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Department of Defense Directive on Detainee Operations, the Release of the Army Field Manual for Human Intelligence Collection and an Update on Military Commissions

Cully Stimson, Deputy Assistant Secretary of Defense for Detainee Affairs; Brigadier General Thomas L. Hemingway, Legal Adviser to the Appointing Authority, Office of Military Commissions; Lt. Gen. John Kimmons, Army Deputy Chief of Staff for Intelligence; and Sandra Hodgkinson, Dept. of State Deputy Director, Office of War Crimes Issues

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MODERATOR: Good afternoon and welcome to the Foreign Press Center for our second briefing today on the policies and changes announced by the President yesterday. This afternoon Deputy Assistant Secretary of Defense for Detainee Affairs Cully Stimson and Army Deputy Chief of Staff for Intelligence with Lieutenant General John Kimmons will be briefing you on the Army Field Manual and the Administration's proposal on military commission. I'd like to also add that we have Brigadier General Thomas Hemingway here, who is the Legal Adviser to the Appointing Authority for Military Commissions, and from the State Department we have Sandy Hodgkinson. So we can answer a wide range of your questions. Secretary Stimson and General Kimmons will both start with opening statements and then be happy to take your questions.

MR. STIMSON: Good afternoon, everybody. I am Cully Stimson. I am the Deputy Assistant Secretary of Defense for Detainee Affairs. I've had that office since January of this year.

As you know from yesterday's briefings, we were delighted to issue the revised version of a DOD detainee program entitled



2310.01E. And this revised directive is the overarching policy with respect to detainee operations for DOD. It represents the culmination of over a year of discussion and debate within the Department and the U.S. Government in developing a solid foundation upon which to build future detention operations policy.

It represents the considered efforts of many individuals across the U.S. Government and the various components within my building. It reaffirms our commitment to treat people humanely and it specifically does under DOD control.

The revision of 2310 took time. It was important to get it right and I believe we did get it right. This directive has historically dealt with and defined detention operations in what would be considered a traditional war, where you have enemy prisoners of war. The revised version sets forth the policies and responsibilities for all detention operations conducted by DOD but provides us the flexibility we need to fight any foe while affirming the values and practices that are the heart -- at the heart of what we do at DOD.

It's important to understand that this directive is the cornerstone or the top of the heap for all DOD detention policy. It sets out policy guidance for all detention operations that is necessary and appropriate to ensure the safe, secure and humane detention of enemy combatants, both lawful and unlawful, regardless of the nature of the conflict. It consolidates existing direction and instructions of the President and the Secretary of Defense and incorporates the lessons we have learned over the past few years in waging the global war on terrorism.

It does so by incorporating key policy changes recommended in the 12 major investigations conducted by DOD in the past two years. In fact, by publishing not only the Army Field Manual, which you'll hear about in a moment, and the DOD Directive 2310, we will have addressed over 95 percent of the recommendations from the 12 major investigations.

If you could indulge me for a moment, I'd like to highlight five key components of this DOD overarching policy directive.

First, the directive describes the core policies that the Department believes are critical in ensuring that all detainees are treated humanely and that the laws pertaining to detainee care and treatment are implemented. It incorporates the prohibitions against cruel, inhumane and degrading treatment or punishment of the Detainee Treatment Act of 2005 and articulates a minimum standard of care for care and treatment of all DOD detainees. These minimum standards of care and treatment can be found in enclosures three and four of the directive. Enclosure three contains the text of Common Article 3 to the Geneva Conventions of 1949. Enclosure four contains other requirements of the Law of War we believe are essential to ensure humane care and treatment of all detainees. Taken together, this is the baseline standard for care and treatment of all detainees under DOD custody and control.

In addition to the baseline standard articulated in enclosures three and four, some detainees such as enemy prisoners of war or others with protective status in the Geneva Conventions are entitled to additional protections. However, we sought as a matter of policy in this global war on terrorism to ensure that even when fighting unconventional forces the Department articulated as a matter of policy a minimum standard for all members of the Department in the care and treatment of detainees which reflect our values as a nation.

There are specific prohibitions in this directive: cruel, inhumane or degrading treatment or punishment, as I mentioned before; outrages upon personal dignity, in particular humiliating and degrading treatment; murder; torture; corporal punishment; mutilation; taking of hostages; collective punishments; execution without trial by proper authority; threats or acts of violence including rape, forced prostitution, assault and theft; public curiosity, bodily injury and reprisals. Those are

specifically prohibited in this directive. Additional prohibitions include being subjected to medical or scientific experiments and being subjected to sensory deprivation.

The standard of humane treatment articulated in this directive reflects our policy and U.S. law and provides detainees protections that reflect our values as Americans. And I'll tell you that I believe our armed forces are already doing an excellent job in their treatment and care of detainees and we're proud of what they do each and every day.

Second, this directive reinforces the requirement to account for detainees by stating our policy to properly and timely register detainees. And in that context, the directive also reaffirms DOD policy that the International Committee of the Red Cross plays an important role in DOD detention operations.

Third, it requires that all persons subject to this directive report possible or suspected or alleged violations of the Law of War or our detention operations laws, regulations or policy. DOD has and will continue to hold accountable those who violate our laws or our policy.

Fourth, it assigns responsibilities within the various components of DOD. For instance, the Under Secretary of Policy is responsible for policy oversight of the entire DOD detention program. DOD components are required to work with policy to ensure review, coordination of and approval of all implementing policy or guidance. It re-designates the Army as the executive agent who under this directive is charged with ensuring that policies and procedures are developed and also charged with ensuring that they are working properly and being carried out.

The directive provides the combatant commander, or co-com, with the guidance needed to promulgate theater-specific procedures and policies to ensure the safe, secure and humane detention of combatants, be they lawful or unlawful, or regular forces detained in traditional international armed conflicts.

And the directive also assigns responsibilities among several of the Under Secretaries of Defense for things such as medical policy development, ensuring our contracts include provisions regarding detainee operations for contractors operating at DOD detention facilities, the training and instruction of those participating in detention operations, and finally intelligence gathering operations. And that list is by no means exhaustive. You can read the directive yourself.

Fifth and finally, this directive provides the key policy guidance needed for detention operations and I should note that the Army is currently revising the Joint Service Publication on Detention Operations, which is commonly called AR190TAC-8, or hyphen 8. And as the DOD executive agent for administration of detention operations, it is the Secretary of the Army's responsibility to develop regulations, training, doctrine, tactics, techniques and procedures for the conduct of detention operations. Likewise, the Joint Chiefs of Staff are revising appropriate instructions to ensure implementation of 2310 in joint operations.

So as you can see, when this process is complete we will have completely revised from top to bottom DOD detention operations policy. Suffice to say we've accomplished a lot by publishing 2310 and putting out the Army Field Manual. It reflects no doubt the lessons we have learned in the global war on terrorism and in Iraq. It complies with the requirements of the law. It unambiguously articulates the value and traditions of our nation, values that John Adams called "the policy of humanity," which have been the cornerstone of the American ethos in warfare. And just as importantly, it provides our forces in the field the policy guidance needed to ensure the safe, secure and humane detention during armed conflicts

however they're characterized. And with that, I'll turn the podium over to General Kimmons for his remarks on the Army Field Manual.

LTG KIMMONS: And then we'll both come back up and take your questions. As was mentioned, I'm Lieutenant General Jeff Kimmons. It says John, I go by Jeff. I've been the Army Deputy Chief of Staff for Intelligence. That really translates to Army G2 for about the last one year.

And as was mentioned, the Army is the DOD executive agent for detention matters, and that's pretty fitting in my view because of the 500 or so interrogators that are deployed around the world as we speak performing this tough work under harsh conditions. Four-fifths of those or more are Army soldiers, and they're working, doing their best to deliver actionable intelligence to our battlefield commanders, and that translates into saving innocent coalition as well as innocent civilian lives and as well as making our enemies pay a price. They accomplish that work humanely, under the most severe conditions. I think most of you know that. And we're immensely proud of all that they do and their effort.

Towards that end, we have recently gotten approved for release Field Manual 2-22.3, which is titled "The Human Intelligence Collector Operations Manual." There was nothing wrong with the old manual that it replaced, FM34-52, nothing incorrect that was in it, but we recognized, given the lessons learned from the last five tough years, there were improvements that had to be made in terms of clarity and completeness, and we've now accomplished that and will make future updates as the situation requires.

The new field manual is broader in scope than the old manual. It incorporates hard-won wartime lessons learned across the disciplines of interrogation. It covers interrogation in great detail, but it also includes military source operations as well as analysis, screening, debriefing, document exploitation and other aspects of human intelligence.

We've used straightforward wording in the field manual to make it understandable to our soldiers, sailors, airmen and Marines, and all I'll refer to them as soldiers from this point on but I mean it in the joint sense. It's not written for lawyers. We didn't infuse legalese into it. Tried to make the law and the policy the Secretary referred to understandable for implementation to take it that additional step.

The new field manual is wholly unclassified, as I'm sure you heard over the last day or so, so that it can be shared with our coalition partners openly, so we can train it with absolute clarity and the least amount of ambiguity possible to our soldiers from across all services. And also make sure that the risk of migration of techniques from an authorized category into an inappropriate category is minimized and do that through as putting rigor into our training program and training these things to a very high standard.

The new field manual incorporates a single standard for humane treatment across all detainee categories regardless of circumstances, regardless of status, and that's in conjunction and in accordance with law to include the Detainee Treatment Act of 2005, comports with the Geneva Conventions to include Common Article 3 as well as DOD policy and, frankly, service doctrine.

The field manual explicitly prohibits torture and cruel, inhuman or degrading treatment or punishment. It also includes an illustrative list -- it's not all-inclusive -- of practices which are clearly abusive in our view and prohibited. Interrogators may not force a detainee to be naked, perform sexual acts or pose in a sexually provocative manner, may not use hoods or sacks to place over a detainees head or use duct tape over his eyes. Interrogators may not beat, electrically shot, burn or

inflict other forms of physical pain on detainees as a part of the interrogation process, may not use water boarding, may not induce hypothermia or heat injury, may not perform mock executions and may not deprive detainees of necessary food, water and medical care and may not use dogs in any fashion or form as a integral part of the interrogation process. As you know, military police use dogs routinely for security and that's a different issue, but this pertains to interrogation.

The interrogation approach techniques in field manual 2-22.3 have undergone extensive and favorable review throughout the Department of Defense by the legal counsel to the Secretary as well as the Under Secretary of Defense for Intelligence. They've also been reviewed and endorsed by the joint staff, senior leaders and our joint staff by the combatant commanders and their senior legal advisors worldwide as well as within each service. Each service secretary, each service chief and their JAGs, their senior legal

advisors have reviewed this and concurred with it and found it to be consistent with the law and policy.

The field manual was also reviewed and endorsed by the Director of National Intelligence who coordinated it with a Central Intelligence Agency as well as the Director of the Defense Intelligence Agency. It was also separately reviewed and concurred with by the Department of Justice and was coordinated with our State Department.

The new field manual contains 19 interrogation approaches. No other techniques are authorized within the Department of Defense and as a matter of law within the United States. Let me stand corrected. Those 19 techniques, in accordance with the Detainee Treatment Act of 2005, will serve as the only interrogation techniques authorized for use within the Department of Defense. They include 16 traditional interrogation techniques. Those were carried forward from our old field manual 34-52. Based on battlefield lessons learned, we've added two additional approaches -- approach techniques: Mutt and Jeff, which is the good guy/bad guy type of approach you've seen in your, perhaps in television shows; and false leg, where an interrogator would portray himself as someone other than an American for effect.

Those 18 techniques were authorized for use with all enemy combatants, both lawful combatants as well as unlawful combatants, regardless of status. Our four-star commanders in the field, our warfighting, four-star combatant commanders, also specifically requested based on battlefield lessons learned that we include one additional technique called "separation" for use on a by-exception basis with unlawful enemy combatants and only with unlawful enemy combatants. It's not authorized for use with prisoners of war.

Separation allows interrogators to keep unlawful enemy combatants apart from each other as a integral part of the interrogation process so they can't coordinate their stories, so they can be questioned separately and then those answers compared with one another and integrated back into the interrogation process and so that we can provide ultimately credible useful information for much the same reason that police throughout the world keep suspected murderers separated from each other when they're doing their police questioning. Separation meets the standard for humane treatment, but the Geneva Conventions, specifically the third Geneva Convention, affords prisoners of war, lawful enemy combatants, additional protections above and beyond the single humane standard to which they're entitled. It entitles them to pay, entitles them to send and receive mail and packages, and it also protects them from separation from other prisoners of war with whom they were captured without their expressed consent.

Unlawful combatants are not entitled to those additional protections and privileges above the humane standard. So Geneva -- the common third -- Common Article 3 of the Geneva Conventions applies to all categories of detainees' separation, however, is only authorized for use on a by-exception basis with unlawful enemy combatants.

We also require special interrogator training and certification for prior to the use of the separation technique. A very high level of command oversight is required. Our four-star commanders are required to approve it for use within the theater. A second General officer, below the four-star level, is required to review every interrogation plan that includes the use of separation prior to its use in conjunction with legal review. And moreover, there are other safeguards that are built into the field manual -- you can read it for yourself -- that limit the duration of use that prescribe the process for extending the use if there is battlefield necessity and so forth.

We built mandatory safeguards throughout the manual for all 19 techniques that are designed to mitigate the risk and guide our interrogators and further ensure humane application of all techniques under all circumstances.

The field manual also includes many examples which we did not have in the old field manual describing correct and humane application of the techniques. A lot of -- you'll see in the manual many instances of where it says, for example, "For example, this is how something is applied correctly."

The field manual also clarifies military intelligence roles and differentiates those clearly from the roles of our military police. Military police are responsible for the safety and well being and protection and humane treatment and detention in all respects of detainees of all categories. Military intelligence does interrogation, just as you would imagine. The two complement one another, but they're discrete and we spell out the differences and where the rules are drawn, and the lines are drawn very clearly in the field manual.

The manual also defined the roles and functions, the very limited roles and functions of healthcare providers, what they can do, what they're authorized to do, which is essentially provide routine treatment and emergency care and no more as it relates to detainees.

The field manual reiterates a standard for strict control of access to detainees by non-DOD personnel and agencies to include foreign governments. It establishes what permissions are required to gain access. It makes it crystal clear that non-DOD personnel are required to abide by the guidance rules standards of this field manual, and in so doing DOD policy and U.S. law when they are granted access to detainees of any category and question them or interrogate them. There is no provision for waiver or exception to that.

It makes it clear that commanders of forces who are responsible for the conduct of detention operations as well as interrogation operations are directly responsible and accountable for the humane conduct of those operations in accordance with this field manual and the policies and laws approved to it.

The responsibility and accountability grows as the -- in proportion to the direct control which commanders have over forces who are executing those missions. It also emphasizes the responsibility of every service member to report suspected, alleged, observed abuse, tells them how to do it, tells them how to report if they believe their chain of command is complicit in the problem.

We have purposely taken the unusual step of placing this field manual, even though it's marked "For Official Use Only" on a publicly accessible website, and some of you may already have seen it. It's on an army.mil website, and it's a hyperlink to defense link. That's for purposes of full transparency sharing with our allies.

What I'd like to do at this point is invite the Secretary back up and we'd like to take your questions.

MODERATOR: If you could state your name and organization and wait for the mike please. Reymer.

QUESTION: Yes, Reymer Luever from the German newspaper *Suddeutsche Zeitung*. Yesterday in the Pentagon briefing it was stated that the information gathered by interrogations was what the President called -- alternative ways are of no good -- are of not much value to be used afterwards. The President said -- he stated yesterday in his White House speech that the value of such interrogations were pretty high. How do you explain this discrepancy between those two statements?

LTG KIMMONS: Okay. The point I was trying to make yesterday -- did make yesterday -- was that the use of abusive practices and techniques, and history has shown us that these rarely produce intelligence of value. In fact, they produce intelligence that's of questionable credibility.

The President talked about alternative techniques. Alternative does not mean abusive. The Detainee Treatment Act of 2005, U.S. law requires -- prohibits torture or cruel and inhuman or degrading treatment. I'm not personally conversant with, though, what alternative techniques the Central Intelligence Agency is using, but I can assure you that they meet U.S. law and therefore they're consistent with the point I was trying to make yesterday.

QUESTION: My name is Daniel Anyz, journalist with Czech daily paper. And I have two questions concerning the timing. What is the scenario that the Administration had to wait for DOD to move the detainees from this secret places to Guantanamo til you will have already the draft of military commissions? And the other one, what is the connection between the draft of military commissions and the new field manual because to me it seems that those are two different things? So why -- what was the reason to release them on the same day?

MR. STIMSON: With respect to the timing, I would simply defer to the President's statement. I mean, he said near the end of his speech that there were two reasons why he took the actions he took. And I would specifically refer you to those two reasons. And, General, do you want to address the second question or not?

LTG KIMMONS: We have labored over this field manual for over a year. We wanted to make sure it was understandable to our soldiers. We wanted to make sure it was as clear as we could possibly make it. And we tried to get it out earlier and, frankly, we -- it's come out later than we would have liked. I didn't even know that the President was going to make that announcement, so some secrets are truthfully kept secret until I heard it along with you yesterday. Yeah, that's a fact.

So this was -- we put the field manual out as soon as we felt comfortable that it was done. And we have wartime imperative, frankly, to get this in the hands of our armed forces members. So to my knowledge, I tell you truthfully there was no linkage to our efforts to put it out yesterday.

MR. STIMSON: Let me address one other aspect of the timing and that is this. Clearly, it's important, and we believed it was important at the time and I think we believe it now, that we want to put the field manual in the context of the DOD directive. And therefore we bundled those two together as the Department so that you could understand that the overarching policy drives various aspects of what we do in DOD and that the field manual fits within that policy. And you will see common language and similarities between what obviously the DOD directs and what the field manual explains.

MODERATOR: Yes, sir.

QUESTION: Andrew Gray from Reuters. This might be a question for Brigadier General Hemingway, but perhaps you may be able to answer it as well. Do you have any idea at this stage of the timeframe for when we might see the first military commissions? Obviously, the President wants Congress to pass the necessary legislation ideally this month. How soon after that might we see some people charged of those who have just been transferred to Guantanamo? How soon after that might we see military commissions in action?

BGEN HEMINGWAY: I think that as soon as we get legislation, we will move promptly to get proceedings underway. Again, we have as you know a number of cases that were already underway. Once we have legislation we will have to start those again. But I can't give you a firm date, other than to say that we will do it just as quickly as the prosecution feels comfortable that it is ready with a solid case.

QUESTION: I just wondered how much preparatory work has been done on those who were previously in the custody of the CIA -- people like Khalid Sheik Mohammed. Obviously that's a case a lot of people will be very interested in seeing. Has there been a lot done already in terms of preparing an indictment, a charge sheet, that sort of thing? Or will you be pretty much starting from scratch on that front?

BGEN HEMINGWAY: Well, we won't be preparing any charge sheets until we see the final legislation. So from that point of view, that's not been started.

MODERATOR: Yes, sir.

QUESTION: Yes, Toshiya Umehara from the Asahi Shimbun, Japanese newspaper. Could you give us some sort of statistics? I know there are about 415 in Guantanamo but more like -- I mean, roughly how many detainees (inaudible) and how many of them are (inaudible) enemy combatants?

MR. STIMSON: I hadn't looked at the numbers recently, but my recollection is that of the approximately 455 detainees we have there, we have only a very small handful of -- no longer any combatants or NLECs. I would ask one of my staffers if we can get you the exact number. There are, as the President mentioned, over 100 detainees in Guantanamo who have been approved for transfer. And as you saw yesterday the President encouraged those countries to work with us, through the State Department and the appropriate process, to take those detainees back. And I would defer to Ms. Hodgkinson who actually works in that office in the State Department if you want to hear further details about that.

I will say from a DOD perspective, however, that the -- we would like, as the President said, not to be the world's jailer. We would like to see countries work with us, continue to work with us, accept responsibility for those detainees who are approved for transfer and I would defer to Sandy for any other comments she might want to add to that.

MS. HODGKINSON: Hi, I just wanted to sort of briefly add on to that thought, again about the efforts that we are making to repatriate individuals from Guantanamo Bay; that it is an extremely challenging area. There are, as Mr. Stimson indicated, more than 100 people waiting now to go back to their home countries. Or if that's not possible, because perhaps they're stateless or because perhaps their countries do not have a human rights environment that we can send them back to, then we would seek alternate third countries. And the President really did make a call on other members of the world community

yesterday to work with us so that we can move towards the day that we can close Guantanamo Bay.

Some of the challenges include the fact that when we make -- when we transfer individuals back we work with governments to make sure that they will treat them humanely. That means that they -- it's not, you know, more likely than not that they would be tortured or mistreated upon their return. We also try to ensure that those governments take reasonable steps to mitigate the threat that these individuals would pose to Americans in the future. And for countries who either don't want their detainees back or who don't want to move this process quickly, then that process ends up getting slowed down and ends up in sort of a dialogue that goes back and forth.

So we would certainly welcome other countries around the world, those who have nationals at Guantanamo Bay and others who would like to assist in the process, to assist us in getting those individuals transferred out.

MODERATOR: A follow-up.

QUESTION: Is there any OIF detainees in Iraq?

MS. HODGKINSON: Well, Iraq is an entirely different situation and I'll obviously defer. I mean, I can talk a bit about it, but I'll defer to the Department of Defense and since it is their briefing. But we're talking specifically about the context of Guantanamo Bay and the detainees that are held there.

QUESTION: Well, I mean, the directive you said is -- this directive it's extensive, so that's why I'm asking about Iraq.

MR. STIMSON: Understood. As you know from reports you read in other papers, we have -- and again I don't have the exact number to date, but I believe it's somewhere around 11,000-12,000 detainees in Iraq. We could get you those exact numbers later today if you want them. The vast majority of them are civilian internees. Obviously, the detainees in Guantanamo are from OEF. And then as you know, we have detainees in Afghanistan. And we are working through the process in Afghanistan to work with their government to finish the refurbishment of the Policharki prison. Last week, or the week before last, we sent five detainees back to Afghanistan so that they could enter into the Afghan reconciliation program. And so we are -- that's we have our DOD detainees.

QUESTION: This is Daniel Anyz again. I'm not sure whether you can quote from the proposed legislation concerning the military commission, but you want Congress to specify a part of the Common Article 3 from the Geneva Convention, which is this -- that prohibits (inaudible) dignity and publicly humiliating and degrading treatment. So could you quote what is the proposed explanation of specification of this part of the Article 3? What's your reading?

LTG KIMMONS: I don't have the legislation in front of me, but if you have looked at it, I think once you get pass that you will find specifically defined offenses. The concern, of course, has been the fact that the Common Article 3 language is subject to broad interpretations. And we want our forces to have some specific, definable offenses that gives them a clear understanding of when they may be crossing the line. And I think if you look at the entire legislative package, you will find that -- sufficiently (inaudible).

MODERATOR: Any other questions? Reymer. Wait for the mike, please.

QUESTION: Thank you very much General Kimmons. You mentioned the 19 interrogation techniques and the 19 interrogation technique separation. You mentioned that this isn't covered by -- or is an exception from the Geneva Convention. Are there other exceptions from the Convention, the new manual?

LTG KIMMONS: Well, I take issue with you that it's an exception from the Convention. It's the wording in the Geneva -- the third Geneva Convention that causes us to place separation as a restricted technique and not to employ against prisoners of war or lawful combatants. It is the wording and the requirements of Geneva and the definition within Geneva of what is a lawful enemy combatant, what is a prisoner of war. And clearly al-Qaida and the Taliban and the people we are dealing with now in large portions, you know, of the battlefield do not fit the standard established in Geneva for prison of war or other types of lawful enemy combatants. And therefore, according to Geneva, those type of enemy combatants are not -- are just like spies and saboteurs in the older days. And traditionally are not entitled to the same protections under Geneva. As a matter of law here in the United States, we are going to provide the same single standard for humane treatment to all categories of detainees, both lawful and unlawful combatants.

That same legal requirement does not require us to afford additional privileges above and beyond that standard to unlawful combatants. And that's why separation is placed -- separated to it.

I'm sorry, could you repeat the second part of your question.

QUESTION: My question was are there other -- what I have called exceptions from the Convention in the field manual?

LTG KIMMONS: No. In accordance, as a matter of law, only those interrogation approach techniques that are listed in -- authorized by the Army Field Manual, this field manual, can be employed on any class of category of detainee across the Department of Defense.

MODERATOR: One more here.

QUESTION: Yeah. I'm sorry -- but again, but this is the last time -- judging from U.S. media it seems to me that there still may be some concerns on the part of the Senate, on the side of the Senate, that this legislation concerning the military commission didn't go far enough, quoting from *Wall Street Journal*. Critics said that the new proposal did little to fix it, some say failings of the former process. And there is the proposal of Senators McCain and Warren which was quoted (inaudible) with your proposal on the access to evidence. So are you ready to -- is there any space to compromise in your bill to find the way through the Senate?

LTG KIMMONS: I think that clearly the Administration has been working quite closely with the members of the House and the Senate to arrive at something that's acceptable to both. And I don't -- while this is a matter of concern, I don't view it as a hurdle that can't be overcome by both parties working together. And quite frankly, anybody who thinks that what's been ruled out is just a rehash of the prior military commission process hasn't read the legislation.

MODERATOR: No further questions. Thank you very much.



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