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**Opening Statement of the Honorable Ed Royce (R-CA), Chairman
House Foreign Affairs Committee Hearing:
The Administration's Plan to Close the Guantanamo Bay Detention
Facility: At What Foreign Policy and National Security Cost?
March 23, 2016**

(As prepared for delivery)

President Obama's race to empty the Guantanamo Bay detention facility is on. In recent weeks and months, many hardened terrorists have been released and sent abroad. And according to the President's closure plan sent to Congress last month, another 35 are set to be transferred by summer.

Unfortunately, we know many of the recipient countries don't have the desire or commitment or ability to monitor these dangerous individuals and prevent them from returning to the battlefield. Countries like Ghana and Uruguay aren't typical security and intelligence partners, but they are being asked to shoulder a heavy burden and responsibility. And there are real concerns about the Administration setting aside intelligence assessments to deceive countries about the threat posed by the militants they are being asked to take-in.

That was certainly a finding of a Committee investigation into the release of six detainees to Uruguay in December 2014. The top State Department official overseeing Guantanamo at the time wrote to the Uruguayan President that there was "no information" that these six were "involved in conducting or facilitating terrorist activities against the United States or its partners or allies." No information? They were known to have been hardened al-Qaeda fighters, involved in forging documents, trained as suicide bombers, and fighters at Tora Bora.

Although the law clearly states that steps must be taken to "substantially mitigate the risk" of released individuals from again threatening the United States, senior Uruguayan officials asserted before these six arrived that they would not impose or accept any conditions to receive these former detainees. Indeed, these six terrorists were housed just blocks from the U.S. Embassy, without the prior knowledge of U.S. officials.

The Administration often talks of detainees "cleared for release" as if they are no longer a threat. But just over 30 percent of the detainees that have been released are either confirmed or suspected to have returned to the battlefield. Several of the senior leaders of al-Qaeda in the Arabian Peninsula are Guantanamo alums. The Administration is emptying Guantanamo with the flimsy claim that it is a terrorist recruiting tool.

Closing this detention facility has been opposed by bipartisan majorities in Congress and even members of President Obama's own Cabinet. It's no secret that former Secretary of Defense

Hagel was pushed-out in part because he was not certifying releases fast enough for the White House.

Yet President Obama remains determined to push out as many terrorists as he can to other countries. Forty-five or so other “law of war detainees” would be moved to U.S. soil. Doing so could open a Pandora’s Box of legal issues impairing out anti-terrorism efforts.

Fortunately, any effort to bring Guantanamo detainees to U.S. soil would be against the law. That’s according to our Secretary of Defense and Attorney General. I see no interest in changing that law—certainly not by the American people—and our laws must be honored.

The White House meanwhile has no solid plans to detain and interrogate terrorists captured today. Indeed, the Administration admits that its proposed domestic Guantanamo would not take in any new terrorists captured on the battlefield. If the Administration was spending as much time working to capture and detain ISIS fighters as it was trying to close down a perfectly good facility at Guantanamo Bay, we’d be more secure.

ISIS is continuing to threaten and expand in Libya, Afghanistan and elsewhere. Europe is under siege by jihadists. We are under attack. So unfortunately—we are going to need a detention facility for fanatical terrorists—whose processing in the U.S. legal system is unwarranted and simply not feasible—for a long time to come.

I’ll now turn to the Ranking Member for any opening comments he may have.