



REPLY TO
ATTENTION OF

DEPARTMENT OF DEFENSE
UNITED STATES SOUTHERN COMMAND
9301 NW 33RD STREET
DORAL, FL 33172

March 21, 2018

Office of the Staff Judge Advocate,
Office of Freedom of Information Act

Ref: SC 14-026-S

Mrs. Carol Rosenberg
The Miami Herald
3511 NW 91st Avenue
Doral, Fl 33172

Dear Mrs. Rosenberg:

This is our Agency's final response to your electronic Freedom of Information Act (FOIA) request dated December 10, 2013. Your request sought copies of the guidelines governing content review of books at the Joint Task Force Guantanamo Bay (JTF-GTMO) library as maintained by members of the JTF-GTMO, both civilian and military.

The JTF-GTMO search reveals the enclosed document. The document is Titled JDG Procedure #40, Detainee Programs, dated 27 November 2013, consisting of 14 pages, numbered 40-1 thru 40-14.

After close consideration Lieutenant Commander Jesse A. Shaefer, USN, Deputy Staff Judge Advocate at Joint Task Force-Guantanamo determined that a portion of information are withheld from release. As such, release of this information is denied in full under 5 U.S.C. § (b)(3), 5 U.S.C. § (b)(6) and 5 U.S.C. § (b)(7)(E).

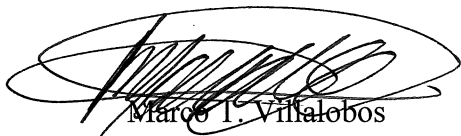
- a. Exemption (b)(3) permits withholding of information by statute, in this instance the applicable statute is 10 U.S.C. § 130b, which authorizes protection of names of personnel in overseas, sensitive or routinely deployable units. Thus, this information could not be released under 5 U.S.C. § (b)(3).
- b. Exemption (b)(6) permits withholding of personal information of individuals contained in personal, medical and other files that, if released, would constitute a clearly unwarranted invasion of the personal privacy. Thus, this information is not released under 5 U.S.C. § (b)(6).
- c. Exemption (b)(7)(E) permits withholding of information, the release of which would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. Thus, this information is not releasable under 5 U.S.C. 552 § (b)(7)(E).

Redaction of information in these categories were made and marked on the enclosed document. Denial of the redacted information is made pursuant to 5 U.S.C. § (b)(3), 5 U.S.C. § (b)(6) and 5 U.S.C. § (b)(7)(E) by Commander Joseph Romero, U.S. Navy, former Staff Judge Advocate, Joint Task Force-Guantanamo Bay, Cuba.

If you are not satisfied with this action, you have the right to appeal to the appellate authority, Ms. Joo Chung, Director of Oversight and Compliance, Office of the Secretary of Defense, by writing directly to ODCMO Directorate for Oversight and Compliance, 4800 Mark Center Drive, Attn: DCPLTD, FOIA Appeals, Mailbox #24, Alexandria, VA 22350-1700. Your appeal must be postmarked within 90 calendar days of the date of this response. Alternatively, you may also submit your appeal electronically, within 90 calendar days of the date of this response, at the following link: <http://pal.whs.mil/palMain.aspx>, or email your appeal to OSD.FOIA-APPEAL@mail.mil. If you use email, please have the words "FOIA Appeal" in the subject of the email. Your appeal should cite case number SC 14-026-S, and be clearly marked "Freedom of Information Act Appeal." A copy of this letter should be enclosed with your appeal.

With this action, I am administratively closing this file in this office. There are no assessable fees associated with this response. Address any further questions to the undersigned at (305) 437-1108. Refer to the above case control number.

Sincerely,


Marco I. Villalobos
Command FOIA Manager

Enclosure

JDG PROCEDURE #40
DETAINEE PROGRAMS
27 NOVEMBER 2013

REFERENCES

AR 735-5 Policies and Procedures for Property Accountability
AR 735-17 Accounting for Library Materials
SOP #30 Camp Rules and Standards of Conduct

40-1. PURPOSE.

a. Detainee Programs provide intellectual stimulation and effective transition preparation for detainees through (two) components:

(1) Detainee Library provides books, magazines, newspapers, DVDs/CDs and electronic games (library materials).

(2) Detainee Seminars provides intellectual stimulation for compliant detainees.

(3) Specific subjects offered in the Seminar Program include, but are not limited to, English as a Second Language, Art and Life Skills. Life Skills is defined as the skills to increase socialization and manage the challenges of life after detention.

(4) This Standing Operating Procedure (SOP) applies to all assigned, attached, or operationally controlled personnel working for the Joint Detention Group (JDG) in support of Joint Task Force (JTF) Guantanamo, Guantanamo Bay, Cuba.

40-2. RESPONSIBILITIES.

a. Commander, Joint Detention Group (CJDG) will:

(1) Execute Detainee Programs while maintaining safety and security of the camps, detainees and U.S. personnel.

(2) Provide command, control and supervision over the Detainee Programs Director/OIC.

(3) Establish Standard Operating Procedures for all detainee programs.

(4) Determine detailed schedules for Detainee Programs and all associated elements.

(5) Submit requests to JTF-GTMO for additional resources, as necessary, to implement and maintain the Detainee Programs.

(6) Provide required reports to JTF-GTMO on the progress of Detainee Programs.

b. OIC, Detainee Programs will:

(1) Provide staff oversight of the Detainee Library, Detainee Seminars and all assigned personnel.

(2) Ensure compliance with all Standard Operating Procedures and regulatory guidance and contractual regulations.

(3) Ensure manpower and equipment are available to maintain daily operations for all programs.

(4) Provide recommendations on programs, materials, and resources to CJDG.

(5) Ensure program materials are screened prior to circulation.

(6) Provide required reports as directed.

(7) Provide staff oversight of Library operations.

(8) Maintain an inventory of all library materials.

(9) Ensure materials are screened and vetted prior to adding to circulation.

(10) Prepare distribution of books, magazines, newspapers, DVDs/CDs, and electronic games.

(11) Provide required reports as directed.

(12) Report directly to the JDG Deputy Commander.

(13) Will be the acting Contracting Officer Representative and liason between the contractors and the Contracting Officer (KO).

c. NCOIC, Detainee Programs will:

(1) Supervise military library technicians both military and civilian.

(2) Prepare and update daily and weekly reports for OIC and the JOC.

(3) Track newspaper and printed article deliveries to camps.

(4) Collect and ensure all books are screened upon their departure and return to the library.

(5) Update attendance trackers for classes.

(6) Act as the liaison between camps and library technicians.

(7) Check DIMs daily for camp and detainee requests.

(8) Submit purchase requests to the (b)(7)
(E) as needed.

d. Library Technicians will:

(1) Maintain an inventory of all library materials.

(2) Prepare distribution of books to all camps on a rotating basis.

(3) Ensure the selection of books for distribution covers the needs of all camps.

(4) Distribute and exchange books as per established schedule.

(5) Screen collected books upon return to the Library. Examine returned materials for damage to include writing, codes, defacement, torn pages; report damages or unusual markings to the Head Librarian or OIC for action.

(6) Develop orders for new materials and submit to JDG S4 for approval to purchase.

(7) Provide periodic reports to Head Librarian or Detainee Programs OIC regarding distribution of library materials.

(8) All library materials will be exchanged on a one for one basis. At no time shall Library Technicians give a detainee a book, magazine, DVD etc. before receiving one from the detainee.

e. Seminar Program Staff will:

(1) Develop curriculum for Detainee Seminars and submit to the Detainee Programs Director for approval.

(2) Maintain records of detainee enrollment and participation in Seminars. If a detainee does not attend class for 2 consecutive weeks then that detainee may be dis-enrolled. Re-enrollment will be done through DIMs if requested.

(3) Conduct classroom instruction per assigned schedule.

(4) Class enrollment will be done by the guard force using DIMs.

f. Staff Judge Advocate (SJA)

(1) The SJA Office will serve as the receiving agent for books and magazines given to detainees by their lawyers and ICRC. All books and magazines will be donated to the library (they will no longer be considered Individual Comfort Items).

(2) CDs and DVDs that are provided to the SJA office by the ICRC shall be subject to a cursory screen by the SJA's office in order to determine if they are of a commercial or noncommercial nature. If they are of a commercial nature, they shall be forwarded to the Library for additional screening in accordance with this SOP and, if cleared, shall be considered Library Materials, as that term is used hereunder, to be placed in general circulation and shall NOT be considered individual comfort items for specific Detainees. If rejected, CDs/DVDs shall be returned by the SJA's office to the ICRC.

(3) SJA's Office Personnel will screen/edit books and magazines from lawyers written in English in accordance with guidelines and criteria set forth hereunder and shall arrange for review/interpretation of foreign language materials as necessary to facilitate screening/editing of those items.

(b)(7)(E)

(4) CDs and DVDs shall be rejected by the SJA's Office if they are of other than "commercial" in nature. In other words, CDs and DVDs may not contain images/messages intended for an individual detainee.

g. Branch Libraries: Echo, Iguana, Camp 5 and Camp 6

(1) Branch libraries will hold no more than 200 books at any given time.

(2) Detainees may still check out books from the library on a one for one basis.

(3) If at any time there are more than 200 books located within the brach library then the branch library can be swept through in order to retrieve the extra books.

40-4. PROGRAM OVERVIEW.

a. Library. The Detainee Library provides compliant detainees with material for intellectual stimulation for the purpose of maintaining good order and discipline within the detention facilities. See Annex A for the detailed Library SOP.

b. Detainee Seminars Program. The Detainee Seminars Program is a voluntary program for all compliant status detainees in order to provide intellectual stimulation and assist in maintaining good order and discipline within the detention facilities. See Annex B for the detailed Seminars SOP.

(b)(3);10 USC §130b,(b)(6)

Commanding

ANNEX A
Detainee Library

1. Policies and Procedures.

a. Procurement of library materials.

(1) Library materials will be purchased to accommodate the languages spoken by detainees.

(2) Selection of library materials should focus on themes to promote good order and discipline within the camps.

(3) Materials will either be purchased through the library or donated to the library (on behalf of specific detainees) through the office of the SJA or the International Community of the Red Cross (ICRC). Materials obtained through library funds will be considered Government Property.

b. Material Screening. All materials will be screened for appropriateness prior to being added to the inventory and put into circulation. Foreign language materials will be screened as follows:

- (1) (b)(7)(E) [redacted]
(b)(7)(E) [redacted]
- (2) (b)(7)(E) [redacted]
(b)(7)(E) [redacted]
- (3) (b)(7)(E) [redacted]
(b)(7)(E) [redacted]
- (4) (b)(7)(E) [redacted]
(b)(7)(E) [redacted]
- (5) (b)(7)(E) [redacted]
(b)(7)(E) [redacted]
- (6) (b)(7)(E) [redacted]
(b)(7)(E) [redacted]

c. English language books will be approved by the Library OIC. Materials will meet all criteria outlined by this SOP and JTF Operations Security policies.

d. Library materials will be evaluated in accordance with the following authorized and restricted topics:

(b)(7)(E)

e. The Library will establish a physical area designated for review and screening of newspapers. The area should be clearly identified and segregated to ensure that approved and non-approved materials are not mixed. The Library will further establish a holding area for newspapers that have been approved and are awaiting distribution to the camps.

g. If directed by higher command, the Library will redact unapproved information from all newspapers and magazine by either blacking out all unapproved information, cutting out all unapproved information, or removing single pages containing unapproved information.

h. Approved Materials. Materials that have been through the screening process and approved for inclusion in the library inventory must be:

(1) Clearly stamped as approved with the date of approval.

(2) Entered into the Library database and tagged with title and inventory control number using bar code tags.

2. Distribution.

a. Library materials are considered comfort items, and are allocated to detainees in accordance with the BI/CI list located in SOP #30.

- b. Delivery days and times will be established by the Library OIC.
- c. Guards will not exchange or distribute books between detainees in any camp without CJDG approval.
- d. Library materials are Government Property. Damage to library materials will be treated as a Modification of Government Property (b)(7)(E) or Damage to Government Property (b)(7)(E) offense in accordance with SOP #30.
- e. Recovery of books from detainees placed in a (b)(7)(E) status:

- (1) (b)(7)(E)
- (2) (b)(7)(E)
- (3) (b)(7)(E)

3. Koran.

a. Koran distribution:

- (1) The Library manages the purchase, storage, and distribution of the Koran.
- (2) Korans will be purchased in languages spoken by detainees and maintained at an adequate stock level.

Detainees are authorized (3) Korans. They may possess a Koran in their native language, one in Arabic, and a Tafseer Koran (Korans with interpretations). At no time will a detainee have more than three Korans. Tafseer Korans will be treated as Korans by the Guard Force. Only the approved CJDG version of the Tafseer Koran is allowed for distribution.

- (4) Koran requests will be handled the same business day.

b. Submit all requests for Korans to the Detainee Library using DIMS. Use the drop down request (b)(7)(E) then make the request for a specific Koran type and/or language.

c. Routine Koran Exchange.

- (1) Requests to exchange a Koran due to fair wear and tear or for language purposes must be submitted through DIMS under the Requests menu for Supply/Library. Library Staff will check DIMS daily and respond to requests on scheduled Koran exchange day.

(2) Only Muslim Librarian Staff will take the Koran to the detainee. At that time the detainee must surrender his old copy of the Koran before receiving the new copy. Electronic copies of the Koran, such as on DVDs and CDs will be treated as any other DVD or CD.

(3) Fair wear and tear policy. A request made to replace a Koran that is considered unserviceable should meet the following criteria:

- (a) Broken binding
- (b) Pages missing, falling out, or torn
- (c) Water damage
- (d) Soiled by food or body fluids

d. Koran Exchange for Outbound Movement.

(1) JDG (b)(7)(E) will notify the Library to prepare Korans for detainees scheduled for movement.

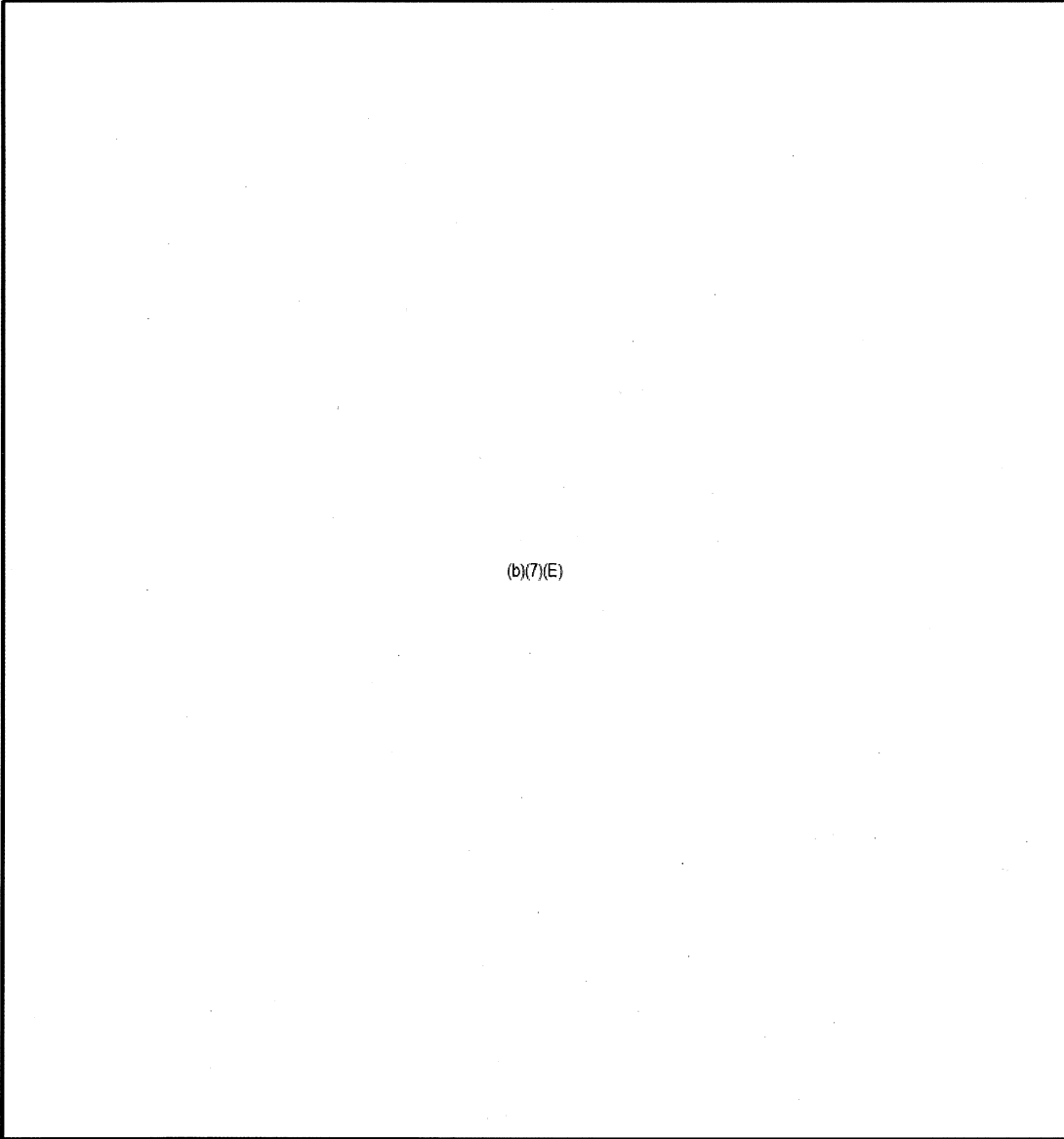
(2) The Library Staff will deliver the Korans to the JOC as directed by the movement OPORDER.

(3) The movement NCOIC will return the old Korans to the Library Staff upon completion of mission or next duty day.

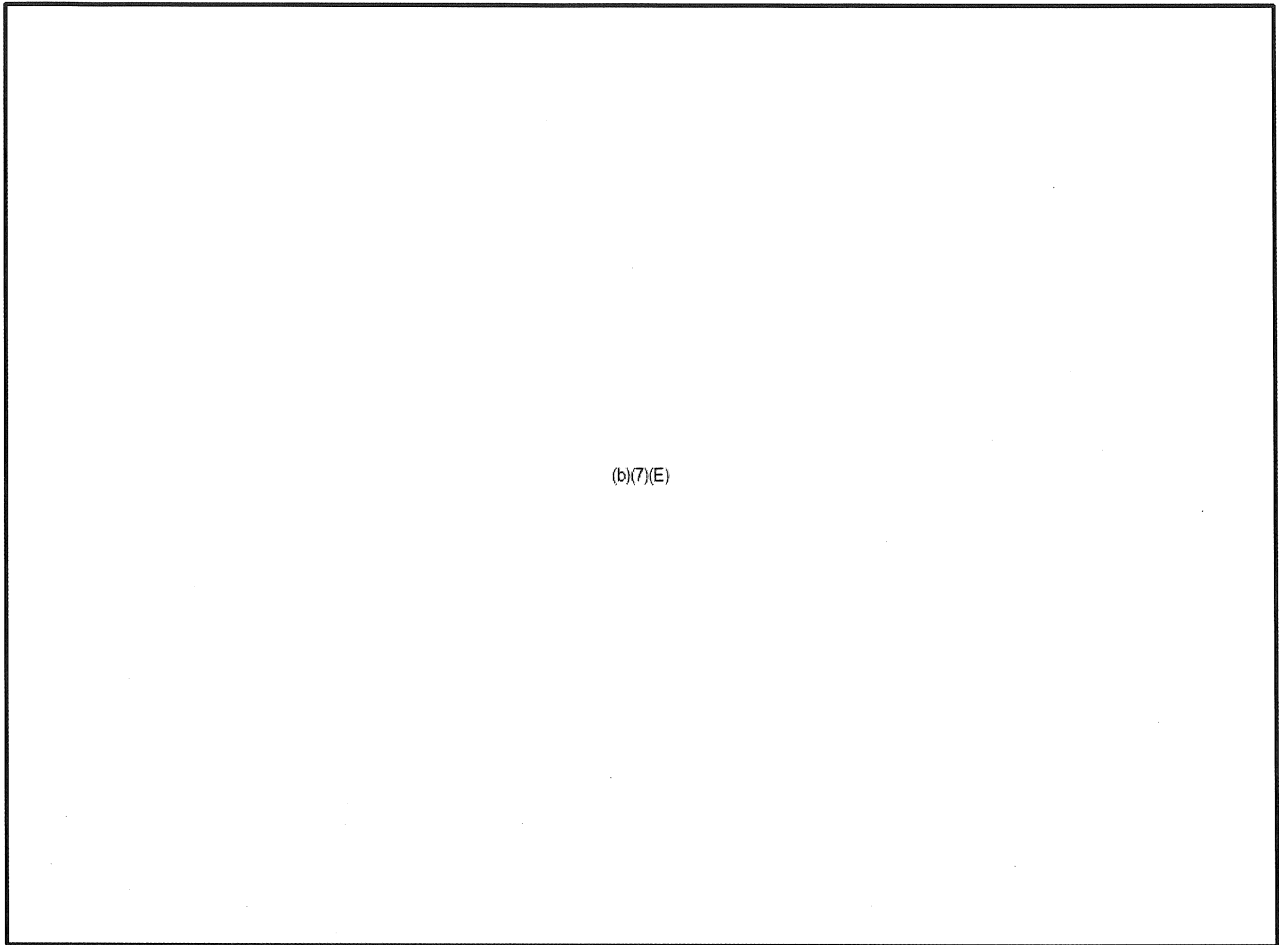
(4) The Library Staff will screen returned Korans for damage, writing, or other materials. If the Koran is still serviceable (i.e., no writing or damage) the book will be placed back into the stock. If the book is damaged (i.e., broken binding, torn or missing pages) it will be turned in to the DET Library for storage and further disposition. (b)(7)(E)

(b)(7)(E)

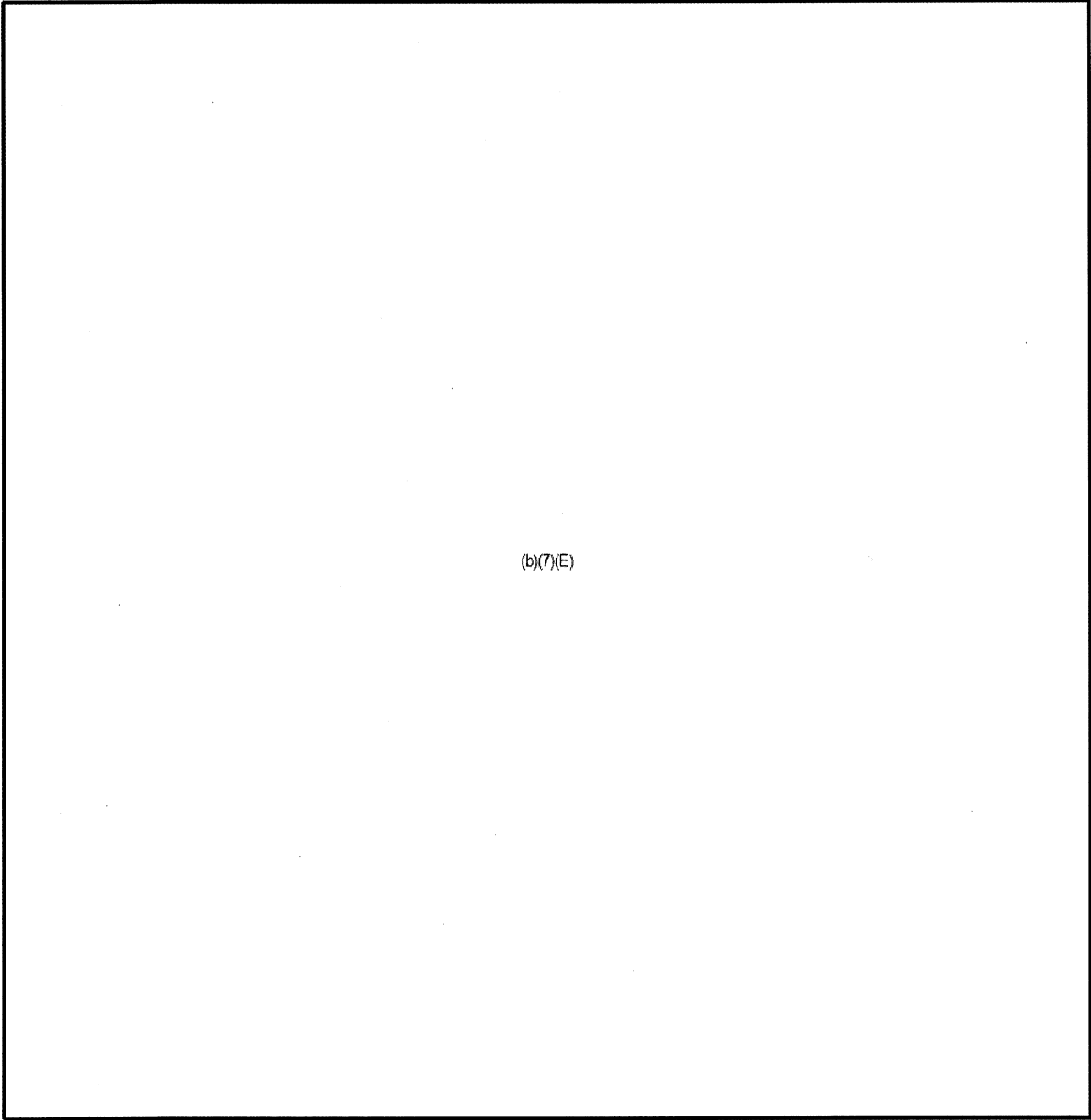
e. When a detainee turns in a Koran and has no Korans, the Librarian will send a report to JDG (b)(7)(E)



(b)(7)(E)



(b)(7)(E)



(b)(7)(E)

ANNEX B
Detainee Seminar Program1. Purpose.

The Detainee Seminar Program (DSP) is a voluntary program for compliant detainees in order to provide intellectual stimulation and assist in maintaining good order and discipline within the detention facilities.

2. Detainee Seminars Program availability.

a. Detainee Seminar participation is a privilege available to compliant detainees who are not in a disciplinary status per SOP #30.

b. Class days and times will be established by the DSP OIC. Any deviation from that schedule or special requirements within the Camps must be coordinated through the JOC and Library OIC.

c. Detainees who are not currently enrolled in a seminar may ask permission to enroll from the guard force or their interrogator.

d. The guard force shall submit all requests for DSP enrollment using DIMS. Use request (b)(7)(E) and specify which class the detainee is requesting.

e. DSP OIC will research each detainee's language and education level in order to approve enrollment.

f. Once approved for enrollment, the detainee's ISN is listed on the class schedule and he will be considered to be enrolled in the program.

4. Seminar Safety and Security.

a. Guard Force:

(1) The number of the detainees in the classroom will dictate the number of guards.

b. The guards will:

(1) Not make physical contact with the detainees.

(2) Not allow the teacher to directly pass any material to the detainees.

(3) Pass all material between the teacher and the detainees.

(4) Have detainees secured at (b)(7)(E) before the arrival of the teachers and staff.

4. Detainee Seminars Curriculum.

a. The Detainee Seminar Program is comprised of the following modules or classes:

(2) Second Language. This module is offered on an on-going basis. This module provides detainees with basic conversational English as a Second Language instruction that may enhance one's ability to gain employment.

(3) Art. This module is offered on an on-going basis. Detainees receive the opportunity to attend basic art instruction.

(4) Life Skills. This module is offered on an on-going, revolving basis. This series of courses is designed to assist the detainee with knowledge and skills that may assist them in managing life after detention.

c. Detainees may voluntarily enroll in any seminar. Enrollment in the Life Skills seminar automatically enrolls the detainee into the entire series of modules. Detainees may choose to not attend some of the Life Skills modules based on their level of interest and/or skill level.

d. The seminars will continue to evolve based on a review of the program and longevity of detainees' enrollment.