



March 19, 2013

The Honorable Howard McKeon
Chairman, House Armed Services
Committee
2120 Rayburn House Office Bldg.
Washington, D.C. 20515

The Honorable Adam Smith
Ranking Member, House Armed Services
Committee
2120 Rayburn House Office Bldg.
Washington, D.C. 20515

Re: Upcoming House Armed Services Hearing on the Posture of U.S. Southern Command

Dear Chairman McKeon and Representative Smith:

As you consider testimony this week from General John Kelly on the posture of U.S. Southern Command, we urge you to question General Kelly on how he is working to fulfill the Administration's long-standing promise to close the detention center at Guantánamo and, in the meantime, address the increasingly desperate situation of the sick and aging population at the base.

Since 2002, the Center for Constitutional Rights has represented individuals detained at Guantánamo and has coordinated the habeas litigation on behalf of hundreds of other men imprisoned at the base. The information we share today has been gathered from dozens of visits to the base, hundreds of prisoner interviews, and countless phone calls and meetings with habeas counsel.

As the Committee is well aware, the 166 men still imprisoned at Guantánamo have now been detained for over 11 years without charge or trial. Although 86 have long been cleared for transfer by the Obama Administration, they continue to languish at the prison with no hope of ever being released. The situation is now critical. Men who arrived at Guantánamo in their 40s are now in their 50s and 60s and are suffering complications related to advanced age. Others suffer from acute depression, anxiety, and stress – chronic mental health issues that are exacerbated by the indefinite nature of their detention. Nine men have died since the prison opened in 2002.

Today, a number of prisoners are on hunger strike, which is now in its second month to devastating effect. We have received reports that some prisoners have lost between 20 to 40 pounds, and over two dozen men have lost consciousness due to dangerously low blood glucose levels. The strike occurs against a backdrop of hopelessness and desperation that stems from over a decade of indefinite detention, which prisoners have said time and time again is growing too much to bear.

Given the current critical situation, we strongly urge you to ask General John Kelly the following questions about the current and future state of the Guantánamo prison camp:

- What specific steps are you taking to work with the Administration to fulfill its promise to transfer detainees and close Guantánamo?
- Does the Department of Defense intend to certify detainees for transfer in the near future?
- How are you working with JTF-GTMO to bring about a swift resolution to the hunger strike?

The answers to these questions are vitally important for your Committee's work in ensuring that the Department of Defense is doing all that it can to close the chapter on Guantánamo and fulfill President Obama's Executive Order of 2009.

Thank you for your consideration.

Sincerely,

Center for Constitutional Rights

cc: all Members of the House Armed Services Committee