



Chief of Staff

OFFICE OF THE SECRETARY OF DEFENSE
OFFICE OF MILITARY COMMISSIONS
4800 MARK CENTER DRIVE
ALEXANDRIA, VA 22350-2100

September 3, 2013

Mr. Thomas Fitton
President
Judicial Watch
425 Third St., SW
Suite 800
Washington, DC 20024

Dear Mr. Fitton:

I have considered your request that Judicial Watch be included in the group of non-governmental organizations (NGOs) afforded a right of first refusal to travel to Guantánamo Bay to observe military commission proceedings. This letter serves to reconfirm the policies set forth in the August 19th memo.

The original five NGOs invited to travel to Guantánamo were selected due to their ability to reach an international audience, their experience with international human rights in criminal trials, and their stated mission to advance human rights through advocacy and respect for the law. As you know, we have since been able to increase access to military commissions, both through additional NGO observers in Guantanamo and the establishment of closed-circuit television (CCTV) feeds at locations in the Washington DC, New York, and Boston areas. Given logistic challenges, we must limit NGO observers actually in Guantanamo to no more than 14; therefore, we must have an appropriate process to assign those positions should demand exceed quotas. We have determined that limiting the right of first refusal to the five original NGOs is consistent with the continuing purpose of this policy, consistent with the practice that has been observed since 2003, and will facilitate greatest access to all interested and qualified NGOs.

We do appreciate Judicial Watch's interest in the conduct of military commissions, and I hope that availability is such that you will be able to continue to send observers to Guantánamo. As noted in the August 19th memo, you are always welcome to send observers to Fort Meade, Maryland, or the other CCTV locations.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael I. Quinn".

Michael I. Quinn
Chief of Staff

for Military Commissions

