

# Congress of the United States

Washington, D.C. 20515

January 23, 2007

The Honorable Robert M. Gates  
Secretary of Defense  
Office of the Secretary  
The Pentagon  
Washington, DC 20301-1155

Dear Secretary Gates:

Congratulations on assuming the responsibility of leading the Department of Defense at this critical time in our nation's history. We know you face numerous challenges, and as Members of Congress we look forward to working with you over the next two years.

As you assume your new duties, we would like to alert you to our concerns about the use of military contractors. As you know, contractors play an enormous role at the Pentagon and bring enormous costs. But the lack of proper oversight of military contractors results in wasted funds and frustrated missions. It also sends a message to contractors that they will not be held accountable for squandering taxpayer dollars at the expense of supporting our service members. You may be aware that U.S. contractors in Iraq have overcharged taxpayers with little or no consequence, and that contractors in other parts of the world have been implicated in drug smuggling, human trafficking, and unprovoked civilian deaths. We hope you agree that the rules governing contractor operations should be clear, they should be strong, and they should be enforced. And, at a minimum, we hope they will be of demonstrated importance to the Secretary of Defense.

We are particularly concerned about the use of contractors to perform the critical task of enemy interrogation. On January 2, 2007, the Federal Bureau of Investigation released new allegations of detainee abuse at Guantanamo Bay Prison. The FBI's disclosures, which are based on eyewitness reports, refer several times to contractors directing the Army's interrogation efforts at Guantanamo. In at least one case, FBI agents were told that detainees may have been mistreated on orders from a contractor.

The FBI's recent disclosures are particularly disturbing because they are similar to the incidents that occurred at Abu Gharib prison in Iraq. At Abu Gharib, contractors who supplied interrogation services were allegedly involved in detainee abuses, and some U.S. military personnel said they had mistreated detainees under orders from contractors.

In the wake of the recent FBI report from Guantanamo Bay, we would appreciate a briefing from you regarding the Department of Defense's use of contract-interrogators. Among the questions we have are:

- Why does the Department of Defense rely on contractors to provide interrogation services?
- Does the Department of Defense have the resources (personnel, training, funding, supplies, etc.) it needs to fulfill the task of performing interrogations without the assistance of contractors? If not, why not?
- What measures are in place to ensure Defense Department control over contractors involved with interrogations?
- What laws are contractors subject to when involved in interrogations?
- Do contractors have the authority to command active military personnel during the interrogation process? If so, under what specific authority?
- What rules apply to contractors regarding the prohibitions of disclosure of information obtained through the interrogation process? What enforcement rules are in place to ensure that contractors do not inappropriately disclose such information?
- In what other places since September 11<sup>th</sup>, 2001, beyond Abu Gharib and Guantanamo, has the Department of Defense used contractors for interrogations?
- How many contractors, and which companies, are engaged in Department of Defense interrogations and what percentage of interrogators are contractors?
- What type of training do contractors receive?
- What actions, if any, have been taken by the Department of Defense against contractors found to have abused their duties as interrogators?
- How can the Department of Defense ensure there will be no future abuses by contractors?

Because of the importance of this issue, we request that this briefing be arranged within the next month.

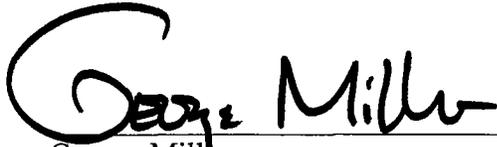
Sincerely,



Jan Schakowsky  
Member of Congress



David Price  
Member of Congress



George Miller  
Member of Congress



Barney Frank  
Member of Congress



James McGovern  
Member of Congress



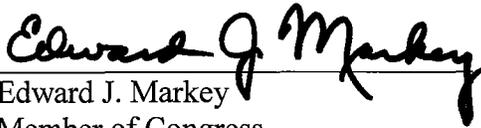
Betty McCollum  
Member of Congress



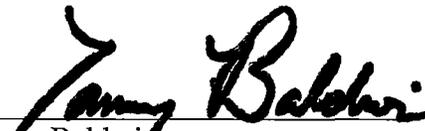
Keith Ellison  
Member of Congress



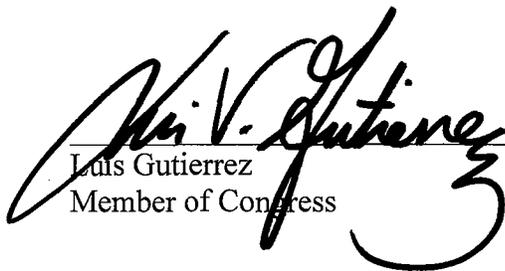
Pete Stark  
Member of Congress



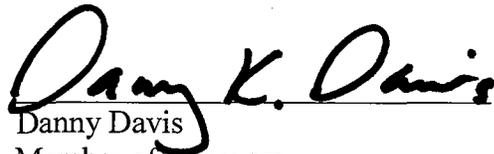
Edward J. Markey  
Member of Congress



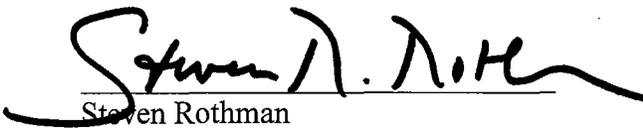
Tammy Baldwin  
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Luis Gutierrez  
Member of Congress



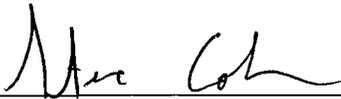
Danny Davis  
Member of Congress



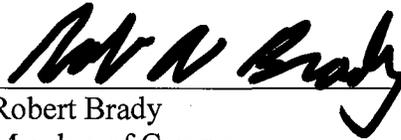
Steven Rothman  
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Jerrold Nadler  
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Steve Cohen  
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Robert Brady  
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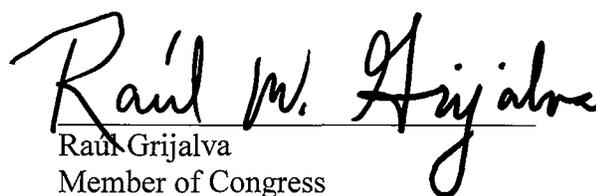
Darlene Hooley  
Member of Congress



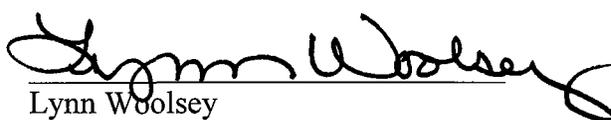
Zoe Lofgren  
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Elijah Cummings  
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Raul Grijalva  
Member of Congress



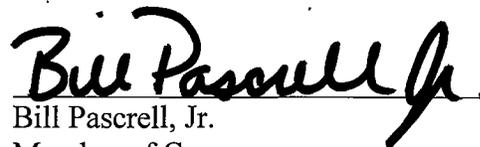
Lynn Woolsey  
Member of Congress



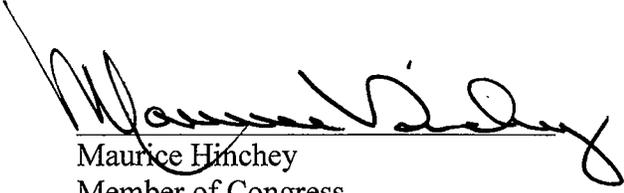
Dennis Kucinich  
Member of Congress



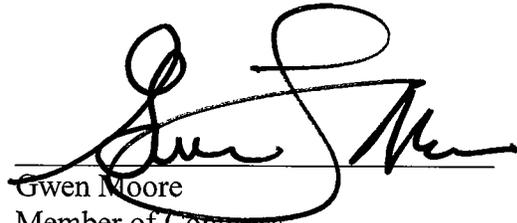
Carolyn Maloney  
Member of Congress



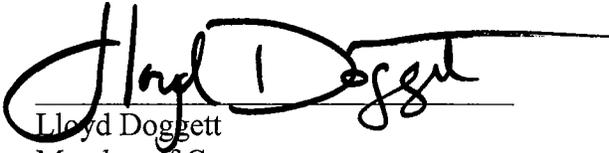
Bill Pascrell, Jr.  
Member of Congress



Maurice Hinchey  
Member of Congress



Gwen Moore  
Member of Congress



Lloyd Doggett  
Member of Congress