



having received any records responsive to his requests from DOD, Plaintiff filed the instant action. *See* Declaration of Jeremy Bigwood (“Bigwood Decl.”) at ¶¶ 3-12 & Exs. A-F.<sup>1</sup>

4. After Plaintiff brought this action and nearly two years after the original requests were filed, Defendant produced one set of documents on June 20, 2011 in response to Plaintiff’s request concerning the coup d’état against President Manuel Zelaya (“Coup d’État Request”), and another on July 7, 2011, in response to his request concerning Honduran General Romeo Vásquez Velasquez (the “RVV Request”). Together, these productions consisted of 71 records which totaled 298 pages (collectively the “First Production”).<sup>2</sup> Thereafter, on September 26, 2013, Defendant produced a second set of records consisting of 88 documents totaling 784 pages (“Second Production”).

#### **Consultations with DOD Concerning Inadequacy of Searches**

5. After reviewing the declaration of Major Lisa R. Bloom (“Bloom Decl.”), ECF No. 25-2, I believe it necessary to make certain clarifications. With respect to Bloom’s description of DOD’s first search, she states that “[a] series of discussions between DOD and Plaintiff” were “the basis for the search terms that USSOUTHCOM applied.” Bloom Decl. at ¶ 7. However, at no time did the parties discuss or stipulate which search terms should be used for the first search. In fact, Plaintiff was advised by defense counsel that DOD had the search under way before suit was filed.

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<sup>1</sup> This declaration addresses only the two requests directed to Defendant DOD. Plaintiff also submitted a FOIA request to Defendant Central Intelligence Agency (“CIA”), but is not contesting the CIA’s *Glomar* response, as previously stated to the Court in his Motion for Modification of Briefing Schedule, ECF No. 27.

<sup>2</sup> On December 20, 2013, DOD produced a revised version of the First Production which addressed concerns Plaintiff previously identified with the labeling of exemptions. It did not contain any new records.

6. After making repeated requests for the search terms used for the first production, Plaintiff received that information on September 6, 2011, during a teleconference with defense counsel in which I took part. The search terms provided by defense counsel at that point differ from those provided in the Bloom Declaration. With respect to the Coup d'État Request, defense counsel advised at that time that the terms used were: Coups/Coups d'état, Zelaya, Honduras 2009, Election 2009, Zelaya arrest, Zelaya resignation, Military activity/Zelaya, Court decision/Zelaya.<sup>3</sup> With respect to the RVV Request, the list of terms provided was: Vasquez; Honduran General Romeo Vasquez; Biographical information/Vasquez; Reinstatement of General Vasquez; Supreme Court decision on General Vasquez.<sup>4</sup> Defense counsel also stated at this time that four entities (Southcom subcomponents) had been searched. This information was different from the information now provided in the Bloom Declaration, which states that Southcom identified six subcomponents for search in 2011. *See* Bloom Decl. at ¶ 8.

7. Likewise, with respect to the supplemental search undertaken by DOD as described in the Bloom Declaration at ¶¶ 11-12, Plaintiff never agreed to or stipulated as to which search terms should be applied, and would not have been in a position to do so without information as to the DOD's databases or search methodology. I respectfully refer the Court to the expert declaration of Daniel Regard for an elaboration of concerns about the technical unknowns of Defendant's search methodology.

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<sup>3</sup> This list differs from that provided in the Bloom Declaration at ¶ 7, i.e.: "Coups/Coups d'états; Zelaya; Honduras 2009; Elections 2009; Zelaya's Arrest; Zelaya Resignation; Military Activities/Zelaya; Court Decisions/Zelaya; Manual Zelaya; Zelaya Exile; Zelaya Oust; Zelaya Arrest; Zelaya Removal; Honduras Coups." Bloom Decl. at ¶ 7.

<sup>4</sup> This list also differs from that provided in the Bloom Declaration at ¶ 7, i.e.: "Romeo Vasquez; CHOD Vasquez; and General Vasquez." Bloom Decl. at ¶ 7.

8. Plaintiff did, however, communicate to DOD a number of specific issues and concerns about the deficiency of DOD's searches, including references within the documents themselves as well as in publicly available information which clearly indicated that other responsive documents existed. *See, e.g.*, Email from Anjana Samant, counsel for Plaintiff, to Nathan Swinton, defense counsel, dated July 29, 2011, a true and correct copy of which is attached hereto as **Exhibit A**, and Email from Pamela Spees, counsel for Plaintiff, to Nathan Swinton, defense counsel, dated Dec. 22, 2011, a true and correct copy of which is attached hereto as **Exhibit B** ("Dec. 22, 2011, email") (attachments not included).

9. These deficiencies were particularly concerning since the First Production was characterized as a "complete release" and defense counsel further confirmed via email that no responsive documents had been withheld in full. *See* Letter from Nathan Swinton, defense counsel, dated June 20, 2011, a true and correct copy of which is attached hereto as **Exhibit C** (characterizing the production as "complete release") and Email from Nathan Swinton, defense counsel, to Anjana Samant, counsel for Plaintiff, dated July 7, 2011, a true and correct copy of which is attached hereto as **Exhibit D** (confirming no documents were withheld in full).

10. DOD eventually agreed to supplement the search even though it maintained that its first search was adequate. *See* Email from Nathan Swinton, defense counsel, to Anjana Samant, dated September 27, 2011, a true and correct copy of which is attached hereto as **Exhibit E**. After locating additional documents responsive to the requests, DOD notified Plaintiff that processing information the agency deemed non-responsive could take more than a year due to the involvement of other agencies to which Plaintiff agreed. On September 26, 2013, DOD produced an additional 784 pages. The vast majority of these records consisted of "Intelligence Executive Highlights." Subsequent to receiving and reviewing the production, counsel conferred on

December 23, 2013, at which time DOD identified the entities searched but not the search terms or methodology, systems or software, databases or personnel utilized in the supplemental search.

11. With respect to the indications of deficient searches in both productions, Plaintiff has identified and conferred with DOD about the following:

- a. Cables, communications or other correspondence. Plaintiff's Coup d'État Request specifically sought, without limitation, "inter-agency communications to and from USSOUTHCOM, as US officers in Honduras may have been informing other US government entities about the coup." In the Dec. 22, 2011 email to DOD, I specifically highlighted the "wholesale absence of this category of documents." Ex. B. I also provided DOD with a cable from the U.S. Embassy in Honduras ("Timeline Cable") that had been produced in response to an unrelated FOIA request by the Plaintiff to the State Department and which indicated it had also been sent to Southcom. The Timeline Cable was replete with information directly relevant to both requests and would have been in the possession of Southcom. A true copy of the Timeline Cable is annexed hereto as **Exhibit F**. This category of information is also absent from the Second Production. With the exception of the Timeline Cable that Plaintiff provided to DOD, there were no other cables, emails or correspondence of any kind in the Second Production. A true and correct copy of the Southcom version of the Timeline Cable is attached hereto as **Exhibit G**.
- b. General Vasquez and School of the Americas. In the Dec. 22, 2011, email to Defendant, I pointed to records released previously in response to an unrelated FOIA request that showed General Romeo Vásquez Velásquez, chief of the Honduran Armed Forces, attended the School of the Americas twice, with one of those times falling within the time

frame of the RVV Request, i.e. since May 1, 1979. School of the Americas is a military training institute located on the U.S. Army Base in Fort Benning, Georgia, and has since been renamed and is now known as the Western Hemisphere Institute for Security Cooperation. *See* <http://www.benning.army.mil/tenant/whinsec/>. Previously released records indicated that Vásquez attended the school in 1976 and 1984, yet DOD produced very little in response to the request for records about the general and nothing indicating his attendance at a military institute operated on a U.S. military base. No documents of this nature were produced in the Second Production.

- c. After-Action Reports. In the Dec. 22, 2011, email Plaintiff also called attention to a reference in one of the documents, entitled “Zelaya Exile,” to a “comprehensive AAR” that was to be conducted, though no such After-Action Reports or comparable documents were produced. *See* Document entitled “Zelaya Exile,” dated June 28, 2009, Bates-stamped Southcom 232, at 239, produced by Defendant on June 20, 2011, a true and correct copy of which is attached hereto as **Exhibit H**. No such documents were produced in the Second Production either.
- d. A “fixed wing aircraft.” The Zelaya Exile record also contained the statement, “JTF-B J2 confirmed that a fixed wing aircraft departed Soto Cano Air Base for CRI shortly thereafter” but DOD did not produce any other documents or communications of any kind concerning this matter or exchange from any of its components, even though DOD confirmed JTF-Bravo J2 was searched. *See* Ex. H at 234. Such information would be highly relevant since President Zelaya was forced out of the country during the coup via the official government airplane that departed from Soto Cano Air Base and Plaintiff’s request explicitly sought information such as this. *See* Bigwood Decl. at ¶ 3 & Ex. A

(Plaintiff's FOIA request emphasizing it "would definitely include any records of the passage of the kidnapped president through any military bases, such as Soto Cano – which has a significant U.S. presence"). In fact, another document in the First Production – which we learned after receipt of the *Vaughn* Index is titled "Joint Task Force Bravo Logs" – indicates that the U.S. military was tracking the flight path of a plane carrying President Zelaya several days after the coup on July 5, 2009, as he attempted to return to his country and land at the civilian airport in Tegucigalpa, Honduras. *See* "Joint Task Force Bravo Logs," Bates-stamped Southcom 221-231, produced by DOD on June 20, 2011, a true and correct copy of which is annexed hereto as **Exhibit I**. Yet no similar log or documentation of any kind, including control tower records, or other communication, was produced concerning the arrival and departure of the official Honduran government plane that flew in and out of a military base jointly controlled by the U.S. military in the early morning hours of June 28, 2009, during a time of heightened concern and security issues.

- e. Source material. A number of documents in the Second Production reference source material, including emails or other forms of correspondence providing the basis for some of the information listed in the Intelligence Highlights. This source material was not produced even though it appeared to be in the possession of Southcom or its component(s) and was relied upon in producing intelligence reports. *See* Letter from P. Spees, Plaintiff's counsel, to T. Zimpleman, defense counsel, dated Dec. 23, 2011, a true and correct copy of which is attached hereto as **Exhibit J** (identifying 59 records referencing source material). I attach hereto as **Exhibit K** a true and correct copy of a chart entitled "Documents Referencing Source Material Not Produced" created by

Plaintiff's counsel. The chart lists a sample set of six documents produced by DOD with their corresponding Bates numbers and *Vaughn* descriptions, noting the references to source material that was not produced. True and correct copies of the documents listed in this chart are annexed to Exhibit K as Documents 1-6.

- f. Over-redactions. In attempt to focus and narrow issues arising in the productions, Plaintiff also expressed concern about the basis for and scope of redactions and identified indications that exemptions were applied too broadly. DOD declined to engage further review of the records. Letter from Thomas Zimpleman, defense counsel, to P. Spees, counsel for Plaintiff, dated Jan. 10, 2014, a true and correct copy of which is annexed hereto as **Exhibit L**. Plaintiff also raised at different points concerns that (b)(1) exemptions were not in compliance with Executive Order 13526, 75 Fed. Reg. 707 (Dec. 29, 2009), which requires that "at the time of original classification" the "identity, by name and position, or by personal identifier, of the original classification authority" "be indicated in a manner that is immediately apparent." Executive Order 13526, § 1.6..

#### **Additional Exhibits**

The following documents were produced by DOD:

12. Attached as **Exhibit M** is a true and correct copy of a document entitled "Mission Analysis," Bates-stamped Southcom 177, produced on June 20, 2011.
13. Attached as **Exhibit N** is a true and correct copy of a document entitled "Intelligence Executive Highlights," dated July 20, 2009, Bates-stamped Southcom 783, produced on September 26, 2013.
14. Attached as **Exhibit O** is a true and correct copy of a document entitled "MILGROUP-Honduras Daily SITREP, 3 Aug. 09," Bates-stamped Southcom 97, produced on June 20, 2011.

15. Attached as **Exhibit P** is a true and correct copy of a document entitled “Intelligence Assessment,” Bates-stamped Southcom145, produced on June 20, 2011.

16. Attached as **Exhibit Q** is a document entitled “MILGROUP-Honduras Daily Sitrep, 20 Jun 2009,” Bates-stamped Southcom 1-2, produced on June 20, 2011.

17. Attached as **Exhibit R** is a document entitled “United States Southern Command USSOUTHCOM Headline News,” Bates-stamped Southcom 333, produced on September 26, 2013.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: New York, NY  
March 18, 2014



\_\_\_\_\_

PAMELA SPEES

# EXHIBIT A

## Pam Spees

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**From:** Swinton, Nathan M. (CIV) <Nathan.M.Swinton@usdoj.gov>  
**Sent:** Friday, July 29, 2011 2:36 PM  
**To:** Anjana Samant  
**Subject:** RE: Bigwood v. DOD: follow-up questions

Anjana-

Thanks for getting me your questions so quickly. I will confer with agency counsel and provide you with responses, where appropriate, in a reasonable amount of time. Upon taking an initial look at your questions, I think we will be able to respond fairly quickly to the questions related to the Vasquez request (dated July 8, 2009), as we provided you with the same information for Mr. Bigwood's first request (dated July 1, 2009). I will need to confer more with Southcom about the information requested in your second batch of questions.

Nate

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**From:** Anjana Samant [<mailto:ASamant@ccrjustice.org>]  
**Sent:** Friday, July 29, 2011 1:53 PM  
**To:** Swinton, Nathan M. (CIV)  
**Cc:** Pam Spees  
**Subject:** Bigwood v. DOD: follow-up questions

Nate,

As discussed on our call today, we have questions about the adequacy of the search conducted by DOD in processing the FOIA requests at issue in this litigation. These questions are separate from concerns about and objections to redactions made in the documents produced to date (whether based on exemptions or relevance) and are still reviewing these.

For quick reference, recall that DOD's June 20, 2011 production is in response to Plaintiff's request that the US Southern Command produce all records concerning "the coup against Honduras' President Manuel Zelaya," including but not limited to: "any observations or reports about the activities of the Honduran Armed Forces with respect to the coup – as well as the coup itself"; "any records of the passage of the kidnapped president through any military bases, such as Soto Cano – which has a significant US presence"; "any reports about the impending coup d'état before it actually took place"; and "inter-agency communications to and from USSOUTHCOM, as US officers in Honduras may have been informing other US government entities about the coup." DOD's July 1, 2011 production corresponds to Plaintiff's request that the US Southern Command produce all records "relating to General Romeo Vasquez" of the Honduran Army and search for records "starting with the date May 1st, 1979" until the date of processing. The request further specified, without limiting the request, that the production include "any biographic sketches" of General Vasquez.

Based on references in the documents themselves as well as publicly available information, both sets of productions appear to be incomplete. To evaluate the adequacy of the searches, we ask that DOD provide clarification about certain issues, as set forth below.

With respect to the July 1, 2011 production of records "relating to General Romeo Vasquez", we ask that DOD identify:

- (a) the number of records found as a result of the search;
- (b) the number of records, if any, that have been withheld in their entirety; and
- (c) the dates used to conduct the search.

With respect to each production, we ask that DOD identify:

- (a) the date on which each produced document was created;
- (b) the specific agencies or entities that conducted a search and referred their findings to DOD;

- (c) the particular FOIA office/officer that processed the searches; and
- (d) the terms used to conduct searches and any specific databases that were reviewed.

We appreciate your efforts to provide a prompt response to these inquiries.

Regards,  
Anjana

**Anjana Samant** | Center for Constitutional Rights | 666 Broadway 7th Floor | NY NY 10012 | 212.614.6464

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# EXHIBIT B

## **Pam Spees**

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**From:** Pam Spees  
**Sent:** Thursday, December 22, 2011 4:12 PM  
**To:** 'Nathan.M.Swinton@usdoj.gov'  
**Cc:** Abigail Downs  
**Subject:** Bigwood v. DOD, et al  
**Attachments:** Bigwood v. DOD - File A - Bates stamped.zip; Bigwood v. DOD - File B - Bates stamped.zip; Bigwood v. DOD - File C - Bates stamped.zip; Bigwood v DOD - File RVV - Bates stamped.zip; Exhibit A.pdf

Hi Nate,

I hope this email finds you well.

As Anjana indicated previously, I will be leading the litigation from our side now that she transitioned out of CCR. I have had a chance to debrief with her and review the status of communications. Below please find a non-exhaustive list of the issues we've identified as indicative of the inadequacy of Defendants' searches, along with a few additional items, as well as a list of matters that I understand Defendants have indicated they would clarify or otherwise follow-up on.

For ease of reference, I have attached a bates-stamped version of Defendants' production and below refer to documents on that basis.

### **Indications of deficient search**

- Throughout the entire production, to the extent Defendants base redactions on Executive Order 13526, we believe the redactions are not in compliance with the Order as defendants have not included declassification dates, nor identified the individual who reviewed and made the redactions.
- Defendants made two separate productions in response to each of the two FOIA requests concerning the Department of Defense. The parties had no agreement or understanding that Defendants were making any kind of "global" production, and Defendants also stated that they had not withheld any documents in their entirety under any exemption claim.

(A) Below is a list of documents that Defendants produced in response to the coup against President Zelaya FOIA request but not in response to the General Romeo Vasquez Velasquez FOIA request, even though these documents also were responsive to the latter.

1. COA Brief Redacted file – DOD36 contains a photograph with a caption identifying General Romeo Vasquez Velasquez.

2. July SitReps I file – DOD126-128 (July 10 SitRep) includes the following statement in the fifth bullet point: "Of note, both de facto president Micheletti and CHOD General Vasquez have been investigated."

3. July SitReps II file – DOD176 (July 27 SitRep) includes the following statement in the seventh bullet point under "Political": "This afternoon, HND CHoD Gen Romeo Vásquez, reportedly visited the HND/NIC border area where Pres Zelaya staged his weekend rallies. (El Heraldó)"

4. Unclassified Articles file – DOD216 includes the following statement at the end of the paragraph: “President Lobo and CHOD Vasquez Velasquez traveled to the Brazilian Embassy in order to safely escort Zelaya, who has been holed up there since 21 SEP, to the airport.”

(B) Below is one example of documents produced in response to the FOIA request concerning General Romeo Vasquez Velasquez but not in response to the coup against President Zelaya request, even though it is responsive to both.

1. 12 Point Accord file – on DOD299, the paragraph designated “Executive Summary” concerns the status of Accords negotiations, the latest position being that Micheletti agreed to 12-point proposal permitting Zelaya to return to office, etc.

- You indicated that Defendants’ search for responsive documents covered JTF-Bravo J2 and J3. However, in the Zelaya Exile file (DOD228-247), DOD230 contains the statement, “JTF-B J2 confirmed that a fixed wing aircraft departed Soto Cano Air Base for CRI shortly thereafter,” but Defendants did not produce any documents concerning this matter or exchange.
- In the Zelaya Exile file (DOD228-247), DOD235 indicates that a “comprehensive AAR” was to be conducted, however we have not received any After-Action Reports or other comparable documents which clearly would have been responsive to the coup against Zelaya FOIA request.
- SouthComm also has not produced a single “Daily Intelligence Summary” referencing either to the coup against President Zelaya or General Rome Vasquez Velasquez, although such reports are created on a regular basis and would have covered an event as significant as a coup in Honduras.
- With respect to the time frame used for the searches: Defendants claim that, for the coup against Zelaya FOIA request – they searched for documents starting from May 1, 2009, yet the earliest date on the produced documents is June 28, 2009. One of the pages in the Powerpoint presentation is labeled Coup Rumors, indicating that there was info circulating about a coup against Zelaya well before June 28, 2009, but we do not have anything prior to that date. Additionally, if you look at SitReps, the Sept & Oct SitReps discuss Zelaya’s re-entry into the country and stay in the Brazilian embassy. Zelaya did not leave until the end of the year, but the Sit Reps do not continue past October. Also, there are sporadically missing dates – this was an ongoing event and it is inconceivable that there was no reporting done of events/info related to the coup against Zelaya during these critical months. We know that the MilGroup Sit Reps are produced on a daily or near-daily basis, not only in times of some special event, so there should be more responsive ones out there.
- Defendants have not produced any cables, communications, or other such correspondence concerning the subject matter of the two requests. The wholesale absence of this category of documents alone raises questions about the extent of Defendants’ search. Furthermore, through documents received in response to other FOIA requests by our client, we know that Defendants are or were in possession of such documents. For instance, in response to a separate request made by our client, the Department of State produced the document attached as **Exhibit A**. US “SOUTHCOMM MIAMI FL” is listed as a recipient of the cable, which discusses, as stated in the Summary section, “the Embassy’s timeline of political and legal events leading up to the June 28, 2009 coup.”
- The Zelaya Exile file (DOD228-247), contains pages (which appear to be slides from a PowerPoint presentation) containing large amounts of white space – specifically, the pages titled “Implied Tasks”, “Mission Essential Task”, “Constraints”, and “Restraints.” It appears that the white space may be a redaction that was unmarked or that pages/slides are missing from the file. Please confirm whether this file (Zelaya Exile) has in fact been produced in its entirety and whether the pages noted above are redactions or

were produced in their original format. Similarly, the “COA Brief Redacted” file (DOD1-44) contains a page titled “Force Laydown” that is entirely blank, but no redaction is claimed. Please confirm whether this page was produced in its original format and/or any exemptions defendants intend to assert.

- The two PMSEII files (DOD48-66 and DOD280-298) appear to be missing pages or the pages are out of order. The document, which appears to be a PowerPoint slide presentation has two consecutive pages titled “Questions” (DOD59-60/DOD291-292), without any material in between. Additionally, the pages are ordered such that DOD60/DOD292 is marked “16” in the lower right-hand corner, but a few pages later, a slide is marked “14” in the lower right-hand corner. Please confirm that this file was produced in its entirety and in the same order and manner as it was kept by Defendants.

The following item was not discussed with you previously, but serves as further evidence of the deficiency of Defendants’ search for documents responsive to the request concerning General Romeo Vasquez Velasquez:

- In June 2009, the WHINSEC confirmed that General Romeo Vasquez Velasquez attended the School of the Americas in 1976 and 1984. Defense produced at least some documents surrounding his attendance in 1996 in response to a previously filed FOIA request by the School of the Americas Watch. *See e.g.*, [http://m.cbsnews.com/relatedfullstory.rbml?feed\\_id=0&catid=5125109&videofeed=36](http://m.cbsnews.com/relatedfullstory.rbml?feed_id=0&catid=5125109&videofeed=36). Defendants have not produced any documentation Vasquez Velasquez’s attendance or other such issues.

### **Outstanding items from Defendants**

During your telephone call with Anjana, you indicated some changes or supplemental information that Defendants were making. Since we have not received follow-up on those matters, we have listed those items below. Please let us know if any issue is omitted.

- The duplicate PMSEII files are missing a cover page that contains a date. You asked whether we wanted to simply insert that single page or would like that particular PDF file re-produced with the missing page included. Anjana requested that the file be re-produced as a single complete document. Please forward us that amended production.
- With respect to the July SitRep I and July SitRep II files, Department of State and Department of Defense miscommunicated concerning redactions such that, in fact, State would not be defending any of the b(7)(E) or b(7)(F) redactions that it had made in those files. With respect to any b(7)(E) or b(7)(F) redactions that were made by both State and Defense, you were awaiting clarification from Defense as to whether they would continue to defend those redactions or would also release that information. Please let us know where this stands.
- With respect to the files titled “Who Authorized Zelaya’s Removal,” “Honduran National Elections,” and “Who Removed President Zelaya and Why”, State was changing all b(7)(E) and b(7)(F) redactions that it had made to b(1) redactions. However, any b(7)(E) and b(7)(F) redactions made jointly by State and another agency would remain as such. Please confirm that this is correct.
- State and Defense also miscommunicated about the redactions in the files titled, “Who Authorized Zelaya’s Removal”, “Honduran San Jose Accords: Substance or Symbolic”, “Intelligence Quadrant”, “Zelaya Heightens Political Tensions”. Anywhere State bases redactions on 1.4(a) and 1.4(c), they in fact should have been marked 1.4(b) and 1.4(d). Anywhere Defense bases redactions on 1.4(b) and 1.4(d), it should be 1.4(a) and 1.4(c). (In sum, State does not make any 1.4(a) or 1.4(b) redactions in this file and Defense does not make any 1.4(b) and 1.4(d) redactions in this file. If the redaction was made by both agencies, all four bases would apply.) Please confirm that this understanding correctly reflects Defendants’ position.

Finally, I wanted to inquire whether DOD has reconsidered its position regarding a Vaughn index as we continue to believe it would assist in winnowing down the issues that would require briefing.

I'm happy to discuss any of these matters at your convenience. In the meantime, we send you best wishes for happy holidays.

Best regards,

Pam Spees  
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# EXHIBIT C



**U.S. Department of Justice**  
Civil Division, Federal Programs Branch

**By U.S. Mail**  
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Nathan M. Swinton  
Trial Attorney  
Tel.: (202) 305-7667  
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Nathan.M.Swinton@usdoj.gov

June 20, 2011

**Via Federal Express**  
Anjana Samant  
Center for Constitutional Rights  
666 Broadway 7th Floor  
New York, NY 10012-2317

RE: *Bigwood v. United States Department of Defense and the Central Intelligence Agency*, Case No. 11-00602 (D.D.C.)

Dear Ms. Samant,

Enclosed herewith, please find a complete release of records from the Department of Defense responsive to the July 1, 2009 FOIA request at issue in the above-captioned case. This release is made in accordance with Defendants' Notice of Proposed Production Schedule (Dkt. #11), filed on June 6, 2011.

Sincerely,

A handwritten signature in cursive script that reads "Nathan Swinton".

Nathan M. Swinton

# EXHIBIT D

## Pam Spees

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**From:** Swinton, Nathan M. (CIV) <Nathan.M.Swinton@usdoj.gov>  
**Sent:** Thursday, July 07, 2011 2:29 PM  
**To:** Anjana Samant  
**Subject:** RE: Bigwood v. DOD: production follow-up

Hi Anjana-

In response to your questions, DOD states the following:

1. All documents responsive to Mr. Bigwood's July 1, 2009 request were produced in the June 20, 2011 production. Although portions of certain responsive documents were obviously redacted, no responsive document was withheld in full.
2. The time period used by DOD in processing Mr. Bigwood's July 1, 2009 request was that provided by Mr. Bigwood in the request itself: May 1, 2009 until the time of processing.

If you still have any questions about these points, please let me know.

Sincerely,

Nate

Nathan Swinton  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
(202) 305-7667  
[Nathan.M.Swinton@usdoj.gov](mailto:Nathan.M.Swinton@usdoj.gov)

---

**From:** Anjana Samant [<mailto:ASamant@ccrjustice.org>]  
**Sent:** Wednesday, July 06, 2011 5:50 PM  
**To:** Swinton, Nathan M. (CIV)  
**Subject:** Bigwood v. DOD: production follow-up

Nate,

We have been going through the DOD production and have two preliminary questions. We did not receive information about how many responsive documents were found upon running the search or how many – if any – were withheld. We also were unclear what dates were used to run the search.

We will probably have some additional questions about the documents produced, but any clarification you can provide about these matters would be appreciated.

Thank you,  
Anjana

Anjana Samant | Center for Constitutional Rights | 666 Broadway 7th Floor | NY NY 10012 | 212.614.6464

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# EXHIBIT E

## Pam Spees

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**From:** Swinton, Nathan M. (CIV) <Nathan.M.Swinton@usdoj.gov>  
**Sent:** Tuesday, September 27, 2011 10:06 AM  
**To:** Anjana Samant  
**Subject:** RE: Bigwood v. DOD

Hi Anajana-

I've spoken with Southcom and wanted to touch base with you about two things:

1. The search dates for the second production were all documents up to the time of processing, which was April 5, 2011.
2. Southcom maintains that it conducted an adequate search in response to both of Mr. Bigwood's FOIA requests. Nevertheless, in the interest of narrowing the issues for briefing, Southcom is willing to supplement its search in response to your email below. That is, Southcom has agreed to look for specific time periods, search terms, databases, pages, etc, that Mr. Bigwood identifies. However, Southcom is not willing to re-run the search in its entirety. If this is agreeable to your client, please let me know and we can discuss moving the court to reschedule briefing.

Thanks,

Nate

Nathan Swinton  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
(202) 305-7667  
Nathan.M.Swinton@usdoj.gov

---

**From:** Anjana Samant [mailto:ASamant@ccrjustice.org]  
**Sent:** Friday, September 23, 2011 1:58 PM  
**To:** Swinton, Nathan M. (CIV)  
**Subject:** RE: Bigwood v. DOD

Nate,

Thanks for the correction concerning the dates – I will wait to hear from you about the search timeframe for the General Vasquez FOIA request.

As I mentioned yesterday, I would ask that DOD produce new files reflecting the changes you informed me of so as to maintain the integrity of the files and leave no question about what the produced documents ultimately are. If you want to discuss this further, just let me know.

Also, I had indicated that there were some pages about which we had other questions. In the "Honduras: Zelaya Exile" file, there are slides titled "Implied Tasks", "Mission Essential Task", "Constraints", and "Restrictions", all of which have large amounts of white space. I just want to confirm whether these pages have been produced in their entirety or if they contain unmarked redactions. On the same point, the "COA Brief Redacted" file contains a page titled "Force Laydown" that is entirely blank, but no redaction is identified. Please let us know about those documents. Additionally,

some redactions do not have the responsible authority identified – for instance, the file labeled “Hondura: Zelaya Exile” contains pages that have redactions but no reviewing agency identified.

Although we did not discuss this yesterday, to the extent the production includes redactions citing Executive Order 13526, they are not properly marked, e.g., no declassification date is provided nor is the individual reviewing the documents and making the redactions identified.

While other documents, contemporaneous news reports, and various publicly available information further indicate that the search conducted by DOD was inadequate, my purpose in our call yesterday was not to begin briefing of the issue “informally” or suggesting that the matters discussed represent the entire universe of missing documents or evidence of search deficiencies. I am hopeful that, through the sample of issues discussed, the agency will better understand the basis for and strength of the claim, and enter into good faith effort to resolve some of these issues before we go to Court.

If you wish to discuss any of this further, I am happy to do so. I will be working remotely next week but am available via email and can schedule a follow-up call with you.

Thank you,  
Anjana

---

**From:** Swinton, Nathan M. (CIV) [mailto:Nathan.M.Swinton@usdoj.gov]  
**Sent:** Friday, September 23, 2011 10:15 AM  
**To:** Anjana Samant  
**Subject:** RE: Bigwood v. DOD

Hi Anjana-

I wanted to follow up on our conversation from yesterday. First, thank you for sharing with me the specific examples you had regarding the adequacy-of-the-search issue. Having those has helped us evaluate whether we want to move forward with the current briefing schedule. When you get a chance, can you send me an email with any other examples that we didn't discuss?

Second, I spoke with counsel for Southcom this morning and asked about the dates used for the searches. He is checking on the dates for the second search, but the dates for the first search were May 1, 2009 through April 21, 2011. I think you had indicated that the latter was through April 1, 2011, so I wanted to be sure to correct that.

Third and finally, I will be sending you a letter regarding the four production issues that I referenced yesterday.

Enjoy your weekend,

Nate

---

**From:** Anjana Samant [mailto:ASamant@ccrjustice.org]  
**Sent:** Thursday, September 22, 2011 2:40 PM  
**To:** Swinton, Nathan M. (CIV)  
**Subject:** RE: Bigwood v. DOD

Nate – I'm running a little late with meetings. Can we speak at 3:15?

**From:** Swinton, Nathan M. (CIV) [mailto:Nathan.M.Swinton@usdoj.gov]  
**Sent:** Wednesday, September 21, 2011 11:46 AM  
**To:** Anjana Samant  
**Subject:** RE: Bigwood v. DOD

Hi Anjana-

I'm tied up today but can be available tomorrow. How about 3 pm?

Nate

---

**From:** Anjana Samant [mailto:ASamant@ccrjustice.org]  
**Sent:** Tuesday, September 20, 2011 6:10 PM  
**To:** Swinton, Nathan M. (CIV)  
**Cc:** Pam Spees  
**Subject:** Bigwood v. DOD

Hello Nate,

I would like to talk to you about the document production and upcoming summary judgment briefing. Having reviewed the documents and redactions, I would like to discuss ways to possibly narrow the scope of issues in dispute. Additionally, I have questions about misnumbered or incomplete documents that were produced, possible unmarked redactions, and missing information about redacting agencies.

I am available tomorrow between 12:30 and 3:30 or on Thursday any time.

Thank you,  
Anjana

**Anjana Samant** | Center for Constitutional Rights | 666 Broadway 7th Floor | NY NY 10012 | 212.614.6464

This message contains CONFIDENTIAL INFORMATION which may be legally privileged and which is intended only for the use of the address(es) named above. If you are not the intended recipient of this message, you are hereby notified that any dissemination or copying of this email is prohibited. If you have received this message in error, please notify us by telephone.

# EXHIBIT F

UNCLASSIFIED

RELEASED IN PART

E9

ACTION WHA-00

B1, 1.4(B), 1.4(D)

INFC	LOG-00	EEB-00	AF-00	AMAD-00	A-00	ACQ-00	CA-00
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	INR-00	IO-00	LAB-01	L-00	CAC-00	ARMY-00	MFLO-00
	MOFM-00	MOF-00	M-00	VCIE-00	DCP-00	NSAE-00	OCS-00
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 HQ USSOUTHCOM J5 MIAMI FL  
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 DIA WASHINGTON DC  
 DNI WASHINGTON DC  
 CIA WASHDC  
 MILLENNIUM CHALLENGE CORP  
 SECDEF WASHDC

UNCLAS TEGUCIGALPA 000527

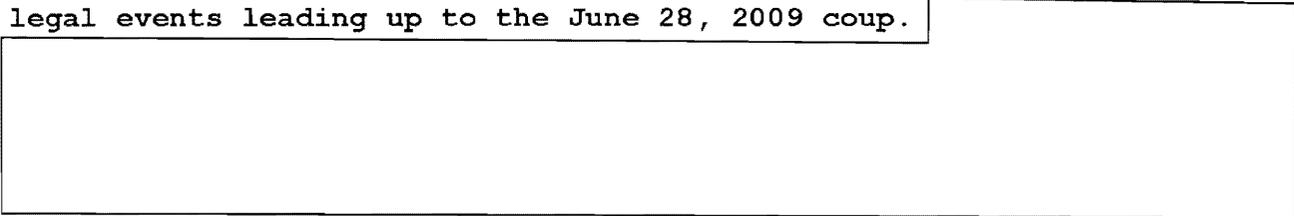
SIPDIS

STATE FOR WHA/CEN

E.O. 12958: N/A  
 TAGS: PGOV, PINR, KJUS, EAID, PHUM, MARR, HO  
 SUBJECT: Honduran Coup Timeline

REF: Tegucigalpa 523 and others

1. Summary: The following is the Embassy's timeline of political and legal events leading up to the June 28, 2009 coup.



B1

UNITED STATES DEPARTMENT OF STATE  
 CLASSIFIED BY DEPT. OF STATE, L. HEDGBETH, DAS, A/GIS  
 REVIEW AUTHORITY: ADOLPH H EISNER  
 CLASSIFICATION: CONFIDENTIAL REASON: 1.4(B), 1.4(D)  
 DECLASSIFY AFTER: 1 JUL 2019  
 DATE/CASE ID: 21 AUG 2009 200905816

UNCLASSIFIED

End summary.

UNCLASSIFIED

Timeline

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2005:

-- Congress repeals the impeachment law. While the Congress has the right to summon the President and to investigate his/her actions, there is no clear procedure on what action it can take after such an investigation. The only remaining legal means to remove a sitting President is for the Public Ministry to file a criminal case with the Honduran Supreme Court. The Supreme Court appoints a Magistrate to hear the case. If the Magistrate must determine that the case is valid, after which the case will be moved to trial. During this process, the President will have full due legal process and is given the right to legal representation. A ruling by the Supreme Court against the President is the only way to legally separate him/her from the office.

23 March 2009:

-- Honduran President Jose Manuel Zelaya Rosales announces a plebiscite to be held on 28 June 2009 to measure popular support for the Fourth Urn. There will be three urns on election day November 29, 2009, one for the President, one for Congress and one for mayoral candidates. The fourth urn would be for votes on whether or not the electorate wants to convoke a constituent assembly for the purpose of reforming the Honduran Constitution.

1 May 2009:

-- Zelaya officially launches the Fourth Urn campaign. Zelaya and his allies argue for reform of the constitution via a constituent assembly. The Fourth Urn campaign was officially launched in a May Day rally consisting of 5,000 - 10,000 supporters. The primary participants were representatives of labor unions, farmers' organizations and government workers who support Zelaya. Polling at this time suggested the Fourth Urn had between 55 percent and 75 percent popular support. Most of those polled at the time did not understand the purpose of the plebiscite and approximately 90 percent did not support the idea of Zelaya staying in power beyond his mandate.

May 2009:

-- The Attorney General's office files a case in a Federal Administrative court challenging the legality of the 28 June plebiscite. The case is to determine whether the plebiscite is

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legal because the entity tasked with conducting the plebiscite, the National Statistics Institute (INE), cannot be involved in activities that are political in nature. The proposal to hold a constituent assembly is also considered unconstitutional.

28 May 2009:

-- The Administrative Court judge rules in favor of the Attorney General and abrogates the President's decree authorizing the plebiscite. The judge instructs all government agencies to suspend all publicity and logistical activities related to the plebiscite.

-- Zelaya convenes a press conference, along with the Minister of Defense Edmundo ((Orellana)) and Armed Forces Chief General Romeo Vasquez Velasquez, to say that he will continue with the plebiscite

despite the court order. Zelaya orders the Armed Forces to provide the logistics to carry out the plebiscite.

-- In response to the ruling, Zelaya reformulates the decree, referring to the plebiscite as a "poll" in an effort to get around the court's ruling. The case returned to the court and the judge ruled that the decision was a broad one, covering any activity calling for a constituent assembly.

16 June 2009:

-- An appellate court rules in favor of the lower court's judgment. Zelaya ignores the ruling and continues preparing and promoting the 28 June poll. Following the ruling, the judge ordered the Attorney General to notify the President and the Armed Forces that, should they continue support for the poll, they would be in violation of the ruling and would be subject to criminal penalties and fines.

24 June 2009:

-- Zelaya fires General Vasquez after Vasquez refuses to carry out Zelaya's order to provide logistical support for the 28 June poll. Vasquez refuses to carry out the order because he deems it illegal based on the courts' rulings.

-- The chiefs of the Army, Navy and Air Force along with Minister of Defense Orellana resign in solidarity with General Vasquez. All military leaders remain in their posts despite the President's firing of Vasquez and their resignations. Zelaya does not name any successors.

25 June 2009:

-- The Supreme Court and the National Congress are called into session after Honduran political leaders are unable to reach an agreement on the wording for the 28 June poll. Zelaya wants the poll to refer to a constituent assembly; the opposition wants the poll to only ask about constitutional reform and allow the National Congress to determine how to reform the constitution.

-- The Supreme Electoral Tribunal (TSE), the entity responsible for running all official Honduran elections, rules the poll illegal.

-- Attorney General Luis Alberto Rubi issues a statement calling Vasquez's firing illegal and promises to seek a court order to reinstate Vasquez. The Attorney General announces that his office will go to Air Force Headquarters to take control of poll materials, which had been flown in, by request of the TSE.

-- Zelaya calls upon a group of approximately 2,000 social activists to go with him to Air Force headquarters to collect the materials before the Attorney General can do so. Air Force Chief General Javier Prince turns the materials over to Zelaya.

-- The "Constitutional Hall," a five-magistrate panel of the Supreme Court, rules unanimously that Zelaya's firing of General Vasquez was illegal and reinstates Vasquez. The court requests that the case regarding Zelaya's poll be brought before them.

-- Zelaya announces that logistical support for the poll will be provided by volunteers rather than government officials.

-- Congressional leadership had prepared legislation to support the court findings of the poll's illegality, but to permit the military to provide logistical support without sanctions. The Congress refuses to support the bill.

-- Congress nearly brings a vote to the floor to remove Zelaya from office. Congressional leaders ultimately decide not to vote to remove Zelaya. Congress launches an inquiry and creates a commission to look into legal violations allegedly committed by Zelaya and his Administration. Between 25 June and 27 June, Congress established 18 alleged legal violations by Zelaya, but did not establish proofs to support the allegations.

26 June 2009:

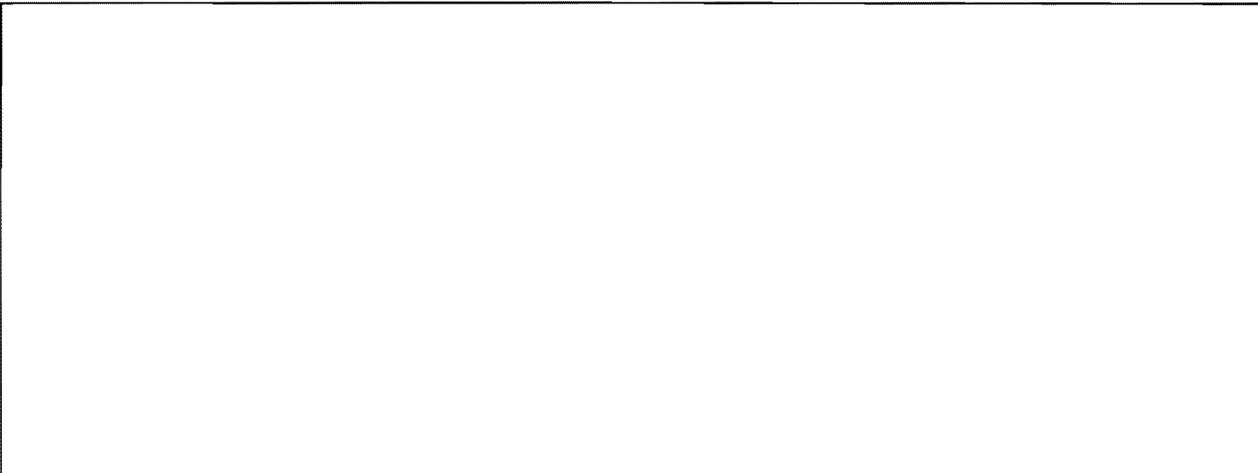
-- The Tegucigalpa Chamber of Commerce organizes an anti-Zelaya demonstration in Tegucigalpa Central Park. Several thousand supporters show up.

-- Several thousand people gather outside the headquarters of the Honduran Military Joint Chiefs in support of the military's actions.

27 June 2009:

-- Online newspaper Proceso Digital prints an article alleging Zelaya's decree, published in the 25 June issue of the official paper La Gaceta, states that the 28 June poll will immediately convoke a constituent assembly. The newspaper reports that Zelaya has changed the rules at the last minute, and the poll will have consequences not previously reported.

-- Zelaya holds a press conference and invites foreign diplomats to attend under pretext of discussing the political crisis. He announces that he will follow through with the 28 June poll in the presence of the "international observers" present at the press conference.



B1

28 June 2009:

-- 0525 hrs: Zelaya is captured at his home by Honduran Military Forces. He is transported to the Air Force Base and is taken to San Jose, Costa Rica. Zelaya arrives in Costa Rica at 0725 hrs. The Congress announces it will initiate an emergency session.

-- 0800 hrs: A small number of protesters begin to gather in front of the Presidential Palace.

-- 0830 hrs: First reports emerge that former Honduran Foreign Minister Patricia Rodas Baca has been captured and removed from Honduras.

-- 1100 hrs: The Supreme Court announces that Zelaya's poll was illegal and should not have been carried out.

-- 1233 hrs: The Secretary of the Congress, Jose Alfredo Saavedra, reads an alleged resignation letter from Zelaya. The letter is

-- 1345 hrs: The President of the National Congress, Roberto Micheletti Bain, is named the constitutional President of Honduras. He promises elections will be held as scheduled on 29 November. The naming of Micheletti as President is ratified at 1530 hrs. Saavedra is named President of the National Congress. Enrique Ortez Colindres is named Foreign Minister.

-- 1945 hrs: Zelaya leaves Costa Rica to travel to Nicaragua for the SICA conference.

29 June 2009:

-- Political leaders argue they removed Zelaya because of the decree published in the Gazette convoking the Constituent Assembly, something that can only be done by the Congress. The Congress was

concerned that Zelaya would suspend the congress and the courts. Political leaders argue that Micheletti was named President because Vice President Aristides Mejia was never sworn into office.

-- The area remains relatively calm with isolated incidents of violence in front of the Presidential Palace by pro-Zelaya protesters.

-- Gabriela Nunez is named Finance Minister. Adolfo Leonel Sevilla is named Defense Minister. Jorge Aguilar is named Director of the state telecom company HONDUTEL.

-- Zelaya promises to return to Honduras on Thursday, 2 July.

30 June 2009:

-- Zelaya speaks at the United Nations. Approximately 10,000 people participate in an anti-Zelaya protest in the Central Park. Approximately 2,000 protest in favor of Zelaya in front of the Presidential Palace. There are other isolated, scattered protests around the country in favor of Zelaya.

-- The Public Ministry files charges on 18 counts against Zelaya and promises to arrest him if he returns to Honduras.

-- Jorge Rodas Gamero remains as Security Minister; Sandra Midence heads the Central Bank.

Comment

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# EXHIBIT G

ENTIRE DOCUMENT IS RESPONSIVE

ALL REDACTED INFORMATIONS CLASSIFICATION UPGRADED BY STATE DEPT

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RHMFIUU/DIRJIATF SOUTH
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RHEFDIA/DIA WASHINGTON DC
RUEIDN/DNI WASHINGTON DC
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RUEHLMC/MILLENNIUM CHALLENGE CORP
RUEKJCS/SECDEF WASHDC

UNCLAS SECTION 01 OF 04 TEGUCIGALPA 000527

SIPDIS

STATE FOR WHA/CEN

E.O. 12958: N/A
TAGS: PGOV, PINR, KJUS, EAID, PHUM, MARR, HO
SUBJECT: Honduran Coup Timeline

REF: Tegucigalpa 523 and others

TEGUCIGALP 00000527 001.2 OF 004

1. Summary: The following is the Embassy's timeline of political and legal events leading up to the June 28, 2009 coup.

(b)(1),Sec. 1.4(b),Sec. 1.4(d) There were also decisions that impacted on Zelaya's legal situation.

(b)(1),Sec. 1.4(b),Sec. 1.4(d)

End summary.

STATE

Timeline

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2005:

-- Congress repeals the impeachment law. While the Congress has the right to summon the President and to investigate his/her actions, there is no clear procedure on what action it can take after such an investigation. The only remaining legal means to remove a sitting President is for the Public Ministry to file a criminal case with the Honduran Supreme Court. The Supreme Court appoints a Magistrate to hear the case. If the Magistrate must determine that the case is valid, after which the case will be moved to trial. During this process, the President will have full due legal process and is given the right to legal representation. A ruling by the Supreme Court against the President is the only way to legally separate him/her from the office.

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-- Zelaya convenes a press conference, along with the Minister of Defense Edmundo ((Orellana)) and Armed Forces Chief General Romeo Vasquez Velasquez, to say that he will continue with the plebiscite

TEGUCIGALP 00000527 002.2 OF 004

despite the court order. Zelaya orders the Armed Forces to provide the logistics to carry out the plebiscite.

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- Congressional leadership had prepared legislation to support the court findings of the poll's illegality, but to permit the military to provide logistical support without sanctions. The Congress refuses to support the bill.
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not establish proofs to support the allegations.

TEGUCIGALP 00000527 003.2 OF 004

26 June 2009:

-- The Tegucigalpa Chamber of Commerce organizes an anti-Zelaya demonstration in Tegucigalpa Central Park. Several thousand supporters show up.

-- Several thousand people gather outside the headquarters of the Honduran Military Joint Chiefs in support of the military's actions.

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-- Zelaya holds a press conference and invites foreign diplomats to attend under pretext of discussing the political crisis. He announces that he will follow through with the 28 June poll in the presence of the "international observers" present at the press conference.

-- [Redacted] (b)(1),Sec. 1.4(b),Sec. 1.4(d)

removed from the Presidency based on their belief that he will convoke the Constituent Assembly following the 28 June poll and that the Constituent Assembly will dissolve Congress and the Supreme Court. Their concern is based on the 25 June publishing of the decree in La Gaceta (copy attached), which they interpret to say that the poll legally authorizes the convoking of a constituent assembly.

STATE

-- [Redacted] (b)(1),Sec. 1.4(b),Sec. 1.4(d)

28 June 2009:

-- 0525 hrs: Zelaya is captured at his home by Honduran Military Forces. He is transported to the Air Force Base and is taken to San Jose, Costa Rica. Zelaya arrives in Costa Rica at 0725 hrs. The Congress announces it will initiate an emergency session.

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-- 1100 hrs: The Supreme Court announces that Zelaya's poll was illegal and should not have been carried out.

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-- 1345 hrs: The President of the National Congress, Roberto Micheletti Bain, is named the constitutional President of Honduras. He promises elections will be held as scheduled on 29 November. The naming of Micheletti as President is ratified at 1530 hrs. Saavedra is named President of the National Congress. Enrique Ortez Colindres is named Foreign Minister.

-- 1945 hrs: Zelaya leaves Costa Rica to travel to Nicaragua for the SICA conference.

29 June 2009:

-- Political leaders argue they removed Zelaya because of the decree published in the Gazette convoking the Constituent Assembly, something that can only be done by the Congress. The Congress was

TEGUCIGALP 00000527 004.2 OF 004

concerned that Zelaya would suspend the congress and the courts. Political leaders argue that Micheletti was named President because Vice President Aristides Mejia was never sworn into office.

-- The area remains relatively calm with isolated incidents of violence in front of the Presidential Palace by pro-Zelaya protesters.

-- Gabriela Nunez is named Finance Minister. Adolfo Leonel Sevilla is named Defense Minister. Jorge Aguilar is named Director of the state telecom company HONDUTEL.

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-- The Public Ministry files charges on 18 counts against Zelaya and promises to arrest him if he returns to Honduras.

-- Jorge Rodas Gamero remains as Security Minister; Sandra Midence heads the Central Bank.

Comment

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2. [Redacted]

(b)(1),Sec. 1.4(b),Sec. 1.4(d)

The only warrant we are aware of is one issued either late on June 25 or early on June 26 by a lower court ordering the seizure of polling material.

[Redacted]

(b)(1),Sec. 1.4(b),Sec. 1.4(d)

to remove Zelaya based on their fear that he planned to convene a Constituent Assembly immediately after the June 28 poll. They base their claim that he would have done so on the publication in the legal gazette on June 25 of the decree calling for the poll. Micheletti's supporters say that publication calls for the convening of the Constituent Assembly.

(b)(1),Sec. 1.4(b),Sec. 1.4(d)

[Redacted] the publication simply states: "Are you in agreement that in the general elections of 2009, there be a fourth urn in which the people decide the convocation of a National Constituent Assembly."

3. [Redacted]

(b)(1),Sec. 1.4(b),Sec. 1.4(d)

STATE

(b)(1),Sec. 1.4(b),Sec. 1.4(d)

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# EXHIBIT H



# HONDURAS

## “ZELAYA EXILE”

**28 JUN 2009**

(b)(6)

SOUTHCOM



# Agenda



- **Situation**
- **Area Orientation**
- **JTF-B Task Organization**
- **JTF-B Mission**
- **JTF-B Commander's Intent**
- **Facts**
- **Assumptions**
- **Specified Tasks**
- **Implied Tasks**
- **Mission Essential Task**
- **Constraints**
- **Restraints**
- **RFIs**
- **Questions**



# Situation

- At 0700 on 28 Jun 09 AP wires reported that Honduran (HND) soldiers arrested Honduran President Manual Zelaya, and allegedly transported him by helicopter to a base outside of Tegucigalpa and flew him to Costa Rica (CRI) via fixed wing aircraft. JTF-B J2 confirmed that a fixed wing aircraft departed Soto Cano Air Base for CRI shortly thereafter. No confirmation at that time that the president was on board the aircraft. According to HND DATT, the Chief of Defense (CHOD) stated that the military acted on legal orders of the Supreme Court and Congress. **The HND military has captured all polling boxes and taken the President to CRI.** Voting was scheduled to begin on a disputed referendum aimed at changing the HND Constitution to allow Zelaya to remain in power. **President Zelaya stated in a press conference in CRI that he was kidnapped by the HND military and taken to CRI. The US Ambassador stated this is a complex action taken IAW HND law.** US Embassy has stood up an ECP. JTF-B Joint Operations and Intelligence Center (JOIC) has been stood up. USSOUTHCOM CCIR is activated. NMCC/DOS is notified. **There are no current reports of any demonstrations or threats against US forces.**



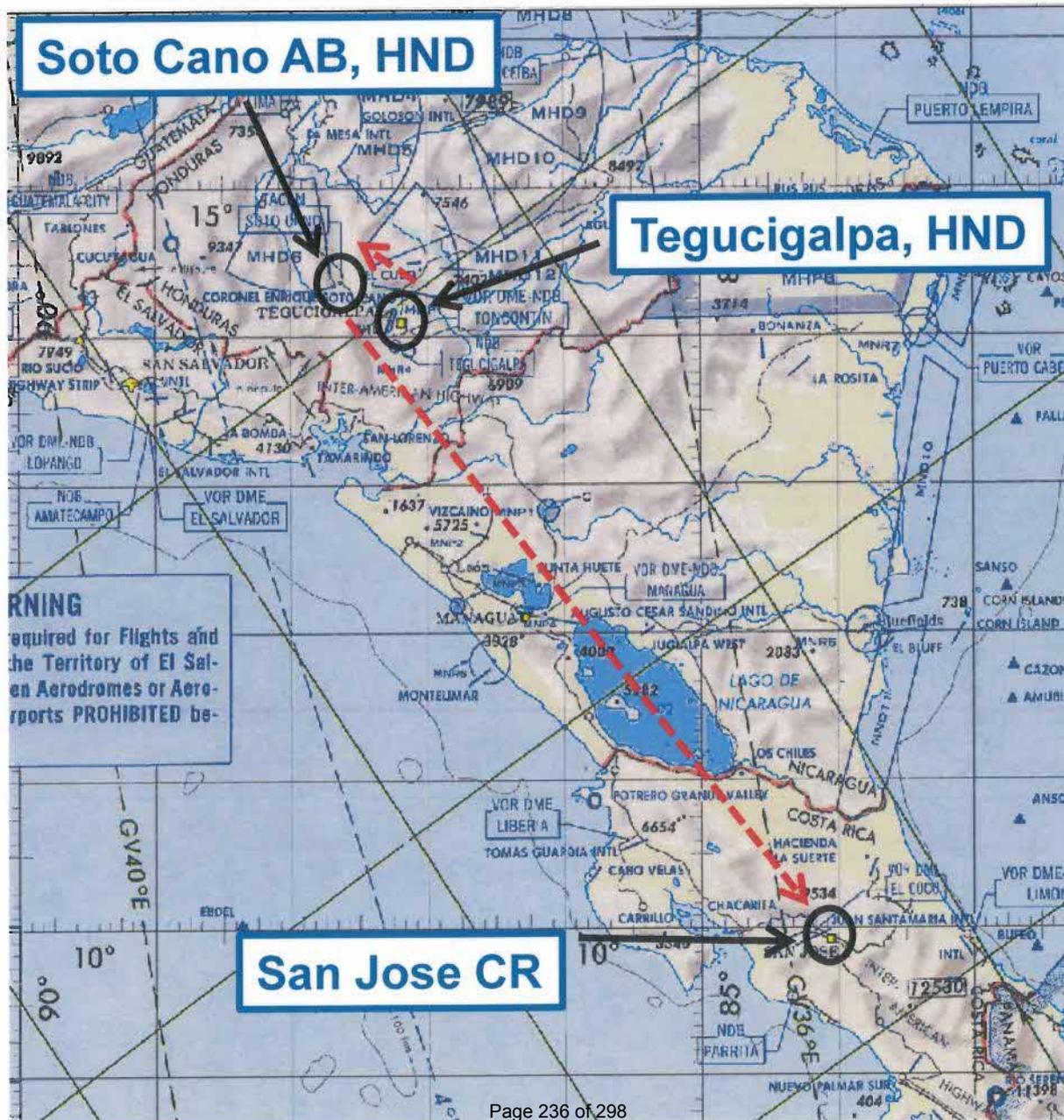
## Situation (cont.)



- There are confirmed reports the Minister of Foreign Affairs Patricia Rodas has also been detained by HND military.
- There are reports that the Venezuelan, Cuban, and Nicaraguan ambassadors have been detained by the HND military.



# Area Orientation





# JTF-B Task Organization



- ARFOR
- JSF
- PAO
- MEDEL
- 1-228th: Status of Forces

— (b)(3):10 USC §130

• (b)(3):10 USC §130

• (b)(3):10 USC §130

— (b)(3):10 USC §130

• (b)(3):10 USC §130

• (b)(3):10 USC §130

— (b)(3):10 USC §130

• (b)(3):10 USC §130

• (b)(3):10 USC §130

- 612th
- ASA

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# JTF-B Mission



**JTF-B monitors and conducts mission planning in response to political unrest following removal of Honduran President Zelaya until further notice.**



# JTF-B Commander's Intent



## Key Tasks:

- Maintain situational awareness
- Be proactive vice reactive
- Maintain 100% accountability of JTF-B personnel and dependents
- Plan and prepare for all possible scenarios
- Conduct comprehensive AAR

## End State:

- JTF-B Forces safe and secure and postured to respond appropriately and efficiently to any changes in current situation.



# Facts

- **HND military forces arrested and removed President Zelaya from HND**

- [Redacted] (b)(3):10 USC §130c

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- [Redacted] (b)(3):10 USC §130c

- **President Zelaya has departed HND and is now in CRI**
- **Referendum on HND Constitutional amendment was scheduled for 28 Jun 09**

- [Redacted] (b)(7)(F)

- **New HND President has been sworn in**
- **CDR JTF-B directs no changes in Force Protection Condition**
- **CDR JTF-B directs to minimize off-base telecommunications**
- **CDR JTF-B limits off base travel to official business and previously approved leave**



# Facts Cont.



- **FP Condition remains Bravo**
- **JSF augmentees not activated**



# Assumptions

- **President Zelaya was arrested IAW HND law by HND military**
- **All polling boxes were seized on legal orders of the HND Supreme Court**
- **Soto Cano AB and JTF-B personnel are not targeted or in immediate danger**
- **CA-5 will remain open**
- **Tegucigalpa Airport will remain open**



# Specified Tasks

- **ARFOR**
  - Accomplish accountability for personnel & dependents
- **JSF**
  - Accomplish accountability for personnel & dependents
- **PAO**
  - Route all media inquiries through the US Embassy
- **MEDEL**
  - Accomplish accountability for personnel & dependents
- **1-228th**
  - Accomplish accountability for personnel & dependents
- **612<sup>th</sup>**
  - Accomplish accountability for personnel & dependents
  - Airfield Operations are manned for 24/7 ops
  - Airfield is not open
- **ASA**
  - Accomplish accountability for personnel & dependents



# Implied Tasks



- **All personnel assigned to JTF-B maintain increased vigilance regarding force protection**



# Mission Essential Task



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# Constraints



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# Restraints

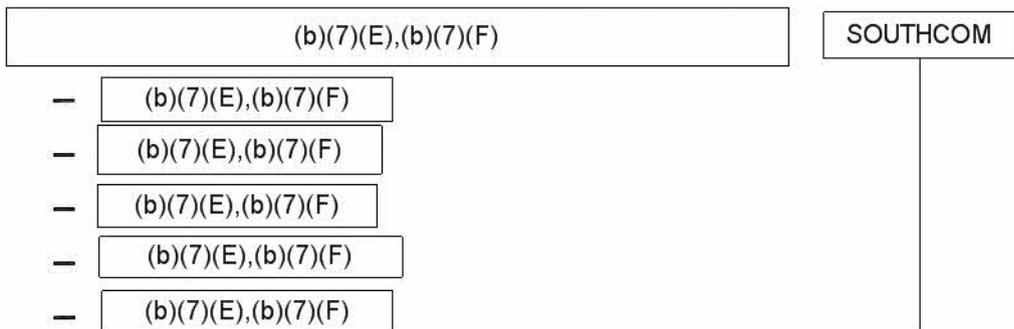


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# RFIs

- # of dependents on base
- # of personnel on leave



- What is the PN PR course of action regarding US Mil and AMCITS?
- Has the PN already initiated PR operations, if so, what are they?
- Will the PN request our assistance in PR to recover national interests?
- Who will be the PR mission coordinator for this event (JTF-B or MILGRP)
- Have US in country assets been coordinated within parallel planning? If so capabilities and locations?
- Have in country medical, family support team, PAO and security been notified?



## RFIs Cont.

- **Have initial reception point/facilities been established/notified?**
- **Has information been passed to JSRC, components, inter-agencies, and PN?**
- **Are we prepared to coordinate PR COA's with PN?**



# Tasks to Subordinate Elements



- **All MSC's**
  - Report check-out and check in of all JTF-B personnel traveling off post on official business
- **J3**
  - Provide SOUTHCOM with all exercises and activities for 120 days out.



# Questions?

# EXHIBIT I

DATE	TIME (MST)	POCs	Details
			SIERRA
7/9/09	0001	(b)(6)	Transferred log from previous sheet.
	0600		Bus departed for SPS
	1119		Per (b)(6) - 12 outbounds today to SPS
	1300		Assumed Watch Officer duties. NSTR from previous Watch Officer ( (b)(6) )
	1318		Phoned in to the Watch Officer: San Pedro Sula bus departed 1305L with 11 pax, 1 round trip person, x2 JSF, x2 drivers (total of 16 souls). (b)(6) ops normal, NSTR. In touch with J2 personnel and everything running smoothly. Next check-in will be 1600-1700L. 228 personnel to arrive 101940L Jul 2009. Mbr will RON at Hotel and RTB SCAB on Saturday bus.
	1322		Pushed info to the JOC floor and notified (b)(6) of pax.
	1550		(b)(6) briefed J3 (on behalf of (b)(6) and AMEMB) guidance on HN interactions and US policy as well as an explanation of current FP measures in place. Handouts to be disseminated by (b)(6) (b)(6) and (b)(6)
	1627		Phoned in to (b)(6) stated that the inbound 228 member will be arriving today at 2100L vice tomorrow. Situation normal. NSTR.
	1650		CDR's Huddle conducted in JOC
	2001		Watch Officer on call until 0600. Call Kilo-05 Rm 3 (b)(6) if Watch Officer is needed. JOC Controller's briefed. NSTR passed to the Controllers.

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DATE	TIME (MST)	POCs	Details
			SIERRA
7/8/09	0001		Transferred log from previous sheet.
	0130		(b)(6) relieved by (b)(6)
	0409		Video to Southern Command frozen. Audio still works. SOUTHCOM trying to reach tech to redial in.
	0600		Bus Departed for San Pedro Sula
	0700		Per SOUTHCOM: We need to restart our VTC in efforts to unfreeze the image on the SOUTHCOM side. We are picking them up in both audio and visual. Also, they would like to be informed if we need to disconnect for the 0800L VTC and reconnect post.
	0703		(b)(6) arrived at the JOIC, successfully restarted the VTC and informed SOUTHCOM that we would not need to disconnect for the 0800L.
	0718		Tasker: Received tasker concerning transportation of remains. Need all available paper work scanned and sent to PFACC WATCH by 1000L.
	0737		Per SOUTHCOM: We have approval to move the remains via van.
	0740		(b)(6) relieved by JOC.
	0830		(b)(6) contacted en route to SPS. NTR
	0835		Secured open VTC with SOUTHCOM
	1010		Paperwork task complete. Loading and transport being arranged in Teguc
	1015		13 outbound for today to SPS. 15 inbound expected.
	1042		Per UMMC Cronin: 4 additional PAX en route currently to SPS. 2 outbound and 2 escorts.
	1115		Remains enroute to Soto Cano AB.
	1149	(b)(6)	L100 Flight departed Charleston AFB at 1702Z; Flight will arrive at Soto Cano AB at 2142Z; L100 flight will depart Soto Cano AB and fly to Dover AFB.
	1305		(b)(6) reported that the bus departed San Pedro Sula. 11 PAX had arrived as of 1300. He will stay at the airport until all flights have arrived. 13 PAX departed today (inc (b)(6)).
	1316		(b)(6) remains arrived at Soto Cano AB. They are currently being transported to MEDEL.
	1410		(b)(6) en route to Teguc airport to pickup any inbounds that may have slipped thru the net.
	1428		Local Soto Cano AB bus was involved in a hit and run accident at 1030 this morning. No injuries. The bus sustained a few broken windows and some scratches. This was reported by JSF to the JOC.
	1529		JOC reported L100 is 30 minutes out
	1550		L100 wheels down 1545L
	1555		(b)(6) reports 4 more pax rec'd at San Pedro airport. They will stay at the Princess Hilton tonight for transport to SCAB tomorrow. All personnel were given a FP brief and notified of HND curfew. (b)(6)
	1600		(b)(6) still standing by at the airport.
	1615		(b)(6) reports 2 members from the 228th arrived in Teguc today and took a taxi to SCAB.
	1702		Spoke with (b)(6) about two personnel that arrived at Toncontin Airport; (b)(6) was involved in getting the required paperwork for (b)(6) and did not get to the airport in time to meet the 2 personnel from 228.
	1737		Bus from San Pedro Sula arrived at Soto Cano AB
	1800		(b)(6) remains loaded onto the L100.
	2400		L100 wheels up, enroute to Dover AFB. Estimated time of arrival, 0010.
	2400		(b)(6) relieved by (b)(6)
	2400		Transferred log to next sheet.

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DATE	TIME (MST)	POCs	Details
SIERRA			
7/7/09	0001		Transferred log from previous sheet.
	0130	(b)(6)	(b)(6) relieved by (b)(6)
	0234		(b)(6) 0145E Zelaya out of Managua. Arriving 0600E in DC, airport unknown. Meeting today with Secretary of State Clinton.
	0412		Transferred to VTC Control Room while the watch is practicing and performing their morning brief.
	0611		Per SOUTHCOM: Zelaya's appointment with Secretary of State Clinton is at 1300E. The Embassy is open. Airport status is still unknown.
	0715		Per (b)(6): Teguc Airport is closed. He will call everyday at noon for an update.
	0732		(b)(6) relieved by JOC.
	0730		Tasker: Received tasker concerning CNT missions in Honduras
	0730		Tasker: Contact (b)(6) and (b)(6) concerning SCO-PAN-MD-90A for Medical Helo to Darien, Panama. Support would be from 15-19 Aug. [STATUS UPDATE: CLOSED as of 1014]
	1120		Tasker: Verify that helo training missions are approved / not. Contact (b)(6) when /if missions are approved. Contact JTFB CDR w/ info. [STATUS CLOSED AS OF 1230; All missions for today approved]
	1130		JTFB personnel checking route to SPS reported roadblock on CA5 approx 15-20 minutes from SCAB. 60-65 people, peaceful. Cars and wood blocking the road. JTFB personnel returned to SCAB to debrief.
	1130		JTFB personnel debriefed w/ Deputy J2 & J3. They will try again after lunch and coordinate w/ OSI.
	1204		PFACC Watch called via VTC to inform JTFB of possible protest at HND Embassy of 3,000 people.
	1235		Protest is occurring in front of embassy. Peaceful with vendors and music. Crowd estimates range from 2k - 4k. Suspicious package cleared. Source: PFACC

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DATE	TIME (MST)	POCs	Details	
		SIERRA		
7/6/09	1		Transferred log from previous sheet.	
7/6/09	600	(b)(6)	<b>Zelaya departs from El Sal to Managua, staying at Hotel Mercedes</b>	
7/6/09	1235		JOC notified of possible pro Zelaya protest in front of SCAB at 1300. J3 called a conference call of MSC's ASAP.	
7/6/09	1245		Conference call w/ ARFOR, ASA, MEDEL, CJA, 612, JTFB CDR, (b)(6). J3 reports that a pro Zelaya protest may occur at 1300 in front of SCAB. Embassy contact reports that Tegucigalpa airport may be closed the entire week. JTFB looking at using San Pedro Sula airport to ex/infil personnel. JTFB CDR wants to ensure that infil personnel are headed back in before allowing exfil.	
7/6/09	1300		<b>JPG for mission analysis of transportation issue through San Pedro Sula</b>	
7/6/09	1300		<b>Tasker: from (b)(6); verify that commands sending personnel into SCAB turn TDY/PCS orders back on. No personnel out if no relief due in.</b>	
7/6/09	1406		OSI source indicates that taxi drivers are organizing a demonstration to occur in front of SCAB	
7/6/09	1500		OSI denies taxi cab driver organization with a "drive by" observation of entire SCAB wall along CR5	
7/6/09	1600		Downtown Comayagua no indications of any demonstration formations or "ill will". Many people in the street apparently to finish business before curfew starts.	
7/6/09	1609		Embassy	<b>American flagged air carriers into TGU have been cancelled for today; Delta may re-evaluate on a daily basis. TGU NOTAM closing airport through Friday. Roatan and San Pedro Sula appear open. Zelaya reportedly in El Salvador, then heading to DC. Curfew is 1830 - 0500.</b>
7/6/09	1634		(b)(6)	<b>Personnel TDY/PCS / returning from leave change their tickets to return at the earliest, Wednesday, July 7. Tasker to inform JTFB personnel part of San Pedro Sula Transportation Mission Analysis</b>
	2359		Transferred log to next sheet.	

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DATE	TIME (MST)	POCs	Details
			<b>SIERRA</b>
7/5/09	0001		Transferred log from previous sheet.
	0520	(b)(6)	Rcvd call from SOUTHCOM requesting details of current flight plan approval chain.
	0540		Gave DRAFT answer to (b)(6), who came to JOC to answer directly.
	0559		(b)(6) has the watch.
	0615		Notified that a (b)(6) was caught driving an easy-go with an open container. Individual received a DUI; alcohol level: .24; time: 0000L;
	0730		<b>SOUTHCOM RFIs received on SIPR concerning Zelaya's return to Honduras. RFI pertain to course of action if Zelaya were to divert to SCAB.</b>
	0750		Notified JTF-B CDR about RFIs
	0810		JTF-B CDR arrived to respond to RFIs
	1015		J3 Director arrived
	1040		<b>Information on Zelaya Flight from SOUTHCOM. Scheduled T/O is 1630Z/1030L. Aircraft: E-135. Call Sign: Fae001. Primary destination: Tegucigalpa. Alternate destination: Comalapa, El Sal/ Managua, Nic.</b>
	1045		PR Director talked to J6 Deputy Director requesting to establish VTC with SOUTHCOM in the JOIC. J6 has advised that VTC in the JOIC will take several days but J6 has sent personnel to attempt to establish VTC.
	1050	Recalled J2 Director, J3 Deputy Director, DCO, J3/SEA.	

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	1055	(b)(6)	Conference call with PFACC. Zelaya supporters expected 5k to walk from the university to the airport. Reports that both supporters and non supports are arming themselves. Zelaya expected to take off @ 1030L, 4 hour flight to Teguc.
	1130		JTF-B CDR wants to know how long it will take for USNS COMFORT helos to RTB
	1203		Zelaya flight plan update: Call Sign: Fae027. ETD: 1800Z. All else remain the same.
	1205		(b)(6) has the watch
	1215		JTF-B attempting a conference call with Admiral Meek. Currently discussing plan to exfil personnel from Nicaragua.
	1230		JTF-B will continue with missions in Nicaragua
	1247		RSO Security Alert: Approx 12K -15K pro-Zelaya supporters approaching Toncontin Airport
	1252		From Andrews AFB Base Operations: Updated flight departure time is now 1900Z.
	1315		USSOUTHCOM Reporting aircraft leaving Washington DC. One plane is going to Managua. Plane containing President Zelaya has not left.
	1355		NORAD FAA reports that both Venezeulan aircraft are now airborne, One aircraft was airborne at 1910Z bound for Managua. ETA Managua is 2324Z
	1355	Second Venezuelan aircraft is airborne as of 1924Z bound for Ft. Lauderdale. ETA Ft. Lauderdale is 2119Z.	
	1355	Two Ecuadorian flights left Andrews AFB. One left at 1935 and one left at 1948. Both aircraft have flight plans to Tegucigalpa. Flight time is estimated at 4.5 hours. The call signs of the aircraft are FAE027 and FAE051.	

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	1405	JOC	WARRIOR 21 is enroute from Managua to Chenandega. WARRIOR 22 is enroute to USNS COMFORT w/two patients onboard. The reserve helicopter is standing by in Managua.
	1426	JSSOUTHCOM	Reports that there is a US Secret Service agent onboard flight with President Zelaya. Call sign of aircraft is YV 1496.
	1450	JSSOUTHCOM	Report of US Secret Service agent onboard is false
	1457	RSO	RSO Security Alert 2009-41: Demonstrators have gained access to the parking lot in front of the Terminal without resistance from the Police and the military
	1513	J2	J2 verified with JSF that the front gate of Soto Cano AB is clear. This information was passed to the RSO.
	1520	(b)(6)	Checked with LNO NCOIC; he is at the safe house in Tegucigalpa; he is in contact with his airport security personnel; the Continental flight came in as scheduled, but contained no JTF-B personnel, flight only contained a few missionaries
	1521		Positive contact with (b)(6) in Managua, 1x UH-60 is secure and all personnel are at hotel
	1529	JSSOUTHCOM	USSOUTHCOM currently investigating the reports of Nicaraguan troop movements to the HND-NIC border
	1535	MILGRP HND	MILGRP HND reporting that runway at Toncontin Airport is still open but HND will block airport should a suspect aircraft arrive
	1536	JSSOUTHCOM	Aircraft that Zelaya is on is still scheduled to fly to Managua; Secret Service reports that plane intends to refile flight plan; plane is currently west of Cuba, north of the Yucatan Peninsula
	1542	MILGRP HND	Both papers in Tegucigalpa are reporting that Zelaya's aircraft is flying to El Salvador

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	1546	MILGRP HND	MILGRP building is not under threat from demonstrators
	1547	JSSOUTHCOM	Aircraft inbound to Managua is on Mode 3 transponder 7250 under Mexican ATC control , Ecuadorian aircraft has a Mode 3 transponder 1147
	1625	PFACC	VZ aircraft with Zelaya did not change its flight plan and is still filed for Managua. Ecuadorian aircraft with EC and AR presidents is under Havana ATC on its flight plan to Toncontin, HND.
	1630	(b)(6)	No more VIPs will be transported for the USNS COMFORT mission due to blanket ITO clearance approval.
	1647	JSSOUTHCOM	Zelaya 's plane ETA to Tegucigalpa 20-25 minutes.
	1649	JSSOUTHCOM	Plane departed Ft. Lauderdale and has a flight plan to Managua.
	1649	(b)(6)	Nicaraguan Air Force security increasing at Managua Airport
	1655	DAO NIC	(b)(6) standing by for updates - no significant change in activity at Managua airport
	1700	DAO El Sal	2 aircraft 20 miles apart at 37k' heading SW of Comalapa.
	1700	228	No activity at SCAB ATC. No increased activity with HOAF
	1703	CNN Esp	Reported 1 dead at TGU protests
	1717	JSSOUTHCOM	Zelaya's aircraft has passed Teguc heading towards Managua
	1720	228	Zelaya's plane 10-15k' 10 miles east heading towards TGU descending
	1721	JSSOUTHCOM	SOUTHCOM affirms same info as 228
	1724	228	ATC lost RADAR contact after Zelaya's plane dropped under 14k'

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	1725	CNN Esp	Visual on jet coming into TGU. HOAF has vehicles on runway
	1726	228	Zelaya 11000' and climbing heading SSE
	1728	228	Zelaya 13,500' ESE of Teguc and climbing. Heading SE on Managua track
	1731	228	Zelaya 17,000' and climbing still headed SE
	1731	PFACC	According to acting DATT for NIC, (b)(6), no indications from his sources of NIC troop movement toward HND
	1735	228	A/C headed towards SCAB 40 miles N at 35k'. Code 7215. This is the plane trailing Zelaya
	1737	228	7215 heading towards west of SCAB still at 35k'
	1740	DAO NIC	Zelaya approaching Managua 15-20 mins out
	1745	JSSOUTHCOM	both A/C heading towards Managua
	1750	228	228 in Managua reports a Gulfstream has landed at the airport
	1752	JSSOUTHCOM	Argentine A/C on the ground at Comalapa. Parked at milramp
	1756	228	HOAF placing vehicles and soldiers on SCAB runway in similar configuration to TGU
	1805	DAO NIC	YV1496 call sign of Falcon 50 that landed 1750L at Managua
	1807	CNN Esp	Reporting Zelaya has landed in Managua
	1825	(b)(6)	Front gate is closed UFN by the HOAF
	1825	228	Second Tail number (N977CP) Falcon 2000 has landed in Managua, per (b)(6). Linked back to Bank of America, & CITGO.
	1847	(b)(6)	Front gate is opened UFN by the HOAF to allow additional civilians to exit post.
	1900	(b)(6)	Comfort update: All Blackhawks on the ground in Managua, they moved 200 pax, continuing maintenance. Plan to perform the same tomorrow.

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	1905	228	Third plane landed in Managua with unknown tail number, headed for the Mil Ramp @ Airport.
	1930	LNO	LNO reports that the Tegu Airport will be closed to civilian traffic tomorrow, just Military operations only.
	1951	DAO	Zelaya is preparing to depart Managua to El Salvador in 30 minutes. Onboard YV 1496.
	2024	DAO	Aircraft containing Zelaya departed approximately 2014N from Managua to El Salvador. Aboard YV1496.
	2027	State Dept.	Southcom reported Zelaya landed in El Salvador.
	2120	CNN Esp	Live Via "Skype" with Zelaya with Presidents of El Salvador, Ecuador, Argentina showing support of Zelaya.
	2359		Transferred log to next sheet.



# EXHIBIT J

centerforconstitutionalrights  
on the front lines for social justice

December 23, 2013

Via email to: Thomas.D.Zimpleman@usdoj.gov

Thomas Zimpleman  
Trial Attorney  
U.S. Department of Justice  
Civil Division, Federal Programs Branch

Re: *Bigwood v. DOD, et al*, Docket No. 11-cv-00602

Dear Tom:

In advance of today's call, below are references to documents we have some questions about. I look forward to speaking with you soon.

As I indicated previously, after review of the recent production, we are still concerned about the adequacy of the search. In addition to discussing that, we also wanted to call your attention to a number of documents which appear to reference as sources other records originating in other government agencies or components. For example, the following documents reference other sources we believe should have been captured by the search and included in the production. We don't have to discuss each of these in detail as I am provide them by way of example.

- **(4/5/05 Honduras: Significant Issues)** Gang Violence Spirals, USSOUTHCOM-JIC 27 FEB 04; AmEmbassy Tegucigalpa 192150Z AUG 04; AmEmbassy Tegucigalpa, 041857Z JAN 05
- **(6/15/09 IEH)** US Embassy, Tegucigalpa Cable, 092345Z JUN 09; LAP20090613053003 Mexico City GMT 13 JUN 09.
- **(6/25/09 IEH)** AMEMBASSY Tegucigalpa Cables, 231433Z JUN 09; 181742Z JUN 09; 100141Z JUN 09.
- **(6/26/09 IEH)** AMEMBASSY Tegucigalpa Cables, 231433Z JUN 09; 181742Z JUN 09; 100141Z JUN 09
- **(6/29/09 IEH)** [redacted] MILGP Honduras; AEMBASSY Tegucigalpa Cables, 281458Z JUN 09; 231433Z JUN 09; 181742Z HUN 09; 100141Z JUN 09.
- **(7/6/09 IEH)** LAP20090630498001, 302200Z JUN 09.
- **(7/8/09 IEH)** Amembassy Tegucigalpa 070142Z JUL 09.
- **(7/8/09 IEH)** Amembassy Tegucigalpa 070103Z JUL 09, LAP20090706006003, LAP20090707042001, [redacted]
- **(7/9/09 IEH)** IIR 6 841 0192 09; IIR6841018709; LAP20090708068004
- **(7/13/09 IEH)** Serial 503332-09DTG 101555Z JUL 09; Serial 130-09 DTG 091351Z JUL 09; AMEMBASSY Tegucigalpa DTF 100020Z JUL 09.

Letter to T. Zimpleman  
December 23, 2013

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- **(7/15/09 IEH)** LAP20090813068001
- **(7/15/09 IEH)** LAP20090714001001
- **(7/17/09 IEH)** 15 JUL LAP20090715054001, LAP20090714010002.
- **(7/21/09 IEH)** AMEMBASSY Managua email 19 JUL 09
- **(7/22/09 IEH)** EUP20090721104011, redacted; AMEMBASSY Managua email 19 JUL 09; IIR 641 00228 09; TAT Tegucigalpa correspondence Coordinated with JIATF-S.
- **(7/23/09 IEH)** AMEMBASSY Managua email 21 JUL 09.
- **(7/24/09 IEH)** EUP20090720102004 Paris AFP (North European Service) LAP20090719059001.
- **(7/29/09 IEH)** AMEMBASSY Managua email 23 JUL 09.
- **(7/31/09 IEH)** AMEMBASSY Managua email 29 JUL 09.
- **(8/3/09 IEH)** LAP200908010509002; LAP2009081049001 EUP20090801644003; AMEMBASSY Managua email 19 JUL 09.
- **(8/5/09 IEH)** Amembassy Tegucigalpa 032313Z AUG 09; LAP20090804049001; LAP20090804049004
- **(8/6/09 IEH)** Amembassy Tegucigalpa 032313Z AUG 09; LAP20090804049001; LAP20090804049004
- **(8/7/09 IEH)** LAP2009080647004; Amembassy Tegucigalpa 061722Z AUG 09 LAP20090806071001 LAP20090805059001; IIR6841034209; IIR2231074009 Amembassy Tegucigalpa 032313Z AUG 09; LAP20090804049001; LAP20090804049004
- **(8/14/09 IEH)** OSC/EUP20090813196010 London Guardian.co.uk in English 12 Aug 09; OSC/LAP20090813026001, Tegucigalpa Channel 3 in Spanish 13 Aug 90.
- **(8/20/09 IEH)** LAP20090817026002 San Pedro Sula Tiempa.hn in Spanish 17 AUG 09; LAP20090818049003 Tegucigalpa El Herald.hn in Spanish 18 Aug ); LAP20090818071006 Parish AFP in Spanish to Mexico, Central America, and the Caribbean in Spanish 1735 GMT 18 AUG 09; LAP20090817470002 Mexico City EL UNIVERSAL.com.mx in Spanish 17 Aug 09; LAP20090819021002 Buenos Aires El Cronista.com in Spanish 19 Aug 09.
- **(8/21/09 IEH)** Serial 521275 DTG 201524Z AUG 09; [redacted] 192300Z AUG09 Honduras SITREP; 09TEGUCIGALPA783 Embassy Tegucigalpa.
- **(8/24/09 IEH)** Serial 521396 DTG 210000Z AUG 09; Serial 20-09 DTG 211501Z AUG 09; AMEMBASSY Tegucigalpa 789 20 AUG 09, WHA Early Alert 21 AUG 09; LAP20090820471001 Honduras -- OSC Analysis in English 20 AUG 09; LAP200908200026001 Tegucigalpa
- **(8/25/09 IEH [unsure if this is proper date, undated IEH])** Serial 504420-09, 24161ZAUG09.
- **(8/26/09 IEH)** AMEMBASSY Tegucigalpa DTG 242251Z AUG 09.

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- **(8/28/09 IEH)** OSC, LAP20090826061009, 26 AUG 09; 504507-09, 262324ZAUG09.
- **(8/31/09 IEH)** OSC, LAP20090829206004, 29 AUG 09, OSIF Report: Media Reporting on Ramon Custodio and the Closing of US base in Honduras 28 AUG 09.
- **(9/1/09 IEH)** WHA Early Alert 31 AUG 09; AMEMBASSY Tegucigalpa 31 AUG 09; 522358-09 DTG 310036Z AUG 09.
- **(9/8/09 IEH)** USMILGP Tegucigalpa 4 SEP 09; Serial 522852-09 DTG 031905Z SEP 09; AP 3 SEP 09; LAP20090904068001 San Pedro Sula Tiempa.hn in Spanish 04 Sep 09; AMEMBASSY TEGUCIGALPA, 000880, 022344Z SEP09.
- **(9/18/09 IEH)** LAP2009091705001; LAP20090916068002; LAP20090915926002.
- **(9/23/09 IEH)** TAT Honduras; email exchange, 22 SEP 09; 401-09, 221628ZSEP09; 135-09, 221613ZSEP09; 221613ZSEP09; 403-09, 221739ZSEP09; 500906-09, 221822ZSEP09; 83-09, 221813ZSEP09; 404-09, 221909SEP09; 500908-09
- **(9/24/09 IEH)** 505051-09, 222327ZSEP09 122-09, 222230ZSEP09; 123-09, 231922ZSEP09; 408-09, 231642ZSEP09.
- **(9/25/09 IEH)** 505051-09, 222327ZSEP09; 122-09, 222230ZSEP09; 123-09, 231922ZSEP09; 408-09, 231642ZSEP09; AMEMBASSY TEGUCIGALPA, TEGUCIGALPA 000962, 250055ZSEP09.
- **(9/28/09 IEH)** OSC CEP20090927950023 Moscow ITAR; 505051-09, 222327ZSEP09; 123-09, 231922ZSEP09; 408-09, 231642ZSEP09; email exchange, 22 SEP0; A/ARMA Honduras; email exchange, 22SEP09; 401-09, 221628ZSEP09; 135-09, 221613ZSEP09; 260015ZSEP09; 260026ZSEP09; 260053ZSEP09.
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- **(9/30/09 IEH)** LAP2009092802600; 29 SEP 09 LAP20090929068001; AMEMBASSY Tegucigalpa 300531ZSEP09; AMEMBASSY Tegucigalpa 29311ZSEP09.
- **(10/1/09 IEH)** AMEMBASSY Tegucigalpa; 302249ZSEP09.
- **(10/2/09 IEH)** LAP20090929071013
- **(10/5/09 IEH)** LAP20091003053013 EFE 3 OCT 09; AMEMBASSY BRASILIA, Brasilia 001210, 021056ZOCT09, OSC LAP20091002032002, 022333ZSEP09; OSC LAP20091004053008; 050121ZOCT09.
- **(10/16/09 IEH)** LAP20091015053008, 15OCT09
- **(10/20/09 IEH)** AMEMBASSY Tegucigalpa 200013ZOCT09; AMEMBASSY Tegucigalpa 200032ZOCT09.
- **(10/28/09 IEH)** OSC LAP20091026026003 262033ZOCT09.
- **(10/30/09 IEH)** AMEMBASSY Tegucigalpa 280234ZOCT09
- **(11/2/09 IEH)** LAP20091101049003, 01NOV09; LAP20091030060010, 30OCT09;
- **(11/9/09 IEH)** OSC LAP20091106026001; OSC LAP 20091107062004001.

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- **(11/13/09 IEH)** USMILGP SITREP 9 AUG 09; USSTRATCOM Foreign Media Analysis Center, OAS Mission to visit Honduras next week, 11 AUG 09.
- **(11/14/09 IEH)** OSC LAP20091111026004 112150ZNOV09; OSC LAP20091111049013 120009ZNOV09.
- **(11/17/09 IEH)** AMEMBASSY Tegucigalpa 061645ZNOV09
- **(11/23/09 IEH)** AMEMBASSY Tegucigalpa 210051ZNOV09
- **(11/30/09 IEH)** AMEMBASSY Tegucigalpa 001212 DTG 271914Z; USMILGROUP reporting, 29 NOV.
- **(12/1/09 IEH)** Serial 1283-09; DTG 301450Z; AMEMBASSY Tegucigalpa 001219; 001220; 001221; 001222 DTG 30004Z NOV 09.
- **(12/2/09 IEH)** AMEMBASSY 09 TEGUCIGALPA1231; 09 TEGUCIGALPA123; 09STATE122781.
- **(12/7/09 IEH)** LAP20091205001001 Caracas Telesur Television in Spanish 05 DEC 09; AMEMBASSY 09 TEGUCIGALPA1250; 09 TEGUCIGALPA1244; 09 TEGUCIGALPA1241; LAP20091203061010 EFE Headline.
- **(12/9/09 IEH)** TAT Tegucigalpa e-mail correspondence 08 DEC 09
- **(12/17/09 IEH)** AMEMBASSY 09TEGUCIGALPA1290; 09 TEGUCIGALPA1289
- **(1/11/10 IEH)** AMEMBASSY 10 TEGUCIGALPA6; AMEMBASSY 10TEGUCIGALPA2; OSC, LAP20100107001001, 07 JAN 10.
- **(1/20/10 IEH)** 1820597 JAN 10; AMEMBASSY 10 TEGUCIGALPA35 000026; AMEMBASSY 10 TEGUCIGALPA26 000026; LAP20100115006003 Panama ity prensa.com 15 JAN 10.
- **(1/22/10 IEH)** AMEMBASSY GUATEMALA, DTG:202139Z JAN 10; LAP20100121020001; LAP20100118026001
- **(2/22/10 IEH)** (U) FEA20100222001796 OSC Feature-La Tribuna Online 19 FEB 10; (U) LAP20100222032002 Brazil-OSC Summary in Portuguese 22 FEB 10.
- **(9/14/10 IEH)** USEMBASSY Tegucigalpa, Tegucigalpa 00904, 100048ZSEP09.

Additionally, we have noted a number of documents that appear to suffer from overbroad redactions. We can provide you with more detailed analysis of why we reached this conclusion subsequent to the call and when we have a clearer sense of the government's view on this.

Best,

Pam Spees