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VINCENT J. WARD
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November 10, 2016

Via Fed- Ex
Office of the Pardon Attorney
Attn: Mr. Zuazmer
145 N. Street N.E.
Room 5E.508
Washington, D.C. 20530

Re: Clemency Application for Ms. Chelsea Manning

Dear Mr. Zauzmer,

On behalf of our client, Ms. Chelsea Manning, please find the enclosed application for the commutation of Ms. Manning's court-martial sentence to time served. Included in the application are letters of support from Daniel Ellsberg, Morris Davis, and Glenn Greenwald, the unclassified portions of her appellate brief to the Army appellate court, and excerpts from the court-martial, including her statement of apology to the military judge. As you will see in the application, Ms. Manning is well into the sixth year of a thirty-five year sentence for disclosing classified information to the media with the intention of raising public awareness about issues she found concerning, including the impact of war on innocent civilians.

We acknowledge that this is Ms. Manning's second clemency application and that her appeal is still pending, but we urge the President to carefully consider and grant her request. President Obama has taken admirable steps to provide many criminal offenders with a "second chance" through his clemency powers. If approved, Ms. Manning will have a first chance to live a real, meaningful life.

Ms. Manning has never made excuses for disclosing classified materials to the news media. She accepted responsibility at trial by pleading guilty without the benefit of a plea agreement, an unusual act of courage in a case such as hers. Despite pleading guilty, the military prosecutors sought to characterize Ms. Manning's behavior as treasonous, an effort that ultimately failed. Unfortunately the trial had become a public spectacle, and with the Army under

great scrutiny, the active duty military judge sentenced Ms. Manning to thirty-five years confinement.

Unlike in federal criminal cases, military judges in courts-martial do not have the benefit of sentencing guidelines and do not rely on historical precedent for sentencing decisions. It is a vestige of an outdated military justice system that in most cases is non-prejudicial because the vast majority of courts-martial concern routine offenses or uniquely military misconduct. In a case like Ms. Manning's, however, a military judge has no way of knowing what constitutes fair and reasonable punishment.

Nor did the military judge appreciate the context in which Ms. Manning committed these offenses. Ms. Manning is transgender. When she entered the military she was, as a young adult, attempting to make sense of her feelings and place in the world. Ms. Manning's difficulties were compounded by the reality that the military at the time was not a welcoming place for transgender men and women. This caused Ms. Manning considerable grief because she wanted to serve her country, but to do so she had to suppress her true self and feelings. Also during this time many of Ms. Manning's fellow soldiers teased and bullied her because she was "different." While the military culture has improved since then, these events had a detrimental effect on her mentally and emotionally leading to the disclosures.

Ms. Manning is currently involved in litigation over her access to therapy for gender dysphoria. She merely wants to live openly as a woman, and even though the military has finally opened its doors to transgender men and women, the government has fiercely fought Ms. Manning's efforts. The Army even opposed Ms. Manning's request to use her legal name, Chelsea, and to refer to her with female pronouns, during the course of the appeal. Thankfully the military appellate court rejected the Army's draconian position. Even after the Administration's efforts to diversify and bring tolerance to the military, Ms. Manning still fights daily for her right to be identified as a woman. This fight has taken a great toll on her.

Since Ms. Manning's arrest she has been subjected to torturous conditions while in military confinement. For nearly a year Ms. Manning was held in solitary confinement while awaiting trial, and since her conviction, has been placed in solitary confinement for an attempted suicide. This conflicts with the President's mandate to halt the use of solitary confinement for *any* purpose. The United Nations has taken up the fight against the use of solitary confinement. As the former U.N. special rapporteur on torture, Juan Mendez, explained, "[solitary confinement] was a practice that was banned in the 19th century because it was cruel, but it made a comeback in the last few decades." This Administration should consider Ms. Manning's prison conditions, including the significant time she spent in solitary confinement, as a reason for reducing her sentence to time served.

Our military leaders often say that their most important job is to take care of their service members, but no one in the military has ever truly taken care of Ms. Manning. This application

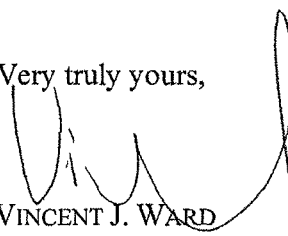
FREEDMAN BOYD HOLLANDER GOLDBERG URIAS & WARD P.A.
November 10, 2016

presents an opportunity for the President, as Commander in Chief, to take care of one of his soldiers. Ms. Manning's request is reasonable – she is merely asking for a time served sentence – the result of which would still place her off the charts for an offense of this nature. She will be left with all of the other consequences of the conviction, including a punitive discharge, a reduction in rank, and the loss of veteran's benefits.

The government has wasted considerable resources on Ms. Manning's prosecution, including by proceeding in a months long trial that resulted in a not-guilty verdict as to the most serious allegations, and by fighting Ms. Manning's efforts to obtain treatment and therapy for gender dysphoria. She has spent over six years in confinement for an offense that in any other civilized judicial system would have resulted in at most a few years of prison time.

Therefore, we urge you to grant Ms. Manning's request for the commutation of her court-martial sentence to time served.

Very truly yours,



VINCENT J. WARD
NANCY HOLLANDER

VJW/rt
Enclosures

cc: U.S. Army
Secretary of the Army
Department of the Army
ATTN: OT JAG-CLD
Pentagon
Washington, DC 20310

Petition for Commutation of Sentence

Please read the accompanying instructions carefully before completing the application. Type or print the answers in ink. Each question must be answered fully, truthfully and accurately. If the space for any answer is insufficient, you may complete the answer on a separate sheet of paper and attach it to the petition. You may attach any additional documentation that you believe is relevant to your petition. The submission of any material, false information is punishable by up to five years' imprisonment and a fine of not more than \$250,000 §§ 1001 and 3571.

Relief sought: (check one)

- ☐ Reduction of Prison Sentence Only ☐ Reduction of Prison Sentence and Remission
☐ Remission of Fine and/or Restitution Only ☒ Other _____

To The President of the United States:

The undersigned petitioner, a Federal prisoner, prays for commutation of sentence and in support thereof states as follows:

1. Full name: CHELSEA ELIZABETH MANNING
First Middle Last

Reg. No. 89289-01-10 (U.S. ARMY) Social Security No. [REDACTED]

Confined in the Federal Institution at UNITED STATES DISCIPLINARY BARRACKS,
FORT LEAVENWORTH, KANSAS

Date and place of birth: DECEMBER 17, 1987 OKLAHOMA CITY, OKLAHOMA

Are you a United States citizen? ☒ yes ☐ no
If you are not a U.S. citizen, indicate your country of citizenship

Have you ever applied for commutation of sentence before? ☒ yes ☐ no
If yes, state the date(s) on which you applied, and the date(s) when you were notified of the final decision on your petition(s).

DATE APPLIED: SEPTEMBER 3, 2013

DATED NOTIFIED: SEPTEMBER 11, 2013

Offense(s) For Which Commutation Is Sought

2. I was convicted on a plea of GUILTY, IN PART
NOT GUILTY, IN PART in the United States District Court
(guilty, not guilty, nolo contendere)
for the N/A (U.S. ARMY) District of N/A (U.S. ARMY) of the crime of:
(Northern, Western, etc.) (identify state)

Offense(s) For Which Commutation Is Sought

CHARGE I: ARTICLE 134, UNIFORM CODE OF MILITARY JUSTICE (UCMJ), GENERAL ARTICLE (10 U.S.C. § 934)—

(State specific offense(s); provide citation of statute(s) violated, if known)

1 SPECIFICATION OF WRONGFUL AND WANTON PUBLICATION TO THE INTERNET INTELLIGENCE BELONGING TO THE U.S.

5 SPECIFICATIONS OF STEALING, PURLOINING OR KNOWINGLY CONVERTING U.S. GOVERNMENT RECORDS (18 U.S.C. § 641);

7 SPECIFICATIONS OF WILLFUL COMMUNICATION OF INFORMATION RELATING TO THE NATIONAL DEFENSE (18 U.S.C. § 793(e));

2 SPECIFICATIONS OF EXCEEDING AUTHORIZED ACCESS ON A U.S. GOVERNMENT COMPUTER (18 U.S.C. § 1030(a)(1)); AND,

CHARGE II: ARTICLE 92, UCMJ, FAILURE TO OBEY ORDER OR REGULATION (10 U.S.C. § 892)—5 SPECIFICATIONS

I was sentenced on AUGUST 21, 2013, to imprisonment for 35 YEARS, to pay
(month/day) (year)

☐ a fine of \$ N/A, ☐ restitution of \$ N/A, and to
(do not include special assessment)

☐ supervised release or ☐ special parole for N/A, and/or to probation for
N/A. I was 22 years of age when the offense was committed.
(length of sentence)

3. I began service of the sentence of imprisonment on MAY 27, 2013, and I am projected to
(month/day) (year)

be released from confinement on NOVEMBER, 2039.
(month/day) (year)

Are you eligible for parole? ☐ yes ☒ no

If yes, indicate the date when you became eligible for release, and state whether your application for parole was granted or denied

N/A

Have you paid in full any fine or restitution imposed on you? ☐ yes ☐ no

If the fine or restitution has not been paid in full, state the remaining balance.

N/A

4. Did you appeal your conviction or sentence to the United States Court of Appeals?

Is your appeal concluded? ☐ yes ☒ no

If yes, indicate whether your conviction or sentence was affirmed or reversed, the date of the decision, and the citation(s) to any published court opinions. Provide copies of any unpublished court decisions concerning such appeals, if they are available to you.

N/A

Did you seek review by the Supreme Court? ☐ yes ☒ no

Is your appeal concluded? ☐ yes ☒ no

If yes, indicate whether your petition was granted or denied and the date of the decision.

N/A

Offense(s) For Which Commutation is Sought

Have you filed a challenge to your conviction or sentence under 28 U.S.C. § 2255 (habeas corpus)?

☐yes☒no

Is your challenge included?

☐yes☒no

If yes, indicate whether your motion was granted or denied, the date of the decision, and the citation(s) to any published court opinions, if known. Provide copies of any unpublished court decisions concerning such motions, if they are available to you. If you have filed more than one post-conviction motion, provide the request information for each such motion.

N/A

5. **Provide a complete and detailed account of the offense for which you seek commutation, including the full extent of your involvement. If you need more space, you may complete your answer on a separate sheet of paper and attach it to the petition.**

SEE ATTACHED DOCUMENTS

Other Criminal Record

6. **Aside from the offense for which commutation is sought, have you ever been arrested or taken into custody by any law enforcement authority, or convicted in any court, either as a juvenile or an adult for any other incident?** ☐yes ☒no

For each such incident, provide: the date, the nature of the charge, the law enforcement authority involved, and the final disposition of the incident. You must list every violation, including traffic violations that resulted arrest or in an criminal charge, such as driving under the influence.

Arrests:

N/A

Convictions:

N/A

Reasons for Seeking Clemency

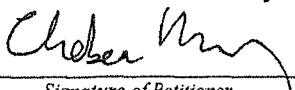
7. State your reasons for seeking commutation of sentence. If you need more space, you may Complete your answer on a separate sheet of paper and attach it to the petition.

SEE ATTACHED DOCUMENTS

Certification and Personal Oath

I hereby certify that all answers to the above questions and all statement contained herein are true and correct to the best of my knowledge, information, and belief. I understand that any intentional misstatements of material facts contained in this application form may cause adverse action on my petition for executive clemency and may subject me to criminal prosecution.

Respectfully submitted this 8th day of NOVEMBER, 2016.
(month) (year)



Signature of Petitioner

Additional Information in Support of Manning's Application for Clemency

Three years ago I requested a pardon related to my conviction for disclosing classified and other sensitive information to the media out of concern for my country, the innocent civilians whose lives were lost as a result of war, and in support of two values that our country holds dear – transparency and public accountability. As I reflect on the prior clemency petition I fear my request was misunderstood.

As I explained to the military judge who presided over my trial, and as I have reiterated in numerous public statements since these offenses occurred, I take full and complete responsibility for my decision to disclose these materials to the public. I have never made any excuses for what I did. I pleaded guilty without the protection of a plea agreement because I believed the military justice system would understand my motivation for the disclosure and sentence me fairly. I was wrong.

The military judge sentenced me to thirty-five years confinement – far more than I could have ever imagined possible, as there was no historical precedent for such an extreme sentence under similar facts. My supporters and legal counsel encouraged me to submit a clemency petition because they believed the conviction itself coupled with the unprecedented sentence was unreasonable, outrageous and out of line with what I had done. In a state of shock, I sought a pardon.

Sitting here today I understand why the petition was not acted on. It was too soon, and the requested relief was too much. I should have waited. I needed time to absorb the conviction, and to reflect on my actions. I also needed time to grow and mature as a person.

I have been confined for over six years – longer than any person accused of similar crimes ever has. I have spent countless hours revisiting those events, pretending as though I did not disclose those materials and therefore was free. This is in part because of the mistreatment I have been subjected to while confined.

The Army kept me in solitary confinement for nearly a year before formal charges were brought against me. It was a humiliating and degrading experience – one that altered my mind, body and spirit. I have since been placed in solitary confinement as a disciplinary measure for an attempted suicide despite a growing effort – led by the President of the United States – to stop the use of solitary confinement for *any* purpose. These experiences have broken me and made me feel less than human.

I have been fighting for years to be treated respectfully and with dignity; a battle I fear is lost. I do not understand why. This administration has transformed the military through the reversal of “Don’t Ask Don’t Tell” and the inclusion of transgender men and women in the armed forces. I wonder what I could have been had these policies been implemented before I joined the Army. Would I have joined? Would I still be serving on active duty? I cannot say for sure.

But what I do know is that I am a far different person than I was in 2010. I am not

Additional Information in Support of Manning's Application for Clemency

Bradley Manning. I really never was. I am Chelsea Manning, a proud woman who is transgender and who, through this application, is, respectfully requesting a first chance at life. I wish I were strong and mature enough to realize this back then.

This journey has been difficult. You see, I have struggled with my gender identity throughout my entire life. I have – for many years – been overcome with intense feelings of loss, frustration, loneliness, and discomfort with my body and role in society. When I was younger, I did not understand. But from an early age I had a vague sense that I was somehow “different.”

Growing up in the small town of Crescent, Oklahoma, I was often picked on and made fun of at home, at school, and on the school bus for my effeminate mannerisms and speech. I was called "girly-boy," "faggy," "bent," and "crooked" by other kids in town. The adults had veiled phrases that I did not understand at the time, such as being "light in the loafers," or "special." It was clear that I was different, especially from what my boy peers expected, and even from what parents and teachers expected.

By middle school, I desperately wanted to fit in. I volunteered for virtually everything that was considered traditionally masculine at school and by my friends. I spent a lot of time focused on fitting in, and presenting myself as a real "boy," and then a real "dude." Through all of this, I learned how to suppress a lot of my more feminine features from my personality. I focused on academics, especially the social sciences, history, science, mathematics, and-later-computer science.

After my parents divorced when I was 11 or 12, I moved in with my mother to the United Kingdom. While there, my sense of alienation during my teenage years was further exacerbated. Every single day, I was an American in a British school – and, more than that – I was a "feminine" American guy.

However, during these years, I had a secret. I was cross-dressing on an almost weekly basis at times. After "indulging" myself with looking feminine in the mirror, I would feel ashamed. I would get angry at myself. Then I would purge all of the cosmetics, clothing, and accessories. I would throw them away into a random dumpster in my neighborhood. I would swear to myself that I would never do it again, only to return to it a few weeks later.

By the time I finished school, I accepted that I had an attraction to guys and identified as an openly gay kid. Unfortunately, even after coming out, I still felt unsettled. I started experimenting with looking more androgynous, trying to push the boundaries of what I could get away with through fashion. I dyed my hair black and let it grow longer. I started wearing eyeliner in public. Despite crossing these boundaries, though, I was still trying to fit in as a male.

After I moved back to the United States, I was living with my father and his new wife. While experimenting, friction developed between me – an increasingly flamboyant and showy young adult – and my father's wife. She was not accepting of me. We had

Additional Information in Support of Manning's Application for Clemency

many arguments and fights. Eventually, I was kicked out of the house. I became homeless.

I lived a somewhat nomadic life for the next several months. I roamed through the mid-west. This included Tulsa, Oklahoma; Joplin, Missouri; St. Louis, Missouri; Springfield, Illinois; Rockford, Illinois; and finally Chicago, Illinois. These times were rough. There were many nights that I was afraid of getting robbed of what little I had, or raped, or even worse.

Thankfully, after a few stressful months of surviving on the streets, my paternal aunt in Maryland found me. She called dozens of people, eventually tracking down someone who had my cell phone number that I was using in Chicago. She offered to let me live with her. I accepted her generous offer. But, I did not have enough money to travel. She wired me just enough money to drive to Maryland. She saved me.

After settling in Maryland, I started going to a local community college and working odd-hours jobs in food and sales. I was a barista, a clothing store associate, and a full time student – all at the same time. I worked or studied over 100 hours each week. I tried very hard to get ahead, but I soon burned out.

While going through another phase of experimentation, I started seeing a psychologist to discuss my gender identity. I knew what "transgender" meant, but I had incorrect assumptions about trans women. Terrified, even after seeing her for a few sessions, I avoided the topic entirely. I kept suppressing my restlessness.

By this time, I was seriously contemplating the possibility of a gender transition. I had the rough idea of a plan. I mulled over the idea of living full-time as a woman and starting hormones. I had only a few hundred dollars in my pocket, and virtually no resources readily available to me. After years of harassment growing up, I was socially conditioned to avoid even talking to a psychologist. I knew I needed help. I was afraid to get it. I also worried it might not be available to me. I was terrified. I was afraid I would lose the support of my aunt. I did not recognize unconditional love when it was right in front of me.

This was the summer of the "surge" in Iraq. Major developments in the conflict received blanket coverage on my aunt's television every night. I began to wonder about joining the military. When things were looking bleak, I thought, "maybe I can help out." One day, with a little nudging from my father over the phone, who served in the U.S. Navy many years before, I walked into a joint military recruiting center in Rockville, Maryland.

During the recruitment process, I chose the military job of "all-source intelligence analyst" for the U.S. Army. I chose this field because of my interest in international politics, foreign policy, counterterrorism tactics, and counterinsurgency strategy. I was also trying to avoid being pigeonholed into an information technology job, largely a support role. I wanted to be more involved in the actual operations of the conflict.

Additional Information in Support of Manning's Application for Clemency

I officially enlisted in the U.S. Army in secret. I did not tell anyone in my family until after I had enlisted. Over a long, emotional dinner, I told my aunt. She was devastated, but she accepted my decision. After in-processing at Fort Meade, Maryland, I reported for basic combat training at Fort Leonard Wood, Missouri.

I was woefully unprepared for the military. I was neither physically nor mentally prepared for the training. I developed a neurological issue in my right arm and left foot. I was placed into a medical hold status for several weeks. This extended my basic training by a couple of months. At one point, I was offered the option of being discharged but I balked at this option. I instead waited because I wanted to continue my training, which I eventually returned to and finished.

My intelligence training was at the military intelligence school in Fort Huachuca, Arizona. My interests in geopolitics and statistical mathematics, as well as my familiarity with databases and computer networks, suited the job. I quickly adapted and learned the trade with enthusiasm. After finishing my training, I moved to Fort Drum, New York, for my first active duty assignment.

Even during the basic training process, my military peers knew about my vulnerability. In close quarters, they tried to find out which buttons to push. I often ignored the rumors, the taunts, and the loaded comments. The institution as a whole didn't help.

This was the era of the "Don't Ask, Don't Tell" law and policy. It seemed that even title 10 of the U.S. Code was teasing me. I lived through it all. I did not complain. I rarely fought back. The few times I did fight back, I ended up being the bad guy. Some pointed the finger and said "angry," "crazy," "unstable." The truth is that I was hurt. I did not yet realize just how much, though. I just knew I had to "suck it up" and "drive on."

I hoped that the military would somehow "cure" me, or "fix" me. Instead, my feelings did not go away. They became much more intense, and much more difficult to act on. I just placed myself into an even more difficult situation. Now I was being cut off from the few resources and treatments that I was merely embarrassed about seeking previously. Now, it had the potential to ruin my career; to ruin my life.

I desperately wanted to succeed. I wanted to do great things. I wanted to finish my time in the military with dignity and respect. But, I just did not fit in anywhere. I was not very great at being a male. I failed to meet the expectations of a male. This came at an enormous cost to my emotional, spiritual and physical well-being.

I trained and prepared for nearly a year for a deployment to one of the combat theaters of the era. First, we were told it was Afghanistan. Suddenly, there was a change in orders for Iraq. This pivot required a rapid shift in our training and preparations.

Additional Information in Support of Manning's Application for Clemency

Throughout these preparations, I had a boyfriend. I essentially lived two separate lives. They did not schedule very well together. There were many moments when I had to leave him on sudden notice from Ithaca, New York, and later Boston, Massachusetts.

On a Global Reaction Force and Homeland Security mission I was supposed to be "on call" at all times. So, I had to juggle to keep my secret. My colleagues were curious. They noticed things. They wanted to know where I was going; who I was seeing. I had to stall. I couldn't lie – but I couldn't exactly tell the truth either. It was a difficult balance to keep.

Since that time, though, the world has changed. More people know about trans people. We are more visible and open and active in the world. It was far too early for the world to understand who I am. Now, I feel left out. I feel alone. I feel lost. I wish I had received a fair shot at a better life. I wish I could take part in the changes that are happening now.

Shortly after arriving at the Theater Field Confinement Facility at Camp Arifjan, Kuwait, I had trouble. At this point in my life, I knew who I was and that I needed medical and mental health assistance. Yet I was told, this was unavailable. Instead, they worked off the incorrect assumption that I was "gay," and not transgender. This had the immediate consequence of being moved into solitary confinement in a metal cage, inside a tent.

I was completely cut off from the world. I was unsure what was going on, not even major events, like the status of the Deepwater Horizon oil spill, or the World Cup were available to me. I also had no idea what I was facing, or whether anyone knew I was there. I was terrified that I was going to be treated as a male forever. I feared that I could have disappeared.

The Navy personnel that ran the facility did not help matters. Some of them made fun of me. Some of them said nasty things that aren't worth repeating. Others tried to convince me that I was going to be shipped off to Guantanamo Bay, or inside the brig of a U.S. Navy cruiser.

I left Kuwait for the Marine Corps Base in Quantico, Virginia. I spent the entire time at the now shut down brig. For over nine months, I was subjected to harsh total surveillance and control, and lived in solitary confinement. Two U.S. Marines watched me from behind a one-way window at all times.

Instead of clothing, I was given a "suicide proof" smock and blanket, which were incredibly uncomfortable. I had no personal items in my cell. If I wanted to use toilet paper, I had to ask for it from one of the Marines – then I had to return it when I was finished. I had no soap. I had limited access to toothpaste and a toothbrush – my teeth have been permanently damaged by this time period. And I had limited access to legal documents, books, or any other printed material.

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I repeatedly asked for help for my gender dysphoria. This was one of the issues that caused me to spiral out of control in Kuwait. Instead, I believe they used my diagnosis as a weapon against me. I feel that they used it as a tool to justify their harsh treatment.

Eventually I was transferred from Quantico to the Joint Regional Correctional Facility in Fort Leavenworth, Kansas. There, I was no longer subjected to any conditions remotely like those of Quantico.

After my final sentencing at my court-martial, I publicly came out as a transgender woman, and started using my new name, which I legally changed a few months later. I also again requested treatment for my gender dysphoria.

Initially, the Department of the Army fought my request, but after filing a lawsuit with the assistance of the ACLU, the military prison began providing me with some access to treatment – specifically partial access to a "real-life experience" and hormone replacement therapy.

At first I was only given access to female undergarments. This was an awful and embarrassing experience for me. It felt like the prison wanted to have this hidden away. I began to spiral into anxiety shortly afterward. Then I was provided access to cosmetics. This was the first visible improvement of my status at the prison. Though it was a little awkward having short hair, I felt a lot better, but I still needed more. A few months later, I was provided access to hormone therapy in the form of estrogen and testosterone blockers. Having access to hormones was a profound and fundamental change in my life. I finally started to feel like myself.

However, one of the primary issues surrounding my treatment is that I am required to keep my hair at the male standard. Hair is the most important signifier of femininity in American society, and it is especially important to me as a person confined in an all-male environment, so not being given access to this, while receiving other treatment, has been a never-ending nightmare. This has extended the lawsuit by years now.

The USDB has made some vague assurances that I will continue to be given treatment, but I still do not know what this means and it almost certainly will not include the ability to grow my hair to female standards.

The bottom-line is this: I need help and I am still not getting it. I am living through a cycle of anxiety, anger, hopelessness, loss, and depression. I cannot focus. I cannot sleep. I attempted to take my own life. When the USDB placed me in solitary confinement as punishment for the attempted suicide, I tried it again because the feeling of hopelessness was so immense. This has served as a reminder to me that any lack of treatment can kill me, so I must keep fighting a battle that I wish every day would just end.

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I have served a sufficiently long sentence. I am not asking for a pardon of my conviction. I understand that the various collateral consequences of the court-martial conviction will stay on my record forever. The sole relief I am asking for is to be released from military prison after serving six years of confinement as a person who did not intend to harm the interests of the United States or harm any service members.

I am merely asking for a first chance to live my life outside the USDB as the person I was born to be.

Thank you for your consideration of my petition.

Morris D. Davis

October 1, 2016

President Barack Obama
Attn: Neil Eggleston, Senior White House Counsel
1600 Pennsylvania Avenue NW
Washington, DC 20500

Re: Clemency Petition for Private First Class Chelsea Manning

Dear President Obama,

I write to urge you to grant clemency to Private First Class (PFC) Chelsea Manning, who has been in military confinement since May 2010 and is currently serving a 35 year sentence at the U.S. Disciplinary Barracks at Fort Leavenworth, Kansas. I urge you to grant clemency by reducing PFC Manning's sentence to 10 years, which still sends a strong deterrent message consistent with good order and discipline in the armed forces, yet allows PFC Manning an opportunity to earn parole and begin to establish a new life after having paid her debt for her offenses.

I retired from the Air Force as a Colonel in 2008 after serving for 25 years. I was the Chief Prosecutor for the Military Commissions at Guantanamo Bay, Cuba, from September 2005 until October 2007 when I resigned rather than use evidence obtained by torture. I completed my military career serving as the Director of the U.S. Air Force Judiciary where I exercised supervisory authority over the Air Force military justice system, including the Air Force Clemency and Parole Program. I am now an administrative law judge at the U.S. Department of Labor.

I testified as an expert witness in PFC Manning's court-martial in August 2013. Some of the charges against her were based upon the disclosure of detainee assessment briefs (DABs) from Guantanamo Bay. I was familiar with the DABs from my tenure as Chief Prosecutor for the Military Commissions. The defense asked me to review the DABs the prosecution included in PFC Manning's charges and to check on the internet to see how much of the same factual information was available through publicly available resources. My review showed that the vast majority of the information contained in the classified DABs was also available open source and that in some instances the publicly available information was more accurate and complete than the information in the DABs. For instance, some of the DABs the prosecution included in the charges were for detainees from an allied country who had been released years earlier. Those detainees were the subject of a documentary that was far more detailed than the information in their DABs.

It was my experience as Chief Prosecutor that the DABs were unreliable and had little value. While I was not directly involved in the intelligence effort, members of the intelligence community were assigned to the prosecution task force that I led and they had a similar view on the DABs. For example, the DABs assessed most of the hundreds of detainees as high value, high threat

and/or high risk when it was clear from the evidence most were not. History has shown that less than five percent of the hundreds of detainees held at Guantanamo could arguably qualify for "the worst of the worst" label. It was my opinion at PFC Manning's court-martial, as it is now, that the release of the DABs had no significant adverse impact because the information they contained was wildly inaccurate and was mostly available through open sources.

I realize that the DABs were just part of the documents PFC Manning disclosed. While I was not personally involved with all of the other documents, it appears that in the six years since they were released to the public the impact could fairly be described as inconvenience and embarrassment.

I know that some people consider PFC Manning a hero who has been vilified while others consider her a traitor who should have gotten worse. I do not ascribe to either one of the all-or-none characterizations. PFC Manning signed the same security agreements that I did and there are consequences for violating those agreements, but the consequences should be fair, just and proportional to the harm. The primary focus of military justice is the maintenance of good order and discipline, and a key part of that is deterrence. I know of no soldier, sailor, airman or Marine who looks at the six-plus years PFC Manning has been confined and thinks he or she would like to trade places. That is particularly true of the period PFC Manning was incarcerated at Quantico under conditions the U.N. Special Rapporteur on Torture called "cruel, inhuman and degrading" and that led to the resignation of then State Department spokesman P. J. Crowley (Colonel, U.S. Army, retired) after he called PFC Manning's treatment "ridiculous and counterproductive and stupid." Reducing PFC Manning's sentence to 10 years will not cause any service member to think the penalty is so light that it might be worth taking the risk under similar circumstances.

Additionally, there is a long-standing perception in the military of disparate treatment. The phrase I heard repeatedly from the time I joined the Air Force in 1983 until the time I retired in 2008 was "different spansks for different ranks." I know that it is impossible to fairly compare cases, but rightly or wrongly there is a perception that senior military officers and senior government officials who disclose information get sweetheart deals while junior personnel get slammed. There have been high-profile cases since PFC Manning was sentenced that help perpetuate that notion. Reducing PFC Manning's sentence to 10 years will not erase the perception, but it will bring the playing field a little closer to level.

Considering PFC Manning's application for clemency puts you in a position you have been in many time before – damned if you do, damned if you don't. I encourage you to ask yourself where is the right place to strike the balance between too little and too much when it comes to punishing PFC Manning. I trust that you will consider all of the competing interests and make a decision that reflects what you believe is justice.

Sincerely,

A handwritten signature in dark ink, appearing to read "M. D. Davis", with a stylized flourish at the end.

MORRIS D. DAVIS
(Colonel, U.S. Air Force, retired)

STATE OF VIRGINIA

COUNTY OF PRINCE WILLIAM

The foregoing instrument was acknowledged before me on October 1, 2016, by Morris D. Davis.

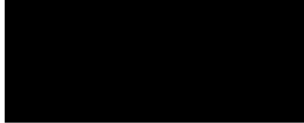
Notary Public:

Printed Name

My Commission Expires:



Daniel Ellsberg



October 13, 2016

President Barack Obama
Attn: Neil Eggleston, Senior White House Counsel
1600 Pennsylvania Avenue NW
Washington, DC 20500

Re: Clemency Petition for Chelsea Manning

Dear President Obama,

I write to request that you grant clemency to Chelsea Manning, who has been in military confinement since May 2010 and is currently serving a 35 year sentence at the U.S. Disciplinary Barracks at Fort Leavenworth, Kansas. I am not asking for a pardon, just that she be released from prison now, after already serving six years.

Although I have not personally met Ms. Manning, I am well aware of her life, her work and the events that led to her incarceration. I know that Ms. Manning pled guilty to several crimes, but then was tried and convicted of numerous additional crimes related to the exposing of classified evidence to the press and therefore the public. I also know that Ms. Manning received a long sentence of thirty-five years.

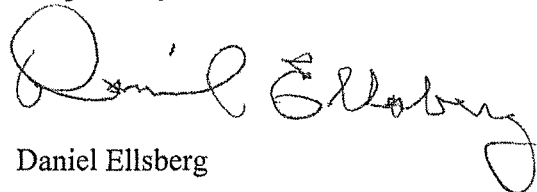
It is my firm belief that Ms. Manning disclosed this material for the purpose of informing the American people of serious human rights abuses, including the killing of innocent people by United States troops in Iraq. She hoped to begin a dialogue in our democratic society about the continuation of a war that she believed was wrong and was contributing to illegal acts.

Ms. Manning was also going through a particularly difficult time in her life, dealing with issues of her sexuality, which made this a particularly vulnerable time for her. To make matters worse for her, Ms. Manning was incarcerated at Quantico for just under one year under conditions the U.N. Special Rapporteur on Torture called "cruel, inhuman and degrading." Now, she has been ordered to spend another seven days in solitary confinement as a punishment for her desperate act of attempting suicide. There is no doubt that these six years have been devastating to a person who sought nothing more than to inform the American public. She sought no personal gain from her disclosures.

President Barack Obama
Attn: Neil Eggleston, Senior White House Counsel
September 27, 2016
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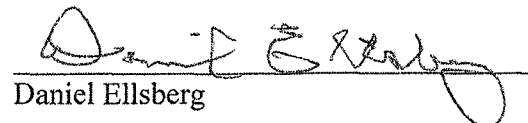
Ms. Manning has already served six years. This is longer than any other whistleblower in United States history. Because of that, I believe it is time for her to be released from custody.

Respectfully,


Daniel Ellsberg

STATE OF _____)
COUNTY OF _____) ss.

Daniel Ellsberg, being duly sworn under oath, states that this letter is true and correct:


Daniel Ellsberg

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 2016
by Daniel Ellsberg.

See Attached Jurat

Notary Public

My Commission Expires:

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of [REDACTED]

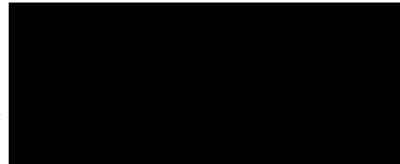
Subscribed and sworn to (or affirmed) before me on this [REDACTED] day of [REDACTED],

[REDACTED] by [REDACTED]

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

[REDACTED]
Signature

(Seal)



OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

[REDACTED]

(Title or description of attached document continued)

Number of Pages [REDACTED]

Document Date [REDACTED]

Additional Information [REDACTED]

INSTRUCTIONS

The wording of all Jurats completed in California after January 1, 2015 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verbiage by using a jurat stamp containing the correct wording or attaching a separate jurat form such as this one which does contain the proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

- State and county information must be the state and county where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of the document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
 - ❖ Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document with a staple.

November 2, 2016

To whom it may Concern:

I am a former constitutional lawyer from New York, and am currently a Journalist at The Intercept, a news organization I co-founded in 2013. My journalism has extensively covered issues of whistleblowing, press freedom, transparency and surveillance, and my reporting on the National Security Agency (NSA) won the 2014 Pulitzer Prize for Public Service while I was at the Guardian.

Among the events I have most extensively covered in my career as a journalist are those pertaining to Chelsea Manning, whom I have had the privilege of getting to know very well. I have spent many, many hours talking by telephone with Chelsea, and have visited her at Fort Leavenworth.

Chelsea is one of the most thoughtful, intelligent, empathetic, and compassionate people I have ever met in my life. Her background growing up in a conservative community and with a conservative family in Oklahoma, as she became increasingly aware of her own differences, vested with an extraordinary ability to understand people no matter how different they are from her. In the face of differences or even tension and hostility from others, her instinct is to attempt to see the world from their perspective, to empathize, rather than to judge or react in kind. This has rendered her not only an incredibly insightful person but also an incredibly kind and selfless one.

Remarkably, the difficulty of her ordeal over the last several years has only strengthened her character. Whenever I have spoken with her about her prison life, she expresses nothing but compassion and understanding even for her jailers. She is devoid of the resentments and grievances which are common even among those with blessed lives, let alone those facing great deprivation. It's difficult to believe for those who don't know Chelsea – and even for those of us who do – but the longer she has been in prison, the more compassionate and concerned for others she has become.

Chelsea's courage is self-evident. Her entire life – from joining the military out of a sense of duty and conviction, to undertaking what she regarded as an act of courage notwithstanding the risks, to coming out as a trans woman even while in a military prison – is a testament to her personal bravery.

It is not an exaggeration to say that Chelsea is a hero to, and has inspired, all kinds of people all over the world. Wherever I go in the world to speak on issues of transparency, activism and dissent, audiences filled with young and old break out into sustained and passionate applause at the mere mention of her name. She is a particular inspiration to LGBT communities in many countries, including those where being gay, and particularly trans, is still quite dangerous.

I am proud to count myself as one of her admirers. Getting to know someone as truly

extraordinary as Chelsea, and even more so, being able to call her a friend, is one of the most gratifying things that has happened to me.


Glenn Greenwald

