

**THE WHITE HOUSE
DOCUMENT MANAGEMENT AND
TRACKING WORKSHEET**



DATE RECEIVED: February 02, 2010

CASE ID: 1024905

NAME OF CORRESPONDENT: THE HONORABLE KAY HUTCHISON

SUBJECT: URGES THE PRESIDENT TO OVERRULE THE DEPARTMENT OF JUSTICE DESIGNATING ABDULMUTALLAB AS AN ENEMY COMBATANT AND DIRECT THE HIGH-VALUE DETAINEE INTERROGATION GROUP (HIG) TO BEING INTERROGATING HIM

ROUTE TO: AGENCY/OFFICE	(STAFF NAME)	ACTION		DISPOSITION	
		CODE	DATE	TYPE RESPONSE	CODE
LEGISLATIVE AFFAIRS	PHIL SCHILIRO	ORG	02/02/2010		
ACTION COMMENTS:					
NATIONAL SECURITY COUNCIL	JAMES JONES	A	02/02/2010		
ACTION COMMENTS:					
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COMMENTS: 1 ADDL SIGNEE

MEDIA TYPE: EMAIL

USER CODE:

ACTION CODES	DISPOSITION		
A = APPROPRIATE ACTION B = RESEARCH AND REPORT BACK D = DRAFT RESPONSE I = INFO COPY/NO ACT NECESSARY R = DIRECT REPLY W/ COPY ORG = ORIGINATING OFFICE	TYPE RESPONSE	DISPOSITION CODES	COMPLETED DATE
	INITIALS OF SIGNER (W.H. STAFF) NRN = NO RESPONSE NEEDED OTBE = OVERTAKEN BY EVENTS	A = ANSWERED OR ACKNOWLEDGED C = CLOSED X = INTERIM REPLY	DATE OF ACKNOWLEDGEMENT OR CLOSEOUT DATE (MM/DD/YY)

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United States Senate

WASHINGTON, DC 20510

1024905

January 22, 2010

The Honorable Barack Obama
President of the United States
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Obama:

We are profoundly concerned over your Administration's decision to constrain our nation's ability to glean intelligence from an operational al Qaeda terrorist. The shortsighted decision made by the Department of Justice to treat Umar Farouk Abdulmutallab, the Christmas Day airline bomber, as a common criminal has potentially denied our nation an opportunity to garner critical information that could be used to save many innocent American lives in the future. We write to urge you to overrule the Department of Justice, properly designate Abdulmutallab as an enemy combatant, and direct the High-Value Detainee Interrogation Group (HIG) to begin interrogating him.

When the Federal Government acts, there can be no more important consideration than the safety of the American people. It is hard to imagine a higher priority than heading off future terrorist attacks on our citizens; yet, by treating Abdulmutallab as a common criminal and handing him undeserved Miranda rights, including the right to remain silent and the right to a lawyer, your Administration has squandered a valuable source of intelligence and effectively made this al Qaeda member off-limits to special interrogators.

Last summer, you created the HIG, an elite team of professional interrogators whose central mission is to question high-value terrorism suspects. According to news reports, the HIG is tasked with garnering useful intelligence about potential terrorist attacks. As Director of National Intelligence Dennis Blair made clear this week while testifying before the Senate Judiciary Committee in reference to the Christmas Day attempt, the HIG "was created exactly for this purpose. . . . We did not invoke the HIG in this case. We should have."

Had the special interrogators of the HIG been allowed to interrogate Abdulmutallab, instead of standard law enforcement officers, we would have likely been handed a valuable window into the training and operations of al Qaeda's growing branch in Yemen – al Qaeda in the Arabian Peninsula. Instead, the chance to obtain this valuable intelligence has been turned into a mere bargaining chip for an Islamic terrorist in his negotiations with federal prosecutors. Your Administration is now, by definition, having to negotiate with a terrorist.

Nevertheless, there is still time for you to override this reckless decision. Abdulmutallab must be placed in military custody and systematically interrogated. Doing so would leverage this rare opportunity to gain significant knowledge of modern-day al Qaeda's current tactics, techniques, and procedures. Protecting the American people from further attack at the hands of al Qaeda

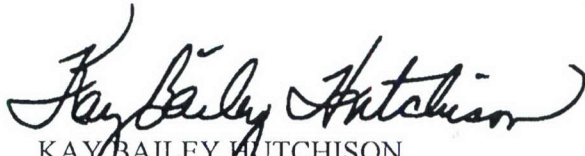
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must remain the highest priority here. We urge you to inject common sense into the decision-making process and ensure that your Administration's actions reflect that priority.

In addition, we are perplexed as to why your Administration has discounted the important counterterrorism lessons learned through the 9/11 Commission, such as the clear need for a multi-agency intelligence-based approach, instead of mainly a law-enforcement endeavor. As such, the American citizenry will be best protected through a focus on the prevention of deadly attacks, not just the apprehension and punishment of a terrorist after he acts. The federal criminal code is an ineffective weapon against the enemy we face in the Global War on Terror, and relying on it for that purpose will likely cost additional Americans their lives.

In the wake of the Christmas Day attempt and the terrorist attack on Fort Hood, Texas, we have been reminded that Islamic terrorists seek nothing less than the death of innocent Americans and the destruction of our way of life. To defeat them, our nation must use the most effective tools available to protect the American people from further harm.

Sincerely,



KAY BAILEY HUTCHISON
United States Senator



JOHN CORNYN
United States Senator

Jones, Crystal B.

From: London, Seth A.
Sent: Friday, January 29, 2010 11:54 AM
To: FN-WHO-LA_INCOMING
Subject: FW: Letter to POTUS
Attachments: SJC-KBH letter to WH re. interrogation of Christmas Day bomber (JAN 10) - signed, scanned.pdf

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