

SIX MONTH FILE REVIEW, September 18, 2014

SALEM AHMAD HADI BIN KANAD, ISN 131

STATEMENT OF PERSONAL REPRESENTATIVE

Ladies and Gentlemen of the Board, we appreciate the opportunity to re-address Salem Ahmad Hadi Bin Kanad's (ISN 131) situation during this six-month file review. We firmly believe the information provided in both the unclassified and classified submissions raise significant questions regarding Salem's status as a continuing significant threat to the security of the United States of America.

In his 30 June 2014 letter to Senator Levin, Admiral James A. Winnefeld, Jr, Vice Chairman of the Joint Chiefs of Staff, writes about the five "hard core Taliban" detainees released in a swap for Sergeant Bergdahl:

"...while the five detainees are indeed hard core Taliban, they never posed a direct threat to the United States homeland or our interest outside Afghanistan. I do not consider any of them to be "game changers" in being able to substantially alter the military situation or otherwise provide considerable benefit to the Taliban campaign. If, in a year, these detainees travel to Pakistan to rejoin the Taliban leadership, they will be among leaders with 13 more years of experience living comfortably in Quetta doing the same thing, and in my view will provide marginal additive benefit."¹

In a similar letter to Senator Levin, dated 23 June 2014, General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff, asserts:

"Afghanistan today is different from Afghanistan 12 years ago. The Taliban are widely challenged and control few areas. With continued international support and development of Afghan Security Forces, I believe the reintroduction of these Taliban leaders will be managed at moderate risk."²

¹ James A. Winnefeld, ADM, US Navy, Letter to Senator Carl Levin, 30 June 2014

² Martin E. Dempsey, GEN, US Army, Letter to Senator Carl Levin, 23 June 2014

Finally, in his 9 July 2014 letter to Senator Levin, General Raymond T. Odierno, Chief of Staff of the Army, writes:

"It is clear the Five Taliban detainees exchanged for SGT Bergdahl posed a real threat at the time of their capture (sic), time has reduced that threat. Each of the 'Taliban 5' has been replaced from within the Taliban Organization some years ago. Additionally the nature of the fight has continued to fundamentally evolve since their incarceration 12 years ago. This will significantly reduce their tactical relevancy. In the future, one or more might attempt to return to the fight but I believe effective protocols and options are in place should any of these five pose a direct threat to the United States or our interests again."³

This raises a significant question. If five "hard core Taliban" leadership figures are no longer a continuing significant threat to the National Security of the United States then how can Salem, alleged to have been "...possibly serving in a low-level leadership role and possibly receiving extremist training" be deemed a continuing significant threat? If the five swapped detainees "never posed a direct threat to the United States or our interests outside Afghanistan," it seems evident that neither could Salem be such a threat, when the government categorizes him as an *alleged* foot soldier under the command of those hard core Taliban in January of 2002.

We respectfully request the opportunity to reconvene the Board for this case and address a significant question: The apparent discrepancy between the Taliban Five's lack of significant threat to the United States, as opposed to the assertion that Salem is a significant threat when he supposedly served under their leadership as a mere foot soldier, and did so before the US and the Taliban were even declared enemies.

Salem's sole wish is to return to his family in Riyadh. With the appropriate assurances sought from the Kingdom of Saudi Arabia, a close US ally, we believe any lingering concerns over Salem's true intentions can be easily and sufficiently mitigated. We urge the Board to reconsider its decision against transfer in light of

³ Raymond T. Odierno, GEN, US Army, Letter to Senator Carl Levin, 9 July 2014

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the significant questions raised today, and request a new PRB hearing be scheduled immediately to address Salem's status.

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