

PATRICK J. LEAHY
SENATOR

COMMITTEE ON
AGRICULTURE, NUTRITION, AND
FORESTRY
APPROPRIATIONS
JUDICIARY

United States Senate

WASHINGTON, DC 20510-4502

March 12, 2004

The Honorable Condoleezza Rice
National Security Advisor
The White House
Washington, DC 20500

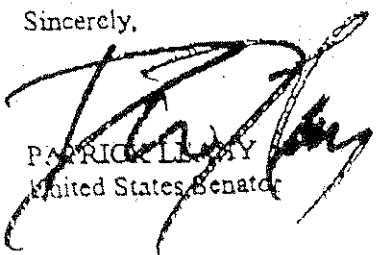
Dear Ms. Rice:

A March 4, 2003, article in the *New York Times*, entitled "U.S. Military Investigating Death of Afghan in Custody," mentioned a criminal investigation into the death of an Afghan man in U.S. military custody at Bagram that an American pathologist had described as a homicide. Six months later, in an answer to a question for the record submitted in connection with an Appropriations Committee hearing dated September 25, 2003, General Peter Pace wrote: "A unit of the US Army Criminal Investigations Command [known as CID] has been assigned responsibility for investigating the detainee deaths in Afghanistan" and the investigation "is nearing completion."

Today's *Washington Post* mentions a recent Human Rights Watch report that describes mistreatment of detainees at Bagram, who may or may not be combatants, including being "left naked, kept awake for long periods of time, shackled painfully, forced to remain in painful positions for hours, humiliated, threatened, kept in extremely hot or cold conditions and punished for talking." This conflicts with repeated assurances of Administration officials that the interrogation tactics used have been in accordance with U.S. and international laws. In addition, General Pace wrote that "under no circumstances will detainees be subjected to humiliating or degrading treatment."

I would appreciate knowing the status of the CID investigation of the deaths of Afghans in custody at Bagram, and what actions have been taken as a result of these incidents. I would also appreciate knowing whether the types of interrogation techniques described in the Human Rights Watch report are being used at Bagram or any other U.S. military or CIA detention facility.

Thank you for your prompt reply.

Sincerely,

PATRICK J. LEAHY
United States Senator