

ALL FBI INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 07-08-2009 BY 65179 DMH/MJS



**DEPARTMENT OF THE ARMY**  
HEADQUARTERS, III CORPS  
VICTORY BASE, IRAQ  
APO AE 09342-1400

REPLY TO  
ATTENTION OF

November 4, 2004

Military Justice, III Corps

Federal Bureau of Investigation  
Office of General Counsel

ATTN: Assistant General Counsel [redacted]

b6 Per FBI  
b7C

Dear [redacted]

On the behalf of the Government, I have been appointed the United States Army trial counsel responsible for prosecuting Specialist (SPC) [redacted] and Sergeant (SGT) [redacted] and in connection with detainee-abuse at the Baghdad Central Confinement Facility, Abu Ghraib, Iraq. Both of these defendants have already been arraigned with trial dates set for January 7, 2005 and February 1, 2005 respectively. Under the provisions of Rules for Courts-Martial (RCM) 701 and relevant military case law, the Government must release relevant specific information designated in a defense discovery request.

b6

Recently, an article was published in the New York Times that reported the existence of an internal Federal Bureau of Investigation (FBI) report that documented the presence of certain FBI employees' at the Baghdad Central Confinement Facility, Abu Ghraib (See New York Times, "F.B.I. Saw Inmates Treated Harshly at Abu Ghraib", Neil A. Lewis, October 26, 2004). This report also seemed to document that FBI personnel may have witnessed abuse of detainees at Abu Ghraib. Based upon this report, the defense counsel for [redacted] has requested a copy of this investigation in writing. Moreover, the defense counsel in both cases have requested the names of all FBI employees that performed interrogations at the Baghdad Central Confinement Facility, Abu Ghraib, Iraq during the relevant timeframe of the military's investigation from October 1, 2003 through December 31, 2003.

b6

As the Government representative, I am requesting that your agency provide a copy of this report and the list of FBI personnel at Abu Ghraib during this time period. The Government believes that the release of the report, to include any witness statements taken during the preparation of the report, is an essential step in expeditiously resolving these cases. Given the upcoming trial dates and the potential need for dialogue based on this disclosure, the Government would request that you provide this information by no later than November 19, 2004.

FBI0101510GC

If you would like to speak with me concerning this discovery request, I can be reached at  
(w) (703) 696-3208, (c) [redacted] or via e-mail at [redacted]  
Thank you for your consideration and assistance in this important and time sensitive matter.

b6

Sincerely,

[redacted signature]

Captain, Judge Advocate  
Trial Counsel