



**DEPARTMENT OF DEFENSE
OFFICE OF THE CHIEF PROSECUTOR
1610 DEFENSE PENTAGON
WASHINGTON, DC 20301-1610**

October 20, 2008

Dear Families,

In this letter you will find an update on proceedings at Guantanamo Bay Cuba (GTMO) and information about our plan to insure that you will have the opportunity to attend commission proceedings in person.

Hearing Schedule

The judge has scheduled the next hearings in the Mohammed (9/11) case at GTMO for December 8, 2008. There is an arraignment hearing in the Ghailani (East Africa bombings) case on October 22, 2008, and no hearings scheduled yet in the al Nashiri (USS COLE) case.

Attendance at proceedings in GTMO

Many of you have expressed an interest in attending relevant commission proceedings in GTMO. In response to your requests, we have developed a plan to provide victim families with an opportunity to travel to GTMO to observe the proceedings. Due to travel restrictions and limited suitable lodging, we must limit the number of persons who will be able to attend. To be as fair as possible, we have decided to implement a random selection process. I have attached a description of how the selection process will work. Up to five family members will be randomly selected for each hearing, and you will be allowed to select one family member to attend with you. We will use random number generating software so that each of you has the same opportunity to attend if you desire to do so.

If you would like to be included in the selection process for possible attendance, you must notify the Office of Military Commissions Victim/Witness Liaison (VWL), Karen Loftus as soon as possible. Please respond promptly to insure that you will be included in the selection process. Ms. Loftus will keep your information on file and you will not need to respond each time we have a hearing in the case. In order to be considered for travel to GTMO for the hearing on December 8, please respond to Ms. Loftus no later than close of business, November 7, 2008.

Please call or email Ms. Loftus to indicate your desire to attend. She may be in GTMO but will monitor her voicemail several times each day. Please ensure you email both her Dept of Defense and GTMO email accounts (see below).

A passport is required for travel to GTMO. You will need to arrange travel at your own

expense to and from your home to the Washington D.C .area. Once you arrive in the Washington area, you will fly to GTMO with the Office of Military Commissions on either an aircraft chartered by the US government or on a military aircraft. This leg of the travel (Washington DC area to GTMO and the return flight) will be at no cost to you. If you fly on a military aircraft (MILAIR), please understand that MILAIR is safe but not luxurious. You should bring a sweatshirt or jacket for the flight. The temperature onboard is often lower than on most commercial flights, and you may not wear open-toe shoes, such as sandals on MILAIR flights. Flight time to GTMO ranges from 4–6 hours, depending on the aircraft type. Typically, we travel one or two days prior to the proceedings, and leave the following day. You should expect to be in GTMO for four to five days, depending on the matters to be raised during the hearing. The climate at GTMO is similar to Miami.

Housing on the island is extremely limited. You will be housed in East Caravella townhouses, the Bachelor Officer's Quarters (BOQ) or the Navy Lodge. All accommodations are similar to commercial hotel facilities. East Caravella has two bedrooms, a full and half bath, a kitchenette, living room, cable TV, and a phone. Quarters at the BOQ and Navy Lodge are comparable. The Navy calls their eating facilities a "galley." The galley has cafeteria style food, but there are also several other restaurants and fast food establishments. You will be reimbursed at the government per diem rate for your lodging and meals while at GTMO. You will also have access to the Navy Exchange, which stocks food items and toiletries.


Because this is an active military base, you will be escorted while on the island. Ms. Loftus will be at most of these proceedings, and there will be other Victim Witness personnel and escorts on the island to assist you.

The media will also be in attendance. Our policy will be to defer to your preferences regarding the media. If you are not interested in media contact, we will do our best to shield you from the media wherever possible, and will work to ensure that your privacy is respected. If you are interested in media contact we can assist you in making that contact on a not-to-interfere basis with GTMO operations.

There is a Naval Hospital on the island which can provide basic medical and dental services on a space available, reimbursable basis. We recommend that you check with your insurance provider to determine whether your medical/dental costs at GTMO are covered. We also recommend that you consult with your physician before travelling to GTMO, especially if you have any chronic health conditions. Please be advised that if you must be medically evacuated from GTMO due to an emergency, the cost is approximately \$19,000. Please bring sufficient prescription medication for the duration of your stay. Although the Naval Hospital may have comparable medication, it may not stock the precise medication prescribed by your physician.

If you are currently seeking mental health counseling, we recommend that you consult with your counselor to determine if you should subject yourself to the stress of traveling to GTMO for these proceedings.

Sincerely yours,

for 
LAWRENCE J. MORRIS
Colonel, US Army
Chief Prosecutor

Respond to:
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20 October 2008

MEMORANDUM FOR: Victim/Witness Coordinator, OMC

FROM: Chief Prosecutor, Office of Military Commissions

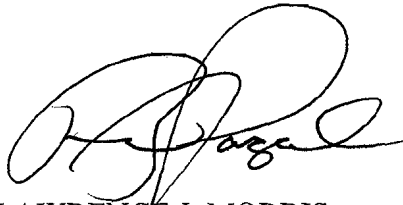
SUBJECT: Random Selection Process for Attendance at Proceedings at Guantanamo Bay, Cuba

1. Many victim families have expressed a desire to attend proceedings in GTMO. Victim families will be selected for attendance at Guantanamo Bay in accordance with this policy letter.
2. Victim/Family members must contact the Office of Military Commissions (OMC) Victim Witness (VW) if they are interested in attending the proceedings at Guantanamo Bay. Family members will be included in the pool for all relevant hearings, until they attend.
3. Commercially available software will be used to randomly select five family members for attendance at each motion, hearing or week of trial and two alternates.
4. Families who respond that they wish to attend will be assigned a number. The selection program will be run prior to each proceeding. The selectees will be notified of their selection by DoD within a day after the selection process, and asked if they are able to attend. Selectees must respond whether they are able to attend, and must provide all required information to DoD by a specified date (usually within 10 days of their selection) in order to be guaranteed attendance. Those who are not able to attend will be returned to the pool and the first alternate will be notified of their opportunity to attend. Once a family member attends, his or her number will be removed from the pool until all the interested victim/family members are able to attend.
5. If a victim/family member is selected for attendance at a trial session but cannot attend that particular session, he or she will be given the opportunity to attend the next session without having to go through the selection process again. If that same victim/family member is also unable to attend the next scheduled session, his/her name will go back into the random selection pool.
6. Family members who are selected to attend may give that opportunity to another family member to attend. For instance, if the son of the deceased is selected, he may voluntarily give his right to attend to his mother. Eligible family members include spouses, children, parents and siblings.

7. Victim/family members have expressed an interest in traveling with a family member for support. Adequate housing limits the number of family members who may attend proceedings at GTMO at any given time. The two individuals must be able to share housing accommodations while on the island.

- This allows family members who rely on each other to attend together. However, if the individual selected for support is also a family member in the pool, both individuals will be removed from subsequent pools until all interested family members have an opportunity to attend.
- If more than two family members wish to attend, each family member may submit his name. However, only two per family may attend at any time.

8. In the event that a particular piece of evidence relating to a family is introduced as evidence, OMC will try to accommodate that family to ensure that they are allowed an opportunity to attend the proceeding at the time the relevant evidence is introduced in court.



For

LAWRENCE J. MORRIS
Colonel, U.S. Army
Chief Prosecutor
Office of Military Commissions