



Written by [Raven Clabough](#) on May 12, 2011

Bipartisan Group of Senators Fights to Keep Gitmo Open

Attorney General Eric Holder recently issued a statement indicating his commitment to the closing of the Guantanamo Bay detention camp in Cuba. However, a bipartisan group of Senators told reporters on Wednesday that they believe the detention camp should remain open indefinitely.



The group of Senators includes Republicans Lindsey Graham of South Carolina, John McCain of Arizona, Kelly Ayotte of New Hampshire, Independent Senator Joseph Lieberman of Connecticut, and Democratic Senator Jim Webb of Virginia. On Wednesday, the group introduced legislation that indicates Gitmo “shall be a location for the detention of individuals in the custody or under the control of the Department of Defense who have engaged in, or supported, hostilities against the United States or its coalition partners on behalf of al Qaeda, the Taliban, or an affiliated group.”

The legislation would also permanently limit the transfer of detainees to foreign countries and remove funding for future facilities that might be built or refurbished on U.S. soil.

Fox News explains:

Lawmakers told reporters Wednesday that the treasure trove of intelligence material found at Usama bin Laden’s compound in Pakistan makes it all the more urgent that it be made clear in U.S. law where captured unprivileged enemy belligerents are to be taken.

Concerns among the bipartisan group of lawmakers gathered Wednesday, all members of the Armed Services Committee, grew after a number of Administration officials, including Joint Chiefs Chairman Admiral Mike Mullen, recently indicated that there was no good answer to the question of where a captured high-value terrorist would be taken.

“What does a war fighter do tomorrow if we’re fortunate enough ... to capture someone that we need to hold?” Graham asked. “The options are getting limited for our Special Forces. Without a jail, they are pushed to kill people that they would otherwise like to capture.”

Though Graham once held that the detention facility within the Guantanamo Bay Naval Base should be closed, he recently changed his stance. He now states, “There is no pathway forward when it comes to closing Guantanamo in the foreseeable future. It’s not going to happen.”

Lieberman added, “The bottom line is, Guantanamo is still open and will remain open as far as we can see forward, and we need it to remain open. Once we acknowledge that reality in law...we can turn our



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attention to taking action that is focused on another goal which is using the prison as best we can to keep our country safe.”

Lieberman contends that maintaining Gitmo preserves “the homeland security of the American people.” He said, “I believe that the new intelligence collected in the raid on bin Laden’s compound ... increases the likelihood that more terrorists will be captured in the near future. We’re going to want to have a safe, first-rate facility in which we can house these people in order to keep them off the battlefield and gain intelligence from them.”

Lieberman also indicated that he plans to reintroduce legislation that allows the use of “enhanced interrogation techniques” that have been prohibited by the Obama administration.

The lawmakers’ assertions, as expected, are being challenged by the international community and human rights organizations such as Amnesty International, which contend that the facility violates a number of human rights.

The New American’s Thomas Eddlem [wrote](#) of the Obama administration’s continued support of the facility within the Guantanamo Bay base:

The decision to imprison detainees for life without any trial is a clear violation of the [Fifth](#) and [Sixth](#) Amendments to the U.S. Constitution. The Fifth Amendment [guarantees](#) that “no man shall be ... deprived of life, liberty, or property, without due process of law.” The Sixth Amendment [outlines](#) that due process by requiring that “the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed.”

Similarly, the editorial section of the *New York Times* [bemoaned](#) the absence of evidence to justify the indefinite detention of prisoners at Gitmo:

Innocent men were picked up on the basis of scant or nonexistent evidence and subjected to lengthy detention and often to abuse and torture. Some people were released who later acted against the United States. Inmates who committed suicide were regarded only as a public relations problem. There are seriously dangerous prisoners at Guantánamo who cannot be released but may never get a real trial because the evidence is so tainted.

In a 2009 [appearance](#) on Fox News’ Glenn Beck program, Texas Republican Representative Ron Paul asserted that prisoners at Guantanamo Bay are denied due process and lamented that the facility there is yet another example of the federal government’s “rejection of the principle of liberty” and an example of how the government “undermines the Constitution.”

Despite the evident unconstitutionality of Guantanamo Bay, Senator Graham defends it as “the best-run military facility in the world,” adding, “It has been reformed. I’m not worried about that. What I am worried about is not having a prison. If you are worried about human rights, the worst thing you can do is to not have a viable prison.”



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