



SECRETARY OF THE ARMY  
WASHINGTON

FEB 24 2011

MAR 1 2011

The Honorable Dennis J. Kucinich  
United States House of Representatives  
Washington, DC 20515

Dear Representative Kucinich:

Secretary of Defense Robert M. Gates asked me to respond on his behalf to your February 2, 2011 letter concerning the confinement conditions of Private First Class (PFC) Bradley E. Manning.

PFC Manning is currently in pretrial confinement at the United States Marine Corps Base Quantico (MCBQ) Pretrial Confinement Facility in Quantico, Virginia. While deployed, PFC Manning was placed in pretrial confinement by the Commander, Headquarters and Headquarters Company, 2<sup>nd</sup> Brigade Combat Team, 10<sup>th</sup> Mountain Division, PFC Manning's unit of assignment in Iraq. PFC Manning's pretrial confinement was ordered pursuant to the Rules for Courts-Martial. PFC Manning's continued confinement in theater was reviewed and approved by a neutral and detached military magistrate on May 30, 2010. He was subsequently returned to the United States, reassigned to the Military District of Washington (MDW) and confined at the MCBQ Pretrial Confinement Facility. The MCBQ Pretrial Confinement Facility is the military pretrial confinement facility for Soldiers assigned to commands in the MDW who are pending charges and whose circumstances justify pretrial confinement.

PFC Manning is pending criminal charges under the Uniform Code of Military Justice (UCMJ), 10 U.S. Code §§ 801 et seq. Specifically, PFC Manning is currently charged with four specifications of Article 92, UCMJ, for alleged violation of Army regulations, and eight specifications of Article 134, UCMJ, for alleged violation of U.S. federal statutes. PFC Manning has been represented by defense counsel since his initial entry into pretrial confinement in Iraq.

PFC Manning's custody and status classifications, like all pretrial prisoners at the MCBQ Pretrial Confinement Facility, are evaluated regularly by a board of corrections specialists pursuant to Department of the Navy regulations. As United States laws prohibit the release of personal information, including personal health information, I am not able to discuss PFC Manning's specific custody and status classifications and other aspects of his care and treatment. PFC Manning's pretrial confinement is in compliance with United States law and Department of Defense and Department of Navy policy and regulations, which are consistent with U.S. constitutional requirements.

Furthermore, PFC Manning experiences the same confinement conditions as other similarly situated pretrial prisoners at the MCBQ Pretrial Confinement Facility. Like all

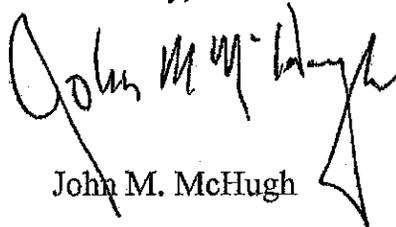
pretrial prisoners, he is housed in the same type of single cell and in the same general area as other pretrial prisoners. Like all other pretrial prisoners, PFC Manning has the following privileges: access to reading and legal materials, regular access to physical fitness facilities and equipment, access to television, visitation, mailing privileges, telephone access and access to pastoral care. He may converse with other nearby prisoners, but may not engage in disruptive behavior. Moreover, all pretrial prisoners have regular access to medical care and behavioral health care providers, to include 24-hour emergency care and daily sick call. In addition, PFC Manning's Special Court-Martial Convening Authority, the Commander, U.S. Army Garrison, Joint Base Myer-Henderson Hall, ensures that a member of his command makes frequent visits to the MCBQ Pretrial Confinement Facility to ensure PFC Manning's health and welfare.

The military justice system affords accused Soldiers, to include PFC Manning, the opportunity to seek redress for alleged inappropriate pretrial confinement conditions. PFC Manning is currently represented by both military and civilian counsel who are familiar with the avenues of redress should he choose to challenge his confinement conditions.

Please be assured that your February 4, 2011 request to visit PFC Manning at the MCBQ Pretrial Confinement Facility has been forwarded to the Assistant Secretary of Defense (Legislative Affairs) for review and appropriate action.

Thank you for your inquiry into this matter and for your continued support of our Soldiers and their Families.

Sincerely,

A handwritten signature in black ink that reads "John M. McHugh". The signature is written in a cursive style with a large, stylized initial "J".

John M. McHugh