




OFFICE OF THE SECRETARY OF DEFENSE

WASHINGTON, DC 20301

INFO MEMO

April 20, 2005

FOR: SECRETARY OF DEFENSE

FROM: Pete Geren, Special Assistant to the Secretary of Defense 

SUBJECT: Allegations in Admiral Church Hearing – SNOWFLAKE

You signed a document on December 2, 2002 approving the use of enhanced interrogation techniques at Guantanamo (copy attached). The Church Report and internal documents confirm that military lawyers did object to the use of those techniques prior to your signing the document; however, there does not appear to be any record that you were made aware of those complaints prior to December 2.

Internal records indicate that the first time you were informed of military concerns was January 10, 2003 when you were told by Jim Haynes of the Navy General Counsel's expression of concern. You immediately rescinded the use of the December 2 memo and ordered a review. This review led to your April 16, 2003 approval of a more restrictive interrogation policy.



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- C.  
- PD.



GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE  
1800 DEFENSE PENTAGON  
WASHINGTON, D. C. 20301-1800

2002 DEC -2 AM 11: 03

ACTION MEMO

November 27, 2002 (1:00 PM)

GENERAL COUNSEL

OFFICE OF THE  
SECRETARY OF DEFENSE

DEPSEC \_\_\_\_\_

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel *[Signature]*

SUBJECT: Counter-Resistance Techniques

- The Commander of USSOUTHCOM has forwarded a request by the Commander of Joint Task Force 170 (now JTF GTMO) for approval of counter-resistance techniques to aid in the interrogation of detainees at Guantanamo Bay (Tab A).
- The request contains three categories of counter-resistance techniques, with the first category the least aggressive and the third category the most aggressive (Tab B).
- I have discussed this with the Deputy, Doug Feith and General Myers. I believe that all join in my recommendation that, as a matter of policy, you authorize the Commander of USSOUTHCOM to employ, in his discretion, only Categories I and II and the fourth technique listed in Category III ("Use of mild, non-injurious physical contact such as grabbing, poking in the chest with the finger, and light pushing").
- While all Category III techniques may be legally available, we believe that, as a matter of policy, a blanket approval of Category III techniques is not warranted at this time. Our Armed Forces are trained to a standard of interrogation that reflects a tradition of restraint.

RECOMMENDATION: That SECDEF approve the USSOUTHCOM Commander's use of those counter-resistance techniques listed in Categories I and II and the fourth technique listed in Category III during the interrogation of detainees at Guantanamo Bay.

SECDEF DECISION:

Approved *[Signature]* Disapproved \_\_\_\_\_ Other \_\_\_\_\_

Attachments  
As stated

cc: CJCS, USD(P)

*However, I stand for 8-10 hours  
A day. Why is stand, limited to 4 hours?*

*D.A.* DEC 02 2002

Declassified Under Authority of Executive Order 12958  
By Executive Secretary, Office of the Secretary of Defense  
William P. Marriott, CAPT, USN  
June 18, 2004

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Certified as Unclassified  
January 9, 2009  
IAW EO 12958, as amended  
Chief, RDB, ESD, WHS