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## **BY FEDERAL EXPRESS**

Professor Lawrence Lessig  
Director, Fair Use Project  
Center for Internet and Society  
Crown Quadrangle  
559 Nathan Abbott Way  
Stanford, CA 94305-8610

Dear Professor Lessig:

We write to address the malignment of CACI International Inc and CACI Premier Technology, Inc. (collectively "CACI") by your clients in *Iraq for Sale*. From our perspective, it's a classic example of the 'big lie' propaganda technique.<sup>1</sup> Indeed, the film is so replete with false statements and deceptive inferences about CACI that it is difficult to know where to begin.

### **Employee Safety**

An overarching theme of the film is that corporations sacrificed employee safety in Iraq in the pursuit of corporate profit. Not surprisingly, the film does not make this charge directly against CACI as there is no evidence whatsoever that CACI compromised the safety of its personnel. Rather, the film takes a guilt-by-association approach, insinuating that if other companies engaged (allegedly) in that conduct, then CACI must have done so as well. The problem for your clients is that CACI did no such thing. Featuring CACI in this context was wrong and knowingly creates a false impression of the Company.

### **War Profiteering**

Although the film is subtitled *The War Profiteers*, and CACI is cast into that camp, the film presents nothing to substantiate that accusation against CACI. Again, that is not surprising because there exists no evidence to substantiate that charge. The film attempts to avoid this irrefutable reality with insinuations.

Let's begin with the smear label. The term "war profiteering" connotes an extreme, unreasonable or undeserved level of profit. As applied to CACI, that term is a maliciously false allegation. The company's specialty is information technology support and network

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<sup>1</sup> Rhodes, Anthony, Propaganda, The Art of Persuasion: World War II. (Ed. Victor Margolin), Wellfleet Press, New Jersey 1987.

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communications services, including information collection and data analysis. CACI provides such technology and applications solutions to federal agencies, the intelligence community, and the military in support of America's homeland security and our national defense. The company has been in this line of work for over four decades. Interrogation services (the collecting of information), are an extension of that work, which CACI provided commencing August 2003 in response to an urgent request by the U.S. Army. CACI provided interrogators solely because the military did not have sufficient, available personnel to carry out vital interrogation operations in Iraq. Mr. Greenwald found it convenient to omit this fact from the film.

While Mr. Greenwald chooses to ridicule cost-plus contracts, CACI's contract was *not* a cost-plus type contract. Equally important, none of the film's discourse about the inflated prices, purposeless activity, waste, fraud or abuse alleged against other contractors has any application to CACI. Did Mr. Greenwald even bother to look for that with respect to CACI? If he did, we are certain he did not find it. The government received good and full value from CACI's work and services. No one who takes the time to research the hard facts can reasonably and responsibly contend otherwise.

Lacking any evidence of excess profit, overbilling or waste by CACI, what was Mr. Greenwald to do? His answer was to paint a knowingly false picture through two devices – one targeted at CACI and the other at the Company's CEO. The film points out, through a growing line graph, that CACI revenues increased during the time the Company was working in Iraq, suggesting a cause and effect connection. It's the old *post hoc, ergo propter hoc* line of reasoning. That connection, however, exists only in your clients' imagination.

The Company's revenues *have* increased dramatically in recent years: \$484,545,000 in 2000; \$557,890,000 in 2001; \$681,942,000 in 2002; \$843,138,000 in 2003; \$1,145,785,000; in 2004; and \$1,623,062,000 in 2005. That's an average annual increase of 27%. Was that growth attributable to CACI's work in Iraq (which began in 2003)? "No" is the short answer. Indeed, CACI's interrogation work for the Army in Iraq was less than 1 percent of the Company's total revenue in any given year.

Had Mr. Greenwald, however, bothered to look for the reasons behind CACI's growth, he would have discovered that from 1993 through June 2006 CACI acquired a total of 33 companies, four since the controversy surrounding detainee treatment at Abu Ghraib came to light in 2004. For example, on May 1, 2004, CACI acquired a portion of American Management Systems, Inc. ("AMS"). The portion of AMS acquired by CACI had revenues of approximately \$250 million for the year ending December 31, 2003. The addition of that revenue, coupled with organic growth, completely unrelated to Iraq, explains how CACI increased its revenues during the time period featured in the film. The AMS acquisition was but one in a long series of highly successful acquisitions.

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As a public company, CACI files reports with the Securities and Exchange Commission ("SEC"). Even a casual perusal of those filings would have disclosed to Mr. Greenwald the falsity of his assertion that CACI experienced explosive revenue growth because of its work in Iraq. So he either failed to review the relevant documents publicly filed with the SEC or, if he did review those materials, chose to disregard their content. Which was it?

As with the deceptive inference of the reason CACI's revenue growth, the film falsely insinuates that the compensation of CACI's CEO was a function of the Company's work in Iraq. The film asserts that CACI's chairman and CEO, J.P. London, had "income" of \$22,249,453 from CACI in 2004. Where did *that* number come from? CACI publicly reports Dr. London's compensation from the Company in its annual SEC filings. A review of those filings does not yield anything remotely close to the number in the film. But I suspect you already know that. The recent film clip posted by Mr. Greenwald on the Internet changes the explanation from "income" to income *and* the value of Dr. London's stockholdings in 2004. There is, of course, a world of difference between the two. It seems that the compensation number for Dr. London wasn't big enough for Mr. Greenwald's purposes, so he just added the much greater value of Dr. London's CACI stock and falsely called it all "income" in the film to yield a far more dramatic statement.

The value of Dr. London's CACI stock was, and is, due in large part from his 35 year career in building and growing CACI from a quite small firm into a major New York Stock Exchange corporation. During this 35 year period considerable value has been created for thousands of American investors, pensioners, and working people. He is proud of his career and makes no apology for the competitive success of CACI over his term (since 1984) as its leader. Mr. Greenwald, however, chose to twist that success to serve his own agenda. Little wonder that the result is malicious fiction.

### **CACI's Directors**

The film asserts that certain former government officials now serving as Directors of CACI somehow insulated the Company from being held accountable for conduct in Iraq. (This, of course, implies a presumption that there was underlying misconduct from which insulation was needed, which there was not.) Not surprisingly, the film offers nothing to back up this charge. No CACI Director acted in any way at any time to avoid having the Company held accountable for its work in Iraq. And under no circumstances, in any case, would they have done so. Mr. Greenwald chose to assassinate the character of these individuals without any factual basis whatsoever.

### **Detainee Abuse**

Now we come to the real reason for the attack on CACI: Abu Ghraib. The film simply *assumes* that CACI employees are guilty of abuse. The film claims outright that because of the

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presence of CACI and Titan, the prisons in Iraq became grounds for torture. Never mind that no CACI employee has been charged with any misconduct in connection with interrogation work. Never mind that no CACI employee appears in any of the infamous photographs from Abu Ghraib.<sup>2</sup> Mr. Greenwald's excessive use of the those photos – which do not show one CACI employee in that part of his film which refers to CACI – is glaring proof of his deceitful tactics. 'Torture for profit' is an appalling and ugly sound-bite that is totally lacking in any corroborating evidence. Unfortunately, that didn't deter Mr. Greenwald.

What facts did Mr. Greenwald and his confederates rely upon with respect to CACI? The Taguba Report? The suspicion set forth in the Taguba Report<sup>3</sup> regarding a CACI employee remains completely unsupported by the documents and findings made available to date and in fact is contradicted in important respects by the Kern/Jones/Fay Report.<sup>4</sup> Indeed, how the Taguba Report (which concentrated on Military Police) reached its views about a CACI employee remains, to this day, a mystery, as even the Taguba Report lacks any findings of fact regarding the supposed misconduct of the named CACI employee. Allegations – yes; proof – still non-existent.

The Kern/Jones/Fay Report (which concentrated on Military Intelligence, including civilian contractor interrogators) expressly found that the abuse of detainees at Abu Ghraib was *not* related to interrogation. And as Spc. Joseph Darby, the soldier who in January 2004 provided the Abu Ghraib photographs of abuse to authorities, stated in a recent interview:

The soldiers involved at Abu Ghraib were not interrogating inmates. These guys were doing nothing but occupying themselves in very sick ways. It was never about interrogations.<sup>5</sup>

CACI has served the U.S. government for the past 45 years, through nine presidential administrations, and from the Cold War to the "long war" on global terrorism. The Army has

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<sup>2</sup> The film clip that Mr. Greenwald belatedly placed on the Internet suggests that the Salon photo of a contractor interrogator, referenced in your last letter, depicts abuse. Nonsense. In fact, that tactic tells us just how desperate Mr. Greenwald must be. Even Salon, so proud of its efforts to publish photographs from Iraq, didn't publish the photo to accompany the article about it. Even for Salon, the picture wasn't worth a thousand words.

<sup>3</sup> Major General Antonio M. Taguba, Investigating Officer, AR 15-6. Investigation of the 800th Military Police Brigade, March 2004.

<sup>4</sup> Major General George R. Fay, Investigating Officer, AR 15-6 Investigation of the Abu Ghraib Detention Facility and 205th Military Intelligence Brigade, August 23, 2004.

<sup>5</sup> *Army Times*, September 18, 2006.

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recently recognized the diligent service of civilian workers provided by CACI in several public reports and in sworn testimony to the U.S. Congress. A comprehensive history containing factual information about CACI's 45 years of honorable service to the U.S. Government and CACI's honorable support services in Iraq can be found at [www.caci.com](http://www.caci.com).

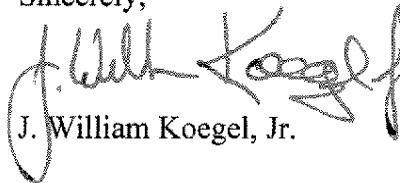
CACI does not condone, tolerate or in any way endorse misconduct by its employees at any time under any circumstances. Nor does it presume, however, that its employees are guilty of misconduct based on unsubstantiated allegations, hearsay or media promulgated rumors. The Company fully supports the rule of law, the concepts of due process and the presumption of innocence until proven guilty and the right to confront accusers in a properly convened court of law. CACI set out these fundamental positions at the inception of the Abu Ghraib scandal and it remains the Company's stance today.

The words of our 32nd President, Franklin Delano Roosevelt are appropriate: "Repetition does not transform a lie into the truth." Repeating untrue allegations about CACI and its people, no matter how often, including statements in films and DVDs, cannot alter the truth about CACI's good work and good name.

We bring the information in this letter to your attention so that your clients will not now, knowingly, repeat false and defamatory information about CACI or Dr. London.

Please ask your clients to post this letter in its entirety on [www.Iraqforsale.org](http://www.Iraqforsale.org).

Sincerely,



J. William Koegel, Jr.

JWK/lpc