



THE UNDER SECRETARY OF DEFENSE
2000 DEFENSE PENTAGON
WASHINGTON, DC 20301-2000

POLICY

AUG - 7 2007

The Honorable Norman Dicks
United States House of Representatives
Washington, DC 20515

Dear Representative Dicks:

Thank you for the letter to President Bush you co-signed with 143 Members of Congress regarding the detention facility at Guantanamo Bay. I appreciate your views on this important subject.

As you know, the Secretary of Defense has made clear that he would like at some point to close the detention facility at Guantanamo Bay, but that there are important reasons why establishing a timeline for or mandating such closure would currently be unwise. A significant problem is that there are numbers of detainees there who, often by their own admission, would come back to attack the United States if released.

We continue to work towards a solution that may allow us to close Guantanamo. The Departments of State and Defense have negotiated successfully in a number of cases to transfer detainees to their home countries or other appropriate countries when the risks posed by those detainees to U.S. national security can be effectively mitigated. In addition, we remain committed to obtaining assurances that detainees will continue to receive humane treatment. Finally, the Department is working with the Department of Justice to conduct trials of certain detainees through the Military Commission process.

Establishing a timeline for the closure of Guantanamo Bay would likely not provide sufficient flexibility for negotiating the transfer of detainees back to their home countries, or third countries. For those individuals who cannot be appropriately charged or transferred by a set deadline, there would be a risk they could be set free.

I appreciate your continuing efforts regarding these issues. Ultimately, as the President has stated, our goal remains the same: to work towards the day when we are able to close Guantanamo. However, any solution must preserve the President's

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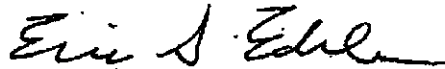
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flexibility under the law of war to detain enemy combatants as necessary in the security interests of the United States. I look forward to working with the Congress on this matter.

Sincerely,



Eric S. Edelman

cc:
Attached List