

**EXHIBIT 40**

**Wright, Stephanie L CDR NAVCONBRIG CHARLESTON**

**From:** [redacted] CDR NAVCONBRIG CHARLESTON  
**ent:** Thursday, December 01, 2005 6:33 PM  
**To:** [redacted] CDR CHRL; [redacted] MAJ (NAVCONBRIG Charleston); [redacted]  
[redacted] CAPT NAVCONBRIG Charleston; [redacted] CIV; [redacted]  
CIV; [redacted] MAC NAVCONBRIG Charleston  
**Subject:** FW: BRIG Version of new interrogation Directive

Gentlemen:

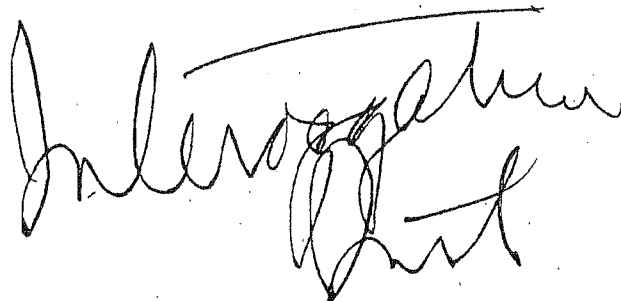
1. Looks like we have another opportunity to excel! Please review attached and DoDD 3115.09...be ready to ask any questions and discuss how we will develop reporting procedures and training as directed at next SHU meeting on Tuesday (I won't be here Monday so YN2 will reschedule the SHU meeting for Tuesday).

The immediate questions I'm sending to CFFC by COB Friday include the following. If you think of anything else immediate let me know.

- a. Will they send us copies of the references in the instruction required for us to develop policy (i.e. references (h), (i) and (j)).
- b. Does para 3.4.3.2 give me the authority to release medical records to appropriate nat'l security personnel without checking with CFFC first?
- c. Do our military clinicians meet the definition of para 3.4.3.3
- d. Will they send me copies of applicable law and policy as delineated in para 3.4.4.1 of the instruction
- e. Will we get copies of the policies and plans delineated in para 4.1.3. and 4.1.8.2
- f. Who is a POC for the tasking in 4.1.9.2 and can we get copies to use as frameworks for the products we're required to develop?
- g. Is it the intent of CFFC to incorporate our products into the directives they must develop per para 4.6.1
- h. What is the timeline for development and submission of the products?
- i. And most importantly (drum roll)...are they sending this to us now for the admin "check" in the block or because there are interrogations planned for the near-term future?

2. I look forward to your comments.

thanks, co



-----Original Message-----

**From:** [redacted] LCDR FFC  
**Sent:** Thursday, December 01, 2005 15:36  
**To:** [redacted] CDR NAVCONBRIG CHARLESTON  
**Cc:** [redacted] CAPT FFC; [redacted] CDR FFC N02LE  
**Subject:** FW: BRIG Version of new interrogation Directive

CO, attached is our brief pertaining to the new DoD Directive relating to interrogations. Please contact me if you have any questions. V/r [redacted]



briginterr.doc

-----Original Message-----

**From:** [redacted] CAPT FFC  
**Sent:** Thursday, December 01, 2005 15:31  
**To:** [redacted] LCDR FFC  
**Cc:** [redacted] DR FFC N02LE; [redacted] LT FFC N02L3; [redacted] D LCDR FFC  
**Subject:** RE: BRIG Version of new interrogation Directive

[redacted] - nice summarization - if you have not already done so, please provide this to the Brig CO.

/DJJA

-----Original Message-----

**From:** [REDACTED] LCDR FFC  
**Sent:** Wednesday, November 30, 2005 8:21  
**To:** [REDACTED] CAPT FFC  
**Cc:** [REDACTED] CDR FFC N02LE  
**Subject:** BRIG Version of new interrogation Directive

Capt; per your request attached is a brief for the Charleston BRIG of the new Directive. V// [REDACTED]

<< File: briginterr.doc >>

**L CDR NAVCONBRIG CHARLESTON**

**From:** [REDACTED] A LCDR FFC  
**nt:** Friday, December 02, 2005 9:06 AM  
**J:** [REDACTED] L CDR NAVCONBRIG CHARLESTON  
**Cc:** [REDACTED] CAPT FFC; [REDACTED] CDR FFC N02LE; [REDACTED] D LCDR FFC  
**Subject:** FW: BRIG Version of new interrogation Directive

CO, presently there are no plans for any outside interrogations. However, that is always subject to powers outside of all of our control. I spoke with Captain [REDACTED] and there is no deadline other than what is reasonable and fits with your training schedule. The point paper was more for informational purposes and to ensure that if you are tasked directly from outside interrogators that you were aware of the new policy. The key take always are that the Brig needs to establish and promulgate a process for reporting, if requested, the daily activates of the detainee's). Also, the requirements as delineated in the directive, for interrogation requests and sessions. Pertaining to section 3.4.4.1 the specific references are undefined in the directive. As such we are anticipating further clarification when USD(I) issues there required supplemental guidance per the directive. Finally, I have attached the web site links to references H through J. NMC1 file limitations do not permit me to send them to you via email. The web site links are great resources for all DoD Directives, Instructions, and Publications. V/r [REDACTED]

<http://www.dtic.mil/whs/directives/corres/pub1.html>  
<http://www.dtic.mil/whs/directives/corres/ins1.html>  
<http://www.dtic.mil/whs/directives/corres/dir2.html>

-----Original Message-----

**From:** [REDACTED] L CDR NAVCONBRIG CHARLESTON  
**Sent:** Thursday, December 01, 2005 19:01  
**To:** [REDACTED] A LCDR FFC  
**Cc:** [REDACTED] CAPT FFC; [REDACTED] CDR FFC N02LE  
**Subject:** RE: BRIG Version of new interrogation Directive

Thanks [REDACTED]. My team is reviewing and we'll develop a way ahead next week. My immediate questions include:

- a. Is this being sent to us now because DODD 3115.09 has just been released or because there are imminent interrogations in our future (if you need to respond by SIPRNET, please let me know)?
- b. Is there a CFFC deadline for our taskings?
- c. Do you have the references (h), (i) and (j) easily available to forward?
- d. Do you have the applicable portions of law and policy as delineated in para 3.4.4.1 of the instruction easily available to forward?

2. Stand by for further questions by the end of next week as we start getting into the details.

3. Hope you had a nice Thanksgiving and good job on the point paper!

r, CDR [REDACTED]

-----Original Message-----

**From:** [REDACTED] A LCDR FFC  
**Sent:** Thursday, December 01, 2005 15:36  
**To:** [REDACTED] CDR NAVCONBRIG CHARLESTON  
**Cc:** [REDACTED] CAPT FFC; Jung, Chris CDR FFC N02LE  
**Subject:** FW: BRIG Version of new interrogation Directive

CO, attached is our brief pertaining to the new DoD Directive relating to interrogations. Please contact me if you have any questions. V/r [REDACTED]

<< File: briginterr.doc >>

-----Original Message-----

**From:** [REDACTED] CAPT FFC  
**Sent:** Thursday, December 01, 2005 15:31  
**To:** [REDACTED] A LCDR FFC  
**Cc:** [REDACTED] CDR FFC N02LE; [REDACTED] LT FFC N02L3; [REDACTED] CDR FFC  
**Subject:** RE: BRIG Version of new interrogation Directive

[REDACTED] - nice summarization - if you have not already done so, please provide this to the Brig CO.  
R/DJA

-----Original Message-----

**From:** [REDACTED] LCDR FFC  
**Sent:** Wednesday, November 30, 2005 8:21  
**To:** [REDACTED] CAPT FFC  
**Cc:** [REDACTED] CDR FFC N02LE  
**Subject:** BRIG Version of new interrogation Directive

Capt, per your request attached is a brief for the Charleston BRIG of the new Directive. V/[REDACTED]

<< File: briginterr.doc >>