

## **QUESTIONS FOR THE RECORD**

**For Lieutenant Joshua Fryday**

**From Senator Amy Klobuchar**

### ***"CLOSING GUANTANAMO: THE NATIONAL SECURITY, FISCAL, AND HUMAN RIGHTS IMPLICATIONS"***

**July 24, 2013**

#### ***Detainee Policy***

- Closing Guantanamo is important and would end a troubling period in our country's history. But we also need to look to the future. We are almost certain to face continued threats from transnational terrorists who will try to attack the United States at home and overseas. We will end up capturing, detaining, and interrogating some of them. We need to ensure we have a clear policy for how to handle them.

#### **Question:**

Do you believe the United States currently has a clear policy for handling foreign terror detainees?

#### **Answer:**

It is outside my current duties to comment on all policies for handling foreign terror detainees outside of Guantanamo Bay, Cuba.

However, the situation in Guantanamo, as it currently stands, reflects an untenable and unsustainable policy of indefinite detention. Accordingly, I believe our policies for handling foreign terror detainees should be amended and clarified.

We face serious threats. Our enemies must be pursued with the utmost intensity and vigilance. Criminals and terrorists should be prosecuted and jailed. Our enemies must be clear about our steadfast and dogged commitment to bring them to justice, and they must know we will not stop until we do.

At the same time, the law and our values require that we put the men in Guantanamo on trial and prove they are guilty. As a nation, we believe in due process, and as we amend these policies, we should always strive to be faithful to our most cherished values.

#### **Question:**

What key elements would you focus on in crafting detainee policy for foreign terror suspects?

**Answer:**

It is outside my current duties to comment on all policies, future or present, for handling foreign terror detainees outside of Guantanamo Bay, Cuba.

The situation in Guantanamo is unsustainable and demands our policies be revisited, amended and clarified. We are a nation of laws and high moral standards. We are a people of principle who believe in due process and innocence until proven guilty. On the eve of the Revolutionary war, we held trials for British Soldiers responsible for the Boston Massacre. Before we were even a nation, our founding father John Adams extolled the virtues of a people governed by the Rule-of-Law when he served as one of the British soldiers' defense lawyers. He set the example for the type of justice this new country would stand for.