

United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

July 24, 2018

The Honorable Michael R. Pompeo
Secretary of State
2201 C ST NW
Washington, DC 20520

Dear Secretary Pompeo:

We are writing to express our profound concern with the recent transfer of two former Guantanamo detainees from Senegal to Libya. As you may be aware, there is a legal prohibition renewed annually in the National Defense Authorization Act that prohibits the transfer of detainees from Guantanamo to Libya, Yemen, Syria, and Somalia. That provision exists to prevent these individuals from being transferred to unstable countries where they could be assimilated into terrorist organizations, tortured, or killed.

We are concerned the State Department does not have someone tasked with, and responsible for, oversight of detainees who have been transferred out of Guantanamo. While we are familiar with the administration's change in policy with regard to Guantanamo's closure, we believe oversight of former Guantanamo detainees remains a lasting issue. We urge you to immediately assign responsibility for the oversight of former Guantanamo detainees to an existing Bureau, such as Counterterrorism and Countering Violent Extremism, and dedicate an individual within that office to manage this issue.

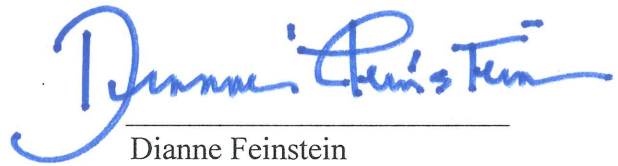
Additionally, we are disturbed that the government of Senegal transferred these individuals to Libya in violation of its obligations under international humanitarian law. These individuals were living peacefully in Senegal, and one of them was engaged to a Senegalese citizen. Since they have been transferred to Libya, according to press accounts, they have been held in detention, have been unable to contact their families, and have not been seen publicly. The *New York Times* has reported that they have fallen into the hands of a hard-line militia leader who has been accused of prisoner abuse. It is unclear whether they are still alive or in good health. We therefore request that the State Department reach out to the government of Libya and offer to help to resettle these individuals in other countries. We also request that the State Department propose immediately that the government of Libya provide access to these individuals to international NGOs or human rights groups.

Oversight of these former Guantanamo detainees remains a lasting issue, especially with additional former Guantanamo detainees in similar situations worldwide, and we thank you for your prompt attention to this issue.

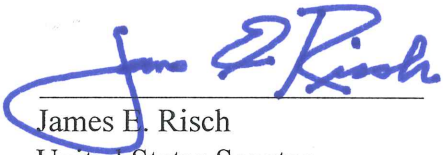
Sincerely,



Jack Reed
United States Senator



Dianne Feinstein
United States Senator



James E. Risch
United States Senator



Marco Rubio
United States Senator