

BRADLEY MANNING'S NEW CHARGES: “BRINGING DISCREDIT UPON THE ARMED FORCES”

Aside from learning that we—the recipients of a bunch of information Bradley Manning is alleged to have leaked—are the enemy, what did we learn from the new charges the government filed against Bradley Manning yesterday? Most of the charges say the information Manning allegedly leaked were of a nature that they would bring discredit upon the armed forces. Heh.

Here's a summary of the charges, with my comments (note, these are all allegations—I won't repeat that remind with each charge, but please keep it in mind):

Charge I; Article 104: Between November 1, 2009 and May 27, 2010, giving intelligence to the enemy, through indirect means.

Note, here's how that article defines “enemy:”

“Enemy” includes (not only) organized opposing forces in time of war, (but also any other hostile body that our forces may be opposing) (such as a rebellious mob or a band of renegades) (and includes civilians as well as members of military organizations). (“Enemy” is not restricted to the enemy government or its armed forces. All the citizens of one belligerent are enemies of the government and the citizens of the other.)

As I'll discuss in a follow-up, I think they may be refusing to say who they consider the enemy in one more effort to tie Manning to Julian Assange. But since they don't specify who the

enemy is, we can just assume it is us.

Charge II, Article 134, Specification 1:
“Wrongfully and wantonly” causing intelligence to be published in the internet.

This one, it seems to me, might be broad enough to trouble the newspapers that have published the cables.

Charge II, Specification 2: Between February 15 and April 5, 2010, transmitting the Collateral Murder video to someone not entitled to receive it.

The date on this is interesting: WikiLeaks was already boasting of having a video on January 8, and they announced decrypting it (which was a ruse—it was not encrypted) on February 20, which correlates with the timing Manning described in the chat logs. I wonder if the government hasn't been able to pinpoint when this was transmitted?

Charge II, Specification 3: Between March 22 and 26, 2010, transmitting more than one classified memo to someone not entitled to receive it.

On March 23, the WL twitter feed announced, “We know our possession of the decrypted airstrike video is now being discussed at the highest levels of US command.” This was the time period when it appears Manning, according to the chat logs, was tracking the surveillance of Assange. I suspect this reference pertains to this information.

Charge II, Specification 4: Between December 31, 2009 and January 5, 2010, getting the “Combined Information Data Network Exchange Iraq database” of more than 380,000 records.

This suggests the government believed Manning had this by the first few days of 2010.

Charge II, Specification 5: Between December 31, 2009 and February 9, 2010, transmitting more than 20 Iraq database cables to someone not authorized to receive them.

Charge II, Specification 6: Between December 31,

2009 and January 8, 2010, getting the "Combined Information Data Network Exchange Afghanistan database" of more than 90,000.

This suggests the government believes Manning got both the Afghan and Iraq database around the same time. Note, too, that Manning traveled to the US after this point.

Charge II, Specification 7: Between December 31, 2009 and February 9, 2010, transmitting more than 20 Afghan cables to someone not authorized to receive them.

Note the last date for transmission for both the Iraq and Afghan cables is the same—February 9.

Charge II, Specification 8: On March 8, 2010, take more than 700 records from a SOUTHCOM database.

This must be the Gitmo information that we have not yet seen. Interesting that they have an exact date for it.

Charge II, Specification 9: Between March 8 and May 27 transmit more than 3 of the SOUTHCOM (presumably, Gitmo) records to someone not authorized to receive them.

I find this one really interesting. They don't charge any other documents we haven't yet seen. So why do they believe Manning transmitted them with such specificity? Unless he leaked them to someone else—like Adrian Lamo.

Charge II, Specification 10: Between April 11 and May 27, 2010, transmitting more than 5 records relating to the US killing of up to 140 civilians in Garani, Afghanistan, on May 4, 2009.

Again, these are documents we have not yet seen. But they're related to the Garani airstrike video which we have also not yet seen.

Charge II, Specification 11: Between November 1, 2009 and January 8, 2010, transmitting a file containing the video BE22 PAX.wmv to someone not authorized to receive it.

Given that this follows the reference to Garani-related documents and given that we've already seen reference to the Collateral Murder video, this must be the Garani video.

Charge II, Specification 12: Between March 28 and May 4, 2010, taking the Department of State Net-Centric Diplomacy database consisting of the 250,000 State cables.

Charge II, Specification 13: Between March 28 and May 27, 2010, transmitting more than 75 state department cables to someone not entitled to receive it.

In the first charge sheet, they charge Manning with transmitting 50 cables; this seems to be the same charge. Given that they charged that even before WL started leaking the State cables (that is, at that point they had no evidence WL had gotten the cables), I've always suspected this leak was to someone else, possibly Lamo.

Charge II, Specification 14: Between February 15 and February 18, 2010 transmitting the Rejkjavik-13 cable.

This is interesting because it was after Manning had returned to Iraq.

Charge II, Specification 15: Between February 15 and March 15, 2010, transmitting the US Army intelligence report on WikiLeaks.

Charge II, Specification 16: Between May 11 and May 27, 2010, taking the US Forces-Iraq Microsoft Outlook/SharePoint Exchange Server global address list.

Are they basically charging Manning with downloading a phone book?!

Charge III, Article 92, Specification 1: Between November 1 and March 8, 2010, attempting to bypass network security.

Note the end date on this is the same date as Manning is alleged to have taken the SOUTHCOM (probably Gitmo) documents.

Charge III, Specification 2: Between February 11

and April 3, 2010, adding unauthorized software to SIPRNet.

I've written about the earlier version of this charge here.

Charge III, Specification 3: On May 4, 2010, adding unauthorized software to SIPRNet.

Note, in the first charging sheet, there was just one version of this charge. May 4 would have been around the time Manning was disciplined.

Charge III, Specification 4: Between May 11 and May 27, 2010, using an information system in a manner other than its intended purpose.

I'm really fascinated by this one. This would presumably have been the period when Manning had lost access to the intelligence networks. I wonder whether they're dinging Manning for his chats with Lamo (though the ones we know about don't start until several weeks later).

Charge III, Specification 5: Between November 1, 2009 and May 27, 2010, wrongfully storing classified information.

This is where they get into the true petty charges!