



One Hundred Fifteenth Congress  
U.S. House of Representatives  
Committee on Foreign Affairs  
2170 Rayburn House Office Building  
Washington, DC 20515  
[www.foreignaffairs.house.gov](http://www.foreignaffairs.house.gov)

January 10, 2017

The President  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Mr. President:

The Committee has just received a troubling new report from the Intelligence Community indicating that former detainees recently transferred out of Guantanamo Bay by your Administration are attempting to return to terrorism. Even more concerning, this report indicates that the country to which these detainees were transferred has little ability to prevent their return to the battlefield – a fact known to your Administration prior to their transfer. In light of this dangerous revelation, I again ask that you immediately halt all transfers from Guantanamo Bay and take steps to secure former detainees who pose a threat to U.S. national security.

Unfortunately, these detainees' attempts to return to the battlefield are far from unprecedented. To date, approximately 33 percent of all transferred or released detainees have returned to the fight. As Special Envoy for Guantanamo Closure Paul Lewis made clear in March 2016, this is a statistic with deadly consequences. Lewis testified to the Committee that, "So what I can tell you is, unfortunately, there have been Americans that have died because of Gitmo detainees."

These tragic deaths are a direct result of the transfer of detainees to countries that have little ability to control them. The Committee's ongoing review has found that some recipient countries lack a combination of the political will, legal framework, or institutional capability to monitor detainees. Shockingly, your administration *knowingly* transferred individuals to these countries *after* receiving such assessments, showing a systematic disregard for the work of intelligence professionals.

This was the case with Uruguay, where your Administration transferred six terrorist detainees in December 2014. By their own law, the Uruguayan government is prohibited from monitoring, surveilling, or imposing restrictions on the former detainees because of their refugee status. Moreover, the government publicly declared that it would not prevent the detainees from traveling outside the country. These facts were known *before* the transfers were made. As a result, one detainee has traveled numerous times to neighboring countries including Venezuela, a country in chaos.

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In a more recent example, your Administration transferred bomb-making expert Tariq al-Sawah to Bosnia and Herzegovina in January 2016. According to recent data, Bosnia has the highest number of foreign fighters *per capita* in the world. It also has a 63 percent unemployment rate, with only Bosnian citizens allowed to work. Yet the Administration transferred al-Sawah – a man with a highly dangerous and marketable skill – to the country with no citizenship or ability to obtain legitimate employment. Again, these were facts known *prior* to his transfer.

Your efforts to close the detention facility at Guantanamo Bay cannot come at the expense of U.S. national security. Again, I ask that you immediately halt all transfers from Guantanamo Bay and take steps to immediately secure former detainees who pose a threat to the United States.

Thank you for your prompt attention to this important matter.

Sincerely,



EDWARD R. ROYCE  
Chairman

Cc: The Honorable Donald J. Trump, President-Elect of the United States  
The Honorable John F. Kerry, Secretary of State  
The Honorable Ash Carter, Secretary of Defense  
The Honorable Elliot R. Engel, Ranking Member, House Committee on Foreign Affairs