

## News Journal Assignment (EXAMPLE)

### Unit 5: The Presidency & the Bureaucracy

#### Concept(s):

##### Presidential Bully Pulpit

- The use of public addresses, often covered by the media, by President to garner support from the public for his particular political agenda.

##### Appropriations (Unit 4: Congress)

- Under Article I, Section 8, the Congress has the power to appropriate funds for any national spending.

##### Separation of Powers (Unit 1: Constitutional Underpinnings)

- Distinct powers given to each of the three branches of government as established by the Constitution in Articles I, II, and III.

#### Article Summary:

This article addresses Pres. Obama's desire to close the detainee center at Guantanamo Bay, Cuba. He has requested \$80 million in funds from Congress to close the center; Congress has denied these funds, saying they want to see a more detailed plan regarding the closing prior to authorizing these funds. In order to garner support for his plan, Pres. Obama is making a speech (using his bully pulpit) at the National Archives to explain to the American public that the closure of the camp will both restore international favor with other countries to the U.S. and re-establish the U.S. principles of the right to a fair and speedy trial for all people. This denial of funds demonstrates the concept of separation of powers by showing Congress's check on President's power to execute laws, via the Department of Justice and in his role as Commander in Chief, both of which influence the trial of enemy combatants held at the detainee center. Because Congress has denied Pres. Obama's request for funds, he is hoping that by taking his case to the American people the populace will use their pressure as constituents to convince Congress to appropriate the necessary funds to allow Obama to close the detainee center.

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## **Obama Will Try to Quell Concern on Detainees**

Speech Today Comes As Congress Resists Guantanamo Shutdown

By Karen DeYoung

Washington Post Staff Writer

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President Obama will attempt today to answer critics of his dismantling of Bush-era policies on detention and interrogation, in a speech reminding Americans that strong national security and adherence to laws and national values are not mutually exclusive.

Beyond this lofty reassurance, senior administration officials said, Obama will also repeat the case he made on his third day in office that the Bush administration's system of dealing with "enemy combatants" -- resulting in three prosecutions in seven years and challenged by U.S. courts and allies -- did not work and could not continue indefinitely.

Speaking at the National Archives, a backdrop chosen because it is the home of the U.S. Constitution, Bill of Rights and Declaration of Independence, the president will say that America must continue to see those documents as the "foundation of liberty and justice in this country, and a light that shines for all who seek freedom, fairness, equality and dignity in the world," a senior administration official said early this morning.

He will say that Bush administration policies "established an ad hoc legal approach for fighting terrorism that was neither effective nor sustainable -- a framework that failed to trust in our institutions and failed to use our values as a compass," the officials said. "That is why we lost our way. That is why we were alienated from our allies."

Four months ago, Obama announced his intention to close the prison at Guantanamo Bay, Cuba; release, transfer abroad or try all its remaining inmates; and outlaw the harsh interrogation techniques he defined as torture. But the implementation of those executive orders has proved far more complicated than he expected.

To the frustration of a White House that claims the moral high ground, virtually every detainee-related decision Obama has made since then -- including making public classified Bush administration descriptions of how to waterboard terrorism suspects and refusing to support the release of photographs depicting detainee abuse -- has provoked criticism from some or all of those who initially approved his policies.

Congressional dissatisfaction peaked yesterday when the Senate joined the House in overwhelmingly rejecting, 90 to 6, Obama's request for funds to shutter the Guantanamo facility until he explains what he plans to do with its 240 occupants. Lawmakers of both parties spoke out against imprisoning or releasing any of the detainees in the United States.

In a move that is likely to further antagonize lawmakers, a Justice Department task force reviewing the detainee cases has decided to send the first Guantanamo prisoner to the United States for criminal trial. A Justice Department official said that Ahmed Khalifan Ghailani, an alleged al-Qaeda operative indicted in the 1998 bombings of two U.S. embassies in Africa, will be tried in

New York. Ghailani, a Tanzanian, was captured in Pakistan in 2004, held at a secret site by the CIA and transferred to Guantanamo with other "high-value" prisoners in 2006.

Ghailani was first indicted in 1998 in the Southern District of New York on 236 counts related to the killing of more than 200 people, including 12 Americans, in the bombings in Kenya and Tanzania. His lawyers have sought dismissal of the New York indictments on grounds that his right to a speedy trial was violated. The official, speaking on the condition of anonymity, expressed confidence that the federal court will take into account the gravity of Ghailani's alleged crimes and that federal prosecutors built their case against him without information gleaned from CIA or military interrogations.

Congressional concerns about detainees gained credibility when FBI Director Robert S. Mueller III, in testimony yesterday before the House Judiciary Committee, agreed that detainees' presence in this country could pose a threat, and when details leaked of a Pentagon finding that nearly 14 percent of the 534 detainees who have left Guantanamo since it opened in 2002 may have subsequently engaged in terrorist activities.

As Congress dug in its heels, human rights leaders who attended a White House meeting said that Obama told them he will try in his speech to "regain the initiative" on the detainee issue, which has emerged as one of his most troublesome inheritances.

White House spokesman Robert Gibbs said the speech would cover "military commissions . . . photos, state secrets, transparency and protecting our national security." He said Obama will return to the two themes that have guided his decision making on detainees: the reclaiming of America's good name as a country that observes its own and international laws; and the protection of national security.

What Obama will not do, however, is provide a detailed outline of which of the remaining Guantanamo prisoners will be released or transferred to other countries and under what conditions, and which will be tried in U.S. civil courts or in Bush-era military commissions, which the administration announced last week it will revamp and reconvene. The issue is being discussed by an administration task force that is due to report in July.

"We share Congress's belief that before resources are given for a project, that they need and deserve a more detailed plan," Gibbs said. But he skirted questions about why the administration had asked for \$80 million to close Guantanamo before it had a plan in place.

Senate Appropriations Committee Chairman Daniel K. Inouye (D-Hawaii), who sponsored the amendment that blocked the funds, said it was "not a referendum on closing Guantanamo. Instead, it should serve as a reality check since, at this time, the administration has not yet forwarded a coherent plan for closing the prison."

Majority Whip Richard J. Durbin (Ill.), one of the six Democrats who voted to preserve the money, noted that numerous Republicans had supported the Guantanamo closure when it was announced, and he called claims that "this president -- or any president -- would be party to releasing dangerous people into the United States . . . absurd, offensive and baseless."

Led by the Justice Department, the administration task force has so far cleared 30 prisoners for release and expects more to be added to the list. But a refusal to accept any detainees in this country would probably frustrate U.S. efforts to persuade other nations to take any.

Obama yesterday invited to the White House leaders of about a dozen human and civil rights organizations as well as law professors. Administration participants in the 90-minute session included Holder, White House Counsel Gregory B. Craig and Chief of Staff Rahm Emanuel.

Several participants discussed the meeting on the condition of anonymity. One said Obama argued that there was no trade-off between American values and national security, but that GOP demagoguery in Congress was dominating the issue. Another said Obama seemed irritated that some of those who attended the meeting had recently compared his policies to those of Bush.

Anthony D. Romero, head of the American Civil Liberties Union, who has used that comparison, declined to discuss what Obama said but in an interview after the meeting repeated the comparison.

"President Obama's decision to continue George Bush's policies essentially means that they become his own," Romero said. "And if he continues down this path, these policies will certainly become known in the history books as the Bush-Obama doctrine." Romero described the discussion as "freewheeling" and said Obama was "clearly deeply steeped in the issues. But he had little interest in revisiting his recent decisions."

Meanwhile, the Pentagon report on detainees, completed in December by the Defense Intelligence Agency and the subject of numerous Freedom of Information Act requests, found that 27 Guantanamo detainees released to other countries since 2002 had been confirmed as subsequently engaging in terrorist activities and another 47 are strongly suspected of doing so.

Release of the document, details of which were reported yesterday on the New York Times Web site, has been held up by fears at the Pentagon that it could further inflame the debate over closing the facility and upset the White House, according to a U.S. official who has followed the issue but who spoke on the condition of anonymity because he is not authorized to talk publicly about it.

The official said that there has been no White House pressure to suppress or delay its release but that some Pentagon officials, including Bush administration holdovers, were being overly cautious.

Staff writers Peter Finn, Shailagh Murray, Scott Wilson and Michael D. Shear and staff researcher Julie Tate contributed to this report.