

ALLEN B. WEST
22ND DISTRICT, FLORIDA
1708 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-0922
202-225-3026
FAX 202-225-8398

6300 NE 1ST AVENUE, SUITE 100
FT. LAUDERDALE, FL 33334
954-202-6211
FAX 954-202-6212

3111 SOUTH DIXIE HIGHWAY, SUITE 308
WEST PALM BEACH, FL 33405
561-655-1943
FAX 561-655-8018



Congress of the United States
House of Representatives
Washington, DC 20515-0922

May 16, 2012

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The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Mr. President:

I am writing with regards to Ali Musa Daqduq and the recent decision by an Iraqi court.

On January 20, 2007 while serving as chief advisor to the Asaib Ahl al-Haq (AAH) insurgent group, Ali Musa Daqduq led a well-planned and coordinated attack in Karbala, Iraq in which one American soldier – Captain Brian Freeman – was killed and four were abducted. Those four soldiers – First Lieutenant Jacob Fritz, Specialist Johnathan Chism, Private-First Class Shawn Falter and Private Johnathan Millican were later found brutally tortured and murdered.

As you are well aware, during the week of May 7, 2012 an Iraqi Court cleared this Lebanese-born senior Hezbollah terrorist of any crimes and ordered his release. Government Officials in your Administration inexplicably transferred Ali Musa Daqduq to Iraqi custody before the United States withdrew from Iraq in December 2011.

Government Officials in your Administration have stated in the past that the Status of Forces Agreement (SOFA) negotiated by the Bush Administration tied your hands by requiring Iraqi citizens to be handed over to the government of Iraq before United States forces left in December of 2011. However, since Ali Musa Daqduq was born in Lebanon, and was in fact a Lebanese citizen at the time of his capture, this stipulation under the SOFA would not apply.

Mr. President, you had options when dealing with this terrorist. Daqduq could have been transferred to Guantanamo Bay where he could have been tried in front of a military commission. At the very least, he could have been brought to another American military installation other than Guantanamo Bay for a military commission.

When you were elected President, the American people expected you to provide leadership - leadership to protect our men and women in uniform and to accept criticism from foreign nation governments when doing what is right in the name of American justice. As someone who served 22 years in the United States Army and served in both Operation Desert Storm and Operation Iraqi Freedom, I learned that true leadership means making responsible decisions, not necessarily popular ones. The best commanders – many of whom I had the honor to serve under – are those who have put their own lives and careers on the line to protect the men and women under their command.

Your Administration, instead of standing up for the Soldiers who perished at the hands of this terrorist, handed a senior Hezbollah operative responsible for the gruesome murder of at least five Americans over to a “so-called” justice system that, with the facts so clearly showing him guilty, set him free.

While the families of these brave Soldiers gather around their dinner tables with an empty seat, Ali Musa Daqduq will return home to Lebanon to a hero's welcome.

Meanwhile, here in the United States, American soldiers like Michael Behenna, William Hunsaker, and Joseph Mayo remain imprisoned at Fort Leavenworth for questionable incidents that occurred during the heat of battle. Men who were sent to a distant battlefield to defend our freedom are now imprisoned with little chance of freedom anytime soon.

As the War in Afghanistan winds down, I sincerely hope that the Daqduq travesty will not become regular practice, especially if your Administration continues to engage in negotiations with the Taliban.

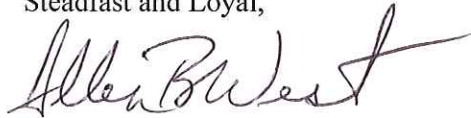
Soldiers, Sailors, Airmen and Marines go into battle, laying their lives on the line for their countrymen knowing if they fall, those who attacked them will be hunted down and brought to justice. They – and the families they leave behind - believe their superior commanders will have their backs until they return home.

As a combat veteran, I find this incident of the release of Ali Musa Daqduq to be an utter betrayal not only to those who perished at the hands of this terrorist, but to all men and women who paid the ultimate sacrifice in Iraq and Afghanistan.

I, along with many Americans, am deeply disappointed that your Administration seems unwilling to stand by those who willingly laid down their lives for this Republic. If terrorists such as Daqduq walk free, then surely men who made mistakes in the fog of war such as Behenna, Hunsaker, and Mayo deserve leniency.

Mr. President, due to the importance of this issue, the American people await your prompt and personal response to this letter. As the Commander-in-Chief, you owe them nothing less.

Steadfast and Loyal,



Allen B. West
Member of Congress

AW/jg

Cc: Secretary Leon Panetta, Secretary of Defense
Speaker of the House John Boehner
Congressman Eric Cantor, Majority Leader
Congresswoman Nancy Pelosi, Minority Leader
Congressman Kevin McCarthy, Majority WHIP
Congressman Steny Hoyer, Minority WHIP
Congressman Jeb Hensarling, Republican Conference Chairman
Congressman John Larson, Democrat Caucus Chair
Congressman Howard P. "Buck" McKeon, Chairman of the House Armed Services Committee
Congressman Adam Smith, Ranking Member of the House Armed Services Committee