



CHIEF OF STAFF AND
LEGAL ADVISOR

**DEPARTMENT OF DEFENSE
OFFICE OF MILITARY COMMISSIONS
4800 MARK CENTER DRIVE
ALEXANDRIA, VA 22350-2100**

November 7, 2011

Mr. Norman L. Reimer
Executive Director
National Association of
Criminal Defense Lawyers
1660 L St. NW, 12th Floor
Washington, DC 20036

Dear Mr. Reimer:

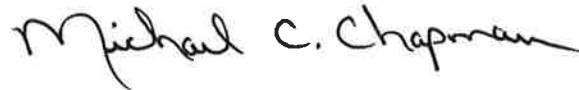
Thank you for your letters to Secretary Panetta dated July 5, 2011 and October 3, 2011, concerning military commission proceedings and related issues of access by nongovernmental organizations (NGOs). The Department of Defense is committed to making military commission proceedings transparent and accessible to the public, consistent with protecting national security, the safety of individuals, and the rights of the accused. Consistent with these objectives, and as a courtesy, the Department has previously extended invitations to certain interested NGOs to observe military commission proceedings held at the U.S. Naval Base at Guantanamo Bay, Cuba.

Recently, we have been working to improve public access to military commission proceedings and materials. As you may know, on September 28, 2011, the Office of Military Commissions unveiled an improved website, <http://www.mc.mil>, that we believe addresses your concerns regarding access to current court filings. Among other features, the website provides filings inventories for each commission case, including historical court documents, and a court calendar. The website will provide access to unclassified filings used in military commission proceedings shortly after filing, and access to publicly releasable versions of other filings after completion of a security review.

Regarding visits to Guantanamo to observe trial proceedings, as you know the Department has issued ground rules governing conduct while on the naval base, and access to various locations on the base. We expect the NGOs to comply with those ground rules, which will be revised from time to time as needed. The Department does not prohibit NGO communication with media representatives or attorneys. We have also arranged with Guantanamo personnel to make available to your on-site representatives copies of judicial orders that are given to the media while your representatives are present at Guantanamo for commission proceedings. Finally, we are making efforts to improve the availability of Internet access for trial observers and hope to have these implemented by the November 9 arraignment.

Thank you for your interest in the military commission process. We hope that the measures outlined above serve to enhance your experience as an observer to the proceedings.

Sincerely,

A handwritten signature in black ink that reads "Michael C. Chapman". The signature is written in a cursive style with a large, stylized initial "M".

Michael C. Chapman
Legal Advisor
to the Convening Authority