

Remarks on Closing the Detention Facilities at the United States Naval Base in Guantanamo Bay, Cuba

February 23, 2016

Good morning, everybody. In our fight against terrorists like Al Qaida and ISIL, we are using every element of our national power: our military; intelligence; diplomacy; homeland security; law enforcement, Federal, State, and local; as well as the example of our ideals as a country that's committed to universal values, including rule of law and human rights. In this fight, we learn and we work to constantly improve. When we find something that works, we keep on doing it. When it becomes clear that something is not working as intended—when it does not advance our security—we have to change course.

For many years, it's been clear that the detention facility at Guantanamo Bay does not advance our national security, it undermines it. This is not just my opinion. This is the opinion of experts; this is the opinion of many in our military. It's counterproductive to our fight against terrorists, because they use it as propaganda in their efforts to recruit. It drains military resources, with nearly \$450 million spent last year alone to keep it running and more than \$200 million in additional costs needed to keep it open going forward for less than 100 detainees. Guantanamo harms our partnerships with allies and other countries whose cooperation we need against terrorism. When I talk to other world leaders, they bring up the fact that Guantanamo is not resolved.

Moreover, keeping this facility open is contrary to our values. It undermines our standing in the world. It is viewed as a stain on our broader record of upholding the highest standards of rule of law. As Americans, we pride ourselves on being a beacon to other nations, a model of the rule of law. But 15 years after 9/11, 15 years after the worst terrorist attack in American history, we're still having to defend the existence of a facility and a process where not a single verdict has been reached in those attacks—not a single one.

When I first ran for President, it was widely recognized that this facility needed to close. This was not just my opinion. This was not some radical, far-left view. There was bipartisan support to close it. My predecessor, President Bush, to his credit, said he wanted to close it. It was one of the few things that I and my Republican opponent, Senator John McCain, agreed on.

And so, in one of my first acts as President, I took action to begin closing it. And because we had bipartisan support, I wanted to make sure that we did it right. I indicated that we would need to take our time to do it in a systematic way and that we had examined all the options.

And unfortunately, during that period where we were putting the pieces in place to close it, what had previously been bipartisan support suddenly became a partisan issue. Suddenly, many who previously had said it should be closed backed off because they were worried about the politics. The public was scared into thinking that, well, if we close it, somehow, we'll be less safe. And since that time, Congress has repeatedly imposed restrictions aimed at preventing us from closing this facility.

Now, despite the politics, we've made progress. Of the nearly 800 detainees once held at Guantanamo, more than 85 percent have already been transferred to other countries. More than 500 of these transfers, by the way, occurred under President Bush. Since I took office,

we've so far transferred 147 more, each under new, significant restrictions to keep them from returning to the battlefield. And as a result of these actions, today, just 91 detainees remain—less than 100.

Today the Defense Department, thanks to very hard work by Secretary of Defense Ash Carter, as well as his team, working in concert with the Office of Management and Budget, today the Department is submitting to Congress our plan for finally closing the facility at Guantanamo once and for all. It's a plan that reflects the hard work of my entire national security team, so I especially want to thank Ash and his team at DOD. This plan has my full support. It reflects our best thinking on how to best go after terrorists and deal with those who we may capture, and it is a strategy with four main elements.

First, we'll continue to securely and responsibly transfer to other countries the 35 detainees out of the 91 that have already been approved for transfer. Keep in mind, this process involves extensive and careful coordination across our Federal Government to ensure that our national security interests are met when an individual is transferred to another country. So, for example, we insist that foreign countries institute strong security measures. And as we move forward, that means that we will have around 60 and potentially even fewer detainees remaining.

Second, we'll accelerate the periodic reviews of remaining detainees to determine whether their continued detention is necessary. Our Review Board, which includes representatives from across Government, will continue to look at all relevant information, including current intelligence. And if certain detainees no longer pose a continuing significant threat, they may be eligible for transfer to another country as well.

Number three, we'll continue to use all legal tools to deal with the remaining detainees still held under law of war detention. Currently, 10 detainees are in some stage of the military commissions process, a process that we worked hard to reform in my first year in office with bipartisan support from Congress. But I have to say, with respect to these commissions, they are very costly, they have resulted in years of litigation without a resolution. We're therefore outlining additional changes to improve these commissions, which would require congressional action, and we will be consulting with them in the near future on that issue.

I also want to point out that, in contrast to the commission process, our Article III Federal courts have proven to have an outstanding record of convicting some of the most hardened terrorists. These prosecutions allow for the gathering of intelligence against terrorist groups. It proves that we can both prosecute terrorists and protect the American people. So think about it: Terrorists like Richard Reid, the shoe bomber; Umar Farouk Abdulmutallab, who tried to blow up an airplane over Detroit; Faisal Shahzad, who put a car bomb in Times Square; and Dzhokhar Tsarnaev, who bombed the Boston Marathon—they were all convicted in our Article III courts and are now behind bars, here in the United States.

So we can capture terrorists, protect the American people, and when done right, we can try them and put them in our maximum security prisons, and it works just fine. And in this sense, the plan we're putting forward today isn't just about closing the facility at Guantanamo. It's not just about dealing with the current group of detainees, which is a complex piece of business because of the manner in which they were originally apprehended and what happened. This is about closing a chapter in our history. It reflects the lessons that we've learned since 9/11, lessons that need to guide our Nation going forward.

So even as we use military commissions to close out the cases of some current detainees—which, given the unique circumstances of their cases make it difficult for them to be tried in Article III courts—this type of use of military commissions should not set a precedent for the future. As they have been in past wars, military commissions will continue to be an option when individuals are detained during battle. But our preferred option, the most effective option for dealing with individuals detained outside military theaters, must be our strong, proven Federal courts.

Fourth and finally, we're going to work with Congress to find a secure location in the United States to hold remaining detainees. These are detainees who are subject to military commissions, but it also includes those who cannot yet be transferred to other countries or who we've determined must continue to be detained because they pose a continuing significant threat to the United States.

We are not identifying a specific facility today in this plan. We are outlining what options look like. As Congress has imposed restrictions that currently prevent the transfer of detainees to the United States, we recognize that this is going to be a challenge. And we're going to keep making the case to Congress that we can do this in a responsible and secure way, taking into account the lessons and great record of our maximum-security prisons.

And let me point out, the plan we're submitting today is not only the right thing to do for our security, it will also save money. The Defense Department estimates that this plan, compared to keeping Guantanamo open, would lower costs by up to \$85 million a year. Over 10 years, it would generate savings of more than \$300 million. Over 20 years, the savings would be up to \$1.7 billion. In other words, we can ensure our security, uphold our highest values around the world, and save American taxpayers a lot of money in the process.

So, in closing, I want to say: I am very clear eyed about the hurdles to finally closing Guantanamo. The politics of this are tough. I think a lot of the American public are worried about terrorism, and in their mind, the notion of having terrorists held in the United States rather than in some distant place can be scary. But part of my message to the American people here is, we're already holding a bunch of really dangerous terrorists here in the United States because we threw the book at them. And there have been no incidents. We've managed it just fine.

And in Congress, I recognize, in part because of some of the fears of the public that have been fanned oftentimes by misinformation, there continues to be a fair amount of opposition to doing closing Guantanamo. If it were easy, it would have happened years ago, as I wanted, as I have been working to try to get done. But there remains bipartisan support for closing it. And given the stakes involved for our security, this plan deserves a fair hearing. Even in an election year, we should be able to have an open, honest, good-faith dialogue about how to best ensure our national security. And the fact that I'm no longer running, Joe is no longer running, we're not on the ballot, it gives us the capacity to not have to worry about the politics.

Let us do what is right for America. Let us go ahead and close this chapter and do it right and do it carefully, do it in a way that makes sure we're safe, but gives the next President and, more importantly, future generations the ability to apply the lessons we've learned in the fight against terrorism and doing it in a way that doesn't raise some of the problems that Guantanamo has raised.

I really think there's an opportunity here for progress. I believe we've got an obligation to try. President Bush said he wanted to close Guantanamo despite everything that he had

invested in it. I give him credit for that. There was an honest assessment on his part about what needed to happen. But he didn't get it done, and it was passed to me. I've been working for 7 years now to get this thing closed. As President, I have spent countless hours dealing with this. I do not exaggerate about that. Our closest allies raise it with me continually. They often raise specific cases of detainees repeatedly.

I don't want to pass this problem on to the next President, whoever it is. And if, as a nation, we don't deal with this now, when will we deal with it? Are we going to let this linger on for another 15 years, another 20 years, another 30 years? If we don't do what's required now, I think future generations are going to look back and ask why we failed to act when the right course—the right side of history and of justice and our best American traditions—was clear.

So again, I want to thank Secretary Carter. You and your team did an outstanding job, and you've shown great leadership on this issue. With this plan, we have the opportunity, finally, to eliminate a terrorist propaganda tool, strengthen relationships with allies and partners, enhance our national security, and most importantly, uphold the values that define us as Americans. I'm absolutely committed to closing the detention facility at Guantanamo. I'm going to continue to make the case for doing so for as long as I hold this office. But this is a good moment for everybody to step back, take a look at the facts, take a look at the views of those who have been most committed to fighting terrorism and understand this stuff: our operatives, our intelligence officials, our military. Let's go ahead and get this thing done.

Thanks very much, everybody.

NOTE: The President spoke at 10:30 a.m. in the Roosevelt Room at the White House. In his remarks, he referred to Vice President Joe Biden. He also referred to the Islamic State of Iraq and the Levant (ISIL) terrorist organization.

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Names: Abdulmutallab, Umar Farouk; Biden, Joseph R., Jr.; Bush, George W.; Carter, Ashton B.; McCain, John S., III; Reid, Richard C.; Shahzad, Faisal; Tsarnaev, Dzhokhar.

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