

United States Senate  
WASHINGTON, DC 20510-4904

May 1, 2008

The Honorable Gene L. Dodaro  
Acting Comptroller General  
Government Accountability Office  
441 G Street NW, Suite 7100  
Washington, DC 20548

Dear Mr. Dodaro,

I write to request your legal views as to whether the Department of Defense violated appropriations prohibitions on publicity or propaganda activities. The New York Times reported on April 20, 2008, that it has received thousands of documents detailing the Department's efforts to produce materials intended to influence press coverage of the Iraq war without publicly attributing the source of those materials to the Department. The Pentagon is free to air its views on any military operation but it should do so *openly*. Potential covert production of press materials by the Defense Department would undermine full and open public debate on one of the most important matters facing this country, the war in Iraq. Such debate is essential to our democracy.

According to the article, the documents suggest that the Pentagon supplied retired officers serving as analysts for several major American broadcasters with private briefings with Sec. Rumsfeld, talking points in anticipation of appearing on TV, and commercial airfare. Allegedly, the Pentagon discouraged the analysts from publicly describing the nature of their relationship with the Pentagon. This clearly violates the spirit, if not the letter, of the law. I would greatly appreciate it if you would provide your legal views as to whether the Department of Defense violated appropriations prohibitions on publicity or propaganda activities.

Sincerely,



Russell D. Feingold  
United States Senator