Summary of the Reengagement of Detainees Formerly Held at Guantanamo Bay, Cuba

"The Director of National Intelligence submits this summary consistent with direction in the Fiscal Year 2012 Intelligence Authorization Act, Section 307, which states:

(a) The Director of National Intelligence, in consultation with the Director of the Central Intelligence Agency and the Director of the Defense Intelligence Agency, shall make publicly available an unclassified summary of,

(1) intelligence relating to recidivism of detainees currently or formerly held at the Detention Facility at Guantanamo Bay, Cuba, by the Department of Defense; and

(2) an assessment of the likelihood that such detainees will engage in terrorism or communicate with persons in terrorist organizations.

(b) Updates – Not less frequently than once every 6 months, the Director of National Intelligence, in consultation with the Director of the Central Intelligence Agency and the Secretary of Defense, shall update and make publicly available an unclassified summary consisting of the information required by subsection (a) and the number of individuals formerly detained at Naval Station, Guantanamo Bay, Cuba, who are confirmed or suspected of returning to terrorist activities after release or transfer from such Naval Station."

Section 307 (a) (1) Intelligence relating to recidivism of detainees currently or formerly held at the Detention Facility at Guantanamo Bay, Cuba, by the Department of Defense.

Reengagement of Former Guantanamo Bay (GTMO) Detainees as of 14 January 2014			
	Total	Pre-22 January 2009[a]	Post-22 January 2009
Detainees Transferred	614*	532	82
Confirmed of Reengaging	104 of 614 (16.9%)	99 of 532 (18.6%)	5 of 82 (6.1%)**
Dead – *20 of 104*		20	0
In custody – *27 of 104*		27	0
Not in custody – *57 of 104*		52	5
Suspected of Reengaging	74 of 614 (12.1%)	72 of 532 (13.5%)**	2 of 82 (2.4%)**
Dead – *2 of 74*		2	0
In custody – *24 of 74*		24	0
Not in custody – *48 of 74*		46	2

*An additional nine detainees died while at GTMO, and one was transferred to New York for trial, was convicted, and is now imprisoned in Colorado.

**One detainee in each of these categories was transferred pursuant to a court order.

[a] Executive Order 13492 was signed on January 22, 2009 to determine the disposition of the 240 detainees then remaining at the detention facility at Guantanamo Bay, Cuba.

Section 307 (a) (2) An assessment of the likelihood that such detainees will engage in terrorism.

Based on trends identified during the past eleven years, we assess that if additional detainees are transferred without conditions from GTMO, some will reengage in terrorist or insurgent activities. Transfers to countries with ongoing conflicts and internal instability as well as active recruitment by insurgent and terrorist organizations pose a particular problem.

Section 307 (a) (2) An assessment of the likelihood that such detainees will communicate with persons in terrorist organizations.

Former GTMO detainees routinely communicate with each other, families of other former detainees, and previous associates who are members of terrorist organizations. The reasons for communication span from the mundane (reminiscing about shared experiences) to the nefarious (planning terrorist operations). We assess that some GTMO detainees transferred in the future also will communicate with other former GTMO detainees and persons in terrorist organizations. We do not consider mere communication with individuals or organizations—including other former GTMO detainees—an indicator of reengagement. Rather, the motives, intentions, and purposes of each communication are taken into account when assessing whether the individual has reengaged.

Definition of "Terrorist" or "Insurgent" Activities. Activities such as the following indicate involvement in terrorist or insurgent activities: planning terrorist operations, conducting a terrorist or insurgent attack against Coalition or host-nation forces or civilians, conducting a suicide bombing, financing terrorist operations, recruiting others for terrorist operations, and arranging for movement of individuals involved in terrorist operations. It does not include mere communications with individuals or organizations—including other former GTMO detainees—on issues not related to terrorist operations, such as reminiscing about shared experiences at GTMO, communicating with past terrorist associates about non-nefarious activities, writing anti-US books or articles, or making anti-US propaganda statements.

Definition of "Confirmed." A preponderance of information which identifies a specific former GTMO detainee as directly involved in terrorist or insurgent activities. For the purposes of this definition, engagement in anti-US statements or propaganda does not qualify as terrorist or insurgent activity.

Definition of "Suspected." Plausible but unverified or single-source reporting indicating a specific former GTMO detainee is directly involved in terrorist or insurgent activities. For the purposes of this definition, engagement in anti-US statements or propaganda does not qualify as terrorist or insurgent activity.