

**THE WHITE HOUSE**  
**WASHINGTON**

February 1, 2010

Dear Madam Speaker:

Thank you for the opportunity to brief Members of the House of Representatives on January 13, 2010. During the briefing, questions were raised by Representative Frank Wolf and others relating to the closure of the detention facilities at Guantánamo Bay and the Administration's counterterrorism efforts in Yemen. Therefore, I would like to take this opportunity to address these issues in greater detail.

The professional assessment of our military commanders and civilian leaders at the Department of Defense is that closing the detention facilities at Guantánamo is a national security imperative in the war against al-Qa'ida. Secretary Gates, Admiral Mullen, and General Petraeus have all stated that closing Guantánamo will help our troops by eliminating a potent recruiting tool. All three officials prosecuted this war under the previous Administration and continue to do so today.

With respect to detainees transferred abroad, this Administration has instituted the most robust review process ever applied to detainees at Guantánamo, including halting the "stove-piping" of classified information and requiring unanimous interagency decisions prior to every transfer. On January 22, 2009, the President signed Executive Order 13492, directing the consolidation of information from all agencies relating to Guantánamo detainees. As a result, Federal agencies for the first time have unprecedented access to a wide range of classified information collected from across the government.

The Executive Order also directed a comprehensive interagency review of all individuals at Guantánamo. To implement this directive, a task force was established with more than 60 career

prosecutors, agents, analysts, and attorneys from across the government, including civilian, military, and intelligence officials. Every decision to transfer a detainee to a foreign country during this Administration has been made unanimously by all agencies involved with the review process after a full assessment of intelligence and threat information. This includes the Department of Defense, the Joint Chiefs of Staff, and the Office of the Director of National Intelligence, as well as the Departments of State, Justice, and Homeland Security.

A critical factor in considering the transfer of detainees abroad relates to security conditions in the receiving country. The situation in Yemen presents significant challenges in this respect, and as a result, we have been deliberate about transferring detainees there. The previous Administration transferred 13 detainees to Yemen, and this Administration has repatriated seven to date. Although more than 90 Yemeni detainees remain at Guantánamo, the Administration temporarily suspended repatriations to Yemen earlier this month because of the specific security conditions and threat environment in that country.

During the briefing on January 13, Representative Wolf made allegations that one detainee repatriated to Yemen had been involved in weapons of mass destruction. As it has done in every case, the task force thoroughly reviewed all information available to the government about this individual and concluded that there is no basis for the assertions Representative Wolf made during this session. I am attaching a classified addendum to this letter that addresses these concerns directly.

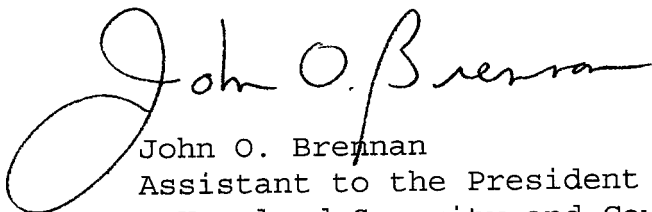
We believe that significant improvements to the detainee review process have contributed to significant improvements in the results. According to the most recent report to Congress pursuant to section 319 of the Supplemental Appropriations Act of 2009, the Intelligence Community assesses that 20 percent of detainees transferred from Guantánamo are confirmed or suspected of recidivist activity. This figure includes 9.6 percent of detainees who are confirmed recidivists and 10.4 percent of detainees who the Intelligence Community suspects, but is not certain, may have engaged in recidivist activities. I want to underscore the fact that all of these cases relate to detainees released during the previous Administration and under the prior detainee review process. The report indicates no confirmed or

suspected recidivists among detainees transferred during this Administration, although we recognize the ongoing risk that detainees could engage in such activity.

The Administration has worked aggressively since President Obama's inauguration to fully support Yemeni stability. Although previous punitive policies left Yemen with little U.S. financial and military support, this Administration is attempting to correct this problem by significantly increasing our financial and military support to the Government of Yemen. In addition to assisting Yemen in countering al-Qa'ida in the Arabian Peninsula, we are examining political and fiscal reforms to improve the security conditions in Yemen and ensure that gains are lasting.

These issues are among the most challenging we face as a nation, and the Administration is committed to executing a careful and comprehensive approach that promotes the national security of the United States. I would appreciate your assistance in making the contents of this letter available to any Members who have an interest.

Sincerely,



John O. Brennan  
Assistant to the President for  
Homeland Security and Counterterrorism

The Honorable Nancy Pelosi  
Speaker of the  
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