

# Coalition for Security, Liberty and the Law

20 December, 2012

President Barack Obama  
The White House  
1600 Pennsylvania Ave, NW  
Washington, D.C. 20500

Dear Mr. President:

As you are aware, the National Defense Authorization Act of Fiscal Year 2013 – the final text of which was agreed upon recently by House of Representatives and Senate Conferees, and will soon come to a vote before both bodies – contains a provision prohibiting the use of federal funds to transfer terrorist detainees from Guantanamo Bay to facilities inside the United States.

Our past experience as military, intelligence, and security policy professionals leads us to believe that the transfer of Guantanamo detainees into the United States would threaten national security and public safety. **We therefore urge you not to veto the NDAA over this provision and instead allow it to stand.**

Detainees transferred to U.S. prison facilities would turn those prisons – and nearby civilian populations – into terrorist targets. Based on past experience in Guantanamo, they would expose prison staff to unique threats, physical risks and legal liabilities. It is also likely that detainees, with help from counsel, would pressure prison officials to remove special security restrictions. If successful in such efforts, the detainees could have opportunities to radicalize the prison population – a risk previously noted by FBI Director Robert Mueller.

To the extent that detainees would receive criminal trials if transferred to the United States, such trials would entail granting due process and other rights that may force the government to choose between revealing classified evidence to secure a conviction in a U.S. court or dropping charges against dangerous terrorists.

Some have argued that Guantanamo remains a symbol of “torture”, and therefore a recruitment tool for terrorists that must be shut down. However, Guantanamo is not only a highly humane and – according to Attorney General Eric Holder – a “well-run, professional facility”, it is also uniquely secure in ways that cannot be replicated at detention facilities within the United States. Additionally, there is little evidence that Guantanamo has played a significant role in the recruitment of terrorists to al Qaeda or its affiliates.

For these reasons, we believe strongly that the detainees should not be transferred to any locale in the United States or its territories, and should instead be kept at

Guantanamo Bay. The potential national and local security risks associated with transferring detainees to the United States greatly outweigh any perceived benefits for American foreign policy or national security if such closure were to take place.

Sincerely,

Hon. Michael B. Mukasey, former Attorney General of the United States

R. James Woolsey, former Director of Central Intelligence

Adm. Jerome L. Johnson, USN (Ret.)

Adm. James “Ace” Lyons, USN (Ret.)

Lt. Gen. E.G. “Buck” Shuler, Jr., USAF (Ret.)

Brig. Gen. William A. Bloomer, USMC (Ret.)

Brig. Gen. William Weise, USMC (Ret.)

Tidal McCoy, former Acting Secretary of the Air Force

Andrew C. McCarthy, former Chief Assistant United States Attorney

Frank J. Gaffney, Jr., former Acting Assistant Secretary of Defense for International Security Policy

Debra Burlingame, 9/11 Families for a Safe and Strong America

Elaine Donnelly, 1992 Presidential Commission on the Assignment of Women in the Armed Services

cc: Members of the Senate Armed Services Committee  
Members of the House Armed Services Committee

# Coalition for Security, Liberty and the Law

7 October, 2009

President Barack Obama  
The White House  
1600 Pennsylvania Ave, NW  
Washington, D.C. 20500

Dear Mr. President:

As you know, the Department of Defense has since September 11, 2001 detained at Guantanamo individuals identified or treated as enemy combatants. Yet, shortly after you took office in January of 2009, you issued an Executive Order mandating the closure by January 22, 2010 of the detention/interrogation facilities at the Guantanamo Bay Detention Facility, U.S. Naval Base, Cuba (popularly known as Gitmo.)

Our past experience as military, intelligence, law enforcement and security policy professionals leads us to believe that the transfer of Guantanamo detainees into the United States would threaten national security and public safety.

For example, prisoners transferred to U.S. prisons would turn those prisons – and the nearby civilian populations – into high-probability terrorist targets. Based on past experience in Guantanamo, they would also expose prison staff to unique threats, physical risks and legal liabilities. FBI Director Robert Mueller has warned that the high-value prisoners will also contribute to the radicalization of prison populations. Detainees will pressure prison officials to remove special security restrictions and will receive due process and other rights that may force the government to choose between revealing classified evidence to secure a conviction in a U.S. court or dropping charges against dangerous terrorists and releasing them from prison. Over 500 lawyers describing themselves as the “Gitmo Bar” stand ready to file the paperwork to free any detainees transferred to U.S. prisons.

If detainees are released and cannot be resettled abroad securely, they may be resettled inside the United States. Worse yet, according to Director of National Intelligence Dennis Blair, U.S. taxpayers may be required to provide financial support for such detainees to “start a new life” here.

Moreover, the Department of Defense asserts that at least 61 of the 520 detainees released from Gitmo so far are confirmed or suspected of having returned to terrorism – other Department sources put the number at 102 of 520 detainees.

For these reasons, we believe strongly that the detainees should not be transferred to any locale in the United States or its territories, and should be kept at Guantanamo Bay until a more permanent and secure alternative is found. Today, potential national and

local security risks greatly outweigh any prospective economic benefits for states under consideration for such transfers.

In conclusion, as a matter of national security, we strongly advise that the Department of Defense and other federal or state agencies spend no funds to accomplish the closure of Guantanamo detention facilities or the transfer of Guantanamo detainees into the United States. All efforts should be made to enable state representatives to have opportunities to visit Gitmo and to be briefed on the risks associated with the management of Gitmo detainees.

Sincerely,

### **Army**

Gen. Frederick J. Kroesen, USA (Ret.)

Maj. Gen. Thomas F. Cole, USA (Ret.)

Maj. Gen. Vincent E. Falter, USA (Ret.)

Maj. Gen. Alvin W. Jones, USA (Ret.)

Maj. Gen. Henry D. Robertson, USA (Ret.)

Maj. Gen. Mel Thrash, USA (Ret.)

Brig. Gen. Francis A. Hughes, USA (Ret.)

Brig. Gen. Ronald K. Kerwood, USA (Ret.)

Brig. Gen. Gary J. Tellier, USA (Ret.)

Lt. Col. Gordon Cucullu, USA (Ret.);

Author of *Inside Gitmo: The True Story Behind the Myths of Guantanamo Bay*

### **Navy**

Adm. Jerry Johnson, USN (Ret.)

Adm. James “Ace” Lyons, USN (Ret.)

Vice Adm. Robert Monroe, USN (Ret.)

Vice Adm. David C. Richardson, USN (Ret.)

Rear Adm. Lawrence Burkhardt III, USN (Ret.)

Rear Adm. H.E. Gerhard, USN (Ret.)

Rear Adm. James M. Gleim, USN (Ret.)

Rear Adm. Robert H. Gormley, USN (Ret.)

Rear Adm. James B. Morin, USN (Ret.)

Rear Adm. Robert S. Owens, USN (Ret.)

Rear Adm. Don G. Primeau, USN (Ret.)

Rear Adm. Rollo Rieve, USN (Ret.)

Rear Adm. Hugh Scott, USN (Ret.)

### **Air Force**

Gen. Charles A. Horner, USAF (Ret.)

Lt. Gen. E.G. “Buck” Shuler, Jr., USAF (Ret.)

Lt. Gen. William H. Ginn, Jr., USAF (Ret.)

Maj. Gen. Charles L. Wilson, USAF (Ret.)

Brig. Gen. Bernard W. Gann, USAF (Ret.)

### **Marine Corps**

Gen. P.X. Kelley, USMC (Ret.)

Maj. Gen. Geoffrey Higginbotham, USMC (Ret.)

Maj. Gen. Joseph D. Stewart, USMC (Ret.)

Brig. Gen. William A. Bloomer, USMC (Ret.)

Brig. Gen. Gary E. Brown, USMC (Ret.)

Brig. Gen. M.A. Johnson, Jr., USMC (Ret.)

Brig. Gen. William L. McCulloch, USMC (Ret.)

Brig. Gen. William Weise, USMC (Ret.)

### **National Security**

R. James Woolsey, former Director of Central Intelligence

Tidal McCoy, former Acting Secretary of the Air Force

Andrew C. McCarthy, former Chief Assistant United States Attorney

Bradford A. Berenson, Associate Counsel to the President, 2001-2003

Frank J. Gaffney, Jr., former Assistant Secretary of Defense for International Security Policy

Dr. Peter Leitner, President, Higgins Counter-Terrorism Research Center

Elaine Donnelly, 1992 Presidential Commission on the Assignment of Women in the Armed Services

cc: Members of the 111<sup>th</sup> Congress

The Honorable Robert M. Gates, Secretary, U.S. Department of Defense

The Honorable Eric H. Holder, Jr. Attorney General of the United States

The Honorable Dennis Blair, Director of National Intelligence

The Honorable Robert Mueller, Director, Federal Bureau of Investigation