

## United States Senate

WASHINGTON, DC 20510

Honorable Chuck Hagel  
Secretary of Defense  
1000 Defense Pentagon  
Washington, DC 20301

June 3, 2014

Dear Secretary Hagel:

Like all Americans, I was pleased to see an American soldier freed from captivity and the joy his parents experienced at the news of his release. However, like many Americans, I am extremely concerned about the circumstances surrounding this release and the long-term implications for the safety and security of our country and all U.S. personnel overseas.

In agreeing to release five, hardened Afghan Taliban leaders, I am concerned the United States is setting a dangerous precedent by negotiating with terrorists that remain at war with the United States and are responsible for daily attacks against U.S. soldiers, the Afghan people and government, and is actively working to destabilize the region. I am also deeply troubled that this exchange occurred just days after the President announced he was withdrawing the remaining troops in Afghanistan on an artificial timetable that bears no relation to our strategic goals in that part of the world. At the very time when we are drawing down our forces in Afghanistan, and exposing remaining forces to greater risk, we just returned five, senior enemy combatants who a year from now may be back on the battlefield.

This exchange may further endanger American lives and encourage terrorist kidnappings of U.S. citizens as a means to extract additional concessions from the U.S. Government. Further, serious questions remain about the willingness and capability of the Qatari government to monitor these detainees, share intelligence on their activities, and ensure they are not reengaging with terrorist elements.

The fact is this Administration has failed in trying to answer these concerns and reassure the American people that these issues were fully considered. Grave questions remain about the policy set by the Administration. As a means to better understand this policy, I ask that you please provide answers to the following questions:

- What were the recommendations of the Guantanamo Detainee Review Task Force with regard to the five detainees released?
- Were any of the released detainees responsible for the deaths of any Americans, including civilians, military and intelligence personnel?
- Has the Administration notified Congressional leadership of any additional names of detainees in Guantanamo Bay, Cuba that have been requested for release by the Taliban or are under consideration for release by the Administration?

- Has the Taliban requested the release of any additional detainees?
- Is the Administration actively seeking to resume peace negotiations with the Taliban or its affiliates?
- Was the release of the five senior level Taliban detainees intended to incentivize the Taliban to resume structured, reconciliation talks with the United States?
- Should the United States resume reconciliation talks with the Taliban, what preconditions have been set?
- What assurances has the U.S. Government received from the Government of Qatar regarding the monitoring of the five released detainees?
- Is the U.S. Government providing Qatar any additional money, monitoring technology or personnel support to track the released detainees?
- What has been the track record of the Qatari Government in monitoring previously released detainees? Have any detainees released to Qatar returned to the battlefield?
- Do you believe the release of these five detainees is in the best national security interest of the United States?

I appreciate your prompt response to these questions, and also request that you share a copy of the reported memorandum of understanding between the United States and Qatar regarding the release of these terrorists.

One thing we never do as America, is forgot those captured or missing in action. We must also ensure that our policies do not encourage greater harm to national security in the long run.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Marco Rubio', with a long horizontal flourish extending to the right.

Marco Rubio  
United States Senator