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## Democrats in Senate Block Money to Close Guantánamo

By [DAVID M. HERSZENHORN](#)

WASHINGTON — In an abrupt shift, Senate Democratic leaders said on Tuesday that they would not provide the \$80 million that [President Obama](#) requested to close the detention center at [Guantánamo Bay](#), Cuba.

Mr. Obama, who on Thursday is scheduled to outline his plans for the 240 detainees still held in the prison, has faced growing pressure from lawmakers, particularly Republicans, to find a solution that does not involve moving the prisoners to the United States.

While Democrats generally have been supportive of Mr. Obama's plan to close the detention center by Jan. 22, 2010, lawmakers have not stepped forward to offer to accept detainees in their home states or districts. When the tiny town of Hardin, Mont., offered to put the terrorism suspects in the town's empty jail, both Montana senators and its Congressional representative quickly voiced strong opposition

Republicans, including the Senate minority leader, [Mitch McConnell](#) of Kentucky, applauded the Democrats' decision not to include the funds in their version of the military spending bill. Mr. McConnell, who has been warning for weeks about the dangers of closing the prison, said that he hoped it was a prelude to keeping the camp open and dangerous terror suspects off shore, where he said they belong.

Other prominent Republicans, including former Vice President [Dick Cheney](#) have unleashed similarly criticism of the Obama administration over the plan to close the detention camp. And Senate Democrats on Tuesday readily conceded that their decision to shift course in part reflected the success of Republicans in putting Mr. Obama and his fellow Democrats on the defensive.

Obama administration officials have acknowledged that if the Guantánamo camp closes, as scheduled, more than 100 of the prisoners will likely need to be moved to the United States, including 50 to 100 that have been described as "too dangerous to release" but likely cannot be prosecuted.

Of the 240 detainees, 30 have been cleared for release and some will likely be transferred to foreign countries, but so far other governments have been reluctant to accept them. So far, Britain and France have each accepted one former detainee. As many as 80 detainees will be prosecuted and it is unclear what will happen to those who are convicted and sentenced to prison; some might be sentenced to death.

Senate Democratic leaders insisted that they still supported the decision to close the prison, were simply waiting for Mr. Obama to provide a more detailed plan, and had acted to avert a partisan feud that would only serve as a distraction and delay a military spending measure, which is needed to finance the wars in Iraq and Afghanistan and some other national security programs through Sept. 30. Mr. Obama had requested the \$80 million be included in that bill.

The White House press secretary, [Robert Gibbs](#), indicated that the administration expected that Congress would eventually release the money to close the camp and he suggested that the concerns of lawmakers would be addressed on Thursday, when Mr. Obama presents a “hefty part” of his plan to deal with the detainees.

But the Senate majority leader, [Harry Reid](#) of Nevada, seemed to ramp up the concerns of Congressional Democrats, insisting during a news conference that lawmakers would never allow the terror suspects to be released into the United States and suggesting that they would never allow them to be transferred to American prisons.

“Guantanamo makes us less safe,” Mr. Reid said. “However this is neither the time nor the bill to deal with this. Democrats under no circumstances will move forward without a comprehensive, responsible plan from the president. We will never allow terrorists to be released into the United States.”

Pressed to explain if that meant they could not be transferred to American prisons, Mr. Reid said: “We don’t want is them to be put in prisons in the United States. We don’t want them around the United States.

The House last week overwhelmingly approved a \$96.7 billion war spending measure after stripping the money for closing the detention center and inserting language barring Mr. Obama from transferring any of the detainees to the United States without first presenting a detailed plan to Congress and giving lawmakers a chance to review it.

In response, the White House, in a sharp about-face, announced that it would revive the [military commissions](#), first created by the Bush administration, to prosecute some of the terrorism suspects held at Guantanamo.

The Obama administration said it would expand the legal rights of suspects, including a limit on the use of hearsay evidence and a ban on evidence gained from cruel treatment.

Still, discomfort continued to grow in Congress. When the bill was brought to the floor for debate on Tuesday, Mr. Reid and other leaders abruptly announced that they had shifted course and the money to close the prison would be removed.

Republicans had been planning to offer amendments to strip the money and further tighten the restrictions once the bill reached the Senate floor later this week. And they pressed ahead with some of those amendments on Tuesday, including one by Mr. McConnell requiring the administration to provide a “threat assessment” gauging the likelihood that detainees would return to terrorism if released.

At the Pentagon, a spokesman, Geoff Morrell, said he believed that the administration remained on track to meet the Jan. 22 deadline for closing the prison.

“I see nothing to indicate that that date is at all in jeopardy,” Mr. Morrell said at a news conference. As far as I can tell, everything remains on track for action to be taken, with regards to the closure of the Guantánamo Bay detention facility, by the timeline, according to the timeline prescribed by the president in the executive order.”

But Mr. Morrell also cautioned that top Defense Department officials were involved in “near-constant

meetings” with counterparts at the Justice and State departments, as well as at the White House, suggesting that the time-line could change. Mr. Morrell also said he had not heard of any plans to consider transferring detainees from Guantanamo to the Bagrama military base in Afghanistan.

Mr. McConnell, at a news conference, noted that no prisoner had escaped from the Guantanamo camp since the Sept. 11, 2001 terrorist attacks and he said that the prison should remain open. “Guantanamo is the perfect place for these terrorists,” he said. “However, if the president ends up making -- sticking with this decision to close it next January, obviously they need a place to be. It ought not to be the United States of America.”

Mr. McConnell in his persistent, almost daily speeches about the dangers of closing the detention center can arguably take more credit than any other Republican in raising the pressure on Mr. Obama. And at the news conference, Mr. McConnell praised the president’s “flexibility” on national security issues, but of course he noted that the flexibility had largely been to adopt positions more in line with Republicans on security issues.

Jim Manley, a spokesman for Mr. Reid, said the majority leader had not intended to suggest that detainees could never be transferred to American prisons, but only to say that the Senate would not provide money for closing the Guantánamo camp until a task force created by Mr. Obama presents a report on detainee policy and suggestions for moving forward, which is due in July.

Mr. Reid in his comments, however, was unequivocal in insisting that the terror suspects never reach American shores.

“You can’t put them in prison unless you release them,” he said. “We will never allow terrorists to be released in the United States.”

Mr. Reid said that he and other Senate leaders had shifted course after seeing the version of the military spending bill approved by the House last week, a rare gesture of deference by the upper chamber of Congress to the lower one.

“In looking at the position of the House, that was more logical,” Mr. Reid said. “We have clearly said all along that we wanted a plan. We don’t have a plan. And based on that, this is not the bill to deal with this.”

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