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## United States Senate

SELECT COMMITTEE ON INTELLIGENCE

WASHINGTON, DC 20510-6475

January 5, 2010

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The President  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear President Obama:

The failed attempt to blow up Detroit-bound Northwest Flight 253 on Christmas Day was the latest reminder that our terrorist enemies remain steadfast in their determination to kill Americans and destroy our way of life.

In the days since this plot failed, there have been several reports that two of the leaders of al Qaeda in the Arabian Peninsula, the group that claimed responsibility for this failed attack, were Yemeni nationals and former Guantanamo Bay detainees who were released to Saudi Arabia in 2007 and then relocated to Yemen.

Last Sunday, Deputy National Security Adviser John Brennan confirmed your Administration's continued intent to release detainees from Guantanamo Bay to Yemen on a case by case basis. We are deeply troubled by this news. We believe that until the situation in Yemen is stabilized, no detainee from Guantanamo Bay should be transferred or released to Yemen.

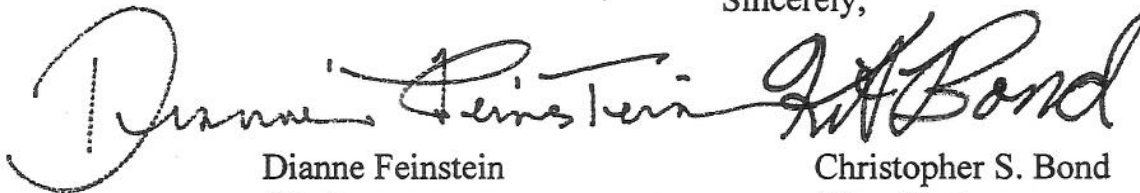
We know now that Guantanamo Bay detainees released or transferred to other countries, including Yemen and Saudi Arabia, by the previous Administration have posed continuing national security concerns. The Department of Defense has confirmed that, as of 2008, at least 18 released detainees are confirmed and another 43 detainees are suspected of reengaging in terrorist or insurgent activities. While current estimates are classified, we know that these numbers are much higher today.

The Intelligence Committee has held a number of briefings and hearings in the past year that clearly demonstrate that the security situation in Yemen has deteriorated. Terrorists, including al Qaeda, have found Yemen to be a relative safehaven from which to plan attacks, both against Yemeni targets and externally.

Unfortunately, we cannot rely on assurances that detainees transferred to Yemen for detention will be held securely until they no longer pose a threat.

We share your view that the first and highest responsibility of the United States government is the defense of our nation and its citizens. The experiences of years past and the failed attack on Christmas Day make clear that, putting aside broader questions on the closure of Guantanamo, we should halt the transfer or release to Yemen of any further terrorists currently held at Guantanamo Bay.

Sincerely,

Handwritten signatures of Dianne Feinstein and Christopher S. Bond. The signature of Dianne Feinstein is on the left, and the signature of Christopher S. Bond is on the right.

Dianne Feinstein  
Chairman

Christopher S. Bond  
Vice Chairman