

**( LPB HAS SEEN**

April 30, 2004

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TO: Jerry Bremer  
Gen John Abizaid

CC: Gen Dick Myers

FROM: Donald Rumsfeld



SUBJECT: Detainee Operations in Iraq

My sense is that our operations regarding detainees in Iraq could benefit from greater unity of effort. Unifying responsibility for detention operations, law enforcement investigations, and disposition of criminal cases under a single entity should improve integration and efficiency. I propose creation of an organization under CJTF-7 / MNF-I to act as a single point of contact with responsibility for these actions related to detainees in Iraq. I have identified MG Geoff Miller, the former Commander, Joint Task Force Guantanamo to lead this effort. However, the ISG will retain custody of its high-value detainees even with this appointment.

The range of coordinating authority for the new organization should include coordination of detainee matters with the CPA, the Iraqi Governing Council and other agencies; intelligence aspects related to detainees; improving detention management and information operations; and expediting law enforcement investigations, intelligence exploitation, and disposition of criminal cases.

Commander, USCENTCOM should take immediate steps to establish this new organization and brief me on your implementation plan by May 7, 2004. The CPA should fully support the establishment of this organization and provide direction to CPA staff, including representatives of other USG agencies, to support and assist in this effort as appropriate.

Thanks.



COALITION PROVISIONAL AUTHORITY  
BAGHDAD

FOR: Secretary of Defense  
FROM: Ambassador Bremer *5/12*  
SUBJECT: Detainee Operations in Iraq

This responds to your memorandum of April 30, regarding Detainee Operations in Iraq. I support the creation of an organization under CJTF-7/MNF-I that will be the single point of contact responsible for detainee operations. This will enhance our ability to deal with this extremely sensitive issue in a consistent manner. Recently MG Miller briefed me on his current assessment of detainee operations and his plan for the future. His experience will be useful for this difficult mission.

I would like to clarify two matters raised in your memorandum. First, you refer to the new organization coordinating detainee matters with the Iraqi Governing Council. As you know, CPA's relationship with the Iraqi Governing Council (IGC) is greatly impacted by detainee issues. It is extremely important that the new organization coordinate closely with CPA regarding matters that it proposes to raise with the IGC. This will ensure a consistent, mutually supportive approach. I anticipate that coordination with the U.S. Embassy regarding matters that will be raised with the Iraqi Interim Government will be equally important.

Second, with regard to cases in the Central Criminal Court of Iraq involving crimes against Coalition/MNF-I forces, we will certainly make every effort to ensure expeditious and fair processing of such cases, which of course requires that the military support the collection and preservation of evidence. At the same time we must take care to not give the impression that we are in any way interfering with the independent judiciary we all have worked so hard to achieve. We also must ensure that communications with the Ministry of Justice are properly coordinated through the CPA until June 30, and afterward through the U.S. Embassy.

Lastly, I assume that the proposed new organization will not have control of the Iraqi Corrections Service or the prisons and detention centers which it operates. As you know, the Prisons Department of the CPA Office in the Ministry of Justice provides advice and support to the Iraqi Corrections Service. I assume this advice and support will not be affected by the new organization, which I understand is intended to deal with the present military organizations and facilities involved with detainees.

We will work with CJTF-7 and CENTCOM as they develop a detailed plan to implement this initiative.

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ELLEN O. TAUSCHER  
10th DISTRICT, CALIFORNIA

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May 11, 2004

Donald H. Rumsfeld  
Secretary of Defense  
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Secretary Rumsfeld,

I am writing because I was deeply disappointed with your response to my question at the May 8<sup>th</sup> hearing before the House Armed Services Committee regarding when you became aware of prisoner abuses in Iraq.

Last Friday, your response was "I recall no indication" and "we had continuing reports of troubles in various places, including the International Committee of the Red Cross. But in terms - nothing of the scope that you're talking about here."

Your statement is directly contradicted by a February ICRC report indicating that Red Cross staff repeatedly mentioned prison abuses to Pentagon officials both in Iraq and in Washington before Private Darby's actions launched the probe that finally brought this issue to the public's attention. If Private Darby had not stepped forward, I fear that these abuses would still continue with little action from the Pentagon.

According to today's *New York Times*, "the report said that as far back as May of last year, the Red Cross reported to the military about 200 allegations of abuse, and that in July it complained about 50 allegations of abuse at a detention site called Camp Cropper. The latter complaint included one case in which a prisoner reported having been deprived of sleep, kicked repeatedly and injured, and had a baseball tied into his mouth. Medical examinations supported the prisoner's account."

This type of abuse is similar to allegations contained in the Taguba Report and certainly indicate that significant information had been brought to the military's attention months before the investigation announced by CENTCOM in January.

Separate from the ICRC's efforts to get the military's attention, CPA administrator Paul Bremer and Secretary Powell also brought their concerns about prison conditions and abuses to the attention of the Pentagon at several times.

I would like to know what actions, if any, were taken in response to the concerns voiced by ICRC, Ambassador Bremer, and Secretary Powell? When did you see or were you made aware of the reports from the Red Cross? Did you have any meetings to discuss the treatment of prisoners when these allegations were raised? When was Deputy Secretary Paul Wolfowitz made aware of concerns of prisoner mistreatment? Did he ever have meetings on this issue? Did Paul Bremer or General Abizaid ever raise their concerns

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about this issue with you or Deputy Secretary Wolfowitz about conditions in Iraqi prisons?

I look forward to your timely response to these questions,

Sincerely,

A handwritten signature in cursive script that reads "Ellen O. Tauscher".

Ellen O. Tauscher  
Member of Congress



COALITION PROVISIONAL AUTHORITY  
BAGHDAD

May 18, 2004

MEMO FOR: Secretary Rumsfeld  
FROM: Paul Bremer 5/18  
SUBJECT: Abu Ghraib Draw-Down and Demolition

This memo provides a plan for the draw-down and demolition of Abu Ghraib prison that allows the President to announce immediately that evacuation will commence by June 1 and demolition will begin no later than August 31. The plan consists of rapidly constructing 2,000 "quick-build" temporary beds in eastern Baghdad for criminal detainees, and another 2,000 "quick-build" beds for security internees at Camp Bucca near Um Qasr. Immediately thereafter, we will construct an additional 2,000 "quick-build" at both locations for total of 8,000. Finally, work will commence on a 4,000-bed permanent facility in Baghdad which will open within two years. The project will cost about \$200M. The Iraqi Governing Council has requested closure of Abu Ghraib, so we will execute this plan using money from the Iraqi Development Fund.

It is possible to begin destruction of Abu Ghraib sooner, perhaps by June 30. This would require execution of the plan described above, and temporarily relocation of about 3,000 security detainees in tent facilities at Camp Bucca and relocation of 1,400 criminal detainees at detention centers in Baghdad and Mosul. But this course of action has several important disadvantages. First, it requires two mass movements instead of one, and to more distant locations, with all the considerable risks of transportation. Second, large numbers of detainees will await permanent internment in temporary camps that are substandard. Without adequate protection from the summer heat, we would expect the same thing we observed last summer -- riots, mass escape attempts, greater difficulty with accountability and control, and greater threats to our soldiers. Third, prisoners will lack access to families and to legal counsel, and trials will not be feasible from a logistical standpoint.

For all these reasons, we would expect further criticism from human rights organizations, and think we may undercut the very objectives we are trying to symbolize with our commitment to close Abu Ghraib. These risks outweigh a gain of two months, so unless instructed to the contrary, I will proceed with the first option.

CC: Dr. Rice

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