



GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

MAY 7 2012

GENERAL COUNSEL

Ms. Lucy A. Dalglish
Executive Director
Reporters Committee for Freedom of the Press
1101 Wilson Boulevard, Suite 1100
Arlington, Virginia 22209-2211

Dear Ms. Dalglish:

Thank you for your letter of March 12, 2012, expressing your concerns regarding access to records in the court-martial case of *United States v. Bradley Manning*. Except for court sessions involving classified documents or information, the court-martial is open to the public, subject to reasonable constraints determined by the presiding military judge. The judge's and court-martial docket are provided on-line and available for members of the public and media. The United States Army's 1st Judicial Circuit's docket can be accessed at: <https://www.jagcnet.army.mil/Portals/USArmyTJdocket.nsf>.

The presiding military judge is responsible for other matters associated with the administration of the court-martial. The military judge presides over court-martial proceedings in accordance with the Uniform Code of Military Justice (UCMJ), the Manual for Courts-Martial, United States (2012 Edition), the Military Rules for Courts-Martial, the Military Rules of Evidence and applicable case law. These various rules and procedures do not encompass all of the authority and responsibilities inherent to a presiding judge, but they serve as the essential framework of the judge's duties to ensure a fair trial for both the United States and the accused.

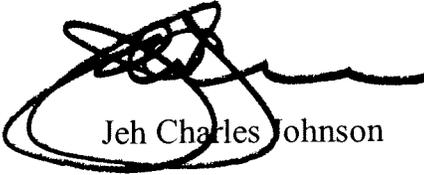
The UCMJ and the Manual establish these court-martial rules and procedures in accordance with Section 836 of title 10, United States Code, as assisted by the Department's annual review conducted pursuant to Executive Order 12473 and Department of Defense Directive 5500.17, "Role and Responsibilities of the Joint Service Committee (JSC) on Military Justice," May 3, 2003. Although it would be inappropriate for the Secretary of Defense or me to intervene as suggested in this ongoing court-martial, I will forward your letter and recommendations to the JSC for consideration as part of its annual review of the Manual for Courts-Martial.

The Department of Defense and the Military Departments greatly value and protect a military judge's independence and judgment while presiding over court-martial



proceedings. As such, I trust you will find that the referral of your letter to the JSC is the most appropriate course of action at this time.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeh Charles Johnson". The signature is highly stylized and somewhat illegible due to the cursive and overlapping lines. It is positioned above the printed name.

Jeh Charles Johnson