



OFFICE OF THE SECRETARY OF DEFENSE

1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000



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ACTION MEMO

FOR: Secretary of Defense

FROM: Pete Geren

SUBJECT: Provision of International Committee of the Red Cross Communications to Congress

- Attached is a memorandum (second revision according to your edits) from you to the Chairman of the Joint Chiefs of Staff directing the Chairman to task US Southern Command, Central Command, and Joint Forces Command to coordinate with USD(P) and the Chairman in preparing for and presenting the ICRC reports to Congress.
- This has been coordinated with the Joint Staff, Policy, and the Office of General Counsel. The Joint Staff and Policy concur. OGC has no legal reservations, but offers the view that a “general” officer rather than a “senior” officer should be tasked to brief the Congress. Mr. Haynes noted that his reservation on that point, “isn’t legally required. [It is] a policy call.” Other than that reservation, Mr. Haynes concurs.
- I have discussed the “general” versus “senior” officer issue with the Joint Staff. The Joint Staff feels strongly that you not require a general officer to conduct the briefing to Congress, but leave it up to the command to designate its briefer from “senior” officer ranks.

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RECOMMENDATION: Sign the attached memorandum.

2 July 04



OSD 09950-04





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THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
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MEMORANDUM FOR COMMANDER, U.S. SOUTHERN COMMAND
COMMANDER, U.S. CENTRAL COMMAND
COMMANDER, U.S. JOINT FORCES COMMAND

THROUGH: CHAIRMAN OF THE JOINT CHIEFS OF STAFF

SUBJECT: International Committee of the Red Cross (ICRC) Communications and Briefings to Congress

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In order to be informed fully of all past command interactions with ICRC, and be able to keep Congressional committees with jurisdiction informed of significant Department of Defense (DoD) activities, I request the following:

Promptly provide copies of all written communications between the ICRC and the Command. Communications from the ICRC to be provided include working papers, periodic reports, all correspondence, and notes verbale. All DoD communications in response to the ICRC, after action reports, and summaries of meetings with ICRC representatives should be provided as well. This is a continuing obligation until this requirement is rescinded or superceded.

In addition, prepare a briefing summarizing the ICRC reports received by your command listed in the attached document (coordinating your briefing with the CJCS and the Under Secretary of Defense (Policy)). This briefing should also address the nature of your command's interactions with the ICRC, key concerns identified by the ICRC in these interactions, how the command responded to each of these concerns, and any unresolved issues. A general or flag officer from your command should be designated to coordinate the command's response and a senior officer prepared to give your briefing to relevant committees of the Congress in mid-July, 2004.

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ICRC Core Reports and Working Papers Submitted to U.S. Authorities in Relation to Detention Operations (as provided by the ICRC on June 29, 2004):

Guantanamo Bay: 1 Summary Report, 6 Working Papers, 1 Medical Report

Summary Report: June 2002
Working Papers: April 2002, July 2002, October 2002, May 2003, December 2003, May 2004
Medical Report: January 2003

Afghanistan: 3 Summary Reports, 5 Working Papers

Summary Reports: Bagram/Kandahar – 2 in 2002; Bagram – 1 in 2004; US outposts – 1 in 2003
Working Papers: Bagram – 3 between 2002 – 2003; Kandahar – 2 in 2002

Iraq: 1 Summary Report, 23 Working Papers

Summary Reports: 1 Summary Report on Treatment: February 10, 2004
Working Papers: 4 Working Papers on Abu Ghraib: July 17, 2003; November 12, 2003; February 9, 2004; March 31, 2004
8 Working Papers on Baghdad International Airport (including High Value Detainee sections): June 26, 2003; June 27, 2003; July 20 (approximately) 2003; July 26, 2003; August 9, 2003; November 12, 2003; February 6, 2004; March 18, 2004
4 Working Papers on Camp Bucca: October 11, 2003; March 9, 2004; March 31, 2004; May 26, 2004
1 Working Paper on Combat Support Hospital: March 4, 2004
1 Working Paper on Camp Bayonet, Kirkuk: August 9, 2003
1 Working Paper on Mosul: August 9, 2003
1 Working Paper on Rossafa: September 20, 2003
2 Working Papers on Salhiyah: July 17, 2003; September 20, 2003
1 Working Paper on Tasfirat: July 7, 2003

