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BG Kimmitt includes some discussions of the detainee abuse investigations.

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NEWS TRANSCRIPT from the United States Department of Defense

DoD News Briefing

Brig. Gen. Mark Kimmitt, Deputy Director For Coalition Operations, Gareth Bayley, CPA
Spokesperson Wednesday, April 28, 2004 - 9:59 a.m. EDT

GEN. KIMMITT: Good evening.

Dan Senor will be out of town for a couple of days. Mr. Gareth Bayley is going to be joining us in his place.

Gareth.

MR. BAYLEY: Yeah, just to share with you a couple of announcements of Ambassador Bremer's day. He met with the Governing Council for his weekly meeting this morning, and after that he also had a outreach meeting, part of a series of meetings with various sectors of the Iraqi community. He met with a group of high-ranking officers of the former Iraqi army at the convention center this morning. And he went through with them his vision, the coalition's vision of the future of Iraq and the Iraqi armed forces, and they shared their views with him. He also met with the Australian defense minister briefly.

And with that, I'll turn to General Kimmitt.

GEN. KIMMITT: Good afternoon.

The coalition continues offensive and support operations focused on restoration of a stable environment in order to repair infrastructure, stimulate the economy and transfer sovereignty to the people of Iraq.

In the northern zone of operations Iraqi security forces executed a series of cordon and searches in zone. The first operation took place northwest of Hammam al Alil, targeting an enemy cell. The ICDC established the outer cordon and the Iraqi police service established the inner cordon and conducted the searches.

In the second operation an ICDC platoon executed two cordon and searches in Qarariyah, targeting two counterfeiters. Both targets were detained and subsequently turned over to coalition custody for interrogation. Several fake ID cards were confiscated and these operations are the first independent operations executed by Iraqi security forces in the northern zone of operation.

Three drive-by shooters attacked an Iraqi media network team in an SUV in northwest Mosul this afternoon. The driver of the vehicle was killed. The remaining two occupants were injured. One of the injured was treated at a local hospital and released. The second individual is in stable condition in a Mosul hospital.

Early this morning, coalition forces conducted five simultaneous cordon-and-search operations to kill or capture members of an anti-coalition cell in Mosul. This group included a number of former regime elements suspected of attacks against U.S. persons in the Hai Al-Karama district of Mosul, on the -- and on the main road between Mosul and Erbil. Coalition forces detained 14 individuals, including four targets, and transported them to coalition custody for interrogation.

One Task Force Olympia soldier died today from wounds sustained in a rocket-propelled grenade attack on a QRF vehicle yesterday near Tall Afar. Three other soldiers were wounded in the incident, and the quick reaction force was responding to an earlier IED attack on a coalition patrol when it too came under attack.

In the north central zone of operations, coalition forces executed a series of simultaneous raids on six objectives in a town 10 kilometers south of Tikrit. The raid captured 27 detainees, along with significant numbers of weapons and military equipment.

In the western zone of operations, the cordon remains tight around Fallujah, with coalition forces continuing to maintain fortified battle positions. The coalition continues to battle enemies -- enemy forces in small units, operating in isolated cells, conducting sporadic small-arms RPG and indirect fire attacks at coalition forces in defensive battle positions around Fallujah.

Over the last 24 hours, there have been numerous violations of the cease-fire agreement by anti-coalition forces in and around Fallujah. Last night a patrol was engaged by small arms and rocket-propelled grenade fire by seven individuals wearing all black west of Fallujah. The patrol returned fire, killing one.

Shortly after 2200, enemy forces attacked coalition defensive positions in Fallujah, again violating the cease-fire agreement. After receiving RPG and direct fire in their defensive positions, the coalition forces called for close air support.

As shown on the board, at 2230, coalition air assets observed enemy forces in a flatbed truck and a sedan driving from intersection to intersection with their lights off, dropping off and picking up personnel in bundles, a common tactic which we've seen used by enemy forces prior to an attack on coalition positions.

The vehicles were engaged by coalition air assets, resulting in the destruction of the vehicles as well as significant secondary explosions from the ammunition they were carrying. Those secondary explosions continued on for at least 20 minutes.

Insurgents fled the immediate area and occupied a nearby building. Coalition aircraft fired on the structure in continued support of Marines in contact on the ground. When the rounds impacted the structure, again secondary explosions were also produced, indicating the presence of large amounts of ordnance inside the building.

This afternoon coalition forces were attacked by sniper fire near a supply route on the northeast edge of Fallujah. The enemy forces withdrew to a fortified building noted on the map and continued to use small arms to attack coalition forces. After returning fire, the ground forces requested and received air support in the form of two GBU-12s. The situation is ongoing and there have been no reports of coalition casualties at this time.

At the same time this afternoon coalition forces began receiving fire from defensive positions on the northwest edge of Fallujah, on the area marked "the train station." As the fight escalated, coalition forces requested and have received rotary-wing air support. This battle continues.

In the central-south zone of operations, at 9:15 this morning in As Sawara, a coalition patrol was attacked with small-arms and RPG fire. One coalition soldier was killed and another died of wounds. A third soldier is in a military hospital undergoing surgery.

Additionally this morning, from 8:30 to 12:00, coalition forces established traffic control checkpoints between Kufa and Najaf. Ninety-six vehicles were searched for contraband and illegal weapons. There was nothing confiscated. No contact was made in the area. It remains quiet. The unit conducting the checkpoint reports that they were well received by the local populace.

In the southeastern zone of operations, a search operation was conducted on a small village suspected of harboring hijackers and a number of stolen vehicles northwest of Basra Airfield. There were no vehicles recovered or suspects detained, but a large quantity of small-arms ammunition and weapons were confiscated.

Finally, as you remember, in January it was announced that a criminal investigation was initiated to examine allegations of detainee abuse at the Baghdad confinement facility at Abu Ghraib. The Criminal Investigation Division investigation began when an American soldier reported and turned over evidence of criminal activity to include photographs of detainee abuse. CBS television has acquired these images and may show some of the evidence tonight on "60 Minutes II."

Shortly after the criminal investigation began, Lieutenant General Sanchez, the commanding general, requested a separate administrative investigation into systemic issues such as command policies and internal procedures related to detention operations. That administrative investigation is complete. Lieutenant General Sanchez has also directed a follow-up investigation of interrogation procedures in detention facilities, and that investigation is ongoing.

Again, as a result of the criminal investigation, six military personnel have been charged with criminal offenses.

The coalition takes all reports of detainee abuse seriously and all allegations of mistreatment are investigated. We are committed to treating all persons under coalition custody with dignity, respect and humanity. Coalition personnel are expected to act appropriately, humanely and in a manner consistent with Geneva Conventions.

MR. BAYLEY: With that, we'll be happy to take your questions.

GEN. KIMMITT: Christine.

Q Chicago Tribune. Can we find out a little bit more about these six military personnel -- have been detained/charged? When did this happen and what are they charged with? And men/women? And can you give us some of the circumstances? It sounds as if you're only offering this information because it's going to go out on TV tonight.

GEN. KIMMITT: That is not true, Christine. While you were gone, we had a full press conference talking about the six personnel who were detained -- who were arrested and charged with criminal charges. I can tell you that all those cases are going forward. Some the Article 32 investigation has been completed. Some the Article 32 investigation is continuing. We had a backgrounder while you were gone to explain the entire process that we would be going through, and that is a matter of the record. I'd be glad to share you the notes from that backgrounder after this press conference.

Go ahead.

Q I would like some more information right now about the personnel. And what are they charged with? And when did this happen? And are they men or women?

GEN. KIMMITT: And again, as I said, we have spoken to the entire press corps in Baghdad for an entire presser, as well as a background brief. Be glad to share this with you afterwards.

Q Iraqi television. What happened regarding the investigation of the people in Samarra, the investigation, those Iraqi -- the people from the Iraqiah has been killed? Whether the investigation has come to an end? And when will you brief us

about the results?

GEN. KIMMITT: It is my understanding that the tragic incident where three Al-Iraqiah reporters were involved in a incident in Samarra -- it is my understanding that that investigation is ongoing. The results have not been published yet because the results aren't complete.

Q General Kimmitt, good evening. Are the coalition forces ready and they are capable enough to maintain security for the Iraqis in the time, which is by the 30th of June, without making any violations or offending the Iraqi people, especially the unarmed ones, civilians, inflicting harm to the civilian people? Are they ready to maintain security without these casualties by the end of the 30th of July (sic)?

GEN. KIMMITT: The coalition forces, side by side with their Iraqi security partners, will continue to provide a safe and secure environment here in Iraq, not only this month, next month, but also post-30 June, as well.

Q Al-Zamani newspaper. I have a question regarding the six who have been detained and they have been under interrogation and investigation. What are the reasons that pushed you -- what are the reasons that you are not revealing to the people? And what happened about the media people in Mosul, those who have been exposed to attack? Can you give us more information and detail about those people?

GEN. KIMMITT: On your second question, I'm afraid I don't have any more details than what was initially reported this afternoon, that -- as I stated earlier. With regards to the six personnel that were charged with criminal counts against them back in January, we can go over that, along with Christine, after this press conference so I can get all that information for you. We typically do not reveal their names. As we've said in the press conference when this was announced, we would wait until the Article 32 investigations were complete before a decision was made whether their names would in fact be revealed.

Follow-up?

Q Is it true that we have reports that some of them have just used pictures in torturing the detainees? What is your role in order to take care of those detainees? And where is the security, your security, especially giving them chances to have all these pictures and also to show it to the public? So can't you just tell us why this happened?

GEN. KIMMITT: Yeah. And that's exactly why we had the investigation.

Let's start from the beginning. In early January, a soldier came forward at Abu Ghraib Prison. That soldier said, "There are some things going on here that I can't live with. I am aware of some activities that are being conducted by the guards and some of the interrogators that are inconsistent with my job and inconsistent with my values as a soldier." That soldier came forward. He presented evidence to his chain of command. The chain of command brought it forward. General Sanchez, upon hearing it, immediately started a criminal investigation.

I don't remember the exact date I stood in front of this podium and talked about the outcome of that investigation. So that outcome is now -- has resulted in criminal charges being levied against six soldiers.

To answer your other question, this does not reflect the vast majority of coalition soldiers, vast majority of American soldiers that are operating out of Abu Ghraib Prison. We have had thousands, tens of thousands of detainees in Abu Ghraib. We have understood that a very, very small number were involved in this incident, and of the hundreds and hundreds of guards they have out there, a small number were involved in the guards.

I'm not going to stand up here and make excuses for those soldiers. I'm not going to stand up here and apologize for those soldiers. If what they did is proven in a court of law, that is incompatible with the values we stand for as a professional military force, and it's values that we don't stand for as human beings. They will be tried before a court, and then those decisions will be made.

MR. BAYLEY: Please.

Q Fox News. There have been some media reports over the last 48 hours that in Najaf citizens of the city and other militias are turning on the Mahdi Army people, are assaulting them, trying to drive them out of town. Can you confirm those reports, and can you give us any more details on them?

GEN. KIMMITT: We've got some indications as well that there may be some validity to those reports. The name of the army -- I can't pronounce it. I will turn to my Arabic speaking --

INTERPRETER: Thulfiqar -- (inaudible) -- Thulfiqar.

GEN. KIMMITT: The double-edged sword that was used by Imam Ali in the Great Battle, that is the name of the army that is ostensibly under the name of that organization, is going against some of the members of Muqtada's militia inside Najaf. The reports that we have -- anecdotal evidence, phone calls, and such, as well reported by Mr. Burns from The New York Times in the case that Muqtada's army inside Najaf has been fairly heavy-handed with the citizens in Najaf, demanding goods and services without paying, brandishing weapons, terrorizing people. Could be more than that. John Burns did a very good article on that. That confirmed a lot of some of the indicators we had been getting as well. Don't know the level of it, don't know the detail of it, don't know the scale of it, but we have those same preliminary indications as reported by Mr. Burns.

Q Do you have any indications at all of casualties arising from this?

GEN. KIMMITT: Anecdotal evidence, but nothing that we can confirm.

Sir?

Q Reuters news agency. Can we still consider that there is actually a cease-fire in Fallujah now? And also, we had reports overnight of fighting in Khalidiya. Do you have any details?

GEN. KIMMITT: Yes, I can confirm that it is certainly the intention of the coalition forces that the cease-fire continues. What you're seeing today is a series of defensive responses. When we get shot at, we will respond. We will not sit there and take fire, even though there is a cease-fire ongoing. That is inconsistent with what we stand for, that is inconsistent with the inherent right of self-defense.

(To staff) Could we put the other board up?

What I would suggest is this -- for whatever reason -- perhaps they don't like the terms that are being offered to them, perhaps they don't like the leadership who is coming to them and telling them what's going on -- but it is clear that there are a number of provocations on the part of some of the insurgents inside Fallujah where they would prefer to fight rather than prefer to make peace. We've seen that pretty much all over the city. We saw it the other night around this mosque. We've seen it today around the train station. We saw it over here in an area that is being referred to as a fortified building. And of course we saw it last night when the AC-130 attacked those two vehicles in the building.

But, to answer your question directly, the Marines still believe that the talks have promise. They are still looking for a political, peaceful solution. None of the Marines, especially the commanders, are anxious about having to have their Marines cross the line of departure and go on an offensive. And if this can be solved by not putting our soldiers' lives at risk -- our Marines' lives at risk, so much the better.

But in the minds of the coalition forces on the ground in Fallujah, there is still a suspension of offensive operations. They are rigidly adhering to the cease-fire. We get the nightly cease-fire report that talks exactly how many weapons are turned in on the part of the enemy, how many violations there were. Over the last 24 hours there were 11 -- 10 small-arms fire, one indirect fire. But even though sometimes it may not look like it from the media reports, there is still a determined aspiration on the part of the coalition to maintain a cease-fire and solve the situation in Fallujah by peaceful means. But our patience is not limitless.

Q So have they handed in any weapons in the last 24 hours?

GEN. KIMMITT: They have not handed in any weapons in the last 24 hours.

Q Khalidiyah?

GEN. KIMMITT: Don't know of any operations in Khalidiyah today.

Q Overnight?

GEN. KIMMITT: Overnight? We'll check that for you.

MR. BAYLEY: (Off mike.) Go ahead.

Q Al Hurriyah TV. Two questions, one for Mr. Bayley and the second for General Kimmitt.

Mr. Bayley, in the last statement for Colin Powell about handing over sovereignty, he indicated that the sovereignty will not be complete and also that the United States understands completely the mechanisms of political work in Iraq.

The question for General Kimmitt. You said in your briefing that you have demanded a number of times air support. Does this mean that the crisis in Fallujah is larger than you expected before?

Thank you.

MR. BAYLEY: To answer your first question, it's quite clear in the mind of Secretary Powell and in all coalition forces that the interim government that takes over on the 30th of June will have full sovereignty. Now, there has been a lot of speculation or misunderstandings about what that means -- in the media and what it's all about, but it is quite clear that on that day Mr. Bremer will get on a plane, or the day after, and he will leave his position and there will be an Iraqi in control -- Iraqis in control of the state of Iraq.

Now, while we say that, we also know very well that Iraq will need as much help as it can get through the months and years ahead and that it will not be able to carry out the tasks of security, of political change and economic growth on its own. And as you know, particularly in the security field, and I think General Kimmitt will wish to speak to that, there have got to be arrangements that are brought out between the sovereign interim government and between multinational forces.

And General, if you would speak to that.

GEN. KIMMITT: On your second question, there is certainly no military problem that can't be solved in Fallujah. What has become very apparent to us over the past couple of weeks is many Iraqi leaders have come forward and said, we would like to be part of a nonmilitary solution. What has become very apparent is that Fallujah is more than just a military problem; that there are other aspects of Fallujah and other leaders who have vested interests in Fallujah that are stepping forward on the political side saying, we would like to become involved in the outcome in Fallujah. And that's a very

encouraging sign.

It's a very encouraging sign when the leadership within Iraq stands up and says, wait a second, we want to be involved in the discussions, we want to be involved in the final determination on Fallujah. And because of that, when first the Governing Council and then other interlocutors came forward and said we would like to be part of what happens in Fallujah, we've listened, we've stood back, we've kept the cordon in place, and now we are letting the political track attempt to resolve the problem rather than the military track.

The military solution is simple. The military solution will be quick. And the military solution is relatively easy to turn on and off. But any belligerent that somehow has in his or her mind that the reason the coalition forces are stopped inside this cordon and not moving forward is because they either fear the enemy or don't have enough resources to complete the job, would be making a very, very deadly mistake. We are allowing a political track to go forward; we will continue to allow that political track to go forward as long as it shows promise. When it no longer shows promise we will take alternative means.

Q New York Times. General Kimmitt, can you talk a little bit more about what possible contacts occupation forces are having with either senior clerics or sheiks in Najaf to try and reach a political solution to the crisis there? Is there direct contact between either American soldiers or officials and people in Najaf?

GEN. KIMMITT: I suspect you ask that question, since it's been asked every day since Dan has been here for the last week, and suspecting that since Dan isn't here, you could slip that one past me. As Dan would say, were he here, we will typically keep those conversations, those discussions outside the press. Let's let those conversations go forward, and let's let those deliberations go forward. There will be a time and a place for those announcements about how those are moving forward. But for the time being, we'd like to keep that out of this room.

MR. BAYLEY: I should make clear that there will -- there are no direct negotiations or contacts between American officials and Muqtada al-Sadr and, at the same time, that it's extremely clear to him what he has to do. We set out our conditions repeatedly over the days and weeks past. And within those, as we know, he has to face Iraqi justice, there has to be a dissolution of the Mahdi Army, there needs to be the restoration of government buildings to their proper owners and to the rule of law in all cities of Iraq. He knows this very well, and he knows the legal track in front of him that he could take advantage of, if he were so inclined to do that.

Q General Kimmitt, you've just mentioned that you need a peaceful solution in Fallujah and in Najaf, and especially in Fallujah area. Why do not the coalition forces withdraw to the outskirts of the city of Fallujah and let the people to have free movement and until everything becomes normal? Later you can have a joint patrol with the Iraqi police and the security or the coalition forces. Let your soldiers withdraw to the outskirts and give the chance for the civilians to have a normal life in Fallujah.

GEN. KIMMITT: The only areas inside Fallujah where there is a normal life are those areas where the coalition forces currently occupy. In fact, for the Marines to withdraw from their cordon positions inside of Fallujah would cause even less freedom of movement in Fallujah than there is now, because as soon as we withdraw from those

positions, the insurgents will take those positions over, and they will continue to use those people who were first liberated by the coalition forces to now become hostage to the foreign fighters and the terrorists inside that town.

So very simply, the only areas of Fallujah that are liberated, the only areas of Fallujah that do have freedom of movement, the only areas of Fallujah that are under Iraqi control are those areas currently held by the coalition. Anything inside that ring around Fallujah is not under Iraqi control, is not under Iraqi police monitoring, is not under the security of the Iraqi Civil Defense Corps. So it would be unnecessary and ludicrous for us to withdraw from those positions, to hand those people back over to the people inside Fallujah to let them be held hostage.

MR. BAYLEY: Let's not forget, Adman, that also there is a scope for negotiations to carry on that has -- we've exerted every possible effort to get there and to make those successful. It's not as if we simply have a military situation here. We very much have a civil, diplomatic, political negotiation process throughout, and these two go hand in hand.

GEN. KIMMITT: Sewell?

Q Washington Post. I was just in Tikrit where General Batiste told reporters that he has submitted names of former teachers and professors and military officers who served under the old Ba'ath regime, but were not active supporters of it, to the Coalition Provisional Authority for consideration of reappointing these people to their positions.

I wanted to ask you both about what progress -- or can you give us an update about what has happened since Ambassador Bremer's announcement about letting former officials return to their positions? Specifically, also, if you could speak on the area of military officers returning to serve in the Iraqi army.

Thanks.

MR. BAYLEY: Well, Sewell, as Ambassador Bremer set out, this is the first step of this process of ensuring the de-Ba'athification policy is well implemented has been confined to teachers. And that is something which we believe to be a good opening. At the same time, still, on teachers, there's a need for thousands of them to get back to work, and those who are not necessarily Ba'athists but were fired for -- by the Saddam regime for political reasons are also -- their needs are being addressed. The minister of education, al-Alwan, spoke to that this morning.

In terms of the army and in terms of the chain of command that needs to be built up and made solid through the months ahead, that was part of what Ambassador Bremer was addressing when he met military officers of the former army this morning in one of his outreach meetings. And he made clear that looking at the army that we have today, 75 percent of the recruits of that army are from the former army, and almost 80 percent of the ICDC are from the former army as well. And it is quite clear as well that there's going to be a need to call on supremely qualified experienced officers who can provide the sort of command and experience that they have shown in previous uniform, but on the condition that they are not going to be violating the policy of de-Ba'athification, which is absolutely steadfast.

And it's extremely important people understand that when we're talking about staffing out the army, going from the ranks right up to the top generals who were recently appointed, we are not talking about a change in de-Ba'athification policy. That's just not possible.

Q Gareth, could I ask you a quick follow-up question? I'm sorry. Could you tell us a little bit more about this meeting that Ambassador Bremer had in terms of whom he met with, how many former officers? Thanks.

MR. BAYLEY: He met a group of about 30 former officers. They -- not necessarily operational officers, but also the military academy, former dean of the military academy, people who had views about how the army may be rebuilt up but also people of the highest caliber, people who are quite clearly interested in rebuilding Iraqi armed forces in the right way and not in a Ba'athist way. He basically set out some -- not only a vision for how to build up the chain of command and control and make sure that you had all of that in place, but also a general vision in terms of the economy, in terms of the political situation, and that Iraq clearly must be ruled under rule of law, civilian control of the army, all those issues that we've gone through here before and Dan's gone through as well.

GEN. KIMMITT: Let's go ahead and take one last question.

Yes, sir.

Q Al Distal newspaper. General Kimmitt, there are two things in Fallujah which are -- there is truce and there are military operations. Will it remain that both of these issues, these concepts, truce and military operations, will be -- are there any central leaderships in Fallujah who are responsible on truce, or you have another vision or another deadline for dealing with the problem within a military operation rather than truce?

GEN. KIMMITT: It does seem somewhat paradoxical how you can have a truce and military operations happening simultaneously, and that may seem strange. But the fact remains in the minds of the Marines on the ground there's no truce; there's a cease-fire. There hasn't been a negotiated nor a discussed end to the situation inside Fallujah. So we would expect as long as we feel that the political track has promise, that we will continue to have days such as today; which is the Marines will stand ready to respond if attacked. They will probably be attacked. When they're attacked, in defending themselves they will take the proper military actions appropriate to the task at hand.

With regard to your question about do the leaders inside Fallujah, are they talking to the fighters, that has always been one of our questions. They continue to tell us that they represent the people, but they don't deliver. We don't see the weapons. We don't see the foreign fighters. We don't see any intelligence suggesting who was involved in the attack on the police station in February nor the killing of the Blackwater contractors last month.

So we do remain concerned that these leaders, who we remain engaged with, are not capable of delivering, but we are going to continue to show, as I've said before, combat patience, hope that these people can persuade their clientele, the foreign fighters and the terrorists inside the town, that it's in their best interest to stop fighting.

We're going to give them a little more time, because we always recognize that the military option is there. And the military operation is always capable, the military option is always ready, and the military option is supremely confident that, should this require a military option, that they would be more than capable of handling the situation regardless of any numbers of factors that might come around in Fallujah.

Thank you very much.

MR. BAYLEY: Thank you.

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