

# DOD CONTINUES TO STALL ON KUCINICH'S REQUEST TO VISIT BRADLEY MANNING

Last we heard of Dennis Kucinich's request to visit Bradley Manning, the Pentagon had spent a full month referring his request from one official to another rather than respond to his request.

On February 4, Dennis Kucinich asked DOD to allow him to visit Bradley Manning so he could assess his conditions of confinement. On February 8, Robert Gates wrote Kucinich a short note telling him we was referring his request to Secretary of the Army, John McHugh. In a letter dated February 24—but apparently not received in Kucinich's office until March 1—McHugh told Kucinich he was referring his request to the Assistant Secretary of Defense for Legislative Affairs.

In short, a full month after the date when a member of Congress requested a visit with Manning, DOD is still stalling on a real response with bureaucratic buck-passing.

On Friday, Anti-War Radio's Scott Horton did an interview with Kucinich. Here's an update on his quest to visit an American citizen detained less than an hour from Kucinich's congressional office.

That's right. I put in a request to the Secretary of Defense who referred me to the Secretary of the Army who referred me to the Secretary of Navy who referred me to the Secretary of Defense and still not an answer on whether or not I can visit.

Kucinich goes on to note he's a member of the Oversight Committee and that under the Constitution DOD ought to be subject to some accountability.

If these reports keep coming out and they do not permit third parties to come in and make an assessment, I don't think we can take their word for it. We just can't.

Obama says DOD has assured him everything they're doing to Manning is standard. If so, then why are they fighting so hard to prevent a member of Congress from visiting him?

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## THE BROTHERS DALEY COVER UP ABUSE OF SUSPECTS AGAIN

✖ You may have noticed I snuck away for the weekend. Mr. EW and I decided to take the opportunity of Athenae's book party to head to Chicago for a weekend. In spite of the fact that Athenae's book was obviously timed to St. Paddy's Day, in spite of the fact that I've been to Chicago for St. Paddy's Day before, I somehow forgot there'd be thousands of drunk fake Irishmen in the streets from dawn to dusk.

Gaping at the green river is about as close as my Irish husband wanted to get to one of the legendary St. Patrick's Day celebrations on earth. (He's just jealous because Dublin's celebration sucks shamrock by comparison.)

But I wasn't entirely ignoring current events. One of the women in my hotel, up from Indiana for the weekend, told me she came up to see "our Mayor Daley" in the parade. "For the last time," I thought, as I realized how this holiday is a

bit of a send-off to the Mayor.

And so I was already thinking about the Daley empire when I read of brother Bill's reasoned reflection before he determined State Department spokesperson PJ Crowley had to go.

While some White House officials knew of Crowley's comments, White House chief of staff Bill Daley learned of them when ABC News asked that question of the president. Daley told White House officials of Crowley, "he's done."

Another Daley covers up abuse of suspects, I thought.

I was thinking of Richard M's role in covering up the torture committed by Jon Burge and other Chicago cops.

Last Wednesday, IL Governor Pat Quinn signed a law outlawing the death penalty in Illinois. Next Wednesday, former Chicago Police Commander Jon Burge reports for a four and a half year prison sentence for lying about torturing one suspect—though credible evidence suggests he tortured at least 50 and possibly as many as 200 police suspects. Those are the latest chapters in the long exposure of the systematic torture of black suspects by Burge's South Chicago detective team, and the wrongful conviction of many of those suspects based on tortured confessions.

And Richard M is in the middle of the scandal, largely because as Cook County's State's Attorney he pawned off evidence of torture rather than investigate and prosecute.

Daley was Cook County's state's attorney for seven years during the 1980s, and his office approved at least 55 felony murder charges against black males who claim they confessed only after they were beaten, suffocated, burned and electro-shocked by Burge and his detectives."Many of our men, or sons,

fathers, brothers are behind bars for crimes they did not commit," said one demonstrator Friday.

As demonstrators protested outside City Hall, the mayor attempted to explain this 1982 letter from then-police superintendent Richard Brzeczek expressing concern about torture allegations to then state's attorney Daley. The mayor said he read it and referred it to subordinates believing the police department had the ultimate responsibility to investigate office misconduct.

"It's up to the Chicago Police Department. That responsibility lies within them," Daley said.

"What did Daley do about it? Absolutely nothing. And what does the report say about that? Nothing," protestors said.

And under still-Mayor Daley, Chicago continues to pay to cover up Burge's crimes—and continues to pay Burge his pension.

Despite Burge's conviction, the harsh sentence, scores of court rulings and decades of public outcry, the City of Chicago and its agencies carry on as if nothing happened.

Shortly after the sentence, the Chicago police pension board ruled that Burge could continue receiving his Chicago Police pension, applying the contorted logic that Burge's conviction was for lying during a lawsuit, not for criminal conduct in the course of his duties as a police officer. Do they really think Burge's conviction and sentence aren't ultimately about the torture that Burge keeps on trying to cover up? The pension board ought to read the transcript of federal Judge Joan Lefkow's comments she imposed the prison sentence on Burge.

The City of Chicago's Corporation Counsel hasn't been paying attention either. Expensive, private lawyers are being paid by Chicago taxpayers to represent Burge (under her supervision) in still-pending lawsuits brought by innocent Burge victims who spent years in prison based on tortured confessions.

Shouldn't the City be thinking about paying up in these cases? (Full disclosure: I represent Ronald Kitchen, who is one of those suing.) Instead, Burge's City-funded lawyers last week submitted a document in Kitchen's case refusing to provide any documents related to Mr. Kitchen and claiming the Fifth Amendment privilege on behalf of Burge. That's smart lawyering. Burge isn't about to admit what he and his men did to Ronald Kitchen. And he's seen what can happen if he denies it under oath. So it's good advice to Jon Burge to clam up and take the Fifth.

But the taxpayers of Chicago shouldn't have to pay lawyers' fees so that Burge can avoid another criminal prosecution.

As prosecutor, Richard M apparently chose to overlook clear evidence of brutal torture so as to get convictions, a good many of them against men who were completely innocent. And as Mayor, he still seems to hope an omerta will make all this go away.

Brother Bill, it appears, has brought that Daley culture to the White House. Though a number of top officials knew—and did nothing—about Crowley's public critique of Bradley Manning's abuse, as soon as brother Bill heard of it, he decided Crowley had to go. Who knows whether it's a sense of loyalty or an omerta that drove brother Bill's decisiveness? In either case, the effect is the same, putting a conviction—in this case, of Manning—ahead of rule of law, decency, and morality.

And so it is that another Daley brother, in a position to make ongoing abuse right, chooses to defend the institution rather than do the right thing.

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## NOT ONLY WON'T OBAMA CLOSE GITMO, HE'S NOW RELYING ON GITMO'S SOPS

As I have repeatedly pointed out, stripping detainees to “demonstrate the omnipotence of the captor” was introduced as a Standard Operating Procedure at Gitmo back in 2002 when they were preparing to torture Mohammed al-Qahtani. Abu Zubaydah’s torturers, like Bradley Manning’s jailers, call it being “God.”

That must be the standard procedure that President Obama was talking about when he gave this explanation when Jake Tapper asked him about PJ Crowley’s condemnation of Manning’s treatment.

With respect to Private Manning, I have actually asked the Pentagon whether or not the procedures that have been taken in terms of his confinement are appropriate and are **meeting our basic standards**. They assure me that they are. I can’t go into details about some of their concerns, but some of this has to do with Private Manning’s safety as well. [my emphasis]

So not only won’t Obama close Gitmo, then, but he’s willing to rubber stamp the standards introduced there for use on American soil.

Update: Corrected the transcription.

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# **PJ CROWLEY ON MANNING'S "RIDICULOUS, COUNTERPRODUCTIVE, AND STUPID" TREATMENT**

As I noted earlier today, State Department Spokesperson PJ Crowley described Bradley Manning's abuse as counterproductive and stupid at an event at MIT yesterday.

Ethan Zuckerman has a transcript of Crowley's remarks.

Charlie deTar: There's an elephant in the room during this discussion: Wikileaks. The US government is torturing a whistleblower in prison right now. How do we resolve a conversation about the future of new media in diplomacy with the government's actions regarding Wikileaks?

PJC: "I spent 26 years in the air force. What is happening to Manning is ridiculous, counterproductive and stupid, and I don't know why the DoD is doing it. Nevertheless, Manning is in the right place." There are leaks everywhere in Washington – it's a town that can't keep a secret. But the scale is different. It was a colossal failure by the DoD to allow this mass of documents to be transported outside the network. Historically, someone has picked up a file of papers and passed it around – the information exposed is on one country or one subject. But this is a scale we've never seen before. If

Julian Assange is right and we're in an era where there are no secrets, do we expect that people will release Google's search engine algorithms? The formula for Coca Cola? Some things are best kept secret. If we're negotiating between the Israelis and the Palestinians, there will be compromises that are hard for each side to sell to their people – there's a need for secrets.

Hey PJ? Your invocation of peace in Israel is admirable (though note Crowley appears to be confusing his damning leaks, since the exposure of the unreasonable concessions the Palestinian Authority gave Israel came from al-Jazeera, not WikiLeaks). But don't you think we also have a right to know that our long-term intelligence partner in Egypt was offering up ways to cancel democratic elections in the same part of the world?

Since that report, Josh Rogin has gotten confirmation from Crowley that the reports are accurate.

Reached by *The Cable*, Crowley confirmed that he did in fact make the remarks.

"What I said was my personal opinion. It does not reflect an official USG policy position. I defer to the Department of Defense regarding the treatment of Bradley Manning," Crowley told *The Cable*.

Finally, Jake Tapper asked Obama about Crowley's comment. And the Commander in Chief's response to being asked about abuse? Apparently DOD says abuse is cool now.

Obama: "I have actually asked the Pentagon whether or not procedures on Manning meet basic standards, they assure me that they are."



Of course they meet basic standards! The “God” standard that has been part of our torture regime for 9 years now.

Update: Fixed my reference to the Palestine Papers.

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## **STATE DEPARTMENT’S CROWLEY CONDEMNS TREATMENT OF BRADLEY MANNING: “COUNTERPRODUCTIVE AND STUPID”**

When PJ Crowley tweeted this the other day:

These are not #Twitter or #Wikileaks revolutions. They belong to the people, but technology can expand and accelerate the pace of change.

I was going to tweet back that he had to say that, given the necessity of maintaining the Administration party line on WikiLeaks. I’ve pointed out the difficult position our government’s crackdown on WikiLeaks has put Crowley in before, after all.

But sometimes the truth has a way of slipping out:

I just heard an extraordinary remark from State Department spokesman P.J. Crowley. He was speaking to a small audience at MIT on “the benefits of new media as it relates to foreign policy”, an event organised by the Center for Future Civic Media.

Around twenty of us were sitting around the table listening to his views on social media, the impact of the Twittersphere, the Arab uprisings, and so on, in a vast space-age conference room overlooking the Charles River and the Boston skyline. And then, inevitably, one young man said he wanted to address “the elephant in the room”. What did Crowley think, he asked, about Wikileaks? About the United States, in his words, “torturing a prisoner in a military brig”? Crowley didn’t stop to think. What’s being done to Bradley Manning by my colleagues at the Department of Defense “is ridiculous and counterproductive and stupid.”

Wow. Crowley has spent the last several months condemning the abuse of Middle Eastern dictators against their citizens. And now, in a room of twenty people, Crowley has condemned the abuse our own country commits.

I’ll be curious to see whether Crowley even disputed the assertion that Manning was being tortured.

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## **DOD PROMISES TO DEFEND THE NETWORKS THEY FAILED TO DEFEND AFTER 2008**

There’s something hysterical about the promise a Quantico spokesperson made that DOD would take any threats to its IT networks—in this case, threats made by Anonymous—seriously.

A Quantico spokesman, Lieutenant Agustin Solivan, said officials had referred the

matter to law enforcement and counter-intelligence agencies. "We are aware of the threat and any threats to defence department information systems and networks are taken seriously," he said. "The intent or stating that you are going to commit a crime is a crime in itself," he added.

You see, back in 2008, DOD got badly hit by malware introduced via a thumb drive or some other removable media. And in response, DOD instituted measures that—it said—would clear up the problem.

The Defense Department's geeks are spooked by a rapidly spreading worm crawling across their networks. So they've suspended the use of so-called thumb drives, CDs, flash media cards, and all other removable data storage devices from their nets, to try to keep the worm from multiplying any further.

The ban comes from the commander of U.S. Strategic Command, according to an internal Army e-mail. It applies to both the secret SIPR and unclassified NIPR nets. The suspension, which includes everything from external hard drives to "floppy disks," is supposed to take effect "immediately."

[snip]

Servicemembers are supposed to "cease usage of all USB storage media until the USB devices are properly scanned and determined to be free of malware," one e-mail notes.

Eventually, some government-approved drives will be allowed back under certain "mission-critical," but unclassified, circumstances. "Personally owned or non-authorized devices" are "prohibited" from here on out.

In other words, back in 2008, an enemy force attacked DOD's IT system using an embarrassing security vulnerability. In response DOD immediately banned all removable media. That ban was supposed to be permanent on classified networks like SIPRNet.

Just over one year later, a low-ranking intelligence analyst in Iraq brought in a Lady Gaga CD, inserted it into his computer attached to SIPRNet, and allegedly downloaded three huge databases of classified information.

Throughout the WikiLeaks scandal, DOD has been the functional equivalent of someone who, just weeks after getting cured of syphilis, went right back to his old ways and—surprise surprise!—got the clap, all the while denying he bore any responsibility for fucking around.

According to Bradley Manning's description, there was a virtual orgy of IT security problems at his base in Iraq.

(01:52:30 PM) Manning: funny thing is... we transferred so much data on unmarked CDs...

(01:52:42 PM) Manning: everyone did... videos... movies... music

(01:53:05 PM) Manning: all out in the open

(01:53:53 PM) Manning: bringing CDs too and from the networks was/is a common phenomenon

(01:54:14 PM) Lamo: is that how you got the cables out?

(01:54:28 PM) Manning: perhaps

(01:54:42 PM) Manning: i would come in with music on a CD-RW

(01:55:21 PM) Manning: labelled with something like "Lady Gaga"... erase the music... then write a compressed split file

(01:55:46 PM) Manning: no-one suspected a thing

(01:55:48 PM) Manning: =L kind of sad

(01:56:04 PM) Lamo: and odds are, they never will

(01:56:07 PM) Manning: i didnt even have to hide anything

(01:56:36 PM) Lamo: from a professional perspective, i'm curious how the server they were on was insecure

(01:57:19 PM) Manning: you had people working 14 hours a day... every single day... no weekends... no recreation...

(01:57:27 PM) Manning: people stopped caring after 3 weeks

(01:57:44 PM) Lamo: i mean, technically speaking

(01:57:51 PM) Lamo: or was it physical

(01:57:52 PM) Manning: >nod<

(01:58:16 PM) Manning: there was no physical security

(01:58:18 PM) Lamo: it was physical access, wasn't it

(01:58:20 PM) Lamo: hah

(01:58:33 PM) Manning: it was there, but not really

(01:58:51 PM) Manning: 5 digit cipher lock... but you could knock and the door...

(01:58:55 PM) Manning: \*on

(01:59:15 PM) Manning: weapons, but everyone has weapons

(02:00:12 PM) Manning: everyone just sat at their workstations... watching music videos / car chases / buildings exploding... and writing more stuff to CD/DVD... the culture fed opportunities

Incidentally, note that no one has been fired for having left SIPRNet open to the same vulnerability that had already been targeted in a hostile attack? It's all Bradley Manning's fault. Sure, DOD was fucking around. But it can't be held responsible!

So now, weeks after HBGary emails made it clear that DOD and DOJ and CIA were already investigating Anonymous, they're telling us they're investigating. For real now.

And don't you worry! Ain't no way Anonymous can hurt them. Because they know how to defend against such threats.

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## **A NARRATIVE CHRONOLOGY OF BRADLEY MANNING'S ALLEGED LEAKS**

In January, I did a timeline of the key dates revealed in Manning's July 6, 2010 charging document. I wanted to put the timeline laid out in yesterday's charging document side-by-side with the earlier one to identify what new details there are, presumably showing us what the government has learned since July, as well as the chronology of when the government alleges Bradley Manning accessed and leaked particular documents.

Here's what the government appears to believe happened.

### **Before January 8, 2010: Garani airstrike video**

Based on my assumption that the video called BE22 PAX.wmv is the Garani video (see Specification 11), it appears Manning allegedly leaked that first. The government says that leak occurred by January 8, which happens to be the

date when WikiLeaks said they had an encrypted video of an airstrike on civilians (note, in the past I have supposed that that was the Collateral Murder video, which appears to have been wrong). There's nothing in the charging document that might explain how they think Manning leaked that video.

### **Before February 9, 2010: Iraq and Afghan warlogs**

Interestingly, the government seems confident that Manning accessed both the Iraq and Afghan War logs by January 8. Wednesday's charging sheet also describes the leak of 20 cables each from these databases possibly as early as New Years Eve in 2009, but definitely by February 9.

### **After February 11: Unauthorized software on SIPRNET; the Collateral Murder, Rejkjavik-13 cable, and Defense Intelligence documents**

Then, remember, Manning came to the US in January to February 2010. Adrian Lamo has long alleged that Manning got help from some folks in Boston. The timeline shows Manning returned to Iraq on February 11, which also happens to be the first date Manning is alleged to have put the first of two unauthorized pieces of software onto SIPRNET.

Shortly thereafter—on February 15—is the earliest day the government thinks Manning could have leaked the Collateral Murder video, the Rejkjavik-13 cable, and the Defense Intelligence report. All of that suggests that the government believes Manning got software while in the US, loaded it onto SIPRNET when he returned to Iraq, then leaked those three documents using that software. Note, though, that the last date for when Manning allegedly added this software was April 3, right before the Collateral Murder video came out, so it may be that video is the first thing they're sure he used the software with. In any case, the government still seems to have no idea when these documents were leaked, suggesting that the software may have prevented the government from pinpointing when Manning allegedly leaked any given document using

forensics.

### **March 8: Gitmo documents and bypassing information security**

The government seems to know precisely what day, March 8, Manning allegedly accessed what I believe are the Gitmo documents, described as 700 SOUTHCOM documents. Though as with the other documents, they don't seem to know when he leaked them. Note that March 8 is also the first date for which the government alleges Manning "attempt[ed] to bypass network or information system security mechanisms." Any of you tech folks have a theory about what that might have been about?

### **Four days in March: WikiLeaks surveillance?**

Then came the leak of "more than one classified memo" from a US intelligence agency, sometime between March 22 and 26. As I've been suggesting, that happened at precisely the time—Manning said in chat logs—that Manning confirmed he was talking directly with Julian Assange by matching what Assange said about surveillance with the surveillance evidence Manning tracked on DOD networks. On March 23, WL announced that, "We know our possession of the decrypted airstrike video is now being discussed at the highest levels of US command." And in his discussion with Lamo, Manning also mentioned the government's discussion of the airstrike video:

(2:14:46 PM) Manning: based on the description he gave me, I assessed it was the Northern Europe Diplomatic Security Team... trying to figure out how he got the Reykjavik cable...

(2:15:57 PM) Manning: they also caught wind that he had a video... of the Gharani airstrike in afghanistan, which he has, but hasn't decrypted yet... the production team was actually working on the Baghdad strike though, which was never really encrypted



Which seems to suggest these intelligence memos may have related to the government's surveillance of WikiLeaks itself. (Note, I'm not actually sure that Diplomatic Security qualifies as an intelligence agency; it's possible the US command reference came from something else, something more clearly an intelligence agency.)

### **Mid-February, then after March 28: The State Department cables**

The State Department cables appear to have come next.

As noted above, the government put the window for Manning to have accessed and leaked the Reykjavik-13 cable—what he called “a test”—between February 15 and 18. (In chat logs, Manning noted that, “the result of that one was that the icelandic ambassador to the US was recalled, and fired,” so it may be by “test” they were trying to assess how the diplomatic community would respond to a leak of one of these cables or possibly even elicit more information about what those cables were.)

The charging document puts the first date he may have accessed the State Department cables on March 28. So they're claiming that Manning went and got the Reykjavik cable, leaked it, and then went back and got the entire database.

The dates on these may also tell us something about the cables. The Reykjavik-13 cable is dated January 13; the government lists February 15 as the first date Manning might have accessed it—so Manning accessed it just over a month after it was written. The last date from which we have State cables is February 28, 2010; the government lists the first date when Manning accessed the entire database as March 28, exactly a month later the last cables that have been leaked were written. Is it possible that the State Department cables only became accessible to Manning a month after they were first written?

If I'm not mistaken, the State Department cables are the only ones for which Manning is accused

of exceeding his authorized access:

having knowingly exceeded authorized access on a Secret Internet Protocol Router Network computer, and by means of such conduct having obtained information that has been determined by the United States government pursuant to an Executive Order or statute to require protection against unauthorized disclosure for reasons of national defense or foreign relations

This suggests two things. First, the State cables appear to be the only thing that Manning, as an Army intelligence analyst, didn't already have authorized access to. This sort of makes sense, since everything else appears to have belonged to DOD. But it also might mean that the government is crafting this charge with the possibility of piling on later—perhaps with an Espionage charge if they can ever tie Manning to Julian Assange?

#### **After April 11: Garani documents**

WikiLeaks never released the Garani video Manning purportedly leaked. So we may never learn what WikiLeaks intended to do with it. But in chat logs, here's how he described the video and related material.

(2:15:57 PM) Manning: they also caught wind that he had a video... of the Gharani airstrike in afghanistan, which he has, but hasn't decrypted yet... the production team was actually working on the Baghdad strike though, which was never really encrypted

(2:16:22 PM) Manning: he's got the whole 15-6 for that incident... so it wont just be video with no context

(2:16:55 PM) Manning: but its not nearly as damning... it was an awful incident, but nothing like the baghdad one

(2:17:59 PM) Manning: the investigating

officers left the material unprotected,  
sitting in a directory on a  
centcom.smil.mil

(2:18:03 PM) Manning: server

(2:18:56 PM) Manning: but they did zip  
up the files, aes-256, with an excellent  
password... so afaik it hasn't been broken  
yet

(2:19:12 PM) Manning: 14+ chars...

I find this interesting given that the government alleges Manning leaked "more than five classified records" related to the Garani airstrike (we know it was Garani by the date and location) sometime after April 11—that is, 4 months after they believe Manning leaked the video itself (again, assuming the BE22 PAX.wmv is the Garani video). While it's possible Manning was trying to get something that might help WL decrypt the video, given the reference to "records," I suspect these documents are the 15-6 investigation documents. It appears Manning was trying to provide context for the Garani strike, which resulted in the killing of up to 140 civilians. Note, too, that April 11 would have been just after WikiLeaks released the Collateral Murder video, so it may be that Manning was trying to find similar context for the events depicted in the video.

### **Early May: A new computer and the global address list?**

Note, for some of the documents Manning is alleged to leak—the Gitmo documents, the Garani documents, and the State Department cables—the government just gives May 27 as the last day he might have leaked them. That is, they claim to know he leaked them before they arrested him, but are not certain precisely when he did leak them. But it appears they think he got everything he was going to leak earlier.

The exception is the Outlook global address list, which Manning is alleged to have gotten

after May 11. (See William Ockham's comment for what the address list may have allowed Manning to do.)

The date the government alleges Manning accessed that list is one week after they allege he added a second piece of unauthorized software to SIPRNET on May 4.

And both of those dates are in the general time frame when Manning assaulted a colleague and was demoted.

Now, I've still got a lot of questions about this time frame. But one possibility is that the May 4 date reflects a new computer assignment, possibly tied to his demotion (though he still had access to SIPRNET on May 4; it'd be surprising that he still had access after his demotion). And I wonder whether Manning didn't access the global address list as he grew increasingly frustrated with his plight?

In other words, it appears that after getting the Garani documents (and after the release of the Collateral Muder video), Manning's active access and leaking of documents tailed off. In other words, it appears that it was almost two months between the time Manning stopped actively leaking and the time the Army arrested him.

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## **DOD DECLARES WAR ON ... UNDERWEAR**

Charlie Savage just tweeted that the Abu Ghraib tactics will continue for Bradley Manning.

Quantico tells me Bradley Manning will now be stripped every night as a "precautionary measure" to prevent self-injury

Remember, Manning was already being forced to sleep in his underwear.

When PFC Manning goes to sleep, he is required to strip down to his boxer shorts and surrender his clothing to the guards. His clothing is returned to him the next morning.

So this new enforced nudity policy purports that Manning's underwear are a danger to him.

DOD, protecting us from terrorists ... and boxer shorts.

I'm imagining Osama bin Laden sitting in his cave laughing his ass off at the Marines that run Quantico, frightened over one pair of underwear. And imagining a new version of the Marine Hymn:

From the Halls of Montezuma, to cells of Quantico. We will fight our country's battles against truth and underroos.

Now, frankly, humor may be the best way to cope with learning about this. But it's not fair to the Marines that run Quantico to ask them to do something as absurd as this, to trump up some stupid excuse about the threat one man's boxer shorts pose so they can justify stupid persecution.

Our Marines deserve better than this. Our country deserves better than this.

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## **DOD PASSES THE BUCK RATHER THAN LET KUCINICH VISIT**

# BRADLEY MANNING

On February 4, Dennis Kucinich asked DOD to allow him to visit Bradley Manning so he could assess his conditions of confinement. On February 8, Robert Gates wrote Kucinich a short note telling him we was referring his request to Secretary of the Army, John McHugh. In a letter dated February 24—but apparently not received in Kucinich's office until March 1—McHugh told Kucinich he was referring his request to the Assistant Secretary of Defense for Legislative Affairs.

In short, a full month after the date when a member of Congress requested a visit with Manning, DOD is still stalling on a real response with bureaucratic buck-passing.

As to the substantive response McHugh offered Kucinich? It matches all the disingenuous boilerplate responses the rest of DOD has offered—claiming that Manning is treated as any other “similarly situated” pretrial detainee at Quantico, without mentioning that there is at most one other Max prisoner, and none who have been held on Prevention of Injury watch for eight months.

PFC Manning experiences the same confinement conditions as other similarly situated pretrial prisoners at the MCBQ Pretrial Confinement Facility.

In addition, McHugh appeals to the same bogus privacy excuse that Quantico is now using to avoid explaining why they're submitting Manning to the same treatment they used at Abu Ghraib.

PFC Manning's custody and status classifications, like all pretrial prisoners at the MCBQ Pretrial Confinement Facility, are evaluated regularly by a board of corrections specialists pursuant to Department of Navy regulations. As United States laws prohibit the release of personal

identification, including personal health information, I am not able to discuss PFC Manning's specific custody and status classifications and other aspects of his care and treatment.

Effectively, they're using "privacy" as their excuse not to admit that under POI, Manning is subject to some of the same degrading techniques we objected to in Gitmo and Abu Ghraib.

Kucinich isn't missing that parallel, either. In his response today, he said,

My request to visit with Pfc. Manning must not be delayed further. Today we have new reports that Manning was stripped naked and left in his cell for seven hours. While refusing to explain the justification for the treatment, a marine spokesman confirmed the actions but claimed they were 'not punitive.'

**Is this Quantico or Abu Ghraib?**

Officials have confirmed the 'non-punitive' stripping of an *American soldier* who has not been found guilty of any crime. **This 'non-punitive' action would be considered a violation of the Army Field Manual if used in an interrogation overseas.** The justification for and purpose of this action certainly raises questions of 'cruel and unusual punishment,' and could constitute a potential violation of international law. [my emphasis]

As I said, it has been a full month since Kucinich made a legitimate request to visit with an American citizen who, thus far, must be assumed innocent. Yet DOD seems to be deploying the most transparent kind of bureaucratic stall to prevent Kucinich from visiting Manning.

Update: Corrected date of Gates note.

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# NINE YEARS OF NUDITY IN AMERICAN DETENTION



It's just like old times!

... the CIA interrogators also announced they planned to become Zubaydah's "God." They reportedly took his clothing as punishment, and reduced his human interaction to a single daily visit in which they would say simply, "You know what I want," and then leave.

Jane Mayer, *The Dark Side*

In addition to degradation of the detainee, stripping can be used to demonstrate the omnipotence of the captor or to debilitate the detainee.

—JTF-Gitmo SERE SOP, December 10, 2002

Establishing the baseline state is important to demonstrate to the HVD that he has no control over basic human needs. The baseline state also creates in the detainee a mindset in which he learns to perceive and value his personal welfare, comfort, and immediate needs more than the information he is protecting. The use of conditioning techniques do not generally bring immediate results; rather, it is the cumulative effect of these techniques, used over time and in combination with other interrogation techniques and intelligence exploitation methods, which achieve interrogation objectives. These conditioning techniques require little to no physical interaction between the detainee and the interrogator. The



specific interrogation techniques are:

a. Nudity. The HVD's clothes are taken and he remains nude until the interrogators provide clothes to him.

–CIA memo describing combined interrogation techniques, December 30, 2004

Nudity: This technique is used to cause psychological discomfort, particularly if a detainee, for cultural or other reasons, is especially modest. When the technique is employed, clothing can be rewarded as an instant reward for cooperation.

–OLC “Techniques” memo, May 10, 2005, withdrawn by Barack Obama

Removal of clothing is different from naked.

–Douglas Feith, Testimony before House Judiciary Committee, July 15, 2008

PFC Manning was inexplicably stripped of all clothing by the Quantico Brig. He remained in his cell, naked, for the next seven hours. At 5:00 a.m., the Brig sounded the wake-up call for the detainees. At this point, PFC Manning was forced to stand naked at the front of his cell.

–Report from David Coombs on treatment of PFC Bradley Manning, March 3, 2011