

December 14, 2005

The Honorable Duncan Hunter
House Armed Services Committee, Chairman
2265 Rayburn House Office Building
Washington, DC 20015

The Honorable Ike Skelton
House Armed Services Committee, Ranking Member
2206 Rayburn House Office Building
Washington, DC 20015

The Honorable John Warner
Senate Armed Services Committee, Chairman
225 Russell Senate Office Building
Washington, DC 20015

The Honorable Carl Levin
Senate Armed Services Committee, Ranking Member
269 Russell Senate Office Building
Washington, DC 20015

Re: Graham-Levin-Kyl Amendment to the National Defense Authorization Act

Dear Conferees:

We strongly oppose the Graham-Levin-Kyl Amendment to the National Defense Authorization bill and urge you to resist any compromise that would further limit the ability of detainees in Guantanamo Bay to seek review of their ongoing detention.

In precluding detainees from bringing habeas challenges to their ongoing detention and the use of torture, the Senate bill already gravely undermines the rule of law. Any further restriction on federal court jurisdiction would undercut the important achievements of the McCain Amendment. Detainees would be unable to seek any form of relief in any court of law from ongoing torture and cruel, inhuman, and degrading treatment.

We urge you to remove the Graham-Levin-Kyl Amendment from the Defense Authorization bill, and to assign it to the House and Senate Judiciary Committees, where these complex judicial issues can be given careful consideration they deserve.

Sincerely,

Human Rights Watch

The Center for American Progress

The Open Society Policy Institute

Human Rights First