

Administration of Barack H. Obama, 2009

Remarks Following a Meeting With Retired Military Officers

January 22, 2009

The President. This first Executive order that we are signing: "By the authority vested in me as President of the—President by the Constitution and the laws of the United States of America, in order to effect the appropriate disposition of individuals currently detained by the Department of Defense at Guantanamo, and promptly to close the detention facility at Guantanamo, consistent with the national security and foreign policy interests of the United States and the interest of justice, I hereby order."

And we then provide the process whereby Guantanamo will be closed no later than one year from now. We will be—is there a separate Executive order, Greg, with respect to how we're going to dispose of the detainees? Is that—

White House Counsel Gregory B. Craig. We're going to set up a process.

The President. We will be setting up a process whereby this is going to be taking place.

The individuals who are standing behind me represent flag officers who came to both Joe and myself and all the candidates and made a passionate plea that we restore the standards of due process and the core constitutional values that have made this country great, even in the midst of war, even in dealing with terrorism. They've made an extraordinary impression on me. They are outstanding Americans who have fought and defended this country. And for them to fight on behalf of our constitutional ideals and values, I think, is exceptional, so I wanted to make sure that they were here to witness the signing of this Executive order.

[*At this point, the President signed Executive Order 13492, Review and Disposition of Individuals Detained at the Guantánamo Bay Naval Base and Closure of Detention Facilities.*]

The President. There we go.

White House staff member. Thank you everybody—

Vice President Joe Biden. We got one more.

The President. There are three of these.

The Vice President. Several more. [*Laughter*]

The President. This one: "By the authority vested in me by the Constitution and the laws of the United States of America, in order to improve the effectiveness of human intelligence gathering and to promote the safe, lawful and humane treatment of individuals in United States custody and of United States personnel who are detained in armed conflicts, and to ensure compliance with the treaty obligations of the United States, including the Geneva Convention, and to take care that the laws of the United States are faithfully executed"—I issue this following Executive order that effectively ensures that anybody detained by the United States for now is going to be—any interrogations taking place are going to have to abide by the Army Field Manual. We believe that the Army Field Manual reflects the best judgment of our military, that we can abide by a rule that says we don't torture, but that we can still effectively obtain the intelligence that we need.

This is me following through on not just a commitment I made during the campaign, but I think a—an understanding that dates back to our Founding Fathers, that we are willing to observe core standards of conduct, not just when it's easy but also when it's hard.

And so, with that, let me sign the next Executive order.

[*The President signed Executive Order 13491, Ensuring Lawful Interrogations.*]

The President. There you go.

Two more; I got two more.

What we're doing here is to set up a Special Interagency Task Force on Detainee Disposition. It's going to be made up of the Attorney General, Secretary of Defense, Secretary of State, Secretary of Homeland Security, Director of National Intelligence, the Director of the CIA, the Chairman of the Joint Chiefs, and any other officers that we may need.

They are going to provide me with information in terms of how we are able to deal in the disposition of some of the detainees that may be currently in Guantanamo that we cannot transfer to other countries, who could pose a serious danger to the United States, but we cannot try because of various problems related to evidence in a Article III court.

So this task force is going to provide us with a series of recommendations on that. Is that correct, Greg?

Mr. Craig. That's right, and detainee policy going forward.

The President. And detainee policy going forward, so that we don't find ourselves in these kinds of situations in the future.

Mr. Craig. And give clear guidance to the military—

The President. And that we are providing clear guidance to our military in terms of how to deal with it. Okay.

[*The President signed Executive Order 13493, Review of Detention Policy Options.*]

The President. There we go.

And finally, this is a much more specific issue related to the current detention of Ali Saleh Kahlah al-Marri. Some of you are familiar with the al-Marri case. You have a legal resident who has been detained. He is clearly a dangerous individual. His case is currently before the Supreme Court. We have asked for a delay in dealing—going before the Supreme Court and dealing with this case so that we can properly review the evidence against him and the various policies that have been presented up until this time. So:

[*The President signed a memorandum on Review of the Detention of Ali Saleh Kahlah al-Marri.*]

The President. All right, with those three Executive orders and this memorandum, the message that we are sending around the world is that the United States intends to prosecute the ongoing struggle against violence and terrorism, and we are going to do so vigilantly, we are going to do so effectively, and we are going to do so in a manner that is consistent with our values and our ideals. And all of the individuals who are standing behind me, as well as, I think, the American people, understand that we are not, as I said in the Inauguration, going to continue with a false choice between our safety and our ideals. We think that it is precisely our

ideals that give us the strength and the moral high ground to be able to effectively deal with the unthinking violence that you see emanating from terrorist organizations around the world.

We intend to win this fight. We're going to win it on our terms.

Thank you, everybody.

NOTE: The President spoke at 11:01 a.m. in the Oval Office at the White House. In his remarks, he referred to suspected Al Qaida operative Ali Saleh Kahlah al-Marri, currently in U.S. military custody as an enemy combatant.

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