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Pentagon Plans To Tell Names Of Detainees

THOM SHANKER
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WASHINGTON, Feb. 25 -- The Defense Department will comply with a federal judge's order to release the names and nationalities of hundreds of detainees held at Guantanamo Bay, Cuba, a Pentagon spokesman said Saturday.

The decision came in response to a ruling last month by Judge Jed S. Rakoff of Federal District Court in Manhattan on a lawsuit brought last year by The Associated Press under the Freedom of Information Act.

The suit sought to require the Pentagon to release transcripts of military tribunal hearings held to determine whether the detainees at Guantanamo had been properly categorized as enemy combatants.

"The Department of Defense will comply with the judge's ruling," Lt. Cmdr. Joe Carpenter, a Pentagon spokesman, said in a telephone interview on Saturday.

Commander Carpenter said the Defense and Justice Departments were coordinating the effort to release by March 3 the unedited transcripts of the combatant status review tribunals, which contain detainee names.

The Pentagon and Justice Department actions, first reported on Saturday in The Washington Post, would essentially fill in the blanks of transcripts already released. Last year, the Pentagon released transcripts of 558 tribunals, but blacked out names and other identifying information about the prisoners.

The Pentagon and Justice Department had objected to releasing the names of the detainees, citing privacy and security concerns, but ultimately decided not to appeal the judge's ruling.

Judge Rakoff had previously ordered the Defense Department to ask prisoners if they would consent to their names being published. Of 317 detainees who received a form with this question, 63 checked yes, 17 checked no, 35 returned the form without answering, and 202 did not return the form, the judge said.

The judge concluded that the small number of negative answers did not justify withholding all the names.

He also said the Pentagon had offered only "thin and conclusory speculation" to support an argument that terrorist groups might attack the prisoners or their families.