

Additional Statement of Rep. Jim Cooper (TN-5), joined by other minority Members

Rarely in the history of the House Armed Services Committee has so much time and money been spent with so little result. This report contains no news and certainly no fireworks. You will find some smoke and mirrors. It could have been, and should have been, a much better product. The majority, however, has turned a deaf ear to our suggestions. Not even the Departments of Defense and State were allowed sufficient time to review the report.

The report was supposed to be a comprehensive and bipartisan look at former GTMO detainees, but fails at both objectives. Much of the failure is due to the majority's insistence on releasing a public report during an election year. The majority is well aware that most of the relevant material is classified and politically sensitive. To their credit, committee staff did do a workmanlike job on the classified annex, which we recommend to all members. But the public report uses a highly problematic "methodology" in order to write ghost stories designed to scare voters. Americans deserve better.

Reports on terrorism should not further the terrorists' goal of spreading fear. After all, terrorism is a double-barreled attack on civilization: violence is one weapon and publicity of that violence is another. Without publicity, the terrorist can never succeed. Regrettably, this report gives former GTMO detainees publicity by making them seem more numerous and dangerous than they are. Reengagers will like their image in the report.

The reality is that the surest way to die is for a former GTMO detainee to reengage in terrorism. We know who they are, and we are coming to get them.

Why the majority is so interested in reviewing press clippings and interviewing a handful of officials about mistakes made during the Bush Administration is hard to understand. All three of the case studies in the report are from the Bush era, although the majority tried, in an earlier draft, to twist the dates of one story in an effort to blame the Obama Administration. Fortunately, that deliberate distortion has been omitted from the final report. Unfortunately, the report still fails to make it clear that U.S. courts ordered two of the five problematic transfers under the current Administration.

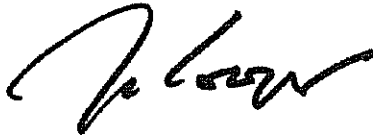
The report concludes that, despite the admitted improvements in the Obama Administration's handling of detainee issues, the number of former detainees who return to terrorism will be as high or higher. This is purely speculative, and seems politically motivated. Time will tell, but the current rate of confirmed reengagement of transferees under the Obama Administration is closer to 3%, not the report's cover graphic of 27%. The lower figure does not, however, make headlines.

In order to produce a better gloss on the classified information, it would have been helpful, in addition to time for full DoD and State input, for the House Intelligence Committee to have reviewed the report prior to publication. After all, one of the report's key criticisms of the executive branch is failure to coordinate among agencies. But the

majority refused to allow our colleagues with expertise in this area—including those on the Foreign Affairs Committee—to read the report. Surely, on issues of importance to national security, the majority should look beyond its bureaucratic turf.

The report does mention that President Bush, Senator McCain, and then-Senator Obama all agreed in 2008 on the need to close the GTMO prison—and therefore on the need to do something with the detainees—but that bipartisan policy agreement is buried deep in the report and mentioned with regret. Many other important topics are either barely mentioned, given short shrift, or cannot be mentioned without disclosing classified material. The Armed Services Committee is not accustomed, and should not lower itself, to wearing blinders, dumbing down information, and hinting darkly, all in order to attempt a partisan advantage.

This report is simply not in the tradition of honor, discipline, and bipartisanship of the House Armed Services Committee.



Jim Cooper  
Member of Congress

