

Mr. SCOTT of Virginia: Madam Chairman, I rise in support of H.R. 2740, the MEJA Expansion and Enforcement Act of 2007.

I would like to commend the chairman of the Judiciary Committee, Mr. *Conyers*, and the author of the bill, the gentleman from North Carolina (Mr.

Price

), for their hard work on this bill.

We currently have a situation in which many military contractors act with impunity and no accountability because they operate outside of the jurisdiction of the United States criminal code because they are technically outside of the jurisdiction of the United States and outside of the Uniform Code of Military Justice because they are not in the military.

In Iraq, our troops have been supplanted by an army of contractors, which is estimated at 180,000, an extremely high number by any account. Last month we learned of a shooting incident involving a private contracting company, Blackwater, in which contractors allegedly shot and killed 11 or more innocent Iraqi civilians. Yesterday we learned that Blackwater was involved in at least 195 shooting incidents in Iraq since 2005. According to at least one report, their employees fired the first shots in more than 80 percent of these shooting incidences.

Madam Chairman, to provide much needed accountability and oversight for these contractors, the gentleman from North Carolina (Mr. *Price*) introduced H.R. 2740, the MEJA Expansion Enforcement Act of 2007. When MEJA was originally signed into law in 2000, it did provide the United States Federal Courts with jurisdiction over civilian employees, contractors and subcontractors affiliated with the Defense Department who commit crimes overseas. The bill was later amended in 2005 to include employees of any Federal agency supporting the mission of the Department of Defense overseas.

This bill closes a loophole to make sure that all private security contractors, not just those contracted through the Department of Defense, are covered, to ensure that they are accountable under United States law. This change would update the law to better reflect the current situation in Iraq and Afghanistan, in which a large number of contractors are present, with contracts written by a variety of different government agencies, including the Department of the Interior and Department of State.

Madam Chairman, H.R. 2740 also requires the Inspector General of the Justice Department to complete and submit a report about the identification and prosecution of alleged abuses in Iraq. This section is meant to address the lack of transparency in Department of Justice investigations and prosecutions. In some cases, the Army has investigated the circumstances behind some cases and found probable cause that a crime has been committed and referred the case to the Department of Justice for prosecution.

In one example, unfortunately, 17 pending cases of detainee abuse, including the abuse at Abu Ghraib prison by contractors, has remained in the U.S. Attorneys Office for the Eastern District of Virginia for 3 years. We are not told why these cases against civilian contractors have not been prosecuted or why they are being held up. In comparison, since the invasion of Iraq, there have been more than four dozen courts-martial commenced against uniformed personnel with respect to the law of war issues.

Finally, H.R. 2740 requires that the Federal Bureau of Investigation establish an investigative unit to investigate reports of criminal misconduct in regions in which contractors are working.

Madam Chairman, I would like to state for the record that at the subcommittee markup of this bill I agreed to work with my distinguished colleague from Virginia (Mr. *Forbes*), the ranking member, to address his concerns in the bill before it reached the full committee. We did work together and jointly offered a substitute amendment in the full committee that reflected this bipartisan agreement. The bill was then reported out of the committee on a voice vote, without further amendments. The manager's amendment, which will be offered in a few minutes, has additional recommendations from the ranking member.

Madam Chairman, H.R. 2740 is a necessary bill. It is long overdue. Accordingly, I urge my colleagues to support the legislation.