

*Report on Risk Levels in the Release of Detainees from Guantanamo Bay*

WASHINGTON – Today the House Armed Services Committee Republicans released a report finding that both the Bush and Obama Administrations assumed a questionable level of risk in the release of detainees from Guantanamo Bay. The report found at least 27% of detainees released by the US military have been confirmed or suspected of reengaging in terrorist or insurgent activities, up from 25% in 2010. Some former detainees hold leadership positions with the Taliban or Al Qaeda.

“With this report released today, it is clear that government policy and review on detainee transfers must be improved,” Oversight and Investigations Subcommittee Chairman Rob Wittman (R-VA) said. “The facts indicate that neither the Bush nor Obama Administrations sufficiently addressed the problem of reengagement and detainee transfers. I have talked with battlefield commanders in Afghanistan, and the last thing they want is to re-engage with enemy combatants they have already captured. This report shows that the leadership and intelligence communities in the U.S. have more work to do to ensure we are not unnecessarily putting our troops in harm’s way, and are not allowing enemies who wish our country harm get back in the fight. I am proud of the bi-partisan work the Oversight and Investigations Subcommittee has done to further the dialogue on this critical national security issue. ”

Commenting on the report, Congressman Howard P. “Buck” McKeon (R-Calif.) said “My sincere thanks to members of the Armed Services Committee for undertaking a complex and difficult study. It appears that, despite well intentioned and sincere efforts by government officials, our detainee release policy could be unnecessarily risky and potentially harmful to U.S. national security. We must do a better job addressing the problems with detainees releases and reengagement concerns.”

[Read the Report](#)

Reengagement Numbers:

- Five of 66 detainees who left GTMO in between February 2009 and October 2010 were confirmed (two) or suspected (three) by Office of the Director of National Intelligence of involvement in terrorist activities as December 2010.

- In 2010, the Intelligence Community further assessed that if additional GTMO detainees were transferred or released some of them would reengage.

Key Findings:

- Pressures to reduce the GTMO population during the Bush and Obama administrations led officials to transfer or release as many detainees as believed could be done safely.
- In doing so, both administrations faced the persistent challenge of ensuring that the potential threat posed by each detainee had been aptly assessed before transfer or release, and that the countries that received the detainees had the capacity and willingness to handle them in a way that sufficiently recognized the dangers involved.
- The high suspected and confirmed reengagement rate suggests failures in one or both aspects of the detainee release process.
- Sufficient continuities exist between the Bush and Obama administrations so that the threat of reengagement may not be lessened in the long term.

Conclusions:

- The Department of Defense, the Central Intelligence Agency, the Defense Intelligence Agency, and the Office of the Director of National Intelligence collaborate to produce a report (in classified and unclassified versions) to congressional committees of jurisdiction assessing factors causing or contributing to reengagement; including a discussions of trends, by country and region, where reengagement has occurred;
- The Department of Defense and Department of State produce a report (in classified and unclassified versions) to congressional committees of jurisdiction assessing the effectiveness of agreements in each country where transfers have occurred;
- Congress continue the certification requirements on GTMO transfers which are contained in the National Defense Authorization Act for Fiscal Year 2012 (Pub. L. No. 112-81; 125 Stat. 1561 [2011]), at least until receiving and reviewing the specified reports.

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