

**NEW YORK  
CITY BAR**

Committee on Military Affairs and Justice

CHAIR

Michael Mernin  
150 John F. Kennedy Pkwy, 3rd Fl.  
Short Hills, NJ 07078  
Tel : (973) 315-4421  
Fax : (973) 379-7734  
[mmernin@budd-larner.com](mailto:mmernin@budd-larner.com)

SECRETARY

Joseph J. Porrovecchio  
845 Third Avenue, 17th Fl.  
New York, NY 10022  
Tel. : (212) 812-8919  
Fax : (212) 812-8920  
[jporrovecchio@lcattorneys.com](mailto:jporrovecchio@lcattorneys.com)

October 11, 2006

MG John D. Altenburg, Jr, USA (Ret.)  
Appointing Authority  
Office of Military Commissions  
Department of Defense  
1600 Defense Pentagon, Room 3B688  
Washington, DC 20301-1600

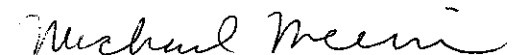
Re: Draft Manual for Military Commissions  
Opportunity for Comment

Dear General Altenburg,

We write to suggest that the New York City Bar, and others, be offered the opportunity to review and comment on the draft Manual for Military Commissions in advance of its final publication. The City Bar has a long history of significant engagement with issues of military law. Our Committee on Military Affairs and Justice played a key role in the development of the Uniform Code of Military Justice. More recently, we responded to the Department of Defense's call for public comment in 2004 with respect to the Administrative Procedures relating to those being held at Guantanamo, and we have published continuing analysis and commentary on the treatment and interrogation standards applicable to detainees in the war on terror. This summer, following the Supreme Court's decision in *Hamdan*, we were invited to testify before the Senate Armed Services Committee as the drafting of the recently passed Military Commissions Act got under way.

Given the importance of and public interest in this subject matter, we strongly believe that the Department should provide for a period of public comment with respect to the draft Manual for Military Commissions. Such opportunity would only serve to enhance public confidence in any trials which might be conducted. Thank you for considering this request.

Very truly yours,

  
Michael Mernin