTC Intelligence and Fire Support team viewed while in the CENTCOM AOR during OPERATIONS Iraqi Freedom and Enduring Freedom. There were numerous things to cover, but we tried to remain focused on issues that were intelligence and fire support related.

2. The team was comprised of LTC Bob Chamberlain, MAJ Dan Pinnel, CPT Mike Liverpool, and SSG Norris Whitford. Numerous units and locations were visited throughout Iraq, Afghanistan, Qatar, and Kuwait, from 31 May to 13 June 2003.

3. Topics covered in this Trip Report ...

[Excerpts follow]

Issue: Iraq-Civilian detainees

Observation: Detention facilities in Iraq are overcrowded and undermanned. For this discussion we'll focus on the 4th ID's detention facility.

Discussion: The 4th ID detention facility in Tikrit currently (as of 3 June, 2003) has two hundred and eighteen detainees in a facility built to hold eighty persons. Running this facility is an obvious strain on the unit's manpower (detention facility manning will be discussed during a future issue), not to mention the implications it will have on Civil Affairs operations in the future. One questioned asked was "does everyone in the facility need to be there?" HUMINT assets, the interrogators and the interpreters, were unable to support the facility due to its size and other on-going missions in the AO. According to the HUMINT NCOIC for the facility, approximately 80% of the persons are unnecessarily detained and were probably just victims of circumstance (i.e. round up the usual suspects). What we also observed was that there was a lack of guidance or standard for detaining and releasing persons (release authority will be discussed during the next issue). There also appeared to be no Division SOP for conducting EPW or detention facility operations at this scale. The military police unit is the divisions "fix-all" when it comes to running the detention facility.

JRTC Operations Recommendation: Commanders need to establish guidelines for the detention and release of civilian detainees. JRTC must also replicate division SOP that addresses this issue during future rotations.

Issue: Iraq-Release authority for detainees

Observation: The detention facilities throughout Iraq were overcrowded and there appeared to be no standard release criteria. It's like the Roach Motel, "They can check in, but they never check out!"

Discussion: The detention facility at Baghdad International Airport (BIAP) was growing daily at an alarming rate. The facility was built to detain three hundred persons but is currently detaining over eight hundred persons. We asked numerous officers and NCOs who had the authority to release detainees after it was determined that they were not criminals or had no intelligence value. Every person had a different answer, most being "I don't know." Besides being a security risk to U.S. personnel, we were not winning the battle of the "hearts and minds" of the Iraqi people. Some of the detainees happened to be in the wrong place at the wrong time, others randomly accused of crimes by vindictive neighbors and enemies. And the detention facility continues to grow.

JRTC Operations Recommendation: The release authority and criteria for civilian detainees should be common knowledge throughout the AO. Lists of detainees should be scrutinized and reviewed daily to ensure innocent civilians or persons with no intelligence value are not detained. Randomly detaining civilians will create future enemies of the U.S.

13

Military Commissions, Past and Future

Lieutenant Colonel Jody Prescott, U.S. Army,
and Major Joanne Eldridge, U.S. Army Reserve

The detention of suspected terrorists has raised questions about how they will be held accountable for their alleged crimes. President George W. Bush authorized the use of military commissions to try non-U.S. citizens involved in terrorist activities. Lieutenant Colonel Jody Prescott and Major Joanne Eldridge examine the role of military commissions in the U.S. Army's history.

ON 17 JANUARY 1865, Confederate Army Captain Robert Kennedy was convicted by a military commission of spying and other violations of the law of war "in undertaking to carry on irregular and unlawful warfare."[1] Kennedy apparently intended to set New York City on fire and was seen in other parts of the state while in disguise. A military commission sentenced him to hang, and the reviewing authority confirmed the sentence.

Kennedy's case is not merely of historical interest because of the 11 September 2001 terrorist attacks on New York City; it is pertinent in light of President George W. Bush's Military Order of 13 November 2001, which authorizes the use of military commissions to try non-U.S. citizens involved in attacks for certain terrorist activities.[2] Significantly, U.S. Department of Defense (DOD) Military Commission Order (MCO) 1, which Secretary of Defense Donald Rumsfeld issued on 21 March 2002 to implement the Military Order, authorizes line officers to sit as members of military commissions or as members of review panels to review convictions of individuals tried by military commissions.[3]

What is a military commission, and when and why is it used rather than a court-martial? Generally, a military commission is a "court convened by military authority for the trial of persons not usually subject to military law but who are charged with violations of the laws of war, and in places subject to military government or martial law, for the trial of such persons when charged with violations of proclamations, ordinances, and domestic civil and criminal law of the territory concerned."[4]

Since the Mexican-American War, U.S. military and civilian commanders have faced circumstances requiring the administration of justice in cases for which courts-martial, authorized by statute or ordinary civilian courts, were inadequate or unavailable. Over time, the military commission evolved as a tool that commanders could use in such situations.

The case of Major John André, the British spy who conspired with Benedict Arnold during the Revolutionary War, is sometimes cited as an example of a military commission. However, the André case was actually held before a board of officers convened on 29 September 1780 by General George Washington to serve as a board of inquiry, which was not empowered to adjudge a conviction or to determine a sentence. After interrogating André, the board recommended to Washington that André "be considered as a spy from the enemy, and that agreeable to the law and usage of nations, he ought to suffer death."[5]

In 1776, the Continental Congress passed a law making espionage by non-U.S. citizens or nationals a capital offense triable by court-martial. Similarly, the 1776 Articles of War made giving assistance to the enemy and giving intelligence to the enemy capital offenses triable by court-martial. Interestingly, one of André's and Arnold's alleged accomplices, Joshua Hett Smith, was tried by court-martial and acquitted.[6] Washington, however, thought further inquiry into André's case was unnecessary and ordered André to be hanged.[7]

Under the provisions of the 1806 Articles of War, which retained court-martial jurisdiction over spies

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and those who assisted or gave intelligence to the enemy, General Andrew Jackson court-martialed civilians accused of hostile acts. In March 1815, while New Orleans was still under martial law, Louis Louillier was tried by a general court-martial for a number of alleged offenses, including spying.[8] The court-martial found it only had jurisdiction over the spying offense, of which Louillier was acquitted.[9] In 1818, Jackson tried two British citizens by general courts-martial in Florida for espionage and for providing assistance to hostile Indians. Both were convicted and executed.[10]

The Mexican-American War to Reconstruction

The first documented use of a proceeding called a military commission by the U.S. Army occurred in Mexico in 1847. The U.S. Army occupied large expanses of Mexican territory that lacked the civilian judicial infrastructure to adjudicate cases not covered by the Articles of War.[11] That year, General Winfield Scott issued General Order (GO) 20, which allowed enumerated offenses committed by Mexicans and other civilians outside the jurisdiction of the 1806 Articles of War to be tried before military commissions. Military commissions were also given jurisdiction to try U.S. Army personnel for offenses not covered by the Articles of War. As many as 29 military commissions were held, some of which tried multiple defendants.[12]

Although sometimes cited as examples of military commissions, the trials of members of the Saint Patrick's Battalion, a unit of primarily ethnic Irish soldiers who fought for the Mexicans, were actually courts-martial for desertion from the U.S. Army.[13] Scott also ordered the creation of "councils of war," similar to military commissions, which tried violations of the law of war. Few cases were tried in this fashion, however, and such councils were not used again.[14]

The difficulties U.S. commanders faced in the Mexican-American War with regard to administering justice in the former Mexican areas for which they were responsible pale in comparison with the challenges confronting Union commanders during the Civil War. As the war progressed, the Union states were under limited martial law. Some Union states, like Kansas, were under greater degrees of martial law at various times. Stricter martial law often applied to border states like Kentucky and Missouri, where populations with Confederate sympathies provided support for Confederate irregulars. As the Union occupied ever more Confederate territory, Union commanders faced hostile populations in the area of operations, and strong, sometimes violent, antiwar sentiment in the rear.[16] From early in the Civil War, the military commission proved useful to Union commanders. By war's end, thousands of cases had been tried.[17]

Although Union forces were used for various law-enforcement purposes during the war, the authority for use of military commissions was unclear. Statutory recognition of military commissions was sparse during the early part of the Civil War, and the commissions were not included in the Articles of War.[19] Union forces, under the command of Major General John Frémont, began using military commissions in Missouri as early as September 1861.[20] Frémont's successor, Major General Henry Halleck, had served as Secretary of State in the military government of California during the Mexican-American War, and he was familiar with the use of military commissions.[21] On 1 January 1862, Halleck issued a general order permitting and detailing the use of such commissions. Although military commissions were not required to use the same procedures as courts-martial, the general order directed that military commissions be "ordered by the same authority, be constituted in a similar manner, and their proceedings be conducted according to the same general rules as courts-martial, in order to prevent abuses which might otherwise arise."[22]

President Lincoln issued a proclamation authorizing the use of military commissions to try "rebels, insurgents, and all persons 'guilty of any disloyal practice affording aid and comfort to rebels.'" Lincoln suspended the writ of habeas corpus for individuals convicted and sentenced by courts-martial or military commissions. Congress modified Lincoln's proclamation [in 1863].

Halleck's order tracks closely with Article 36 of the Uniform Code of Military Justice (UCMJ), which allows the President to prescribe regulations "which shall, so far as he considers practicable, apply the principles of law and the rules of evidence generally recognized in the trial of criminal cases in the United States district courts" to cases tried "in courts-martial, military commissions and other military tribunals, and procedures for courts of inquiry."[23] Other Union commanders followed Halleck's lead and issued their own general orders permitting the use of military commissions.[24]

In March and June 1862, after military commission convictions from Missouri were forwarded to the War Department for review, U.S. Army Judge Advocate Major John Lee, advised the Secretary of War that there was no legal basis for military commission trials of civilians within the United States.[25] Halleck assumed the post of general-in-

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chief of the Army in July 1862, and when Congress created the new position of judge advocate general, Halleck did not recommend Lee for the position.[26] Instead, Colonel John [Joseph?] Holt was appointed judge advocate general. In September 1862, Holt advised the secretary of war that the use of military commissions was not only suited to the exigencies of the times, but that "long and uninterrupted usage made them part and parcel of military common law."[27]

Military commissions were a prominent feature of the U.S. Army's administration of justice in the South during Reconstruction and were specifically authorized by Congress. . . . Although some civilians were still tried for offenses that had occurred during the Civil War, military commissions more often tried civilians for violations of civilian law in areas where civil courts were not functioning or were perceived by commanders as not administering justice impartially.

On 24 September 1862, President Abraham Lincoln issued a proclamation authorizing the use of military commissions to try "rebels, insurgents, and all persons 'guilty of any disloyal practice affording aid and comfort to rebels.'"[28] Lincoln suspended the writ of habeas corpus for individuals convicted and sentenced by courts-martial or military commissions.[29] Congress modified Lincoln's proclamation with the Habeas Corpus Act of 1863. Persons imprisoned under the terms of the act were entitled to be discharged if a civilian grand jury did not indict them or if charges pending against them had not been presented to the grand jury. Military authorities were required to provide civilian courts with lists of such persons.[30]

In October 1864, Union military personnel arrested Lambdin Milligan in Indiana on charges that included conspiracy against the U.S. Government and disloyal practices. Milligan belonged to a group with strong Southern sympathies, and he agitated publicly against the war. A military commission in Indiana convicted and sentenced him to death. Meanwhile, the appropriate grand jury convened, deliberated, and adjourned without returning an indictment against Milligan. The U.S. Supreme Court eventually decided Milligan's appeal for a writ of habeas corpus in 1866. The Court concluded that it had jurisdiction to hear the case and that under the Habeas Corpus Act of 1863, Milligan should have been released. Further, the Court found that the military commission was without jurisdiction to try a civilian citizen of a loyal state (Indiana) when the civilian courts were still functioning, when the state had not been a theater of war, and when the state had never been under military dominion. The dissent in this 5-4 decision believed that conditions of military exigency did in fact exist in Indiana at the time Milligan was tried, but that the military commission was without jurisdiction because it had not been specifically authorized by Congress to try such cases.[31] After his release, Milligan brought a civil suit against the commander who ordered him arrested and the members of the military commission that had tried him. The jury found the military personnel liable for false imprisonment, but awarded Milligan only nominal damages.[32]

After the war, military commissions tried hundreds of cases in different areas of the country.[33] The two best known are the trials of the conspirators to assassinate Lincoln and the trial of Captain Henry Wirz, warden of the Andersonville, Georgia, prisoner of war camp.[34] The U.S. Supreme Court determined that a state of hostilities existed between the U.S. and Confederate states (except Texas) until the presidential proclamation of 2 April 1866 and between the United States and Texas until 20 August 1866.[35] The U.S. Supreme Court eventually upheld military commission convictions that occurred in these states during the respective time periods.[36] Before these decisions, however, at least two U.S. district courts in northern states found that military commission jurisdiction ceased when martial law ended in the respective southern states. Accordingly, these courts ordered the release of prisoners who had been tried and convicted after civil government had been reestablished.[37]

Military commissions were a prominent feature of the U.S. Army's administration of justice in the South during Reconstruction and were specifically authorized by Congress for use at this time.[38] Although some civilians were still tried for offenses that had occurred during the Civil War, military commissions more often tried civilians for violations of civilian law in areas where civil courts were not functioning or were perceived by commanders as not administering justice impartially. As during the Civil War, provost courts were used in various areas to adjudicate petty offenses. While the procedures of the military commissions had become fairly uniform by this time, the procedures before the provost courts often varied from command to command.[39] There were approximately 200 trials before military commissions, many of which involved multiple defendants.[40] For example, between March and September 1867, 216 individuals were tried before military commissions in North and South Carolina.[41] As the southern states gained readmission to the Union and representation in Congress, martial law was terminated within them, and all military com-

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missions ceased to operate as of July 1870.[42]

The Indian wars to World War II

U.S. Army commanders occasionally used military commissions during conflicts with Native American tribes on the western frontier. In autumn 1862, a military commission in Minnesota tried 425 members of the Dakota tribe for offenses resulting from a bloody uprising that August.[43] Of that number, 321 were convicted. In taking action on the cases after his review, Lincoln eventually approved the death sentence in 38 of the 303 cases in which it had been adjudged.[44] In 1872, a military commission was used to try Modoc tribesmen for the murder of General Edward Canby and others.[45]

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An officer from the 633d Medical Clearing Station pins 4-inch white aiming marks to the chests of German soldiers captured in U.S. uniforms and convicted of spying, Henri-Chapelle, Belgium, 23 December 1944.

Between October 1944 and May 1945, military commissions tried approximately 67 individuals, and at least 32 were executed. Among these were 18 German soldiers captured while wearing U.S. uniforms behind U.S. lines during the Battle of the Bulge. They were convicted of spying and executed. In the period between the end of the fighting in Europe and General Dwight D. Eisenhower's 25 August 1945 proclamation of a military government in Germany (with a system of military courts), military commissions continued to try individuals.

Military commissions were also employed during the 1898 Spanish-American War. Although military governments using the local court systems of Cuba and Puerto Rico were set up after the U.S. occupation of those islands, military commissions had jurisdiction to try cases until the peace treaty between Spain and the United States was ratified on 1 April 1899.[46] After the treaty became effective, the U.S. military government in Puerto Rico was replaced by a provisional government, which was itself replaced by a civilian government in 1900.[47] The situation in the Philippines might have been different, given the native insurgency, but the Philippines likewise had a civilian government by 1902.[48]

During the labor strife and civilian unrest in the United States in the early 1900s, some governors instituted martial laws, and several states used military commissions to try civilians charged with violations of martial law. In 1912 and 1913, state military commissions in West Virginia tried at least seven individuals for violations of martial law imposed by the state governor.[49] In Nebraska in 1922, several defendants were tried before a state military commission during a period of martial law. They were convicted and sentenced to prison terms. The U.S. District Court for Nebraska, in denying the prisoners' applications for writs of habeas corpus, held that although the state courts had remained open during this time and the National Guard commander could have sent their cases to these courts, he was not required to do so. Accordingly, the court concluded that the sentences lawfully adjudged during the period of martial law remained valid even after martial law was lifted.[50] To the extent that these cases relied on the declaration of martial law as being determinative as to the propriety of holding military commissions, the U.S. Supreme Court has cast doubt as to whether these cases are still good law.[51]

World War II

The vast geographical scope of U.S. military operations during and after World War II presented commanders with numerous and complex challenges regarding the administration of justice. During the war, military commissions were used at home and abroad to try so-called "unlawful combatants." After the war, military commissions tried numerous Axis war criminals and, as the United States assumed the duties of an occupying power, exercised jurisdiction

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over even ordinary cases involving local civilians. Significantly, World War II and the immediate post-war era were the last times U.S. Armed Forces conducted military commissions. Such commissions predate the UCMJ and the profound evolution of the present military justice system. Of note is that military commissions did not conduct the famous war crimes trials held after World War II. Instead, international military tribunals conducted the Nuremberg and Tokyo trials.[52]

In the *Quirin* case in 1942, the U.S. Supreme Court upheld the use of military commissions to try persons in the United States for offenses against the law of war and the Articles of War.[53] Quirin was one of eight men transported to the United States by German submarine in 1942. The men landed in New York and Florida wearing German military uniforms, which they buried, and carrying explosives. Their instructions from the German High Command were to destroy American war facilities and industries. The FBI captured all eight, and they were tried before a military commission appointed by President Franklin D. Roosevelt on 2 July 1942. During the proceedings, the defendants appealed to the U.S. Supreme Court, which found that the trial of the men (seven German citizens and one American) by military commission without a jury was legal. The decision was based on the men's status as unlawful combatants, saboteurs, who were not entitled to prisoner of war status.[54] Later in the war, on the basis of this decision, a federal appeals court found the military commission trial of a U.S. citizen in the employ of the Third Reich also to be proper. The citizen had been landed on the coast of Maine by a German submarine in 1944.[55]

Within hours of the attack on Pearl Harbor on 7 December 1941, the civilian territorial governor suspended the writ of habeas corpus and placed the territory under martial law.[56] The commander of the Military Department of Hawaii issued GO 4, which set up a judicial system composed of military commissions and provost courts to try cases. The civil courts reopened in January 1942 to conduct their normal business, but as agents of the military governor and under certain restrictions to their respective jurisdictions. For example, civil courts could not hear criminal cases or empanel grand or petit juries.[57]

In March 1943, by proclamation of the territorial governor, the civilian government resumed nearly all of its prewar functions. However, GO 2 allowed military commissions to retain jurisdiction over cases arising from a "violation by a civilian of the rules, regulations, proclamations, or orders of the military authorities, or of the laws of war."[58] Although the privilege of habeas corpus was restored in 1943, military rule in Hawaii continued for three more years.

The quality of the administration of justice under martial law was sharply criticized by U.S. Government investigations and reports. This was particularly true of the provost court system.[59] When convicted prisoners brought petitions for writs of habeas corpus before the U.S. Supreme Court, the prisoners were released immediately. The Supreme Court was unimpressed with the rationale for the use of the martial law court system rather than the civil courts, holding that civilians in Hawaii were entitled to the constitutional right to fair trial and that martial law was not intended to supersede civilian courts.[60]

Japanese war criminals, including commanders, soldiers, and military judicial officials, who had condemned Allied service members after unfair trials, were tried before Allied military courts in the China and Pacific Theaters. U.S. military commissions tried cases in occupied Japan and in liberated allied areas.[61]

Perhaps the best-known military commission trial in the Far East was that of General Tomoyuki Yamashita, former commander of Japanese forces in the Philippines. The commission was composed of five general officers and was convened by General Douglas MacArthur.[62] Yamashita was charged with unlawful disregard of and failure to discharge his duty as commander to control the members of his command from committing brutal atrocities in the Philippines against civilians and prisoners of war. His trial began on 29 October 1945 and concluded on 7 December 1945. The military commission found him guilty and sentenced him to death by hanging. Because his trial was held under U.S. auspices in the Philippines, a U.S. territory until 1946, Yamashita was able to appeal to the U.S. Supreme Court, arguing that the military commission lacked jurisdiction to try him. The Supreme Court disagreed, finding that the Articles of War granted jurisdiction to both general courts-martial and to military commissions and that the Geneva Conventions of 1929 did not require one form of trial over the other.[63] Yamashita's appeal was denied and he was hanged. International law now requires that prisoners of war receive the same kind of trial using the same rules by which service members of the detaining state are tried.[64]

In 1945, a German national named Eisentrager and 20 other Germans were convicted by a military commission in China on charges that they had provided intelligence information to the Japanese after the Third Reich surrendered. After the prisoners were repatriated to occupied Germany to serve their sentences, they petitioned for a writ of habeas corpus in U.S. District Court, alleging that their trial and imprisonment violated the U.S. Constitution and the Geneva Conventions relative to the treatment of prisoners of war. Their appeal eventually reached the U.S. Supreme Court. The Court held that enemy

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prisoners of war, captured and tried outside the United States by military commissions for law of war offenses committed outside the United States and serving their sentences outside the United States, had no right to petition for a writ of habeas corpus in U.S. courts. The Court also rejected the petitioners' claims of procedural irregularities under the Geneva Conventions of 1929, concluding that the military commission that tried them had proper jurisdiction.[65]

The U.S. Army began using military commissions in the European Theater as early as October 1944. Army Group commanders "were authorized to appoint military commissions for the trial of persons not subject to the [Articles of War] who were charged with espionage or with violations of the law of war that threatened or impaired the security or effectiveness of U.S. forces."[66] Military commissions were required to have at least three officers, and defendants had the right to counsel. The commissions were not bound by the evidentiary rules for courts-martial or by the maximum punishments authorized under the Articles of War.[67]

Between October 1944 and May 1945, military commissions tried approximately 67 individuals, and at least 32 were executed.[68] Among these were 18 German soldiers captured while wearing U.S. uniforms behind U.S. lines during the Battle of the Bulge. They were convicted of spying and executed.[69]

In the period between the end of the fighting in Europe and General Dwight D. Eisenhower's 25 August 1945 proclamation of a military government in Germany (with a system of military courts), military commissions continued to try individuals. Even after the proclamation, trials by military commission continued for a short time.[70] The military government in occupied Germany gave way to a civilian occupation government in 1949, and the civilian occupation government ended (except for Berlin) in 1953.[71] In the Mediterranean Theater, as in the China Theater, certain U.S. allies allowed military commissions to try alleged Axis war criminals on their soil for a number of years after the fighting had stopped, even though by then these allies had reconstituted their judicial systems.[72]

Contemporary Litigation

The adjudication of cases dealing with the jurisdiction of a military commission actually began during the Civil War. As an alleged Lincoln Assassination conspirator, Dr. Samuel Mudd was tried in Washington, D.C., by a military commission. Mudd was a citizen of Maryland, a border state, and had not been in the military. At the time of his trial, the civil courts in Washington and Maryland were open.[73] Mudd was convicted and sentenced to a term of imprisonment. In 1866, after the *Milligan*

General Yamashita shortly after his 2 September 1945 surrender to U.S. forces in northern Luzon.

US Army

General Tomoyuki Yamashita was charged with unlawful disregard of and failure to discharge his duty as commander to control the members of his command from committing brutal atrocities in the Philippines against civilians and prisoners of war. . . . Because his trial was held under U.S. auspices in the Philippines, a U.S. territory until 1946, Yamashita was able to appeal to the U.S. Supreme Court, arguing that the military commission lacked jurisdiction to try him. The Supreme Court disagreed.

decision, Mudd petitioned for a writ of habeas corpus in U.S. District Court. Finding *Milligan* inapplicable, the court denied the petition. The court held that Lincoln was "assassinated not from private animosity nor any other reason than a desire to impair the effectiveness of military operations and enable the rebellion to establish itself into a government. It was not Mr. Lincoln that was assassinated, but the commander-in-chief of the Army for military reasons."[74] Mudd was subsequently pardoned for his humanitarian efforts in prison during a yellow fever epidemic.[75]

Seeking to clear his grandfather's name, Mudd's grandson brought suit against the U.S. Government in U.S. District Court. On 14 March 2001, the court found for the U.S. Government, first noting that the list of types of unlawful combatants set out in *Quirin* that could be tried before military commissions (saboteurs, secret messengers, spies, belligerents not in uniform) was not exhaustive. Further, the court

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found that nationality and whether one was working under the direction of enemy forces was not to be determinative. Instead, the court found "[r]eading *Milligan* and *Quirin* together . . . , that if Dr. Samuel Mudd was charged with a law of war violation, it was permissible for him to be tried before a military commission even though he was a U.S. and Maryland citizen and the civilian courts were open at the time of his trial."[76] The court found that the charges did allege such a violation, and the commission therefore had jurisdiction. The government's decision to not disturb Mudd's trial verdict was therefore upheld.[77] On 8 November 2002, the U.S. Court of Appeals for the D.C. Circuit rejected the Mudd family's appeal, finding that Mudd, as a civilian, had no standing under the law which allows military members to seek expungement of military convictions.[78]

In a more recent case, a group calling itself the "Coalition of Clergy, Lawyers and Professors" brought suit in U.S. District Court seeking a writ of habeas corpus for detainees being held at Guantanamo Naval Air Station in Cuba. U.S. forces in Afghanistan had captured the detainees. On 21 February 2002, the court dismissed the petition, finding that the petitioners lacked legal standing, the court did not have jurisdiction to hear the petitioners' claims, and that no federal court would have jurisdiction over their claims. The court relied primarily on the holding of the U.S. Supreme Court in *Eisentrager*, noting that the petitioners had mistakenly characterized the naval base at Guantanamo Bay as part of the United States. The legal status of Guantanamo Bay is governed by a 1903 lease agreement between Cuba and the United States that gives the United States complete jurisdiction and control over the specified areas, but Cuba retains ultimate sovereignty over the leased lands and waters. Therefore, the court concluded that sovereignty over Guantanamo Bay remained with Cuba and not the United States.[79]

On 1 August 2002, a federal district court in Washington, D.C., rejected a lawsuit brought on behalf of Kuwaiti, British, and Australian detainees at Guantanamo. The detainees sought to compel the government to hold hearings on their cases or transfer them to the custody of their respective countries. The district court ruled that the detainees were outside the United States, and therefore without any constitutional rights of access to the U.S. judicial system.[80] The U.S. Court of Appeals for the District of Columbia affirmed the district court's decision on 11 March 2003.[81] Interestingly, on 8 November 2002, in a suit brought by the mother of a Guantanamo detainee, a British court held that keeping detainees in an area under "exclusive" U.S. control without recourse to a court to challenge their detention appeared to violate both British and international law. The three-judge panel concluded, however, that it had no jurisdiction over the case.[82]

The Uniform Code of Military Justice

In 1950, the UCMJ replaced the old Articles of War and Articles for the Government of the Navy.[83] The UCMJ incorporated substantial reforms that gave those subject to the UCMJ greater rights and standardized the practice of courts-martial across the Armed Forces. In giving effect to the statutory provisions of the UCMJ, the preamble to the *Manual for Courts-Martial (MCM)* provides that the sources of military jurisdiction are the Constitution and international law, including the law of war.[84] Further, the preamble recognizes four means by which commanders apply military jurisdiction: courts-martial for trial of offenses against military law as well as general courts-martial for the trial of persons subject to trial by military tribunal under the laws of war; military commissions and provost courts for the trial of cases within those respective jurisdictions; courts of inquiry; and nonjudicial punishment.[85]

The UCMJ contains two articles (18 and 21) that specifically address the jurisdiction of military tribunals and commissions.[86] Article 18 provides that the jurisdiction of general courts-martial includes the authority to try persons for law of war violations by military tribunal and impose any punishment permitted by the law of war.[87] Article 21 provides that the provisions of the UCMJ "conferring jurisdiction do not deprive military commissions, provost courts, or other military tribunals of concurrent jurisdiction."[88] The UCMJ also contains three other references to the law of war: Article 104 (aiding the enemy), Article 106 (spies), and Article 106a (espionage). These provisions prohibit conduct by "any person," a broader definition than other code provisions, which prohibit conduct by "any person subject to the Code" and permit trials by general court-martial or military commission.[89]

With regard to the procedure to be used by military commissions, the MCM provides that "[s]ubject to any applicable rule of international law or to any regulations prescribed by the President or other competent authority, military commissions and provost courts shall be guided by the appropriate principles of law and rules of procedures and evidence prescribed for courts martial."[90] In his Military Order, Bush specifically found "that it is not practicable to apply in military commissions under this order the principles of law and the rules of evidence generally recognized in the trial of criminal cases in the [U.S.] district courts."[91]

In addition to extensive roles for judge advocates as presiding officers, prosecutors, and defense counsel, DOD MCO 1 provides the potential for significant roles for all military officers.[92] Each commis-

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sion shall be composed of at least three but not more than seven members, as well as one or two alternate members, appointed by the secretary of defense or his designee (the appointing authority). Members and alternates will be commissioned officers from all the armed services, including Reserve officers on active duty, National Guard officers on active duty, and even retired officers recalled to active duty. Although DOD MCO 1 provides no rank or grade requirements, the appointing authority appoints members "determined to be competent to perform the duties involved."[93] The length of such appointment is not specified.

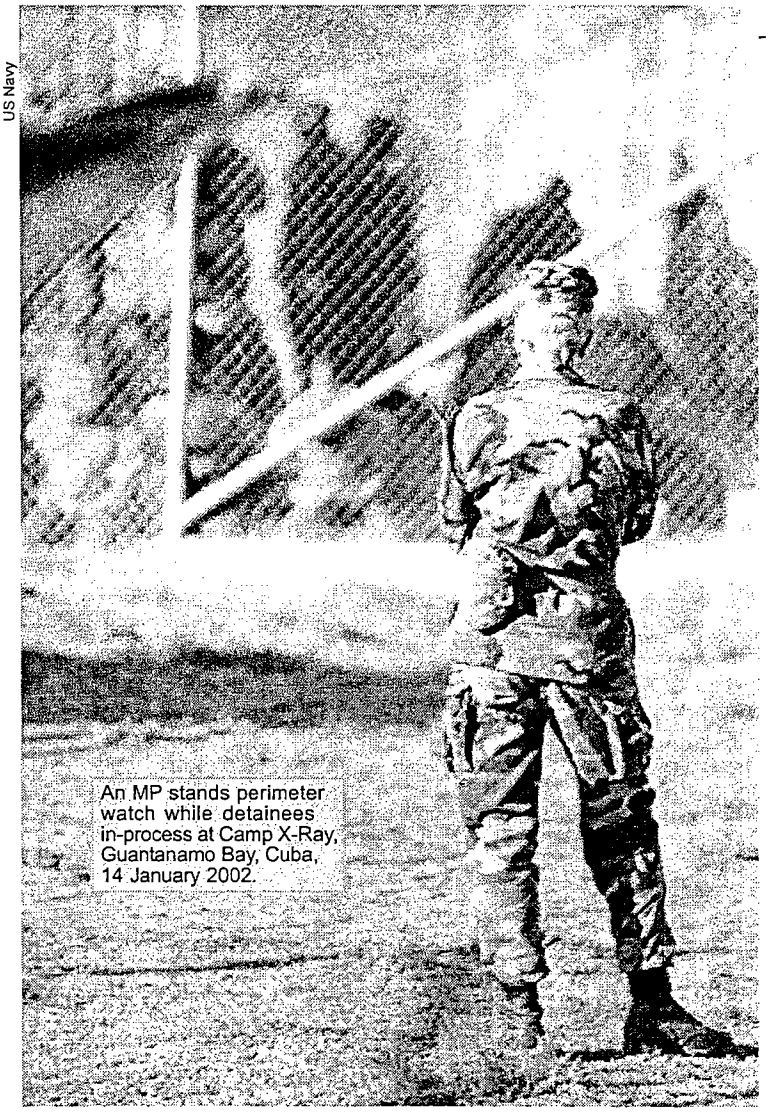
DOD MCO 1 provides detailed procedures applicable for each accused tried before a military commission. Each accused will be represented by a military defense counsel detailed to his case at no expense to him. The accused may request a particular military defense counsel (subject to reasonable availability) and may be represented by a civilian attorney at no expense to the United States (subject to certain requirements).[94] The accused may not discharge his military counsel.[95] Other rights may be summarized as follows:

- Right to a copy of the charges in a language the accused understands, as well as the substance of the charges, the proceedings, and documentary evidence.
- Presumption of innocence until proven guilty, and guilt must be proven beyond a reasonable doubt.
- Detailed defense counsel must be made available in advance of trial to prepare a defense.
- Access to evidence the prosecution intends to use as well as access to exculpatory evidence known to the prosecution.
- Right to remain silent at trial, with no adverse inference from the accused's decision not to testify; or to testify, subject to cross-examination.
- Witnesses and documents for the accused's defense, including investigative or other resources required for a full and fair trial.
- Right to present evidence at trial and cross-examine prosecution witnesses.
- Right to be present at proceedings, unless the accused engages in disruptive conduct, except for those portions closed to protect classified information and other national security interests.
- Access to sentencing evidence.
- Right to make a statement and submit evidence during sentencing proceedings.
- Trial open to the public unless closed by the presiding officer.
- Right not to be tried again by any commission on the same charge.[95]

The accused shall also have the right to submit a plea agreement to the appointing authority.[96] Unlike in a court-martial, however, the accused's pleading guilty before a military commission gets him precisely that for which he bargained with the appointing authority rather than the lesser of either the sentence limitation in his pre-trial agreement or the sentence adjudged at court-martial.[97] The standard for admissibility of evidence is that evidence, which in the opinion of the presiding officer would have probative value to a reasonable person.[98]

Before voting for a finding of guilty, commission members must be convinced beyond a reasonable doubt that an accused is guilty of the offense based on the evidence admitted at trial. A finding of guilty requires a two-thirds majority of commission members. A sentence also requires a two-thirds majority

US Navy



An MP stands perimeter watch while detainees in-process at Camp X-Ray, Guantanamo Bay, Cuba, 14 January 2002.

A federal district court in Washington, D.C., rejected a lawsuit brought on behalf of... detainees at Guantanamo. The detainees sought to compel the government to hold hearings on their cases or transfer them to the custody of their respective countries. The district court ruled that the detainees were outside the United States, and therefore without any constitutional rights of access to the U.S. judicial system.

of members, except for a sentence of death, which must be unanimous. A sentence may include death; confinement for life or for a lesser period; payment of restitution or a fine; or such other lawful punishment as the commission deems appropriate. To adjudge a sentence of death, the commission must be composed of seven members.[99] Military officers have an important role to play in the post-trial phase of military commissions. The secretary of defense shall designate a review panel consisting of three military officers, which may include civilians commissioned in compliance with USC requirements.[100] The review panel must include at least one member who has experience as a judge. The panel is charged with reviewing the record of the commission proceedings and written submissions by the prosecution and defense. The panel must either forward the case to the secretary of defense with a recommended disposition or return the case to the appointing authority for additional proceedings where there has been a material error of law. The secretary of defense then reviews the case and forwards it to the president for review and final decision. The president can delegate the final decision to the secretary of defense if the president so desires.[101] The order sets forth no other avenues of judicial review or appellate relief, but this does not mean that the U.S. Supreme Court cannot review the case.[102]

Military commissions have been used extensively in the course of American history during periods of martial law, occupation, and war. Unfortunately, this flexibility and usefulness has led to some confusion as to the rules and procedures that should be applied at military commissions held under military order and their propriety under current domestic and international law. Some have criticized the use of military commissions as undermining the rule of law domestically and as not being viewed as credible by the international community.[103] Others criticize the use of a less stringent standard for the admissibility of evidence before the military commission as compared to ordinary U.S. criminal courts and the use of an appeal process that stays within the Department of Defense.[104] Significantly, many critics do not seem to distinguish clearly between the different kinds of military commissions and the various legal regimes that would apply to each respectively. A military commission sitting in the United States and trying U.S. citizens and residents under martial law, such as in *Milligan,* would be quite different from an occupation military commission, such as existed in post-war Germany or Japan. Both would be different from a law of war military commission sitting overseas and trying unlawful combatants, as in *Eisentrager*.

The president's authority to create a law of war military commission is clear under national and international law.[105] As specified in DOD MCO 1, the composition and procedures of the military commissions and review panels substantively comply with internationally accepted standards of due process.[106] Further, trials before military commissions may actually foster the rule of law and the administration of substantive justice. Military commissions will be allowed to consider probative evidence that ordinary U.S. criminal courts cannot, sensitive intelligence sources can be protected, and the issues of trial security are much less pronounced.[107]

On 28 February 2003, the Department of Defense General Counsel's Office released for public comment a draft of the Military Commission Instruction (Draft MCI) that set out the crimes and the elements of those crimes for which certain individuals could be tried before a military commission.[108] The crimes enumerated in the Draft MCI are "violations of the law of armed conflict or offenses that, consistent with that body of law, are triable by military commission."[109] The Draft MCI includes such crimes as the "Willful Killing of Protected Persons,"[110] "Employing Poison or Analogous Weapons,"[111] "Rape,"[112] and "Terrorism."[113] The Draft MCI does not include crimes against humanity or genocide as triable offenses and it does not specifically set out defenses to the enumerated offenses, but it does note that "[d]efenses potentially available to an accused under the law of armed conflict, such as self-defense, mistake of fact, and duress, may be applicable in certain trials by military commission."[114]

It is crucial that officers detailed to these bodies perform their judicial functions with the utmost care and understanding of their positions. These trials must satisfy domestic and international public opinion that justice be served. Further, these trials could constitute precedent for what the United States believes is the minimum due process required in trials of unlawful combatants for violations against the law of war and international law. Other nations or nonstate actors might then hold trials of captured U.S. soldiers or other U.S. Government employees using similar tribunals and procedures. ***MR***

NOTES

1. William Winthrop, *Military Law and Precedents*, 2d ed (Washington, DC: U.S. Government Printing Office [GPO], 1920), 767-70, 784; Ex parte *Quirin et al*, 317 U.S. 1, 31 (1942).
2. Military Order of 13 November 2001, "Detention, Treatment and Trial of Certain Non-Citizens in the War Against Terrorism," sec. 1(e), 66 F.R. 57833 (16 November 2001).
3. U.S. Department of Defense (DOD) Military Commission Order (MCO) 1, par. 4.A.(3) (21 March 2002).
4. Edward M. Byrne, *Military Law* (Annapolis, MD: Naval Institute Press, 1981), 752.
5. Winthrop, 518.
6. Ibid, 765; app. X, American Articles of War of 1776, 18 and 19, 967; Ibid., 102 note 21.
7. In a letter informing Major John André's commander of his decision to execute André, Washington noted that he could have summarily executed André rather than even convene a board of inquiry to look into his case (Robert Hatch, *Major John André: A Gallant in Spy's Clothing* [Boston: Houghton Mifflin Co., 1986], 262).
8. Winthrop, app. XII, American Articles of War of 1806, 56 and 57, 981; Ibid., 101, sec. 2, 985. Articles 104 (aiding the enemy), 106 (spies), and 106a (espionage) of the Uniform Code of Military Justice (UCMJ), enacted in 1950, track these early Articles of War provisions closely [10 USC, secs. 904, 906, 906a (2002); Winthrop, 822.
9. John Spencer Bassett, *The Life of Andrew Jackson* (New York: Macmillan, 1928), 226-27.
10. Robert V. Rimini, *Andrew Jackson and His Indian Wars* (New York: Viking, 2001),

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154-56; Winthrop, 102, 832.
11. K. Jack Bauer, *The Mexican War* (New York: Macmillan, 1974), 253, 326-27.
12. Winthrop, 832, quoting General Order (GO) 20, 19 February 1847, Headquarters of the Army, Tampico; Ibid., 832 note 66; Bauer, 253, 326-27.
13. Robert P. Miller, *Shamrock and Sword: The Saint Patrick's Battalion in the U.S.-Mexican War* (Norman, OK: University of Oklahoma Press, 1989), 92-112.
14. Winthrop, 832-33.
15. Ibid., 829, 826, 824-27; Mark E. Neely, Jr., *The Fate of Liberty: Abraham Lincoln and Civil Liberties* (New York: Oxford University Press, 1991), 46-47, 168.
16. Neely, 65, 69, 174.
17. Winthrop, 834; Neely, 168.
18. Neely, 21, 30, 32-35.
19. "The President shall appoint a Judge Advocate General to whose office shall be returned, for revision, the records and proceedings of all courts-martial and military commissions" (Carol Chomsky, "The United States-Dakota War Trials: A Study in Military Injustice," 43 *Stanford Law Review* (1990): 66, quoting Act of 17 July 1862, chap. 36, sec. 5, 12 stat. 597, 598).
20. Neely, 41-42.
21. *The Army Lawyer: A History of the Judge Advocate General's Corps, 1775-1975* (Washington, DC: GPO, 1975), 46.
22. Chomsky, 56, note 269, quoting GO 1, Headquarters, Department of the Missouri, 1 January 1862.
23. 10 USC, sec. 936 (2002).
24. Winthrop, 833.
25. Chomsky, 66, notes 336-37, quoting two letters from Judge Advocate John F. Lee to Secretary of War E.M. Stanton.
26. *The Army Lawyer*, 47.
27. Chomsky, 66, note 338, quoting letter from Judge Advocate General John [Joseph?] Holt to Secretary of War Stanton.
28. Neely, quoting Lincoln's Proclamation of 24 September 1862, citation omitted. Apparently anticipating Lincoln's proclamation, Stanton issued an order on 8 August 1862 that such persons were liable to trial by military commission.
29. Winthrop, 829.
30. Ex parte *Milligan*, 71 US (4 Wall) 2, 107-08 (1866).
31. Ibid., 118-31, 141.
32. *Milligan v. Hovey*, 17 F. Cas. 380, 380-83 (D.C. Ind., 1871).
33. Neely, 176.
34. Winthrop, 839, note 5.
35. Carver's Cases, 16 Ct. Cl. 361, 383 (U.S. Ct. Cl., 1880), citation omitted.
36. *Carver v. U.S.*, 111 U.S. 609 (1884).
37. *U.S. v. Commandant of Fort Delaware*, 25 F. Cas. 590, 591 (D.C. Del., 1866); In re Egan, 8 F. Cas. 367, 368 (Cir. C. N. D. NY, 1866).
38. Winthrop, 848.
39. James E. Sefton, *The United States Army and Reconstruction* (Baton Rouge, LA: Louisiana State University Press, 1967), 30-32.
40. Winthrop, 853.
41. Sefton, 146.
42. Winthrop, 851.
43. *Medawakanton and Wahpakoota Bands of Sioux Indians v. U.S.*, 57 Ct. Cl. 357, 364 (U.S. Ct. Cl., 1922).
44. Chomsky, 33, 88.
45. Robert M. Utley, *Frontier Regulars: The United States Army and the Indian, 1866-1890* (Lincoln, NE: University of Nebraska Press, 1984), 206-07.
46. *Ochoa v. Hernandez y Morales*, 230 U.S. 139, 145-47 (1913); *Santiago v. Nogueras*, 214 U.S. 260, 263 (1909); ex parte *Ortiz*, 100 F. 955, 963 (D.C. Minn., 1900). The petitioner was tried for the murder of a U.S. soldier by a military commission two weeks before exchange of ratifications.
47. *Ochoa*, 230 U.S. at 147.
48. *Kepner v. U.S.*, 195 U.S. 100 (1904).
49. Ex parte *Jones*, 71 W.Va., 567 (Sup. Ct. Appeals, 1913); State ex rel. Mays, 71 W.Va. 519 (Sup. Ct. Appeals, 1912).
50. U.S. ex rel., *Seymour v. Fischer*, 280 F. 208, 209-12 (D.C. Neb., 1941).
51. *Duncan v. Kahanamoku*, 327 U.S. 304, 322, note 18 (1946).
52. *Flick v. Johnson*, 174 F.2d 983, 986 (D.C. Cir., 1949); Viscount Maughm, *U.N.O. and War Crimes* (London: John Murray, 1951), 87-101.
53. *Quirin*, 317 U.S. 1.
54. Ibid., 23-24, 42.
55. *Colepaugh v. Looney*, 235 F.2d 429 (10th Cir., 1956), citations omitted.
56. William H. Rehnquist, *All the Laws But One: Civil Liberties in Wartime* (New York: Knopf, 1998), 212.
57. Ex parte *Duncan*, 146 F.2d 576 (9th Cir., 1944), 579.
58. Ibid., 581-82.
59. Harry N. Scheiber and Jane L. Scheiber, "Bayonets in Paradise: A Half-Century Retrospect on Martial Law in Hawai'i, 1941-1946," 19 *Hawaii Law Review* (Fall 1997): 477, 509-18. Initially, the military commission that was set up to hear serious criminal offenses was composed of military and civilian members, but the civilians were eventually dropped.
60. *Duncan v. Kahanamoku*, 327 U.S. 304, 320-24 (1946).
61. Evan J. Wallach, "The Procedural and Evidentiary Rules of the Post-World War II War Crimes Trials: Did They Provide an Outline for International Legal Procedure?" 37 *Columbia Journal of Transnational Law* (1999): 851, 884 note 5; Matthew Lippman, "Prosecutions of Nazi War Criminals before Post-World War II Domestic Tribunals," 8 *Yearbook of International Law* (1999-2000): 14, 84, 85.
62. Colonel Frederick Bernays Wiener, "Comment: The Years of MacArthur, vol. III: MacArthur Unjustifiably Accused of Meting Out 'Victors' Justice' in War Crimes Cases," 113 *Military Law Review* (1986): 203, 204.
63. *Law Reports of Trials of War Criminals*, vol. IV, cas. 21 (London: H.M. Stationery Office, 1948), 1-78.
64. Geneva Convention Relative to the Treatment of Prisoners of War, arts. 82-88 (1949).
65. *Johnson v. Eisentrager*, 339 U.S. 763, 765-67, 777, 785, 789-90 (1950).
66. Colonel Ted B. Borek, "Legal Services During War," 120 *Military Law Review* 19 (Spring 1980): 29-30.
67. Ibid., 30.
68. Ibid., 31.
69. MAJ David A. Anderson, "Spying in Violation of Article 106, UCMJ: The Offense and the Constitutionality of its Mandatory Death Penalty," 127 *Military Law Review* (Winter 1990): 3.
70. *Trials of War Criminals*, vol. III (1948), Cas. 14, 56; Cas. 15, 60; Cas. 16, 62; vol. III, Cas. 17 and 18, 65.
71. *U.S. v. Tiede*, 86 F.R.D. 227, 228-38, U.S. Ct., Berlin, 1979. In 1952, U.S. occupation courts averaged 1,000 trials a month of German and U.S. defendants (*Madsen v. Kinsella*, 343 U.S. [1952], 341, 360 note 23).
72. *Trials of War Criminals*, vol. I, Cas. 2, 22 (1947); vol. XI, Cas. 63, 10 (1949).
73. *Mudd v. Caldera*, 134 F. Supp. 2d 138, 140-42 (D.C. D.C., 2001).
74. *Mudd v. Caldera*, 26 F. Supp. 2d 113, 117 (D.C. D.C., 1998).
75. Ibid., 117.
76. *Mudd*, 134 F. Supp. 2d at 146.
77. Ibid., 147.
78. Neil A. Lewis, "Suit to Clear Doctor Who Treated Booth is Dismissed," *New York Times*, 8 November 2002, 15.
79. *Coalition of Clergy et al. v. George Walker Bush et al.*, 189 F. Supp. 2d 1036, 1039, 1048-50 (C.D. Cal., 2002).
80. Neely Tucker, "Judge Denies Detainees in Cuba Access to U.S. Courts," *Washington Post*, 1 August 2002, A10.
81. Tucker, "Detainees Are Denied Access to U.S. Courts," *Washington Post*, 12 March 2003, A1 "Representatives for the detainees plan to appeal to the U.S. Supreme Court."
82. "Government doesn't care about Hicks: father," *The West Australian*, on-line at <www.thewest.com.au/20030312/news/latest/ tw-news-latest-home-sto91058.html>, 13 March 2003.
83. Enacted by Congress in 1950, the UCMJ is located at Title 10 USC, secs. 801-947 (2002).
84. Manual for Courts-Martial (MCM), 2002 ed., Part I, "Preamble."
85. Ibid.
86. The UCMJ contains several articles that address military commissions (10 USC, secs. 836, 837, 847, 848, 850 [2002].
87. 10 USC, sec. 818 (2002).
88. Ibid., sec. 821 (2002).
89. Ibid., sec. 904, 906 (2002).
90. MCM, "Preamble," par. 2(b)(2), I-1. In his 1912 appearance before the House Committee on Military Affairs, the judge advocate general stated that it "is highly desirable that this important court should be continued to be governed, as heretofore, by the laws of war rather than statute" (*Trials of War Criminals*, vol. IV, 68 note 2, citation omitted).
91. Military Order, sec. 1(f).
92. The presiding officer is tasked with ensuring the proper conduct of the proceedings, ruling on questions of evidence, and sitting as a voting member of the military commission (DOD MCO 1, pars. 4.A(4), (5), and 6.F.
93. DOD MCO 1, par. 4.A.(2), (3).
94. Ibid., par. 4.C.(2), (3), (4).
95. Ibid., par. 5.
96. Ibid., par. 6.A.(4).
97. Rules for Courts-Martial 705(b)(2)(E) and 1107(d)(1), MCM, 2002 ed.
98. DOD MCO 1, par. 6.D.(1).
99. Ibid., par. 6.F; 6.G.
100. Ibid., par. 6.H.(4); 10, USC, sec. 603, 27.
101. Ibid., par. 6.H.(5), (6).
102. President Franklin D. Roosevelt's proclamation that convened the military commission that tried the German saboteurs in the *Quirin* case likewise denied defendants access to the courts, but the U.S. Supreme Court noted that it was still for a court to decide whether the proclamation were applicable to a particular case (*Quirin*, 317 U.S. at 23, 25).
103. Harold Hongju Koh, "The Case Against Military Commissions," *The American Journal of International Law* (April 2002): 338.
104. Sean D. Murphy, "U.S. Department of Defense Rules on Military Commissions," *The American Journal of International Law* (July 2002): 733-34.
105. Madsen, 343 U.S. at 348, 354; MG Michael J. Nardotti, Jr., "Military Commissions," *The Army Lawyer* (March 2002): 1, 4.
106. The International Convention on Civil and Political Rights, art. 14, sets out the minimum due process requirements for trials (G.A. Res. 2200A (XXI), U.N. GAOR, Supp. No. 21, 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171).
107. Ruth Wedgwood, "Al Qaeda, terrorism, and military commissions," *The American Journal of International Law* (April 2002): 331-32.
108. "DOD Releases Draft Military Commission Instruction," *DefenseLINK*, on-line at <www.defenselink.mil/news/Feb2003/b02282003_bt092-03.html>, 28 February 2003.
109. Draft MCI, par. 3.A, on-line at <www.defenselink.mil/news/Feb2003/d20030228dmci.pdf.>
110. Draft MCI, par. 6.A.1.
111. Draft MCI, par. 6.A.8.
112. Draft MCI, par. 6.A.16.
113. Draft MCI, par. 6.A.18.
114. Draft MCI, par. 4.B. "With respect to the defense of lack of mental responsibility, the accused has the burden of proving by clear and convincing evidence, that, as a result of a severe mental disease or defect, the accused was unable to appreciate the nature and quality of the wrongfulness of the accused's acts."

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PUBLIC AFFAIRS GUIDANCE
Approved for use commencing 25 1500 AUG 04

Subject: Public Affairs Guidance for the Public Release of the Investigation of Intelligence Activities at Abu Ghraib

Background:

a. On 31 March 2004, at the request of the Combined Joint Task Force Seven (CJTF-7) commander, LTG Ricardo S. Sanchez, the Department of the Army appointed MG George Fay to investigate allegations that members of the 205th Military Intelligence Brigade (205 MI BDE) were involved in detainee abuse at the Abu Ghraib Detention Facility.

b. In mid June 2004, following LTG Sanchez' decision to recuse himself, the Acting Secretary of the Army designated General Paul Kern, commander of the U.S. Army Materiel Command, to be the new appointing authority for this investigation.

c. On 25 June 2004, GEN Kern appointed LTG Anthony R. Jones, Deputy Commanding General, US Army Training and Doctrine Command, as an additional investigating officer.

d. GEN Kern signed the investigation report on 6 August 2004, finalizing its content.

Posture: Public Affairs posture is ACTIVE following the public release of the investigation of intelligence activities at Abu Ghraib (a.k.a. Jones-Fay Report). Refer queries specific to the findings of the report, and requests to interview the report's investigators, to Army Material Command PAO. Refer general questions concerning detainee abuse to the Media Relations Division, Office of the Chief of Public Affairs, HQDA.

Policy: Refer to the report as the investigation of intelligence activities at Abu Ghraib. Do not use the term "Procedure 15" as a stand-alone term, unless you are using it to explain the context and method of conducting the investigation. Procedure 15 is a technical term that may cloud the public's understanding of this sensitive issue. (Covered under AR 381-10, US Army Intelligence Activities, it is one of several existing procedures used when an intelligence activity is suspected of being questionable. Procedure 15 is used to determine whether intelligence activities are legal and consistent with applicable policy.) For external communications, refer to the investigation's findings as the investigation of intelligence activities at Abu Ghraib. For internal communications, you may refer to the investigation by the more commonly known "Jones-Fay Report." Organizations and leaders will not comment beyond their knowledge or involvement in the investigation.

Statement: (QUOTE) The Army has concluded its investigation of intelligence activities at Abu Ghraib. Begun March 31 and concluded on August 6, it is a comprehensive review of the 205th MI Brigade, including contractor support, and higher chain of command through CJTF-7. The investigation determined that the primary causes of abuse at Abu Ghraib are misconduct by a small group of soldiers and civilian contractors who apparently failed to respect the dignity of those in their custody, a lack of discipline on the part of leaders and soldiers of the 205th MI

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Brigade, and a failure of leadership by multiple echelons within Combined Joint Task Force 7. Twenty-seven (27) 205th MI Brigade personnel allegedly requested, encouraged, condoned or solicited MP personnel to abuse detainees and / or participated in detainee abuse and / or violated established interrogation procedures and applicable laws and regulations during interrogation operations at Abu Ghraib. Leaders bear responsibility for lack of oversight, failure to react to warnings and indications, such as the International Committee of the Red Cross report, and policy memos that failed to provide clear, consistent guidance for intelligence gathering execution at the tactical level. The 205th MI Brigade and 800th MP Brigade leaders at Abu Ghraib failed to supervise or provide direct oversight, to properly discipline their soldiers, to learn from prior mistakes, and to provide continued mission-specific training. Additionally, some allegations pertaining to "ghost detainees" were substantiated. Interrogation practices of other governmental agencies were a contributing factor to a loss of accountability at Abu Ghraib.

The abuses occurred in a dangerous place where young men and women faced hazards that many people cannot comprehend. Abuses, even under these conditions, are not excusable. Those allegations that indicate criminal activity on the part of U. S. Army Soldiers have been referred to the U. S. Army Criminal Investigation Command and to their respective chains of command. Allegations of abuse by civilian contractors have been referred through the Department of Defense to the Department of Justice.

The Army remains committed to ensuring abuses like those committed at Abu Ghraib never happen again, and that all Soldiers live up to the Army Values and the Laws of Land Warfare, regardless of the environment or circumstance. The report can be found at http://www4.army.mil/ocpa/reports/ (END QUOTE)

Theme: The Army is committed to ensuring all Soldiers live up to the Army Values and the Laws of Land Warfare regardless of the environment or circumstance.

Key messages:

- The Army said it would go where the facts lead. This investigation is just one of several into various aspects of the overall issue of detainee abuse.
- The abuses occurred in a dangerous place where young men and women faced hazards many of us cannot comprehend. Abuses, even under these conditions, are not excusable.
- The American people can be justly proud of the conduct and accomplishments of American Soldiers fighting in the Global War on Terrorism. They should not allow the actions of a few to taint their respect for the honor, courage, commitment, sacrifice and selfless service of those living up to the Army Values.
- The primary causes of abuse at Abu Ghraib are misconduct by a small group of soldiers and civilians, a lack of discipline on the part of leaders and soldiers of the 205th MI Brigade, and a failure of leadership by multiple echelons within CJTF-7.

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- Twenty-seven (27) 205th MI Brigade personnel allegedly requested, encouraged, condoned or solicited MP personnel to abuse detainees and / or participated in detainee abuse and / or violated established interrogation procedures and applicable laws and regulations during interrogation operations at Abu Ghraib.

- Organizations or personnel higher in the chain of command of the 205th MI Brigade were not directly involved in abuse at Abu Ghraib. However, leaders bear responsibility for lack of oversight, failure to react to warnings and indications, such as the International Committee of the Red Cross report, and policy memos that failed to provide clear, consistent guidance for execution at the tactical level.

- The 205th MI Brigade and 800th MP Brigade leaders at Abu Ghraib failed to supervise or provide direct oversight. Leaders failed to properly discipline their soldiers, learn from prior mistakes, and provide continued mission-specific training. (note: the Jones/Fay report does not speak to the 800th MP Brigade. That is within the purview of MG Taguba's report.)

- Confusion about which interrogation techniques were authorized resulted from 1) a proliferation of guidance and information from other theaters of operation; 2) individual interrogator experiences in other theaters; and 3) failure to distinguish between interrogation operations in other theaters and Iraq.

Supplemental communications points:

- These abuses run counter to U. S. Army values. Our efforts to correct these abuses serve as an example of the institutional standards we maintain and our commitment to ensuring abuses like these do not happen again.

- Contributing factors can be traced to issues affecting command and control, doctrine, training, and the experience of the soldiers performing this vital mission.

- Most, not all, violent or sexual abuse occurred separately from scheduled interrogations and did not focus on persons held for intelligence purposes. No policy, directive or doctrine directly or indirectly caused the abuses.

- Over 170 interviews were conducted of interviewees with knowledge of interrogation and detention operations at Abu Ghraib and / or their knowledge of and involvement in detainee abuse.

- Working alongside non-DOD organizations / agencies in detention facilities proved complex and demanding. The perception that non-DOD agencies had different rules regarding interrogation and detention operations was evident. Interrogation and detention policies and limits of authority should apply equally to all agencies in the Iraqi Theater of Operations.

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- Our Soldiers were operating in a complex and dangerous environment. The incidents should not blind us to the noble conduct of the vast majority of our Soldiers.

Communications plan: Public release of the investigation of intelligence activities at Abu Ghraib.

a. Purpose: To inform and educate our internal and external audiences on the findings of this report; to demonstrate the Army's resolve to ensuring all Soldiers live up to the Army Values and the Laws of Land Warfare regardless of the environment or circumstance; and to communicate that those responsible for detainee abuse at Abu Ghraib will be brought to justice.

b. It is essential that commanders and spokespersons use this Public Affairs Guidance to engage the public on this critical issue of institutional credibility and individual accountability. This Public Affairs Guidance will enable the Army to speak with one voice.

c. The Army leadership is briefing Members of Congress. Refer questions concerning the Congressional briefings to the Media Relations Division, Office of the Chief of Public Affairs, HQDA.

d. Schedule of media events in support of the public rollout.

1. 25 AUG 04: A senior Army leader will conduct an embargoed background interview with Pentagon media (before the afternoon Pentagon press briefing) to explain the context of this investigation and how it fits in with other Army and DOD investigations. Information from this background briefing is embargoed until the start of on-the-record Pentagon press briefing at approximately 1330 (EDT). Also on 25 AUG, senior Army leaders will conduct an on-the-record media briefing at the Foreign Press Center in Washington, DC at approximately 1600 (EDT).
2. The redacted report will be made available to the public via the Army website at the start of the Pentagon press briefing (approx. 1330 EDT) at http://www4.army.mil/ocpa/reports/.
3. 26 AUG: Senior Army leaders will conduct editorial boards with the Washington Post, USA Today, NY Times and the Wall Street Journal.
4. A hearing before the Senate Armed Services Committee will be held o/a 9 SEP 04.

e. Command Information:

1. 25 AUG: An Army News Service (ARNEWS) story will be posted to the Web at 1500 (EDT). It will have a link to the redacted report and its EXSUM. A transcript of the Pentagon press briefing will also be posted to army.mil as soon as possible.

2. SRTV will carry the press briefing live on SoldiersRadio.com.

3. PAO's should make every effort to view the press briefing live on the Pentagon

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Channel, www.pentagonchannel.mil or to listen to it live on SoldiersRadio.com. http://www.army.mil/srtv/SoldiersRadio/SRL.html

4. PAO's will maximize the use of HQDA provided CI products (ARNEWS article, SoldiersRadio.com and SRTV products) in the installation CI publications -- to include web.

5. PAO's should save space in their installation newspapers for the ARNEWS article.

Points of Contact:

a. The POC for this Public Affairs Guidance is LTC [redacted], OCPA (SCD) at COMM. [redacted]; e-mail: [redacted]

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Topic K: Detainee Operations

Observation Synopsis:
Interrogators need as much detailed information as possible on the detainee capture tag in order to conduct an effective interrogation. The interrogators use the information to focus questions and develop actionable intelligence. Units are not completing the detainee capture tags on a consistent basis. The tags are readily available. Without complete information the interrogation process is more challenging and exploiting the detainees is much more difficult. Also, when detainees have documents or other equipment, units must mark and bag these items with the corresponding detainee in order to allow the interrogators to exploit any applicable information.

Key Lessons Learned:
• Leaders must ensure accuracy and completeness of capture tags for all detainees.
• Unit leaders should screen everything to ensure proper documentation of the events leading to capture as well as creating an inventory of all personal belongings for each detainee prior to transferring the detainee to the holding facility
• Units should conduct training for leaders and individuals to highlight the importance of preparing complete and accurate capture tags.
• Battalion S2s must integrate THT members into their cordon and search teams and follow up on recommendations for detainee disposition (such as further exploitation or release).

DOTMLPF Implications: None

Source: TASK FORCE DEVIL - 1ST BRIGADE COMBAT TEAM, 82ND AIRBORNE DIVISION > CALL > IIR > 20040101

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Channel, www.pentagonchannel.mil or to listen to it live on SoldiersRadio.com. http://www.army.mil/srtv/SoldiersRadio/SRL.html

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b. The HQDA POC for media inquiries is LTC Jerry Healy, OCPA (MRD) at COMM. (703) 614-2487, e-mail: gerard.healy@hqda.army.mil.

c. The POC for media queries on the report's findings is Ms. Jan Finegan, AMC PAO, at COMM (703) 806-8120, e-mail: janis.finegan@hqamc.army.mil.

427th Support Battalion Geneva and Hague Convention-Law of War Briefing

000196

Enabling Learning Objective A

Identify the key elements of the Hague and Geneva Conventions that pertain to small unit combat operations.

000197

Unlawful Targets

The attack of noncombatants and protected property is illegal.

- Noncombatants
- Protected Property

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Lawful Targets

- Combatants- a combatant is any one engaging in hostilities in an armed conflict on behalf of a party to the conflict.
- Military Objectives- A combatant, a dependent place, and those objects which by their nature, location, purpose or use, make an effective contribution to military action.
- Incidental Injury and Collateral Damage- Unavoidable and unplanned damage to civilian personnel and property incurred while attacking a military objective.

NONCOMBATANTS

- CIVILIANS
- WOUNDED AND SICK
- HORS DE COMBAT
- PRISONERS OF WAR
- PARACHUTISTS OF DISABLED AIRCRAFT
- MEDICAL PERSONNEL
- CHAPLAINS
- JOURNALISTS

Civilians

- Civilians are persons who are not members of the enemy's armed forces and who do not take part in the hostilities.

102000

Wounded and Sick

- Soldiers who have fallen by reason of sickness or wounds and who cease to fight are to be respected and protected.
- Shipwrecked members of the armed forces at sea are to be respected and protected.
- Shipwrecked includes downed passengers/crews on aircraft, ships in peril and castaways.

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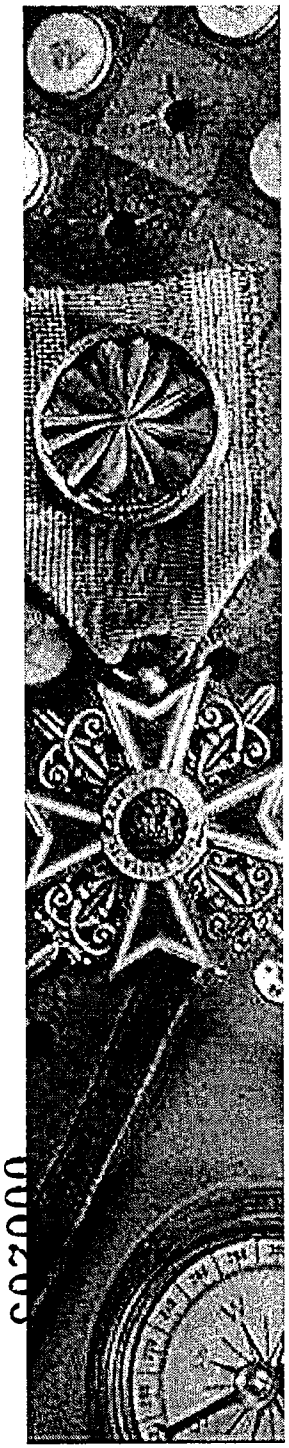

Hors de combat

- Soldiers that are Hors de Combat are enemy personnel who are "out of combat".

  Examples are:

1. Wounded and Sick
2. Prisoners of War
3. Parachutists- Parachutists of disabled aircraft.
4. Medical Personnel

Prisoners of War

- Captors must respect (not attack) and protect (care for) those who surrender.
- Surrender may be made by any means that communicates the intent to give up.

Parachutists Of Disabled Aircraft

- Parachutists who are crewmen of a disabled aircraft are presumed to be out of combat and may not be targeted unless it is apparent they are engaged on a hostile mission.
- Exception- paratroopers are presumed to be on a military mission and therefore may be targeted.

Medical Personnel

1. Medical personnel of the Armed Forces.

(a.)Doctors, nurses, surgeons, chemist, stretcher bearers, Medics, Corpsman, and orderlies who are exclusively engaged in the direct care of the wounded and sick.

(b.) Administrative staffs of medical units (drivers, generator operators and cooks).

(c.) Chaplains.

2. Auxiliary Medical Personnel of the Armed Forces.

– Those persons who have received "special training" and are carrying out their medical duties when they come in contact with the enemy.

3. Relief Society.

– personnel of the National Red Cross Society and other recognized relief Societies.

– Personnel of relief societies of neutral countries.

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Chaplains

002007

Journalists

- Protected as a noncombatants provided they take no action adversely affecting their status as civilians.

Lawful Use of Force: Principles

- Military Necessity: actions not forbidden by law and indispensable for the submission of the enemy.
- Humanity : minimization of incidental injury, collateral damage, and suffering.
- Proportionality : suffering must not be disproportionate to the direct and concrete military advantage gained.
- Discrimination: attacks must be directed against a specific, military target.

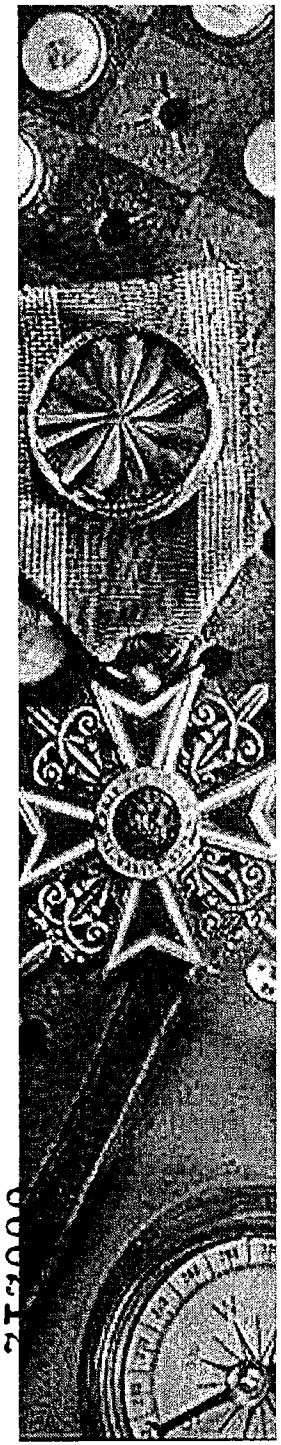
Protected Property

- Civilian Property
- Cultural Property
  - Churches
  - Universities, Colleges, Schools
  - Historical Monuments
  - Museums
  - Buildings dedicated to Charities (such as Orphanages)
- Cultural Property Emblems

000210

Protected Medical Transports and Facilities

- Ambulances
- Hospital Ships
- Medical Aircraft
- MEDIVAC Helicopters
- Hospitals
  - Buildings
  - Mobile (Tents)



Treachery and Perfidy

- Misuse of the Red Cross
- Misuse of a Flag of Truce
- Misuse of enemy uniforms, flags, nation emblems or insignia
- Misuse of cultural property
- Pretending to be a civilian
- Pretending to surrender
- Pretending to be wounded
- Pretending to be a United Nations Peacekeeper.

Misuse of Red Cross, Red Crescent and Cultural Property Symbols

- Use of these symbols is restricted to facilities or transport exclusively engaged in medical duties or recognized cultural property.
- Law of War provides that wounded and sick, hospitals, medical vehicles, and in some cases, medical aircraft be respected and protected.

000213

Feigning Surrender

- Feigning surrender or intent to negotiate under a flag of truce.
- A white flag is an indication of a desire to negotiate only and its holder has the burden to come forward.
- Remember the Falklands War scenario.

Use of Enemy Property

- Combatants may wear enemy uniforms (for example, to infiltrate) but cannot fight in them.
- Military personnel not wearing their uniform lose their PW status if captured and risk being treated as spies.

Cultural Property

- Misuse of cultural property will subject the property to attack.

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Feigning Civilian Noncombatant Status.

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Feigning incapacitation by wounds/ sickness.

Feigning protected status by using UN, neutral, or nations not party to the conflict's signs, emblems, or uniforms.

Acts that cause Unnecessary Suffering

- It is especially forbidden to employ arms, projectiles or material calculated to cause unnecessary suffering.
- Use of Expanding Bullets
  - Hollow Points
- Use of Non-detectable Fragments
  - Glass or Plastic Munitions
- Use of Poison (Chemical)
  - Nerve Agents, Blister Agents, Blood Agents
- Altering Weapons
  - Ammunition

022000

Weapons may be illegal

- Per se
- By improper use
- By agreement or prohibited by specific treaties
- Hollow point ammunition
- Fragmentation
- Chemical Weapons
- Altering Lawful Weapons

122000

Requirements to protect prisoners of War and detainees.

- Search the POW
- Silence the POW
- Segregate the POW
- Safeguard the POW
- Speed to the rear.

Examples of Measures Designed to Protect Civilian Property from the Consequences of Combat.

- It is always unlawful to intentionally target civilians or civilian property.
- Combatants should take all reasonable steps to shield civilians and their property from the unintended consequences of combat (Collateral Damage)
- Civilian Property may only be taken for a legitimate military need.
- Make minimization of collateral damage a key factor in the targeting process.
- Do not treat several military targets located in a general civilian area as one large target.

Examples of Measures Designed to Protect Civilian Property from the Consequences of Combat.

- Use real or artificial observation assets for indirect fire missions.
- Civilian Property may only be taken for a legitimate military need.
- Treat all non-uniformed personnel not attempting to cause direct injury to your force as civilians.
- Civilians and civilian property must never be intentionally targeted.
- Take all reasonable steps to shield civilians from unintentional harm.
- Never take civilian property without both a military need and appropriation procedures.

POWs have the right to:

- Receive food, shelter and clothing adequate to stay in good health
- Receive medical care
- Send and receive mail
- Keep personal property except weapons, military equipment and certain documents
- Retain their military identification card

S22000

POWs have the right to :

- To be provided copy of the Geneva Conventions in their native language.
- To complain to the camp commander about camp conditions.
- Practice their religion.
- Due process in trials for any offenses committed while in captivity.

022000

Duties towards Prisoners of War

- Afford POW protections until directed otherwise by the appropriate commander.
- Treat with Respect and Honor.
  - respect their sex (separate men from women).
  - Respect their religion.
- Evacuate POWs in a humane manner
- Provide adequate food, clothing , and shelter.
- Provide medical care as necessary.

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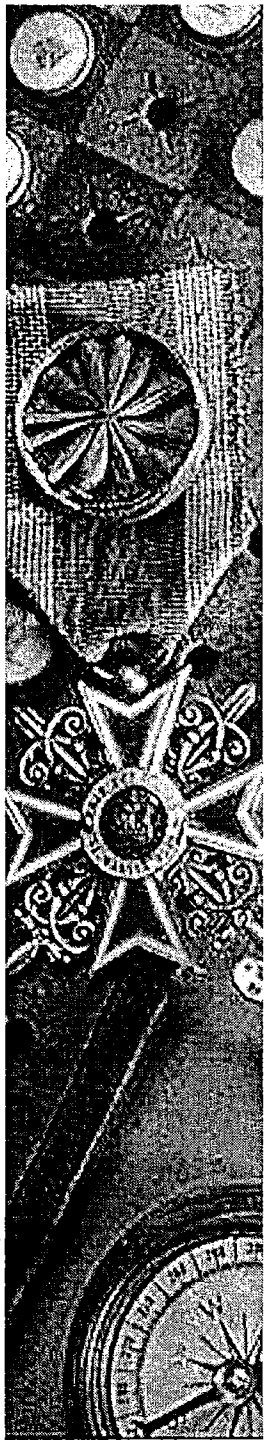

Requirements to Report Law of War Violations

- DOD DIRECTIVE 5100.77
  - DOD Law of War Program
- CJCSI 5810-01
  - Implementation of DOD LOW Program
- FM 27-10, para. 507
  - Department Of the Army Law of Land Warfare

822000

Enabling Learning Objective B

Identify action to prevent violation of the Law of War.

622000

Protect Noncombatants and Civilians from the Consequences of Combat

- Do not directly attack.
- Warn prior to bombardment.
- Evacuate from Combat Zone.
- Separate from Military Objectives.

PROTECT PROPERTY

- Use protective emblems for cultural or medical properties.
- DO NOT loot or pillage.
- Separate protected property or non-military property form military objectives.
- Employ observed fire.

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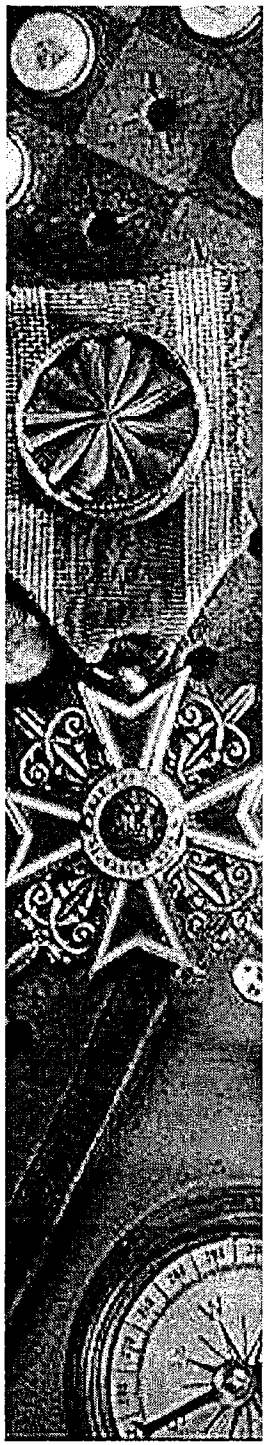


Examples of protecting POWs

- Removing them from the battlefield as soon as practicable.
- Segregate men and women POWs
- Shield them from public curiosity and abuse.
- Provide medical treatment based upon medical needs only; no adverse distinction because they are POWs

0002332

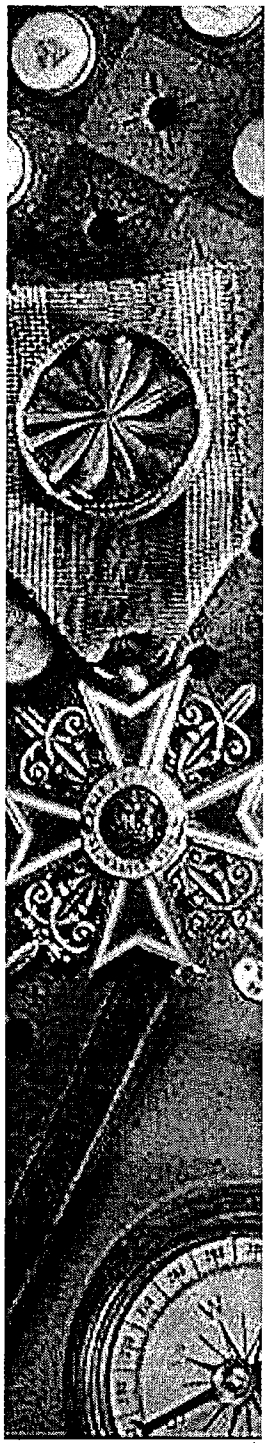
Protect Medical Facilities and Transports

- Respect the Red Cross/ Red Crescent Emblems
- Allow medical personnel to guard and protect wounded with individual weapons
- Separate from military objectives
- Refrain from using for "Acts Harmful to the Enemy"

000233

Prevent Engagement of Unlawful Targets

- Know and respect symbols for protected persons and property.
- Do not attack noncombatants or protected property.
- Do not fire indiscriminately.
  - Use observed fires.
- Follow the Rules of Engagement.



Actions to Prevent Excessive Use of Force

- Target specific, military objectives.
- Take reasonable steps to minimize collateral damage.

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Prevent Unauthorized use of Medical Services Symbols, Flag of Truce.

- Use symbols of protected status for their intended purposes only.
- Respect the proper use of a flag of truce.
- DO NOT *fight* in enemy uniforms.

0002236

Prevent Unnecessary Destruction and Seizure of Property

- Ensure soldiers understand that civilian property may not be seized or destroyed without imperative military necessity.
- Ensure receipts are provided by an officer for any seized property.
- Ensure any requisitions of property are authorized by the local commander.

000237

Prevent Unnecessary Suffering and Harm

- Minimize incidental injury to civilians.
- *DO NOT* use weapons indiscriminately.
- Employ observed fire.
- *DO NOT* use unlawful weapons.

POWs must:

- Inform their captors of their name, rank, service number, and date of birth.
- Obey all lawful rules established by their captor.
- Perform labor consistent with one's rank, that does not support the war effort and is not humiliating, dangerous, or unhealthy.

How do I report a War Crime ?

- As soon as possible, report, in writing or orally, the event you believe to be a war crime violation to your Commander, the Chaplain, IG, JA or next immediate Commander depending on who may be involved.
- Look to specific regulations put out by your Command Headquarters.

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Questions

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CURRENT PRISON INVESTIGATIONS

At least seven investigations have been launched into allegations of abuse by U.S. personnel at military prisons. See below for details:

1. Guantanamo Naval Base
Defense Secretary Donald Rumsfeld asks Navy inspector general in May to investigate the prisons at Guantanamo Bay in Cuba and at the Charleston, S.C., Naval Station Brig, where war-on-terror detainees are being held.
Follow-up: Ongoing

2. Bagram, Afghanistan
Investigation into the deaths of two inmates in December 2002, at Bagram Air Base in Afghanistan after complaints by human rights groups. Military coroners rule the deaths homicide.
Follow-up: Ongoing, although the military says that procedures have been modified at the Afghan facility.

3. Abu Ghraib, Iraq: Criminal investigation
Criminal investigation into the treatment of Iraqi inmates at Abu Ghraib prison near Baghdad after complaints made by a soldier in January 2004.
Follow-up: Six Army soldiers from the 800th Military Police Brigade charged in March with various offenses including dereliction of duty, cruelty and maltreatment, assault and indecent acts.

4. Abu Ghraib, Iraq: Taguba report
Gen. Ricardo Sanchez orders an investigation in January into abuses at Abu Ghraib to be conducted by Maj. Gen. Antonio M. Taguba.
Follow-up: In a lengthy report, Taguba concludes in March that "several U.S. Army soldiers have committed egregious acts and grave breaches of international law." Six noncommissioned and commissioned officers receive letters of reprimand.

5. Abu Ghraib, Iraq: Military intelligence
Army Maj. Gen. George Fay, the service's deputy chief of staff for intelligence, launches an investigation in May into the possible involvement of military intelligence personnel in the abuse at Abu Ghraib prison.
Follow-up: Ongoing

6. Army reserve: Training
Lt. Gen. James R. Helmly, chief of the Army Reserve, orders an investigation in May into the state of training of Army Reserve units. The 800th is an Army Reserve unit based at Fort Totten, N.Y.
Follow-up: Ongoing

7. Worldwide
Army's inspector general office in February launches an investigation of "detention

operations around the world" to ensure humane, normal policies are followed.
Follow-up: Ongoing

INTELLIGENCE, SURVEILLANCE and RECONNAISSANCE

300 – S2 OPERATIONS GUIDES

1. This card discusses how the BCT S2 section conducts operations.

2. General. The Intelligence section, to include the ACT, operates as part of the main command post (TOC). Their function is to analyze the enemy's actions and provide recommendations to the brigade commander regarding enemy actions. It is the responsibility of each member of the section to take the initiative to ensure they continuously track friendly and enemy actions and start, complete, and update, as appropriate, the IPB products. Everyone must also track current operations so they are able to update the S2, the commander, or other staff officers at any time. Interaction with other staff sections, to ensure synchronization of the brigade's plan and adjustment to the situation is essential.
   a. The mission of the ACT is to provide timely and predictive intelligence to support the BCT commander. The S2 plans, directs and synchronizes intelligence collection operations in support of the commander's Priority Intelligence Requirements (PIR) and targeting efforts, produces fused intelligence products to subordinate units, and disseminates combat information, intelligence and targeting data to subordinate units.
   b. Intelligence Team Responsibilities:
      1) Develop the BCT deep picture in support of the Brigade Plans Team
      2) Maintain the BCT intelligence database
      3) Focus on and answer the BCT PIR's
      4) Maintain a continuous shared picture of the enemy current situation
      5) Assist the S2 in discovering gaps in the collection effort
      6) Post the division INTSUM and INTREPS
      7) Maintain Battle Rhythm on intelligence products
      8) Ensure that the enemy picture is disseminated to adjacent and subordinate elements
      9) Support the planners for contingency planning (12, 24, 48 HR assessments)

3. Shifts. During tactical operations, the section primarily works in two shifts. The day shift consists of one OIC (ACT), NCOIC (S2), and four analysts (2 from the ACT), track driver. The night shift consists of one OIC (S2), NCOIC (ACT), and four analysts (2 from the ACT). The shifts will mirror the TOC shift changes. However, during battles, all soldiers will be up and taking part in the fight. The in-contact battle rhythm allows 6 hours of sleep per 24-hour cycle. The NCOIC determines guard duty requirements in coordination with the HHC 1SG and XO. Each shift will be present 10 minutes prior to the Battle Update Brief. The shift OIC and NCOIC conduct a quick section update brief after the BUB. The focus for both shifts is tracking current R&S operations and the enemy situation. During tactical operations, shifts are often adjusted as the command post changes location.
   a. Battle Stations. Two hours prior to any battle, the section goes to battle stations. In this situation, all personnel are alert and aware of the friendly and the complete enemy situation to include weather. This includes updating all ASAS RWS systems.
   b. On shift personnel wake new shift personnel one hour prior to shift change. The new shift reports to the TOC NLT 15 minutes prior to shift change. The Day / Night shifts are based on the morning and evening BUB cycle.
   c. Morning shift personnel perform vehicle PMCS and turn the results into S3 NCOIC/HHC 1SG.

000244

Encl 1

d. The shift NCOIC will conduct a sensitive items inventory on all personnel and turn in results to S3 NCOIC at 0700 and 1900 daily.
e. Each OIC/NCOIC/ATCCS Operator briefs change of shift to the incoming personnel individually whenever possible in order to minimize the disruption to Intel Cell operations.
f. Battle Update Briefs. The senior person on shift conducts the Battle update brief (BUB). These briefings occur at 0500 and 1700 daily and two other times at mid-shift directed by the XO or Battle Captain. This briefing is conducted in front of the TOC SITMAP and CIC.

300.1 – S2 OPERATIONS GUIDES (cont.)

S2 Shift Change Brief

1. H-Hour
2. Blue Situation
3. BUB Notes
4. Expected Enemy Activities Next 12 Hours
5. Last update of current sit overlay status
6. FM Update of Enemy Current Situation
7. Resource/ Asset Synch Matrix
8. Current BDA
9. Review System status slides. –ASAS, FBCB2, RADIOS, DNVT, TRACK, TRUCK
10. Review Division 24hr Assessment
11. Enemy Critical Events
12. Status of Intel Systems (ATTCS/Collection) (Resource Status Report)
13. Targeting updates OIC.
    a. Next mission.
    b. Product available.
14. Overlay Management

4. Routine Actions. Friendly and enemy activity is monitored continuously and under all configurations by the S2 section in the TOC. Employ the following procedures to track these actions, record and disseminate information as received and analyzed, and to update the commander and staff whenever required.
   a. Weather. Obtain weather reports from the SWO every four hours. Ensure you get barometric pressure, temperature, and humidity data. Post the information on the weather forecast board and disseminate to all subordinate elements. Conduct a net call for severe or unusual weather. reports.
   b. Reconnaissance, Surveillance and Security (RS&S).
   c. Assist the S3 Chief of Recon with posting H/10 CAV OP locations.
   d. Track on the current sit ASAS RWS.
   e. Evaluate reports of enemy action for reliability before posting and distribution. The current sit RWS is used to track the enemy's actions.

R & S Update Briefing/Checklist

1. Review Enemy Task Org for Reconnaissance
2. BDA…What's left?
3. Where did they go? Where did we kill them? (Work from N to S or E to W)
4. Where were they successful?
5. Where are proposed enemy infiltration routes and OPs? (based on terrain and where you think they were successful)
6. Updated R&S plan, including proposed enemy OPs?

300.2 – S2 OPERATIONS GUIDES (cont.)

f. Battle Update Briefs. The senior person on shift conducts the Battle update brief (BUB). These briefings occur at 0500 and 1700 daily and two other times at mid-shift directed by the XO or Battle Captain. This briefing is conducted in front of the TOC SITMAP and CIC.

Battle Update Brief (BUB)

1. Weather
   - Current
   - Effects
2. Enemy Situation
   Composition, Disposition in the BCT AI
   - BN & CO size maneuver units
   - Arty & Mortars
   - Recon Elements
   - AT units
3. Enemy Activity
   - Last 12-24 Hrs
   - Projected next 12-24 hrs
   - Assessment:
   - What's enemy doing / want to do?
   - How close is enemy to S2 prediction?
4. Review Intel CCIR
   - Answered PIR/IR (most important only)
   - Outstanding PIR & Why Important

5. Intelligence summaries (INTSUMs) are published at 0600 and 1800 hrs each day or more often as appropriate. They summarize enemy activity within the brigade's area of operation and predict the enemy's future actions. They are sent out by one of three means:
   a. "Soft" copy sent out over the RWS e-mail.
   b. Hard copy given to the unit LNOs as required.
   c. Broadcast it over the brigade O&I net.

   Two types of INTSUMS are routinely used, depending on time available. They are described below, in the order of most preferred to least preferred.

- Graphic INTSUM. Predictive Sit analyst shares the approved predictive sit MCO and does a "print screen" of the picture. The hard copy is distributed in the TOC and a copy is put in the battalion LNO box.
- Written INTSUM. This format is sometimes more appropriate than the graphic INTSUM. The written INTSUM may be used in conjunction with a graphic INTSUM. Distribute the text INTSUM via Free Text messaging on the ASAS to all ASAS and MCS systems in the BCT.

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6. FM Intel Update. It is used to update the commander during the battle. Make the information complete, but brief as possible, when delivering a FM INTSUM. Write it out prior to sending over FM.

300.3 – S2 OPERATIONS GUIDES (cont.)

1) Commander's Intelligence Update
Given by the S2 to the commander over the brigade command net to inform him of a critical enemy situation.
   a) Current BDA.
   "We've destroyed 2 x BMPs. Remaining combat power for the Assault Force is 8/23.
   b) The event.
   "We have located and are tracking 3 T80s and 9 BMPs at grid XX moving east at 20 kph"
   c) What it means.
   "This is the Fixing Force. It should reach PL BOB in 15 minutes."
   d) Provide a recommendation.
   "Watch for the Fighting Patrols 5 km to its front vic grid YY, and for the Assault Force 10 km behind it, vic grid ZZ."
   e) The update can also be used to remind the commander of expected enemy action that was previously briefed. For instance...
   "Now that the lead unit is through the pass, watch for the enemy to drop FASCAM or Persistent Chemical in the pass to split our forces."
   f) Because these are on the command net, it is critical that they are accurate, quick, and useful. Write it out before you get on the net. Otherwise, the S2 will get stepped on.

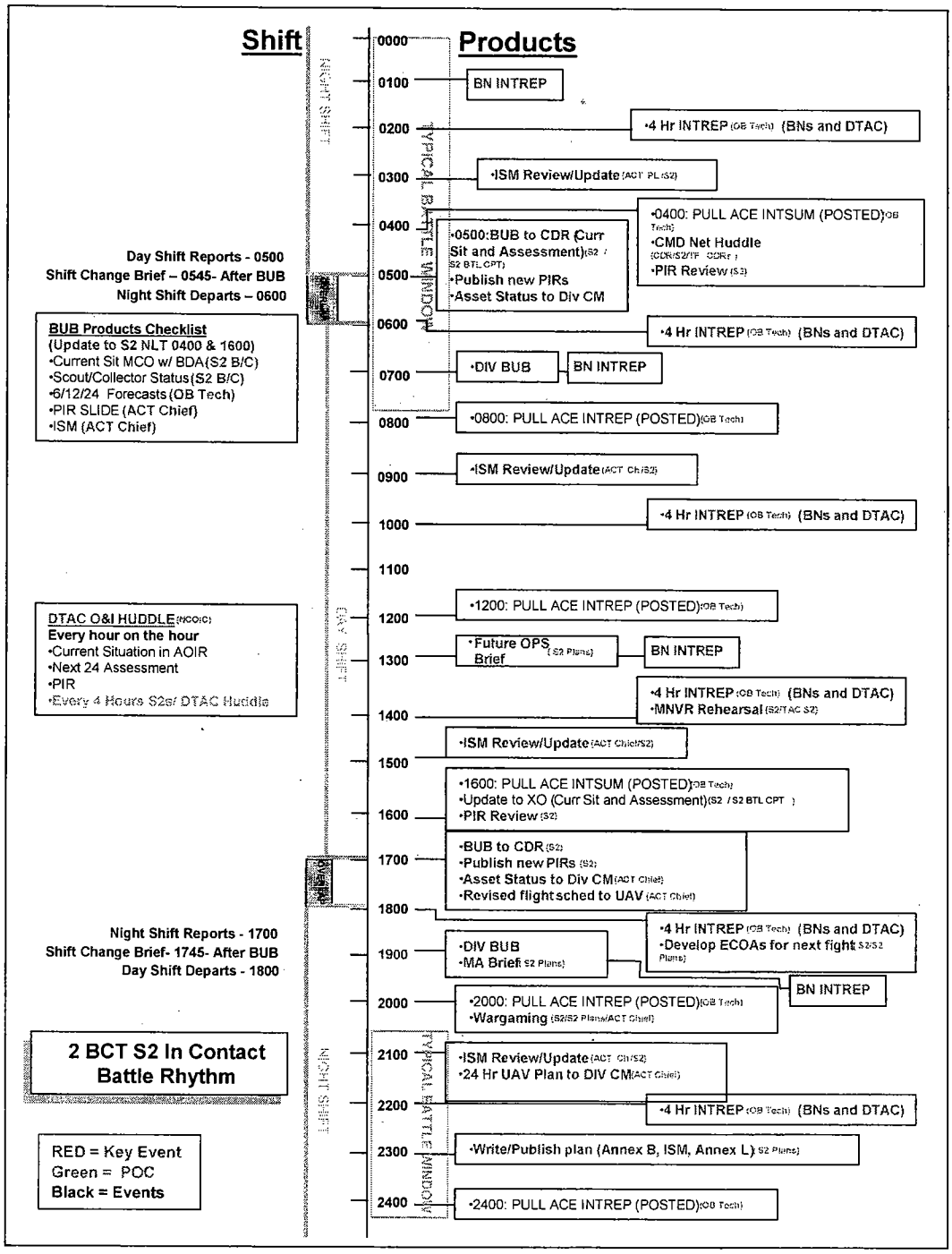
7. Sensitive Items Reports. Sensitive items reports are due from all assigned and attached elements at 0700 and 1900 hrs. each day. The Intel NCOIC will physically get eyes on every item and check the serial number.

8. LNO Box. The section will place all products in an "outbox" type container and clearly mark them for each unit.

300.4 – S2 OPERATIONS GUIDES (cont.)

BATTLE RHYTHM

1. DAILY IN CONTACT/ CONTACT ONGOING OR EXPECTED



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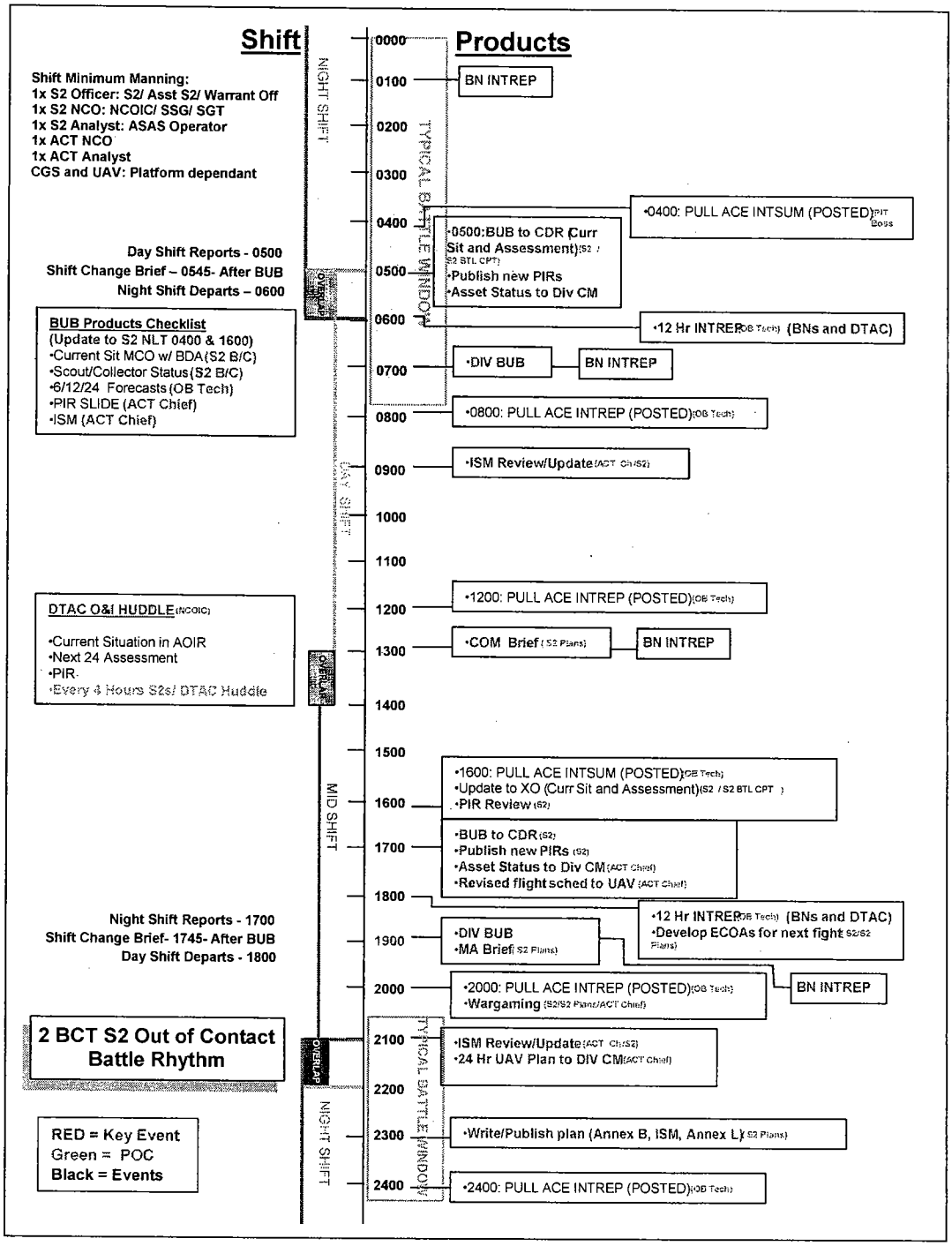
300.5 – S2 OPERATIONS GUIDES (cont.)

BATTLE RHYTHM

2. DAILY NOT IN CONTACT/CONTACT NOT EXPECTED/SOSO



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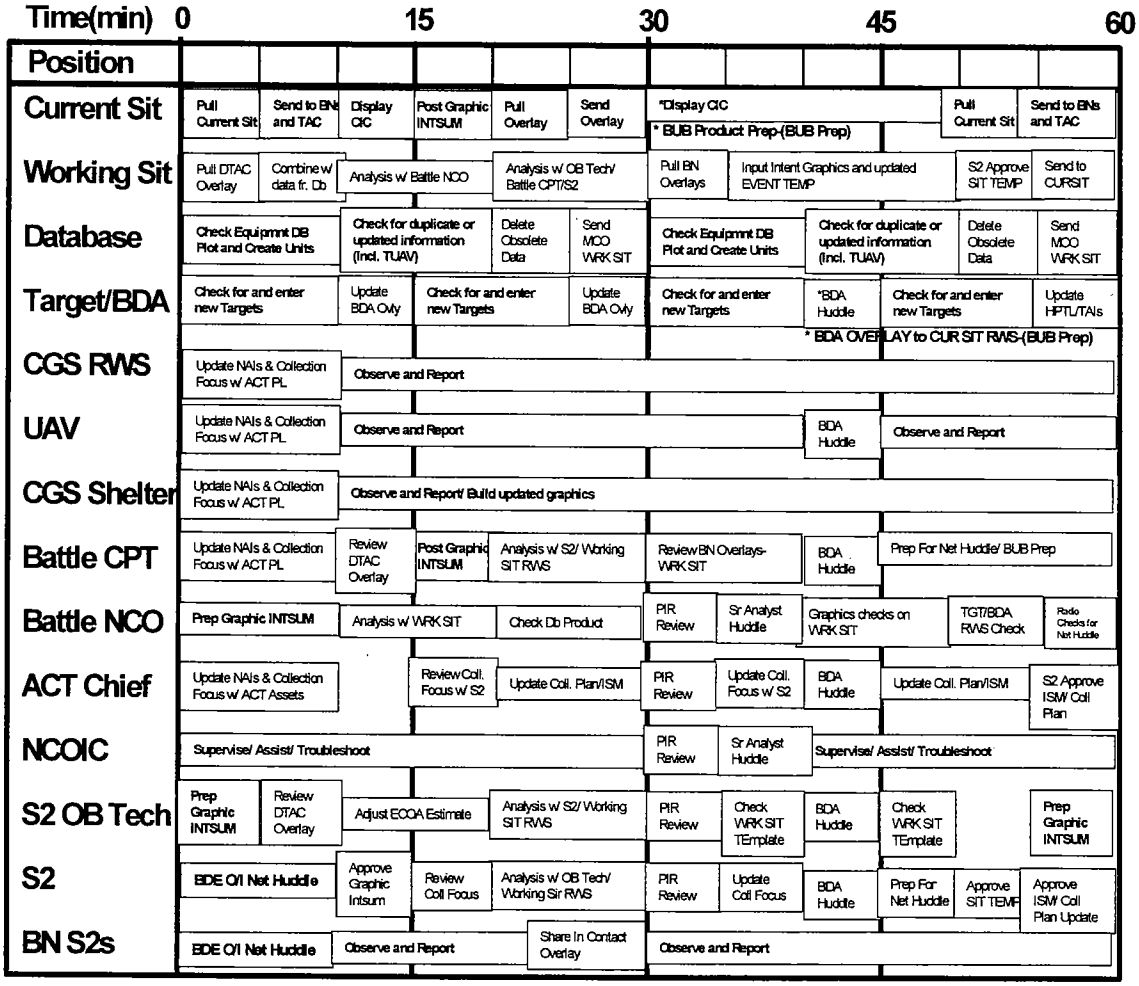
300.6 – S2 OPERATIONS GUIDES (cont.)



3. HOURLY IN CONTACT BATTLE RHYTHM

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300.7 – S2 OPERATIONS GUIDES (cont.)

4. TWO HOUR BATTLE RHYTHM

Time(hrs)	0		½		1		1 ½		2
Position									
Current Sit	Pull Current Sit	Send to BNs and TAC	Display CIC	Post Graphic INTSUM	Pull Overlay	Send Overlay	*Display CIC * BUB Product Prep-(BUB Prep)	Pull Current Sit	Send to BNs and TAC
Working Sit	Pull DTAC Overlay	Combine w/ data fr. Db	Analysis w/ Battle NCO	Analysis w/ OB Tech/ Battle CPT/S2	Pull BN Overlays	Input Intent Graphics and updated EVENT TEMP	S2 Approve SIT TEMP	Send to CURSIT	
Database	Check Equipmnt DB Plot and Create Units	Check for duplicate or updated information (Incl. TUAV)	Delete Obsolete Data	Send MCO WRK SIT	Check Equipmnt DB Plot and Create Units	Check for duplicate or updated information (Incl. TUAV)	Delete Obsolete Data	Send MCO WRK SIT	
Target/BDA	Check for and enter new Targets	Update BDA Ovly	Check for and enter new Targets	Update BDA Ovly	Check for and enter new Targets	*BDA Huddle	Check for and enter new Targets	Update HPTL/TAIs	
CGS RWS	Update NAIs & Collection Focus w/ ACT PL	Observe and Report					* BDA OVERLAY to CUR SIT RWS-(BUB Prep)		
UAV	Update NAIs & Collection Focus w/ ACT PL	Observe and Report				BDA Huddle	Observe and Report		
CGS Shelter	Update NAIs & Collection Focus w/ ACT PL	Observe and Report/ Build updated graphics							
Battle CPT	Update NAIs & Collection Focus w/ ACT PL	Review DTAC Overlay	Post Graphic INTSUM	Analysis w/ S2/ Working SIT RWS	Review BN Overlays- WRK SIT	BDA Huddle	Prep For Net Huddle/ BUB Prep		
Battle NCO	Prep Graphic INTSUM	Analysis w/ WRK SIT	Check Db Product		PIR Review	Sr Analyst Huddle	Graphics checks on WRK SIT	TGT/BDA RWS Check	Radio Checks for Net Huddle
ACT Chief	Update NAIs & Collection Focus w/ ACT Assets		Review Coll. Focus w/ S2	Update Coll. Plan/ISM	PIR Review	Update Coll. Focus w/ S2	BDA Huddle	Update Coll. Plan/ISM	S2 Approve ISM/ Coll Plan
NCOIC	Supervise/ Assist/ Troubleshoot				PIR Review	Sr Analyst Huddle	Supervise/ Assist/ Troubleshoot		
S2 OB Tech	Prep Graphic INTSUM	Review DTAC Overlay	Adjust ECOA Estimate	Analysis w/ S2/ Working SIT RWS	PIR Review	Check WRK SIT TEmplate	BDA Huddle	Check WRK SIT TEmplate	Prep Graphic INTSUM
S2	BDE O/I Net Huddle	Approve Graphic Intsum	Review Coll Focus	Analysis w/ OB Tech/ Working Sir RWS	PIR Review	Update Coll Focus	BDA Huddle	Prep For Net Huddle	Approve SIT TEMP	Approve ISM/ Coll Plan Update
BN S2s	BDE O/I Net Huddle	Observe and Report		Share In Contact Overlay	Observe and Report				

000256

301 – INFORMATION MANAGEMENT

1. Brigade TOC. During field operations, S2 disseminates/distributes intelligence information. Analysts perform critical functions and process information without having to seek supervision or further guidance based on following the established battle rhythm and focusing on the Intelligence requirements that are approaching LTIOV. To achieve this all analysts must understand the Commander's intent, Mission and current situation. Additionally, they must constantly review the enemy situation in comparison to the event template and current SITEMP and update the Battle Captain with intelligence that meets outstanding requirements.
   a. S2 Working Sit RWS. This is the HUB of the digital analysis of the enemy situation and is situated closest to the S2 Track Door to facilitate face-to-face cross talk. Working Sit RWS pulls the enemy database (MCO) from the ACE / DTAC and plots current enemy disposition in the Division Area of Intelligence Responsibility (AOIR) to the BDE SITEMP. The Working Sit RWS pulls the subordinate unit in-contact overlays and adjusts the SITEMP based on the latest overlay from the ACT Database (Db) RWS and the in-contact overlays. The Working Sit RWS adds doctrinal intent graphics and symbols to the overlay to portray the threat Common Operating Picture as derived by the senior analyst and BDE S2 Battle Captain. It is saved as an overlay and sent by EDC to the Current Sit RWS.
   b. S2 Current Sit RWS. This RWS shares the Brigade's threat visualization to commanders and staffs at all levels. S2 working sit EDCs to the Current Enemy Situation RWS. The Current Sit RWS provides the ASCDB to the JCDB. SR is turned on only on this RWS. JCDB criteria is set to Auto-forward ALL. The Current Sit RWS is displayed on the Command Information Center (CIC) Large Screen Display. The overlay is also shared as an ASAS MCO to allow Higher and Adjacent units to pull the BDE CRP as their battle rhythm or situation dictates. A Graphic INTSUM will be posted IAW with the Battle Rhythm depicting the SITEMP/EVENTEMP for the next 12 hours.
   c. ACT Database RWS. This RWS receives all the reports to the BCT and ensures an accurate database and picture of the enemy within the BCT AOIR. The ACT Database (Db) RWS receives SPOT/SALUTE reports and TACREPs from within the BCT and TACREPs meeting BCT requirements from Division and higher elements. The Db RWS correlates and resolves duplicate reports and forwards an ASAS overlay to the S2 Working Sit hourly IAW the battle rhythm. This provides the basis for analysis of the enemy situation within the BCT Area of Intelligence Responsibility (AOIR) and Area of Interest.
   d. ACT Targeting/ BDA RWS. The ACT Targeting/BDA RWS receives spot reports from BCT Targeting Intelligence Platforms (like UAV). Targeting/BDA RWS forwards TIDATs to the FSE AFATADS when targets meet Digital Target Selection Standards and the criteria established by the current Attack Guidance Matrix. Targeting/BDA RWS auto forwards all contacts to the Db RWS for incorporation into the BCT Threat CRP. Both of these reports are primarily sent using digital Geographic area alerts and alarms. Target Area Alerts are used for TIDATS and SA Alerts for forwarding to the Db RWS. The Targeting/BDA RWS also maintains an overlay depicting the last known location and records the equipment and personnel destroyed at each location as reported or

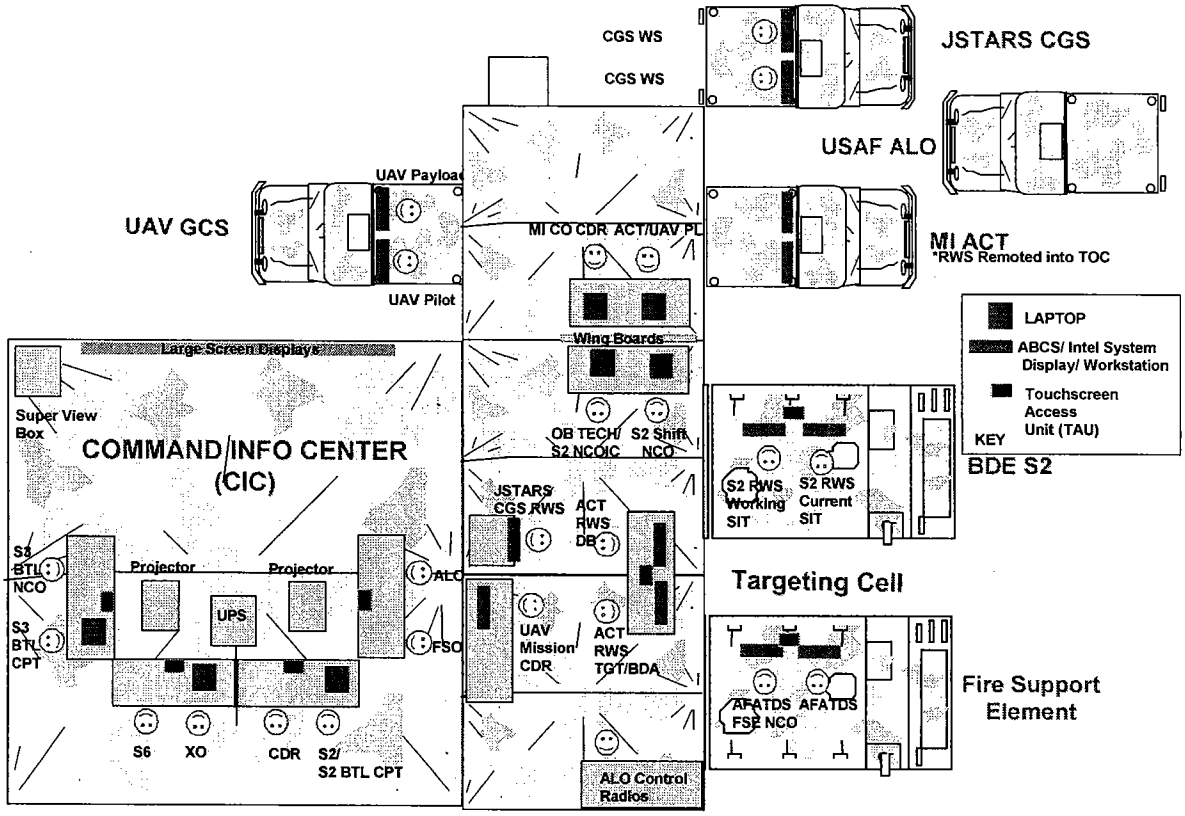
available. A spreadsheet is also maintained within the ACT to track attrition of each threat organization by composition (equipment and personnel).

e. The UAV Ground Control Station and JSTARS Common Ground Station from the DS MI company are integrated into the BCT TOC to provide real-time observation IAW the capabilities of each system.

000258

301.1 – INFORMATION MANAGEMENT (cont.)

f. The BCT TOC integrates the S2 and MI ACT into the BCT Targeting cell. The design provides a workspace that allows the analysts and operators to easily pass information back and forth while maintaining complete situation awareness. The following Diagram describes the physical layout of the BCT Intel, Targeting and CIC portion of the BCT TOC:



2. Requests for information (RFI) are submitted whenever the commander's intelligence needs are not being met through routine dissemination of Current Sit Overlays, INTREPS, or INTSUMS. They can be general or specific.
   a. S2 OPs receives intelligence requests from, subordinate, adjacent, and higher commands.
   b. S2 OPs logs RFI, then attempts to answer immediately if possible.
   c. If an immediate answer is not available, OB Tech submits the RFI to Collection Management at the DMAIN.
   d. S2 OPs disseminates answers to requesting units as appropriate.

000259

301.2 – INFORMATION MANAGEMENT (cont.)

3. The Following Chart Describes the responsibilities for functions within the BDE Intel Team at the TOC and supporting MI Companies:

	BCT Intel SPT Element (BISE) OPERATIONS												
	S2				S2/ACT					DCO			
FUNCTIONAL AREAS / TASKS (* = DRIVES THE TRAIN)	S2 OPS	S2 PLANS	S2 SEC	S2 OB TECH	SYSTEMS	SIT DEV	TGT DEV	ICM	DBM	HUMINT	SIGINT	IMINT	AM
IPB / ESTIMATE		X*		X	X	X	X						
WAR GAMING	X *	X		X									
TARGET DEV					X		X*		X	X	X	X	
SITUATION CURRENT	X			X		X*			X				
I & W	X			X		X*		X	X				
BDA	X				X	X	X*	X	X				
FORCE PROTECTION COUNTERINTEL	X *		X		X	X				X			
COLLECTION MANAGEMENT	X	X				X	X	X*	X	X	X	X	X
INTEL SPT TO FRAT -RICIDE REDUCTION				X	X*		X	X					
PRODUCTION	X			X	X*	X							
ORDER OF BATTLE THREAT EVALUATION				X		X*			X	X	X	X	
DISSEMINATION	X*			X	X			X	X				
INTEL SPT TO DECEPTION	X*			X	X		X	X					
STAFF AND INTEL OPERATIONS	X*				X								X
TECH CONTROL					X						X*		X*

a. Distributed Intelligence Operations. The BDE Commander must clearly understand the threat actions that are occurring (Combat Information) and will occur in the future (Intelligence) within his Area of Interest. To achieve the best possible understanding of that threat, the BDE S2 relies on the units in contact to keep the Threat Common Relevant Picture (CRP) current and accurate. This requires the maximum use of our Intelligence systems and constant communication between Brigade S2 and subordinate unit S2s as well as flank or adjacent units. The primary mechanisms for this communication from lower to higher are the BN/TF In Contact Overlay (MCO), spot reports, S2 BCT O/I net huddles, and INTREPS. The primary mechanisms for this communication from higher to lower are the BCT Current Sit Overlay, S2 BDE O/I net huddles, BDE INTSUMs, and TACREPs.

b. BN/TF in contact overlay. Each of these overlays is updated hourly when units are in direct or indirect contact. Updates are conducted every 4 hours or as changes occur when not in direct/indirect contact (i.e. recon/counter recon fight or SASO).

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c. Maneuver BNs produce standard ASAS SITEMPs of threat contact with doctrinal graphics depicting the enemy intent within the BN/TF AOIR. These are updated and shared for the BDE TOC to pull IAW the battle rhythm.

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301.3 – INFORMATION MANAGEMENT (cont.)

d. The Combat Engineer BN S2 produces the BDE consolidated obstacle contact overlay (friendly and enemy) in MCS (or ASAS light if equipped) and pushes it to the BN S2s and the BDE S2 Working SIT ASAS. (As an MCS CTP Plan or an ASAS light overlay).
e. The DS Artillery BN S2 produces the BDE Indirect Fire in contact overlay on ASAS and shares it for the BDE and BN S2s to pull. This overlay depicts AN/TPQ-36/37 acquisitions of artillery firing positions and locations fired upon. Additionally an estimate of special munitions use is templated depicting locations where high volume fires have been delivered.
f. SPOT Reports. Spot reports are passed by all subordinate units to the ACT Database RWS in order to provide continuous updates of new contact and Battlefield Information of interest to the BDE Commander's Threat CRP. There are four primary methods of communicating this information. In priority, two are digital over ASAS, one is digital over FBCB2, the other is voice over Combat Net Radio (SINCGARS or TACSAT) or MSE. Digital methods are preferred because they allow the most rapid dissemination of combat information across the BCT.
g. ASAS provides two means of transmitting combat information. Both types of messages are submitted to the ACT Database RWS. As a part of the BN/TF S2 Pre-combat Checks and MDMP, geographic area alert criteria and alarms are established to auto-forward TACREPs from within the subordinate units AOIR in accordance with the BCT R&S/ Collection plan requirements that fall in the BN/TF AO. The SPOT/SALUTE is secondary digital means over ASAS when alerts and alarms are not established but the Combat Information meets the BCT Commander's requirements.
h. FBCB2 is the secondary means of submitting Combat Information for units with ASAS and the primary means for units without ASAS. FBCB2 SPOT reports are submitted to the ACT RWS for RAPID dissemination across the BCT.
i. If no digital means is available, SPOT reports are submitted via SINCGARS on the BDE O/I net to the BDE TAC or TOC; via SPITFIRE TACSAT radio to the TOC or via MSE to the BDE S2.

4. INTREPs.
   a. Subordinate S2s submit INTREPs as free text messages every 6 hours to provide a common understanding of the BN/TF situation for the BCT Commander. INTREPs are submitted to the BCT TOC and TAC. Formal written INTREPs are not required while in direct/ indirect contact. The BCT S2 O/I net huddle will be used to maintain threat situation awareness during those times. An INTREP is submitted after direct/indirect contact terminates to follow up on the situation. The INTREP battle rhythm is then re-established by the BCT S2.
   b. BCT S2 OPS submits INTREPs IAW the battle rhythm.INTREP Format is as follows:

      (1) Must be titled INTREP.
      (2) May include graphics as necessary.
      (3) Unit
      (4) Current DTG
      (5) Current Enemy Contact

(6) ECOA Assessment
(7) R&S Update (current OP's routes and NAIs, upcoming changes)
(8) Request for BCT assistance on NAIs as required
(9) IR Update (current, what has been answered, changes)
(10) BDA

5. S2 BCT O/I Net Huddle. The Net huddle is conducted hourly when the BCT is in direct or indirect contact to ensure the BCT S2s have a common understanding of the enemy within the area of interest. The frequency of these net huddles follows the INTREP battle rhythm when not in direct/indirect contact and will be conducted after each INTREP is published. The Net Huddle is a rapid update covering critical information. It does not preclude other cross talk and discussion among S2s. The following format is followed:

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301.4 – INFORMATION MANAGEMENT (cont.)

a. BCT TAC S2/TIO and BCT S3 Chief of Recon:
Current Enemy SIT in the BDE AO
ECOA Assessment
BDE Recon update: BRT/Striker Ops active and NAIs/TAIs under observation
BDA update (destroyed by BRT/STRIKER or FSCOORD)
Changes necessary or upcoming (on plan) to the BCT RECON fight.
b. Main Effort BN/TF then Supporting Effort/ Follow and Assume BN/TF S2s
Current Enemy Situation in Contact
ECOA Assessment
BN/TF RECON Update (current Ops routes and NAIs, upcoming changes)
Request for BCT assistance on NAIs as required
BN/TF PIR Update (current, what has been answered, changes)
BDA
c. Engineer BN S2
Obstacle Contact (Current BCT Obstacle overlay DTG, new obstacles since the last update)
Assessment of obstacle intent
BN PIR Update (current, what has been answered, changes)
BDA from Engineer BN contact
d. DS Artillery BN S2
Indirect Contact from counterfire radar (Location of firing points, locations of concentrated fires and indications of use of special munitions)
BN PIR Update
BDA from artillery
e. BCT TOC S2 OPS
ECOA Assessment
Next Critical Event(s) (Event Template Synch)
Next 6/12 hours
ISR (BDE and Higher assets and NAIs being covered, changes)
BCT PIR Update (current, what has been answered, changes)
BDA
Changes to BCT Recon in the until the next huddle

6. INTSUMs. The BCT S2 produces INTSUMs periodically IAW the battle rhythm to provide a summary of threat activity and an assessment of activity for the next 24-48 hours. The INTSUM FORMAT is:
   a. Issuing Unit.
   b. Time and date of issue.
   c. Executive Summary
      1) Brief Statement of enemy Situation and future intentions (Next critical event)
      2) Current PIR
      3) Current R&S/Collection Focus
   d. Summary of enemy activity for period:
      1) Ground activity.

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2) Trace of forward elements.
3) NBC activity.
4) Air activity.
5) Other (new tactics, CI, etc.).

e. Personnel and equipment losses (enemy):
1) Personnel (KIA, WIA).
2) POWs.
3) Equipment destroyed and captured.

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301.5 – INFORMATION MANAGEMENT (cont.)

f. New enemy counter-mobility (obstacle) effort.
g. Administrative activities.
h. New identification:
   1) Units.
   2) Personalities.
i. Enemy movements.
j. Composition (Estimated number and types of vehicles).
k. Weather and terrain effects.
l. *l. Brief discussion of enemy capabilities and vulnerabilities.
m. *m. Conclusions.

NOTE: *Lines must be included.

7. MANAGING ENEMY ICONS (FBCB2)
   a. Using FBCB2 During Execution (INTEL)
      1) Enemy spot reports are critical to SU and feeds to higher.
      2) S2 must be on the address for SPOT/SALUTE Reports list to get feed into ASAS.
      3) Everyone in the network sees the icon and can 'hook' on it to see information about the enemy contained in the spot report.
      4) FBCB2 operator can set system to display either the ASAS picture only, FBCB2 feed only, or both. See paragraph below on Managing Red SU Source of Info.
      5) SA picture is good, but analysis is still essential. S2 or unit leader should provide the unit a verbal assessment of the situation and likely enemy actions on a routine basis.
   b. Managing Red SU Reporting
      1) One of the biggest challenges in maintaining RED SU is icon or SALT report management. Often times a SALT report is made and never followed up with a change of location, if the enemy was destroyed or that the enemy has been handed off to another observer. Once a report is sent, the initiator or company/unit CP is responsible for keeping the icon updated as the enemy moves or passes responsibility to another observer to keep picture current.
      2) Usually the separate Recon sections of the BRT sends their initial SALT reports to the Troop CP by voice. The Troop CP either generates the digital SALT report or tells the reporting section to send the report. Using this technique helps prevent dual reporting, allows soldiers to dismount from their vehicles, and enhances the recon elements survivability especially during periods of limited visibility.
   c. Managing Red SU Source Of Info
      1) It is important to understand that the ASAS intelligence picture adds to the existing enemy SU (already generated by FBCB2) and could cause the FBCB2 screen to appear to have duplicates. To avoid this, the user has the option to display the FBCB2 Red SA picture, the ASAS picture or both. Generally, before a mission starts, the ASAS picture should be displayed. This provides a complete enemy picture of the total battlespace. When a mission begins, users should rely on the real-time FBCB2 SALT reports, as they are more focused and timely. Unit SOP should be to display the FBCB2 SALT reports and dictate pre-defined times (or "on-order") to look at the ASAS feed for the correlated picture.

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2) The user can use the Omni Pan box to help sort out this situation. Only Red SALT reports are displayed in the Omni Pan box. The enemy companies generated by the S-2 and ASAS are not reflected in the Omni-Pan Box.

d. Managing Red SA Filters

1) Other SU filter settings also play an important role in managing the SU picture. How the user sets the filters are determines how much or how little of the SU picture is being viewing. Again, these filter settings should be standardized based on the unit's mission and the users position/role.

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302 – HANDLING EPWS AND CAPTURED MATERIAL

1. This card establishes the basic procedures for handling captured personnel, equipment and documents and conduct of Interrogation Operations by assets attached to or under the operational control of the BCT.

2. Units rapidly pass captured equipment, documents and personnel to the BDE S2 and MP holding facility. Interrogation of Enemy Prisoners of War (IPW) operations are conducted by the MI Battalion's GS Company in support of the BCT. The IPW team works to answer the Brigade Commander's Priority Intelligence Requirements (PIR)
   a. EPW HANDLING PRINCIPLES:
      1) Direct Support MPs acceptance of EPWs from capturing units.
      2) Firm control.
      3) Accountability.
      4) Humane treatment.
      5) Maximum use of backhaul.
      6) Minimum essential field processing.
      7) Wide dispersion and frequent displacement of EPW
      8) Collection points.
      9) Austerity of personnel, facilities and transportation for evacuation.

3. CAPTURING UNIT:
   a. Immediately disarm all prisoners. Segregate weapons of intelligence value and evacuate such weapons with the prisoner to the collection point. Evacuate other weapons through logistical channels or render them inoperable.
   b. Search, Silence, Segregate and Safeguard prisoners. Isolate prisoners who attempt to influence others.
   c. Use capture tags to indicate documents/equipment found during the search and report any effort by the prisoner to communicate with or influence other prisoners.
   d. Allow captured personnel to retain personal effects including money, valuables, protective equipment (helmet, mask, flak vest, etc.), identification cards/tags, insignia of grade and service and nationality, awards, and articles having a personal or sentimental value. As a minimum, the tag will include the following information:
      1) Date/time of capture
      2) Place of capture
      3) Capturing unit
      4) Circumstances surrounding the capture
   e. Ensure that documents are properly tagged and evacuated with the prisoner.
   f. Segregate prisoners into the following groups (females are separated from males):
      1) Commissioned Officers
      2) Noncommissioned Officers
      3) Other Enlisted
      4) Suspected Agents
      5) Suspected Civilians

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g. Evacuate the prisoner from the point of capture to the Brigade Collection Point. MP assets will evacuate prisoners from Brigade Collection Points to the Division Central Collection Point.
h. Safeguard all prisoners to the collection points, preventing any mistreatment or abuse.
i. Provide first aid to wounded prisoners and MEDEVAC the seriously wounded through medical channels.
j. Use the key word "STRESS" when processing EPW/CI.
   1) S-Search and Silence
   2) T-Tag
   3) R-Report capture to higher HQ
   4) E-Evacuate EPW to nearest collection point
   5) S-Segregate
   6) S-Safeguard.

302.1 – HANDLING EPWS AND CAPTURED MATERIAL (cont.)

4. Responsibilities.
   a. IPW Team
      1) Provide guidance to the MP Platoon on set-up and physical lay out of the BEDD Facility
      2) Set up and operate HUMINT CP at the BEDD Facility.
      3) Conduct EPW Pre-Screening, Screening and hasty Interrogations as required.
      4) Maintain current copy of the BDE PIR's at all times. Update every four hours or upon change of mission.
      5) Establish screening/interrogation site within the BEDD Facility NLT 1 hour after occupation.
      6) Be prepared to receive detainees for screening NLT 30 minutes after BEDD Facility occupation.
      7) Man the HUMINT CP as required.
      8) Question/Interrogate EPWs, detainees, refugees, border crosses, etc., as required.
      9) Provide linguist support to CI section as required.
      10) Be prepared to conduct EPW search and admin functions when lacking sufficient MP support.
      11) Be prepared to provide EPW tags.
      12) Maintain current screening log and HUMINT CP Log.
      13) Submit HUMINT summary report to ACT for each 24-hour period of activity. Include copies of all captured documentation, EPW Statistical Data, EPW Screening logs, and CI highlights and significant events.
      14) Submit all information concerning the BCT's PIR obtained from EPW operations to the ACT as soon as possible in SALUTE format.
   b. IPW NCOIC
      1) With input from the CI Section Chief Warrant Officer, develop the HUMINT Rules of 2. Engagement (ROE) using FM 34-52 and FM 27-10.
      2) Submit HUMINT ROE to the Company Commander for Approval. Ensure all IPW soldiers have been fully briefed on the HUMINT ROE.
      3) Serve as the HUMINT CP OIC.
      4) Ensure all interrogators are familiar with all persons on the CI target lists.
      5) Conduct coordination with MPs.
   c. MP's (IPW NCOIC coordinates with MPs).
      1) Set up BEDD Facility with input from IPW OIC/NCOIC
      2) Search and Log in all EPWs
      3) Provide Physical Security over detention area.
      4) Provide guards/EPW escorts during all interrogation operations.
      5) Provide EPW Tags. As a minimum, the tag will include the following information:
      6) Date/time of capture
      7) Place of capture
      8) Capturing unit
      9) Circumstances surrounding the capture
      10) Conduct EPW evacuation to higher HQ's or Medical Treatment Facilities, as required.

d. DS Company ACT
   1) Provide current PIR's to HUMINT CP every four hours or immediately upon change of mission.
   2) Maintain communications with the MI Bn BOC/CIAS/G2 Opns.
   3) Provide copies of all current data bases to HUMINT CP.
   4) Provide IPW Team technical taskings (SORs), and receive EPW reports as required.
e. GS MI Company GSOC
   1) Maintain communications with the MI Bn BOC/CIAS/G2 Opns.
   2) Exercise IPW Team movement control and provide IPW Team mission taskings.

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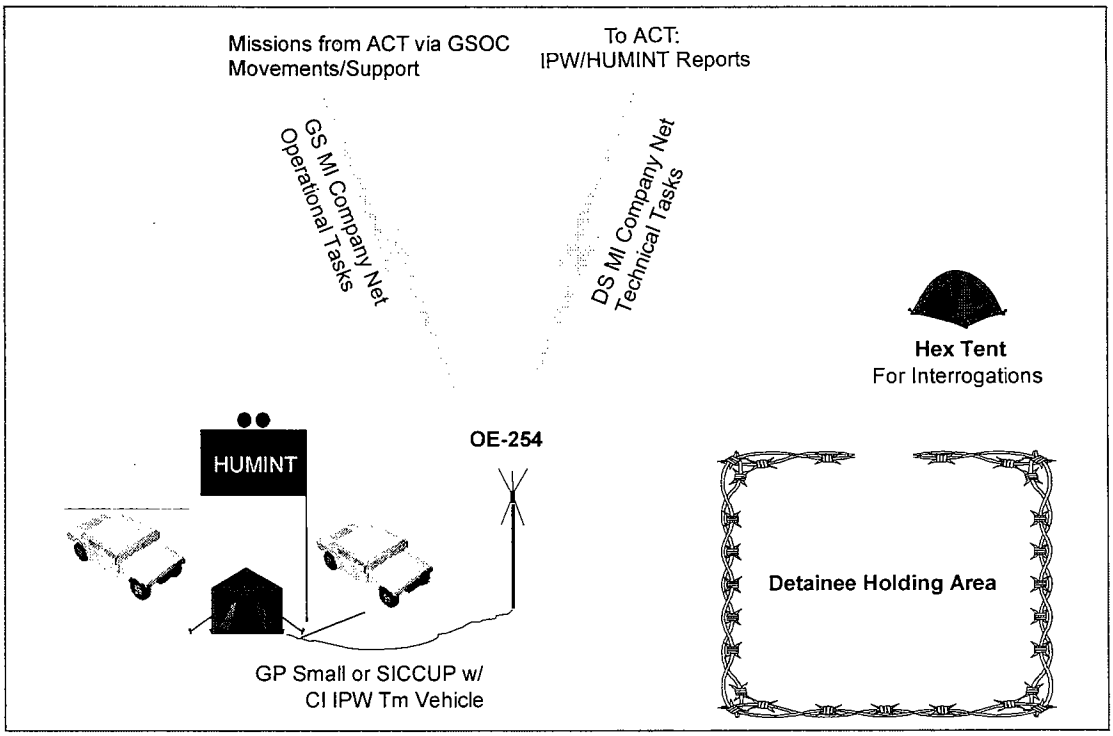
302.2 – HANDLING EPWS AND CAPTURED MATERIAL (cont.)

5. Prescreening and Screening Operations.
   a. Prescreening. Prescreening is conducted as the basis for subsequent screening. Upon the receipt of a prisoner, the following tasks are accomplished.
      1) Assign the EPW an interrogation serial number
      2) Record the time of capture
      3) Record the place of capture
      4) Record the circumstances of the capture
      5) Record the capturing unit
      6) Identify and Record all weapons and equipment captured with the EPW.
      7) Record or copy verbatim, any documents seized from a POW.
   b. IPW Operations. IPW operations conducted in support of the Brigade are as follows:
      1) Set-up and operate the **B**rigade **E**nemy prisoners of war **D**etention and **D**etainee (BEDD) facility.
      2) Conduct HUMINT Command Post (CP) operations.
      3) Conduct EPW pre-screening and screening at Bde.
      4) Execute EPW interrogation planning and preparation.
      5) Serve as Interpreters.
      6) Exploit captured documents and equipment.
      7) Conduct hasty interrogations.
   c. The IPW Team will man the BEDD facility at the Brigade Support Area or at a Forward Collection Point and serve as the HUMINT CP for both the GS MI Company's IPW and CI sections.
   d. The composition of an IPW team is as follows: 1 x 97E20L, 1 x 97E10L

BEDD Facility Diagram



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302.3 – HANDLING EPWS AND CAPTURED MATERIAL (cont.)

e. Screening Operations. Screening operations are conducted by soldiers selected by the IPW NCOIC based on the interrogator's experience, skill, and availability.
   1) EPWs deemed to be uncooperative will not be interrogated by IPW teams assigned to MI Battalion. All uncooperative EPWs will be sent to the division or higher BEDD Facility.
   2) Priority of screening for cooperative EPWs will be as follows:

EPW Screening Priority

Priority	1	2	3	4	5	6
EPW Type	Senior Combat Arms Officers	Senior non-Combat Arms Officers	Special Operations Forces	Combat Arms Junior Officers	Combat Arms Senior NCO's	All Others

   3) A screening report is completed for each EPW screened. One copy of the screening report is retained at the HUMINT CP and one copy is forwarded by with the EPW to the next higher echelon IPW sight.
   4) Captive tags are checked for accuracy. Any missing information will result in the EPW being returned to the MP's until such time as the tag is as complete and as correct as humanly possible.
   5) Information obtained during the screening phase of the operation will be maintained in the screening log. All screening logs remain open from 0001 to 2400 daily. At that time, the screening log is removed and stored in the HUMINT CP and a new log is opened.
   6) During the screening process, if the EPW is deemed to be of interest to the CI section, the CI section will be alerted and the EPW will be detained until such time as the CI section can complete its debriefing. The CI team will not be allowed to debrief any EPW until the IPW team has interrogated the EPW for all immediate tactical information.

f. Interrogations. EPWs are not interrogated until all preparation and planning for the interrogation is satisfactorily completed.
   1) Interrogation Planning and Preparation.
      - The interrogator reviews and is very familiar with the Brigade's PIR.
      - The interrogator prepares the interrogation plan and has the plan approved by IPW NCOIC.
      - The interrogator has a map prior to conducting any interrogation. The point of capture is plotted on the map.
      - All control questions are prepared.
      - Possible interrogation approaches are identified and rehearsed prior to conducting the interrogation.
   2) Check all EPWs for their assigned Interrogation Serial Number upon completion of their interrogation. This number is used to identify the individual who supplied the information.

6. Captured Documents and Equipment.

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a. Capturing units do not retain EPW documents and equipment for war trophies or personal memorabilia.
b. Capturing units report enemy map stocks found to the BCT S2.
c. Captured documents are exploited as time permits on a case-by-case basis. All captured documents are copied, batched, and tagged. Document tags are issued the same ISN as the EPW.
d. Translations of captured documents will include the translator's name and signature when forwarded.

7. Documents not captured with an EPW will be batched together and assigned a control number using a different alphanumeric code than the one in use for the ISN.

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302.4 – HANDLING EPWS AND CAPTURED MATERIAL (cont.)

a. Document screeners review incoming documents that:
   1) Are of immediate tactical value
   2) Satisfy the Brigade Commander's PIR.
   3) Are of SIGINT value (SOIs)
   4) Require Special Handling (Maps, Technical Documents, etc.)
b. All documents are categorized IAW FM 34-52.
   1) Category A-Documents containing SPOT report information which satisfies a PIR or is a Technical Document/Map.
   2) Category B-Documents containing information concerning enemy cryptographic information of SIGINT value.
   3) Category C-Documents containing general information of intelligence value.
   4) Category D-Documents containing no apparent intelligence value.

8. Captured Equipment. Captured Equipment identified in the OPORD or OPLAN as being of intelligence interest is evacuated rapidly to the BDE S2 for further processing and exploitation. Other captured equipment is evacuated through logistical channels or destroyed/disabled. If unsure ask for guidance. War Trophies are subject to the ROE in the theater of operations. AS A RULE of thumb, do not attempt to take war trophies.

9. The Brigade S2 requests additional IPW support from the MI BN during any operation where EPWs are expected to exceed the capacity of IPW teams already attached. At least one IPW team (2 personnel) will be requested through G3 channels.

303 – EMERGENCY DESTRUCT GUIDE

1. This card specifies emergency destruction procedures for cryptographic and classified material under the control of the S2.

2. Field Emergency Destruction: The authority to implement this plan is normally the BDE Commander and XO, S2, or the ACT OIC. If they are not present or available, the senior person present may implement this plan. Report implementation of this plan to ACofS, G2 as soon as possible.

3. Priorities/Methods of Destruction:
   a. COMSEC (in priority):
      1) ANCD
      2) Clear the variable fill, "Z ALL"
      3) Remove the battery
      4) Destroy the equipment with axe and/or mattock.
   b. ASAS-RWS
      1) Disconnect drives and destroy with axe and/or mattock
      2) Unhook systems from power and destroy with axe and/or mattock
   c. FBCB2- Select Self Destruct from the appropriate menu.
   d. MSE/DNVT - There are four DNVT's on the table in the SICPS, disconnect wires on the side of the phones, then destroy with axe and/or mattock.
   e. SOI - Destroy by thermite grenade, fire, or shredding
   f. Any other COMSEC material, or computers, in the M1068 or CP area destroy with axe and/or mattock.

   WARNING: POWER SHOULD BE REMOVED FROM ELECTRICAL AND ELECTRONIC EQUIPMENT PRIOR TO DEMOLITION.

   NOTE: IN ALL INSTANCES, WHEN TIME AND CONDITIONS PERMIT, INSPECT THE EQUIPMENT TO ENSURE THAT THE DESTRUCTION METHODS USED WERE EFFECTIVE.

4. Classified Documents - all classified documents, to include floppy disks and videotape disk, will be destroyed in conjunction with the COMSEC equipment. The desired method of document destruction is by thermite grenade, fire, or shredding. Battle Captain has overall responsibility of destruction.

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304 – RECONNAISSANCE

1. This card describes reconnaissance operations of the Brigade.

2. Reconnaissance is an operation designed to obtain information on the enemy, potential enemy, or the characteristics of a particular area (FM 101-5-1, Operational Terms and Graphics, 30 Sep 97). Reconnaissance goes on continually during operations and is conducted by all elements of the Brigade Combat Team.
   a. The Brigade's specialized reconnaissance units are the BRT and the scout platoons of the battalions/TFs.
   b. Engineer, chemical and MP units also perform limited or specialized reconnaissance.
   c. Corps and division cavalry, aviation, MI, engineer, chemical and MP units also conduct reconnaissance and may contribute to the Brigade's reconnaissance effort.

3. Types of reconnaissance.
   a. Route Reconnaissance. A route reconnaissance is a directed effort to obtain detailed information of a specified route and all terrain from which the enemy could influence movement along that route (FM 17-95, Cavalry Operations, 24 Dec 1996).
      - The BRT and scout platoons of the Brigade can be employed to perform route reconnaissance within the zone or sector in preparation for movements or to gain information on the area.
      - Route reconnaissance should precede Brigade and battalion/TF movements whenever practical to assure uninterrupted movement of march units.
      - Normally a scout platoon is required to reconnoiter each route. An MP platoon can reconnoiter a route where enemy combat forces are not present.
      - Time required for route reconnaissance depends on terrain, weather and enemy presence.
      - Unless otherwise directed the BRT or scout platoon will produce a full Route Report at the conclusion of its operation.

4. Area Reconnaissance. An area reconnaissance is a directed effort to obtain detailed information concerning the terrain or enemy activity within a prescribed area (FM 17-95).
   - The BRT and scout platoons can be employed to conduct area reconnaissance of proposed battalion/TF AA, defensive positions, small towns, BSAs, and other well-defined areas.
   - During attacks scout platoons can reconnoiter potential axes, attack positions and reserve positions, suspected enemy LZ's or bypassed positions, and parts of the Brigade rear area where information is incomplete.
   - In defense scout platoons can reconnoiter positions in depth; potential reserve, FA, sensor or CP positions; and threatened portions of the rear area.
   - Infantry, armor and MP companies have limited abilities to conduct area reconnaissance but are not trained to provide the same level of information on the area.

5. Zone Reconnaissance. A zone reconnaissance is a directed effort to obtain detailed information concerning all routes, obstacles, terrain, and enemy forces within a zone defined

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by boundaries. Obstacles also include chemical and radiological contamination (FM 17-95). Cavalry squadrons usually perform zone reconnaissance; the mission is not normally assigned to units of the Brigade.

6. Reconnaissance operations.
   a. Reconnaissance operations precede, accompany and follow the combat operations of the Brigade. Reconnaissance continues during the Brigade attack or defense.
   b. The R&S plan is executed under the direction of the S3 as part of maneuver operations.
   c. Battalion/TF scouts normally operate under the direction of their commanders.
   d. Information developed by corps and division reconnaissance guides execution of the Brigade reconnaissance operation when higher level reconnaissance is conducted forward or to the flanks of the Brigade.

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304.1 – RECONNAISSANCE (cont.)

7. The Reconnaissance and Surveillance Plan
   a. Brigade coordinates its R&S plan with the reconnaissance operation of its higher headquarters and with adjacent brigades.
   b. The S2 recommends reconnaissance objectives for the R&S plan based on the CO's PIR.
   c. The S2 nominates reconnaissance objectives and requests point reconnaissance from higher level of command.
   d. The S2 consolidates battalion/TF patrol plans and R&S plans into a Brigade plan, assuring optimal coverage of reconnaissance objectives and recommending changes as appropriate.
   e. The R&S plan is designed to achieve objectives that reinforce the Brigade operation plan. It may confirm intelligence or terrain estimates, validate assumptions in the maneuver plan, detect enemy actions that threaten the Brigade, or develop targets for Brigade fires. It provides for continuing reconnaissance during the main Brigade fight.
   f. The S3 plans NBC reconnaissance to locate and mark NBC hazards that affect Brigade operations.
   g. The S3 and ABE plan engineer reconnaissance of areas where mobility, counter-mobility and survivability considerations influence the Brigade's operations.
   h. When division or corps aviation units are operating in the Brigade zone or sector, the Brigade may request that they provide point reconnaissance or reports of observations along their flight corridors.

8. Reconnaissance reports.
   a. Timely reporting of reconnaissance results is essential to Brigade operations.
   b. Units conducting reconnaissance submit partial reports as they operate since it their reports are always time sensitive. The S2 posts results of reconnaissance to the Brigade COP (MCS and ASAS) as they are received.
   c. The BRT and battalion/TF scouts submit route reports and reports detailing the accomplishment of area reconnaissance by voice and FBCB2 during and after their missions.

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305 – BRIGADE RECONNAISSANCE TROOP (BRT).

1. This card describes the organization of the BRT.

2. **Organization.** The BRT consists of 5 officers and 65 enlisted soldiers. The Troop is organized into a HQ platoon, two scout platoons, and a striker platoon.
   a. **HQ PLATOON:** The Troop HQ platoon is organized and equipped to perform command, control, communication and logistical support functions for the troop. The platoon consists of 2 officers and 12 enlisted soldiers. It is equipped with 2 x M1025 HMMWV, 1 x M998 HMMWV, 1 x M1097 HMMWV shelter carrier with S250 shelter, and 1 x M925 5-ton cargo truck with 1 x M149 400 gallon water trailer.
   b. **SCOUT PLATOONS**: A BRT scout platoon is organized and equipped to conduct reconnaissance and screening in support of its parent troop. When the parent unit is performing missions within the economy of force role, the scout platoon may conduct offensive, defensive, and retrograde operations in support of the troop mission based on a permissive METT-TC or when augmented. The platoon consists of 1 officer and 17 enlisted soldiers. It is equipped with 6 x M1025/26 HMMWVs (3 x M2 .50 cal and 3 x MK-19). The platoon leader and section leaders are armed with M2 .50 cal while the platoon sergeant and squad leaders are armed with MK-19s. Each vehicle is equipped with AN/TAS-8 LRAS3. Although not organic, the platoon will normally operate with a habitually attached engineer reconnaissance squad. The platoon can organize into various configurations, usually from 2 to 3 sections; however, it can operate for short durations as 6 separate elements. See FM 17-98 for details on the TTP for a HMMWV scout platoon. The BRT scout platoon usually employs 3 sections of 2 HMMWVs each.
   c. **STRIKER PLATOON:** The Striker platoon may be organic to the BRT, or may operated as an habitual attachment (brigade and division dependent). Each platoon is comprised of six three-man Striker teams organized into three squads of two teams each. The role of the Striker platoon is to execute deep fires for the Brigade Commander, shaping the brigade's battle-space to provide favorable conditions for the close fight. The Striker Platoon Leader is the BRT Fire Support Officer. The Striker platoon headquarters ensures each team is trained and equipped to execute fires in support of brigade operations and coordinates among the teams. The Striker platoon normally conducts insertions in conjunction with the scout platoons, but can operate independently based on METT-TC. One or more team(s) of the platoon may be air-inserted on any given mission.

000280

4-ISA-209

Claims Form

To: United States Army Foreign Claims Commission.

From: Name: [redacted]

Address: Baghdad, Tele: [redacted] phone for his home

I am

a. A citizen and national of: Iraq
b. A permanent resident of :
c. Employed by:
d. Check one ( ) An insurer ( ) Not an insurer
e. Check one ( ) A subrogee ( ) Not a subrogee

I hereby make a claim against the United States Government for damages or injuries caused by: (Name, Organization, Military Department, Address, Telephone Number)

detention Facility at Camp Poka in Am Qasr

The property damaged is owned by: (If the claim is made as an agent, parent, or guardian, attach a power of attorney or other evidence of authority and fill in the form below for party sustaining the damage or injuries.)

My claim arose at: Camp Poka
(Town) (City) (Country)

My claim arose on: 22 Mar 2003 until 17 May 03
Month Day Year

Give a brief statement of the accident or incident on which the claim for damages to property or for personal injury is based. (Use back of this sheet if necessary.)

While I was in prison (US custody) my leg got broken & my elbow was ~~dam~~ injured causing weakness in my left hand. This happened as a result of abuse I received while I was at Camp Poka.

colonel [redacted]

000282

To / the leader of coalition forces in Diala (CMOC)
Subject / indemnification

I am the colonel staff [redacted] the commander of the battalion in the previous Iraqi marine , I had arrest in the north of Arab Gulf in 22/3/2003 from American marine , my number of detention [redacted] and they transport me to American target then to the camp Poko in Am Qser ,during my arrest I had the following :

1-Fracture the left leg

2- Weakness on the attach of my left hand

3- I suffer from torture me worse than what had show on the TV in Abou Gribe

My request are the following :

1- My cure should be in the American united states .

2- Devote me an indemnification as an equivalent for the torture in Abi Gribe prison with pay attention for me because I am old officer in the army and protect by Red Cross

3- Attachment that proved my statement

with best regard .

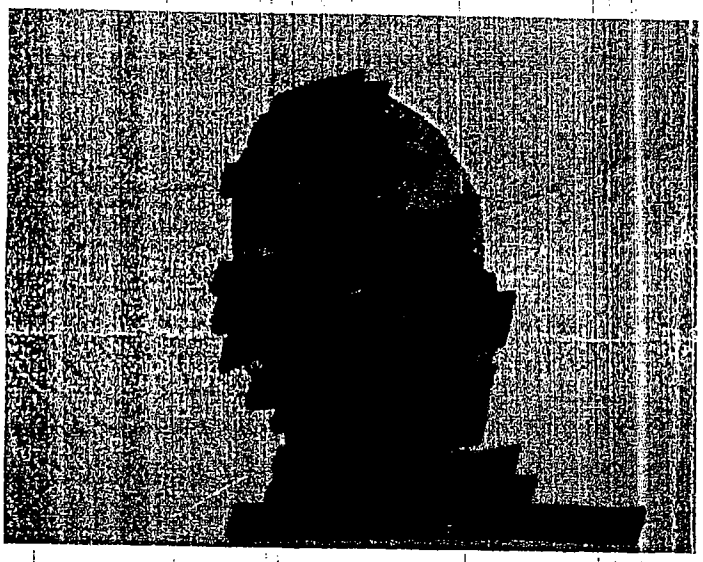
[redacted]

colonel staff marine

[redacted]

000283

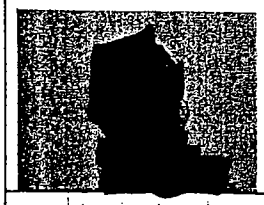
[redacted]



Last Name	[redacted]
First Name	[redacted]
Middle	
Category	EPW-ENEMY PRISONER OF
Power	IZ-IRAQ
Arm of Service	
MOS	
COS	
Service No	[redacted]
Grade	O6 -OFFICER
Geneva Cat.	IV-SENIOR OFFICER
ICRC	
Camp Name	BUCCA
Enclosure	94-HOOVER 7
Holding/Cell	

Height	**Nationality**	ZZ-Unknown	**Sex** M
Weight			**Blood Type**
Hair Color	**Religion**		**DOB**
Eye Color	**Race**		**Complexion**
	Marks		

UK9IZ-101983EPW EPW-ENEMY PRISONER OF WAR



Grade	Geneva Cat.
O6 -OFFICER	IV-SENIOR OFFICER

Height (in)	Weight(lbs)	Hair	Eye

Date Of Birth	Blood Type	ICRC

Signature

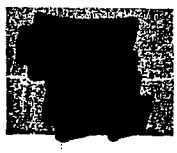
Name
ALAMOY, Ala'a

Issuing Facility: BUCCA Date Issued: 2003/05/16

Issuing UIC: BUCCA

ID Particular
14158
Marks

Left Index	Right Index



UK9IZ-101983EPW ID Particular [redacted]

Grade O6 -OFFICER Geneva Cat. IV-SENIOR OFFICER DCR

Height (in) Weight(lbs) Hair Eye

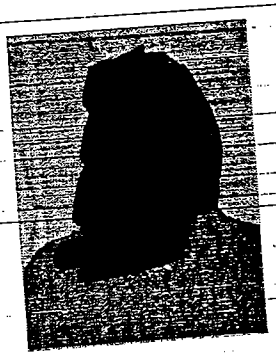
Sex M ICRC Blood Type

Issued By: BUCCA UIC: BUCCA Date: 2003/05/16

Prisoner of War Identity Card

Internment Serial Number [redacted]

ID Serial Number [redacted] **Date Issued** 25/03/2003



Family Name [redacted]

Rank OF 6

Service Number [redacted]

Given Name

Initials [redacted]

Date of Birth 24/01/1960

DEPARTMENT OF THE ARMY
Headquarters, 3rd Brigade Combat Team
1st Infantry Division
FOB Warhorse, Iraq
APO AE 09392

REPLY TO
ATTENTION OF:

AETV-BGR-JA

23 May 2004

MEMORANDUM FOR Office of the Staff Judge Advocate, Headquarters, 1st Infantry Division, ATTN: Claims [redacted] FOB Speicher, Iraq, APO AE 09392

SUBJECT: Claim of [redacted]

1. Claimants name and address: [redacted] Baqubah, Iraq, Telephone number [redacted]

2. Incident date and place the incident occurred giving rise to the claim: Incident occurred between 22 March 2003 and 17 May 2003 at the Camp Poko detention facility, in Am Qser, Iraq.

3. Amount of claim and filing date: Claimant filed a claim in the amount of $20,000 on 6 April 2004.

4. Chapter the claim was considered under and a brief description of the incident or of the issues raised by the claimant on reconsideration: Foreign Claims Act and Chapter 10, AR 27-20; claim filed for personal injuries as a result of abuse during detainment.

5. Facts:

   a. On 22 March 2003, [redacted] was taken into custody by coalition forces. [redacted] was a Battalion Commander in the Iraqi Marines. He was held at several detention facilities in southern Iraq before spending the majority of his detainment at Camp Poko.

   b. While [redacted] was at the Camp Poko detention facility, he claims to have been the subject of detainee abuse resulting in a broken leg and an elbow injury, which resulted in recurring weakness in his left hand. [redacted] has provided x-rays and medical statements from his doctor.

   c. [redacted] stated that he would be satisfied with receiving adequate medical care for his injuries, along with an amount of compensation equal to the compensation that his colleagues received for their detainee abuse claims.

   d. There was neither an MP report nor an Iraqi Police report included in the submitted claim from [redacted]

AETV-BGR-JA
SUBJECT: Claim of [redacted]

6. Opinion:

a. In order to form a basis for a claim under the FCA, the incident in question must have arisen outside the Unites States. In addition, the incident must be caused by either non-combat activities of the Unites States Armed Forces or by negligent or wrongful acts of military members or civilian employees of the Armed Forces.

b. At this point, there is insufficient evidence to determine if this incident was a result of US Army activities or from another Coalition member.

7. Recommended Action: Forward this claim to the appropriate U.S. service branch or coalition member that is responsible for the Camp Poko detention facility for further investigation and final resolution.

[redacted]
CPT, JA
Assistant Brigade Legal Advisor

FCN 14 JUL04

DEPARTMENT OF THE ARMY
U.S. ARMY CLAIMS SERVICE
OFFICE OF THE JUDGE ADVOCATE GENERAL
4411 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MARYLAND 20755-5360

JUL 13 2004

Foreign Torts Branch

SUBJECT: Claim of [redacted]

[redacted]
Office of the Judge Advocate General of the Navy
1322 Patterson Avenue
Suite 300
Washington Navy Yard
Washington, D.C. 20374

Dear [redacted]:

This letter follows our conversation from July 13, 2004 when you were on annual training at the United States Army Claim Service on Fort Meade, Maryland. As we discussed, the Department of the Army is in receipt of claims for alleged torture and other mistreatment from detainees in Iraq.

On April 6, 2004, a claim in the amount of $20,000 was submitted by [redacted], a commander in the Iraqi marines. [redacted] alleges that on March 21, 2003, he was aboard his tugboat in Al-Shrouk, Iraq, when he was captured by U.S. Navy personnel in the Northern Arabian (Persian) Gulf and taken aboard a small ship with 37 Iraqi Naval personnel (17 officers and 20 sailors). He was taken to a large U.S. Navy ship and then processed as an enemy prisoner of war (EPW). He states that he fell on the deck injuring his foot because his hands were flexi-cuffed behind this back. He was then transferred to Camp Bucca, in Southern Iraq, where he alleges that his foot was not treated. He was released on May 17, 2003 and returned to his home in Baqubah, Iraq.

The United States Army Foreign Claims Branch has single service responsibility for tort claims that occur in Iraq. We respectfully request that your office provide us with a copy of any investigations or reports relative to [redacted] allegations that he and 37 other Iraqis were capture on March 21, 2003 in the Northern Arabian (Persian) Gulf. We need this information as soon as possible as these claims will be forwarded to the Secretary of Defense Office for resolution. The requested records should be forwarded to my attention to the following address:

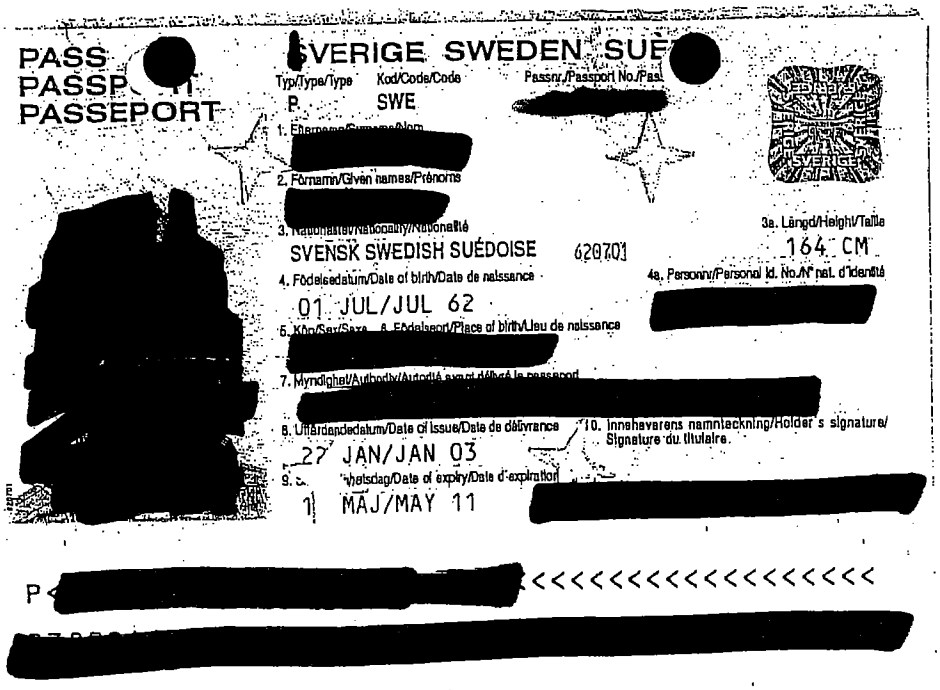
Commander
United States Army Claims Service
Office of the Judge Advocate General of the Army
[redacted]
Fort Meade, Maryland 20755

I have enclosed a copy of the claim. If you have any questions, you can reach me at [redacted] extension [redacted], or [redacted] at extension [redacted].

Sincerely,

[redacted]

Chief Claims Investigator
Foreign Torts Branch



PASS [redacted]
PASSP[redacted]
PASSEPORT

[redacted]

[redacted]VERIGE SWEDEN SUE[redacted]

Typ/Type/Type: P
Kod/Code/Code: SWE
Passnr./Passport No./Pas[redacted]

1. [redacted]

2. Förnamn/Given names/Prénoms
[redacted]

3. [redacted]
SVENSK SWEDISH SUÉDOISE 620701

3a. Längd/Height/Taille
164 CM

4. Födelsedatum/Date of birth/Date de naissance
01 JUL/JUL 62

4a. Personnr/Personal Id. No./N° nat. d'identité
[redacted]

5. Kön/Sex/Sexe 6. Födelseort/Place of birth/Lieu de naissance
[redacted]

7. Myndighet/Authority/Autorité ayant délivré le passeport
[redacted]

8. Utfärdandedatum/Date of issue/Date de délivrance
27 JAN/JAN 03

10. Innehavarens namnteckning/Holder's signature/Signature du titulaire.

9. [redacted]hetsdag/Date of expiry/Date d'expiration
1 MAJ/MAY 11 [redacted]

P<[redacted]<<<<<<<<<<<<<<<<<<<<

[redacted]

EUROPEISKA UNIONEN
DEN EUROPÆISKE UNION
EUROPEAN UNION
EUROPÄISCHE UNION
UNIÓN EUROPEENNE
ΕΥΡΩΠΑΪΚΗ ΕΝΩΣΗ
EUROPESE UNIE
AN GAONTAS EORPACH
UNIONE EUROPEA
UNIÃO EUROPEIA
UNIÓN EUROPEA
EUROPÄISCHE UNION

SVERIGE
SVERIGE
SWEDEN
RUOTSI
SUÈDE
ΣΟΥΗΔΙΑ
ZWEDEN
AN GSUALAINN
SVEZIA
SUÉCIA
SUECIA
SCHWEDEN

PASS
PAS
PASSPORT
PASSI
PASSEPORT
ΔΙΑΒΑΤΗΡΙΟ
PASPOORT
PAS
PASSAPORTO
PASSAPORTE
PASAPORTE
REISEPASS

000290

Middle East
For Trading & Investment
General – Trade
A. AIRachi's Sons Co.
Syria – Adra – Freezone
Tel : [redacted] – Mobile [redacted]

Sale Contract
No. 0304

First Party : [redacted]
Second Party : [redacted] of Swedish nationality

Both parties have agreed on the following :

On 14/07/2003, the First Party sold to the Second Party the car owned by him, Mercedes 300, model 1988, plate no. [redacted] chasis no. [redacted] at amount of ***$3,000 (only three thousand US Dollars)***.
The Second Party paid to the First Party the full amount. The Second Party agreed to purchase the car after checking it.

It was signed upon that

Note : The delivery shall be made inside the free zone in [redacted]

First Party (signature)
Second Party (signature)
Witness (signature)
Witness (signature)

Middle East
A. AIRachi's Sons Co.
For Trading & Investment
(seal)

True translation from the attached document
Sworn translator

000291

US [redacted]

ID Particular [redacted]

Grade [redacted] Geneva Cat.

DOB 1962/07/01

Height (in) Weight(lbs) Hair Eye

Blood Type

Sex M ICRC UIC: [redacted] Date: 2003/11/26

Issued By: BCF

000292

[redacted]

ATTORNEYS AND COUNSELORS

[redacted]

[redacted]

FAX: [redacted]

May 12, 2004

Via FedEx

Commander
U.S. Army Claims Service
Office of Judge Advocate General
4411 Llewellyn Avenue
Fort Meade, MD 20755-5360

RE: Claim of [redacted] for Detainee Mistreatment

Dear Commander:

This letter serves as a claim of our client, [redacted] pursuant to the Military Claims Act, 10 USC 2733 and 32 CFR Part 536. The claim is for compensation for torture and other mistreatment on account of and following his arrest in Baghdad, Iraq in September of 2003.

[redacted] an Iraqi, currently resides in Dearborn, Michigan, visiting and recovering with family and friends. He is a Swedish citizen. [redacted] mother is an American citizen. A copy of his passport is enclosed. [redacted] was consistently a staunch advocate against the Baath Party and the Regime of Saddam Hussein. In fact, he was imprisoned in Abu Ghraib from 1980 to 1985 and tortured for his opposition to Saddam Hussein. [redacted] was again wanted by the regime of Saddam Hussein because of his continued opposition to the Baath Party and his assistance to the United States effort during the 1991 Gulf War. In fact, he was in the cities of Basra and Zubair distributing fliers to the Iraqi people encouraging resistance against Saddam Hussein's regime, and supporting the efforts of the United States.

After the 1991 Gulf War was won, Saddam Hussein's regime put a price tag on [redacted] head and destroyed his home in the city of El Muthana. [redacted] escaped to Saudi Arabia for approximately four years and then obtained refugee status in Sweden, eventually becoming a citizen. In Sweden, [redacted] continued to be a strong advocate and supporter for the United States and Mr. Hussein's removal.

As you may be aware, after the regime fell, the United States was encouraging the return of Iraqi nationals to invest in their country. [redacted] was embarking on a new vision in 2003 after the topple of Saddam Hussein's regime, by returning to his country and investing in its economic future. He was going to purchase a home and invest in a mechanics shop or car outlet, such as a dealership. At the time he left for Iraq in September of 2003, he had in his possession his family savings of $79,000, to be invested in a home and a business enterprise.

While he was driving his Mercedes in Iraq, on or about September 25, 2003, he was stopped by military personnel. One was named [redacted]. As he was trying to explain his presence, and that he was from Sweden, they told him to "shut up", and then they tied his hands with white plastic, put a black cover over his head, and placed him in the trunk of a vehicle. The money that he had in his car and his automobile were confiscated. [redacted] saw the money. Attached is a copy of the proof of ownership of his vehicle.

He was then imprisoned in El-Najaf for approximately 8 days. [redacted] was taken to a city in Dewaniya where he was subjected to beatings with a stick, along with other detainees, causing him to lose consciousness. [redacted] remained in Dewaniya for approximately two days, and was then taken to Abu Ghraib Prison (also known as the Baghdad Central Confinement Facility) on October 4, 2003, the same prison he was sent to by Saddam Hussein. See attached wrist bracelet showing his identification and the name of the camp. In that camp, Mr. [redacted] was subjected to horrific abuse and humiliation at the hands of American personnel.

In the prison, through an interpreter, [redacted] was asked where he was from and he advised that he was from Sweden. He was then told that he was a "liar". A uniformed man with a name sounding like [redacted] accompanied by an interpreter in a military uniform, stated that he was a lawyer and [redacted] was asked to sign an admission statement written in Arabic that he was against the United States. [redacted] came daily seeking [redacted] signature on the admission. Mr. [redacted] refused because it was not true. He was then threatened with torture and being shipped to Guantanamo Bay, and subjected to unspeakable and demoralizing acts, for his continued refusal to sign an admission statement.

[redacted] and 12 other naked prisoners were roped together by their genitals. A laughing guard then pushed one of the male detainees on the ground, causing the other detainees to suffer extreme physical, mental and emotional distress. They also stretched his penis with a rope and beat it with a stick. He was also stripped naked for periods of time, as long as a day and a half, with a hood over his head. He was forced to ejaculate in a plastic cup, with the semen being poured over his head and body. He was made to lay naked over another male with his penis touching the buttocks of the male, causing both males to cry profusely and ask for forgiveness from God. Cold water was then poured over them.

[redacted] was repeatedly shocked with an electric stick and beaten with a cable, and repeatedly made to stay awake by very loud music. Cold water was poured over him when he attempted to sleep and holes were ripped in the tents to let in the wind, causing severe chills. He was also subjected to dehumanizing name-calling by American personnel using Arabic phrases such as "minuk" which means "bitch" and "ishtah", meaning worthless scum, and being constantly called "gay".

On one occasion, a belt was tied around his neck and he was dragged approximately 70 feet. A dog was used to threaten and intimidate him. On several occasions, [redacted] was beaten and threatened with a pistol pressed to his head and his head was slammed against the wall.

In another episode, an American guard shot randomly at a crowd, killing approximately five prisoners, including an individual by the name of [redacted], whom [redacted] befriended. [redacted] was shot in the neck and chest and left to bleed to death on the ground for a couple hours. Mr. [redacted] witnessed two men dying slowly, without being provided medical treatment. Chemicals from neon light fixtures were sprinkled on his body, causing him to itch.

In another incident, in one of the tents within the prison, two American guards stripped two young male prisoners, tied their hands, and raped them in front of [redacted] and other prisoners. The guards then warned the prisoners that if they told anyone, they would be next.

In another episode, three male Iraqi prisoners were stripped naked and hung by their hands from a hook in the ceiling, while a laughing guard beat on their genitals and sodomized them with a stick in front of other prisoners. [redacted] hands were tied above his head, with his heels barely touching the ground, while he was naked, and sodomized with a stick. [redacted] was made to lay naked on a chair with a hood on his head while his head was slapped back and forth and he was beaten with a cable while being called degrading names. On one occasion, he almost died from suffocation.

[redacted] was placed naked on a table, face down with a hood over his head, and American personnel grabbed his penis and inserted fingers up his anus. On two occasions, American personnel urinated on him. One detainee confided to [redacted] that he was forced to have sex with another male detainee.

Upon information and belief, local females were rounded up and imprisoned. For approximately 13 days, [redacted] heard constant screaming and crying at night from many females. [redacted] heard some females screaming "No! No! Shame on you! This is against God's laws". Although he did not see the acts, he is convinced they were being raped, by their cries and pleas.

In another episode, [redacted] was trying to call for prayer and was shot with plastic bullets to his chest, causing great pain. On many occasions, he experienced extreme hunger and thirst, and lost much weight from malnutrition.

He was ordered to carry feces from port-a-potties with American personnel bumping the bucket, causing it to be spilled on him, while they laughed. He was made to sleep on sand, without heat. On several occasions, because of the rain, he had to walk in mud which rose to his calves.

Most of the instances related above occurred before soldiers and plain-clothed American personnel.

When [redacted] was released, on or about December 23, 2003, one brave guard gave him the bracelet as evidence of his imprisonment and told [redacted] through an interpreter, to go to America to tell everyone what had happened and seek legal recourse. [redacted] was released along with two crying females, who looked to

be about 16 and 70. After his release, [redacted] sought medical treatment in Syria. Dr. [redacted] observed physical injuries to [redacted] left leg and right hand. [redacted] arrived in the United States on March 19, 2004. He is currently seeking psychiatric treatment in Michigan. He has been diagnosed with closed head injuries. The records of treatment will be furnished when they become available, to provide you with a better understanding of this claim.

As you know, a recent investigation was conducted of the 800th Military Police Brigade, which is commonly known as the Taguba Report. In that report, findings were made of unconscionable and unspeakable crimes against humanity perpetrated at the Abu Ghraib Detention Facility during the same time period [redacted] was detained.

My client has suffered extreme mental, physical and emotional in juries and distress as a result of the unspeakable crimes and extreme torture by American personnel, including but not limited to nightmares, insomnia, depression; loss of memory, headaches, and vision problems.

[redacted] is seeking return of his personal property, including his documents, $79,000.00 in U.S. dollars, and his Mercedes, valued at $3,000.00. He is also entitled to compensation for the pain and suffering and the mental and emotional distress which he has and will suffer for the rest of his life as a result of the unspeakable crimes against him. It is evident from the substance of this claim that the harm the U.S. Army inflicted on [redacted] far exceeds $100,000.00 and is meritorious.

We hope that you treat this matter very seriously. The persons involved never deserved to wear a United States uniform. It would be unconscionable if my client is not adequately compensated.

Please call me to discuss possible settlement options. Thank you, and we look forward to hearing from you.

Very truly yours,

[redacted]

SHA/ll
Enclosures

الدكتور [redacted]

داخلية - تخطيط قلب

To whom it may concern:

I would like to inform you that [redacted] has an accident at 26 of september 2003 which has caused an injury of the inienceph anly.

This injury affected the movement of his right hand and left leg about%30.

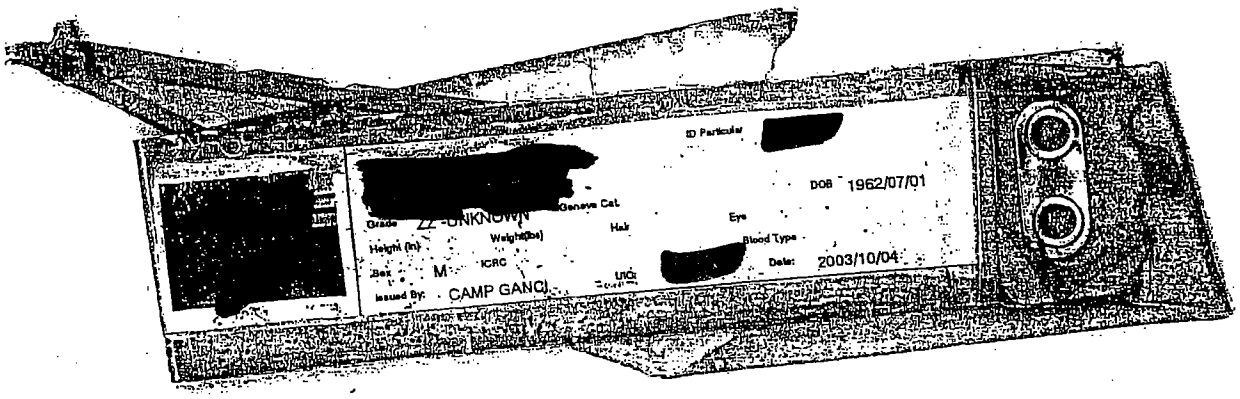
[redacted] started physical treatment in my clinic at 25.12.2003.

He achieved alittle improvement after six weeks till 15.2.2004 but he can not resume his work yet.

He needs along time for recovery.

[redacted]

تقرير طبي


ID Particular
[redacted]
DOB 1962/07/01
[redacted]
Geneva Cat.
Grade ZZ -UNKNOWN
Eye
Hair
Height (in)
Weight(lbs)
Blood Type
Sex M
ICRC
UIC
[redacted]
Date: 2003/10/04
Issued By: CAMP GANCI

DEPARTMENT OF THE ARMY
U.S. ARMY CLAIMS SERVICE
OFFICE OF THE JUDGE ADVOCATE GENERAL
4411 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MARYLAND 20755-5360

MAY 25 2004

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

May 24, 2004

Foreign Torts Branch

Subject: Claim of [redacted]

[redacted]
Huntington Woods, MI 48070-1332

Dear M[redacted]

This letter acknowledges receipt on May 18, 2004 of the claim and accompanying documents you submitted related to the above-captioned claim of your client, [redacted] against the United States in the amount of $100,000. The claim alleges that United States military personnel in Iraq mistreated and tortured your client in Abu Ghraib prison after his arrest in Baghdad, Iraq, from September to December 2003.

You submitted this claim under the Military Claims Act (MCA) Title 10, United States Code, Section 2733, as you allege [redacted] is a resident of the United States and the claim arose in Iraq. However, there is no evidence in the documents you submitted that [redacted] was a resident in the US before he went to Iraq. This is required in order to be adjudicated under the MCA. Absent prove of residence prior to his going to Iraq in September 2003, this claim will be adjudicated under the Foreign Claims Act (FCA), Title 10, United States Code, Section 2734.

If we receive proof of US residency, we will adjudicate the claim under the MCA. The MCA is a purely administrative remedy; no judicial remedy is available under the MCA. Unfavorable action on the claim may be appealed to higher authority. Under the MCA, attorney fees are limited to 20 percent of any settlement and are paid by the claimant out of the settlement. The claims investigation will be informal. There are no depositions or other formal discovery procedures required or followed under the MCA. I will contact you concerning the specifics of the investigation.

Alternatively, absent receipt of proof of residence, this Service will process your client's claim under the FCA. The FCA is purely an administrative remedy; no judicial remedy is

available under the FCA. A Foreign Claims Commission (FCC) will adjudicate the claim. Under the FCA, the claims investigation will also be informal; there are no depositions or other formal discovery procedures required or followed.

In addition, the law requires that a claimant sign the claim or provide written authority for someone else to sign on his behalf. I am enclosing a standard form (SF) 95 for your use. Please complete the relevant portions of the form and have your client sign the SF 95 where indicated. Alternatively, please provide a signed authorization from your client for you or someone else to sign the claim form on his behalf.

The MCA requires that the alleged Government tortfeasors be acting within the scope of their authority when they cause injury to a claimant. Some of the conduct you allege occurred appears to be clearly outside the scope of duty required of a military member to arrest and detain someone. Please explain why you believe that this conduct falls within the coverage of the MCA. We are in receipt of some of the factual allegations of his claim; could you please have him explain and itemize the claimed damages, including the $79,000.00 in cash he claims was lost and an itemization of the personal property which was taken.

If this Service adjudicates the claim under the FCA, the FCC will notify you of the proposed final action on your client's claim no later than 30 days before taking final action. If you are dissatisfied with it, during that 30 day period, you may request (in writing) that the FCC reconsider its proposed final action. The FCC's final action on your claim cannot be appealed.

If you have any questions, you may contact me at [redacted], extension [redacted]. Please refer to your claim number in all correspondence.

Sincerely,

[redacted]
Lieutenant Colonel, US Army
Chief, Foreign Torts Branch

Enclosure

Office of the Principal Legal Advisor

U.S. Department of Homeland Security
425 I Street, N.W., Room 6100
Washington, DC 20536

U.S. Immigration and Customs Enforcement

June 2, 2004

[redacted]
Chief Claims Investigator
Foreign Torts Branch
United States Army Claims Service
Office of the Judge Advocate General
4411 Llewellyn Avenue
Fort George G. Meade, Maryland 20755-5360

Dear [redacted]

In reply to your request that this office determine the immigration status of the two claimants, [redacted], we have done a preliminary computer search. Our records show that [redacted] sh citizen, arrived on March 19, 2004, with visitor status that will expire on June 18, 2004. He has no "green card" or immigration file other than the record of his entry as a visitor. Since he is a Swedish citizen he is allowed to visit without a visa pursuant to the Visa Waiver Program, which allows visitors from specified countries to enter this country for short periods of time without a visa.

[redacted] has received a Permanent Resident Card, immigration [redacted] as a result of his emigration from Canada. [redacted] can request a replacement for his Permanent Resident Card by submitting a completed form I-90. The replacement process is sometimes a long wait, however, the submission of the request form generates file-stamped paperwork that will suffice as proof of his residency for any travel he needs to accomplish in the interim.

I hope this information is helpful. Please contact me at your earliest convenience if you have any further questions.

Sincerely,

[redacted]
Chief
Commercial and Administrative Law Division

000302

[redacted] [redacted]

DEPARTMENT OF THE ARMY
U.S. ARMY CLAIMS SERVICE
OFFICE OF THE JUDGE ADVOCATE GENERAL
4411 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MARYLAND 20755-5360

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

June 9, 2004

Foreign Torts Branch

Subject: Claim of [redacted]

[redacted] P.C.
[redacted]ue
Huntington Woods, MI 48070-1332

Dear Mr. [redacted]

This letter acknowledges receipt on June 8, 2004 of the amended claim and accompanying documents you submitted by hand related to the above-captioned claim of your client, [redacted] against the United States in the amount of $82,000.00 for property loss and $3.5 million dollars for personal injury. The claim alleges that United States military personnel in Iraq mistreated and tortured your client in Abu Ghraib prison after his arrest in Baghdad, Iraq, from September to December 2003. Your client alleges insomnia, depression, loss of memory, post traumatic stress disorder, injury to his left leg and right hand, and closed head injury.

As we discussed yesterday, I will consider this claim under the Foreign Claims Act (FCA), Title 10, United States Code, Section 2734, as [redacted] is a resident of Sweden and the alleged injuries took place outside of the United States.

If you have any questions, you may contact me at [redacted] extension [redacted] or by email at [redacted]. Please refer to your claim number in all correspondence.

Sincerely,

[redacted]
Lieutenant Colonel, US Army
Chief, Foreign Torts Branch

000303

DEPARTMENT OF THE ARMY
U.S. ARMY CLAIMS SERVICE
OFFICE OF THE JUDGE ADVOCATE GENERAL
4411 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MARYLAND 20755-5360

Foreign Torts Branch

JUN 15 2004

[redacted]
Department of Homeland Security
Office of General Counsel
Immigration and Naturalization Service
Washington, DC

Dear [redacted]

I would like to take this opportunity to thank you for your prompt reply to our letter dated May 20, 2004, concerning claimants, [redacted] and [redacted]

On June 8, 2004, Li[redacted], Chief of Foreign Torts Branch at the United State[redacted]rmy Claims Service and I interviewed [redacted] at his attorney's office in Dearborn, Michigan. [redacted] stated that his mother [redacted] of Dearborn, Michigan a naturalized United States Citizen traveled to Baghdad, Iraq during the period September thru December 2003, to talk to the General's once she found out that he was incarcerated. It is possible that she first went to Syria and traveled overland to Baghdad.

Could you please check your computer to determine if his statement is true or not. If you have any questions, you can reach me at [redacted] extension [redacted] or [redacted] extension [redacted].

Sincerely,

[redacted]
Chief Claims Investigator
Foreign Torts Branch

000304

[redacted] P.C.
ATTORNEYS AND COUNSELORS
[redacted]

[redacted]

FAX: [redacted]
e-mail: [redacted]

August 6, 2004

[redacted]
Chief Foreign Torts Branch
Department of the U.S. Army
U.S. Army Claims Service
Office of the Judge Advocate General
4411 Llewellyn Avenue
Fort George G. Mead, MD 20755-5360

RE: Claim [redacted]
04-C01-T065

Dear Lieutenant [redacted]

This is a follow up pertaining to [redacted] claim. As you know, it has been three months since we filed the claim. My client is in desperate need of the funds that were taken away from him. Could we agree that the $79,000 be returned to my client while the remaining claim is being considered?

Your prompt attention to this matter would be greatly appreciated. Thank you.

Very truly yours,

[redacted]

[redacted]

SHA/le

[redacted]

ATTORNEYS AND COUNSELORS
26611 WOODWARD AVENUE
[redacted]

[redacted]

FAX: [redacted]
e-mail: [redacted]

August 6, 2004

[redacted]
Chief Foreign Torts Branch
Department of the U.S. Army
U.S. Army Claims Service
Office of the Judge Advocate General
4411 Llewellyn Avenue
Fort George G. Mead, MD 20755-5360

RE: Claim [redacted]eh
04-C01-T065

Dear Lieutenant [redacted]

This is a follow up pertaining to [redacted] claim. As you know, it has been three months since we filed the claim. My client is in desperate need of the funds that were taken away from him. Could we agree that the $79,000 be returned to my client while the remaining claim is being considered?

Your prompt attention to this matter would be greatly appreciated. Thank you.

Very truly yours,

[redacted]

[redacted]

SHA/le

CLAIM FOR DAMAGE, INJURY, OR DEATH

INSTRUCTIONS: Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.

FORM APPROVED OMB NO. 1105-0008

1. Submit To Appropriate Federal Agency:
U.S. Army Claims Service
Office of Judge Advocate General
4411 Llewellyn Avenue
Fort Meade, MD 20755-5360

2. Name, Address of claimant and claimant's personal representative, if any. *(See instructions on reverse.) (Number, street, city, State and Zip Code)*
[redacted].C.
[redacted]

3. TYPE OF EMPLOYMENT ☐ MILITARY ☐ CIVILIAN	4. DATE OF BIRTH	5. MARITAL STATUS	6. DATE AND DAY OF ACCIDENT	7. TIME *(A.M. OR P.M.)*
	01/07/1962	Married	09/25/2003 to aprox. 12/23/03	

8. Basis of Claim *(State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof) (Use additional pages if necessary.)*

Please see enclosed letter.

9. PROPERTY DAMAGE

NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT *(Number, street, city, State, and Zip Code)*

BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTEND OF DAMAGE AND THE LOCATION WHERE PROPERTY MAY BE INSPECTED. *(See instructions on reverse side.)* Please see enclosed letter.
Note: There was no property damage. Simply, $79,000 in addition to a vehicle value at $3,000 remain in possesion with the army.

10. PERSONAL INJURY/WRONGFUL DEATH

STATE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE NAME OF INJURED PERSON OR DECEDENT.

Please see enclosed letter.

11. WITNESSES

NAME	ADDRESS *(Number, street, city, State, and Zip Code)*
[redacted] Names of other witnesses will be furnished.	[redacted]

12. *(See instructions on reverse)* AMOUNT OF CLAIM *(in dollars)*

12a. PROPERTY DAMAGE	12b. PERSONAL INJURY	12c: WRONGFUL DEATH	12d. TOTAL *(Failure to specify may cause forfeiture of your rights.)*
Money $79,000 Vehicle $ 3,000	$3,500,000		

I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE ACCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM

13a. SIGNATURE OF CLAIMANT *(See instructions on reverse side.)*	13b. Phone number of signatory	14. DATE OF CLAIM
[redacted]	(248)591-5000	05/12/2004

CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM
The claimant shall forfeit and pay to the United States the sum of $2,000, plus double the amount of damages sustained by the United States. *(See 31 U.S.C. 3729.)*

CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS
Fine of not more than $10,000 or imprisonment for not more than 5 years or both. *(See 18 U.S.C. 287, 1001.)*

Previous editions not usable.

STANDARD FORM 95 (Rev. 7-85)
PRESCRIBED BY DEPT. OF JUSTICE
28 CFR 14.2
USAPPC V1.00

Received 8 Jun 04 [redacted]

000307

[redacted]

[redacted]

April 30, 2004

Certified, Return Receipt Requested

Commander
U.S. Army Claims Service
Office of the Judge Advocate General
Fort George G. Meade, Maryland 20755-5360

RE: Claim of [redacted]

Dear Commander:

I am attaching an executed document captioned "Claim of [redacted] pursuant to the Military Claims Act, 10 U.S.C. § 2733, and 32 C.F.R. Part 536." Mr. [redacted] is a Canadian citizen and permanent resident of the United States. The claim is for compensation for torture and other mistreatment on account of and following his arrest in Baghdad, Iraq, on April 9, 2003.

You will note that the amount of the claim in excess of one hundred thousand dollars ($100,000). It is evident from the substance of the claim that the harm the U.S. Army inflicted on Mr. [redacted] exceeds that amount, and thus it appears that the claim is meritorious.

[redacted] will make himself available for medical and psychological examination in order to pursue this claim, and will make all records that he has available as well. Unfortunately, however, his imprisonment in Iraq has had a devastating impact not only upon him personally but also upon his wealth and business. As a result, it would be difficult for him to come to the United States at his own expense to pursue this claim. In addition and for obvious reasons I would like to accompany him on any interaction between him and representatives of the Army, and [redacted] currently is not able to pay my expenses. For these reasons, we respectfully request that the Army make appropriate arrangements to cover such out-of-pocket costs as this claim progresses through the system.

[redacted]

I assume that there will be other issues arising as this matter moves forward, and look forward to working with you in order to achieve a just settlement of this matter. Please let me know if you have any questions.

Very truly yours,

[redacted]

Attorney for [redacted]

Enclosure: Claim of [redacted]

cc: Client (w/enclosure)

DEPARTMENT OF THE ARMY
BEFORE THE
COMMANDER, U.S. ARMY CLAIMS SERVICE

Claim of [redacted] pursuant to the
Military Claims Act, 10 U.S.C. § 2733, No._____
and 32 C.F.R. Part 536

I. Introduction

This is a claim for compensation submitted by [redacted] a citizen of Canada and a permanent resident of the United States. This claim is for personal injury, loss of property, and property damage caused by members of the Department of the Army ("DA") acting within the scope of their employment. The claim presented herein is incident to noncombat activities of the Army.

[redacted] was born in Cairo, Egypt, on [redacted], and immigrated to Canada in February 1971. [redacted] became a naturalized Canadian citizen in approximately 1976, and about four years later he emigrated to the United States, where he took up residence in Los Angeles, California. [redacted] is requesting compensation for torture and other personal injuries inflicted upon him while he was in Iraq in the spring of 2003. His claims arise from his arrest and detention in the American prisoner of war camp in Camp Bucca in Umm Kaser, Iraq. He is also requesting compensation for lost money (cash) and property that were taken from him as a result of his arrest and incarceration and never returned to him.

[redacted]

II. Factual Background

[redacted], an Arab by birth, is a member of a peace organization called "Rights and Freedom International," or "RFI." One of RFI's primary objectives was to attempt to convince the leaders of Iraq that they should step down in order to avoid a war with the United States. In pursuit of those objectives, [redacted] entered Iraq in January 2003.

On April 9, 2003, United States Marines arrived in Baghdad. While he was outside of his hotel, the Sheraton, he was detained by the H&S Company, 3/4 Division of the United States Marines (Lieutenant [redacted] and "Sergeant [redacted] were in charge). [redacted] was taken by American forces and placed in an armored personnel carrier and prohibited from returning to his hotel room and gathering his papers, cash, and other belongings. A list of the cash, documents, and possessions thus lost is attached as Exhibit 1.

[redacted] was detained in an armored personnel carrier for three days following his arrest. On the fourth day, after protesting his arrest, [redacted] was handcuffed and beaten. At that point, [redacted] was sent south to the Bucca prisoner of war camp; it took approximately three days to arrive at that camp. At an intermediate camp on the way, a soldier required him to empty his pockets of some money, his identification papers, glaucoma and depression medications, and his hotel room key. When [redacted] protested, the soldier whipped [redacted] with his gun and, when [redacted] fell the soldier used the butt of his gun to hit him; at the same time, the soldier kicked and stepped on [redacted] with the soles of his shoes.

Once incarcerated in Bucca, the word "Canadian" was written in black marker on [redacted]. [redacted] white shirt front and back and given No. [redacted]. Apparently being a Canadian did not mean favorable treatment, for [redacted] was then interrogated and tortured

on a daily basis. For example, he was required to wait under the fierce southern Iraqi sun for his turn at being interrogated, and when the interrogations began he was falsely accused of having Iraqi documents in his possession, all with a view toward extracting a confession. [redacted] was accused of being both a speechwriter for Saddam Hussein as well as his "right-hand man." When [redacted] refused to confess, he was beaten in a variety of ways – he was hit with open hands, fists, shoes, and gun butts. The most alarming form of torture was when the interrogators put gun muzzles at his head or body, which put [redacted] in great fear of imminent death. Perhaps because of the extreme treatment that [redacted] suffered, other prisoners became somewhat protective of him. [redacted] both was punished and witnessed others' punishment numerous times.

The abuse was not only active, it was passive. In [redacted] case, it consisted of withholding medication for glaucoma and depression and threats that he would be sent to Guantanamo if he ever complained about the beatings. After three weeks of torture and mistreatment, [redacted] concluded that the only way to stop this mistreatment was to go on a hunger strike and so weaken his body that the torture would stop. The hunger strike, however, did not deter the punishment. Specifically, one day during the hunger strike [redacted] refused a meal, whereupon five or six soldiers led by Master Sgt. [redacted] handcuffed and placed leg irons on [redacted] Master Sgt. [redacted] then started beating [redacted] severely in his face and body, cutting his lip, and also kneeing him in the groin. [redacted] recognized Master [redacted] because she was the only soldier in front of him and thus he was able to read her nameplate, '[redacted]' After severely beating [redacted] he was taken to the solitary

confinement cell. (Master Sgt [redacted] was subsequently discharged from the Army for torture of Iraqis at Bucca prisoner of war camp; she is now in the United States.)

[redacted] ultimately came to believe that the soldiers desired him dead; one time, upon his return from a torture session, a prisoner who was generally acknowledged to be an informer suggested that [redacted] make a run for freedom instead of submitting to more abuse. [redacted] was too weak to run anywhere, and believes that the informer's advice was intended to provoke an action that would lead to [redacted] death.

On one occasion a Major [redacted] who appeared to be in charge of administration, suggested that [redacted] complain about the beatings. [redacted] did so by writing a complaint to the Criminal Investigating Division ("CID"). The CID agent took the complaint and said he would return. The CID agent did not return; however, other soldiers did – and they beat [redacted] for submitting the complaint. [redacted] has never heard form the CID regarding his complaint.

[redacted] was taken into solitary confinement many times; the mere act of transporting him was itself intensely cruel. First he was handcuffed with his hands behind his back and leg irons placed on him, and then two soldiers would lift him by his handcuffed arms and half-carry him to the cell, causing intense pain in his shoulders. On arrival, the soldiers would throw [redacted] on his face and beat him, and if he protested his face would be forced into the sand. On most occasions he would then be placed in the cell without taking off the arm and leg restraints. Once, after being hogtied for hours, [redacted] complained about his treatment, whereupon they threatened to put him in the burning sun. On several occasions the soldiers tied his handcuffs to the barbed wire of the cell, which forced him to stand for hours

unable to move, which caused severe cramps to his body and also caused his hernia to protrude, causing more pain.

May 15, 2003: Deportation – to Egypt

Ultimately the soldiers apparently believed that [redacted] was not an enemy, for they offered to release him – but only if he would change his bloodied shirt and undershirt. After first refusing, [redacted] took off the bloody garments and placed them in his bag. The soldiers, however, open his bag and stole the bloody garments. On May 15, 2003, [redacted] was deported – not to Canada, where he is a citizen, and not to the United States, where he is a permanent resident but, rather, to Egypt.

III. The Consequences: Medical, Psychological, Emotional, and Financial

Medical Consequences

1. Loss of Hearing in Left Ear. As a consequence of being slapped severely alongside his head during torture, [redacted]ost the greater part of the hearing in his left ear.

2. Eye Condition. At the time of his arrest and incarceration [redacted] was under treatment for glaucoma, which was then under control. As a result of the Army's withholding of medication, his eye condition worsened and he is now required to use three medications. Moreover, the withholding of medication may result in accelerated eye surgery, with a likely outcome that blindness will result sooner than otherwise would have occurred.

3. Hernia. [redacted] hernia, which previously was controlled with a belt, is now more difficult to control.

Psychological and Emotional Consequences

As a result of his incarceration and torture, [redacted] has suffered and is continuing to suffer the following consequences:

1. Depression. Prior to arrest, [redacted] was under treatment for depression. Once he was arrested, his medication was withheld and that withholding, when coupled with the torture, resulted in much more severe symptoms. Since his release, his doctors have prescribed stronger medications which, in turn, have had negative side effects, including without limitation loss of sexual desire. Stronger medications have not alleviated the depression.

2. Post-Traumatic Stress Disorder. [redacted] now suffers from post-traumatic stress disorder which is preventing him from running his business.

3. Loss of Sleep/Sleep Disorder. As a result of the incarceration and torture, [redacted] now suffers nightmares and from a sleep disorder; as a result, he cannot obtain adequate sleep.

4, Flashbacks. [redacted] has constant flashbacks to the time of incarceration and torture, which has resulted in suicidal thoughts and an obsessive desire for death.

5. Memory Loss. [redacted] ability to remember recent events has deteriorated.

Financial Consequences

1. Cash. When [redacted] arrived in Iraq, he had with him the proceeds of a sale of Garmin Europe products in the amount of $119,000. That money was hidden in his hotel room and in his carrying bag. When [redacted] was arrested, although American military personnel took control over his room, they did not give him any of his money or most of his other belongings.

2. Personal Effects. [redacted] lost his personal laptop computer, camera, film, address books, business contacts and leads, and a variety of other valuable business and personal effects. A detailed inventory of the items lost is attached as Exhibit 1

3. Business Consequences. [redacted] lost substantial sums in various transactions that were made impossible because of his incarceration.

IV. Request for Relief

WHEREFORE, on account of the foregoing, [redacted] requests compensation in the amount of three hundred fifty thousand dollars ($350,000).

DATED: April 30, 2004

Respectfully submitted,

[redacted]

Of Attorneys for [redacted]

[redacted]

Exhibit 1:
List of Items Stolen

Several official Iraqi governmental documents and letters
Several photographs of Iraqi officials and some of the National Folklore Company
Canon Camera with the roll of film inside
Toshiba Notebook computer
Valid Canadian Passport
Two voided Canadian Passports
Egyptian Passport
Three Japanese Saving Accounts Bank Books
Two Taiwanese Accounts Saving bank Books
Three Egyptian Bank Accounts Books
$118,700 (US$) cash hidden in hotel room
$300 (US$) cash on person
$200 (Iraqi currency) cash on person
Casio Address Book organizer and contents
Address book
Hotel room key taken out of pocket
Hotel ID card
Canadian citizenship card
Wallet
Canadian social insurance card
US social security card
US "Green Card" (INS certificate)
Florida drivers license
Bank of Montreal ATM card
Airline reservation voucher and used tickets
Business contacts cards
Iraqi visa and official letters
Transcript of health book
Private pilot's license (US)
Aircraft and power plant license (US)
Aircraft Maintenance Engineer License (Canada)
Pilot log book
Pulse Generator (a German invention)
Engineering degree transcript
Egyptian military service exemption
Birth certificate

[redacted]

[redacted]

[redacted]

May 10, 2004

Via First Class Mail

[redacted]
Chief, Foreign Torts Branch
DEPARTMENT OF THE ARMY
U.S. Army Claims Service
Office of the Judge Advocate General
4411 Llewellyn Avenue
Fort George C. Meade, MD 20755-5360

Re: Claim of [redacted] 04-C01-TO64

Dear [redacted]

This is in response to [redacted] May 5 regarding the processing of [redacted] claim under the Military Claims Act ("MCA"). After receiving that letter, I talked over the telephone with [redacted] who indicated that the Army is interested in expediting this claim. The purpose of this letter is to set in motion from our end the processes that we hope will lead to an expeditious resolution of the claim.

During my discussion with [redacted] I was requested to provide [redacted] social security number. That number is: [redacted]

Addressing [redacted] ability to travel to the United States, as noted in the claim form his green card was taken from him when he was arrested and was not returned. Also, he was unable to obtain a replacement green card from consular officials in the Middle East. Accordingly, it would be very helpful if some advance thinking on this issue. Ideally, [redacted] would like to get a replacement green card. Lacking that, he would like it understood that, when he returns, he is doing so with the intention of resuming his status as a resident.

Addressing [redacted] letter, I understand the limitations of the MCA, including the limitation on attorneys' fees, and that claim investigation will be informal. Notwithstanding the informality of the process, we would like to request your assistance in obtaining as much information from official Army files, Navy (Marine) files, and any other sources available to you regarding [redacted] and his interaction with both the United States Marines and the United States Army. This information would be very helpful in coming to an expeditious settlement and, to the extent that there are any privacy or other concerns or limitations, [redacted] ereby

[redacted]

waives any rights he might have in order that that information might be released to him and to me. I understand that there is at least one written matter, which consists of a claim under DOD Hotline Claim No. [redacted] The specific information that [redacted] would like to obtain includes, but is not limited to, the following:

- All records and documents relating in any way to [redacted] arrest in Baghdad, Iraq;
- All records and documents relating in any way to the transportation of [redacted] to Bucca camp;
- All records and documents relating in any way to the materials, papers, and other effects taken from [redacted] hotel room in Baghdad;
- All records and documents relating in any way to any materials, papers, and other effects taken from [redacted] person;
- All records and documents relating in any way to [redacted] incarceration in Bucca Camp;
- A copy of DOD Hotline Claim No. [redacted] and any materials and documents related thereto;
- A copy of all records or other materials relating to any contacts between [redacted] and military and civilian personnel of the United States not covered in the previous requests;
- A copy of all documents and other materials relating to contracts and other understandings between the United States and CACI, Inc., or any of its affiliates.

Finally [redacted] has reminded me that a [redacted] is in a position to verify [redacted] presence in Bucca camp during the period mentioned.

I appreciate your attention to these matters. If I should seek these and other materials through another vehicle (such as a formal request under the Freedom of Information Act), please let me know.

Please let me know if you have any questions.

Very truly yours,

[redacted]

Attorney for [redacted]

cc: [redacted]

[redacted]

[redacted]

[redacted]

June 15, 2004

Via First Class Mail

[redacted]
Chief, Foreign Torts Branch
DEPARTMENT OF THE ARMY
U.S. Army Claims Service
Office of the Judge Advocate General
4411 Llewellyn Avenue
Fort George G. Meade, MD 20755-5360

Re: Claim of [redacted] 04-C01-T064

Dear [redacted]

Thank you for your letter of June 3. After consulting with my client we are offering the following information in response.

First, thank you for the information regarding the replacement of [redacted] "Green Card." We will be following up on this issue.

Second, we have filed Freedom of Information Act requests with both the Army and the Department of Defense; any information we gather through that process that is relevant to your inquiry we will share with your office.

Regarding an interview, at present [redacted] has not completely recovered from his ordeal and therefore it may be more convenient to interview him in Saudi Arabia. Of course, I would like to be present in such a situation and therefore I would appreciate the opportunity to work out a mutually convenient time for such an interview.

Turning to the issue of liability for certain actions, quite frankly the issue of tortfeasors acting within the scope of their authority is somewhat problematic. In your letter you note, "Some of the conduct you allege occurred appears to be clearly outside the scope of duty required of a military member to arrest and detain someone." We recognize that the actions must be within the "scope of employment" to be cognizable under the Military Claims Act. Obviously, had [redacted] been simply arrested and detained – had the military personnel done only what they have traditionally done with prisoners of war during armed conflicts – he would have no claim. The Military Claims Act, however, is apparently premised upon the notion that prisoners of war will not suffer the loss of their property or personal injury in the hands of their

[redacted]

captors. See 10 U.S.C. § 2733(a). The Iraq war – and, indeed, the "War on Terror" – have led to new scopes of duty for soldiers that assume soldiers in charge of prisoners or war will engage in conduct that causes personal injury. For example, recently Attorney General Ashcroft indicated that activities that appear clearly to be "torture" under the Geneva Conventions are legitimate interrogation techniques under American law; such techniques clearly cause – indeed, are intended to cause – personal injury. Moreover, I understand that some have argued that the President, as Commander in Chief, is not bound by statutes or treaties during wartime; those statutes and treaties generally ban personal injury during interrogation. Furthermore, in the instant case there is increasing evidence in the public media to the effect that those abusing Iraqi prisoners of war were doing so at the command of their superiors; just today the United Press syndicate carried an article regarding General Karpinski which contained the following opening paragraph:, "The U.S. Army general suspended after prisoner abuse was revealed at a Baghdad prison says she was ordered to treat prisoners like dogs." One who is obeying a superior's orders clearly must be operating "within the scope of his employment." In sum, it appears that the depredations visited upon [redacted] clearly within the ambit of the Military Claims Act.

Addressing a detail for the claim, I am attaching a listing of losses that covers both property and personal injury. This is intended to provide additional detail to the statements in the initial notice of claim. Regarding the $118,900 that was taken from [redacted] room at the Sheraton, he is able to demonstrate that he received that money from Garmin International prior to his departure to Iraq and that he did not have the money on him when he was arrested by First Lieutenant [redacted]

Regarding Rights and Freedom International, I am attaching a fax I received from that office this morning. If you require additional information in this vein, please let me know.

Finally, I want to thank you for your efforts in this regard. I look forward to working with you to achieve a just conclusion.

Very truly yours,

[redacted]

Enclosures
cc: Client

[redacted]

Detailed Inventory of Losses

Items Taken from [redacted]

US$118,900 in cash upon arrest in Baghdad by [redacted] and [redacted]

Several official Iraqi governmental documents and letters, estimated replacement cost/value $5,000

Several photographs of Iraqi officials and some of the National Folklore Company, estimated replacement cost/value $1,000

Canon Camera with the roll of film – estimated replacement cost/value $300

Toshiba notebook computer, estimated replacement cost/value $1,000

Data in Toshiba notebook computer, estimated replacement cost/value $5,000

Valid Canadian passport, estimated cost of replacement cost/value $200

Two voided Canadian Passports (no value)

Egyptian passport, estimated replacement cost/value $200

Three Japanese saving account bank books, total lost value of deposits, $1,000

Two Taiwanese saving account bank books, total lost value of deposits, $300

Three Egyptian bank account books (no value)

Casio address book organizer and contents, replacement cost/value $85.

Clothes, replacement cost/value $500

Hotel room key taken out of pocket (no value)

Hotel ID card (no value)

Canadian citizenship card, replacement cost/value $100

Wallet, replacement cost/value $20

Canadian social insurance card (no value)

US social security card (no value)

US "Green Card" (INS certificate), replacement cost/value $250

Florida drivers license (no value)

Bank of Montreal ATM card (no value)

Airline reservation voucher and used tickets (no value)

Business contacts cards data, replacement cost/value $ 3,000

Iraqi visa and official letters (no value)

Transcript of health book, replacement cost/value $ 2,000

Private pilot's license (US) (no value)

Aircraft and power plant license (US) (no value)

Aircraft Maintenance Engineer License (Canada) (no value)

Pilot log book (no value)

Pulse Generator (a German invention), replacement cost/value $5,000

Engineering degree transcript, replacement cost/value $200

Egyptian military service exemption, replacement cost/value$ 200

Birth certificate, replacement cost/value $100

Economic Losses Consequent to Arrest, Incarceration, and Abuse/Torture

Forfeited deposit with [redacted]. of Florida in the amount of $13,593.36 because of disability (unable to pursue and refund denied); loss of $13,593.36

Loss from sale of Garmin International distributorship for $100,000 when fair market value was equal to $250,000; net loss of $150,000

Short-term Medical Problems

Pain, suffering, humiliation caused by torture and abuse at Bucca Camp, $25,000

Long-term (Continuing) Medical Problems

Glaucoma – deterioration of condition caused by withholding of medication. Because treatment was withheld, [redacted] now much use three medical eye drops instead of the previous one. When medications fail, surgery will be required which will be effective for only a year or so. Enhanced likelihood of blindness. Proposed settlement: Have United States undertake responsibility for future medical costs of treating glaucoma

Depression – unknown long-term effects. Proposed settlement: Have United States undertake responsibility for future treatment for depression and post-traumatic disorders

Loss of income due to medical disability, $50,000 per year

Pain and suffering, $300,000

Rights and Freedom International

Phone:1-888-[redacted](toll free USA and Canada)
Saudi Arabia: [redacted]

June 15, 2004

To Whom It May Concern

Rights and Freedom International is a peace organization registered in the county of Los Angeles California whose purpose is trying to help solving international disputes in a peaceful and non violent manner.

Out of that belief [redacted] went to Iraq to convince the Iraqi government to step down to comply with the United States Administration desire, so a destructive war could be avoided saving lives and money.

[redacted] went to Iraq on January 2003 to negotiate that matter with the highest level of the Iraqi government he could achieve.

Thanks & Best Regards
Secretary
[redacted]

DEPARTMENT OF THE ARMY
U.S. ARMY CLAIMS SERVICE
OFFICE OF THE JUDGE ADVOCATE GENERAL
4411 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MARYLAND 20755-5360

May 5, 2004

Foreign Torts Branch

Subject: Claim of [redacted], 04-C01-T064

[redacted]

Dear Mr[redacted]

This letter acknowledges receipt on May 3, 2004, of the Standard Form (SF) 95 claim form and accompanying documents you submitted related to the above-captioned claim of your client, [redacted], against the United States in the amount of $350,000. The claim alleges that United States military personnel in Iraq mistreated and tortured your client after his arrest in Baghdad, Iraq, from April 9 to May 15, 2003.

This Service will consider your client's claim under the Military Claims Act (MCA), Title 10, United States Code, Section 2733, as he is a resident of the United States and the claim arose in Iraq. The Federal Tort Claims Act excludes claims arising outside the United States. Title 28, United States Code, Section 2680(k).

The following information is provided concerning the MCA:

a. The Act is a purely administrative remedy; no judicial remedy is available under the Act. Unfavorable action on the claim may be appealed to higher authority.

b. Attorney fees are limited to 20 percent of any settlement and are paid by the claimant out of the settlement.

c. The claims investigation will be informal. There are no depositions or other formal discovery procedures required or followed under the Act. I will contact you concerning the specifics of the investigation.

The law requires that a claimant sign the claim or provide written authority for someone else to sign on his behalf. I am enclosing a standard form (SF) 95 for your use. Please complete the

relevant portions of the form and have your client sign the SF 95 where indicated. Alternatively, please provide a signed authorization from your client for you or someone else to sign the claim form on his behalf.

The MCA requires that the alleged Government tortfeasors be acting within the scope of their authority when they cause injury to a claimant. Some of the conduct you allege occurred appears to be clearly outside the scope of duty required of a military member to arrest and detain someone. Please explain why you believe that that conduct falls within the coverage of the MCA. Additionally, please provide a written statement from your client explaining the details of his claim. Besides the factual basis of the allegations, please have him explain and itemize the claimed damages, including the $118,900 in cash he claims was lost. Please include a statement from Rights and Freedom International concerning your client's presence and activities in Iraq.

If you have any questions, you may contact me at [redacted] extension [redacted] Please refer to your claim number in all correspondence.

Sincerely,

[redacted]
Attorney Advisor
Foreign Torts Branch

DEPARTMENT OF THE ARMY
U.S. ARMY CLAIMS SERVICE
OFFICE OF THE JUDGE ADVOCATE GENERAL
4411 LLEWELLYN AVENUE
FORT GEORGE G. MEADE, MARYLAND 20755-5360

June 3, 2004

Foreign Torts Branch

Subject: Claim of Hossam Shaltout, 04-C01-T064

[redacted]

Dear Mr. [redacted]

I am in receipt of both your May 10, 2004 and May 20, 2004 letters. I will address issues in both letters:

According to the US Immigration and Customs Enforcement Office, your client can request a replacement for his Permanent Resident Card by submitting a completed form I-90. The replacement process is sometimes a long wait, however, the submission of the request form generates file-stamped paperwork that will suffice as proof of his residency for any travel he needs to accomplish in the interim. I hope that this information proves helpful for [redacted]

You requested assistance in obtaining information in various files for [redacted]. I do not have any of the documents that you have requested. As this is an administrative process, this Service is not in the position to obtain those documents for you. We are not the custodian of any of these records. As you indicated in your letter of May 10, 2004, I would suggest you draft a Freedom of Information Act (FOIA) request to the custodians of those various records in order to obtain them.

We are going to need to interview your client. As he is still in Saudi, there are some logistical issues we are going to have to work through – obviously, if he is able to request a replacement Permanent Resident Card and obtain the file stamped paperwork, he can come to the United States and we'll interview him here. Alternatively, we'll have to have personnel interview him in Saudi. Please keep me posted about his status.

Also, as we indicated in our acknowledgement letter to you, the MCA requires that the alleged Government tortfeasors be acting within the scope of their authority when they cause

injury to a claimant. Some of the conduct you allege occurred appears to be clearly outside the scope of duty required of a military member to arrest and detain someone. Please explain why you believe that that conduct falls within the coverage of the MCA. Additionally, please provide a written statement from your client explaining the details of his claim. Besides the factual basis of the allegations, please have him explain and itemize the claimed damages, including the $118,900 in cash he claims was lost. You provided an email from CID which indicated they were unable to prove the loss of the property. I need some type of receipt or proof for the items that he is claiming.

Also, you provided a photo copy of the Rights and Freedom International newspaper advertisement. I need a statement from the organization which explains your client's presence and activities in Iraq.

If you have any questions, you may contact me at [redacted] extension [redacted] Please refer to your claim number in all correspondence.

Sincerely,

[redacted]
Lieutenant Colonel, US Army
Chief, Foreign Torts Branch

HEADQUARTERS
COMBINED JOINT TASK FORCE SEVEN
BAGHDAD, IRAQ
APO AE 09342

REPLY TO
ATTENTION OF

FCC I5G

SUBJECT: Foreign Claims Commission I5A, Claim of [redacted], 04-I5A-T040

[redacted]
Hilla, Iraq

Dear M[redacted]

This notice constitutes final administrative action on your claim against the United States in an unspecified amount. Your claim is for personal injury to your son, [redacted], who the Marines shot and detained on 16 July 2003.

Foreign Claims Commission (FCC) I5A has investigated and considered the claim under the Foreign Claims Act (FCA), Title 10, United States Code, Section 2734, as implemented by Army Regulation (AR) 27-20, Chapter 10. The claim is cognizable solely under the FCA as it concerns an inhabitant of Iraq. The Federal Tort Claims Act, Title 28, United States Code, Section 2680(k), is not applicable as it excludes claims arising in foreign countries. Under the FCA, a claim for death or personal injury may be allowed whether or not the negligent act complained of was made within the scope of employment.

Upon review of your claim, it appears US forces were negligent in shooting your son. In addition, he should have been released from the hospital and instead was arrested and transported to Abu Ghareb prison. The FCA provides for payments for the wrongful or negligent acts of US forces. However, at this time your claim must be denied because you are not the proper person to bring a claim. However, if your son would like to file a claim, FCC I5A will offer him $1,000 to settle. Therefore, if he would like to settle this claim, please bring him along with this letter to the office from which you received it and a time will be arranged to issue payment.

If you are dissatisfied by this action, AR 27-20 provides that you may request that the decision be reconsidered. Any such request must be forwarded to this office for FCC consideration. There is no prescribed format for such a request. However, it should describe the legal and/or factual basis for relief. Any request for reconsideration must be made, in writing, within 30 days of receipt of this letter.

The FCC's action on reconsideration is final and conclusive by law.

Sincerely,

[redacted]

Captain, U.S. Army
FCC I5A

000329

قبول بالتوقيع من قبل المدع (المطالب)

I, the claimant by signing this document and accepting payment, am releasing the United States Military and the United States Government from any further liability resulting from this claim and accepting this payment as final settlement on this claim.

أنا المدع (المطالب) بالأمضاء و بالتوقيع على تلك الاستمارة و الموافقة على العرض (المبلغ) أنا باعفى القوات العسكرية الأمريكية آو حكومة الولايات المتحدة الأمريكية من آى مسئولية مقبلة تنتج من المطلب و الموافقة على المبلغ المعروض على انة عرض نهائى . و ليس من حقى آو الورثة (آى شخص من بعدى) القيام بآى عمل قانونى او غير قانونى ضد القوات العسكرية الأمريكية آو الولايات المتحدة الأمريكية فى المستقبل.

PAYMENT REPORT

TO: DFAS, DSSN: 8724 Date: _____

A. Payment Data:

(1) Submitting Agency/Office: United States Army Claims Service

(2) **Office Code:** I5A

(3) Agency/Office Mailing Address: V Corps, OSJA Camp Victory, Iraq APO AE 09432

(4) Date Claim Filed: 1 September, 2003

(5) **Claim Number(s)** 04-I5A-T040

(6) **Amount Claimed:** $0.00

(7) **Fund Cite:** 2142020 22-0204 P436099.22-4200 VIRQ F9206 S99999 APC 9609

(8) **Payee(s):** [redacted]

(9) **Address:** Annana Village, Hilla,

(10) SSN: N/A

(11) **Payment Amount:** $1,000.00

(12) Type Payment: PF

(13) For EFT Payments: ABA Routing Number: _____

(14) For EFT Payment: Account Name and Number: _____

(15) For EFT Payment: Name and Address of financial institution: _____

(16) For EFT Payment: Account is (checking) (savings) (Circle appropriate account).

B. **ACCEPTANCE BY CLAIMANT** (Note: This form should not be signed by the claimant if another release is signed by the claimant is attached.)

I, the claimant, do hereby accept the within -stated award, compromise, or settlement as final and conclusive on my heirs, executors, administrators or assigns, and agree that said acceptance constitutes a complete release by me, my heirs, executors, administrators or assigns of any and all claims, demands, rights, and causes of action of whatsoever kind and nature, arising now or in the future from, and by reason of any and all known and unknown, foreseen and unforeseen bodily and personal injuries (including wrongful death), damages to property, breaches of contract or law, and any other acts or omissions, and the consequences therefore resulting, and to result, from the same subject matter that gave rise to the claim for which I or my heirs, executors, administrators, or assigns, and each of them, now have or may hereafter acquire against the United States and against the employee(s) of the Government whose acts or omissions gave rise to the claim by reason of the same subject matter. I further agree to reimburse, indemnify and hold harmless the United States, its agents, servants and employees from any and all claims or causes of action, including wrongful deaths, that arise or may arise from the acts or omissions that gave rise to the claim(s) by reason of the same subject matter.

Date: _____, ____ [redacted] (Claimant)

C. AGENCY CERTIFYING OFFICER:

Pursuant to authority vested in me, I certify that this Payment Report is correct and proper for payment.

_____ _____ FCC _____

(Date) (Signature Authorized Certifying Officer) Title

Date Payment Recorded in Claim Record: _____

A separate payment report must be completed for each claimant

Privacy Act Statement

The information is required in accordance with 31 U.S.C. 1304. The data you furnish will be used to certify your claim for payment. Failure to provide this information may result in your claim not being processed for payment.

000331

ACCIDENT CLAIMS FORM 041SAT040

NAME: [redacted]

DATE OF ACCIDENT: 16-7-2003

PLACE OF ACCIDENT: Amiana village

YEAR, MAKE & MODEL OF CAR (IF APPLICABLE):

EXPLANATION OF HOW ACCIDENT OCCURRED: This woman claims that his son ([redacted]) was a night guard in the A/M village, the accident happened at 3 o'clock at midnight, at that time a patrol of Marines passed, when they saw the guard they shot at him six bullets and injured him, they took him to [redacted] and just one bullet was removed and got back him to Alsakkar hospital and removed the other five bullets, but the patient till now suffering from the injury and unable to work.

POLICE REPORT ATTACHED:

PHOTOS ATTACHED: NO

ESTIMATED COST OF (REPAIR) (MEDICAL EXPENSES):

COMMENTS & RECOMMENDATION OF GST PERSONNEL:

recommendation: pay

G Dalh

COMPLETED FILE SHOULD BE SUBMITTED TO CPT TYSON AVERY, USMC 1ST MEF JAG, AT BABYLON PALACE COMPOUND

DEPARTMENT OF THE ARMY

GOVERNATE SUPPORT TEAM
AL HILLAH, BABYLON, IRAQ

AOCP-CA-GST 16 AUG 2003

MEMORANDUM FOR MILITARY DETENTION FACILITY, BAGHDAD

SUBJECT: RELEASE OF PRISONER

1. The family of [redacted] has presented to us a request for his release. The enclosed letters have been provided by the family detailing the events leading up to arrest of Mr [redacted].
2. [redacted] was in fact arrested by mistake. In fact, his arrest occurred in our zone without our knowledge by an MP unit. We have several witnesses, to include from the MP unit, that have stated that [redacted] was shot as a suspect and transferred to the 28th CASH but, subsequent investigation has revealed that there was no basis for his arrest. For some reason, the individual was transferred from the military hospital as a detainee instead of being released.
3. This letter is the result of our efforts to locate this Iraqi for two weeks. We, as of yet, have been able to contact you by telephone and are thus resorting to the use of a letter.

4. POC is the undersigned of the [redacted] CMOC @ telephone number [redacted] or the COC of 1st Battalion, Fourth Marines in Al Hillah at [redacted]

GATE 2
JAG OFFICE

[redacted]
Major, U.S.M.C.
Executive Officer

To The Airport

[redacted]

000333

للعايلة رافع عبد الكريم عبيد جاسم

Please take your paperwork

to Abu Kareeb prison to have

your son released.

For the family of [redacted]

خذو المستندات معاكم
واذهبوا للسجن في ابو كريب (ابو قريب)
ابنكم راح يكون حر تم افراجه

This family needs to speak with Civil Affairs about a relative that was shot by the Marines by accident. They are searching for the name of the prison at which their son is being held.

[redacted]

الدكتور

عبداللطيف عزيز الزيدي

جراح اخصائي

دكتوراه في جراحة العظام والكسور

وامراض المفاصل والفقرات

M. B. Ch. B. F. I. C. M. S. Orth

Specialist Orthopadic Surgeon

حله - المحافظة القديمة

مقابل محطة الغاز

الاسم واقع عبدالكريم عبيد العمر التاريخ ٢٠/٩/٢٠٠٣

المريض اعلاه مصاب بكسر اعلى

عظم العضد الايسر مجرى له عملية

تثبيت داخلي للكسر بمقابيل اطلاقات

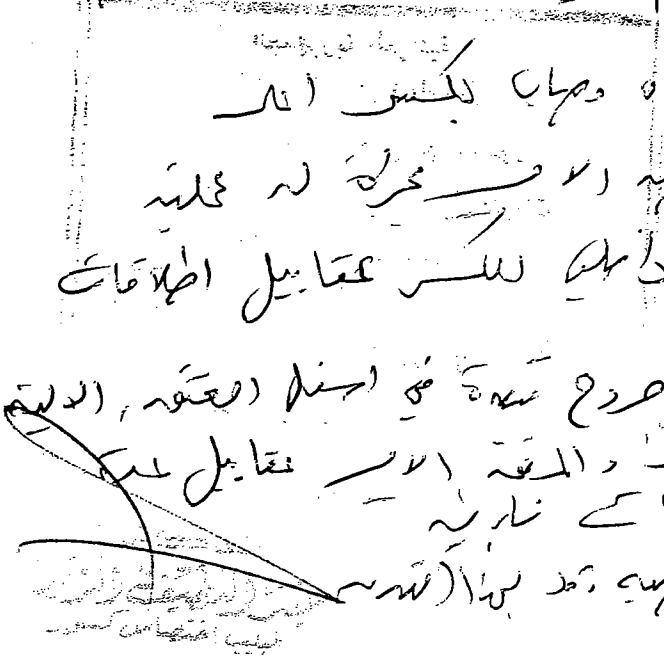
نارية.

مع تدبير جروح قديمة في اسفل العنق، الدلتا

الايسر والمرفق الايسر بمقابيل عدة

اطلاقات نارية

وبناء على طلبه تم بهذا التقرير



000336

تاعقمية قضاء مركز الحلة
الحراس الليليين

بسم الله الرحمن الرحيم
جمهورية العراق

العدد / ٣٢٠٠١

التاريخ / ١٧/٨/

الى / مقر قوات التحالف

م / تأييد

نؤيد لكم أن الحارس الليلي (رافع عبد الكريم عبيد) هو أحد حراس منطقة عنانة مستمر بالخدمة في الوقت الحاضر حيث تم تعيينه بموجب الأمر الاداري المرقم ٩٣٢ في ٢٩/٥/٢٠٠٣ للعلم لطفاً

محافظة بابل
تاعقمية قضاء مركز الحلة
الحراس الليليين

اللواء الطيار
عماد لفته مردان
تاعقام قضاء مركز الحلة

000337

In the Name of Allah , the Beneficent , the Merciful

To / Babylon Governorate Office

Sub. / Recommendation

We are signatures below, the selector and selected people of Annana village . We certify and support that the guard [redacted] lives in Annana village with good reputation . He hasn't any hurt in the village and he has no any relation with former Baath Party and he is a good citizen .

He works as a guard in our village and his connection is with Al Hilla city lieutenancy . For this reason we sign below .

Witness	Witness	Selector
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	Selector of Annana village
[redacted]	[redacted]	
[redacted]	[redacted]	
[redacted]	[redacted]	

000338

In The Name Of Allah the Beneficent , the Merciful

To / Coalition Forces in Babylon Province

At night of 16-7- 2003 , the coalition forces (Marines) had attacked on ([redacted] ring his official duty as a night guard in Annana village . One of the American soldiers had shot him by fire . He was arrested and moved to unknown place .Since that night , we didn't hear any news about him . We went to many offices but we got nothing . They said that they didn't have any information about this subject . Later , we knew that our son was imprisoned in Dakor Hospital in Jorf Al Sakhar and he would be judged and put in jail without any guilt or fault . The group of American forces was to blame . There are more than ten night guards witness of these things . The accident details are as follow as witnesses say :

When some of American forces entered wrongly in our village and this region is not their limitation to search in . One of the American soldiers took the gun o[redacted] he was ready to fire , another soldier was standing on the carriage opened fire towards the guard . He had the specialized card on his chest as a night guard. The patrol then had arrested him without any charge .

He is responsible of a big family including his mother two sisters , three brothers besides his wife and four children . The eldest one is seven years old . This guard is a good person with good reputation . He had never any contact with former Baath Party . He did his best to keep security in our village . This recommendation is assured by his employers and by the selector of the region according to papers enclosed .

There are many observations that must be taken care of this case :

1. Marines Forces opened fire wrongly . It was not their duty in that region .
2. There was no a translator with them which led to that accident .
3. We (night guard's family) demand to bring the witnesses and to ask them about the reasons of the accident to free our son from prison and go back to his children ,
4. If there is ambiguity conditions related this matter , we shall assign a lawyer to talk on behalf of him and to protect him .

Family of citizen

[redacted]

000339

In the Name of Allah , the Beneficent , the Merciful
Iraq Republic

Al Hilla city centre Lieutenancy
Night Guards

No. /
Date : / / 2003

To / Coalition Forces Centre

Sub. / Support

We certify that night guard [redacted] is one of the guards of our village (Annana) . He is still in the employment at present time . He was appointed due to administrative order no. 932 in 29 / 5 / 2003 . To informing you of this matter please .

General Pilot
[redacted]
Lieutenant of Al Hilla city centre

000340

"In The Name of God, The Most Merciful, The Most Gracious"

To / Coalition Forces in Babylon

In the 16th of July - 2003, Coalition Forces (Marines) attacked [redacted] while he was on duty as a night guard in Annanah Village. One of the Marines shot h and then [redacted] was arrested and he was taken to unknown plac Ever since nothing was heard about him and nobody told us anything of him "We don't know anything about him, we don't know what you're talking about" - After that we were sure that our is detained in Ducoor Hospital - Jurf [redacted] Area and be charged and sent to jail unguilty. The only wrong doing com is by the America Patrol - We have more than ten fellow night g ready to be witnesses on that occasion and we have all the details of what happened. When the patrol intered wrong in Annah Village; yet it is out of the limit of their duty One of the American Soliders took the weapon of [redacted] and prepared the weapon for fire, mean while the other solider who wa on the truck fired toward the guard who was wearing the gu badge. Then he was detained by the patrol. The guard sponso a big family consist of a mother, two daughters, three sons, a wife for children, the older of them is of seven years old. The de is well-mannered and he was not belong to Baath Party and he doing his work honestly and properly. He is also respected by the of the Village and the responsibles for being trusty.

بسم الله الرحمن الرحيم

الى / قوات التحالف في محافظة بـــــابـــــل

في ليلة (٢٠٠٣/٧/١٦) قامت قوات التحالف المتمثلة (بالمارينز) بألاعتداء على المدعو (رافع عبد الكريم عبيد جاسم) اثناء تأدية واجبه الرسمي كحارس ليلي في قرية عنانة ٠٠٠حيث قام احد الجنود الامريكان بضربه بعدد من الاطلاقات النارية وتم اعتقاله ونقله الى جهة مجهولة ومنذ تلك اليلة انقطعت جميع الاخبار وأي جهة نقوم بمراجعتها يكون الجواب لانعلم ليس لدينا أي معلومات لانعرف شيءً عن الموضوع هذا الجواب الوحيد الذي نحصل عليه وبعدها علمنا ان ابننا معتقل في مستشفى داكور في جرف الصخر وسوف يحاكم ويودع السجن بدون أي ذنب أو أي خطأ يرتكبه بل الخطأ من الدورية وهناك أكثر من عشر حراس ليلين يعملون معه يشهدون على ذلك وتفاصيل الحادث كما يلي من افادة الشهود٠٠

عند دخول الدورية خطأ في قرية عنانة علماً انها ليس ضمن حدود واجبهم هذا ماتوصنا اليه اخيرًا قام احد الجنود الامريكان بأخذ سلاح المدعو رافع عبد الكريم وقام بسحب الاقسام في نفس الوقت قام الجندي الآخر من فوق العجلة الامريكية بفتح النار على الحارس علماً انه يرتدي الباج الخاص بالحراس اليلين وبعدها قامت الدورية بإعتقاله بدون أي تهمة تذكر٠٠٠

علماً انه يعيل عائلة كبيرة تتكون من ام وأخوات اثنان وثلاث اخوان وزوجة واربعة اطفال كبيرهم عمرة سبع سنوات

كذلك ان المدعو حسن السيرة والسلوك ولم ينتمي الى حزب البعث السابق وانه عنصر جيد يحافظ على الآمن والاستقرار في منطقته وهذه التزكية موثقة من قبل مسوؤليه ومن قبل مختار المنطقة حسب الاوراق المرفة طياً

هناك عدة ملاحظات نرجوا اخذها بنظر الاعتبار في هذه القضية

١.قوات المارينز التي قامت بإطلاق النار جاءت بالخطاء آي لم يكن واجبهم في تلك المنطقة .

٢. عدم وجود مترجم مع الدورية ادى الى حدوث مثل هذا الاشكال .

٣.نطالبنحن عائلة المدعو (الحارس اليلي) بإستدعاء الشهود والنظر بالحقائق في ظروف الحادث لأخراج ابننا منم السجن لكي يعود الى عائلته واطفاله

٤.اذا كانت هناك ظروف غامضة في القضية لتوكيل محامي للدفاع للنظر في القضية أو اطلاق سراحه لكي يعود الى عائلته

عائلة المدعو

رافع عبد الكريم عبيد جاسم

000342

HEADQUARTERS
COMBINED JOINT TASK FORCE SEVEN
BAGHDAD, IRAQ
APO AE 09342

REPLY TO
ATTENTION OF

FCC IB5

MEMORANDUM FOR Finance Office, CPA, Baghdad, Iraq

SUBJECT: Approving Memorandum for Claim: 04-I5A-T040

1. Pursuant to my authority as the Foreign Claims Commissioner (FCC IB5), I have approved the payment of $1000 as final settlement of Foreign Claim 04-I5A-T040, [redacted] of Iraq.

2. The payment will be made on 4 May 2004, at the Iraqi Convention Center located in Baghdad, Iraq.

3. The reason for payment of this claim is based on the US Forces negligent shooting and detainment of the claimant.

[redacted]
Captain, JA
FCC IB5

بسم الله الرحمن الرحيم

الى / محافظة بابل :

م / تزكية

نحن الموقعون ادناه مختار واختياريه قريه عنانه
نشهد ونؤيد بأن المواطن (الحارس) «رافع عبد الكريم عبيد جاسم»
من سكنة قرية عنانه وسمعته جيدة ولا يوجد لديه
أي اذى في المنطقة وليس لديه ارتباط بحزب البعث
وانه عنصر جيد .
علماً انه يعمل بصفة حارس في قرية عنانه
وارتباطه الوظيفي بقائمقامية مركز قضاء الحلة
ولأجله وقعنا أدناه .

[redacted]

فادي وناس محمد
مختار قرية عنانه
قضاء مركز الحلة

000344

بسم الله الرحمن الرحيم

الى / محافظة بابل

م / تزكية

نحن الموقعون ادناه مختار واختياريه قريه عنانه
نشهد ونؤيد بأن المواطن (الحارس) «رافع عبد الكريم عبيد جاسم»
من سكنة قرية عنانه وسمعته جيدة ولا يوجد لديه
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وارتباطه الوظيفي بقائمقامية مركز قضاء الحلة
ولاجله وقعنا أدناه.

[redacted]

000345

HEADQUARTERS
COMBINED JOINT TASK FORCE SEVEN
BAGHDAD, IRAQ
APO AE 09342

REPLY TO
ATTENTION OF

25 Dec 03

FCC I5A Claim of [redacted] I5A-T040

ACTION

1. Facts. On 16 July 2003, the claimant's son, [redacted] was working as a night guard in the Annana village in Al Hilla. At approximately 0300, military police from an unknown unit, believed that the claimant's son was a suspect and shot him. This was not the AO of the military police unit; rather it was that of the Marines of the 1st Battalion of the 4th Marines. After the shooting, he was taken to 28th CSH, treated and then detained and transported to AbuGhareeb prison. His family and [redacted], the XO of the GST in Al-Hilla were trying to get him released as of 16 July 2003.

2. Opinion. [redacted], the XO of the GST in Al-Hilla stated that [redacted] was arrested by mistake by an MP unit. He states that he was arrested as a suspect, but no reason was given as to why he was shot. [redacted] stated that the MPs were in the 1st of the 4th Marines area without their knowledge and a subsequent investigation of the arrest turned out to be without a valid basis.

If in fact the MPs were not supposed to be in the Marines area, then the shooting occurred due to negligence or misconduct by the MP unit. Therefore, because the FCA allows for compensation of the negligent or wrongful acts of US forces, claimant's son may be compensated. However, it must be claimant, not claimant's mother to file the claim. Therefore, until such time that it is determined that Mr. [redacted] was released from Abu Gharib due to a mistake, claim cannot be paid. Documents needed, CID or SIGACT report.

3. Authority. The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.

4. Action. That the claim be paid in the amount of $1,000.

[redacted]
Captain, U.S. Army
FCC I5A

Standard Form 1034
Revised October 1987
Department of the Treasury
1 TFM 4-2000
1034-121

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO.

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION

DEPARTMENT OF THE ARMY
DFAS-IN
INDIANAPOLIS, IN 46249

DATE VOUCHER PREPARED

CONTRACT NUMBER AND DATE

REQUISITION NUMBER AND DATE

SCHEDULE NO.

PAID BY
DSSN: 8551
DFAS-IN
INDIANAPOLIS, IN
46249 DSSN:5570

PAYEE'S NAME AND ADDRESS

[redacted]

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUMBER

SHIPPED FROM | TO | WEIGHT

GOVERNMENT B/L NUMBER

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT (1)
		Claim Payment Final Payment of FCA Claim #04-I5A-T040				1,000.00
					TOTAL	1,000.00

(Use continuation sheet(s) if necessary) **(Payee must NOT use the space below)**

PAYMENT:
- ☐ PROVISIONAL
- ☐ COMPLETE
- ☐ PARTIAL
- ☐ FINAL
- ☐ PROGRESS
- ☐ ADVANCE

APPROVED FOR = $

EXCHANGE RATE = $1.00

DIFFERENCES

BY [2]

Amount verified; correct for

TITLE

(Signature or initials)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) [redacted] *(Authorized Certifying Officer)* Certifying Officer *(Title)*

ACCOUNTING CLASSIFICATION

2142020 22-0204 P436099.22-4200 VIRQ F9206 S99999 APC 9609

Accounting Classification Verified By: [redacted] SSG, USA, Disbursing NCOIC

PAID BY

CHECK NUMBER	ON ACCOUNT OF U.S. TREASURY	CHECK NUMBER	ON *(Name of bank)*
CASH $	DATE	PAYEE [3]	

[1] When stated in foreign currency, insert name of currency.
[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.
[3] When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary," or "Treasurer," as the case may be.

PER

TITLE

Previous edition usable

PRIVACY ACT STATEMENT
The information requested on this form is required under the provisions of 31 U.S.C. 82b and 82c, for the purpose of disbursing Federal money. The information requested is to identify the particular creditor and the amounts to be paid. Failure to furnish this information will hinder discharge of the payment obligation.

NSN 7540-00-900-2234

USAPA V4.00

000347

قبول بالتوقيع من قبل المدع (المطالب)

I, the claimant by signing this document and accepting payment, am releasing the United States Military and the United States Government from any further liability resulting from this claim and accepting this payment as final settlement on this claim.

أنا المدع (المطالب) بالأمضاء و بالتوقيع على تلك الاستمارة و الموافقة على العرض (المبلغ) أنا باعفى القوات العسكرية الأمريكية أو حكومة الولايات المتحدة الأمريكية من أى مسئولية مقبلاً تنتج (أى شخص من بعدى) القيام بأى عمل قانونى او غير قانونى ضد القوات العسكرية الأمريكية أو الولايات المتحدة الأمريكية فى المستقبل.

Claims Form

To: United States Army Foreign Claims Commission.
From: Name: [redacted]
Address: Baghdad Deyala bridge.

I am
a. A citizen and national of: Iraq.
b. A permanent resident of:
c. Employed by:
d. Check one ( ) An insurer ( ) Not an insurer
e. Check one ( ) An subrogee ( ) Not an subrogee

I hereby make a claim against the United States Government for damages or injuries caused by: (Name, Organization, Military Department. Address. Telephone Number)
Coalition forces at Abokreeb preson.

The property damaged is owned by: (If the claim is made as an agent, parent, or guardian, attach a power of attorney or other evidence of authority and fill in the form below for party sustaining the damage or injuries.)

My claim arose at: Abokreeb preson (Town) Baghdad (City) Iraq (Country)

My claim arose on: 11 (Month) 8 (Day) 2003 (Year)

Give a brief statement of the accident or incident on which the claim for damages to property or for personal injury is based. (Use back of this sheet if necessary.)

On may 2003 my father was arrested by Coalition forces. and put at Abokreeb preson we tried many times to visit his with no success. Then we were told by presoners released from Abokreeb preson that my father died at the preson. So we found his body at local police station wearing red suite and his hands were tied. As the american left the body at the front gate of the hospetal

Describe nature and extent of property damage or personal injury sustained as a result of the above incident.

Dead prisoner.

List in detail the amount of property damage and itemized expenses resulting from the property damage or personal injury: (Attach bills and receipts, if applicable.)

Item	Amount
	10 000 000 ID

Total: 10 000 000 ID

I was insured to the following extent against the damage or injuries I have sustained:

The name and address of my insurer (if any) is:

(Name) (Address)

I claim as damages: (Indicate amount in U.S. dollars and local currency)

$ 7 000 $ local 10 000 000 ID

(Signature of Claimant)

Subscribed before me this ____ day of _____, 200___.

(Print Name)

(Signature)

To: CPA,Esq.

Sub: Compensation

I'm the father of the demise " [redacted] in may, 2003 the Americana forces arrested my son and prisoned him in Abu Gherab- prison for five months and we were told by some of individuals who were with him in a prison.

On 8-11-2003 the corpse had been founded and put into a black sack, wearing ared uniform on which there is a number (84).

He was found with hands that being shuckled according to the order issued from the hospital to AL Shua'a police station. After that it had been called upon us for receiving the cropse.

The messers,Esq.

The official orders issued from Iraq police station, the specialized court along with other documents like demise certificate certify that the cropse had been placed at the entrance of the hospital by American forces. These documents are official and right one. So I beseach you to compensate me financially due to the my son death and I'm ready to provide you with the copy of these orders.

With best regards

The father of the demise

[redacted]

Baghdad- Dayala Bridge

[redacted]

000351

Al - Shuala police station 8-11-2003

We were told by the hospetal that the americans brought a body and left it and the hospetals gate

We went to the hospetal we found A body of a man insid A black bag we could not identefy the body as there was no ID on it

1

AL-shuala police station 8-11-2003

Report on the body

① The body inside black bag.
② The hands were tied.
③ The body w with No 84
④ of a
removed the
⑤ blue spot on the eye.

2

[redacted]

CLAIMS CHRONOLOGY SHEET

CLAIMANT'S NAME: [redacted] FILE # 1CD04-052
AMOUNT CLAIMED: $ 10,000 AT:
DATE OF INCIDENT: 31 Jan 04
DATE CLAIM FILED: 1 May 04

DATE RECEIVED		SUSPENSE DATE
1 May 04	Return 30 May 04	
	~~IQ~~ 002 007-1	
	ISN 200048	
	Transfering to MNC-I (III Corps)	

000354

[redacted]@hotmail.com

Claims Fo[redacted]

To: United States Army Foreign Claims Commission
From: Name: [redacted]
Address: Baghdad Al-dawoody [redacted]

I am

a. A citizen and national of: Iraq
b. A permanent resident of:
c. Employed by:
d. Check one ( ) An insurer ( ) Not an insurer
e. Check one ( ) An subrogee ( ) Not an subrogee

Battle Field Intercepting Facility

I hereby make a claim against the United States Government for damages or injuries caused by: (Name, Organization, Military Department, Address, Telephone Number)

The property damaged is owned by: (If the claim is made as an agent, parent, or guardian, attach a power of attorney or other evidence of authority and fill in the form below for party sustaining the damage or injuries.)

My claim arose at: Baghdad (Town) Iraq (City) (Country)

My claim arose on: 1 (Month) 31 (Day) 2004 (Year)

Give a brief statement of the accident or incident on which the claim for damages to property or for personal injury is based. (Use back of this sheet if necessary.)

My father was arrested on 25-4-2003 as he was chest scintest. He was a directrat General. On 11-1-2004 we were allowed to see him. He was in very god health. On 17-2-2004 we were told by red cross that my father had died on 31-1-2004 as a result of being tortured and there was broses at the face and there was a wound and trace of surgery at the head according to american reports at Eben Sena hospital.

000355

Describe nature and extent of property damage or personal injury sustained as a result of the above incident.

My father was killed by the americans

List in detail the amount of property damage and itemized expenses resulting from the property damage or personal injury: (Attach bills and receipts, if applicable.)

Item	Amount
for damages	15 000 000 DD

Total: 15 000 000 DD

I was insured to the following extent against the damage or injuries I have sustained:

The name and address of my insurer (if any) is:

(Name) (Address)

I claim as damages: (Indicate amount in U.S. dollars and local currency)

$ 10 000 $ local 15 000 000 DD

(Signature of Claimant)

Subscribed before me this ____ day of _____, 200____.

(Print Name)

(Signature)

I'm the citizen [redacted]

[redacted] lives in Baghdad [redacted]

[redacted]

In date 25/4/2003 my father was arrest his name is Dr. [redacted] from American army. Then in date 11/1/2004 they allow for us, me & my family to visit him at airport of Baghdad, his health was good at that time and he wasn't sick and there is no any injured or irritation. In date 17/2/2004 they told us from the red cross that my father was dead and his body in Kerh hospitol and when I go and see the body, there was injury in his head & scratch at his face. My father was one the chemical scientist in the country.

I interduce my request against the american

COALITION PROVISIONAL AUTHORITY FORCES APPREHENSION FORM

YELLOW FIELDS MUST BE FILLED IN, IF APPLICABLE, UPON APPREHENSION

☐ **Offense against Civilian(s) [check one] If "Other" then describe:**_____

- ☐ Arson (I.P.C. 342)
- ☐ Solicitation of Fornication/Prostitution (I.P.C. 399)
- ☐ Rape/Indecent/Sexual Assaults/Acts (I.P.C. 393-98, 402)
- ☐ Murder (I.P.C. 405)
- ☐ Aggravated Assault/Assault With Intent To Kill (I.P.C. 410)
- ☐ Maiming (I.P.C. 412)
- ☐ Simple Assault (I.P.C. 415)
- ☐ Kidnapping (I.P.C. 421)
- ☐ Burglary or Housebreaking (I.P.C. 428)
- ☐ Extortion/Communicating Threats (I.P.C. 430)
- ☐ Theft (I.P.C. 439)
- ☐ Destruction of Property (I.P.C. 477)
- ☐ Obstructing a Public Highw ay/Place (I.P.C. 487)
- ☐ Discharging Firearm/ Explosive in City/Tow n/Village (I.P.C. 495)
- ☐ Riot or Breach of Peace (I.P.C. 495(3))
- ☐ Other

☐ **Offense against Coalition Forces [check one] If "Other" then describe:**_____

- ☐ Violation of Curfew
- ☐ Illegal Possession of Weapon
- ☐ Assault/Attack on Coalition Forces
- ☐ Theft of Coalition Force Property
- ☐ Trespass on Military Installation or Facility
- ☐ Photographing/Surveilling Military Installation or Facility
- ☐ Obstructing Performance of Military Mission
- ☐ Other

Apprehending Unit:		Location Grid:	
Date of Incident: (D/M/Y) / / to / /	Time of Incident: hrs to hrs	Date of Report: (D/M/Y) / /	Time of Report: hrs

Detainee #_____			Key Connected Person: ☐ Victim ☐ Witness		
Last Name:			Last Name:		
First Name:	Given Name:		First Name:	Given Name:	
Hair Color:	Scars/Tattoos/Deformities:		Hair Color:	Scars/Tattoos/Deformities:	
Eye-Color:	Weight: lb	Height: in	Eye-Color:	Weight: lb	Height: in
Address:			Address:		
Place of Birth:			Place of Birth:		
Ethn/Tribe/ Sect:	Sex: ☐ M ☐ F	Phone#: DOB D/M/Y: ☐ Mobile ☐ Regular	Ethn/Tribe/ Sect:	Sex: ☐ M ☐ F	Phone#: DOB D/M/Y: ☐ Mobile ☐ Regular
☐ Passport ☐ Dr. license ☐ Other (specify) Document #:			☐ Passport ☐ Dr. license ☐ Other (specify) Document #:		

Total Number of Persons Involved _____(list names/identifying info on reverse under "Additional Helpful Information")

☐ Vehicle Information	Vehicle Number _____ of _____ Vehicle(s)		Owner:
Make:	Color:	VIN:	
Model:	Type:	Plate No.:	Number of People in Vehicle:
Year:	Names of People in Vehicle:		
Contraband/Weapons in Vehicle:			

☐ Property/Contraband	☐ Weapon	Photo Taken of Suspect with Weapon/Contraband: Yes/ No	
Type:	Model:		Color/Caliber:
Serial No.:	Quantity:	Make:	Receipt Provided to Owner: Yes/ No
Other Details:	Where Found:		Owner:

Name of Assisting Interpreter: Email, Phone, or Contact Info:

Detaining Soldier's Name (Print):	Supervising Officer's Name (Print):
Last, First MI	Last, First MI
Signature:	Signature:
Email:	Email:
Unit Phone: Date: / /	Unit Phone: Date: / /

COALITION PROVISIONAL AUTHORITY FORCES APPREHENSION FORM

Why was this person detained?

Who witnessed this person being detained or the reason for detention? Give names, contact numbers, addresses.

How was this person traveling (car, bus, on foot)?

Who was with this person?

What weapons was this person carrying?

What contraband was this person carrying?

What other weapons were seized?

What other information did you get from this person?

Additional Helpful Information:

Table Of Maximum Period of Pre-Trial Detention for Minor Offenses

Unless earlier tried, released, bound over for trial by competent Iraqi judicial authority, or further detained on order of a Coalition Forces General Officer commander, civilians detained for the following offenses will be detained no longer than the periods specified:

Offense	Maximum Period of Pre-Trial Detention
Curfew Violation	24 Hours
Speeding/Other Traffic Violations	24 Hours
Discharge of Weapon in City Limits	10 Days
Drunk and Disorderly	10 Days
Interference with Mission Accomplishment By Violating Lawful Order of Coalition Soldier in the Performance of Official Duties	14 Days
Petty Theft (Theft of Item of Value of $20 or less)	14 Days
Simple Assault	14 Days

DETAINEE RULES

1. Do not touch your blindfold.
2. Do not "mess with" your handcuffs.
3. Do not talk.
4. Follow all instructions from the guards.
5. Remember your number, respond when your number is called.
6. If you need to go to the bathroom you will raise your hands and wait until a guard touches your shoulder, you will then respond with "W.C." Nothing more. The guard will take you as soon as possible after that.
7. If you need water you will raise your hands and wait until a guard touches your shoulder, you will then respond with "water". Nothing more. The guard will give you water as soon as possible after that.

   THOSE ARE THE ONLY TWO TIMES YOU WILL EVER SPEAK AND YOU WILL NOT SAY MORE THAN THOSE WORDS.
8. You will do physical exercises twice a day for one hour.
9. You will only sleep when you are told to do so.
10. You will only eat when you are told to do so.
11. If you break any one of these rules at any time, for any reason, you will be punished.

Guard notes:

If there is an infraction identify the detainee's #, separate him from the others, and let one of the interrogators know what happened. The standard punishment will be 20 minutes of arms up and down in front of the other detainees.

Detainee Schedule

0000-0600	Sleep for all detainees
0600-0630	Detainees will wake up and fold their blankets, putting them at the end of their bed to be collected. Detainees will clean their cots before they are moved. Selected detainees will move cots back to the storage room.
0630-UTC	Courtyard formation. During this formation guards will check the hands and feet of all detainees. Problems will be identified and recorded. The SOG will be notified and the problems will be addressed at sick call at 1200 daily. Detainee rules will be reread each morning. Detainees will use the bathroom facilities two people at a time. They will wash whatever they feel is necessary and use the bathroom then return to formation.
0900-1000	Meal #1- After the meal a few detainees will collect and take out all trash. The room will be cleaned if anything is spilled. No spills will be left unchecked. The first detainees finished will start cleaning. Administer all medication at this time. Check with SOG to see if any detainees need medication more than once a day.
1200-UTC	Sick Call-Ensure that the room is left sanitary each day. SOG and Shift NCOs will be aware of any medications/medical issues for the detainees.
1300-UTC	Transport detainees.
1600-1700	Meal #2
1730-UTC	Courtyard Formation. Check all hands and feet. Report any problems to the SOG.
2000-2100	Meal #3
2300-0000	A few detainees will be selected to move cots back into the room for sleeping. Blankets will be distributed and detainees will prepare for bed.

**Detainees will vacate the room while selected detainees fully clean the holding room on Wednesday and Sunday each week.
**Detainees entering between 0000-0600 will get a cot and a blanket and bed down until wake time.

(Raw notes from an internal informal investigation after an operation directed BCT wide early Sep 03' in order to try and capture HVT reportedly transiting from Iraq to Syria-After the investigation was complete-implemented changes recommended and conducted training with the soldiers involved.)

These were some of the reports from detainees when released.

- They were not given food and water
- Were not allowed to go to the bathroom
- Money lost
- Lost rings
- Lost cell phones

From observation:

- Individuals were very cooperative
- Cuts on wrist from cuffs
- Belongings were mixed in a box and not sorted accurately
- Lost passports (2)
- Some persons were older than 40, few were 50 or 60
- One individual was on permanent crutches due to one disfigured leg
- Some persons were merchants from Syria, (2 semi trucks confiscated)
- One gentleman from PDK with PDK ID
- One trucker from Turkey with truck that says Turkey
- Many show worry they will be treated this way again going through this area.
- Some individuals were from Rabiah area and other parts of Iraq. Some owned business in Syria and Iraq.

Assessment:

This action will have impact in our AO. The last four months, the Rabiah area has developed a reputation, one that is good. The area is peaceful, offering jobs and where Coalition Forces respect and care for the people. Merchants have no problems getting through with their merchandise. They see it as a chanced to make money; perhaps reinforcing that America is the land of opportunity. The impact of four months is apparent as Rabiah used to be much, much more quiet. Now, the civic center is busy everyday. The customs house is crowded with business. The roads are crowded with semis. This action will encourage suspicion and distrust in the people and merchants through the area. Coalition forces will be seen as outsiders. Outside threats have a better chance of existing in the AO. Merchants may seek other routes (Harbor Gate) fearing that one day they may not make it home. This will stifle economic growth in the region. The actions over the last few days by coalition forces have created a ripple in the trust developed between the people in the Rabiah sub-district and U.S. forces. This is not in line with the IO theme we portray. Local populace will start to relate our actions to that of the previous regime.

Recommendations:

- Higher must give better indicators and screening criteria than being a certain race. A different dialect is not enough. There are practically infinite dialects and no one persons can determine what it is except that it is different. Cultural questions are not proof of guilt, only proof of education and ignorance.

- Bn S2 screens all detainees. Develop better screening criteria for companies.

- If higher requests detainees contrary to Bn assessment, then higher should conduct the release of individuals, not battalion.

- Re-look the policies and procedures associated with in-processing, caring for, and releasing of possible EPW's at the 3BCT EPW cage.

Medical Questions for In processing

1. Do you currently have any medical problems?
2. Do you have any chronic medical problems?
3. Are you taking any medications?
4. Are you allergic to any medications?
5. How much alcohol do you drink daily?

INTERVIEW TECHNIQUES

FOR MILITARY POLICE
INVESTIGATORS

1. CHOOSE LOCATION BEST SUITED FOR INTERVIEW
   a. Proper setting is instrumental to success of an interview.
   b. Avoid distractions (no radios, telephones, noise).
   c. Privacy
   d. Select a favorable setting.
   e. Physical comfort
   f. Juvenile offenders

2. TECHNIQUE
   a. Prepare background information ahead of time.
   b. Get acquainted.
      (1) Identify yourself and purpose of interview.
      (2) Identify person to be interviewed.
   c. Develop rapport
   d. Motivate interviewee
   e. Keep subject talking
   f. Use open ended questions

   g. Never attack self esteem or dignity of interviewee
   h. Control direction of conversation (gather information pertinent to elements of proof for offense being investigated)
   i. Maintain conversation at interviewee's level
   j. Respect individual's "space" - comfort zones
   k. Eliminate physical barriers (Avoid talking through screen doors and the like).
   l. Display sincerity
   m. Repeat information back to interviewee to stimulate clarification or corrections of errors.

3. TAKE WRITTEN STATEMENTS (DA Form 2823)
   a. Confessions and witness/victim statements
      (1) Narrative form
      (2) Questions/answer form

   b. Procedures for taking statements.
      (1) Advise of legal rights (DA Form 3881), if applicable
      (2) Have interviewee relate specific details of events.
         (a) Insure elements of offense are all included
         (b) Clarify all general statements

c. Prepare investigators statement.

QUESTIONS?

FORCE PROTECTION RULES FOR THE USE OF FORCE

AGENDA

- HOSTILE INTENT/HOSTILE ACT
- GUIDANCE ON THE USE OF FORCE
- SPECIFIC AUTHORIZATIONS FOR USE
- LAW OF LAND WARFARE

FORCE PROTECTION RULES FOR THE USE OF FORCE

HOSTILE INTENT /HOSTILE ACT

- Hostile Intent = Accelerating toward a traffic control point, pointing a weapon at you or other friendly forces, etc.

- Hostile Act = Crashing through a traffic control point, firing a weapon at you or other friendly forces, etc.

FORCE PROTECTION RULES FOR THE USE OF FORCE

USE OF FORCE GUIDANCE

- At all times use only the MINIMUM AMOUNT OF FORCE NECESSARY TO NEUTRALIZE THE THREAT
- When possible, the following steps should be taken when faced with a situation requiring the use of force:
  - Give a verbal warning
  - Physically restrain the threat
  - Fire a warning shot
  - Deadly force - Fire at center mass

FORCE PROTECTION RULES FOR THE USE OF FORCE

Training Vignette #1: You are assigned to guard an entrance gate to a compound. You notice an individual entering the compound through a smaller gate to your right. No weapons are visible. When asked to stop, he does not acknowledge you and continues walking. What do you do?

Given the circumstances, what is the appropriate level of force to use?

FORCE PROTECTION RULES FOR THE USE OF FORCE

Training Vignette #1: You are assigned to guard an entrance gate to a compound. You notice an individual entering the compound through a smaller gate to your right. No weapons are visible. When asked to stop, he does not acknowledge you and continues walking what do you do?

FORCE PROTECTION RULES FOR THE USE OF FORCE

SPECIFIC AUTHORIZATIONS

- The use of force is specifically authorized under the following conditions:

FORCE PROTECTION RULES FOR THE USE OF FORCE

Training Vignette #2: You are guarding a gate. An unmarked van, driven by a lone man, turns toward your gate and begins accelerating. You signal for him to stop, but he continues accelerating. By the time he gets to your position, he is traveling in excess of 60 KPH. What do you do?

FORCE PROTECTION RULES FOR THE USE OF FORCE

Training Vignette #2: You are guarding a gate. An unmarked van, driven by a lone man, turns toward your gate and begins accelerating. You signal for him to stop, but he continues accelerating. By the time he gets to your position, he is traveling in excess of 60 KPH. What do you do?

The excess speed, coupled with the disregard for your signs to stop are good indicators of hostile intent. If you reasonably believe that hostile intent is present, you are authorized to use force to stop the vehicle. The appropriate force in this case is warning shots and, perhaps, application of deadly force to stop the threat.

FORCE PROTECTION RULES FOR THE USE OF FORCE

Training Vignette #3: While you are out patrolling the street, you see a man with a rifle in one hand. He sees your patrol and runs through a market. What do you do?

FORCE PROTECTION RULES FOR THE USE OF FORCE

Training Vignette #3: While you are out patrolling the street, you see a man with a rifle in one hand. He sees your patrol and runs through a market. What do you do?

You may fire warning shots, however the presence of civilians in the area will prevent you from firing on the man. The risk of injuring innocent people is too high given the circumstances. You should contact your headquarters to notify them of the incident and pursue the man if possible.

FORCE PROTECTION RULES FOR THE USE OF FORCE

LAW OF LAND WARFARE

- Prohibits firing on "protected targets"
  - Mosques, churches, hospitals, schools, ambulances

FORCE PROTECTION RULES FOR THE USE OF FORCE

QUESTIONS?

USE OF FORCE

You should use only the minimum amount of force necessary to detain a subject.

The amount of force permitted is that force necessary to:

1. Secure and detain the offender
2. To overpower the subjects resistance
3. To prevent escape or recapture of the offender if escape is attempted.

Note: To much force may mean you will be watched closer and be subject to punishment. You are never justified in using unnecessary force and it will damage you status in the community.

USE OF FORCE

You should not use threats of force or violence when making arrests. This does not keep you from telling and warning offenders prior to the use of force.

Whenever any physical force is used, all law enforcement personnel involved should make written statements explaining, in detail, the necessity for and type of force used.

USE OF FORCE

Hand restraints: you will use hand restraints to control all arrested personnel. Place juveniles (under age children) in hand restraints only if they cannot be controlled by any lesser means of force. To avoid having a prisoner suffocate, you should keep restrained prisoners from being placed on their stomachs.

USE OF FORCE

Hand Impact Weapon (Club): the club is used as an extension of the arm rather than a bludgeon. When used as an extension, it is easily adapted to fend off blows suspects may strike. When it becomes necessary to strike with the club, use it to disable rather than injure:

(1) Never direct blows to the head or groin area, these may result in death.

(2) You may direct blows downward at the shoulders and/or collarbone. You may use cross blows directed at forearms, shins and the back of the legs.

(3) You can direct jabs to the stomach or back.

USE OF FORCE

CHOKE HOLDS

One or more of the following circumstances must be present:

(1) The officer reasonably believes that he is threatened or another person is threatened with death or serious physical injury.

(2) To prevent the commission of one of the following major

USE OF FORCE

NOTE: In the event that DEADLY FORCE is used or if DEADLY FORCE is shown, the use should be reported to the entire chain of command. This includes drawing a weapon and presenting the weapon for use on a

USE OF FORCE

Deadly force defined: deadly force is that force which when used, such as firing a weapon, will cause or is likely to cause the death or serious physical injury of a person. It is justified only under conditions of the most extreme necessity and only as a last resort when all lesser means have failed or cannot reasonably be employed.

USE OF FORCE

Firearms: If it becomes necessary to use a firearm, you will observe the following steps if you can so it remains the same with the requirement to prevent death or serious physical injury to others.

(1) Order them to halt before a shot is fired. The order will be: "HALT OR I'LL SHOOT."

(2) Do not fire shots if they are likely to endanger the safety of innocent people standing around.

(3) Do not fire warning shots.

(4) When possible shoot to terminate the illegal action or until the subject is unarmed.

USE OF FORCE

WHEN TO USE DEADLY FORCE

Force is normally necessary in the following situations:

1. When apprehending a resisting subject
2. For the protection of property
3. To protect persons
4. When given a lawful order by a supervisor

Note. To assist you with these decisions you have at your disposal: other security officers, police, physically binding measures, hand impact weapons, and firearms

USE OF FORCE

Use of Force: Supervisors, insure all officers reporting for duty are familiarized with the levels of force and in the order they are to be used:

* **Officer's Presence**
* **Verbal persuasion**
* **Unarmed self defense**
* **Hand Impact Weapons (Club)**
* **Show of deadly force**
* **Deadly force**

Initial Screening and Interrogation/Debriefing for HVTs

3 pages

Debrief for FP information:

Knowledge of imminent attack on US/Coalition Force

Obtain SALUTE information on imminent att

Knowledge of immediate danger to US/Coalition Forces

Obtain information on nature and location of the danger

Knowledge of danger to US/Coalition Forces at a particular site or facility:

At an SSE, obtain information on items or activities at a the site that might pose a threat to people: Bombs, booby traps, UXO, chemical or biological agents (weaponized or not), armed personnel, etc.

Debrief for site-specific information:

Define Subject's Placement and Access to the site and to knowledge concerning the site:

When did Subject first have knowledge of the site and how was this knowledge obtained?

When did Subject first visit the site and what were the circumstances of the visit?

When did Subject last visit the site and what were the circumstances of the visit?

During the time of Subject's association with the site, what was Subject's reason for being at the site; what was Subject's position/job at the site?

Define the scope and depth of Subject's knowledge about the site and personnel associated with the site:

What is the purpose of the facility? Who is in charge of the facility? Where is that person now? To whom does the facility chief report? Where is that person now?

What is the purpose of each building on the facility? Who is in charge in each building? Where are those people now?

What detailed technical or scientific knowledge can Subject provide on the facility, its operations, communications and computer systems?

What stand-alone computers, local area networks, or wide area networks are present at the facility?

What security is in place on stand-alone and networked computers? UserIDs? Passwords (Obtain all passwords known to Subject.)

Who is the information system administrator? Who is the information system security officer? Where exactly do they work? Which workstation is their primary workstation? Where are these people now?

What communications systems are used within the facility and to connect the facility to the outside?

Who is responsible for communications at the facility? Where exactly does this person work? Where is this person now?

What other facilities are associated with this facility and where exactly are these related facilities (including daily logistical support)? When items/products come into the facility where do they come from? When items/products go out of the facility where do they go? How are items transported in and out of the facility?

What nuclear, biological, chemical or weapons-related activities or production take place at the facility? What nuclear, chemical, biological or weapons-related materials are present on the site? Where exactly are they?

What nuclear, biological, chemical or weapons-related activities or production have taken place at the facility? What nuclear, chemical, biological or weapons-related materials have been present on the site? Where exactly were they on the site? Where exactly are they now?

Who else is associated with the facility? Where exactly are these people now?

What non-IZ nationals (Chinese, North Korean, Russian, Philippine, etc.) work at the site? What non-IZ nationals live in the area of the site? What non-IZ nationals previously worked at the site or lived in the area of the site?

For Leadership or Intelligence Headquarters Sites:

Same questions as above plus:

Where are current operational files kept? Where are current source files kept? Where are current financial files kept? Where are current personnel

files kept? Where are communications records kept? Where are current logistical records kept?

What knowledge does Subject have about current operations or about the files that contain current operational information? [EMPHASIS IS ON OBTAINING INFORMATION AND FILES ON NEAR TERM PLANS AND IDENTIFYING PERSONNEL INVOLVED IN ACTS OF TERRORISM OR WAR (EITHER COMMITTING ACTS OF TERRORISM/WAR OR SUPPORTTING ACTS OF TERRORISM/WAR ANYWHERE IN THE WORLD).]

What files identify intelligence officers and operatives/agents and their locations? [COMMUNICATIONS PLANS AND DURESS CODES ARE EXTREMELY IMPORTANT.]

What files identify IZ leadership and intelligence associations with other countries or with organizations (such as terrorist or criminal groups or other intelligence organizations) inside and outside IZ?

Who handles the most sensitive files? Where is that person or where are those people now?

Where are the most secret, most sensitive files?

Are there paper or computer archives for special weapons projects and research? Where are those archives?

Who are the Leadership and Intelligence persons with WMD execution authority and responsibility? Where are these people now?

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NOVEMBER 1986

DIVISION INTELLIGENCE AND ELECTRONIC WARFARE OPERATIONS

HEADQUARTERS DEPARTMENT OF THE ARMY

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FM 34-25

CORPS INTELLIGENCE AND ELECTRONIC WARFARE OPERATIONS

SEPTEMBER 1987

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