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# *Long-Term Detention Strategy*

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**Senior Detainee Leadership SVTC  
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Deputy Assistant Secretary of Defense  
for Detainee Affairs**

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(DELIBERATIVE DOCUMENT: For discussion purposes only. Draft working papers. Not subject to FOIA release)



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# Global and GTMO Screening Criteria

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# Background of GSC until present

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- Global Screening Criteria was promulgated in 2003; was an evolution of earlier criteria and was used to determine who should be transferred to GTMO**
- Movements to GTMO did not take place from September 2004 until 14 HVDs arrived 2 years later;**
  - First non-HVD moved into GTMO in January 2007 (Malik)

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- Based on practice approved at DSD-level, the criteria for moving detainees to GTMO is now more restrictive than GSC**
  - There was discussion at the Deputies-level at NSC last summer, but no new criteria was officially promulgated
  - The various DOD positions were discussed and refined somewhat in Horn of Africa paper circulated last fall



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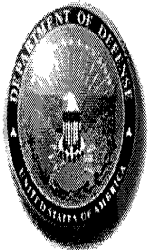
# DC-level Discussion on Possible Criteria

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- Is the enemy combatant a significant figure in al-Qaeda?**
  - Either listed in one of the top tiers by DIA or CIA
  - Listed in an approved EXORD
  - In a position to significantly expand AQ international reach
  
- Does the enemy combatant possess unique or singular access to other senior officials?**
  - Access to multiple contacts in the groups listed above
  - Direct access to the key leaders in AQ or an affiliated terrorist group
  - Has unique information about multiple terrorist cells and / or planned operations
  
- Is the detainee responsible for the deaths of Americans? Has the enemy combatant participated or planned terrorist acts that would or could be described as heinous acts?**
  - Embassy bombings, attempted airliner shoot-down, USS Cole Bombing, 9/11, etc.
  - Civilian casualties, mass casualties, or other significant acts





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# Pros and Cons of More Restrictive Criteria

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## □ Pros

- Supports President's policy of moving towards day when GTMO can be closed without increasing size of legacy population that may need to be moved to the U.S. or released
- Smaller numbers of detainees (particularly of new captures from HOA or elsewhere) minimizes exposure of sensitive operations in a transparent arena like GTMO
- Provides a systematic mechanism that allows the U.S. to hold terrorists whose threat cannot be mitigated any other way

## □ Cons

- Creates a two-tiered system of detainees (some who are bad, but not bad enough for GTMO)
- New arrivals may be significantly worse than residual population
- Requires a possible additional location for detaining long-term closer to theater



# Temporary Screening

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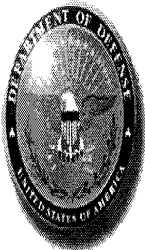
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# Temporary Screening

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- Likely requires additional screening capabilities and/or facilities for non-AF and IZ captures (e.g., HOA, PACOM, etc.)**
  - Does not necessarily require intelligence exploitation facilities, but rather a short-term ability to hold individuals securely while you make an initial status determination as to who you have
  - Personnel needed are trained and can be in place as required upon notice of an impending operation
  - Allows for quicker repatriation if determination is made to return to another country in the region for release, prosecution and/or detention under their own laws





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# Way Ahead

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- Update Global Screening Criteria to reflect current political and operational realities, and designate who is eligible for transfer to GTMO**
  - Define where respective cut-off criteria exist
  - Determine where those eligible for capture, but ineligible for GTMO, will go
- Determine what additional screening capabilities and/or facilities will assist in sorting out detainees**
- Need for diplomatic strategy to achieve alternative avenues for handling those terrorists posing the greatest threat**
  - Prosecution
  - Foreign detention
  - Information sharing