



OFFICE OF THE SECRETARY OF DEFENSE
OFFICE OF MILITARY COMMISSIONS
4800 MARK CENTER DRIVE
ALEXANDRIA, VA 22350-2100

September 27, 2017

MEMORANDUM FOR RICHARD KAMMEN, LEARNED COUNSEL – *U.S. v. Al Nashiri*

SUBJECT: Availability of Magnetic Resonance Imaging Scanner at Guantanamo Bay

1. On April 9, 2015, the military judge in the military commission case of *United States v. Abd Al Rahim Hussayn Muhammad Al Nashiri* ordered the Convening Authority in AE 277M to provide a Magnetic Resonance Imaging (MRI) scanner for Mr. al Nashiri for potential mitigation evidence purposes.
2. The Office of the Convening Authority has procured an MRI scanner on a temporary basis for utilization at the Naval Station Guantanamo Bay to comply with the Order in *U.S. v. al Nashiri*. The MRI is expected to be on island for approximately four months, from approximately mid-October 2017 through mid-February 2018, after which time it will be returned to the United States. Per your prior correspondence with this office, the MRI meets the specifications needed in order to carry out the desired scanning.
3. Your most recent correspondence to me dated June 16, 2017, reiterated your desire to allow “appropriate consultation by defense experts with the imaging team sufficiently in advance.” As my predecessor stated in his November 20, 2015 memorandum to you, “our office does not control the policies regarding your and Dr. Crosby’s access to Mr. al Nashiri....”
4. When you desire that your client receive MRI imaging for mitigation purposes while the MRI scanner is available between the dates outlined above, please contact the Joint Task Force GTMO Litigation Support Department in order to coordinate facilitation of the MRI’s use and other particulars at the following address:

southcom.gtmo.jtf-gtmo-sja.mbx.lss@mail.mil

GARY D. BROWN
Chief of Staff
Office of Military Commissions

cc:
Office of Military Commissions, Chief Prosecutor
Military Commissions Defense Organization, Chief Defense Counsel

