

Exhibit 7

Sample Cover Letter Accompanying Highlighted Factual Return When
Served on Individual Petitioner's Counsel to Meet and Confer,
Filed With Classified Coordinated Motion



U.S. Department of Justice

Civil Division
Federal Programs Branch

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April 14, 2010

VIA FEDERAL EXPRESS

Re: Meet and Confer Regarding Proposed Public Return for ISN

Dear _____,

As you may know, as required by Judge Hogan's January 14, 2010 Order in the Guantanamo Bay Habeas Litigation (08-cv-0442, Dkt. No. 1896), Respondents have undertaken a reprocessing of proposed public factual returns. Enclosed please find a copy of Respondents' proposed public factual return for ISN _____. Respondents are serving this marked version of the return on you in advance of a meet and confer discussion regarding Respondents' proposed designations, as required by Judge Hogan's earlier order of June 1, 2009 (08-cv-0442, Dkt. No. 1781).

Within the enclosed version of the return, Respondents have highlighted in color the exact words and lines that Respondents seek to be deemed "protected" pursuant to the Protective Order and Procedures for Counsel Access to Detainees at the United States Naval Base in Guantanamo Bay, Cuba (Sept. 11, 2008, Dkt. No. 409) (the "Protective Order"). Respondents have designated this marked version of the factual return as a "protected" document in accordance with the Protective Order, not to be released to the detainees or the public. Pursuant to paragraph 34 of the Protective Order, you must treat the highlighted words and lines as "protected information" unless and until the Court rules that the information should not be designated as protected.

Relatedly, on April 14, 2010, Respondents are filing under seal with the Court through the Court Security Office a classified, coordinated motion to amend and for clarification of Judge Hogan's January 14, 2010 Order regarding public returns. (Copies of

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Respondents' motion and supporting exhibits are being provided to the Court Security Office for service on Petitioners' counsel at the habeas secure facility.) Among other things, Respondents' motion seeks Judge Hogan's ruling that sensitive but unclassified information falling within six specifically defined categories appearing within the factual returns may appropriately be designated as "protected" information.

Respondents expect that the six identified categories will account for the vast majority of the information within the reprocessed factual returns that Respondents seek to deem "protected" pursuant to the Protective Order, including the return for ISN submitted herewith. Those categories are:

- A. Names and/or other information that would tend to identify certain U.S. government employees, FBI Joint Terrorism Task Force members, or contractors — specifically, law enforcement officers, agents, translators, intelligence analysts, or interrogators, all below the Senior Executive Service or General Officer level — or the family members of detainees;
- B. Information that would reveal the existence, focus, or scope of law enforcement or intelligence operations, including the sources, witnesses, or methods used and the identity of persons of interest;
- C. Information indicating the names or locations, including geo-coordinates, of locations of interest as they pertain to counter-terrorism intelligence gathering, law enforcement, or military operations, where the Government has not previously acknowledged publically its knowledge of those names or locations;
- D. Information that would reveal the Government's knowledge of telephone numbers, websites, passwords, passcodes, and e-mail addresses used by known or suspected terrorists, or discussions of the manner in which known or suspected terrorists use these methods for communications with one another;
- E. Information regarding the use, effectiveness, or details regarding the implementation of certain interrogation techniques approved by Executive Order 13491 and described in the Army Field Manual No. 2-22.3; and

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- F. Certain administrative data, operational “nicknames,” code words, dates of acquisition, including dates of interrogations, and FBI case names and file numbers, contained in the intelligence documents included in the factual returns.

After you have reviewed the enclosed marked version of the factual return, please contact Lisa Zeidner Marcus at lisa.marcus@usdoj.gov or the lead Department of Justice attorney assigned to your habeas case, so that we may schedule a time to meet and confer regarding Respondents’ designations.

Thank you, and we look forward to speaking with you.

Sincerely yours,

James J. Gilligan

ENCLOSURE

Copy, by electronic mail, without enclosure:

CC, by electronic mail, without enclosure: