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UNITED STATES	)	
	)	
v.	)	<b>DEFENSE REQUEST FOR</b>
	)	<b>ARTICLE 32 WITNESSES</b>
	)	
<b>MANNING, Bradley E., PFC</b>	)	
U.S. Army, [REDACTED]	)	
Headquarters and Headquarters Company, U.S.	)	
Army Garrison, Joint Base Myer-Henderson Hall,	)	DATED: 2 December 2011
Fort Myer, VA 22211	)	

On behalf of PFC Bradley E. Manning, his civilian counsel, David E. Coombs requests the attendance of each of the below listed witnesses for the following reasons:

a) In order to inquire into the truth of the matter alleged in the charges, consider the form of the charges, and assist the Investigating Officer in making recommendations as to disposition of the charges. See Rule for Courts-Martial (R.C.M.) 405(a);

b) In order to serve as a means of discovery for the defense. The defense has been unable to speak with several of the listed witnessed due to their lack of cooperation with requests to be interviewed prior to the Article 32 hearing. See R.C.M. 405(a) Discussion (stating the “investigation also serves as a means of discovery” for the defense);

c) In order to present matters in mitigation of the charged offenses. R.C.M. 405(f) (stating an accused has the right to present evidence in defense, mitigation, and extenuation); Article 32(b), Uniform Code of Military Justice (UCMJ) (stating an accused may “present anything he may desire in his own behalf, either in defense or mitigation, and the investigation officer shall examine available witnesses requested...”); *United States v. Garcia*, 59 M.J. 447, 451 (C.A.A.F. 2004)(ruling that an accused has the right to present anything he may desire in his own behalf at an Article 32 in defense or mitigation);

d) In order to inquire into the issues of unlawful command influence and unlawful pretrial punishment in violation of Articles 13 and 37 of the UCMJ. See R.C.M. 405(e) Discussion (stating that inquiry in to other issues such as legality of searches or the admissibility of evidence is proper by an Article 32 Investigating Officer).

- 1) [REDACTED] is one of the law enforcement agents that conducted work on this case. [REDACTED] was the primary agent involved in the initial investigation of the case beginning on 25 May

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2010. [REDACTED] will testify about the investigative steps taken from the time of the initial involvement until the matter was transferred to the Computer Crime Investigation Unit (CCIU) on 23 June 2010.

2) [REDACTED] is one of the law enforcement agents that conducted work on this case for the CCIU. He is the drafter of most of the CID Reports of Investigation. He is part of a joint investigation by CID and the Department of State (DOS) Diplomatic Security Service (DSS). Under the cooperative investigation agreement, CID is the lead investigative agency with primary responsibility for coordinating all leads affecting the U.S. Army, and DSS has responsibility for leads involving the DOS. The Federal Bureau of Investigation (FBI) later joined as a joint partner in the investigation with responsibility for providing counterespionage expertise, investigative support, and as the lead agency for all civilian related leads.

3) [REDACTED] He extracted the hard drives from the two SIPR and one NIPR computers collected from the SCIF, the personal laptop of [REDACTED], and the personal external hard drive of PFC Manning. [REDACTED] will testify about his involvement in the investigation and the steps he took from the initial reporting of the alleged incident on 25 May 2010 until present regarding the forensic imaging and evidence collection of electronic media seized in Iraq.

4) [REDACTED] is a forensic examiner who conducted an examination of the computers used by PFC Manning within the T-SCIF, 44 loose hard drives seized from 2<sup>nd</sup> BCT, digital media collected from PFC Manning's [REDACTED], various log files from CIDNE Iraq and CIDNE Afghanistan, log files from the Army Counterintelligence Center (ACIC), and his personal computer equipment. [REDACTED] completed 19 classified CCIU reports and will testify about the nature of his forensic examination and the results of his examination.

5) [REDACTED] is one of the law enforcement agents that conducted work on this case. He interviewed numerous witnesses during the CCIU investigation from 2d BCT. He also detailed the collection of classified information for the Information Review Task Force's damage assessment.

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- 6) [REDACTED]. A forensic examiner who examined the U.S. Government Supply Annex NIPRNET computer (Unclassified), utilized by PFC Bradley Manning. He will testify about the nature of his forensic examination and the results of his examination. He will also testify about his forensic analysis and evidence collection from PFC Manning's cellular telephone, the computer assigned IP address [REDACTED] and the forensic imaging of the Wikileaks website.
- 7) [REDACTED]. [REDACTED] is one of the agents that worked extensively on this case for CCIU to include interviewing multiple witnesses in the case and conducting field investigation for the CCIU. [REDACTED] will testify about his involvement in the case and the investigative steps that he took.
- 8) [REDACTED] is one of the law enforcement agents that conducted work on this case. The defense requests that [REDACTED] be instructed to provide the Investigating Officer and the defense with a complete copy of DSS case file number [REDACTED] and any other collateral investigations by the DSS related to this case at least two weeks prior to the start of the Article 32 hearing.
- 9) [REDACTED] is one of the law enforcement agents that conducted work on this case. He was the first agent to make contact with [REDACTED] on 25 May 2010 in order to obtain the alleged chat logs between [REDACTED] and PFC Manning. The defense requests that [REDACTED] be instructed to provide the Investigating Officer and the defense with a complete copy of FBI case file number [REDACTED] and any other collateral investigations by the FBI related to this case at least two weeks prior to the start of the Article 32 hearing.
- 10) [REDACTED], Psychologist that performed a command-referred behavioral health evaluation BHE on PFC Manning 24 December 2009. [REDACTED] will testify that he determined PFC Manning appeared to be under a considerable amount of stress at the time of his evaluation. He will also testify that PFC Manning did not appear to have any social support system and seemed hypersensitive to any criticism. He recommended that PFC Manning be

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moved from the night shift to the day shift and that he be given a low intensity duty for the immediate future. He also determined that PFC Manning was potentially dangerous to himself and others and recommended removal of his weapon or removal of the bolt from his weapon along with increased monitoring and supervision. He will testify that he used a behavioral health evaluation form that was not approved, MEDCOM Form 4038. On that form, however, there was a block that permitted the behavioral health provider to indicate that the Soldier being evaluated was not suitable for continued access to classified material. Despite having this option, [REDACTED] did not check this box. He will testify that he does not remember why he did not check that box. Had he done so, PFC Manning's security clearance would have been revoked and he would not have had access to classified materials after that date.

- 11) [REDACTED] He will testify that he treated PFC Manning on numerous between 30 December 2009 and 26 May 2010. As part of his treatment, [REDACTED] considered letters written by PFC Manning's noncommissioned officer in charge, then [REDACTED]. He will testify that now [REDACTED] expressed concern about PFC Manning's mental and emotional stability in the three letters noting that PFC Manning appeared to be suffering greatly and also having difficulty sharing his problem. [REDACTED] will testify that he contacted [REDACTED] after each evaluation was completed in order to give him a summary of the information from his review and to allow [REDACTED] to share his thoughts and concerns. Despite the behavior of PFC Manning, [REDACTED] will admit that he never made a recommendation to the command concerning whether to suspend PFC Manning's security clearance. He did, however, speak with [REDACTED] and [REDACTED] about his reviews and PFC Manning's need for ongoing long term psychotherapy to explore and understand his issues.

- 12) [REDACTED]  
[REDACTED] He is a psychiatrist that performed a behavioral health evaluation on PFC Manning on 22 May and 28 May 2010. He will testify that [REDACTED] had expressed concern to him about PFC Manning around 10 April 2010, and had given him a memorandum where he documented his concerns. Since PFC Manning's primary clinician, [REDACTED], was on leave at the time, he completed the command directed mental health evaluation. Based on his interview of PFC Manning and review of his records, [REDACTED] will testify that he determined PFC Manning was at risk to himself and others and recommended that he not have an operable weapon. He will testify that he considered making a recommendation as to PFC Manning's access to classified information in his 22 May 2010 evaluation but did not do so because he had been informed that PFC Manning was no longer allowed in the T-SCIF. Instead, he deleted

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the block referencing access to classified information on the MEDCOM Form 4038 in order to have more space to write notes on the form. [REDACTED] will testify that he did receive training on the subject of Soldier suitability for access to classified information. The training that he received was informal “on-the-job” training during his residency. He will testify that the factors suggested to look for in making suitability determinations were (1) reliability, (2) stability, and (3) judgment. On his 28 May 2010 mental health evaluation, [REDACTED] will testify that he made a recommendation that PFC Manning was not suitable for continued access to classified material and that his security clearance should be rescinded.

- 13) [REDACTED] He will testify that the brigade did not want to take the wrong personnel forward, nor did the brigade want to leave a large rear D behind for a small staff to manage and lead. He expected the leaders in the Brigade to identify those soldiers who should not deploy. He will testify that his S-2, the officer in charge of PFC Manning, [REDACTED], was not up to the standard of performance that he expected out of someone in that position. Based upon his discussions with then [REDACTED] and [REDACTED], [REDACTED] decided it was best to remove [REDACTED] from his position as the S2 and place [REDACTED] into that job. He will testify that from his perspective, the issues surrounding PFC Manning should have been something that the S2 personnel would have been more involved in than the company. However, there were several issues that may have impacted the response to PFC Manning’s issues. First, during that time period the former company commander, [REDACTED] was relieved over property accountability and due to the fact he was not making good decisions. Second, [REDACTED], the NCOIC in the S2 Section, was “marginal, but not bad enough to either relieve or replace. He will testify that then [REDACTED] was technically competent but that he lacked leader skills expected of a [REDACTED]. He will also testify that commanders (in conjunction with their unit security manager) are allotted 30 days to submit an initial DA 5248-R following the discovery of credible derogatory information on a Soldier. After the initial DEROG is submitted and processed by SID/CCF, the unit has 90 days to submit a follow-up 5248-R if there is a pending investigation or adverse action taken (e.g., summary court-martial). Once the investigation/proceedings are completed and the Soldier has been cleared/charged of offense, the unit must submit a final DEROG. In this case, he will testify that then [REDACTED] failed to keep the chain of command informed of PFC Manning emotional and mental condition. He will testify that this failure resulted in the command not submitting a DEROG in a timely manner.

- 14) [REDACTED] He will testify

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that he was [REDACTED] direct supervisor. He believed that [REDACTED] could not provide [REDACTED] with accurate or timely estimates or intelligence, and could not talk to [REDACTED] in a way that served the Commander's needs. The brigade commander finally lost confidence in [REDACTED] and made the decision after approximately 6 months to move him. He will testify that the unit did not conduct a formal relief for cause, but moved him to a transition team. According to [REDACTED], [REDACTED] performance was weak, but not so weak as to warrant a relief for cause. [REDACTED] did not believe [REDACTED] was not a strong leader. He tried to decentralize operations but didn't have enough oversight to control. He empowered junior members who were too inexperienced to do the job and did not step in to correct when they made mistakes. He will testify that [REDACTED] was unable to mentor or develop younger officers and didn't have much direct control over the shop. He will also testify that [REDACTED] was handicapped by weak NCO leadership in his shop. Specifically, his NCOIC, then [REDACTED] was not an effective leader. In his opinion, both [REDACTED] and [REDACTED] were weak leaders. He will testify that he was unaware of any leadership guidance provided in the S2 sections regarding enlisted personnel management. He will testify that it did not surprise him that [REDACTED] put out information that Warrant Officers and Noncommissioned Officers were to defer all management responsibilities to [REDACTED]. He will testify that perhaps the command was too generous with [REDACTED] and that removing him from his position earlier would have been advantageous. He will testify that he believes PFC Manning's mental and emotional issues were more than enough to put others at risk and should have resulted in an immediate DEROG. He will testify that he did not know anything about PFC Manning's conduct until a recommendation for separation was made by the chain of command. He will testify that none of the mental or emotional health concerns, prior to May of 2010, made it to his level. [REDACTED] will testify that the failure to properly DEROG PFC Manning's was the unit's biggest failure. He believes that the unit should have pulled PFC Manning's access to classified information much earlier. He will testify that the unit should have recognized him as needing help and that his condition made him unfit for service as an intelligence analyst. He will also testify that the assistant S6 for the brigade, [REDACTED] came to him with concerns about unauthorized personal media on SIPRNet machines. According to [REDACTED], personnel were putting unauthorized media on computers such as programs, games, videos, and music. [REDACTED] will testify that it was fairly common when the unit arrived to see games, music and movies on the SIPRNet. He believed that it was fairly common across Iraq. He will testify that he tried to get the staff to do the right thing, but media on the SIPRNet continued to be the standard. He will testify that at no point was UCMJ punishment applied to those who were placing unauthorized information on SIPRNet. He will acknowledge that with respect to the media on the SIPRNet, he believed that the Army had become too comfortable working on SIPRNet while deployed. It is his opinion that this may have bred some complacency because of the ease of access. He believes that most

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Soldiers did not realize that that placing music and other media on SIPRNet computers was wrong because of how prevalent those items were across Iraq. He will also testify that after PFC Manning was arrested, [REDACTED] ordered him to take a complete look at INFOSEC across the brigade. He formed a working group consisting of the SGM, S2, S6 and IO personnel to look at how the brigade was operating. Based upon this review, the S6 removed universal ability to write to disks; there was additional compartmentalizing of information within the BCT based on a need to know; the S6 instructed staff on how to lock out directories and the brigade established an SOP on the implementation for reviewing infractions for potential DEROG actions.

15) [REDACTED]  
[REDACTED] He will testify that he had very little interaction with the S2 shop. He will also testify about the guidance he gave regarding whether soldiers would deploy. He will testify that he was not made aware of any effort to keep PFC Manning from deploying. He will testify that his understanding was that PFC Manning's issues came about after deploying. He was not aware that [REDACTED] recommended to PFC Manning that he self-refer to Mental Health or that PFC Manning even went to Mental Health prior to the deployment. He will also testify that he was not adequately informed of PFC Manning's mental health issues by [REDACTED] or [REDACTED].

16) [REDACTED]  
[REDACTED] He was the 2/10 BCT S-2 until being replaced by [REDACTED]. He will testify that [REDACTED] did tell him about an outburst by PFC Manning before the deployment, but that he does not remember [REDACTED] having a conversation with him about leaving PFC Manning on rear detachment. He will also testify that he did not recall talking to the company commander about PFC Manning's behavioral health issues. He will testify that it was his practice to not take many issues outside of the S2 Shop, and that he believed the supervision policy of having every issue go through [REDACTED] was fine. Finally, he will testify that music CDs were allowed in the T-SCIF.

17) [REDACTED]  
[REDACTED] He will testify that he believed PFC Manning was good at his job and he was also impressed with PFC Manning's computer skills. Despite this belief, he will testify that PFC Manning should not have been a soldier as he seemed to act immature. He will testify that you could not demand things from PFC Manning as he had a soft skin and was not receptive to commands. He will testify that there was a

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lack of leadership on the night shift which PFC Manning worked on. He will testify that from his perspective PFC Manning wanted to be a good soldier, but naturally was not good at the basic soldier skills. He will also testify that music, movies, and games were common on SIPRNet machines. He will testify that he went to a lot of people to try to determine if it was a problem to have media on SIPRNet because he did not think it was proper. He will testify that he spoke with several individuals within the T-SCIF about this issue, but no one could provide him with an answer. He will testify that eventually it became the norm to see soldiers listening to music, watching movies, and playing games on SIPRNet machines.

18) [REDACTED] Company commander and property book holder for all the computers within HHC, 2BCT. He will testify about providing commander's authorization to seize and search the computers PFC Manning was known to work on. He also provided search authorization to search PFC Manning's room. He will testify that he never received any information from the S2 Section concerning any of PFC Manning's mental or emotional issues until after the alleged assault of [REDACTED]. He will testify that after the alleged assault, he removed PFC Manning from the T-SCIF and sent him to work in the Supply Room. He then gave PFC Manning an Article 15 reducing him from SPC to PFC. Along with the Article 15, [REDACTED] will testify that he filled out a DEROG form in order to suspend PFC Manning's security clearance. [REDACTED] will testify he then went to [REDACTED] at Behavioral Health to discuss PFC Manning's condition. [REDACTED] told him that PFC Manning's troubles were deeper than the Army could fix and that he should be separated. [REDACTED] will testify that he then sent PFC Manning to [REDACTED] for an evaluation. Based upon the mental health recommendations, [REDACTED] will testify that he initiated the chapter paperwork. [REDACTED] will testify that he believed it was shocking that something more serious had not been done to address PFC Manning's behavioral issues prior to him assaulting [REDACTED] and receiving an Article 15. He will also testify that he was aware that personnel had placed video games, movies, and music on the SIPRNet drive.

19) [REDACTED] He will testify that he knew about PFC Manning emotional and mental health issues before taking over as the brigade S2. Additionally, he will testify that PFC Manning was counseled on a few occasions due to his emotional and mental issues and that he was informed that PFC Manning was seeing a doctor about his condition. Despite this knowledge, [REDACTED] will testify that he was not aware of the full extent of PFC Manning mental health issues. He will testify that once he learned of the entire facts surrounding PFC Manning, he believed that PFC Manning should not have been

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deployed. He will also testify that he gave a negative counseling to [REDACTED] for failing to inform him of the various issues PFC Manning was struggling with during the deployment. [REDACTED] will testify that soldiers were authorized to bring music CDs to listen to in the T-SCIF. [REDACTED] will also testify that the T-SCIF failed to draft a Standard Operating Procedure (SOP). [REDACTED] will testify that he passed the link to the U.S. Embassy cables to the various analysts, including PFC Manning. He disseminated the link to the BCT S2 shop and the BN S2's sometime in the beginning of January 2010 in order to allow the analysts to better understand the Iraqi political situation. He will also testify that the comments in the press that say the release of the CIDNE database compromised our key sources and put the lives of sources at risk are inaccurate. Any name in the CIDNE database (Iraq and Afghanistan) were just names put in by a soldier who spoke to some local national and not sources for the United States. [REDACTED] believes that although a name may be in CIDNE, it was likely spelled phonetically and did not contain the full name of the individual. [REDACTED] knows that he had the ability to pull 50 different ways to spell Muhammad when he would do a CIDNE database search. That fact there were so many different ways to spell Muhammad is indicative of the fact the names in the CINDE database were not accurate accounts.

- 20) [REDACTED] He was the assistant S-6 for the 2BCT. He will testify that the information assurance procedures were not being followed by the brigade. He knew that Soldiers would go to the local market and buy movies, music and games and place the information on their SIPR and NIPR computers. He tried to address the issue but could not get any support from the leadership to enforce the standards. He raised the movie and music concern to the S6, [REDACTED], and the Brigade XO, [REDACTED], but that nothing was done. When the mood struck him, he would scan the shared drive for music, movies and games and will testify that he would find it every day. Every time that he found unauthorized material on the SIPRNet, he would delete it. Occasionally, he would find a Soldier that would have a huge amount of unauthorized material on their computer –in one instance it was 500 Gigabytes of information, but nothing was done. He will testify that as the IASO he did not know that he needed to prepare a DoD Information Assurance Certification and Accreditation Process (DIACAP) packet for certification and accreditation of the brigade network. He will also testify that due to this failure, it was later determined that the brigade did not have an Approval to Operate (ATO) or an Interim Approval to Operate (IATO) for their network. Additionally, the brigade did not receive a formal IA certification and accreditation inspection during its tour, contrary to the guidance in MNF-I Directives. Finally, he will testify that he knew about personal software being loaded on the SIPRNet and he would remove the software when he came across it. [REDACTED]

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21) [REDACTED]  
[REDACTED] He will testify that [REDACTED] was in charge of all enlisted responsibilities. He will testify that whenever he engaged the Soldiers on issues as a leader that he was told to back off by [REDACTED], [REDACTED], and [REDACTED]. He will testify that the S2, [REDACTED], did not set standards for the unit. Based upon this lack of leadership, he will testify that a lot of conduct was ignored. He will testify that he remembers venting to [REDACTED] and [REDACTED] about how nothing was being done to address PFC Manning's mental and emotional issues. He will state that when he addressed these concerns to [REDACTED] and [REDACTED] that he was told that he needed to stay in his lane. After the change in leadership within the S2 Section, he will testify that all of the officers sat down to discuss soldier standards in an attempt to address substandard conduct. However, [REDACTED] objected to any changes and would not allow anyone to address the issues surrounding PFC Manning. As such, he will testify that nothing was done to address PFC Manning's mental and emotional issues.

22) [REDACTED]  
[REDACTED] She will testify that [REDACTED] was in charge of the administrative details and supervision of the soldiers within the S2 Section. She will testify that she was made aware of many of the issues surrounding PFC Manning when she arrived to the unit. In her opinion, PFC Manning should have been removed from his position in the T-SCIF early on in the deployment. However, she felt that the leadership within the S2 section was not really concerned with disciplining Soldiers. She will testify that she asked [REDACTED] why PFC Manning was not removed from his position in the T-SCIF earlier, and that he told her that it was a manpower issue. She will testify that she believes that PFC Manning's issues were not taken seriously and no one took any steps to help him or even recognize that he needed help. She believes the unit failed to take proper action and failed to properly respond to the issues that PFC Manning was obviously struggling with both before and during the deployment.

23) [REDACTED] as the Special Security Representative (SSR) for the T-SCIF and part of the Sunni Team, She will testify that she only received one hour of training at 10<sup>th</sup> MTN to be the SSR for the T-SCIF. Her training covered the basic rules and regulations for a SCIF at Fort Drum. She will testify that her training did not really cover ensuring the security of a T-SCIF. However, she will testify that she was only the SSR at Fort Drum. When her unit deployed to Iraq, she will testify that then [REDACTED] was the one that worked the security of the T-SCIF and she dealt with security clearances. She will testify that [REDACTED] did not receive any training to be the SSR. However, he

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just assumed the position under the approval of the S-2, [REDACTED]. She will testify that she believed [REDACTED] provided terrible supervisory leadership. She thought he was a terrible leader because the problems within the unit were constantly being ignored. She will testify that it was obvious to everyone that PFC Manning was struggling with mental and emotional issues. However, she will testify that when she tried to deal with the issue and get PFC Manning help, she was told that it was an NCO problem and to stay out of it by [REDACTED]. She will also testify that she did not believe that [REDACTED] had any type of management over the section. She also did not believe that the Company 1SG cared about the S2 section because they were not co-located. She will testify that she was aware of multiple issues with PFC Manning, but stated that PFC Manning stayed in the T-SCIF because [REDACTED] said that we needed personnel. She will testify that she believed that there was a lack of leadership across the board. She will testify that as leaders they should have pushed harder from the NCOs to the Officers. She will testify that she was puzzled why PFC Manning was not removed from the T-SCIF after previous behavior incidents that occurred between him and [REDACTED] in December of 2009. She will testify that it was simply accepted that people brought in CDs and DVDs into the T-SCIF. She believed that there was no unit training at 2/10 that focused on T-SCIF operations during the deployment.

24) [REDACTED] He will testify that he was told by [REDACTED] and [REDACTED] that he was not responsible for any personnel who worked in the S2 section. He will testify that on several occasions he returned to [REDACTED] and [REDACTED] to clarify their expectations about his responsibilities regarding enlisted Soldiers and Officers and his non-role in soldier leadership was reinforced on each occasion. [REDACTED] was aware of multiple emotional outbursts by PFC Manning. He will testify that prior to the deployment he recommended that PFC Manning should not deploy and expressed this directly to [REDACTED], [REDACTED] and [REDACTED]. He will testify that he was told that PFC Manning would deploy due to manpower issues. He will testify that he witnessed an incident in December of 2009 by PFC Manning that required him to physically involve himself in the situation in order to ensure PFC Manning did not try to harm himself or others. After this emotional outburst, he will testify that he spoke to [REDACTED] and recommended that he take the bolt from PFC Manning's weapon, send him to mental health and then get him out of the Army. He also spoke with [REDACTED], [REDACTED] and [REDACTED] about his concerns after the outburst by PFC Manning. He will testify that even after expressing these concerns, nothing was done.

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25) [REDACTED] He will testify that prior to the deployment, he received occasional comments from [REDACTED] regarding PFC Manning's attitude and personal problems. However, he was never aware of any suggestion not to deploy PFC Manning. He will testify that he was made aware of one incident during the deployment involving PFC Manning by another soldier. [REDACTED] then sought out [REDACTED] to clarify what this soldier had told him. After learning what happened, [REDACTED] along with [REDACTED] decided to counsel PFC Manning for about 45-60 minutes and referred him to Mental Health for evaluation. He will testify that [REDACTED] could not recall if the referral was command directed or if Manning volunteered. He will testify that he later learned that PFC Manning had not gone to mental health as required. However, due to his transition, he will testify that he informed his replacement of the issue instead of attempting to address the issue himself.

26) [REDACTED] He became the 1SG of the company in March of 2010. He will testify that he was briefed on Manning having an issue with another soldier. He believed that PFC Manning had gone to Combat Stress and seen a provider. The next thing he heard about PFC Manning was the assault of [REDACTED]. After the assault of [REDACTED], PFC Manning was moved to the Supply room. He will testify that [REDACTED] did not talk to him about removing the bolt from PFC Manning's weapon. He also does not recall any discussions about sending PFC Manning back to the States or chaptering him out of the Army. He will also testify about CID coming to the unit and searching PFC Manning's living quarters and work space.

27) [REDACTED] will testify that he was PFC Manning's NCOIC. Once a [REDACTED] was administratively reduced by a board due to being derelict in his duties. The board concluded that [REDACTED] failed to take proper steps in addressing PFC Manning's issues. [REDACTED] will testify that he was aware of the problems of PFC Manning. Over the course of several months, he will testify that he drafted three memorandums detailing various behavioral health concerns of PFC Manning. Despite this knowledge, [REDACTED] will testify that he failed to notify anyone of these concerns that could have taken steps to take care of PFC Manning and ensure that he was getting the help that he needed. Instead, he will testify that he simply allowed PFC Manning to continue to work in the T-SCIF as an intelligence analyst. [REDACTED] will testify that he assessed that PFC Manning was salvageable if he received and actively participated in extensive psychological therapy (1-2 times a week on an

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indefinite basis) coupled with responsive psychiatric evaluations, medication and follow-up adjustments on dosages.

28) [REDACTED] will testify that he originally did not have supervisory responsibilities at the unit. After approximately 60 days, he was given responsibility for supervising two subordinate 35F Soldiers; one of these soldiers was PFC Manning. When [REDACTED] got to the unit in May of 2009, he observed operations for approximately 90 days and then approached SFC [REDACTED] to let him know his input about operations. [REDACTED] will testify that he specifically told [REDACTED] that PFC Manning needed to be chaptered of the Army. [REDACTED] believed that PFC Manning clearly was struggling with emotional issues that made him ill-suited for military service. This conversation occurred in June or July of 2009. [REDACTED] will testify that he approached [REDACTED] monthly thereafter about separating PFC Manning from the Army but was aware that he could only take the issue to his supervisor so many times before it fell on deaf ears. [REDACTED] will testify that he found an iPod on a bunk and looked through it to determine the owner. When [REDACTED] viewed photos on the iPod, he noted that PFC Manning was attending what looked like a gay pride parade. He will also testify that he knew PFC Manning was suffering from extreme emotional issues. During the deployment, he found PFC Manning curled in the fetal position in the Brigade conference room, rocking himself back and forth. [REDACTED] will testify that he was appointed as a Special Security Representative (SSR) on orders for the T-SCIF. The responsibilities for the SSR included reviewing security clearance requests, initiating DEROGs recommending security clearances for personnel in the S2 shop, producing an SOP and SCIF security. While he was appointed as a SSR, he will testify that he did not conduct those duties. [REDACTED] will testify that he believes the reason PFC Manning was allowed to remain in the military and did not receive the help that he needed to deal with his issues was because [REDACTED] had influence over every action taken on personnel in the S2 section and it was his decision not to do anything.

29) [REDACTED] She will testify that she has known PFC Manning since 2008. In the 2008 time frame, PFC Manning told her that he was gay. She will testify that she believes that it was a huge issue for him and that he could not be true to himself without the risk of losing his job. She will testify that she believed that PFC Manning felt like he had no one to talk to. She believes that PFC Manning was very intelligent and knew a lot about the World issues. She feels that PFC Manning had a few emotional issues and these issues made it difficult for him to adjust to the military life.

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30) [REDACTED] former supervisor of PFC Manning, He will testify that PFC Manning was a very good analyst, who was good with computers but timid and not good at public speaking. He will testify that he was assigned as the night shift NCOIC with then SPC Manning and [REDACTED]. He was assigned this position even though he had not yet been to any leadership schools. He will testify that there really was not anyone supervising the night shift. He will also testify that when he needed to counsel PFC Manning he went to [REDACTED] and asked him if he could counsel him. He will testify that he was given permission to handle disciplinary actions for PFC Manning by [REDACTED] and [REDACTED]. He will testify that he believed that he was in essence taking care of other NCOs soldiers and that PFC Manning should have been counseled by [REDACTED]. He will testify that during one counseling session in December of 2009, PFC Manning grabbed the table and flipped it. He will testify that PFC Manning did not approach him, but he was concerned when PFC Manning stepped towards the weapons rack. He will testify that when PFC Manning stepped towards the weapons rack, [REDACTED] grabbed PFC Manning from behind and held him until he calmed down. He will testify that although PFC Manning later apologized to him, that he believes PFC Manning should have been removed from the T-SCIF after the incident. Finally, he will testify that personnel in the T-SCIF were told that they could listen to music CDs and watch movies in the T-SCIF.

31) [REDACTED] He will testify that he first met PFC Manning at a rotation at JRTC. He will testify that he believes that PFC Manning used to be a very happy and very hyper individual, but his leadership wore him down. He will state that PFC Manning was upset that no one cared about the mission. He also believed that the unit made it very difficult on PFC Manning as it seemed to outcast him as though they were trying to get him out of the Army. He will testify that a lot of people had support from other people, but that he didn't believe PFC Manning had any support from his chain of command. He will testify that he recalls an incident when PFC Manning found a report that apparently upset him. PFC Manning had found in the report that some Iraqis or possibly some Moroccans were being arrested at a printing press facility. [REDACTED] will testify that attached to this report was some evidence which had been collected; however, this information was in Arabic. He will testify that PFC Manning had taken the time to have the document translated and tried to show the translation to his superiors. He will testify that PFC Manning was very upset about the issue. He will testify that if there was a moment in which PFC Manning may have snapped, this would have been it. [REDACTED] will testify that everyone stonewalled PFC Manning on the issue as no one thought it was a big deal. He will testify that the

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translation indicated that the individuals being arrested had printed documents that were questioning whether the Iraqi government was embezzling public funds.

32) [REDACTED] will testify that she believes that PFC Manning was picked on by other because they assumed that he was gay. She will testify that [REDACTED] minimized a lot of things with PFC Manning and tried to keep things within the shop. [REDACTED] will testify that PFC Manning should have probably gotten help before they deployed. Finally, she will testify that Soldiers brought in CDs for music and movies and that this information was placed on the SIPRNet computers.

33) [REDACTED] will testify that PFC Manning had conversations with her about relationship issues and the fact he was having gender identify issues. She will testify that PFC Manning spoke to her often about wanting to get an Honorable Discharge so that he could keep his Top Secret Clearance after his release from the Army. She will testify that she noticed that very few people would talk to PFC Manning. She will testify that every time that she saw PFC Manning, he was by himself. She will testify that others would make fun of PFC Manning's size and the fact that they believed he was gay. One time [REDACTED] saw PFC Manning coming out of his room; two soldiers pushed the door back into PFC Manning's face. She will testify that PFC Manning was obviously upset and embarrassed about having the door pushed back into his face. She will testify that instead of complaining about the conduct, PFC Manning simply said that he walked into the door by accident. [REDACTED] will testify that she believes PFC Manning was at a very confusing time in his life. She does not believe that the Army was a good fit for him based upon where he was at in his life.

34) [REDACTED] will testify about being aware of PFC Manning's emotional issues. She will testify that she went to [REDACTED] and recommended that PFC Manning not deploy due to his emotional issues. She will testify that she believes that she was the first in the T-SCIF to see the "Apache video" which she found of her own accord in a network folder. She will testify that she called [REDACTED], [REDACTED], and another soldier over to see the video. [REDACTED] will testify that over the next few days, several of the T-SCIF personnel debated about whether the video showed a camera or a rocket propelled Grenade (RPG) launcher and whether the actions of the Apache crew were appropriate under the circumstances. [REDACTED] will testify about her time as PFC Manning direct supervisor and her multiple observations of PFC Manning both before and during the

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deployment that indicated to her PFC Manning was struggling both emotionally and mentally.

35) [REDACTED] will testify about the chat conversations that he had with an individual alleged to have been PFC Manning between 21 May 2010 and 25 May 2010. He will also testify about the nature of the conversations and his subsequent actions.

36) [REDACTED] The defense requests the presence of [REDACTED] in order to discuss the issue of Unlawful Command Influence (UCI). Under Rule for Courts-Martial 405(e), the defense is entitled to explore the issue of UCI. Under the Uniform Code of Military Justice (UCMJ), a superior officer in the chain of command is prohibited from saying or doing anything that could influence any decision by a subordinate in how to handle a military justice matter. As the [REDACTED] made improper comments on 21 April 2011, when he decided to comment on PFC Manning and his case. On that date, he responded to questions regarding PFC Manning's alleged actions by concluding that "We're a nation of laws. We don't let individuals make their own decisions about how the laws operate. He [PFC Manning] broke the law." The comments by [REDACTED] are UCI. The defense intends to question [REDACTED] on the nature of his discussions with members of the military regarding this case and whether he has made any other statements that would either influence the prosecution of this case or PFC Manning's right to obtain a fair trial. In addition to the UCI issue, [REDACTED] will testify about his views on the Afghanistan SIGACTs released by WikiLeaks. He will testify that the leak did not reveal any issues that had not already informed our public debate on Afghanistan. He will also testify that the Afghanistan SIGACTs point to the same challenges that led him to conduct an extensive review of the Afghanistan policy. [REDACTED] will also testify about the problem of over-classification within the government. Specifically, that he supported and signed into law the Reducing Over-Classification Act on 7 October 2010. Additionally, he will testify that on his first full day in office, 21 January 2009, he issued two memoranda for the head of Executive Departments and Agencies that were related to transparency in government. The first memorandum focused on the administration of the Freedom of Information Act (FOIA), and the second focused on transparency and open government. [REDACTED] will testify that the transparency memorandum he wrote committed the administration to "an unprecedented level of openness" and to the establishment of "a system of transparency, public participation, and collaboration." [REDACTED] will testify that on 8 December 2009 his administration released a third memorandum – an Open Government Directive (OGD). The OGD included detailed instructions for

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departments and agencies on how they are to “implement the principles of transparency, participation, and collaboration.” Finally, on 29 December 2009, [REDACTED] will testify that he issued Executive Order 13526 in an attempt to improve the system for classifying, safeguarding, and declassifying national security information, including the establishment of the National Declassification Center.

37) [REDACTED] will testify that the Afghanistan and Iraq SIGACT releases did not reveal any sensitive intelligence sources or methods. He will also testify that the Department of Defense could not point to anyone in Afghanistan or Iraq harmed due to the documents released by Wikileaks. He will testify that the Afghanistan and Iraq SIGACTs are simply ground-level field reports that document dated activities which do not disclose sensitive information or our sources and methods. [REDACTED] will also testify that the initial public descriptions of the harm to foreign policy due to the publication of diplomatic cables were “fairly significantly overwrought.” He will also testify that although the disclosures were embarrassing and awkward, they did not represent significant consequences to foreign policy. Finally, [REDACTED] will testify that on 29 July 2010, he directed the Defense Intelligence Agency (DIA) to lead a comprehensive review of the documents allegedly given to WikiLeaks and to coordinate under the Information Review Task Force (IRTF, formerly TF 725) to conduct a complete damage review. He will testify that the damage review confirmed that the alleged leaks represented a low to at best moderate risk to national security. Specifically, that all of the information allegedly leaked was either dated, represented low-level opinions, or was already commonly understood and know due to previous public disclosures.

38) [REDACTED] will testify that she has raised the issue of the disclosure of diplomatic cables with foreign leaders “in order to assure our colleagues that it will not in any way interfere with American diplomacy or our commitment to continuing important work that is ongoing.” [REDACTED] will also testify that she has not had any concerns expressed to her about whether any nation would not continue to work with the United States or would not continue to discuss important matters going forward due to the alleged leaks. As such, Secretary [REDACTED] will testify that although the leaks were embarrassing for the administration, that she concurs with [REDACTED] opinion that they did not represent significant consequences to foreign policy.

39) [REDACTED] He will testify about his classification review of the three Apache gun videos that were sent to his Division by FORSCOM.

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[REDACTED]

40) [REDACTED] conducted classification reviews on two PowerPoint slide presentations of official reports originated by USCENTCOM. The PowerPoint presentations are [REDACTED]  
[REDACTED]

41) [REDACTED] will testify about his classification determination concerning the alleged chat logs between [REDACTED] and PFC Bradley Manning. Specifically, he will testify about his classification assessment of information discussed in the alleged chat logs. [REDACTED]  
[REDACTED]

42) [REDACTED], as the Original Classification Authority (OCA) over the information discussed by [REDACTED]  
[REDACTED]

43) [REDACTED] will testify concerning his classification review and classification determination concerning the CIDNE Afghanistan Events, CIDNE Iraq Events, other briefings and the BE22 PAX.wmv video. [REDACTED]  
[REDACTED]

44) [REDACTED] will testify concerning his review of the disclosure of Department of State Diplomatic Cables stored within the Net-Centric Diplomacy server and part of SIPDIS. [REDACTED]  
[REDACTED]

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45) [REDACTED] will testify concerning his review of the disclosure of five documents, totaling twenty-two pages. [REDACTED]

46) [REDACTED] He will testify that during a meeting in early January of 2011, the Security Battalion Commander in charge of the Quantico Brig, [REDACTED], clearly stated to the Brig Staff that “I will not have anything happen to Manning on my watch.... So, nothing is going to change.... He won’t be able to hurt himself and he won’t be able to get away, and our way of making sure of that is that is he will remain on Maximum Custody and POI indefinitely.” He will testify that one of the other Brig psychiatrists, [REDACTED] then said “You know Sir, I am concerned because if you are going to do that, maybe you want to call it something else because it is not based upon anything from behavioral health.” In response, [REDACTED] will testify that [REDACTED] said “We will do whatever we want to do. You make a recommendation and then I have to make a decision based upon everything else.” [REDACTED] will testify that [REDACTED] then said, “Well then don’t say it is based upon mental health. You can say it is Maximum Custody, and just don’t put that we [behavioral health] are somehow involved in this.” [REDACTED] replied, “Well, that is what we are going to do.” [REDACTED] will testify that he spoke with others at the Brig to see if they knew why the Brig was so heavy handed on PFC Manning. He will testify that others at the Brig told him that they have never seen anything like this before. [REDACTED] will testify that others told him that they were afraid to speak out about the situation given the concern of what would happen as a result of any complaint about PFC Manning’s treatment.

47) [REDACTED] He will testify that neither the Quantico Brig Commander, [REDACTED] nor the Security Battalion Commander, [REDACTED], gave him any reasons for maintaining the Prevention of Injury precautions other than stating it was for PFC Manning’s safety. He will testify that [REDACTED] intimated that he was receiving instruction from a higher authority on the matter but did not say who was providing this direction. [REDACTED] will testify that he knew that the higher base authorities had frequent (sometimes weekly) meetings to discuss PFC Manning. [REDACTED] will testify that he gave weekly status reports stating that he felt the POI precautions were unnecessary. [REDACTED] will testify that he recalls a meeting with [REDACTED] where he stated that PFC Manning would remain in his current status Maximum Custody and POI unless and until he received instructions from higher authority to the contrary. [REDACTED] cannot recall [REDACTED]

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█ exact words, but he does recall that █ made it clear that nothing would change with PFC Manning regardless of his behavior or the recommendations of behavioral health.

48)

█

//s//  
DAVID E. COOMBS  
Civilian Defense Counsel

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