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BOOM!

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BOOM!





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Photograph © of Christopher Anderson

UNCLASSIFIED



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

DD FORM 138 (Rev. 10/13/96)

ACTION MEMO

November 27, 2002 (1:00 PM)

OFFICE OF THE
SECRETARY OF DEFENSE

DEPESC

FOR: SECRETARY OF DEFENSE

FROM: William J. Haynes II, General Counsel

SUBJECT: Coercive-Resistant Techniques

The Commander of USSOUTHCOM has forwarded a request by the Commander of Joint Task Force 179 (now JTF OTMO) for approval of coercive-resistant techniques to aid in the interrogation of detainees at Guantanamo Bay (Tab A).

The techniques contain three categories of coercive-resistant 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 Peith and General Myers. I believe that all I can recommend is that, as a matter of policy, you authorize the Commander of USSOUTHCOM to employ, in his discretion, only Category I and II and the fourth technique listed in Category III ("Use of mild, non-injurious physical contact such as grabbing, pinning to the sheet with the fingers, 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. Approved Forces are trained to a standard of interrogation that reflects a commitment to the Convention.

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

SECDEF DECISION:

Approved WJH Disapproved Other

Attachments
As noted

CC: (NDP)

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

WJH DEC 8 2002

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THE LEGAL ADVISER
DEPARTMENT OF STATE
WASHINGTON

February 1, 2002

MEMORANDUM

TO: Counsel to the President

FROM: William J. Haynes II, General Counsel

SUBJECT: Comments on Your Paper on the Geneva Conventions

The paper should make clear that the issues for resolution by the President is whether the Geneva Conventions apply to the conflict in Afghanistan in which U.S. armed forces are engaged. The President should know that a decision that the Conventions do apply is consistent with the plain language of the Conventions and the unvaried practice of the United States in introducing its forces into conflict over fifty years. It is consistent with the advice of DOJ lawyers and, as far as is known, the position of every other party to the Conventions. It is consistent with UN Security Council Resolution 1388 affirming that "All parties to the conflict [in Afghanistan] are bound to comply with their obligations under international humanitarian law and in particular the Geneva Conventions..." It is not inconsistent with the DOJ opinion that the Conventions generally do not apply to our world-wide effort to combat terrorism and to bring al Qaeda members to justice.

From a policy standpoint, a decision that the Conventions apply provides the best legal basis for treating the al Qaeda and Taliban detainees in the way we intend to treat them. It demonstrates that the United States bases its conduct not just on its policy preferences but on its international legal obligations. Agreement by all lawyers that the War Crimes Act does not apply to our conduct means that the risk of prosecution under that statute is negligible. Any small benefit from reducing it further will be purchased at the expense of the men and women in our armed forces that we send into combat. A decision that the Conventions do not apply to the conflict in Afghanistan in which our armed forces are engaged







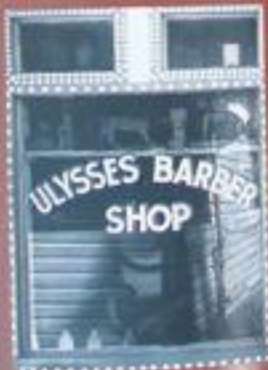
- a piece of fabric
- Three red plastic bowls, one with straw
- 1 jar of small bricks to stack (red)
- 1 red plastic mug
- 1 red vinyl "Silverama" work drop cloth
- 1 red picnic blanket in clear plastic case
- 1 red rubber baster that air blows out of
- 1 clear acrylic box filled with dyed red hair (Wendy)
- 2 red plastic fish stringers
- 1 piece of red rubber dripping fake blood
- 3 votive candles
- 1 red glass ashtray
- 2 red candles in a brick patterned package
- 1 jar of red buttons
- 1 V shaped tool with a holding hook (coated lined)
- 1 stack of red plastic french fry bins
- 1 red plastic colormine cutting board
- 2 red foam clown noses in a red plastic box
- 1 ziplock bag of red drink ornament devils
- 3 red freezer drink tubes "Cool year"
- 1 red plastic drinking bottle with freezing tube
- 1 foam freezer pack (red)
- 1 oblong red plastic band-aid container holding some red colored pencils
- 1 red folder that is plastic with a moveable red plastic handle for carrying it

"You know what you want to make—you have a picture in your head.
I find a piece of wood to fit it."—Ulysses Davis

Savannah woodcarver Ulysses Davis never lacked for pictures in his head (or, for that matter, pieces of wood). In his 77 years, he carved hundreds of real and imagined animals, religious icons (from crucifixes to Buddha), decorative objects, and pieces relating to his African-American heritage, from vibrant interpretations of tribal sculpture to portraits of Frederick Douglass, Martin Luther King, Jr., and Bill Cosby.

Perhaps nothing else Davis completed, though, equals "The Greatest," his series of busts of 40 U.S. presidents published here for the first time. Motivated by a deep regard for his country, he undertook the series to commemorate the institution of the presidency rather than any particular leader. That said, the artistry in each individual sculpture is remarkable. Davis's expressive, and often Expressionist, rendering is anchored by his attention to details such as the texture of hair or the style of a tie—for several pieces, he even crafted tiny eyeglasses. But the full power of the work is only conveyed when it is viewed as a whole. Few artworks have so effectively—and in such a gently subversive way—melded the personal and political.

Davis received some recognition during his lifetime—his work was included in "Black Folk Art in America," a survey exhibition organized by the Corcoran Gallery of Art in 1982, and he was given a Georgia Governor's Award in the Arts in 1986—but carving remained a hobby. He supported his family by cutting hair at the barbershop he built onto the back of his West Savannah house in the early '50s. In 1990, Davis finally retired, and just six months later, he died. Most of his work, which sat on shelves around the perimeter of his barbershop, was acquired by Savannah's King-Tadell Cottage Foundation, where it is now on permanent display.—JL



THE GREATEST

Ulysses Davis



DOING BATTLE

EIGHTH GRADER ALEX BROWN EXPLORES THE ART OF WAR





Joanna

9-22-95

I was thinking about
Maine
this morning - and how
Cool
it was up there!



Remember the
Bobbles and
how you led
the way to the
top!

How about when you
and I went out on
Echo lake after
dinner in the
canoe! It was
so quiet and cool
and slowly getting
dark! Remember?

The scavenger hunt with
the Little play about
Underwearman was
fun to!

I had fun in Maine
didn't you?

Dad/1366

Theo

11-13-95



SAIL ON-SAIL ON
Theo my son

OH SEE WHAT YOU WILL
SEE!!

Dad/1366

Betty
42 Columbus

Betty
42 Columbus



MODERN ARTIFACTS 3 "TENTATIVE AND CONFIDENTIAL"

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exciting to me maybe something would
You accept? Fate seems to encourage my
high chance - have found my empty best
going to Venetian me and all my work
to NY I am tough and must take my chances
ideas chance a scale I cannot earn to support from
trading here if nothing can be there than
away again to seek new ways to do
what I must think you Miss Miller

DEAR MISS MILLER SORRY TO HAVE
TROUBLED YOU AND THE DISAPPOINTMENT
AT THE GUGGENHEIM, MY INCONVENIENCE TO YOU
HAS BEEN ENORMOUS, MY ATTEMPT TO GET TO NY
IS PERHAPS ANOTHER MISTAKE IT IS MORE COMPLICATED
THAN EVER YET I CANNOT ABANDON MY WORK I MUST TRY
AND SOMEHOW I MUST FIND MEANS TO GO ON, I AM NOT
YOU HAVE AGAIN I URGE YOU TO DO ANYTHING YOU CAN WITH
IT TO HELP YOU OF COURSE I WILL TAKE AS MUCH AS POSSIBLE, FEEL
TERRIBLE TO HAVE ALLOWED SUCH A PROBLEM, I HOPE TO
PAY YOUR FARE ALL AT YOUR HELP, WHATEVER, HOWEVER
YOU WISH I DON'T KNOW WHAT TO SAY TO YOU
OF COURSE I AM VERY THANKFUL AND YET
VERY SAD TO BE A NUISANCE

so it is
strange

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ESOPUS CD #7: OUIJA

Past James Merrill's productive use of a Ouija board for his work, discussed by West Harsanyi in the preceding pages, got us to wondering: What kind of illumination—spiritual or otherwise—might musicians gain from a "talking board"? Early in the summer Esopus sent Ouija boards to 13 participants, requesting that they use them in some way to create songs.

Contributors ultimately fell into three categories: 1) "believers" who received direct benefits from time spent at their boards (except for one, who sensed nothing to do with his); 2) those who gave otherwise worthy communication their best shot, but whose failed efforts led to a more strategic approach to the assignment; and 3) the curious.

The first group included Daniele Siroch-Homy, who took "in a sort of offering" a song she had been working on to a Ouija session with producer and fellow musician Chris Taylor. "We both felt an unmistakable presence and our hands were guided heavily across the board," she recalls, "although the messages we received were scrambled and sometimes rude." "Femin," his resulting song, includes the lyrics "My baby's got angel-looking over him but he don't know them," alluding to an acknowledgment of a spiritual realm along with an inability to access it. Greg Weeks and his wife later contributed vocals on his track "With Five Persons the Palm Seized"; I had one of the most productive experiences. "I prepared a set of questions—all direct—ones which would provide guidelines from which to structure my song," he says. "In an often uncertain fashion, the piece guided to varying degrees, answering all of them." The responses were specific: "Eight minutes, the board said. No. Nine. Five words based on top of one another. One chord break. . . . And my cat needed to sing." Weeks recalls, "Conclusion: The spirits in my house were weird as hell." Brooklyn-based Esopuser received their actual session with the board, which yielded the key letters of their song's title, "WA." As the band's collaborator John Fell Ryan puts it, "We're not sure if we got through to anything more than a low-level psychic chat room, but tele-measurements were indeed witnessed." After several sessions with the board Esopus sent to her, Carolyn "Homechild" Coleman said, "I was amazed at how right the answers were—it became quite addictive!" She lasted continuing with the board to a fatigue between two people—one questioning and one answering—and went on to employ the structure for her track "New Hands."

Fred Thomas, the man behind Michigan collective Saturday Lovers' sound to the claims that being raised in a "super-Orion" household—coupled with an unfortunate childhood viewing of *The Exorcist*—led to "a few of demonic possession that haunted me through grade school." Thomas thought he'd moved beyond it with his pulled out the Ouija board to begin work on the song. "It was impossible. My hand wouldn't let me touch the oracle-moving glass finger or come up with questions, or even be in the same room with it for any long." The result? "I scribbled a song ["Spelt Out"] with lyrics about how terrified I was of the very concept of speaking to the spirit world, and in general what a coward I am."

Among the contributors whose lack of success at the board led to other approaches were Patrick Cleandrom, in the first of two sessions, he and his collaborator received only one message: "No." "Unfortunately, our inquiry was not of the 'No' variety," he laughs. After the lack of any kind of response the second time around, Cleandrom was inspired to write "The She," which he calls "a lament, in response to this circus, that deals with feelings of disappointment and disenfranchisement." Andy Lewis band-mates Yuki Chikudate and James Harro made several attempts to realize their "John Cage-ian" aspirations of asking the board to dictate their song's lyrics and melody, but to no avail. "I remember how why the Ouija board my parents bought me as a kid mostly

ESOPUS CD #8: SPAM

1. FRISK FANTASER

"Frisk Fant"
Performed by Cecil Parlett
Recorded by Dave Newfield
Copyright ©2007 Owen Parlett

2. THE SUBMARRINER

"Agents of the Crown"
By John Dragoinetti and Blake HAZARD
Copyright ©2007 MCMCMCM (BM)

3. GREG TATE & GARRICK BARR

"Call of the Sky"
Written and performed by Greg Tate
Copyright ©2007 Barrn Sugar Imbix (SESAC)

4. FRIDA HYÖNEN

"For Me to Say"
Written, performed, and recorded by Frida Hyönen
Copyright control

5. WALK AMONG THE LAKE

"Walk Among the Lake"
Written and recorded by An J. Packer
Label: Tekey Records
Copyright ©2007 Walk Out for Cancer (ASCAP)

6. THE FAMILY DOCTOR

"The Secret Rite of Tantalization"
Written and performed by the Family Doctor
Copyright ©2007 Bumbick Collective

7. HARMONY AND POLLUTION

"My Romantic"
Recorded by Jason P. Gressell
Copyright ©2007 Jason P. Gressell Music

8. UPLAN IN THE ROOMS

"Graduation Day"
Vocals, guitar, keys: Brian Sullivan
Vocals: Nathaniel Usher
Written by and recorded at home by Brian Sullivan
Mixed at Mosquito Studios by Eric Schuman
Copyright ©2007 Brian Sullivan (BMI)

9. THE MORAL LOOPHOLES

"Imperfections"
Composed, produced, and performed by the Moral Loopholes
Copyright ©2007 The Moral Loopholes

10. NEEDLE

"Sundry on Prozac"
Written, recorded, and produced by Julie Cornett
and Steven Beck
Copyright ©2007 Needle (BMI)



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Send the CD to: Esopus (along with any correspondence you
might want to include) with a \$3.00 shipping
charge to Esopus.

ESOPUS CD #8: SPAM

MOST AMERICANS 'VERY SATISFIED' WITH PERSONAL LIVES

Atlas Sound, "Sleeping Village Appears Empty"

FERRET BACK FROM THE

POLICE RECOVER STOLEN MUNCH MASTERPIECES

Langhorne Slim, "Process"

'MIRACULOUS' RECOVERY FOR MAN WHO FELL 46 FLOORS

Marvin Stern, "Lithium Fluoride"

NEW ZONING COULD ALTER CONEY ISLAND DEVELOPMENT

Catherine McRae, "Boredom Arcades"

NINE MILES AND SPREADING

Budimir, "I've Always Known"

Miracle on 66th Street: window

LIZA MINNELLI RECOVERS FROM STAGE COLLAPSE

Max Mar, "A Song for Liza Minnelli"

BRINK OF EXTINCTION

Steve Case and Carl Rowan, "Too Ferrets Below"

TREASURY CHIEF: TAX REBATE CHECKS TO GO OUT IN MAY

Chris Katin, "Impending Recession"

DEATH HOTEL

The Real Tuesday Weld, "Look at the Death Hotel"

ISLAND DEVELOPMENT

FUTURE PAST TENSE: NO NEWS

Max Adams, "A Song in the News"

TWO AGAINST ONE: TEENAGE LOVE AND MURDER

The Green, "Billie's Kids"

cleaner survives 47-story fall

Artificial Workshop, "Miracle Man"