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THE SECURITY STATE

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THE SECURITY STATE

(11:30 a.m.)

MR. OLSEN: Okay. Get everyone's attention. Okay. If we could have a seat and get ready for our next panel. Good morning, everybody. My name is Matt Olsen. I'm a member of the Aspen Institute Homeland Security Group. I'm really excited to introduce our next session. The next session is titled "The Security State." It's a title that reminds me of something that Judge Webster said from this stage a couple years ago and that was, Americans often feel we have too much security until that day that we don't have enough.

And I think that quote from Judge Webster really captures the challenge of balancing security and liberty. And a number of the topics that this next panel will address really go to the heart of that fundamental question. So I'm pleased to introduce the person who's going to be moderating this conversation. It's my friend Ken Dilanian. Ken covers national security for NBC News. He's had a number of prior positions with the *LA Times*, *The Associated Press*, with *The Philadelphia Inquirer*, *USA Today*. He spent time in Iraq covering the war there. And with that, Ken, floor is yours.

MR. DILANIAN: Matt, thanks so much. And thanks -- thank you, everybody.

(Applause)

MR. DILANIAN: Thanks to the Aspen Security Forum and the Aspen Institute and Clark. It's another great year here. So I guess our task over the next 45 minutes is to examine whether the U.S. has gotten the balance between liberty and security right as -- you know, as we battle a global extremist threat, and also to look at whether U.S. foreign policy has been over-militarized. And I'm pleased to have a world class panel here to get into that with you.

Gayle Tzemach Lemmon is the senior fellow for women and foreign policy at the Council on Foreign

Relations and the author of *The New York Times'* bestselling *Ashley's War* -- The Untold Story of a Team of Women Soldiers on the Special Ops Battlefield. And then we have Ambassador John Negroponte, vice chairman of McLarty Associates, distinguished diplomat, and the first director of National Intelligence.

Elisa Massimino is president and CEO of Human Rights First which plays a leading role in trying to hold the U.S. to its values. And lastly, Karen Greenberg is the director of the Center on National Security, Fordham University School of Law. Her newest book is called *Rogue Justice: The Making of the Security State*. Did you have a role in naming this panel? Appropriately --

(Laughter)

It explores the war on terrorism pact on justice and law in America. So this is a really interesting moment I feel like to get into this aspect because I feel like after several years of post-Snowden examination of the excesses of the security state we're at a moment now where the citizens of Europe and the United States are wondering whether they have enough security state to deal with an ISIS threat that is, you know, recruiting mentally damaged people in their midst and fomenting terrorist attacks.

And you know, certainly that question was asked after Orlando when it emerged that the killer had been investigated and cleared and taken off a terror watch list. And it's being asked in France with the revelation that the killer of nuns and priests, you know, was a known jihadi fanatic who had wearing an ankle brace. So I was really struck that Pope Francis, of all people, proclaimed after that attack, the world is at war.

So faced with trying to root out these sort of homegrown would-be ISIS terrorists in their midst, governments turn to policies that infringe on liberty -- more surveillance, more undercover operations, expanding watch lists. So let me start with Karen Greenberg and ask this question. I mean some of these ISIS terrorists that -- Orlando, San Bernardino attackers, they seem to -- they

fit a profile that make the -- looks a lot more like Dylann Roof, the South Carolina white supremacy shooter than, say, Khalid Sheikh Mohammed.

So do you think the U.S. government should be distinguishing between Islamic extremists, ISIS-motivated extremists and other violent extremists? And is there a way that the U.S. -- the law enforcement or intelligence agencies can better ferret out these people without infringing further on privacy and civil liberties?

MS. GREENBERG: That's a very big question. So first of all, I see ISIS as both belonging to an evolved terrorist threat, you know, and the ISIS presence in the United States an evolved terrorist threat. And part of a wave of violence that we're seeing that's represented by Dylann Roof and a number of others who are mentally unstable, who pick up a gun, and who may or may not invoke ISIS in the commission of their crime -- almost like a suicide. And they're going to take others down with them, a glorified suicide by claiming ISIS often at the very end.

I think it's unfair to put on law enforcement the idea that every single person that evidences some form of mental instability and proclamations of wanting to do violence is somebody that law enforcement has to work, has to watch. You have a FBI that has 13,000 agents that cover the United States and the world. You have local police station like the NYPD which have 36,000 agents. This is too much for the FBI. So I think to your question, the first question is ISIS is both an evolution of and different than particularly in the United States.

That makes the task of law enforcement much more complex and it also calls for more than law enforcement. I think the bottom line here is that law enforcement's activities have to be put into a very distinct lane and that there is what was referred to earlier, a very wide civil society space that we have not looked at, that we have not developed, that doesn't need one program on a silver bullet, that needs many different programs that will involve communities in making the world safer and more hopeful for a variety of young people who seem to be

disturbed. So I think maybe that answers some of your question.

MR. DILANIAN: And so we have a lot of internationally focused people on the panel here. But before we get into the international dimension, does anyone else want to weigh in on the domestic issue of is there a way to get better at ferreting out these plots without infringing on privacy and civil liberties?

MS. GREENBERG: I mean one thing you can do just to -- and some people have talked about this is focus as the FBI has often done in al-Qaeda cases on the acquisition of destructive materials. So whether it's the acquisition of chemical weapons in the al-Qaeda days of the acquisition of firearms, you know, really understanding who's having access to what, that -- and that's something that we know from all of the media cover we've really failed as a country today.

MR. DILANIAN: Right. Gayle, you were making the point earlier that any crazy person now that associates himself with ISIS and attacks gets a lot more attention than just a regular garden variety --

MS. LEMMON: Yeah. I was recounting a conversation with an Afghan-American interpreter who was injured on the battlefield on 20/11. And she is in Orange County, California, and is worried about -- you know, she worries about her mom now who wears a headscarf and the way people look at her when she leaves her house. And this is a young woman who is still having limb surgeries 5 years after being injured in an IED explosion for her country.

And you know, that moment of her saying, you know, look, any guy now who wants to do something deranged, who gets weaponry and who then goes on and says, oh yeah, and ISIS made me do it gets so much more attention and it causes so many problems. And I just was recounting that story because it's fascinating about how the trickledown effects change people's thoughts.

MR. DILANIAN: Ambassador?

MR. NEGROPONTE: I think we'll never have enough police or law enforcement to deal with these issues. But I think the danger our society faces that as we work to improve the health of our communities, and as we work to deal with the issue of alienation in our society which I think are root causes of at least the recruitment factor here in this country, we run the danger of placing excessive reliance on law enforcement and perhaps building it up more than it needs to be built, because we haven't yet found the way to strengthen our communities in order to be able to deal with these problems.

MS. MASSIMINO: Just if I could pick up on that --

MR. DILANIAN: Sure.

MS. MASSIMINO: -- just this concept of building up. The other thing that we need to be careful of, I think the threat, the terrorist threat is very serious. And I think in order to take it seriously we need to be careful that we don't allow this dynamic that you can -- that you just laid out, of, you know, any young guy with a grievance and a gun can elevate that private grievance or mental illness into a great cause by claiming ISIS. And ISIS of course is very happy to embrace all of those people.

I think we need to be careful that we don't enable that too much, that we don't -- you know, anytime we discover the religious affiliation of one of these, you know, so-called lone wolf or self-radicalized people, that we don't make it too easy for that to be kind of part of the grand battle with the great Satan. You know, that does not help us, I think, in our fight against ISIS if we want to connect up this domestic to the broader issue, you know, being really clear about who we're with. That may also -- making those distinctions I think may also help us when we think about the domestically focused resources that we have to deal with these threats.

MR. DILANIAN: Right. Let's turn abroad for a second. Ambassador is a former director of National

Intelligence and someone who was posted in Iraq. If -- so there is a caliphate -- ISIS is a terrorist organization, it's also an army in a quasi-state that has territory. If the U.S. and its partners were to destroy that caliphate and dislodge them from the caliphate, would the global threat from ISIS be diminished? And if that's true, why aren't we doing it with ground troops, doing whatever it takes to make that happen?

MR. NEGROPONTE: Right. Well, I don't say the threat would go away and I think that there are -- where that was discussed earlier in the morning that some of its caliphate activity might migrate elsewhere in the Middle East or to South Asia, but right now the focus is Iraq and Syria. And I think progress has really been made in the Iraq situation, and I think that's important. And I think it's important that we stick with it. As far as whether we're doing enough, frankly I had really thought that the President was committed to getting out of Iraq definitively by the end of 2011.

And I'm gratified to see that we have maintained the level of involvement in Iraq that we do now and we actually have advisors. We have advisors able to go down to the battalion level in Iraq and help oversee some of their performance. And we heard General Votel yesterday saying that there had been a significant improvement of the Iraqi armed forces. So I'm quite hopeful at least in the short term about the efforts we are making against ISIL, and I wouldn't underestimate them.

MR. DILANIAN: And just because it's --

MR. NEGROPONTE: And I don't think it needs more ground troops -- we've been through that. I don't think it's -- the American people will tolerate that politically for an indefinite period of time. But I do believe -- and Ryan Crocker referred it -- to it earlier with respect to Afghanistan -- a politically tolerable, sustainable level of military engagement -- several thousands of troops as opposed to several hundreds of thousands I think is a very good idea.

MR. DILANIAN: And just because this is an issue in the presidential campaign, had the U.S. left troops there in 2011, would we have this ISIS threat that we have today do you believe?

MR. NEGROPONTE: Well, maybe it wouldn't have been this great but, you know, how can you second guess that now? It's happened and we got to deal with the situation as it is. And I think we've got a good approach to trying to reduce the ISIS threat now.

MR. DILANIAN: So Gayle, President Obama, Hillary Clinton, and others have continually called for more spending on foreign aid and development as an answer to the terrorist problem. You have some experience observing that in Afghanistan. But let me -- I mean you can go on the SIGAR website, being special general for Afghanistan --

MS. LEMMON: And there are some of those folks here.

MR. DILANIAN: You spend a few -- a few minutes or few hours and you come away with the impression that we didn't get very much for the money we spent there which is the inflation-adjusted equivalent of the Marshall Plan. So I mean can we do this stuff? I mean -- or should we be doing something different? What's the answer to using development to address terrorism?

MS. LEMMON: Well, one of the questions on this panel -- and I'm delighted to be here -- was, you know, is it -- is the balance too much on the kinetic side versus long-term, you know, economic development, et cetera. And I think we have a timing mismatch. If you look at Iraq, right? You have a short-term problem, which is terrorism, driven by long-term grievances with very little medium-term plan to address it. And I think that is a real concern for me because having spent 2 years in special operations and spending a lot of time with people who deploy, yes, we are very good now at countering terrorists.

But how do you slay an idea? And if you look at what comes next, the "and then what?" question after a territory is liberated from ISIL, the "and then what?" question has not been answered sufficiently. Right now what you see is there has been \$7.1 billion spent on the war against ISIL. And of the \$200 million pledged for the fund for immediate stability in the aftermath of that, \$81 million has been disbursed as of June. This is a report that just came out from Center for American Progress. I mean \$81 million -- that's just a small dollars.

And what I worry about is that nation building is a 14-letter word that has become a 4-letter word. And anything that even remotely touches it, including stability, which is basic services, basic security, basic water, basic, you know, parents able to move their children back into their home after 3.1 million Iraqis have been displaced, have all been tainted with the same brushes. You know, we don't want to do that, we can't do that kind of stuff.

And what I worry about is it just creates a circle where we have special operations folks who've done 12, 13, 14 deployments, being asked again to go in and hit targets. And I worry that if we don't look at the medium and longer term drivers in a smart way that looks at what's happening on the ground, all we do is have a circular effect in terms of what we end up doing.

MR. DILANIAN: Elisa, you had a point about that, I think.

MS. MASSIMINO: Yeah. I mean I think that -- well, you know, back to your point about, you know, the balance and too much military -- that question. You know, on -- I think it was Wednesday night, right, we heard from Jeh Johnson about, you know, how you can kill an enemy but not defeat an enemy, that this has to be about more than the kinetic part. And last night -- and there was very moving remarks from General Scaparrotti, you know, saying that these decisions to invoke kinetic power have huge implications for our troopers and that we have to focus more energy on resolving conflicts and fostering peace.

So those kinds of things, resolving conflicts, fostering peace, in his words, they are by definition longer term, more complex, multi-faceted. And those are not things that we as a country necessarily do well, including the funding and oversight of those things. But I think if we're serious about building the kind of world that we say we want for our children, we have got to do that. And I would say oftentimes the debate is between military -- funding for military action and funding for, you know, USAID or other development -- you know, State Department.

I think we also should be looking at the nonkinetic ways in which our military could have an impact on these questions. On these -- there's a new report out by -- I think it's Mercy Corps that looks at the drivers of violent extremism and challenges this question that it's about joblessness and hopelessness and actually looks at the significant -- more significant driver being abused by security forces.

And, you know, we have strong military-to-military relations with a lot of -- you know, with our partners in the fight against these terrorist groups. And I think there's a lot more that the military could be doing if it fully embraced this concept that respect for human rights is central to peace and security of the world. There are lots of individual folks at the Pentagon who know this and think this. There's not much structurally to give kind of voice and action to it, to implement it. And I think that's one area that could be explored more.

MR. DILANIAN: Okay. Let me press you further though. I mean on this notion of the alternatives to military action against terrorism Ambassador Faily was asked yesterday, you know, okay, well, how do you get at the root causes. And he talked about -- I took careful notes -- he talked about a platform for dialogue in the Arab world. He talked about infrastructure projects. He talked about education, youth, and technology. That's already all in the USAID state portfolio, right? But it doesn't seem like we're making a dent. Ambassador?

MR. NEGROPONTE: Well, can I jump in on this? The first thing -- and speaking as someone who has worked with these issues over the years, but particularly when I arrived in Iraq in the summer of 2004, we had a major \$17 billion reconstruction program. The problem was one of sequencing. We were trying to reconstruct a country where the war wasn't over yet. And we had this incipient insurgency and we were characterizing them as bitterenders and it was -- would not have any particular consequence. When it turned out, we ended up having sort of a full-fledged insurgency on our hands.

So sequencing is very important. If you intervene with development and reconstruction tools when fighting is going on, all you're going to find is that you spend about 50 or 60 percent of that development budget to protecting the people who are carrying out the existence programs. And the insurgents who are going to figure out -- who know exactly what you're doing, they're going to blow up whatever it is that you've just built the minute you finish building it. But having said all of that, General Votel yesterday talked about the four tools or four stages and then he talked at the end about humanitarian.

I think he needs to add one so that his approach can converge with Ambassador Faily's, which is reconstruction. We shouldn't do it ourselves. This is a global problem. There is a U.N. fund for the reconstruction of Iraq. And I think Secretary Kerry just raised a huge amount of money for that at a donor's conference the other day. And there has to be a reconstruction phase. If you liberate Mosul and then don't do anything -- and I'm sure the town will be in tatters -- and if nothing is done to reconstruct it, the same old problem is just going to come back in a matter of months or years.

MR. DILANIAN: Gayle, yes.

MS. LEMMON: Yeah. And that's it, all right. So \$2.1 billion was pledged at that and about \$125 million was supposed to go back to this fund for an immediate stability. Very little is going to medium-term. And I

think it really is also a question of the American public having a conversation, right? Because for years we haven't even wanted to level with the American public about the fact that people remain deploying to war. Whether you want to say we're a country at war, we're a country who is sending people into situations in Iraq and Afghanistan where people are -- you know, five U.S. service members were injured in Afghanistan in recent days, right?

And I don't think we want to have a national conversation about what that means and what that requires. And to Ambassador Crocker's earlier point about what it means to staying there over the medium-term is that you don't have to send huge numbers of troops back there over the longer term.

MR. DILANIAN: So Karen, is this a war? I mean you talk to senior intelligence specialists, they say, look, ISIS and the movements can be with us for 15 years. I mean we're going to be dealing with this. Is this a war? Is this a law reinforcement issue? A combination? Do we need to treat this like a nuisance, like traffic accidents and garden variety murders and stop freaking out every time there is an ISIS attack or an inspired attack?

MS. GREENBERG: Okay. So first just on the war issue. The reluctance of the United States to go to war has been embedded in the war against terrorism for a long time. This is a war that was done without a war tax, without a draft. And now that we have a targeted killing program, it's done with less casualties than we've ever seen before and -- less American casualties than we've ever seen before. And so it is a war in a whole new definition of what it means to have a war. That's the first thing.

The second thing is it's not just war. We are definitely at war in the Middle East, in the region with, you know, weapons and troops, et cetera, et cetera. But the war against terrorism, if we want to just give it that definition is, as everybody here has been saying for years, is multipronged. And it's partly law enforcement. And it's why the United States government, over the past

12 years, has virtually reorganized itself so that there is an interagency conversation going on.

Because this is as -- this is multipronged beyond agencies that we usually think of -- not just law enforcement, not just intelligence. It involves everything in our government at this point. It involves Treasury, it involves -- it deploys Department of Homeland Security, of course, and many other pieces of it. So we are in an active war against al-Qaeda. The question is how far -- and I think Elisa can talk about this -- how far does that war extend, what are the authorizations for it, and to what extent does -- do other agencies and capacities take over from the military.

MR. DILANIAN: Right. Elisa, I think you want to weigh in.

MS. MASSIMINO: Yeah. I think this is sort of -- we're sort of having two conversations here but they -- you know, the global issues and the --

MS. GREENBERG: Domestic.

MS. MASSIMINO: -- and the domestic.

MR. DILANIAN: Right.

MS. MASSIMINO: And they are very much linked, they really are. And I think if you want to look at it from the perspective of how do we -- because everybody knows that this is going to be a long-term struggle, a challenge for us, not just our country but the democratic societies across the world. And in order to sustain a level of popular support for this effort we have to make sure -- going back to the title of this panel and the security state and where is the balance, now, that we are leading with our values.

That is the way -- and it's been a military doctrine for time immemorial, it's in our Constitution. You know, you hear our politicians talk about it. But we need to make sure that our strategies and operations really do reflect the fact that we believe that our values

are assets in the battle of -- really what is a battle of ideals with these terrorist groups. And so that's got to be reflected in a very real way in how we spend our money, where we spend our money, how we treat people, the threat at home, how we deal with Muslims more broadly.

If you think about the rhetoric that we're hearing now around refugees, Islamophobia, all of this, we have to make sure that we are leading with our values. And you know, you can take any piece, whether it's, you know, Guantanamo or the use of torture, or you know, how we're dealing with drone strikes and being transparent about when our targeted killing goes awry and kills civilians, all of that has to be part of this effort. And if we centered around our values, we're much more likely to be able to sustain public support for the kind of effort and the length of effort that this struggle is going to require.

MS. GREENBERG: Let me just -- I want to just --

MR. DILANIAN: Sure, yeah, go ahead.

MS. GREENBERG: -- because I want to just fill in what Elisa is meaning about, you know, leading with our values as our assets. One of the things that we've learned over these however many years is that our values or what we call our constitutional principles in many ways make us safer and stronger. And when you have -- let's just take a target killing policy, specificity matters. Hitting civilians, and this is something Obama administration has focused on, hitting civilians in dozens and dozens of and leading to dozens and dozens of casualties makes us less safe. Having broad powers that collect tremendous amounts of metadata and content in our internet and phone communications doesn't help us focus better and what we need to focus on and torture. I think we can assume the torture doesn't serve us well either in getting information or in, you know, making friends with the rest of the world.

And so, I think that that's a conversation this country hasn't really had yet is to understand that that specificity and focus and intelligence that is actually

trusted is something that makes the country safe or not less safe.

MR. DILANIAN: Okay. But let me ask a question about --

MR. NEGROPONTE: Could I just take issue --

MR. DILANIAN: Sure.

MS. GREENBERG: Yes.

MR. NEGROPONTE: -- with the statement that our country hasn't dealt with it yet. I mean we've had new legislation covering surveillance, we've abandoned enhanced interrogation techniques, we even have the former -- the actual Director of CIA say, even if I was ordered to use them, I wouldn't. I mean I think there has been a change and it's been part of our national dialogue. It may not have been the very pretty or very smooth.

MS. MASSIMINO: I think this is a -- this is actually a really important point because I think as a society we know to be true, all of these things that Karen just said about how, you know, we need to lead with our values and all that. And we almost always come back to it. We almost always -- it sometimes takes us a long time if we look back in our history but, you know, we in extreme moments where we are, you know, under attack and we're fearful, we tend to, you know, over react which is of course that's the strategy of terrorism is to try to provoke that. And it's important for us to learn from those lessons that we've, you know, kind of get the pendulum to swing back and start to realize that these values really are assets in the struggle, and when we stray from them we end up handing a PR tool to our enemies that they very gladly exploit.

MR. DILANIAN: Okay. On this point, another change that the Ambassador didn't mention is the President has been trying to close Guantanamo Bay. I'm sure most of you if not all of you support that decision but, you know, the Washington Post recently reported that at least 12 former Guantanamo detainees launched attacks against US or

allied forces in Afghanistan killing about a half dozen Americans. So I want to ask you guys in whatever order -- I mean does that give ammo to the Republicans were saying, we shouldn't be releasing people from Guantanamo, we shouldn't be closing it?

MS. LEMMON: No, without question try to made -- this is we're in this moment, I would argue we're in a moment as if walls versus we. You know, are we going to have rising walls that really protect ourselves as we feel, right, from the other. Or is it going to be collective sense of we, right, that we have a community, that there is a community of which everyone is a part so that, you know, the United States has fewer problems with extremism because there is this collective sense of us, right? But Guantanamo in that fact of recidivism, right, what is happening feeds into the narrative that this is a war without end, you can't ever let those people, right, those out. And see we told you this was going soft on this war on terror and I worry about it very much because the other part of the problem with closing Guantanamo is who's going to take them.

MR. NEGROPONTE: Well, we haven't done too badly in terms of reducing the population.

MS. MASSIMINO: Yeah.

MR. NEGROPONTE: I mean even George Bush after all, I remember it because I was involved with that part of the policy in 2006. He said our goal is to close Guantanamo, he is not been able to do it. Congress forbid it, and it still forbids it, so I mean it's part of the continuing national dialogue so to speak. But we've gone from 760 or whatever it is down to somewhere around 77. And I'm sure that number will keep going down and there'll be some point where we get to an irreducible minimum where it'll make sense to everybody to close it, but I don't know when that point is going to be really.

MR. DILANIAN: But there will be some people who can't be released, right?

MS. GREENBERG: Okay. So this is the

interesting thing about Guantanamo. You're absolutely right, there are almost 800. George Bush released 540, President Obama has released another 162 or something, so it's almost closed, right? Almost closed.

MR. NEGROPONTE: 90%.

MS. GREENBERG: Yeah. It's getting there. The interesting thing that's happened is over the course of the last -- this presidency, closing Guantanamo has changed definitionally. It used to mean closing. Now it means keeping the heart and definitional heart of Guantanamo in definite detention and closing the base. Even that is a reach but that's what we're going to end up with. We're going to end up with about -- just as he saying, we're going to end up with a very small population before the end of this presidency, a very small population in which Congress which is beyond transfer of Guantanamo detainees for any purpose to the United States will then be facing a price tag per detainee per year of probably upwards of \$11 million which may or may not matter. I mean a lot of people say it doesn't matter, Congress has, you know, dug its heels in but I do think it's just -- it's a matter of time and then what's going to be left, and we can get to this later, are the military commissions. That ironically is going to be the issue with closing Guantanamo as so.

MR. DILANIAN: There is no later because we need to take audience questions but Elisa, I think you want to weigh on Guantanamo?

MS. MASSIMINO: Yeah. Well, first I just want to say that this question of so called recidivism, I think is a complicated one. And as Karen just laid out, the numbers of people who were released under the Bush administration much bigger.

MS. GREENBERG: Yeah.

MS. MASSIMINO: And the people who you talked about, most of the people who have "returned to the fight" which again even that formulation is somewhat questionable were those who were released under the Bush

administration. There is a reason for that because it was -- that was before there was developed a very rigorous, and Matt was involved in it, Matt Olsen who introduced the panel, sorting of the sheep from the goats and figuring out who we really had there and what the dangers that each individual posed.

So, but that said I mean of course we have to take very seriously any threat that's posed to American and other innocent lives by the release of Guantanamo detainees. But because of the way we have telescoped in on Guantanamo and it's become such assemble for the rest of the world, it's interfered with as Ambassador Negroponte said, you know, it -- George W. Bush wanted to close it and there was a reason for that. It was interfering with our cooperation with our allies. It was being used by jihadist as recruitment and that is still going on right now. As much as we would like to think that that's kind of old hat and but -- and that's was Al-Qaeda and we're in ISIS world now, the ISIS publications are still looking to Guantanamo and using that format. Now of course, if we took that away, they'd use something else, but why would we inflict this?

MR. DILANIAN: Right.

MS. MASSIMINO: This -- you know, it's a self-inflicted harm. We can deal with this. We can do it. And besides that, it is so expensive.

MR. DILANIAN: Yeah.

MS. MASSIMINO: I mean really in -- with all of the demands we talked about the need for development, the need for military operations to deal with the threats that we have now, why are we spending so much money? I mean how much is it per detainee now? It's --

MS. GREENBERG: \$5 million.

MS. MASSIMINO: \$5 million --

MS. GREENBERG: A year.

MS. MASSIMINO: -- when, you know, if you think it --

MR. DILANIAN: We're running out of time. Sorry to interrupt.

MS. MASSIMINO: Yeah. So, there we go.

MR. DILANIAN: Let's take some questions from the audience. Sir. Mic, I think we need a mic, right? Here we go.

MS. LEMMON: All are waiting for the mic. My Afghan colleague use to always point to any barb wire going up around Kabul and Bamiyan and (inaudible) and say oh, that's Guantanamo.

SPEAKER: Just an observation. You know, it cost \$2 million to send one soldier to Afghanistan. So, and I don't think we're going to be closing. We might close the jail but we're not going to close the base anytime soon which is what drives the cost. But my real question is does it matter if the Guantanamo detainees themselves are not itching to go to Florence, Colorado? Does that matter? And secondly, do we really think that ISIS is going to stop using Guantanamo as a recruiting tool, even assuming its affect of if we closed it tomorrow?

MS. GREENBERG: Okay. So --

MR. NEGROPONTE: What I think --

MS. GREENBERG: Do you want to answer first? Go ahead.

MR. NEGROPONTE: No, I just want to say I think there's really a longer term issue here is whether we want to keep using Guantanamo indefinitely as a tool for detaining people or do we want to find some other solution? I mean I think that's the real issue.

MS. GREENBERG: Yeah, that's right. Yeah. I mean I think that is the issue. To your point, I think in

terms of detainees and where they want to be, I'm not really sure that's a much of an issue in terms of closing it other than sending them, you know, to places where they won't to be tortured. But there is some indication, and this is sort of related to your question, that a number of detainees would plead guilty and in which case they would have no say over where they would be held.

MR. DILANIAN: Maybe --

MS. GREENBERG: Put that out there.

MR. DILANIAN: Catherine.

MS. HERRIDGE: Catherine Herridge, Fox News. Ever follow up on Guantanamo Bay, in the May edition of Inspire magazine, it says the primary tool for recruitment is in fact the Arab is really conflict and not Guantanamo Bay. So if the US is determined to close the facility, to what greater benefit is that?

MS. GREENBERG: You mean in terms of propaganda?

MS. HERRIDGE: Well, if Al-Qaeda's position is that the primary recruitment tool is the Arab-Israeli conflict and not Guantanamo Bay, that seems to undercut the administration's public statement that we should close it because of the propaganda. So if we're determined to close the base, what is the greater good or goal for the US?

MS. GREENBERG: Elisa, do you want to take that?

MS. MASSIMINO: Well, sure. First of all, you know, that I said there are lots of potential propaganda tools that our enemies use and one of them continues to be Guantanamo. You know, the spring 2016 issue of Inspire, that's AQAP's publication, talks about Guantanamo is revealing the true values of America. This is -- you know, it's a constant refrain. And to your point, Charlie, I don't know that they're going to stop doing that if we -- as General Petraeus has said about, you know, Abu Ghraib and Guantanamo, these are non-biodegradable. We should learn from that, that when we

make these mistakes it's a self-inflicted wound that we then have to, you know, account for. But so, so for sure it is still, you know, likely to be used, it's still being used now even though the numbers have gone away way down.

But I think there are a wide range of benefits that we get and that's why there has been so much bipartisan support in the past. I mean we tend to forget because in the political season, there are so much division. But there was a time when there was strong bipartisan support for closing Guantanamo, and Republicans and Democrats were, you know, kind of dueling about who would close it faster, you know, day 1, no, right now. You know, and that was not because they wanted to cater to terrorists or to let dangerous people go but because on balance there was a consensus which I think is even stronger now because it causes so much more per detainee to hold them there, that the costs outweigh the benefits. Really that's just a calculus right now and I think we are sort of trapped in Guantanamo ourselves against our better judgment and our better interest.

MS. GREENBERG: I just want to underscore what the Ambassador said which is that -- you ask about, you know, going forward with Guantanamo, what's the downside. The downside is ISIS. The downside is reusing it and reopening and rethink which there has been some rhetoric about, and reinvigorating it. And to me that would be the biggest downside of all, so.

MR. DILANIAN: We could do another panel on do we need to capture more terrorist.

MS. GREENBERG: No.

MR. DILANIAN: We're out of time. Sir, last question.

MR. CANNON: Al Cannon, Sheriff Charleston County. This is particularly relevant to my location because we had a consolidated break there. And your statement that it would end affect potentially be a detention center because of the issue of what do we do with future detainees. And we've held Jose de Patios

(phonetic), probably the most notorious.

MS. GREENBERG: I remember.

MR. CANNON: So that, how do you convince communities that that's something that we ought to do and, you know, even in Florence, the Max, is that it's not designed as a whole, you know, a detention center-type setting. I think there are -- what's your response to that as it relates to communities and having a detention center, not just those residual hardcore individuals that you can't release when you get down to whatever number, but any future detainees that are brought in?

MS. GREENBERG: Okay. So that is such a great question. And there are number of pieces of the answer. First, as I want to tell you an anecdote about Guantanamo Bay, which is that when Guantanamo Bay detention facility was opened, they called together all the military families that were there and they -- as they told them they were bringing the worst of the worst which was the phrase that Donald Rumsfeld used at that time. They were bringing the worst of the worst in the war on terror. This is literally weeks after 9/11. And they had a choice. They had children with them. They are used to roaming the base freely. They had a choice, they could stay or they could go home. The United States Government would send them home to their, you know, other homes.

They all chose to stay. They chose to stay and I've talked to many of them because they trusted the servicemen who were there, the service men and women, to protect them and they weren't afraid of them. So this is one piece that I think is very important. I think the thing you have to say to communities and this has to do with our entire war on terror policy, even the recidivism issue, is why can't we trust our intelligence and law enforce communities to keep us safe? Why do we think that terrorists have special powers that are going to break them out of jail? Were there any attempts that you know of to attack Guantanamo Bay during the entire time it's been opened? And I think we really need to help our communities think through the issue of we're safe.

We have put a trillion dollars into our law enforcement intelligence and military capacity and it is not only much stronger than it was after 9/11 but I think we are strong. And that doesn't mean there is never going to be an attack.

MS. MASSIMINO: Can I just one -- one short thing to this because I agree it's a very important question and, you know, Americans are right to ask about their security in their neighborhoods. You know, it's interesting though because it's somewhat warped by the fact that we've had this spotlight on Guantanamo on who these people are for so long where, you know, communities mostly don't know who is inside the prisons in our communities now.

MS. GREENBERG: Yeah.

MS. MASSIMINO: You know, I mean the Blind Sheikh is in a medium security prison in North Carolina, next to Bernie Madoff. You know, our --

MR. NEGROPONTE: (inaudible).

(Laughter)

MS. MASSIMINO: The American Correctional Association actually got its back up pretty much when it started hearing this because, you know, their attitude was we know how to do this. Do you know who is in these prisons right now? These are not nice people including upwards of 400 to 500 convicted terrorists that our federal courts and our federal prosecutors have convicted. Well, we have limped along with these military commissions at Guantanamo which should be the trial of the century is really an embarrassment. So, I mean this is back to the point about faith in our institutions. I think it also requires some leadership on the part of our public figures to say, hey, we know how to do this, we have confidence, we have resources and we are not going to let ourselves be thrown by a handful of people who ought to be in the dustbin of history.

MR. DILANIAN: And that's going to have to be

the last word. Thank you all very much and thanks for
listening folks.

(Applause)

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