

FOIA Marker

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National Security Council - National Security Advisor, Office of the

Hadley, Stephen (Steve) - Subject Files

Stack:	Row:	Sect.:	Shelf:	Pos.:	FRC ID:	Location or Hollinger ID:	NARA Number:	OA Number:
V	1	11	7	3	37841	50595		3603

Folder Title:

Hamdan/GTMO (Guantanamo) Detainees 05/2006 - 07/2006 E-001

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Briefing	Policy Time on Detainees [with attachments] - To: POTUS - From: Steve Hadley	2	07/22/2006	P1/b1; P5;
001a	Draft	Draft Hamdan Legislation	2	07/22/2006	P1/b1; P5;
001b	Draft	Defining Offenses	5	07/22/2006	P1/b1; P5;
001c	Email	FW: Midnight Club - To: Paul T. Haenle - From: Jack D. Crouch	4	07/22/2006	P1/b1; P5;
001d	Handwritten Note	[Hand-Written Note] - To: Steve - From: J.D.	2	N.D.	P1/b1; P5;
001e	Draft	Minimalist Approach	1	N.D.	P5;
002	Bill	A Bill	33	07/22/2006	P5;

COLLECTION TITLE:

National Security Council - National Security Advisor, Office of the

SERIES:

Hadley, Stephen (Steve) - Subject Files

FOLDER TITLE:

Hamdan/GTMO (Guantanamo) Detainees 05/2006 - 07/2006 E-001 [1]

FRC ID:

37841

RESTRICTION CODES

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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
003	Email	Questions from the Washington Post - To: Michael Allen, et al - From: Frederick L. Jones	1	07/21/2006	P5;
005	Handwritten Note	Graham [with attachments]	9	07/19/2006	P5;
006	Report	Summary of Discussion of 07/19/2006 Principals Committee Meeting...	3	07/19/2006	P1/b1; P5;
006a	Presentation	Update	11	07/19/2006	P1/b1; P5;
007	Statement	Statement of Steven G. Bradbury	10	07/10/2006	P5;
008	Report	Summary of Supreme Court Decision	4	N.D.	P5;

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009	Memorandum	Summary of Conclusions for Principals Committee Meeting - To: John Hannah, et al - From: V. Phillip Lago	1	07/072006	P3/b3;
009a	Summary of Conclusions	Summary of Conclusions	2	07/07/2006	P1/b1; P5;
010a	List	Meeting	1	N.D.	P1/b1;
010b	List	Steps Necessary	1	N.D.	P1/b1;
010c	Report	Summary	2	N.D.	P1/b1; P5;
010d	Report	Presidential Initiative	3	N.D.	P1/b1; P5;
010e	Report	Guide to the Supreme Court Decision	6	07/05/2006	P5;

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
011a	Talking Points	Post-Hamdan Talking Points	2	N.D.	P5;
011d	Letter	[Letter from the U.S. Department of Defense Post-Hamdan Working Group] - To: Whom It May Concern - From: U.S. Department of Defense Post-Hamdan Working Group	2	07/06/2006	P5;
011f	Report	The Military Justice System	6	07/06/2006	P5;
013	List	Meeting	1	N.D.	P1/b1;
014	List	Meeting	1	N.D.	P1/b1;
014a	Report	Summary	2	N.D.	P1/b1; P5;

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014b	List	Steps Necessary	1	N.D.	P1/b1;
014c	Report	Presidential Initiative	2	N.D.	P1/b1; P5;
014d	Report	Guide to the Supreme Court Decision	6	07/05/2006	P5;
11h	Report	Composite Detainee Capture Scenario	3	07/06/2006	P5;
11j	Report	Modern Practice [with attachment]	5	07/06/2006	P5;
11m	Report	Draft in Progress	6	07/06/2006	P5;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Draft	Minimalist Approach	1	N.D.	P5;

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COLLECTION:

National Security Council - National Security Advisor, Office of the

SERIES:

Hadley, Stephen (Steve) - Subject Files

FOLDER TITLE:

Hamdan/GTMO (Guantanamo) Detainees 05/2006 - 07/2006 E-001 [1]

FRC ID:

37841

FOIA IDs and Segments:

2014-0224-F

OA Num.:

3603

NARA Num.:

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Bill	A Bill	33	07/22/2006	P5;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	Questions from the Washington Post - To: Michael Allen, et al - From: Frederick L. Jones	1	07/21/2006	P5;

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Haenle, Paul T.

From: Allen, Michael
Sent: Friday, July 21, 2006 5:25 PM
To: Haenle, Paul T.
Subject: Fw: Reuters story

Sent from my BlackBerry Wireless Handheld

-----Original Message-----
From: Olson, Jen (L. Graham)
To: Allen, Michael
Sent: Fri Jul 21 15:45:48 2006
Subject: Reuters story

CURRENT NEWS White House talking on Guantanamo trials-senators July 20, 2006

By Vicki Allen

WASHINGTON (Reuters) - Two key Republican senators said Thursday they were optimistic they could reach an accord with the Bush administration to fix the system for trying foreign terror suspects struck down by U.S. Supreme Court.

"The collaboration processes are good. They're talking to a lot of people, including me," Sen. Lindsey Graham of South Carolina said.

President Bush wants to push a bill through Congress this fall to allow trials of suspects held at the U.S. naval facility at Guantanamo Bay, Cuba, after the court said the military commissions Bush set up were not in accord with U.S. or international laws.

Administration officials in recent congressional hearings urged Congress to simply ratify the commissions system to give it legal backing, and the White House Wednesday offered a rough plan that Senate aides said would largely preserve its system.

But Graham and Arizona Republican Sen. John McCain, who are pressing to expand suspects' legal rights under the U.S. military justice code, said the White House now appeared more willing to negotiate.

"We have no reason not to believe we can work this out in a satisfactory fashion to us and the Supreme Court," McCain said, striking a different tone than after Wednesday's meeting with Attorney General Alberto Gonzales and White House national security advisor Stephen Hadley.

"I know what I want the final product to look like, and I think we're not that far off," said Graham, who said he met again on Thursday with White House officials.

But changes pushed by McCain and Graham might face a stiff challenge in the House, where many Republicans say terror suspects should not be afforded the same rights as uniformed prisoners of war.

House Republicans, along with a number of Senate Republicans, also argue that giving terrorism suspects' rights against self-incrimination and ready access to counsel would impede interrogations.

Democrats largely opposed Bush's military commissions, saying they were part of a flawed system of indefinite detention and mistreatment of detainees at Guantanamo that have weakened the United States' moral standing in the world.

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Handwritten Note	Graham [with attachments]	9	07/19/2006	P5;

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SERIES:

Hadley, Stephen (Steve) - Subject Files

FOLDER TITLE:

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Heishman, Jane C (NSA-NSC)

From: Allen III, Joseph M. "Michael" (Legislative-NSC)
Sent: Monday, July 17, 2006 6:06 PM
To: Heishman, Jane C (NSA-NSC)
Cc: Burrell, Christina L. (Legislative-NSC); @APNSA-NSC
Subject: RE: Congressional Members re Hamdan/Military Tribunals [UNCLASSIFIED, Record]

*Steve
FyE, list of participants*

Frist, McConnell, Warner, Specter, Roberts, Kyl, Graham, McCain and Cornyn.

From: Heishman, Jane C (NSA-NSC)
Sent: Monday, July 17, 2006 6:00 PM
To: Allen III, Joseph M. "Michael" (Legislative-NSC)
Cc: Burrell, Christina L. (Legislative-NSC); @APNSA-NSC
Subject: Congressional Members re Hamdan/Military Tribunals [UNCLASSIFIED, Record]

Michael --

Steve would like a list of who would be at this briefing.

Thanks,
Jane

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	Summary of Discussion of 07/19/2006 Principals Committee Meeting...	3	07/19/2006	P1/b1; P5;

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SERIES:

Hadley, Stephen (Steve) - Subject Files

FOLDER TITLE:

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FRC ID:

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Presentation	Update	11	07/19/2006	P1/b1; P5;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Statement	Statement of Steven G. Bradbury	10	07/10/2006	P5;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	Summary of Supreme Court Decision	4	N.D.	P5;

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SECRET

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20504

4038

July 7, 2006

MEMORANDUM FOR

MR. JOHN HANNAH
Assistant to the Vice
President for National
Security Affairs

MR. DON F. NAU
Executive Secretary
Director of National
Intelligence

MR. HARRY K. THOMAS, JR.
Executive Secretary
Department of State

MS. HARRIET MIERS
Counsel to the President

MR. WILLIAM P. MARRIOTT
Executive Secretary
Department of Defense

(b)(3), 50 USC 3507
Executive Secretary
Central Intelligence Agency

MR. JAMES A. MCATAMNEY
Counsel for National Security
Affairs
Department of Justice

COL MARLON K. BECK, USA
Secretary, Joint Staff

MR. JOSHUA B. BOLTEN
Chief of Staff to the
President

SUBJECT: Summary of Conclusions for Principals Committee
Meeting on Detainees (U)

Attached at Tab A is the summary of conclusions for the
Principals Committee meeting on Detainees on July 7, 2006.
**Please pass the attached to Principals (to include plus one, if
applicable).** (U)

Mary Ellen Kuen
for V. Phillip Lago
Executive Secretary

Attachment
Tab A Summary of Conclusions

UNCLASSIFIED WITH
~~SECRET ATTACHMENT~~

Classified by: V. Phillip Lago

Reason: 1.4(a)(d)

Declassify on: 7/7/16

SECRET

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Summary of Conclusions	Summary of Conclusions	2	07/07/2006	P1/b1; P5;

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Attachments

- Tab 1 Memorandum re Meeting on Detainee Issues
- Tab 2 Memorandum re Steps Necessary to Close Detention
Facility at Guantanamo Bay
- Tab 3 Summary of Legislative/Policy Options
- Tab 4 Draft of Presidential Initiative on Detainees
- Tab 5 Guide to the Supreme Court Decision in
Hamdan v. Rumsfeld

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
List	Meeting	1	N.D.	P1/b1;

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COLLECTION:

National Security Council - National Security Advisor, Office of the

SERIES:

Hadley, Stephen (Steve) - Subject Files

FOLDER TITLE:

Hamdan/GTMO (Guantanamo) Detainees 05/2006 - 07/2006 E-001

FRC ID:

37841

FOIA IDs and Segments:

2014-0224-F

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NARA Num.:**RESTRICTION CODES****Presidential Records Act - [44 U.S.C. 2204(a)]**

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Records Not Subject to FOIA

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List	Steps Necessary	1	N.D.	P1/b1;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	Summary	2	N.D.	P1/b1; P5;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	Presidential Initiative	3	N.D.	P1/b1; P5;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	Guide to the Supreme Court Decision	6	07/05/2006	P5;

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FROM JD:

FOR YOUR HAMDAN
FILE.

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Talking Points	Post-Hamdan Talking Points	2	N.D.	P5;

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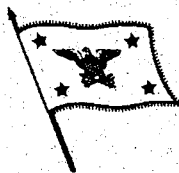
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GENERAL COUNSEL
OF THE DEPARTMENT OF DEFENSE
WASHINGTON

July 6, 2006

Frank -

This is an excellent product.
Please express my gratitude
to your colleagues on the working
group. Let them know we
will need their help as we proceed.

Settles



DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

July 6, 2006

The Honorable William J. Haynes II
General Counsel
U.S. Department of Defense
1600 Defense Pentagon
Room 3B710
Washington, D.C. 20301-1600

Dear Mr. Haynes:

Enclosed please find a draft report from a Department of Defense working group convened in the aftermath of *Hamdan v. Rumsfeld*, --- S.Ct. ----, 2006 WL 1764793 (U.S.) (June 29, 2006).

The working group consists of representatives of the top uniformed and civilian attorneys of each of the four military services, as well as the Legal Counsel to the Chairman of the Joint Chiefs of Staff, the Office of Military Commissions, and the DoD Office of General Counsel. Their draft report answers the question, "Which, if any, Uniform Code of Military Justice and Manual for Courts-Martial provisions would be impracticable to apply in full in the prosecution of unlawful enemy combatants captured and held in the present armed conflict?"

Please do not hesitate to contact me or any other member of the working group if you have questions about this report.

Very truly yours,

A handwritten signature in black ink, appearing to read "Frank R. Jimenez".

Frank R. Jimenez
Deputy General Counsel
(Legal Counsel)

Encl.: Draft Report (July 6, 2006), DoD Post-*Hamdan* Working Group

cc: Members of the DoD Post-*Hamdan* Working Group



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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter from the U.S. Department of Defense Post-Hamdan Working Group] - To: Whom It May Concern - From: U.S. Department of Defense Post-Hamdan Working Group	2	07/06/2006	P5;

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ATTACHMENT 1

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	The Military Justice System	6	07/06/2006	P5;

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ATTACHMENT 2

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	Composite Detainee Capture Scenario	3	07/06/2006	P5;

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ATTACHMENT 3

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	Modern Practice [with attachment]	5	07/06/2006	P5;

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The Washington Post

AN INDEPENDENT NEWSPAPER

Imprisoned in Chaos

The Bush administration has wrecked the system for capturing and holding foreign enemies. How to fix it?

NEARLY FIVE years into a war between the United States and Islamic extremists, U.S. policies and practices for arresting, holding, interrogating and trying enemy militants are in a state of disarray unprecedented in modern American history. They shame the nation and violate its fundamental values. Consider:

■ The U.S. military and CIA are holding hundreds of prisoners in Guantanamo Bay, Iraq, Afghanistan and secret prisons elsewhere under starkly varying rules and conditions. Some were

LAWLESS WAR

captured on battlefields, while others were turned over by foreign governments without legal process. Most detentions are not governed by any specific U.S. law or international treaty, since the Bush administration has refused to apply the Geneva Conventions outside of Iraq.

Some prisoners have argued their cases before military review boards as well as federal judges in Washington; some are held incommunicado and have never been visited even by the International Committee of the Red Cross. A number of U.S. allies consider these practices immoral or illegal, and this has hampered their cooperation with American forces in Afghanistan and elsewhere.

■ Guantanamo Bay has become a toxic symbol around the world of U.S. human rights violations, a status magnified by recent suicides. No detainees have been transferred there in 21 months, and President Bush has said he would like to close the facility. But the Pentagon is spending millions to build a state-of-the-art penitentiary at the base. The administration seems to have no plan for how and where it will hold long-term detainees, or those convicted of crimes.

■ The Bush administration has set aside or evaded the rules for prisoner treatment contained in the Geneva Conventions and the Convention Against Torture but has adopted no firm standards of its own. Hundreds of cases of abuses of prisoners have meanwhile been re-

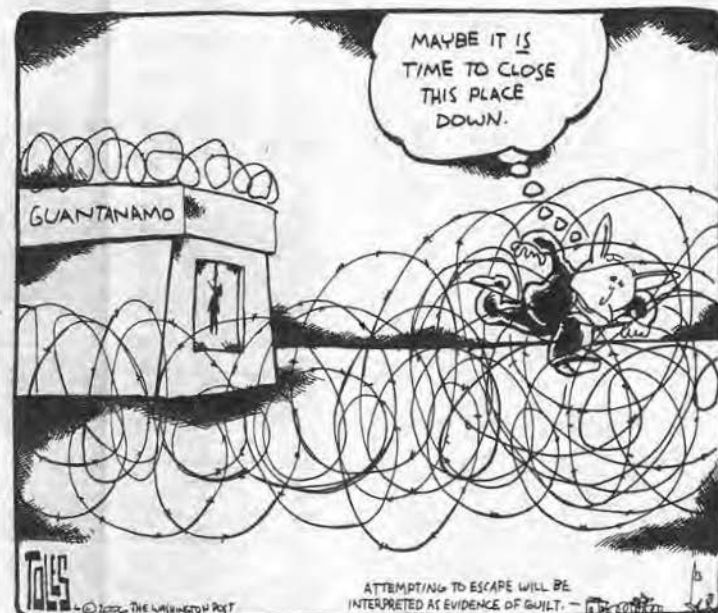
the system illegal.

This political and administrative mess stems directly from Mr. Bush's decision in the weeks after Sept. 11 to take extraordinary measures against terrorism through the assertion of presidential power, rather than through legislation, court action or diplomacy. His intent was to exclude Congress, the courts and other governments from influencing or even monitoring how foreign detainees were treated. Senior officials, led by Vice President Cheney, argued that this policy would give the administration the flexibility it needed to fight the war effectively. Instead it has done the opposite: Mr. Bush's policies have deeply tarnished U.S. prestige abroad, inhibited cooperation with allies and prevented justice for al-Qaeda.

Some exceptional practices, and some detentions outside the U.S. criminal justice system or Geneva prisoner-of-war regime, are needed to fight a stateless enemy spread around the world. In private and occasionally in public, U.S. democratic allies in Europe and elsewhere concede that not every al-Qaeda member captured abroad can be quickly charged with a crime or released. But the Bush administration's lawless practices have so discredited it that it has lost support even for legitimate anti-terrorist measures. There has been no progress toward building an international consensus on how to stop terrorists before they can launch devastating attacks.

These problems grow worse rather than better as time goes by. International criticism of Guantanamo has intensified in recent months despite steps by the administration, the Supreme Court and Congress to improve conditions and rein in abuses. Meanwhile, the nature of the threat has morphed. The enemies that the United States and its allies now face often are not found on battlefields or in caves within failed states. Many are not affiliated with al-Qaeda but are citizens of the countries they attack, such as those who carried out or planned bombings in Madrid, London and (based on recent allegations) Canada. The rules for arrest, detention and trial used for al-Qaeda are il-

Tom Toles



Deborah Howell

Giving Zarqawi His Due on Page 1

Post editors used a forward-looking story that combined breaking news and analysis to lead the paper the day after Abu Musab al-Zarqawi was killed June 8. Some readers thought the story was underplayed and negative; others wanted straight news saying that U.S. forces had killed an important enemy.

Coverage of Zarqawi's death is a good example of how newspapers struggle to make fresh a story readers know about from radio, TV and the Internet for a day before they see it in The Post.

After much discussion, editors decided to use a story that didn't take the usual "first-day" approach. The story by Baghdad Bureau Chief Ellen Knickmeyer was topped by a two-column headline: "After Zarqawi, No Clear Path in Weary Iraq."

Readers seemed to miss the accompanying Page 1 story by Jon Finer, which told how U.S. forces found and killed Zarqawi. The second sentence in Knickmeyer's story and the third sen-

conclude that (a) The Post no longer considers itself a newspaper... [and] (b) the spin the paper is after is the most negative spin possible."

How did other papers treat the story? Look at the Newsweek Web site (www.newsweek.org), which displays front pages from all over the country. The New York Times and the Washington Times stripped the news across Page 1.

Many papers went with an analysis — among them the Philadelphia Inquirer, the Los Angeles Times, the Baltimore Sun, USA Today and the Wall Street Journal. Many lead stories — and indeed President Bush — said the

OMBUDSMAN

long-range impact of Zarqawi's death is uncertain, which is what Knickmeyer wrote. Many newspapers also had stronger display and headlines. (The New York Daily News: "Smoked!")

was the main reason we didn't strip it across the top of the page or give it bigger play. The decision was a conscious effort to take into account the news cycle and to try to make the newspaper's coverage as relevant, timely and appropriately played as possible. We'd argue that it was indeed played as a big screaming headline when it broke — on washingtonpost.com.

Milton Coleman, deputy managing editor, was in charge of the paper that day and said he realized "that for our regular readers, this may have been jarring. A big headline declaring his death may have been a nice collector's item, but would hardly have broadcast what our reporting had been able to learn since then."

My opinion: Editors were right to go with the approach they did. Knickmeyer and Finer's stories were chock-full of new information and included the view that the killing was a triumph for the United States. Tweaking the lead to ac-

corded since 2001, including dozens of homicides. A revised version of the Army's interrogation manual has not been issued, nor has a broader Pentagon directive on detention.

Although Congress last year passed the McCain amendment, which prohibits cruel, inhuman or degrading treatment of any prisoner in American custody, Bush administration officials have not ruled out the use of practices such as "waterboarding," or simulated drowning, which international authorities consider torture.

■ The United States has been holding key architects of the attacks of Sept. 11, 2001, including Khalid Sheikh Mohammed and Ramzi Binalshibh, for several years. Yet none of these men has been brought to justice, and there has been no decision by the administration about whether, when or how they will be tried. The administration is using a system of military commissions to try some of the lesser accused terrorists it is holding at Guantanamo, but not a single trial has been completed and the Supreme Court is considering whether to declare part or all of

suitable to such militants.

The way to repair the system lies in correcting Mr. Bush's exclusion of Congress, the courts and other governments. New laws and diplomatic protocols are needed to regulate the detention of some terrorist suspects. Courts must be given a role in overseeing those detentions and enforcing existing laws against abusive treatment. Many more terrorists should be put on trial, and those trials that are not conducted under the present justice system should be governed by statutes that ensure fairness.

In the coming days we will discuss some of the specifics of how this could be done. But there ought to be no question about the need to reconstruct the system. The improvised and unaccountable practices of the Bush administration are unjust, ineffective and untenable.

This is the first in a series of editorials about the Bush administration's detention and treatment of foreign prisoners. The full series will be available at www.washingtonpost.com/opinions.

Knock, Knock

The Supreme Court finds a disturbing way to issue a reasonable opinion.

THE TROUBLING feature of the Supreme Court's decision last week in the case of *Hudson v. Michigan* is not the court's holding. The court ruled that when police officers fail to clearly identify themselves and then wait briefly before searching the premises with a valid warrant, the evidence collected need not be excluded from a suspect's trial. Notwithstanding the hysterical response of some commentators, this is not an outrageous position. What is troubling is the reasoning by which the court reached its result, which seems to challenge far more broadly the long-standing rule that evidence obtained illegally cannot be used in criminal proceedings.

We can't get too worked up that the court refused to suppress evidence seized by Michigan police in *Booker T. Hudson Jr.*'s case. They had a lawful warrant to search his home. They announced their presence. The trouble is only that they then waited between three and five seconds, instead of 15 to 20, before entering. When they entered, they found a loaded gun and lots of drugs — evidence he then asked the court to suppress.

The "knock-and-announce" rule has its origins in the 13th century, but the court has considered it a constitutional requirement only since 1995. And the question of whether violations of it trigger the exclusionary rule has never been resolved. So the 5 to 4 decision last week is less a rollback of the exclusionary rule than a refusal to extend it. The refusal has a certain logic. The idea of the exclusionary rule, as Justice Antonin Scalia explained for the major-

ity, is not merely to deter government misbehavior but also to prevent police from using evidence they should not have obtained in the first place. In Mr. Hudson's case, officers didn't get any evidence they would not have gotten anyway.

Had Justice Scalia stopped there, his opinion would be debatable but not objectionable. But he didn't stop. He went on to argue that the court should not extend the exclusionary rule to this situation because of the rule's "substantial social costs" — that is, its tendency to free guilty people. He argued that civil lawsuits, unavailable when the court first allowed suppression of illegally seized evidence, provide ample deterrence for such misconduct now. He also argued that police behavior is so improved from earlier eras that the exclusionary rule is not necessary here. These arguments, as Justice Stephen G. Breyer argued pointed out in dissent, seem to attack the very foundations of the exclusionary rule — which has existed since 1914.

Justice Anthony M. Kennedy joined the bulk of the majority opinion but wrote separately to emphasize that the vitality of the court's precedents was "not in doubt." That he had to say so emphasizes the potential scope of Justice Scalia's arguments. The court's two new justices both joined Justice Scalia's opinion. One of them, Chief Justice John G. Roberts Jr., recently gave a speech in which he emphasized the importance of deciding cases "on the narrowest possible ground." That's not what happened here.

tence in Finer's affirmed the event's importance. "A long-sought victory for President Bush, the U.S.-led military forces and their Iraqi allies, Zarqawi's death was the most significant public triumph since the capture of former president Saddam Hussein in late 2003," said Finer's report.

Some Post staffers also preferred a traditional approach with a bigger display. Vince Rinehart, copy desk chief of the editorial pages, said, "I like to hold history in my hands, and it was irritating to see it treated as old news."

But most readers concentrated on what they saw as negative spin. Richard Regan of Rockville said: "If I hadn't seen the TV coverage of jubilant Iraqis and proud military and political leaders, I wouldn't even know something positive had happened. On June 7, 1944, was your headline 'After Normandy, No Clear Path for a Weary France'?"

Arnold Kling of Silver Spring wrote: "This is the first time that his death appears in the written newspaper... yet the news is buried. The lead story really ought to be labeled 'news analysis,' and, under the circumstances, should not be the lead story. I

David Hoffman, assistant managing editor for foreign news, said: "In the Internet age, we need to be cognizant of what readers hear instantly and what we deliver the next day. Ellen's was a reported, forward-looking piece, and Jon's was an excellent look back at how Zarqawi was caught. Both were added-value. Both were an attempt to get beyond the static, standard lead story. I reject the measurement used by your letter writers that news in Iraq should be seen as good or bad, positive or negative. We send reporters out to write what they see and discover. That's what Jon and Ellen did. That's why people want to read us the next day."

The Page 1 layout was complicated by the fact that an installment in the excellent "Being a Black Man" series was running and editors wanted to display it prominently above the fold.

Vince Buzek, news editor on the News Desk, which designs the news sections, said: "We made a very conscious effort that day to try to add value to a story that was nearly 24 hours old... We tried to spin the lead story and headline ahead, to tell readers what might happen next. In fact, that

knowledge that and a headline and design with more oomph would have answered most complaints. That could have been accomplished by bumping up the type on the Zarqawi story or altering the layout of the black men series or moving it down the page a bit.

Of course, hindsight is always 20-20. Executive Editor Len Downie's idea — a day late — was to put the Zarqawi stories and photo in a box with a label headline such as "The Death of Zarqawi" at the top of the page and a secondary headline (sometimes called a deck) on the impact.

Some readers complain that Iraq isn't on Page 1 enough. A survey of a dozen big newspapers for Chicago Tribune Public Editor Tim McNulty showed that The Post, January to May, led all newspapers with 132 front-page articles concerning Iraq.

Iraq is not on Page 1 as often as it used to be, but The Post is spending more on covering the war than on any other story in the world.

Deborah Howell can be reached at 202-334-7582 or at ombudsman@washpost.com.

LETTERS TO THE EDITOR

The Reason for Early-Release Hours

I wonder if the Arlington County parents who complained about the lack of instructional time in their children's schools (letters, June 8) have considered how much work goes into providing quality instruction. Developing lesson plans and materials and grading students' work take significant amounts of time. In the eight years I have taught high school, it has not been unusual to spend an hour or more per 90- or 100-minute class preparing to teach and an hour grading students' work afterward. With three classes per school day, I work, on average, a 9.5-hour day, though I am legally required to work only 7.5 hours.

My elementary school colleagues do not have the luxury of a 90-minute

planning period every other day. They get perhaps 45 minutes, aside from lunch, to plan, grade, create materials, attend conferences or just take a break. The point of providing an early-release day was to give elementary school teachers time to fulfill their professional duties during contract hours. Unlike in private industry, teachers do not get paid overtime for working after hours. We do what's necessary because we care about our students becoming responsible adults (not to mention passing the Standards of Learning or other high-stakes tests).

If, as the writers suggest, the state were to lengthen the school year, their property taxes would probably have to be raised to generate funds to pay

teachers for the extra time. Adding recess time would mean a longer school day, which would also require adjusting salary scales. In any school system that would mean potentially millions of dollars that could otherwise be spent on computers, books or other supplies.

AMY L. SPAGNA
Alexandria

The Washington Post

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PHILIP L. GRAHAM, 1915-1960
KATHARINE GRAHAM, 1917-2001

DONALD E. GRAHAM

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What Philip Merrill Taught Me

I met Philip Merrill 10 years ago at an American Society of Newspaper Editors conference in Washington. He impressed me as tough, opinionated and very much in love with the idea of running his own show. When I asked him about the Internet, he declared flat out that "newsprint would be the cheapest form of data storage for decades to come."

The thought that anyone could succeed — even thrive — in an era of corporate media ownership was inspiring.

Five years later, with encouragement from Mr. Merrill and many others, I created my own newspaper company. I learned, sometimes the hard way, what Phil knew instinctively: To be a successful entrepreneur you have to put it all on the line — every day.

Phil was not afraid to put it all on the line. For that, he will be missed.

HENRY DUBROFF

Chairman and Editor

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The Washington Post

AN INDEPENDENT NEWSPAPER

A Standard for Interrogation

The Bush administration still has not adopted clear rules for questioning enemy prisoners — or ruled out cruelty.

IN THE DAYS and weeks after Sept. 11, 2001, senior Bush administration officials decided that harsh interrogation methods were necessary to prevent devastating attacks on the country — and that such methods could be carefully administered and limited to the most urgent cases. This thinking proved disastrously flawed. Once the administration lifted the strict regulations that long had governed interrogations of foreign detainees, abusive practices spread quickly across the government. Confusion over rules led to the torture not just of senior al-Qaeda leaders but also of common detainees in Afghanistan and Iraq. The damage done to U.S. honor and prestige around the world, and to America's ability to mobilize support for the fight against Islamic extremism, far outweighed any intelligence gathered.

Many Americans may believe that this lesson has been learned and that U.S.-sanctioned abuse is a thing of the past. Far from it. Yes, Congress last year passed the McCain amendment, which prohibits "cruel, inhuman, or degrading" treatment of all prisoners in U.S. cus-

to continue using waterboarding and other harsh techniques on prisoners held by the CIA. It argues that the president's power to make war allows him to override congressional restrictions and that waterboarding in some circumstances does not violate the U.S. constitutional prohibition of cruel treatment.

For now, objections from Sen. John McCain (R-Ariz.) and other sponsors of the amendment have caused the administration to delay issuing the new doctrine and manual. The senators are rightly demanding that there be one set of rules for interrogations, and that they be made public. Congress could build on this foundation if it stipulated by law that the Geneva Conventions' Common Article 3 be applied to all U.S. detention operations — of both the military and the CIA.

Once abuse is entirely banned, there is no reason for the United States not to return to full observance of the Geneva Conventions, and there are many benefits in doing so. Following the Geneva Conventions does not necessarily mean granting prisoner-of-war status, and the many privileges that come with it, to all detainees; al-Qaeda fighters and other terrorists might legally be excluded from POW status following a tribunal hearing. But returning to Geneva could improve the chances that its provisions against inhumane treatment will be respected by other countries, including those that capture American servicemen.

The Convention Against Torture has been ratified by the Senate and should also bind the United States. In a report last month, the U.N. Committee Against Torture, which oversees the convention, spelled out what that would mean. Secret detention of prisoners in CIA facilities, it said, "constitutes, per se, a violation of the Convention"; so does the "rendition" of suspects to other countries where they might be tortured "without any judicial procedure." To come into compliance, the United States must disclose to the International Committee of the Red Cross the identities of all detainees it is holding and allow monitoring of their treatment. It must also give them access to a judicial process or release them as soon as possible.

All of this the United States should in any case want to do, in its own interest. It should establish one set of rules for questioning all prisoners. Those rules should conform with international treaties and the U.S. Constitution, so that inhumane treatment is at all times forbidden. And the rules should be public, so that the world can see that the United States has returned to its fundamental values.

This is the third in a series of editorials about the Bush administration's detention and treatment of foreign prisoners. The full series will be available at www.washingtonpost.com/opinions.

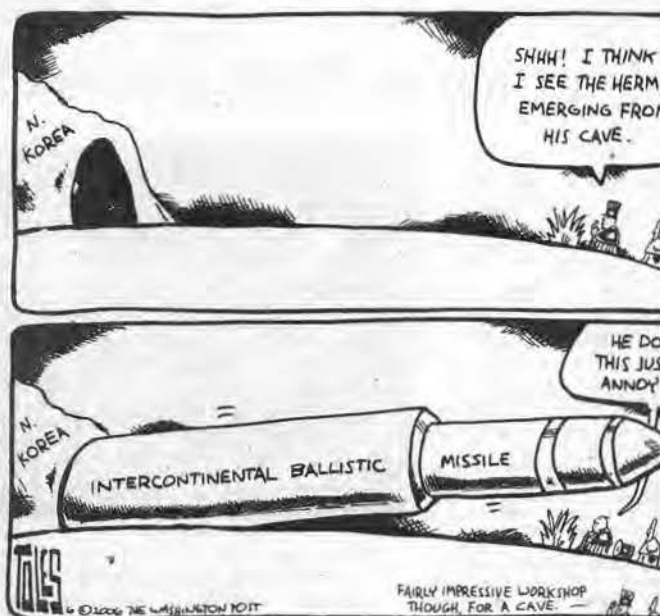
Failure in Richmond

Faced with a transportation crisis, the state legislature punts.

WHAT WAS supposed to happen by March 11 in Virginia finally occurred just this past weekend: Exhausted lawmakers in Richmond reached a budget deal, averting the risk of a shutdown in state government operations at the end of this month. The conferees heaved a sigh of relief at having achieved this basic function of legislative governance after three months in stealth special session. Good for them. We hope they'll excuse the

planners have spoken about a minimum need of \$1 billion a year in new transportation funding to make improvements, especially for the heavy traffic in Northern Virginia and Tidewater. In the event, the budget, shorn by the House of new taxes and fees, contains barely half that, and only for the next two years — and even some of that may also be cut if there is no longer-term strategy agreed on by the two houses by this fall. Sadly, the prospects of fashioning any

Tom Toles



LETTERS TO THE EDITOR

'Being a Black Man'

As Michael A. Fletcher reports in the first installment of The Post's "Being a Black Man" series ("At the Corner of Progress and Peril," front page, June 2), there are certainly many "black men who put their kids through college by mopping floors, who sit at home reading Tennyson at night, who wear dreadlocks but design spacecraft."

But if, as his romanticizing prose also contends, black men "feel connected to, defined by, even responsible for" young black boys and other black men, why are two-thirds of black babies born out of wedlock and thus, too frequently, left poor and struggling against huge obstacles? And why are black men, who make up just 6 percent of the U.S. population, so quick to spill the blood of their brothers while committing more than 50 percent of the nation's homicides year after year?

Throughout our lives and regardless of our race or gender, we all face choices "between possibility and peril." What sets so many black men apart are their persistently bad choices, leading so predictably to peril.

Only when African Americans who know better step up and insist that these young men make better choices will their lives fill with possibility. Until then, many black men will continue to achieve and soar to great heights, but too many others will be left behind as decreasingly sympathetic outcasts in an increasingly competitive world.

DARREN MCKINNEY
Washington

I have been closely following The Post's "Being a Black Man" series, and I wonder whether future articles will discuss some of what is being done within African American communities to assist in the wholesome development of black men.

One program that comes to mind is operated by the Twelve Good Men and Sisters Unlimited Elite Club. It operates out of La Plata High School in Charles County, under the sponsorship of Philip Ayers, Sonie Jones and Carlene Stanley. Founded in 1993, its purpose is to help young people improve their grades and become role models in the school and in the community.

Numerous fraternities, sororities

and churches operate similarly uplifting programs.

CAROL JOY SMITH
Washington

I'm a 26-year-old black man, born and raised in Washington. I can relate to "At the Corner of Progress and Peril" on many levels. I am a college graduate who still finds it hard to obtain a decent-paying job. Maybe it's because I don't search hard enough or market myself like I should, but I do think I am caught up in some of the stereotypes and propaganda that society assigns to young black men.

But in reality, there is no time for excuses, and this article just gave me a little more motivation to get myself together, to go out and demand respect, and to become an even more productive citizen. I would like to build a career as a school counselor, particularly in Washington's public schools.

I hope this article inspires others as it did me.

DELANTE WADE
Washington

The exceptional series on being a black man is focusing important attention on our lives, our hopes and fears, our successes, and our failures. It points to some of our race's great achievements as well as the legacy of slavery and discrimination that has exacerbated poverty and diminished opportunities.

What the series has yet to effectively communicate, though, is that while African American men often find themselves at the extremes of success and despair, we also inhabit a vibrant, growing middle of America.

Former secretary of state Colin L. Powell, Time Warner chief executive Richard D. Parsons, Sen. Barack Obama (D-Ill.), comedian Bill Cosby and many other business and political heavyweights are great role models, and they are realistic examples of how far we have come. But by focusing so much attention on the super-successful, do we miss the real everyday models our children should also aspire to be — attorneys, mechanics, civil servants, teachers?

As a corporate diversity counsel- or who advises some of America's

top companies and their inclusion, I focus most (and practical advice o move thousands of min- women to the next lev profession or job ladder.

If we are to succeed to come, it will be becau contributed to the asce hardworking, committer- cated minorities, wom- the workplace. These fi- cles and brothers shoul- models for our young n we won't all become the quille O'Neal, we may v- come his lawyer or mans- builder or car dealer.

WELDON H

Like much of the r- mainstream media, The- ishes attention on cert- while ignoring others- on black men in Ameri- example. White men are- tinct group facing un- sures, including exclusi- affirmative action, con- trays in the media as e- bling fools or diabolical- and casual accusations o- hind the world's troubl- numbers begin to drop a- for them to step aside fo- racial juggernaut gro- they continue to be taker- ed.

But I can guarantee y- body is going to cover th- careful detail.

Any "kinship" they n- would not be celebrated b- denounced as racism. A- plishments they have w- portrayed as overcoming- but achieved through unf- pression or the "old boys- And any problems they- be blamed squarely on t- knowledge at all.

If The Post is really- about "invisible men,"- men.

DAVID

The "Being a Black Ma- the finest thing The Post- years. The series is stim- cinating and intensely h- out being "preachy." It- alive to those of us who- at the complexities of black- done so in a remarkably n-

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played down the significance. "One thing Democrats agree on is this war has taken too long, it's too expensive and costs too many lives and too many soldiers injured," he told reporters. "We all agree there should be a change in the course of the war. We all agree that there should be redeployment starting sooner rather than later."

WASHINGTON POST EDITORIAL

Wanted: A System of Justice

If U.S. forces captured Osama Bin Laden tomorrow, how and where would he be tried?

SEPT. 11 MASTERMINDS Khalid Sheik Mohammed and Ramzi Binalshibh, along with numerous other infamous al-Qaeda figures, have been in American custody for years. So has Mohamed Qatani, who was allegedly to be the 20th hijacker. None has faced trial for his crimes. Nor have any of the hundreds of lesser foreign detainees captured in the war on terrorism. Nearly five years after the Sept. 11 attacks, the Bush administration's plans for bringing the enemy to justice are a shambles. This failure has been one of the most easily avoidable blunders in the war on terrorism.

In the next few days the Supreme Court is expected to pass judgment on the administration's effort to establish military commissions -- a long-dormant trial system the executive branch seeks to revive in order to try al-Qaeda terrorists. But even if the court lets the commissions stand, the administration should go back to the drawing board, to create a fairer system for trying alleged war criminals in which this country can have confidence.

Not every detainee can be put on trial. But those who plan, assist or participate in acts of terrorism can face charges under the laws of war. Where trials are possible, criminal convictions provide a more legitimate basis for long-term incarceration than any kind of detention without charge. Trials also provide public accountability for unspeakable crimes and plots -- that is, they provide a measure of justice.

The administration is correct that U.S. federal courts often will not be the right venue for such trials. Evidence collected in the rough and tumble

of a shooting war doesn't always meet the rigorous standards that courts here rightly demand. The government may have good reason to withhold witnesses or classified information. Given that foreigners abroad do not have full constitutional rights, the administration's impulse to create an alternative trial mechanism with some flexibility was reasonable. Had it gone to Congress and sought authorization to use a variation of military courts-martial, with clear rules and a codification of the offenses such tribunals were to judge, it might today have a vibrant system of justice at Guantanamo Bay.

Instead, the administration sought to rewrite the rules from scratch and revive a system of trial not seen since the World War II era. The reason for this fateful error was largely ideological: The White House wished not merely to conduct trials but also to emphasize the president's power to do it on his own. Consequently, the executive branch alone has defined the offenses to be tried by commission and it alone has written the trial rules, which have shifted repeatedly. The legality of the system has been in doubt from its inception. And while the rules have improved over time, they still permit unfairness. The result: a system that inspires little confidence here or abroad and that in five years has yet to produce one trial.

Even if the Supreme Court erases the cloud of legal uncertainty in the coming days, it makes no sense to proceed in this fashion. Instead, Congress should write a law clarifying that courts-martial will try these cases and modifying the model if necessary. The military uses this system to try its own personnel every day. More than the commissions, courts-martial would guarantee due process to detainees: the right to challenge evidence, a full appeal to the federal courts. Trials by court-martial are accepted around the world as fair.

At the same time, the system could be modified to take into account the government's needs in a continuing war. These might give prosecutors more leeway to use hearsay evidence in some cases, or to protect intelligence secrets. There may be circumstances when the accused will need to be excluded from proceedings and have his interests represented by counsel cleared to handle sensitive information. But such departures from traditional trial rules should be narrowly drawn.

They should be the product of a deliberative legislative process, not a fiat from the executive branch; written into law, not existing as rules the Pentagon can change whenever convenient.

The conflict with Islamic extremists will not be over soon. The nation needs now, and will continue to need, a means to try some of the most fateful criminals of all time according to fair rules that bear the stamp of democratic approval: legislative enactment. Only the administration's rigidly ideological approach to this problem prevents its timely resolution.

WASHINGTON POST EDITORIAL

Come Clean in Hungary

Behind the '56 Revolt

By Charles Gati

President Bush will be in Budapest tomorrow to visit a good ally -- a member of the coalition of the willing. The first item on his agenda, according to the White House, is to "celebrate Hungary's historic sacrifices in the name of freedom by commemorating the 50th anniversary of the 1956 Hungarian Revolution." Topics of mutual interest will follow.

The president should indeed join Prime Minister Ferenc Gyurcsany -- Hungary's Tony Blair -- to celebrate that country's recent achievements. But commemorating 1956 is a different matter.

The truth is that at a critical juncture in the Cold War, when Hungarians rose against their Soviet oppressors, the United States abandoned them. After 13 days of high drama, hope and despair, the mighty Soviet army prevailed. For its part, Washington offered a sad variation on "NATO": no action, talk only. The Eisenhower administration's policy of "liberation" and "rollback" turned out to be a hoax -- hypocrisy mitigated only by self-delusion. The more evident, if unstated, goal was to roll back the Democrats from Capitol Hill rather than liberate Central and Eastern Europe from Soviet tyranny.

Until the Soviet tanks rolled in, the Hungarians believed what Washington had proclaimed. They did not know that the United States was

unprepared to help them and that a few high officials even expected some political and foreign policy benefits from a Soviet invasion. Vice President Richard Nixon explained to his colleagues at a top-secret National Security Council meeting in July 1956 that "it wouldn't be an unmixed evil, from the point of view of U.S. interest, if the Soviet iron fist were to come down again on the Soviet bloc."

In a similarly cynical vein, American-run Radio Free Europe in Germany encouraged the hapless insurgents to go all the way against the Kremlin and even broadcast lessons on how to make molotov cocktails.

We now know from Russian archives that the Hungarians did have a chance to gain some of what they sought. For on Oct. 30, one week after the revolt began, members of the Soviet Presidium (as the Politburo was called then) unanimously voted not to use military force. Their decision came in the wake of a series of conciliatory, post-Stalin policies, such as the 1955 Soviet withdrawal from Austria and reconciliation with Yugoslavia -- both of which are neighbors of Hungary -- as well as the first summit with the United States in a decade. In the end, the Kremlin intervened because it feared that the situation would spin out of control both in Hungary and elsewhere in the Soviet bloc. Radio Free Europe's exaggerated rhetoric only amplified these fears.

The United States, according to the usual version of what happened, could not help the Hungarians because any action would have triggered a military confrontation with Moscow. This explanation misses the point: There were actions short of war that Washington might have taken. It could certainly have urged the Hungarians to temporize and pursue limited, evolutionary goals. It could have taken the issue to the United Nations before, and not after, the Soviet crackdown. In an imaginative move toward post-Stalin detente, it could have proposed immediate talks about withdrawing American forces from a small Western European country in exchange for Soviet withdrawal from Hungary.

Instead, Washington offered only hope, no help. "Poor fellows, poor fellows," President Dwight Eisenhower said privately as he campaigned for reelection. "I wish there were some way of helping them."

we must respond. Japan is likely to welcome the action but will also not lend open support or assistance. China and Russia will be shocked that North Korea's recklessness and the failure of the six-party talks have brought things to such a pass, but they will not defend North Korea.

In addition to warning our allies and partners of our determination to take out the Taepodong before it can be launched, we should warn the North Koreans. There is nothing they could do with such warning to defend the bulky, vulnerable missile on its launch pad, but they could evacuate personnel who might otherwise be harmed. The United States should emphasize that the strike, if mounted, would not be an attack on the entire country, or even its military, but only on the missile that North Korea pledged not to launch -- one designed to carry nuclear weapons. We should sharply warn North Korea against further escalation.

North Korea could respond to U.S. resolve by taking the drastic step of threatening all-out war on the Korean Peninsula. But it is unlikely to act on that threat. Why attack South Korea, which has been working to improve North-South relations (sometimes at odds with the United States) and which was openly opposing the U.S. action? An invasion of South Korea would bring about the certain end of Kim Jong Il's regime within a few bloody weeks of war, as surely he knows. Though war is unlikely, it would be prudent for the United States to enhance deterrence by introducing U.S. air and naval forces into the region at the same time it made its threat to strike the Taepodong. If North Korea opted for such a suicidal course, these extra forces would make its defeat swifter and less costly in lives -- American, South Korean and North Korean.

This is a hard measure for President Bush to take. It undoubtedly carries risk. But the risk of continuing inaction in the face of North Korea's race to threaten this country would be greater. Creative diplomacy might have avoided the need to choose between these two unattractive alternatives. Indeed, in earlier years the two of us were directly involved in negotiations with North Korea, coupled with military planning, to prevent just such an outcome. We believe diplomacy might have precluded the current situation. But diplomacy has failed, and we cannot sit by and let

this deadly threat mature. A successful Taepodong launch, unopposed by the United States, its intended victim, would only embolden North Korea even further. The result would be more nuclear warheads atop more and more missiles.

Ashton B. Carter was assistant secretary of defense under President Bill Clinton and William J. Perry was secretary of defense. The writers, who conducted the North Korea policy review while in government, are now professors at Harvard and Stanford, respectively.

WASHINGTON POST EDITORIAL

Close Guantanamo?

THE MILITARY detention camp at Guantanamo Bay, Cuba, has become the focus of global protests against U.S. human rights violations during the war on terrorism. Images of the hooded, jumpsuited prisoners who were brought there in 2002 still pervade the world's media; so do lurid accounts by former inmates alleging abusive treatment, and reports of recent suicides and hunger strikes. Calls to close the facility and release or try its 460 foreign detainees are steadily mounting -- they come now from close allies such as Britain and Germany, from the United Nations Committee Against Torture, and from every major human rights group. Reluctantly, we have to agree: Guantanamo will have to be shuttered. But before coming to that, it's worth pointing out that the international campaign against the camp is more than a little perverse.

The illogic begins with the fact that Guantanamo now is, by far, the most comfortable and legally accountable detention facility maintained by the United States for foreign prisoners. Conditions there were crude in 2002, but since then one state-of-the-art detention facility, modeled on a prison in Indiana, has been built, and a second is under construction. Guantanamo's detainees have recreation facilities and good medical care; their continued detention is reviewed once a year by military boards, and prisoners are assigned advocates to help argue their cases. Pending a decision by the Supreme Court, they are also able to appeal their detentions to U.S. federal courts, and many have U.S. civilian lawyers.

In contrast, some 500 detainees held by the United States at the Bagram prison in Afghanistan live in

far harsher conditions and have fewer rights. They do not have their own advocates, and none has been able to appeal to U.S. courts. No American lawyers are available to broadcast any complaints they have about poor treatment; in fact, alarmingly little is known about what goes on inside the prison's walls. And Bagram's inmates are better off than the prisoners -- believed to number in the dozens -- held in secret CIA facilities. They have effectively disappeared, like the victims of a Third World dictatorship; they have never been registered with the International Red Cross, provided with a legal review of their cases or allowed to communicate with the outside world. From leaks to the media, we know that some have been tortured with techniques such as "waterboarding," or simulated drowning.

So the United States' treatment of its foreign detainees would improve enormously if all the prisoners it holds were transferred to Guantanamo. But -- and here is another fact ignored in the global anti-American din -- the Bush administration is already engaged in a concerted effort to close the prison or at least reduce its population to a minimum. No new prisoners have been brought there since September 2004, and scores have been transferred to their native countries. A quarter of the remaining population will be returned to Afghanistan once a new prison there is constructed and guards are trained, within the next year; a substantial number may be charged with crimes once the Supreme Court rules on the military's proposed system of justice. The remaining prisoners -- mostly from Yemen and Saudi Arabia -- haven't gone home mainly because U.S. officials worry they will be abused or released without adequate monitoring.

Some of those who demand that Guantanamo be closed insist that all its detainees either be tried or quickly freed. This is wrongheaded and, for some Europeans, hypocritical. In fighting their own wars against terrorists, Britain and other countries have relied on preventive detention to hold dangerous militants who cannot immediately be charged. The German chancellor, Angela Merkel, has publicly acknowledged that existing legal categories for detention don't necessarily address the problem of stateless extremists who may be planning major attacks but haven't yet committed a specific crime. That doesn't mean that the

current system of detention in Guantanamo is acceptable. But, as we argued in a previous editorial, the United States needs a way to hold some suspects without charge for a limited period under procedures regulated by law and U.S. courts.

Once that regime is established, it will be possible to hold detainees from the war on terrorism in many U.S. prisons. In our view, Guantanamo should not be one of them, because it has become a symbol of abuses with which the United States needs to make a clean break. But the most urgent concerns of those pressing the Bush administration ought to be the closure of the CIA's secret facilities and the conversion of Bagram into an Afghan-only facility operated by the Afghan government. Foreign prisoners held by the United States, wherever they may be, should receive Red Cross visits; their detention should be governed by law, with the right of review and appeal to independent judges. Their interrogation should be conducted according to a single set of rules consistent with the Geneva Conventions and the Convention Against Torture. And they should be tried according to a system of justice that closely resembles the current court martial system.

It is the pursuit of these reforms, rather than the simple closure of Guantanamo, that ought to be the focus of those who seek to address U.S. violations of human rights.

This is the fifth and, for now, final editorial in a series about the Bush administration's detention and treatment of foreign prisoners. We will revisit the topic from time to time during coming months. The full series is available at <http://www.washingtonpost.com/opinions>.

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37841

FOIA IDs and Segments:

2014-0224-F

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