

# Calendar No. 219

108<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. RES. 700

[Report No. 108-658]

Directing the Attorney General to transmit to the House of Representatives documents in the possession of the Attorney General relating to the treatment of prisoners and detainees in Iraq, Afghanistan, and Guantanamo Bay.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2004

Mr. CONYERS (for himself, Ms. PELOSI, Mr. HOYER, Mr. MENENDEZ, Mr. CLYBURN, Mr. DINGELL, Mr. OBEY, Mr. RANGEL, Mr. WAXMAN, Mr. SKELTON, Mr. LANTOS, and Mr. HINCHEY) submitted the following resolution; which was referred to the Committee on the Judiciary

SEPTEMBER 7, 2004

Additional sponsors: Mr. MEEHAN, Mr. MCDERMOTT, Mr. HOFFEL, Ms. LEE, Mr. SPRATT, Ms. MCCOLLUM, Mrs. MALONEY, Mr. HOLT, Mr. FARR, Mr. SERRANO, Mr. MATSUI, Mr. TIERNEY, Mr. BLUMENAUER, Mr. CAPUANO, Ms. KAPTUR, Ms. WATERS, Mr. EVANS, Mr. SANDERS, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. KUCINICH, Mr. FATTAH, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. UDALL of New Mexico, Mr. TOWNS, Mr. GRIJALVA, Mr. BERMAN, Mr. DOGGETT, Mr. CLAY, Mr. FRANK of Massachusetts, Mr. ALLEN, Mr. DELAHUNT, Mr. STARK, Mr. VAN HOLLEN, Ms. MCCARTHY of Missouri, and Mr. SCOTT of Virginia

SEPTEMBER 7, 2004

Reported adversely from the Committee on the Judiciary with an amendment, referred to the House Calendar, and ordered to be printed

[Strike out all after the resolving clause and insert the part printed in italic]

[For text of introduced resolution, see copy of resolution as introduced on June 25, 2004]

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## RESOLUTION

Directing the Attorney General to transmit to the House of Representatives documents in the possession of the Attorney General relating to the treatment of prisoners and detainees in Iraq, Afghanistan, and Guantanamo Bay.

1       *Resolved, That the Attorney General is directed to*  
2 *transmit to the House of Representatives not later than 14*  
3 *days after the date of the adoption of this resolution all*  
4 *documents in the possession of the Attorney General, except*  
5 *those documents in the Attorney General's possession that*  
6 *have been found by a court to be protected by Federal Rule*  
7 *of Criminal Procedure 6(e) in a proceeding at which the*  
8 *Attorney General or the Department of Justice is a party,*  
9 *relating to the treatment of prisoners or detainees in Iraq,*  
10 *Afghanistan, or Guantanamo Bay and any requisite in-*  
11 *structions for handling such documents, including—*

12               *(1) every report, memorandum, or complaint*  
13       *from the International Committee of the Red Cross re-*  
14       *lating to the treatment of detainees or prisoners and*  
15       *any documents that reference such memorandum, re-*  
16       *port, or complaint by the Attorney General or by any*  
17       *agency under the Attorney General;*

1           (2) every report, memorandum, or complaint  
2           from Human Rights Watch, Amnesty International,  
3           Iraqi Human Rights Association, Afghan Human  
4           Rights Commission, Physicians for Human Rights, or  
5           Human Rights First relating to the treatment of de-  
6           tainees or prisoners and any documents that reference  
7           such memorandum, report, or complaint by the Attor-  
8           ney General or by any agency under the Attorney  
9           General;

10          (3) every document relating to interrogation  
11          techniques;

12          (4) every internal report of a law enforcement,  
13          military, or intelligence agency or organization con-  
14          cerning interrogation or detention operations;

15          (5) every internal report of a law enforcement,  
16          military, or intelligence agency in response to allega-  
17          tions that the treatment of prisoners or detainees vio-  
18          lated or continues to violate international or Amer-  
19          ican law;

20          (6) every document and memorandum regarding  
21          the applicability of the Geneva Conventions, the Con-  
22          vention Against Torture and Other Cruel, Inhuman  
23          or Degrading Treatment or Punishment, the Inter-  
24          national Covenant on Political and Civil Rights, sec-  
25          tions 2340–2340A of title 18, United States Code, the

1       *War Crimes Act of 1996, and the Fifth, Eighth, and*  
2       *Fourteenth Amendments to the Constitution of the*  
3       *United States to the treatment of prisoners or detain-*  
4       *ees;*

5             (7) *every document and memorandum relating*  
6       *to command relationships between military police*  
7       *units and military intelligence units;*

8             (8) *every document and memorandum directing*  
9       *personnel to abstain from using specific interrogation*  
10       *techniques or to withdraw themselves from interroga-*  
11       *tions being conducted by other departments;*

12            (9) *any Presidential directive or other writing*  
13       *authorizing the use of interrogation tactics or claim-*  
14       *ing the constitutional authority to do so;*

15            (10) *any documentation of training received by*  
16       *the 800th Military Police Brigade and the 205th*  
17       *Military Intelligence Brigade regarding the treatment*  
18       *of prisoners or detainees;*

19            (11) *any documentation of special access pro-*  
20       *grams as they were applied to prisoners or detainees;*

21            (12) *all records of meetings regarding the treat-*  
22       *ment of prisoners or detainees at which one or more*  
23       *officials of the Department of Justice were present*  
24       *and the presence of those officials is apparent from*  
25       *the face of the record;*

1           (13) every document and memorandum con-  
2           cerning the practice of keeping prisoners or detainees  
3           off the official roster;

4           (14) a list of every ongoing and completed inves-  
5           tigation into the treatment of prisoners or detainees,  
6           and any written reports produced by any such inves-  
7           tigation;

8           (15) every document relating to civilian contract  
9           employees and their role in prisons;

10          (16) all written statements of prisoners or de-  
11          tainees, military personnel, civilian employees of the  
12          Federal Government, or civilian contractors regarding  
13          the treatment of prisoners or detainees;

14          (17) all reports of interrogation of each prisoner  
15          or detainee that reflect a claim of abuse by military  
16          or civilian personnel or by civilian contractors;

17          (18) any documents for work under contracts  
18          (including subcontracts and task orders) and all re-  
19          ports on such documents, for interrogation or trans-  
20          lation work by CACI International, Titan Corpora-  
21          tion, and any other entity that may have performed  
22          such work;

23          (19) any documents or testimony presented to or  
24          prepared by the Detainee Assessment Branch at Abu  
25          Ghraib prison at any time after September 1, 2003

1        *regarding the treatment of Iraqi prisoners or detain-*  
2        *ees by members of the Armed Forces or by civilian*  
3        *contractors working in Iraq employed on behalf of the*  
4        *Department of Defense;*

5            *(20) any complaint forms filled out and sub-*  
6        *mitted at any time after March 1, 2003 by a member*  
7        *of the Armed Services or by a civilian contractor em-*  
8        *ployed on behalf of the Department of Defense or Cen-*  
9        *tral Intelligence Agency regarding the treatment of*  
10       *detainees or prisoners;*

11           *(21) any reports or documents reflecting the*  
12       *death or injury of prisoners or detainees; and*

13           *(22) all documentation, including video evidence,*  
14       *of any sexual assault of any prisoner or detainee who*  
15       *is a minor.*



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