



DEPARTMENT OF DEFENSE  
OFFICE OF GENERAL COUNSEL  
1600 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1600



2004 APR -3 AM 11:46

OFFICE OF THE  
SECRETARY OF DEFENSE APR 05 2004

Friedhelm Kuhl  
Amnesty International  
Sektion der Bundesrepublik Deutschland  
Steubenstr.4c  
58097 Hagen  
Allemagne

Dear Mr. Kuhl:

Thank you for your letter to President George W. Bush concerning the detention and questioning of enemy combatants captured in the war against terrorists of global reach after the terrorist attacks on the United States on September 11, 2001 (copy attached). As a matter of policy and for operational and security reasons, the U.S. government does not discuss specifics pertaining to detainees, to include their names or nationalities.

The United States is engaged in an armed conflict with al Qaida and its supporters. The United States must detain enemy combatants who take up arms against our forces and remove them from the battlefield to prevent their participation in further hostilities. It is a universally recognized principle under the law of armed conflict that enemy combatants may be captured and detained for the duration of the conflict. Our detention of enemy combatants is lawful and necessary to prevent them from returning to the battlefield or re-engaging in armed conflict against the United States or our partners in the war on terrorism.

In this war, as in every war, captured enemy combatants have no right to counsel or right of access to courts for the purpose of challenging their detention. Should a detainee be charged with a crime, the detainee would have access to counsel and other fundamental rights recognized by the international law of armed conflict.

The United States has treated, and will continue to treat, enemy combatants humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Third Geneva Convention of 1949. They are provided with proper shelter and excellent medical care. Each is allowed to exercise their religious beliefs and all are provided food consistent with their religious requirements.

The United States questions enemy combatants to elicit information they may possess that could help the coalition win the war and forestall further terrorist attacks upon the citizens of the United States and other countries. As the President reaffirmed to the United Nations High Commissioner for Human Rights, United States policy

SecDef



R W00211-03  
ACLU (DP) 1274

condemns and prohibits torture. When questioning enemy combatants, U.S. personnel are required to follow this policy and applicable laws prohibiting torture.

If the war on terrorists of global reach requires transfer of detained enemy combatants to other countries for continued detention on our behalf, U.S. Government instructions are to seek and obtain appropriate assurances that such enemy combatants are not tortured.

U.S. Government personnel are instructed to report allegations of mistreatment or injuries to detained enemy combatants, and to investigate any such reports. Consistent with these instructions, U.S. Government officials investigate any known reports of mistreatment or injuries to detainees.

The United States does not condone torture. We are committed to protecting human rights as well as protecting the people of the United States and other countries against terrorists of global reach.

Sincerely,



Charles A. Allen  
Deputy General Counsel (International Affairs)

**THE WHITE HOUSE OFFICE**

**REFERRAL**

W00215 11/02 36

February 15, 2002

WHITE HOUSE SECTION

**TO:** DEPARTMENT OF DEFENSE

**ACTION REQUESTED:** INFO COPY ONLY/NO ACTION NECESSARY

**DESCRIPTION OF INCOMING:**

**ID:** 498288

**MEDIA:** FAX, DATED JAN 29, 2002

**TO:** PRESIDENT BUSH

**FROM:** THE HONORABLE ARLEN SPECTER  
UNITED STATES SENATE  
WASHINGTON, DC 20510

**SUBJECT:** URGES THE PRESIDENT TO CONSIDER THE PROCESS WHERE EL-QAEDA AND  
TALIBAN CAPTIVES OF THE WAR IN AFGHANISTAN ARE SUBJECT TO  
INTERROGATION

**PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9 WORKING DAYS  
OF RECEIPT, PLEASE TELEPHONE THE UNDERSIGNED AT (b)(2)**

**RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT) TO:  
RECORDS MANAGEMENT, ROOM 72, THE WHITE HOUSE, 20500**

**OFFICE OF RECORDS MANAGEMENT - THE WHITE HOUSE**

SecDef

**W00215 11/02**  
**ACLU (DP) 1277**

**THE WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

ID# 498288  
PAGE 1

*ND016*

DATE RECEIVED: 02/06/2002

NAME OF CORRESPONDENT: THE HONORABLE ARLEN SPECTER

SUBJECT: URGES THE PRESIDENT TO CONSIDER THE PROCESS WHERE EL-QAEDA AND TALIBAN CAPTIVES OF THE WAR IN AFGHANISTAN ARE SUBJECT TO INTERROGATION

ROUTE TO:		ACTION		DISPOSITION		
OFFICE/AGENCY	(STAFF NAME)	ACTION CODE	DATE YY/MM/DD	TYPE RESP	C D	COMPLETED YY/MM/DD
LEGISLATIVE AFFAIRS	NICK CALIO	ORG	2002/02/05	NL	A	2002/2/13
ACTION COMMENTS						
<i>Counsel</i>		<i>AA</i>	<i>1 1</i>			<i>1 1</i>
ACTION COMMENTS:						
<i>✓ Military Affairs</i>		<i>CF</i>	<i>1 1</i>			<i>1 1</i>
ACTION COMMENTS:						
ACTION COMMENTS:						

**COMMENTS**

ADDITIONAL CORRESPONDENTS: 0

MEDIA: FAX

INDIVIDUAL CODES:

REPORT CODES:

USER CODE:

**SCANNED  
BY  
ORM**

**ACTION CODES:**

- A - APPROPRIATE ACTION
- C - COMMENT/RECOMMENDATION
- D - DRAFT RESPONSE
- F - FURNISH FACT SHEET
- I - INFO COPY/NO ACT NECESSARY
- R - DIRECT REPLY W/ COPY
- S - FOR SIGNATURE
- X - INTERIM REPLY

**DISPOSITION CODES:**

- A - ANSWERED
- B - NON-SEPC-REFERRAL
- C - COMPLETED
- S - SUSPENDED

**OUTGOING CORRESPONDENCE:**

- TYPE RESP = INITIALS OF SIGNER
- CODE = A
- COMPLETED = DATE OF OUTGOING

REFER QUESTIONS AND ROUTING UPDATES TO RECORDS MANAGEMENT (ROOM 72, OEOB) EXT-62590  
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS MANAGEMENT.

SecDef

ACLU (DP) 1278

498288

February 13, 2002

Dear Senator Specter:

This is to acknowledge the receipt of your letter to the President urging the Administration to consider the process where el-Qaeda and Taliban captives of the war in Afghanistan are subject to interrogation.

I have shared your letter with the President's advisors and the appropriate agencies who have been formulating policy recommendations in this area. Your letter is receiving their close and careful attention. You will be receiving a more detailed response in the near future.

Thank you for your comments.

Sincerely,

Nicholas E. Calio  
Assistant to the President and  
Director of Legislative Affairs

The Honorable Arlen Specter  
United States Senate  
Washington, DC 20510

Bcc w/ copy for appropriate action: Counsel  
For Information: Military Affairs

020215

SecDef

ACLU (DP) 1279

United States Senate

WASHINGTON, DC 20510-3802

January 29, 2002

498288

The President  
The White House  
Washington, DC

Dear Mr. President:

I have noted the media reports that you are reconsidering your position on how to handle captives of war. While the matter is being reconsidered, I urge you to consider the process where el-Qaeda and Taliban captives of the war in Afghanistan are subject to interrogation.

As your Administration has publicly disclosed, there is a continuing threat of additional el-Qaeda terrorism on our homeland or U.S. installations abroad. It is of the greatest importance that the el-Qaeda and Taliban captives be interrogated in-depth in an effort to find clues or leads which might lead our intelligence or armed forces to thwart another terrorist attack. To refrain from interrogating these captives would, in my opinion, be a gross dereliction of our duty to do everything in our power, legitimately, to protect the security of our citizens and others.

After considering the matter, it is my legal judgment that such interrogation is not inconsistent with international law. Professor Detlev Vagts, an expert in international law at Harvard Law School, who studied at the POW Interrogation School in the 1950's in the United States Air Force, advises that it is legal to interrogate POWs for intelligence purposes even though answers might not be admissible in court under Miranda. A distinguished expert on international law, Eugene Fidell, Esquire, founder of the National Institute of Military Justice, advises that prisoner of war status does not preclude interrogation beyond name, rank, date of birth and serial number.

There are exceptions to fundamental constitutional rights where there is the threat of imminent harm which would be applicable to potential terrorist attacks. In Near v. Minnesota, albeit in dictum, the Supreme Court said that fundamental rights of freedom of the press could be circumscribed with prior restraint to protect a troop ship. In New York v. Quarles, the Supreme Court of the United States held there was a public safety exception to constitutional rights under Miranda so that interrogation was permissible if the safety of a police officer was threatened.

There are solid legal reasons to conclude that the Geneva Convention is not violated by such interrogation. If a substantial question does exist, it may be necessary for another convention to reconsider the extraordinary new challenges presented by the brutal, inhumane conduct of el-Qaeda in the horrendous attack of September 11<sup>th</sup>. There is no doubt that the captives, whatever their status, are entitled to humane treatment. The international and Congressional inspections show that the captives are being treated in a humane and appropriate way.

I am further concerned of a potential problem that this debate may discourage interrogators from proceeding or encourage captives not to talk. On this state of the record, I urge you to continue vigorous interrogation based on the precedents of legality and the importance to the safety of the American people.

Sincerely,



Arlen Specter

PRINTED ON RECYCLED PAPER

SecDef

ACLU (DP) 1280  
1036272

**THE WHITE HOUSE OFFICE  
REFERRAL**

MAY 21 2004  
May 21, 2004

OSD  
WHITE HOUSE SECTION

**TO:** DEPARTMENT OF DEFENSE

**ACTION REQUESTED:** DIRECT REPLY W/COPY

**DESCRIPTION OF INCOMING:**

**ID:** 621309

**MEDIA:** FAX

**DOCUMENT  
DATE:** MAY 05, 2004

**TO:** PRESIDENT BUSH

**FROM:** GEORGE VOINOVICH  
UNITED STATES SENATE  
WASHINGTON, DC 20510

**SUBJECT:** EXPRESSES CONCERN ABOUT THE ABUSE TO IRAQI PRISONERS IN  
U.S. CUSTODY AT THE ABU GHRAIB DETENTION FACILITY

**COMMENTS:**

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PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9  
WORKING DAYS OF RECEIPT, UNLESS OTHERWISE STATED, PLEASE TELEPHONE THE  
UNDERSIGNED AT (b)(2)

RETURN **ORIGINAL** CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT)  
TO: DOCUMENT TRACKING UNIT, ROOM 84, OFFICE OF RECORDS MANAGEMENT - THE WHITE  
HOUSE, 20500

OSD 07656-04

SecDef

ACLU (DP) 1440

# THE WHITE HOUSE DOCUMENT MANAGEMENT AND TRACKING WORKSHEET

**DATE RECEIVED:** 5/20/2004

**CASE ID:** 621309

**NAME OF CORRESPONDENT:** THE HONORABLE GEORGE VOINOVICH

**SUBJECT:** EXPRESSES CONCERN ABOUT THE ABUSE TO IRAQI PRISONERS IN U.S. CUSTODY AT THE ABU GHRAIB DETENTION FACILITY

ROUTE TO: AGENCY/OFFICE	(STAFF NAME)	ACTION		DISPOSITION		
		(b)(7) =	(b)(7) =	(b)(7) =	(b)(7) =	(b)(7) =
LEGISLATIVE AFFAIRS	(b)(6)	ORG	5/21/2004			
<b>ACTION COMMENTS:</b>						
DEPARTMENT OF DEFENSE		R	5/21/2004			
<b>ACTION COMMENTS:</b>						
NATIONAL SECURITY COUNCIL		I	5/21/2004		C	
<b>ACTION COMMENTS:</b>						
DEPARTMENT OF STATE		I	5/21/2004		C	
<b>ACTION COMMENTS:</b>						
<b>ACTION COMMENTS:</b>						

**COMMENTS:**

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**MEDIA:** FAX

**USER CODE:**

**SCANNED  
BY  
ORM**

ACTION CODES:	DISPOSITION		
A - APPROPRIATE ACTION B - RESEARCH AND REPORT BACK D - DRAFT RESPONSE I - INFO COPY/NO ACT NECESSARY R - DIRECT REPLY W/ COPY	<b>TYPE RESPONSE:</b> TYPE RESPONSE = INITIALS OF SIGNER NRN = NO RESPONSE NEEDED	<b>DISPOSITION CODES:</b> A - ANSWERED/ACKNOWLEDGED C - CLOSED X - INTERIM REPLY	<b>COMPLETED DATE:</b> COMPLETED = DATE OF ACKNOWLEDGEMENT OR CLOSE-OUT DATE (MM/DD/YY)

**REFER QUESTIONS AND ROUTING UPDATES TO DOCUMENT TRACKING UNIT (ROOM 84, OEOB) EXT-62590 KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO OFFICE OF RECORDS MANAGEMENT**



621309

GEORGE VOINOVICH  
OHIOUnited States Senate  
WASHINGTON, D. C. 20510

May 5, 2004

The President  
The White House  
Washington, DC 20500

Dear Mr. President:

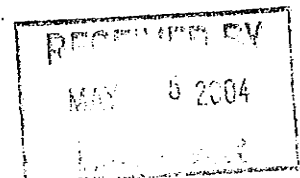
I applaud your prompt condemnation of the horrific acts of injustice against Iraqi prisoners in U.S. custody at the Abu Ghraib detention facility. I share your disgust with this behavior. It is immoral and so far beneath the level of conduct expected from—and typically exhibited by—American soldiers as to be difficult to comprehend.

Providing new leadership for the facility was the right move and I am pleased to hear that proceedings are underway to punish those responsible for these acts. It is my strongly held belief that nothing short of dishonorable discharge and prison time is adequate punishment for those responsible for these acts.

It goes without saying that these despicable actions by a few soldiers have done a great deal of damage to our relations with Iraqis and the Arab and Muslim worlds, undermining much of the good work done by so many U.S. soldiers over the past year. It is crucial that swift action be taken to bring those responsible to justice. The world must have confidence in our commitment to the well-being of all Iraqis, including the just treatment of those incarcerated.

I know from your comments and the military's actions to date that you share my concern with this serious matter and I urge that every effort continue to be made to see that justice is done and our reputation for justice and fairness repaired. Your recently announced interviews with Arab media are a good platform for beginning to repair some of the damage. I'm confident that you will communicate our nation's disgust and anger with the abuse of the detainees and underscore our reasons for entering Iraq: to eliminate an oppressive, dangerous dictator, restore the dignity and human rights of the Iraqi people, free them to self-govern and improve their quality of life.

Sincerely,

  
George Voinovich  
United States Senator

SecDef

ACLU (DP) 1442

**THE WHITE HOUSE OFFICE  
REFERRAL**

**July 09, 2007**

**TO: DEPARTMENT OF DEFENSE**

**ACTION REQUESTED: APPROPRIATE ACTION**

**DESCRIPTION OF INCOMING:**

**ID:** 729988  
**MEDIA:** FAX  
**DOCUMENT DATE:** JUNE 29, 2007  
**TO:** PRESIDENT BUSH  
**FROM:** NORM DICKS  
UNITED STATES HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515  
**SUBJECT:** EXPRESSES CONCERN ABOUT MEDIA REPORTS THAT SUGGEST  
THAT THE ADMINISTRATION IS NOW CONSIDERING  
REVERSING ITS POSITION TO KEEP OPEN THE DETENTION  
FACILITIES AT JOINT TASK FORCE-GUANTANAMO (JTF-GTMO)

**COMMENTS:**

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PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9  
WORKING DAYS OF RECEIPT, UNLESS OTHERWISE STATED, PLEASE TELEPHONE THE  
UNDERSIGNED AT 456-2590.

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TO: DOCUMENT TRACKING UNIT, ROOM 84, OFFICE OF RECORDS MANAGEMENT - THE WHITE  
HOUSE, 20500

SecDef

ACLU (DP) 1470

**THE WHITE HOUSE  
DOCUMENT MANAGEMENT AND TRACKING  
WORKSHEET**



**DATE RECEIVED:** 7/6/2007

**CASE ID:** 729988

**NAME OF CORRESPONDENT:** THE HONORABLE NORM DICKS

**SUBJECT:** EXPRESSES CONCERN ABOUT MEDIA REPORTS THAT SUGGEST THAT THE ADMINISTRATION IS NOW CONSIDERING REVERSING ITS POSITION TO KEEP OPEN THE DETENTION FACILITIES AT JOINT TASK FORCE-GUANTANAMO (JTF-GTMO)

ROUTE TO: AGENCY/OFFICE		ACTION		DISPOSITION	
(STAFF NAME)					
LEGISLATIVE AFFAIRS		ORG	7/9/2007		
<b>ACTION COMMENTS:</b>					
DEPARTMENT OF DEFENSE		A	7/9/2007		
<b>ACTION COMMENTS:</b>					
<b>ACTION COMMENTS:</b>					
<b>ACTION COMMENTS:</b>					
<b>ACTION COMMENTS:</b>					

**COMMENTS:**

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**MEDIA:** FAX

**USER CODE:** 140 ADDL  
SIGNEEs

ACTION CODES:		DISPOSITION	
	TYPE RESPONSE:	DISPOSITION CODES:	COMPLETED DATE:
A - APPROPRIATE ACTION	TYPE RESPONSE =	A - ANSWERED/	COMPLETED = DATE OF
B - RESEARCH AND REPORT BACK	INITIALS OF SIGNER	ACKNOWLEDGED	ACKNOWLEDGEMENT OR CLOSE-
D - DRAFT RESPONSE	NRN = NO RESPONSE	C - CLOSED	OUT DATE (MM/DD/YY)
I - INFO COPY/NO ACT NECESSARY	NEEDED	X - INTERIM REPLY	
R - DIRECT REPLY W/ COPY			

**REFER QUESTIONS AND ROUTING UPDATES TO DOCUMENT TRACKING UNIT (ROOM 437, EEOB) EXT-62590 KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO OFFICE OF RECORDS MANAGEMENT**

**Congress of the United States**  
Washington, DC 20515

729988

June 29, 2007

President George W. Bush  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Mr. President:

Recent reports in the media have suggested that your administration is now considering reversing its position to keep open the detention facilities at Joint Task Force-Guantanamo (JTF-GTMO). If accurate, we applaud the decision.

Since the time that captured "enemy combatants" were first brought to Guantanamo Bay in 2002, the detainment facility has undermined America's image as the model of justice and protector of human rights around the world. Holding prisoners for an indefinite period of time, without charging them with a crime goes against our values, ideals and principles as a nation governed by the rule of law. Further, Guantanamo Bay has become a liability in the broader global war on terror, as allegations of torture, the indefinite detention of innocent men, and international objections to the treatment of enemy combatants has hurt our credibility as the beacon for freedom and justice. Its continued operation also threatens the safety of U.S. citizens and military personnel detained abroad.

The House-passed National Defense Authorization Act of 2008 (H.R. 1585) included a provision requiring the Secretary of Defense to develop a plan to transfer detainees from Guantanamo Bay. United States military barracks have the capability to provide for the secure detainment of foreign nationals while ensuring the safety of communities within their proximate geographic location. Further, the military locations afford on-site access to military courtrooms for the timely adjudication of all legal proceedings.

The closure of the detention facilities at Guantanamo Bay would represent a positive first step toward restoring our international reputation as the leader of democracy and individual rights. We also feel that it is necessary to restore the right of habeas corpus to the detainees. This will allow for the implementation of fair and transparent trials to bring enemies of our country to justice.

The global war on terror cannot be won through military might alone. It is a war of ideas and philosophies. A liability of our own creation, the existence of the detention facilities at Guantanamo Bay is defeating our effort to ensure that the principles of freedom, justice and human rights are spread throughout the world.

We look forward to working with you on what we hope is a shared objective to close the detention facilities at Guantanamo Bay.

PRINTED ON RECYCLED PAPER

Respectfully,

Noon Rich

James Moran

Stacy Taylor

Ruben Emanuel

Walter B Jones

Jim Clyburn

Elyse Camp

Richard Stroh

Robert Wexler

Frank Latta

Benny Frank

Earl Blumenauer

Alan Gill

Harmon Workman

Rosa L. DeLauro

Donald M. Payne

Matthew

George Miller

Edmar

Henry A. Waxman

John F. Tierney

Edward H. Rosten

Ann. J. [unclear]

Rip Bouchon

Barbara Lee

Ben Orlan

Louise Slaughter

Ed Pastor

Dina Defetta

Maurice [unclear]

Amberly B. [unclear]

Peter [unclear]

Carol J. [unclear]

Paul E. [unclear]

Maray Kaptur

Dennis [unclear]

Julia Carson

Michael [unclear]

[unclear]

[unclear]

Bob Filner

Sheila Jackson Lee

Mac Udell

Hick Tessen

Joe Lofgren

Caroleen McCarty

Joe Costigan

Alicia E. Watson

Tim Wirth

Michael Gronson

Frank Pallone Jr.

NO [unclear]

Don O. Matsui

T. G. Jip

Bob Casey

Alphonse Rulka Jones

Tom Latham

Sam Tan

Sander Levin

Peter Welch

Bruce Braley

Tom Udall

Madeline Z. Bordallo

C. J. W. W.

Mike Doyle

Ed Perlmutter

~~Tom Stolt~~

Brian King

Jim M. Inoué

Gabriel Giffoni

John Lewis

Bob Koff

Betty Sutton

Chris Van Hollen

Ron Kind

Asst

Patrick D. Kennedy

Allyson J. Schwartz

Steve Fiske

Chris W.

Charles Zengely

Michael A. Amis

[Signature]

Manuel H. Manuel

Betsy McCollum

Raul M. Grijalva



Alexis

Yvette D. Clarke

J. B. Ruan

Mark Holt

John W. Ol

Kath Ellen

Phil Kane

Mozie K. Hiroo

Steve Kagen

Carol Shea-Power

Eddie Bernice Johnson

Jim McDermott

Steve Ah

Luis Capper

James

Hank Johnson

John Hill

David J. DeLo

Bobby Scott

J. M. Phelan

Don Teague

David Price

Joe E. Loran

Luella Lyburt Allard

Carolyn B. Maloney

Chris M. Murray

Corinne Brown

Paul J. Ryan

Jackie Repall

James A. Roth

Chaka Fattah

[Signature]

Jessie Chaveta

Carolyn C. Kistritz

[Signature]

Gary L. Ackerman

Melvin Waters

James W. Bruster

Yvonne Miller

Sanny H. Davis

Charles B. Rangel

[Signature]

Tam Lantis

Tony Baldini

Nicholas Caputo

Robert E. And

James O'Quinn

Grace S. Kaplitanov

Michael Whitbuck

Barbara Lee

Allert R. Wynn

Bill Pascell, Jr.

Wm. Lucy Clay

[Signature]

Dwen Smoore

Tim Ryan

Pete Stark

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## Signatures

Letter Dated June 29, 2007

- |                                     |                                |
|-------------------------------------|--------------------------------|
| 1. Hon. James P. Moran              | 42. Hon. Sheila Jackson-Lee    |
| 2. Hon. Norman D. Dicks             | 43. Hon. Mark Udall            |
| 3. Hon. Steny H. Hoyer              | 44. Hon. Rick Larsen           |
| 4. Hon. Rahm Emanuel                | 45. Hon. Zoe Lofgren           |
| 5. Hon. Walter B. Jones             | 46. Hon. Carolyn McCarthy      |
| 6. Hon. James E. Clyburn            | 47. Hon. Joe Courtney          |
| 7. Hon. Elijah E. Cummings          | 48. Hon. Diane El. Watson      |
| 8. Hon. Richard E. Neal             | 49. Hon. Mike Thompson         |
| 9. Hon. Robert Wexler               | 50. Hon. Frank Pallone, Jr.    |
| 10. Hon. Luis Guterrez              | 51. Hon. Anna Eshoo            |
| 11. Hon. Barney Frank               | 52. Hon. Doris Matsui          |
| 12. Hon. Earl Blumenauer            | 53. Hon. Tim Bishop            |
| 13. Hon. Peter J. Viscosky          | 54. Hon. Robert Brady          |
| 14. Hon. Lynn C. Woolsey            | 55. Hon. Stephanie Tubbs Jones |
| 15. Hon. Rosa L. DeLauro            | 56. Hon. Tom Allen             |
| 16. Hon. Donald M. Payne            | 57. Hon. Sam Farr              |
| 17. Hon. George Miller              | 58. Hon. Sander Levin          |
| 18. Hon. Henry A. Waxman            | 59. Hon. Peter Welch           |
| 19. Hon. Martin Meehan              | 60. Hon. Bruce Braley          |
| 20. Hon. Edolphous Towns            | 61. Hon. Tom Udall             |
| 21. Hon. John F. Tierney            | 62. Hon. Madeleine Bordallo    |
| 22. Hon. Peter A. DeFazio           | 63. Hon. Tim Walz              |
| 23. Hon. Hon. Eleanor Holmes Norton | 64. Hon. Mike Doyle            |
| 24. Hon. Edward J. Markey           | 65. Hon. Jay Inslee            |
| 25. Hon. William J. Jefferson       | 66. Hon. Ed Perlmutter         |
| 26. Hon. Paul E. Kanjorski          | 67. Hon. Patrick Kennedy       |
| 27. Hon. Rick Boucher               | 68. Hon. David Scott           |
| 28. Hon. Marcy Kaptur               | 69. Hon. Allyson Schwartz      |
| 29. Hon. Barbara Lee                | 70. Hon. Brian Higgins         |
| 30. Hon. Dennis J. Kucinich         | 71. Hon. Jim McGovern          |
| 31. Hon. William D. Delahunt        | 72. Hon. Steve Israel          |
| 32. Hon. Julia Carson               | 73. Hon. Chris Murphy          |
| 33. Hon. Louise McIntosh Slaughter  | 74. Hon. Gabrielle Giffords    |
| 34. Hon. Nydia M. Velázquez         | 75. Hon. Charles Gonzalez      |
| 35. Hon. Ed Pastor                  | 76. Hon. John Lewis            |
| 36. Hon. Joseph Crowley             | 77. Hon. Michael Arcuri        |
| 37. Hon. Diana DeGette              | 78. Hon. Adam Schiff           |
| 38. Hon. Bennie Thompson            | 79. Hon. Paul Hodes            |
| 39. Hon. Maurice D. Hinchey         | 80. Hon. Betty Sutton          |
| 40. Hon. Bob Filner                 | 81. Hon. Mike Michaud          |
| 41. Hon. Sanford D. Bishop, Jr.     | 82. Hon. Chris Van Hollen      |

JUN. 29, 2007 4:49PM

WASHINGTON DC OFFICE

NO. 098

83. Hon. Betty McCollum  
84. Hon. Ron Kind  
85. Hon. Raul Grijalva  
86. Hon. Abio Sires  
87. Hon. Jan Schakowsky  
88. Hon. Yvette Clarke  
89. Hon. Jim McDermott  
90. Hon. John Larson  
91. Hon. Steve Cohen  
92. Hon. Rush Holt  
93. Hon. Lois Capps  
94. Hon. John Olver  
95. Hon. Xavier Becerra  
96. Hon. Keith Ellison  
97. Hon. Hank Johnson  
98. Hon. Phil Hare  
99. Hon. John Hall  
100. Hon. Mazie Hirono  
101. Hon. Linda Sanchez  
102. Hon. Steve Kagen  
103. Hon. Bobby Scott  
104. Hon. Carol Shea-Porter  
105. Hon. Donna Christensen  
106. Hon. Eddie Bernice Johnson  
107. Hon. Dave Loesback  
108. Hon. David Price  
109. Hon. Jose Serrano  
110. Hon. Lucille Roybal-Allard  
111. Hon. Carolyn Maloney  
112. Hon. Nita Lowey  
113. Hon. Corrine Brown  
114. Hon. Dave Obey  
115. Hon. Nick Rahall  
116. Hon. Steve Rothman  
117. Hon. David Wu  
118. Hon. Chaka Fattah  
119. Hon. Dave Oberstar  
120. Hon. Carolyn Kilpatrick  
121. Hon. Gary Ackerman  
122. Hon. Maxine Waters  
123. Hon. Gregory Meeks  
124. Hon. Jerrold Nadler  
125. Hon. Danny Davis  
126. Hon. Charles Rangel  
127. Hon. John Conyers  
128. Hon. Tom Lantos  
129. Hon. Tammy Baldwin  
130. Hon. Michael Capuano  
131. Hon. Robert Andrews  
132. Hon. Emanuel Cleaver  
133. Hon. Grace Napolitano  
134. Hon. Michael Honda  
135. Hon. Albert Wynn  
136. Hon. Bill Pascrell, Jr.  
137. Hon. William Lacy Clay  
138. Hon. Anthony Weiner  
139. Hon. Gwen Moore  
140. Hon. Tim Ryan  
141. Hon. Pete Stark

**THE WHITE HOUSE OFFICE  
REFERRAL**

July 09, 2007

**TO:** DEPARTMENT OF DEFENSE

**ACTION REQUESTED:** APPROPRIATE ACTION

**ACTION COMMENTS:** ~~SEE COMMENTS~~

**DESCRIPTION OF INCOMING:**

**ID:** 729988

**MEDIA:** FAX

**DOCUMENT DATE:** JUNE 29, 2007

**TO:** PRESIDENT BUSH

**FROM:** NORM DICKS  
UNITED STATES HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515

**SUBJECT:** EXPRESSES CONCERN ABOUT MEDIA REPORTS THAT SUGGEST  
THAT THE ADMINISTRATION IS NOW CONSIDERING  
REVERSING ITS POSITION TO KEEP OPEN THE DETENTION  
FACILITIES AT JOINT TASK FORCE-GUANTANAMO (JTF-GTMO)

**COMMENTS:**

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PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9  
WORKING DAYS OF RECEIPT, UNLESS OTHERWISE STATED, PLEASE TELEPHONE THE  
UNDERSIGNED AT (572) [REDACTED]

RETURN ORIGINAL CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT)  
TO: DOCUMENT TRACKING UNIT, ROOM 84, OFFICE OF RECORDS MANAGEMENT - THE WHITE  
HOUSE, 20500

SecDef

ACLU (DP) 1488

**THE WHITE HOUSE  
DOCUMENT MANAGEMENT AND TRACKING  
WORKSHEET**



**DATE RECEIVED:** 07/06/2007

**CASE ID:** 729988

**NAME OF CORRESPONDENT:** THE HONORABLE NORM DICKS

**SUBJECT:** EXPRESSES CONCERN ABOUT MEDIA REPORTS THAT SUGGEST THAT THE ADMINISTRATION IS NOW CONSIDERING REVERSING ITS POSITION TO KEEP OPEN THE DETENTION FACILITIES AT JOINT TASK FORCE-GUANTANAMO (JTF-GTMO)

ROUTE TO: AGENCY/OFFICE	(STAFF NAME)	ACTION		DISPOSITION	
		CODE	DATE	TYPE RESPONSE	CODE
LEGISLATIVE AFFAIRS	(b)(6)	ORG	07/09/2007		
<b>ACTION COMMENTS:</b>					
DEPARTMENT OF DEFENSE		A	07/09/2007		
<b>ACTION COMMENTS:</b>					
<b>ACTION COMMENTS:</b>					
<b>ACTION COMMENTS:</b>					
<b>ACTION COMMENTS:</b>					

**COMMENTS:**  
SAME LETTER WITH 3 ADDITIONAL SIGNEES ROUTED TO DOD FOR ACTION

**MEDIA:** FAX

**USER CODE:** 140 ADDL  
SIGNEES

SEARCHED  
BY  
GRM

ACTION CODES:	TYPE RESPONSE:	DISPOSITION CODES:	COMPLETED DATE:
A - APPROPRIATE ACTION	TYPE RESPONSE =	A - ANSWERED/	COMPLETED = DATE OF
B - RESEARCH AND REPORT BACK	INITIALS OF SIGNER	ACKNOWLEDGED	ACKNOWLEDGEMENT OR CLOSE-
D - DRAFT RESPONSE	NRN = NO RESPONSE	C - CLOSED	OUT DATE (MM/DD/YY)
I - INFO COPY/NO ACT NECESSARY	NEEDED	X - INTERIM REPLY	
R - DIRECT REPLY W/ COPY			

**REFER QUESTIONS AND ROUTING UPDATES TO DOCUMENT TRACKING UNIT (ROOM 437, EEOB) EXT-62590 KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO OFFICE OF RECORDS MANAGEMENT**

JUL 11. 2007 11:50AM

WASHINGTON DC OFFICE

**Congress of the United States**

Washington, DC 20515

729988

June 29, 2007

President George W. Bush  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Mr. President:

Recent reports in the media have suggested that your administration is now considering reversing its position to keep open the detention facilities at Joint Task Force-Guantanamo (JTF-GTMO). If accurate, we applaud the decision.

Since the time that captured "enemy combatants" were first brought to Guantanamo Bay in 2002, the detainment facility has undermined America's image as the model of justice and protector of human rights around the world. Holding prisoners for an indefinite period of time, without charging them with a crime goes against our values, ideals and principles as a nation governed by the rule of law. Further, Guantanamo Bay has become a liability in the broader global war on terror, as allegations of torture, the indefinite detention of innocent men, and international objections to the treatment of enemy combatants has hurt our credibility as the beacon for freedom and justice. Its continued operation also threatens the safety of U.S. citizens and military personnel detained abroad.

The House-passed National Defense Authorization Act of 2008 (H.R. 1585) included a provision requiring the Secretary of Defense to develop a plan to transfer detainees from Guantanamo Bay. United States military barracks have the capability to provide for the secure detainment of foreign nationals while ensuring the safety of communities within their proximate geographic location. Further, the military locations afford on-site access to military courtrooms for the timely adjudication of all legal proceedings.

The closure of the detention facilities at Guantanamo Bay would represent a positive first step toward restoring our international reputation as the leader of democracy and individual rights. We also feel that it is necessary to restore the right of habeas corpus to the detainees. This will allow for the implementation of fair and transparent trials to bring enemies of our country to justice.

The global war on terror cannot be won through military might alone. It is a war of ideas and philosophies. A liability of our own creation, the existence of the detention facilities at Guantanamo Bay is defeating our effort to ensure that the principles of freedom, justice and human rights are spread throughout the world.

We look forward to working with you on what we hope is a shared objective to close the detention facilities at Guantanamo Bay.

PRINTED ON RECYCLED PAPER

SecDef

ACLU (DP) 1490



Respectfully,

Dale E. Wilson

Hyd Doss

Joe Han

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JUL 11 2007 11:50AM

WASHINGTON DC OFFICE

**JAMES R MORAN**  
5TH DISTRICT OF VIRGINIA



WASHINGTON OFFICE:  
2230 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-4008  
(202) 225-4378  
FAX (202) 225-0017

COMMITTEE ON APPROPRIATIONS  
SUBCOMMITTEE:  
DEFENSE  
INTERIOR

www.house.gov/moran

Congress of the United States  
House of Representatives

DISTRICT OFFICES:  
333 N. FAIRFAX STREET  
SUITE 201  
ALEXANDRIA, VA 22314  
(703) 871-4700  
FAX (703) 872-8438

1700 RESTON PARKWAY  
SUITE 504  
RESTON, VA 20180  
(703) 481-4338  
FAX (703) 481-4338

Handwritten notes: "House", "WW", "LAD", "SK", "IM" with circles around "SK" and "IM".

Fax Cover Sheet

TO: White House Liaisons Office for  
Legislative Affairs  
Telephone: \_\_\_\_\_  
Fax: (b)(2)  
Date/Time: 7 AM:107

FROM: Congressman Jim Moran  
Telephone Number of Sender: 202-225-4376  
Fax Number of Sender: 202-225-0017  
Number of Pages (Including Cover Sheet): \_\_\_\_\_

NOTES This letter regarding Guantanamo Bay was  
originally sent the afternoon of June 29, 2007  
to the White House. This letter includes additional  
signatures. If you have any questions regarding the  
letter please contact Heath Bungardner at  
202-225-0367. Thank you very much  
for your consideration. If you would like an  
e-mail copy please call Heath.

*This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of this communication to other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify us immediately at 202-225-4376 and return the original message to us at the above address via the US Post Service. Thank you for your assistance.*

549992 ai

amnesty international  
Sektion der Bundesrepublik Deutschland e.V.

1587

Friedhelm Kuhl, Steubenstr. 4c, 58097 Hagen, Allemagne, eMail: ai1190@aol.comHis Excellency  
President George W. Bush  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500  
USA

Fax: 001202 456 2461

Hagen, January 24th, 2003

Dear Mr President,

I am deeply concerned about **Bisher Al-Rawi (m), Iraqi national, and Jamil Al-Banna (m), Jordanian national**. I have received confirmation that both men have been transferred to a US airbase in Bagram, north of Kabul, Afghanistan. The men were originally arrested in Gambia on November 8th, 2002, on suspicion of links with al-Qa'ida. They were held incommunicado until their transfer from Gambia, which is thought to have been in early January 2003. I consider them to be at risk of ill-treatment or other cruel, inhuman and degrading treatment.

The US airbase at Bagram is believed to hold 40 to 60 detainees at any one time. An article published on December 26th, 2002, in the *Washington Post*, alleged that suspected *al-Qa'ida* detainees held incommunicado in Bagram may be subject to CIA "stress and duress" techniques, including being kept standing or kneeling for hours, in black hoods or blacked out goggles, and subject to sleep deprivation under 24-hour lighting.

In April 2002, Amnesty International submitted a Memorandum to the US Government on the rights of people in US custody in Afghanistan and Guantánamo Bay. The Memorandum included allegations by some of those detained that they were ill-treated while in US military custody. There have been further allegations of torture or ill-treatment by US military personnel since this Memorandum was issued.

I call on the authorities to justify the ongoing incommunicado detention. I call for the two men to be released if they are not to be promptly charged with a recognized criminal offence & brought to justice in accordance with international standards of a fair trial and without recourse to the death penalty.

I look forward to receiving your kind answer.

Yours sincerely,

cc:

FKU

Jackson McDonald  
USA Ambassador to Gambia  
Banjul  
Republic of Gambia

SecDef

Fax: 00220 392 475; eMail: ambanjul@ambusa.gm  
1147636  
AGHU (DP) 1272

**THE WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

ID# 568157

PAGE 1

DATE RECEIVED: 08/26/2003

NAME OF CORRESPONDENT: THE HONORABLE NEIL ABERCROMBIE

SUBJECT: REQUESTS THE WHITE HOUSE TO UNDERTAKE THE INTERROGATIONS OF AHMED AL-ANI ABOUT HIS SECRET MEETING IN PRAGUE WITH MOHAMED ATTA AND SEEK CLARIFICATION BASED ON U.S ASSESSMENT OF AL-ANI'S RESPONSES TO THE QUESTIONS (LISTED)

		ACTION		DISPOSITION		
ROUTE TO: OFFICE/AGENCY	(STAFF NAME)	ACTION CODE	DATE YY/MM/DD	TYPE RESP	C D	COMPLETED YY/MM/DD
LEGISLATIVE AFFAIRS	(b)(6)	ORG	2003/08/26			
ACTION COMMENTS						
NSC		E	11			11
ACTION COMMENTS: Please respond by 9/16/03						
✓ DOD		I	11			11
ACTION COMMENTS:						
DOS		I	11			11
ACTION COMMENTS:						

COMMENTS:

ADDITIONAL CORRESPONDENTS 0  
REPORT CODE:

MEDIA: LETTER      INDIVIDUAL CODES:  
USER CODE: 3 SIGNEES

**ACTION CODES:**  
A - APPROPRIATE ACTION  
C - COMMENT/RECOMMENDATION  
D - DRAFT RESPONSE  
F - FURNISH FACT SHEET  
I - INFO COPY/NO ACT NECESSARY  
R - DIRECT REPLY W/ COPY  
S - FOR SIGNATURE  
X - INTERIM REPLY

**DISPOSITION CODES:**  
A - ANSWERED  
B - NON-SPEC-REFERRAL  
C - COMPLETED  
S - SUSPENDED

**OUTGOING CORRESPONDENCE:**  
TYPE RESP = INITIALS OF SIGNER  
CODE = A  
COMPLETED = DATE OF OUTGOING

REFER QUESTIONS AND ROUTING UPDATES TO RECORDS MANAGEMENT (ROOM 72, OEOB) EXT-62590 KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS MANAGEMENT.

SecDef

ACLU (DP) 1510

REFERRAL

DATE: 12 JUN 03

MEMORANDUM FOR: MARRIOTT, W

EXECSEC

DOCUMENT DESCRIPTION: TO: PRESIDENT

SOURCE: KHAN, IRENE

DATE: 24 APR 03

SUBJ: AMNESTY INTL EXPRESSING CONCERN FOR CHILDREN HELD IN GITMO

---

REQUIRED ACTION: DIRECT REPLY FURNISH INFO COPY

DUE DATE:

COMMENT: NSC POC:

(b)(6)

(b)(6)

FOR

NSC RECORDS MANAGEMENT OFFICE

*Steve Hadley*



564470

*[Handwritten scribble]*  
4762

Ref.: TG AMR 51/042/2003

George W. Bush  
The President  
The White House  
1600 Pennsylvania Avenue  
Washington DC 20500  
USA

24 April 2003

Dear Mr President

I am writing to express our deep concern at reports that several children are among the more than 600 detainees being held in the US Naval Base in Guantánamo Bay. We have written to your government on several occasions since the detainee transfers to the Naval Base began more than a year ago, and deeply regret that our concerns have gone unanswered and unremedied. While we continue to seek such remedies, under international law and standards, for the adult prisoners, we are now urgently requesting your assurances that the USA will abide by its international obligations in relation to these young detainees.

The reports indicate that a "handful" of children, described as being between the ages of 13 and 15 years old, have been "discovered" by the authorities in Guantánamo. It is reported that the children were transferred, possibly from the Air Base in Bagram, earlier this year. We further note that a 16-year-old Canadian national, Omar Khadr, was transferred in late 2002 from Afghanistan to the Guantánamo Naval Base. We are concerned by reports indicating that it took six months for even the Canadian government to have access to him. Along with all the other detainees, he remains without access to legal counsel or his family.

International law and standards recognize the particular vulnerability of children and require, among other things, that children should be detained only as a last resort and for the shortest time possible. When in detention, children must be fully protected according to their general and special needs. We note reports that at least some of the children are not being held in isolation cells. However, we would emphasise that the definition of a "child", according to most international legal standards, is anyone under the age of 18. We would urge therefore that all necessary protections and safeguards be extended to all children, including any 16 and 17 year olds who may be held in the Naval Base, including Omar Khadr.

We are further concerned at reports indicating that the child detainees may be subjected to interrogation without access to any legal representatives. Article 40 of the Convention on the Rights of the Child states that "every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action". Article 39 of the Convention stresses that "the arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a last resort and for the shortest appropriate period of time".

The USA signed the Convention on the Rights of the Child in 1995, thereby binding itself under international law not to do anything to defeat the object and purpose of the treaty pending a ratification decision.

It seems something of an irony that the USA, one of the first countries to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed

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AMNESTY INTERNATIONAL  
INTERNATIONAL SECRETARIAT  
Peter Benenson House, 1 Easton Street, London WC1X 0DW, United Kingdom  
Tel: Int. Code: 44 (20) 7413 5500. UK Code: 020 7413 5500. Fax: Int. Code: 44 (20) 7956 1157. UK Code: 020 7956 1157.  
E-mail: [amnestyis@amnesty.org](mailto:amnestyis@amnesty.org) Web: <http://www.amnesty.org>

SecDef

AGLU (DP) 1292  
1181350

conflicts, is now treating these children in a way that undermines fundamental protections under the body of the main treaty itself. We note that the Optional Protocol welcomes the "overwhelming support for the Convention on the Rights of the Child, demonstrating the widespread commitment that exists to strive for the promotion and protection of the rights of the child", and that it reaffirms "that the rights of children require special protection" and calls "for continuous improvement of the situation of children". We also note that Article 6 of the Protocol provides that "States Parties shall take all feasible measures to ensure that persons within their jurisdiction recruited or used in hostilities contrary to the present Protocol are demobilized or otherwise released from service. States Parties shall, when necessary, accord to such persons all appropriate assistance for their physical and psychological recovery and their social reintegration."

We further note that Article 3 of the Convention states that "the best interests of the child shall be a primary consideration" in all decisions and procedures concerning children. We submit that transporting children to the US Naval Base in Guantánamo Bay and holding them in indefinite prolonged untried detention, without access to a court or to any representatives acting on their behalf, fails to meet this obligation.

We continue to be concerned for all of the Guantánamo detainees, who are held without access to the courts, to relatives or to lawyers. Some have been held for more than a year in this legal limbo, not knowing when or if they will be charged, tried or released. We regret your government's selective approach to the Geneva Conventions and that none of the Guantánamo detainees has been presumed to be a prisoner of war pending a decision by a competent tribunal in cases where the status may be a matter of dispute.

The USA's failure to abide by international humanitarian law does not leave the detainees unprotected. As we have stated in our previous communications, it is a fundamental principle of international human rights law that anyone deprived of his or her liberty be allowed to challenge the lawfulness of their detention in a court of law. We further point out that in December 2002, the United Nations Working Group on Arbitrary Detention noted that where prisoner of war status is not recognized, "the situation of detainees would be governed by the relevant provisions of the [International Covenant on Civil and Political Rights] and in particular by Articles 9 and 14 thereof, the first of which guarantees that the lawfulness of a detention shall be reviewed by a competent court, and the second of which guarantees the right to a fair trial".

Article 9.4 of the International Covenant on Civil and Political Rights (ICCPR) states: "Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful". The Human Rights Committee has stressed that this "important guarantee... applies to all persons deprived of their liberty by arrest or detention". Indeed, it has stated that this right is non-derogable, even in states of emergency.

Article 2(1) of the ICCPR states: "Each State Party to the present Covenant undertakes to respect and to ensure to *all individuals* within its territory and *subject to its jurisdiction* the rights recognized in the present Covenant, without distinction of any kind", including on the basis of national origin. The Human Rights Committee has stated: "The Committee considers it necessary to draw the attention of States parties to the fact that the obligation under the Covenant is not confined to the respect of human rights, but that States parties have also undertaken to ensure the enjoyment of these rights to *all individuals under their jurisdiction*" (emphasis added).

We recall that last month Secretary of State Powell, releasing the State Department's reports on human rights practices in other countries, referred to "the steadfast commitment of the United States to advance internationally agreed human rights principles worldwide". We urge that your government acts on such sentiments in relation to the Guantánamo detainees.

We would be grateful to be informed of how many detainees under the age of 18 are currently detained in Guantánamo Bay in Bagram Air Base and of the circumstances and conditions under which all of them are held.

FAX COVER SHEET



TO: President George W. Bush  
 FROM: Amnesty International  
 DATE: 24 April 2003  
 DESTINATION FAX NO.: +(b)(2)

**TOTAL NUMBER OF PAGES INCLUDING THIS COVER SHEET: 4**  
 If you do not receive all the pages, or they are not fully legible, please call as soon as possible on +44 207 413 5741



We call for all under-18-year-olds held in Guantánamo to have immediate access to lawyers and their families. They should be promptly charged and tried within a reasonable time in accordance with fair trial standards, or released into appropriate and safe circumstances.

Finally, I would like to take this opportunity once again to reiterate our request for Amnesty International delegates to have access to Guantánamo Bay and Bagram Air Base to visit officials and detainees there.

I thank you for your serious consideration of this letter and await your response.

Yours sincerely



Irene Khan

Secretary General

cc. Secretary of Defence Donald Rumsfeld  
Secretary of State Colin Powell



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

Ms. Lois Whitman  
Executive Director, Children's Rights Division  
Human Rights Watch  
350 5<sup>th</sup> Avenue, 34<sup>th</sup> Floor  
New York, NY 10118

Dear Ms. Whitman:

The Secretary asked me to respond to your letter expressing concern with reports of younger detainees at Guantanamo Bay. While we do not discuss specifics of any detainee – including their ages or nationalities – there are a very small number of detainees whom we have assessed to be under the age of 16. (It is difficult to determine exact age for detainees, as many birth records are not readily available.)

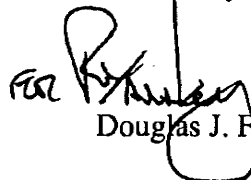
As with other detainees, these individuals were transferred to Guantanamo because they are enemy combatants who pose a threat to our forces. These particular individuals were captured while actively participating in hostilities against U.S. forces. The U.S. must detain enemy combatants who would take up arms against our forces and remove them from the battlefield to prevent their participation in further hostilities. Age is not a determining factor. As with all detainees, their release is contingent upon the determination that they are not a threat to our nation.

We recognize the special needs of younger detainees and the difficult or unfortunate circumstances surrounding their situation. Their needs are being addressed by medical professionals and others who are experienced in dealing with issues involving juveniles. In short, every effort is being made to provide them with a secure environment, segregated from the older detainee population, as well as the special physical, psychological and related care they may require.

Our preference would be to detain none of these younger combatants. But as long as terrorists and others continue to turn young boys into fighters against U.S. forces, we will continue to detain those who fight against us.

With best wishes, I remain

Yours truly,

  
Douglas J. Feith



NATIONAL SECURITY COUNCIL

ID 0301587

REFERRAL

DATE: 25 FEB 03

MEMORANDUM FOR: DEFENSE

DOCUMENT DESCRIPTION:

TO: PRESIDENT

SOURCE: MCDONALD, JACKSON

DATE: 24 JAN 03

SUBJ: LTR FM AMNESTY INTL RE DETAINEES

---

REQUIRED ACTION: DIRECT REPLY FURNISH INFO COPY

DUE DATE:

COMMENT:

(b)(6)

FOR

NSC RECORDS MANAGEMENT OFFICE

SecDef

W00211-03  
ACLU (DP) 1271



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE  
WASHINGTON, D.C. 20301-2500

JUL 2 2003

SPECIAL OPERATIONS/  
LOW-INTENSITY CONFLICT

Irene Khan  
Secretary General  
Amnesty International  
Peter Benenson House  
1 Easton Street  
London WC1X 0DW  
United Kingdom

Dear Ms. Khan:

Thank you for your recent letter to President George W. Bush expressing concern with reports of younger detainees at Guantanamo Bay and requesting access to Guantanamo Bay and Bagram Air Base. Per our previous responses, we are unable to accommodate your request to visit the detention facilities. As a matter of policy, and for operational reasons, DoD does not discuss specifics pertaining to detainees – to include their ages or nationalities. That said, there are a very small number of detainees whom we have assessed to be under the age of 16. It is difficult to determine the exact age for detainees, as birth records are not readily available.

As with other detainees, these individuals were transferred to Guantanamo because they are enemy combatants who pose a threat to our forces. These particular individuals were captured while actively participating in hostilities. The U.S. must detain enemy combatants who take up arms against our forces and remove them from the battlefield to prevent their participation in further hostilities. Age is not a determining factor. As with all detainees their release is contingent upon the determination that they are not a threat to our nation.

We recognize the special needs of younger detainees and the difficult or unfortunate circumstances surrounding their situation. Their needs are being addressed by medical professionals and others who are experienced in dealing with issues involving juveniles. In short, every effort is made to provide them a secure environment, segregated from the older detainee population, as well as the special physical, psychological and related care they may require. We are, in fact, treating young enemy combatants in a manner appropriate to their status and age.

SecDef

RWAGLU (DP) 1299  
RW00712-03

Our preference would be to detain none of these younger combatants. But as long as terrorists and others continue to abuse young men and turn them into fighters against U.S. forces, we will continue to detain those who fight against us.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul W. Butler". The signature is fluid and cursive, with a prominent flourish at the end.

Paul W. Butler

Deputy Assistant Secretary of Defense

**THE WHITE HOUSE OFFICE  
REFERRAL**

September 05, 2003 11:12:57

CSD  
SECTION

**TO: DEPARTMENT OF DEFENSE**

**ACTION REQUESTED: INFO COPY ONLY/NO ACTION NECESSARY**

**DESCRIPTION OF INCOMING:**

**ID:** 588157  
**MEDIA:** LETTER, DATED JUL 23, 2003  
**TO:** PRESIDENT BUSH  
**FROM:** THE HONORABLE NEIL ABERCROMBIE  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515  
**SUBJECT:** REQUESTS THE WHITE HOUSE TO UNDERTAKE THE INTERROGATIONS OF AHMED AL-ANI ABOUT HIS SECRET MEETING IN PRAGUE WITH MOHAMED ATTA AND SEEK CLARIFICATION BASED ON U.S ASSESSMENT OF AL-ANI'S RESPONSES TO THE QUESTIONS (LISTED)

**PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9 WORKING DAYS OF RECEIPT, PLEASE TELEPHONE THE UNDERSIGNES AT 452**

**RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT) TO:  
RECORDS MANAGEMENT, ROOM 72, THE WHITE HOUSE, 20500**

**OFFICE OF RECORDS MANAGEMENT - THE WHITE HOUSE**

SecDef

WO1044 /03

ACLU (DP) 1509