

THE CONSTITUTION PROJECT



*Safeguarding Liberty, Justice & the Rule of Law*

## **Latest Evidence of Willingness to Abandon Tool in Fight Against Terrorism Prompts Alarm**

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WASHINGTON – The Constitution Project (TCP) expressed disappointment over the inclusion of language in the U.S. Senate’s version of the 2011 Omnibus Appropriations bill that would prohibit the transfer of Guantanamo detainees to the United States, even for prosecution. This provision would remain in effect through September 30, 2011 or until Congress passes a new defense authorization bill lifting the prohibition.

According to TCP Policy Counsel Mason Clutter, “We are alarmed by Congress’ willingness to abandon our most effective tool in the fight against terrorism. U.S. civilian courts have successfully overseen 400 terrorism-related trials, compared with only 5 cases handled by the military commissions. Overlooking this track record of success makes no sense and will only continue to delay justice for 9-11 victims and their families.”

Ms. Clutter further observed, “We echo Attorney General Holder’s stated concern that lawmakers are setting a dangerous precedent by suggesting that the decision on where to bring prosecutions should reside with Congress, rather than the Justice Department and the Attorney General.”

*Established in 1997, TCP is renowned for its ability to bring together unlikely allies—experts and practitioners from across the political spectrum—in order to promote and safeguard America’s founding charter. TCP is working to reform the nation’s broken criminal justice system and to strengthen the rule of law by undertaking scholarship, policy reform and public education initiatives. TCP was born out of the belief that we must cast aside the labels that divide us, in order to keep our Constitution and our democracy strong.*