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United States Department of State

Washington, D.C. 20520

JUN 21 2004

Dear Mr. Skelton:

In your letter to Dr. Rice dated May 20, you asked "when was Secretary Powell or his staff at the State Department given a copy of the ICRC report?" Similar questions were asked about when the President, the Secretary of Defense, and others were given the report. Dr. Rice has replied on behalf of the President. As she noted in her May 20 response to you, the U.S. Mission in Geneva obtained a copy, and transmitted it to the Department on March 5. The NSC was provided a copy of the ICRC report the same day. The Secretary of State received an internal memorandum describing the allegations of the report on March 11.

We hope this information is helpful to you. If we can be of further assistance, please do not hesitate to contact us again.

Sincerely,

Paul V. Kelly
Assistant Secretary
Legislative Affairs

The Honorable
Ike Skelton,
House of Representatives.

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: WILLIAM E LANDFAIR
DATE/CASE ID: 26 OCT 2004 200303827

H2004 0525-009

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Drafted: PRM/FO: P. Michael McKinley, 7-5822
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Clearance:

G:Kfriedrich (ok)
D:KReider (ok)
S/P:Spatrik (ok)
H: PSu (ok)
S/WCI:Erichard (ok)
L:Wtaf (ok)

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THE WHITE HOUSE

WASHINGTON

May 20, 2004

(10)

MEMORANDUM FOR THE SECRETARY OF STATE
THE SECRETARY OF DEFENSE

SUBJECT: Letter from Representative Skelton regarding
February 2004 Report of the International
Committee of the Red Cross

Representative Skelton wrote the President on May 10, 2004, to ask, among other things, when the Departments of State and Defense became aware of the February 2004 Report of the International Committee of the Red Cross (Tab B). I have provided a response to Representative Skelton on behalf of the President (Tab A). I request that each of you provide a response to Representative Skelton on behalf of your departments.



Condoleezza Rice
Assistant to the President
for National Security Affairs

Attachments

Tab A Copy of Rice Letter to Representative Skelton
Tab B Copy of Incoming Correspondence from
Representative Skelton

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: WILLIAM E LANDFAIR
DATE/CASE ID: 26 OCT 2004 200303827

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THE WHITE HOUSE

WASHINGTON
May 20, 2004

Dear Representative Skelton:

I am responding to your letter to the President dated May 10, 2004.

Before the date of your letter, neither the President nor I were given a copy of the International Committee of the Red Cross (ICRC) February 2004 report on Iraq. The ICRC did not provide a copy of the report to the White House. When ICRC President Kellenberger met with me on January 15, he did not raise the issue of mistreatment of detainees in Iraq nor did he mention that ICRC was preparing a report:

National Security Council staff learned in mid-February that ICRC officials had provided a report about ill-treatment of Iraqi detainees to CPA officials in Baghdad. Our staff inquired with DOD officials in Washington about the ICRC report and were told that DOD officials were generally aware of the allegations, were seeking more information about them, and that military authorities were investigating them. The Secretary of Defense had already informed the President that the Department of Defense was investigating allegations of mistreatment of detainees in Iraq.

National Security Council staff sought and eventually received a copy of the ICRC report from the State Department in early March. Our staff was told that the State Department's Mission in Geneva had obtained a copy of the report from ICRC officials in Geneva. Our staff was also told by State Department officials that the ICRC was reluctant to share the report with Washington because the issues were being handled between local ICRC officials and United States Government authorities in Baghdad with whom the ICRC had a positive working relationship that the ICRC did not wish to jeopardize. Finally, NSC staff were told that the ICRC had told the State Department that ICRC officials in Baghdad were pleased with the initial response by United States Government officials in Baghdad and with steps already taken by United States Government authorities to respond positively to the report. National Security Council staff were

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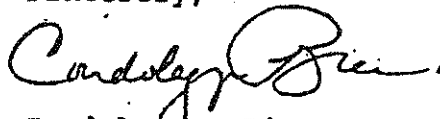
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informed that the ICRC had told the State Department that ICRC planned to conduct another round of inspections soon and expected to be able to report substantial improvements. Upon receiving the report, NSC staff asked appropriate DOD officials to review the issues raised in the report.

You also asked when Secretaries Powell and Rumsfeld or their staffs were given copies of the ICRC report. In order to provide a rapid response to your letter, I have provided you information about when the NSC was informed about the ICRC report. Secretaries Powell and Rumsfeld have asked their departments to collect information about the handling of the ICRC report in their departments, and I have asked them to reply to you directly as soon as that information is available.

Finally, you have asked why the ICRC report was not shared with the Congress. ICRC reports are generally provided to the Departments of State and Defense and are not routinely shared with the White House. Accordingly, the Departments of State and Defense are in the best position to provide you information about their practices for handling ICRC reports. It is my understanding, however, that ICRC practice is to limit dissemination of their reports and often to provide copies only to local military commanders in order to maintain a confidential working relationship with the military units responsible for detention of prisoners of war and other detainees.

Sincerely,



Condoleezza Rice
Assistant to the President
for National Security Affairs

The Honorable Ike Skelton
House of Representatives
Washington, D.C. 20515-2504

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2004 MAY 20 AM 10:10

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2004 MAY 20 AM 10:25

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CLASSIFICATION:

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PRIORITY

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DATE/TIME:

MESSAGE #: 1216

FROM: NSC PH: 456-9425 ROOM: WWD

SUBJECT: LETTER FROM REP SKELTON RE FEB 04 REPORT OF THE INTL COMMITTEE OF THE RED CROSS PAGES: 5

PLEASE DELIVER TO:

LOCATION	DELIVER TO	ROOM	PHONE
STATE	COLIN POWELL SECRETARY OF STATE		
DEFENSE	DONALD RUMSFELD SECRETARY OF DEFENSE		

SPECIAL DELIVERY INSTRUCTIONS/REMARKS:

5-10-04

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BLUE SPRING, MO 64014-2723
(816) 228-4242

1401 SOUTHWEST BLVD, SUITE 701
JEFFERSON CITY, MO 65109-2428
(573) 635-3418

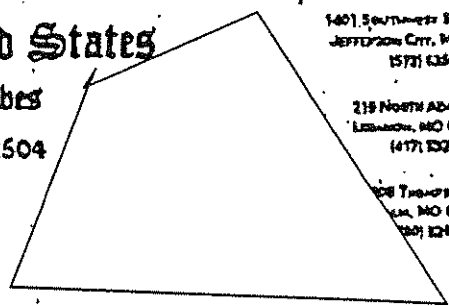
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LEBANON, MO 65036-3000
(417) 533-7844

28 THOMPSON BLVD
LEBANON, MO 65031-4583
(501) 324-2073

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Congress of the United States
House of Representatives
Washington, DC 20515-2504
May 10, 2004

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Y2E

IKE SKELTON
4TH DISTRICT, MISSOURI

DC RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-1564
TELEPHONE: (202) 225-2876
website: www.house.gov/skelton

The President
The White House
Washington, DC 20500

Dear Mr. President:

I have a copy of the February 2004 Report of the International Committee of the Red Cross (ICRC) on the Treatment By the Coalition Forces of Prisoners of War and Other Protected Persons by the Geneva Conventions in Iraq During Arrest, Internment, and Interrogation.


As this report was dated February 2004 and Members of Congress did not find out about the issue of prisoner mistreatment until early May by way of the media, my question is three-fold:

- 1) When was the President or his Administration given a copy of the ICRC report?
- 2) When was Secretary Powell or his staff at the State Department given a copy of the ICRC report?
- 3) When was Secretary Rumsfeld or his staff at the Department of Defense given a copy of the ICRC report?

According to an article by David S. Cloud in today's Wall Street Journal entitled, "Red Cross Cited Detainee Abuse Over a Year Ago,"

"It could not be learned last night how widely read the ICRC report was among senior Bush administration officials. U.S. officials said yesterday that Secretary of State Colin Powell, for instance, had raised the problems with detention procedures at several high-level administration meetings this year. A State Department official said last night that he couldn't say when Mr. Powell first saw the report. But he noted that the ICRC had been making recommendations and raising concerns for a long time, and that Mr. Powell and other administration officials had been aware of that."

Please explain why this issue was not brought to the attention of Members of Congress whose committee responsibilities include oversight of the U.S. military and U.S. foreign affairs.

Sincerely,

IKE SKELTON
Member of Congress

IS:lb