



**MUSLIM PUBLIC AFFAIRS COUNCIL  
STATEMENT FOR THE RECORD**

**Hearing on Closing Guantanamo: The National Security, Fiscal and Human Rights  
Implications**

**SENATE COMMITTEE ON THE JUDICIARY  
SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS and HUMAN RIGHTS**

**UNITED STATES SENATE**

**JULY 24, 2013**

Chairman Durbin, Ranking Member Cruz and members of the Subcommittee: We are honored to submit this statement for the record on behalf of the Muslim Public Affairs Council (MPAC) regarding today's hearing on the national security, fiscal and human rights implications of closing the Guantanamo Bay detention facility. We commend the leadership of the members of the Committee for holding today's hearing, "Closing Guantanamo: The National Security, Fiscal and Human Rights Implications."

MPAC is a faith based American institution working for the integration of Muslims into American pluralism. To that end, we actively strive to affect policy reforms that uphold core American values and preserve constitutionally protected freedoms of all Americans. We have done extensive work on highlighting the need to close the Guantanamo Bay detention facility for the sake of our counterterrorism and national security efforts. There are real moral, fiscal and national security implications in maintaining the facility. As such, we urge Congress to follow your leadership and take increased measures to learn and understand the implications of keeping Guantanamo Bay open.



We thank you for holding this critical hearing on the implications of the use of keeping Guantanamo Bay open for detention purposes. The hearing comes two months after President Barack Obama's speech at the National Defense University regarding our nation's future counterterrorism policy, and included a renewed pledge to focus efforts on closing Guantanamo Bay. We hope the hearing will examine legislative proposals to facilitate the closure of Guantanamo, including provisions authorizing detainee transfers as detailed in the National Defense Authorization Act (NDAA) – soon to be considered on the Senate floor.

The hearing will address the national security, fiscal and human rights concerns that surround the continued indefinite detention of the 166 remaining detainees at the facility, including 86 detainees who have already been cleared for transfer. We hope the hearing will also explore how the continued operation of Guantanamo Bay undermines the moral authority of our nation in the international community and undercuts fundamental values of the American justice system, including due process and rule of law.

**The question we must now ask ourselves is: Is the continued use of Guantanamo Bay a necessary tool to maintain our national security and counterterrorism efforts?** The U.S. is the only superpower in the world and is protected by the most powerful military in the history of civilization. According to a recent Los Angeles Times op-ed titled An America Eternally 'at War,' our military capability will not diminish anytime soon; but will our political and moral leadership hold the same weight?



Yet, the debate among policy-makers and pundits has been whether the moral implications of keeping the detention facility open outweigh its ever-dwindling national security use.

Congressional gridlock, indecisions and wasted taxpayers' money are keeping Guantanamo open. Keeping the facility open costs \$177 million per year on average, with the Department of Defense recently requesting \$200 million more to renovate the facility. The average cost to house a criminal in a high-security facility in the U.S. is less than \$30,000; compare that to more than \$1 million for each of the detainees. The fiscal implications of maintaining Guantanamo Bay are indeed outrageous.

Costs aside, the moral repercussions of Guantanamo Bay are inexcusable. Of the 166 detainees, 86 have already been approved for transfer; the detainees are being held without any charges and without any evidence of guilt. Now detainees are being forced through nasal tubes to eat, and additional medical teams are being flown in to the facility to assist the overwhelmed staff.

There is no more room for lip service; the doors of this prison must be closed. President Obama said "I continue to believe that we need to close Guantanamo Bay. I think it is critical for us to understand that Guantanamo is not necessary to keep us safe. It is expensive, it is inefficient, it hurts us in terms of our international standing, it lessens cooperation with our allies on counterterrorism efforts, it is a recruitment tool extremists. It needs to be closed."

### **Impact of Government Actions**



Government actions and political discourse shape the public's perception of maintaining national security while upholding our moral code. Congress must take on the leadership role its members were elected for and close the facility which has brought shame on this nation. After 11 years, Guantanamo Bay now represents human rights violations, including torture, detention without charge and indefinite detentions.

In 2007, MPAC President Salam Al-Marayati was the first American Muslim to observe conditions at the Guantanamo Bay detention center. At that time, MPAC commended and supported then Secretary of Defense Robert Gates' public call for the closing of the prison. This stance has been supported by human rights groups which have investigated and condemned U.S. interrogation and incarceration practices at Guantanamo.

### **Conclusion**

The problem with Guantanamo is not the operation per se, but the poor policy that created a detention center that does not serve American interests and is in violation of basic human rights. While government officials have stated a desire to shut the detention center down, real political will on Capitol Hill among the administration and lawmakers must be demonstrated in order to turn this into an overdue reality.

The ways and means by which detainees were captured and transferred to Guantanamo are key factors in determining the validity of their detention in the first place. Were they Al-Qaeda agents planning attacks on America, and if so, on what evidentiary basis was that determined? Corrupted intelligence has become too often and overlooked mistake in various incidents. The



American public will become more confident in decision-making at the policy and military levels of our government if more transparency is placed in the process.

MPAC is heartened by the Subcommittee's leadership in holding this hearing and we are grateful for the opportunity to present our position on the much-needed closing of Guantanamo Bay. It's clear that the detention center is killing the character of our nation.

Thank you again for this opportunity to express the views of the Muslim Public Affairs Council. We welcome the opportunity for further dialogue and discussion about these important issues.