

**WEBB-McCASKILL AMENDMENT
ON SECURITY CONTRACTING**
Amendment No. 2127 (filed in July) to H.R. 1585

Section 871 of the FY08 National Defense Authorization Act does not elaborate policies but *directs DOD to prescribe regulations* regarding private security contractors in combat operations.

The suggested amendment specifies that these regulations must establish:

- **A process for keeping records of private security personnel.** This would enable DOD, private security companies, and investigators to track problematic individuals.
- **A process for registration and identification of armored vehicles, helicopters, and other military vehicles operated by contractors.** Currently, companies registered with the Ministry of Interior display logos that are uniquely numbered to identify each PSC. Iraqis can file complaints with the Ministry quoting relevant vehicle numbers. Unfortunately, very few companies are legally registered with the Ministry of Interior, so this requires the DOD to develop a process to apply to all vehicles.
- **A process under which contractors are required to report all incidents and non-contractors may report incidents.** Currently, contractors file incidents at their own discretion although they may be required to do so by contract. Non-contractors file incidents through separate means.
- **Includes the reporting of incidents where persons are killed or injured, or property is destroyed.** The bill currently specifies the types of incidents that must be reported but does not include this explicit protection for Iraqi life and property.
- **A process by which all incidents are independently reviewed and, where appropriate, investigated.** Currently, incident reports are being filed but it is not clear if they are being reviewed and promoted to investigation, where warranted, on a routine basis.
- **Guidance to commanders on issuing pre-deployment training requirements for contractors, including on country information, cultural training, and guidance on working with host country nationals.** Contractors tend to be very focused on their assignment and, in the process, can behave offensively and damage the U.S. image and mission in Iraq. If the U.S. military is receiving this training, then U.S. security personnel should as well. At least some companies already provide this training.
- **A requirement that private security personnel are briefed on and understand their obligation to comply with applicable U.S., Iraqi, international laws, and rules on the use of force.** Most large U.S. companies conduct this training, but smaller companies may not.