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BRIGADIER GENERAL RICHARD O'MEARA, USA (RET.)
BRIGADIER GENERAL ANTHONY VERRENGIA, USAF (RET.)

May 19, 2014

Dear Representative:

As retired Flag and General Officers, we believe it is imperative for Congress to remove the remaining restrictions on the transfer of Guantanamo detainees out of Guantanamo this year. Keeping the prison at Guantanamo open undermines American laws and values, and harms—not enhances—our national security.

Last year, Congress took the important and common sense step of relaxing restrictions on the transfer of Guantanamo detainees to their home and third countries, but maintained an unwise and unnecessary ban on transferring detainees to the United States for any purpose. We also understand that Congress may be considering further transfer restrictions, such as a categorical ban on transfers to Yemen, or other locations.

We acknowledge that the security situation in Yemen and other possible transfer locations is dire. However, the Department of Defense, and other U.S. security and intelligence agencies, must have the flexibility to make transfer decisions on a case-by-case basis where the risk of transfer can be mitigated and where transfer would be in our broader national interest. Further, because the military commissions continue to face significant legal problems, federal courts within the United States may in some cases be the only venue in which to prosecute suspected terrorists currently held at Guantanamo. Therefore, to maintain a ban on transferring detainees to the United States is to in effect provide immunity to terrorism suspects who may have committed crimes against the United States.

The prison at Guantanamo has been a stain on our nation's values since it opened, and despite the improved conditions there, continues to be a recruiting tool for our enemies and an inspiration for other nations to violate human rights. As you consider the National Defense Authorization Act (NDAA) this year, we urge you to remove the remaining transfer restrictions so that the Guantanamo prison can be closed.

Sincerely,

General Joseph P. Hoar, USMC (Ret.)
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Lieutenant General Harry E. Soyster, USA (Ret.)
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Major General William L. Nash, USA (Ret.)
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Major General Walter L. Stewart, Jr., USA (Ret.)
Major General Antonio M. Taguba, USA (Ret.)
Brigadier General John Adams, USA (Ret.)
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