

Thursday, December 10, 2009

MEMORANDUM FOR THE SECRETARY OF DEFENSE  
THE ATTORNEY GENERAL

SUBJECT: Directing Certain Actions with Respect to Acquisition and Use of Thomson Correctional Center

By the authority vested in me by the Constitution and the laws of the United States, including by article II, section 2, clause 1 of the Constitution, which designates the President as Commander in Chief of the Army and Navy of the United States, and by the Authorization for Use of Military Force, Public Law 107-40, 115 Stat. 224, I hereby direct that the following actions be taken with respect to the facility known as the Thomson Correctional Center (TCC) in Thomson, Illinois:

1. The Secretary of Defense shall relocate detainees currently held at the Guantanamo Detention Facility to the TCC as expeditiously as possible, to the extent permitted by laws related to Guantanamo detainees, and consistent with the findings in, and interagency Review established by, Executive Order 13492 of January 22, 2009.
2. The Attorney General shall as expeditiously as possible acquire and activate the TCC as a United States Penitentiary, which the Attorney General has determined would alleviate the Bureau of Prisons' shortage of maximum security cell space and could be used for other appropriate purposes. The Attorney General shall also provide to the Department of Defense a sufficient portion of the TCC to serve as a detention facility to be operated by the Department of Defense, to accommodate the relocation of detainees by the Secretary of Defense in accordance with paragraph 1 of this memorandum.

This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

The Secretary of Defense is authorized and directed to publish this memorandum in the Federal Register.