



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

ACTION MEMO

2004 JUL -8 AM 7:41

July 8, 2004, 12:30 PM

FOR: SECRETARY OF DEFENSE

DepSec Action _____

FROM: Raymond F. DuBois, Director, Administration and Management

SUBJECT: *Ray DuBois* Handling Reports from the Intl. Committee of the Red Cross [Final]

- In the attached snowflake you asked that we establish a system for receiving, memorializing, and elevating oral and written reports from the International Committee of the Red Cross (ICRC).
- The memo at **TAB A** establishes a process for receiving and promptly elevating oral or written ICRC reports. To ensure expedited action, we propose that all ICRC reports received by a **military** or civilian official of the Department of Defense at any level shall, within **24** hours, be transmitted to the USD(P) with information copies to the Director, Joint Staff; the ASD(PA); the General Counsel of **DoD**; and the DoD Executive Secretary. Reports received by officials within a combatant command area of operation shall also be transmitted simultaneously to the combatant commander.
- The USD(P) will determine the significance of reports and immediately forward to you those ICRC reports of significance. For all reports, the USD(P) will develop and coordinate a course of action. Actions of significance will be forwarded to you for decision.
- Oral reports from the ICRC will be summarized in writing. Guidance on the essential information to be included is provided in the memo at TAB A.
- The temporary procedures established in the memo at TAB A are effective immediately and shall be reviewed in six months with a view to incorporating these changes into pertinent DoD issuances.
- To ensure that DoD responses to ICRC reports are appropriately coordinated with other US Government agencies, the USD(P) shall establish an ICRC Interagency Group, consisting of representatives of Defense, State, the NSC Staff, and other appropriate agencies, that will meet, initially monthly, to review ICRC matters, coordinate responses, and share information.

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RECOMMENDATION: Sign the memo at TAB A.

COORDINATION: TAB B

Attachments
stated

TSA GD	
SA DBE	
BRMA DND	<i>5/7/12</i>
EXEC SEC	<i>M 7/12</i>

OSD 10190-04



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

JUL 14 2004

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
COMMANDERS OF THE COMBATANT COMMANDS
ASSISTANT SECRETARIES OF DEFENSE
GENERAL COUNSEL OF THE DEPARTMENT OF
DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF
DEFENSE
ASSISTANTS TO THE SECRETARY OF DEFENSE
DIRECTOR, ADMINISTRATION AND MANAGEMENT
DIRECTOR, PROGRAM ANALYSIS AND EVALUATION
DIRECTOR, NET ASSESSMENT
DIRECTOR, FORCE TRANSFORMATION
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

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SUBJECT: Handling of Reports from the International Committee of the Red Cross

Prompt evaluation and transmission of reports from the International Committee of the Red Cross (ICRC) to senior DoD leaders is of the utmost importance. Recognizing that information may be reported at various command levels and in oral or written form, I direct the following actions:

- All ICRC reports received by a military or civilian official of the Department of Defense at any level shall, within 24 hours, be transmitted to the Under Secretary of Defense for Policy (USD(P)) with information copies to the Director, Joint Staff; the Assistant Secretary of Defense for Public Affairs; the General Counsel of DoD; and the DoD Executive Secretary. ICRC reports received by officials within a combatant command area of operation shall also be transmitted simultaneously to the commander of the combatant command.
- The USD(P) shall be responsible for determining the significance of ICRC reports and immediately forwarding those actions of significance to the Secretary of Defense.
- For all ICRC reports, the USD(P) shall, within 72 hours of receipt, develop a course of action, coordinate such actions with the Chairman of the Joint Chiefs of Staff, the pertinent Combatant Commander, the General Counsel of DoD, and, as appropriate,

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8 Jul 04



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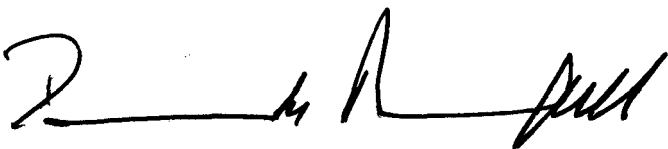
the Secretaries of the Military Departments, the Assistant Secretaries of Defense for Public Affairs and Legislative Affairs, and other DoD officials. Actions of significance shall be submitted to the Secretary of Defense for approval.

- Combatant Commanders shall provide their assessment of the ICRC reports they receive to the USD(P) through the Director, Joint Staff within **24** hours of receipt.
- To ensure essential information is reported, oral reports shall be summarized in writing. The following information shall be included:
 - Description of the ICRC visit or meeting: Location? When? Has corrective action been initiated if warranted?
 - Identification of specific detainee or enemy prisoner of war reported upon (if applicable).
 - Name of ICRC Representative.
 - Identification of U.S. official who received the report. Also, identify the U.S. official submitting the report.
- All ICRC communications shall be marked with the following statement: "ICRC communications are provided to DoD as confidential, restricted-use documents. As such, they will be safeguarded the same as SECRETNODIS information using classified information channels. Dissemination of ICRC communications outside of DoD is not authorized without the approval of the Secretary or Deputy Secretary of Defense."

These temporary procedures are effective immediately and shall be reviewed in six months with a view to incorporating these changes into pertinent DoD issuances.

At the same time, the USD(P) shall establish an ICRC Interagency Group, consisting of representatives of the Defense and State Departments and the National Security Council Staff, and other appropriate agencies, that will meet, initially monthly, to review ICRC matters, coordinate responses, and ensure that all ICRC matters are appropriately addressed.

Your compliance with the procedures in this memorandum is a matter of DoD policy and is essential to enabling the Department to continue to meet its responsibilities and obligations for the humane care and full accountability for all persons captured or detained during military operations.

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May 20, 2004

To: Ray DuBois

CC: Gen. Dick Myers
Paul Wolfowitz
Doug Feith
Pete Geren

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7/12

FROM: Donald Rumsfeld *DR*

SUBJECT: ICRC and Human Rights Reporting

Please fashion a ~~system~~ throughout the Department of Defense whereby any *oral* input ~~from~~ the International Committee of the Red Cross is memorialized in a memorandum, and any written communication from the ICRC or any human rights group is elevated to at least the next two levels of authority above where the reports are submitted.

We need to get a Department-wide fix on this fast. Please do this in the next four days and make an 80 percent proposal to me.

Thanks.

DHR:dh
052004-26



Please respond by 5/26/04

c'd
SIGNED BY SD

7/14

SIR
Response attached
vr
CDR Nosenzo
7/1
7/14
SM

OSD 07805-04

DSD 07805-04

