

June 22, 2009

The Honorable Carl Levin  
Chairman  
Senate Committee on Armed Services  
228 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Ike Skelton  
Chairman  
House Committee on Armed Services  
2120 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Patrick Leahy  
Chairman  
Senate Committee on the Judiciary  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable John Conyers  
Chairman  
House Committee on the Judiciary  
2138 Rayburn House Office Building  
Washington, D.C. 20515

**RE:** Request for Hearings before Voting on Any Legislation to Revise the Military Commissions Act or Authorize New Detention Authority or Procedures

Dear Chairmen Levin, Leahy, Skelton, and Conyers:

The undersigned organizations all strongly believe that the United States has all requisite authority under current law to try, resettle, or repatriate the detainees held at Guantanamo Bay. At this point, there is no need for new legislation to revive the failed military commissions or for detention authority for any current or future detainees.

However, we understand that some members of Congress and Executive Branch officials are considering possible legislation to revise the Military Commissions Act and authorize new detention authority or procedures. We strongly urge you to hold hearings on any such legislation before holding any markup. These matters are far too important for legislation to pass out of committee without full, public hearings.

Even during the rushed drafting and consideration of the Military Commissions Act of 2006, your committees still managed to hold a total of nine hearings related to the legislation. The hearings provided some opportunity for committee members, other members of Congress, and the American people to have a better understanding of the issues being considered, as well as to discuss alternative ways to promote the shared objectives of maintaining national security while also upholding American values.

The questions are no less complex three years later. We are grateful for President Barack Obama's order to close the Guantanamo Bay detention facility by January 2010, and we appreciate the practical, political, and legal challenges the Departments of Defense, Justice, and State confront in complying with the President's order. The already difficult challenges faced by the government in closing the Guantanamo Bay detention facility

should not be made harder by a truncated legislative process. Passing legislation without committee consideration in full and public hearings increases the risk that the result could be a statute with uncertain, unintended, or counterproductive consequences. We also are confident that, after full hearings, your committees will agree that no new legislation is needed at this point.

Thank you for your attention to these matters, and we would be pleased to meet with you or your staff to discuss our concerns further.

Sincerely,

Alliance for Justice  
Amnesty International  
American Civil Liberties Union  
Bill of Rights Defense Committee  
Brennan Center for Justice  
Center for Constitutional Rights  
Citizens for Responsibility and Ethics in Washington  
Constitution Project  
Human Rights First  
Human Rights Watch  
International Justice Network  
Japanese American Citizens League  
Justice at Stake  
National Association of Criminal Defense Lawyers  
National Institute of Military Justice  
National Religious Campaign Against Torture  
One America  
Open Society Policy Center  
OpenTheGovernment.org  
People For the American Way  
Religious Action Center of Reform Judaism  
Rights Working Group  
United Methodist Church, General Board of Church and Society

cc: All committee members