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# United States Senate

WASHINGTON, DC 20510-3603

December 5, 2013

Mr. Michael I. Quinn  
Chief of Staff  
Office of the Secretary of Defense  
Office of Military Commissions  
4800 Mark Center Drive  
Alexandria, VA 22350-2100

Re: Non-Government Organization Observer Selection Policy

Dear Mr. Quinn:

I have recently learned of your August 19, 2013, Non-Government Organization (NGO) Observer Selection Policy to observe commission proceedings at Guantanamo Bay, Cuba (GTMO).

The designation of Amnesty International; Human Rights Watch, Human Rights First; the American Civil Liberties Union; and, the American Bar Association as, essentially, "permanent observers" to Commission proceedings is inconsistent with ethical principles of fairness, and non-preferential treatment of nongovernmental organizations by agencies of the United States government.

I am aware that as many as 18 NGOs have now expressed an interest in sending an observer to view commission proceedings at GTMO. I am also informed that because the Office of Military Commissions has "guaranteed" a seat for the original five NGOs, the remaining NGOs must, when demand for seats exceeds capacity, enter into a "lottery" system to be eligible for an open seat at GTMO. Those NGOs not selected in the lottery are then given priority to attend the next commissions hearing at GTMO, except that the original five NGOs will have the right of first refusal. The NGOs not selected may watch the proceedings at designated sites in the United States.

To comply with those well-established principles of fairness and non-preferential treatment, and to ensure public confidence in the Commission process it is essential, when limited space requires a random selection process, all qualified groups should be subject to this random process and no group granted "immunity" from the possibility of not being selected as a GTMO observer.

I strongly encourage you to adopt this new selection process. Thank you for your prompt reply to this letter.

Sincerely,



James Inhofe  
United States Senator

cc: Mr. Tom Fitton, President, Judicial Watch