Mission Statement

The Military Commissions Defense Organization provides ethical, zealous, independent client-based defense services under the Military Commission Act in order to defend the Rule of Law and maintain public confidence in the nation's commitment to equal justice under law.
A TEAM OF TEAMS

• Located in Crystal City and Rosslyn & GTMO
• Every branch of service with reserve support from three of the four services
• Authorized 125 GS employees, 85 military members, a handful of contractors, and each team CA and/or MJ approved experts
What I Worry About

• Manpower & Resource Challenges
  – GTMO can’t logistically handle these cases & has a housing shortage
  – Having enough people (I rate 210 and have about 150) & huge delays in hiring
  – Security Clearance Processing Time
  – No back-up for loss of Learned Counsel
  – Office Space (NCR 2 year late/ELC Expansion 1 year late & not completed)
    • None for three new cases, we lost 50% of P2P terminals and a large SCIF
  – Linguist for Discovery Project
    • $6 Million – requested Feb 17, Approved Aug 17, Delivery Oct 19?, but no SCIF space for them
    • What happens when I get three more cases in a litigation posture?

• Burnout (and FBI Investigations and Security Clearance threats add to that)
• Ongoing tension between the Defending the Rule of Law & Protecting National Security
  – Ongoing intrusions into the Attorney-Client Relationship
    • Concern about confidentiality in meeting rooms – rooms recently swept
    • Former Paralegal Issue
    • History on this issue – to include 6 CDC Directed Investigations into Unexplained Home or Car Entries
      • AE 350(TTT) – Serious allegations against defense team members
  – Restrictions on Defense Function – Investigations & Client Meetings
  – Discovery Practices & Handling Restrictions
  – Public Access

• CA Turnover & Neutrality (We just get my 6th CA (and he just recused himself from 2 cases)) & Involvement of the CA’s Office in MCDO Matters
Government Discovery Completion Promises in the 9/11 Case

- 30 Sep 2016 AE397G Gov claimed to have complied with obligations [Link](https://www.mc.mil/Portals/0/pdfs/KSM2/KSM%20II%20(TRANS24Mar2017-AM2).pdf)
- 24 March 2017 “We’ll be finished with it and we’ll have complied… 30 September 2017” [Link](https://www.mc.mil/Portals/0/pdfs/KSM2/KSM%20II%20(TRANS26Jul2019-MERGED).pdf) 24707 AE639I