

# United States Senate

WASHINGTON, DC 20510-0104

May 4, 2009

The Honorable Eric H. Holder, Jr.  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave., N.W.  
Washington, D.C. 20530

Dear Attorney General Holder:

Over four weeks ago, I wrote to you to voice my deep concerns over reports that you are contemplating the release into the United States of certain detainees currently held at the United States Naval base at Guantanamo Bay, Cuba. My letter cited questions of law and national security policy, including a specific immigration code section (8 U.S.C. § 1182(a)(3)(B)) that expressly prohibits the admission of any alien detainee who received military-style training at a terrorist-run camp. Despite the passage of over one month, you have still not responded to my letter in any way.

Since I sent my letter on April 2, 2009, further media reports have surfaced regarding a developing commitment to the release of Uighur detainees into Northern Virginia. During the intervening time, you have traveled to Europe to address what the Associated Press labeled “skeptical Europeans” regarding your plans to transfer or release Guantanamo detainees. I noted with interest that you spoke on the matter in Berlin last Wednesday, and even entertained questions from the media. You reportedly made light of the situation and joked about putting detainees in hotels.

I clearly do not share your sense of humor on this matter. It would be both dangerous and contrary to our immigration laws to admit trained foreign militants into our civilian population. The Uighur detainees held at Guantanamo Bay trained at camps run by the Eastern Turkistan Islamic Movement, which has been designated as a terrorist organization by both the United States and the United Nations since at least 2002. It is uncontested that the leader and chief instructor at these camps was Abdul Haq, a man the Obama administration labeled a “brutal terrorist” with ties to al Qaeda in a Treasury Department advisory issued just last week. It defies logic for this administration to label the training camp’s leader and instructor a “brutal terrorist,” while simultaneously contemplating releasing his trained pupils into communities in this country.

It is the job of the Attorney General to uphold and defend the rule of law and to defend this Nation against terrorist influences. You acknowledged as much during your confirmation hearing in January. Nonetheless you appear to be pressing for the release of trained militants who are inadmissible under our immigration laws and who have demonstrated hostility toward Western culture and even basic women's rights. This danger and hostility was illustrated in an April 24, 2009 story in the *Los Angeles Times*:

“Not long after being granted access to TV, some of the Uighurs were watching a soccer game. When a woman with bare arms was shown on the screen, one of the group grabbed the television and threw it to the ground, according to the officials.”

According to the *Los Angeles Times* article, military officials at Guantanamo thereafter censored television shows and displayed only pre-taped programs that would not offend the detainees. If these detainees cannot handle mere televised depictions of Western culture without violent outbursts, why is our government – including you as Attorney General – considering releasing them into our towns and cities?

I again reiterate my questions from last month and ask that I be given the same courtesy and dialogue you provided foreign government officials in Europe last week. Just four years ago, Congress enacted into law a prohibition on the admission of foreign terrorists and trained militants into this country. Accordingly, Congress is entitled to know what legal authority, if any, you believe the administration has to admit into the United States Uighurs and/or any other detainee who participated in terrorist-related activities covered by Section 1182(a)(3)(B).

As you know, the current administration, including President Obama, has repeatedly criticized the Bush administration for legal decisions and authorizations that were made in efforts to defend the national security of this country. It would be both reckless and hypocritical for this administration to follow this criticism by acting in derogation of the law to permit an action that could *endanger* national security.

I hope to receive a response to this letter and my prior correspondence. As before, I very much hope to receive your assurance that dangerous detainees will not be released into the United States' civilian population.

Very truly yours,



Jeff Sessions  
United States Senator