

Recidivism

The U.S. Naval Station at Guantánamo Bay, Cuba (GTMO), began receiving detainees from the U.S. “War on Terror” on January 11, 2002.¹ As of January 14, 2012, 603 detainees have been released or transferred, and 166 remained in detention.²

The Defense Intelligence Agency provides periodic updates on GTMO detainees released or transferred from the base and either confirmed or suspected of “re-engaging” in terrorism. The generic designation/description of conduct in question has been referred to as “return to the battlefield,”³ “re-engaging in terrorist or insurgent activities”⁴ and “anti-coalition militant activities.”⁵ The Department of Defense does not provide a list of criteria or the methodology employed in classifying individuals as “re-engaging in terrorism.”⁶ The public must rely on a combination of broad terms and specific examples of re-engagement in order to understand the framework employed by the Defense Intelligence Agency, but the word “recidivism” has been used in application to all of the above categories. The dissection by non-governmental organizations and the media of the information provided by the Defense Intelligence Agency, as well as statements made by a broad spectrum of government officials, highlight the lack of reliable and explicit data necessary for a rigorous policy discussion on the consequences of transfer and release of GTMO detainees. “Recidivism” has become a controversial term, with former CIA officials such as Gary Berntsen declaring that “the number, as far as we know, is 33 percent. And those are only the ones we know about!”⁷ On the other hand, groups such as the New America Foundation have said that the number is closer to 6 percent.⁸

“Return to the battlefield” implies engagement on the battlefield before capture and detention. For many of the detainees held at Guantánamo Bay, prior involvement in the fight has been poorly, if at all, established.⁹ According to the unclassified summaries of the Combatant Status Review Tribunals, only 21 detainees (4 percent) have been alleged to be on the battlefield before their capture.¹⁰ The term itself, “recidivism,” does not comport with the acknowledgement by General Michael Dunlavey, former commander of Joint Task Force Guantánamo, that “easily a third of the Guantánamo detainees were mistakes,” as those detainees can therefore not be properly classified as recidivists.¹¹ That estimate was later raised by General Dunlavey to half of the detainees held at Guantánamo.¹²

Department of Defense Data

The information available relies in large part on the Defense Intelligence Agency (DIA) terrorism report updates provided to the Department of Defense, and summaries of the director of national intelligence submitted pursuant to the requirements of the Intelligence Authorization Acts. The following is the list of data provided by the Defense Intelligence Agency and the Director of National Intelligence:

- On July 10, 2006, the DIA provided an update to the Department of Defense general counsel on the status of GTMO detainees “known/suspected of returning to terrorism after release.”¹³ The paper identified seven individuals as released from GTMO and having returned to terrorism.¹⁴
- A December 4, 2007, DIA report stated there were 31 released detainees (7 percent of those transferred from U.S. custody) confirmed or suspected of re-engagement in terrorist activities.¹⁵ The DIA report, further stated that the rate of the re-engagement for the period from 2004-2007 rate was between 5 and 8 percent.
- A May 12, 2008, DIA report raised the number to 36 detainees confirmed or suspected of re-engagement in terrorist activities.¹⁶ The rate of re-engagement remained between 5 and 8 percent.
- A January 7, 2009, DIA report released two separate numbers for released detainees confirmed (18, or 3.4 percent) or suspected (43, or 8 percent) of re-engaging in terrorism. The 2004–2008 rate of re-engagement was between 4 and 8 percent with overall re-engagement rising to 11 percent.¹⁷
- An April 8, 2009, DIA report raised the number confirmed of re-engaging in terrorist activities to 27, and the number suspected to have done so to 47, with a corresponding re-engagement rate of 14 percent.¹⁸
- As of October 1, 2010, according to the director of national intelligence, 81 detainees (13.5 percent) were confirmed, and 69 (11.5 percent) were suspected to have re-engaged in terrorism. Of the 150 detainees confirmed or suspected of re-engagement, 13 are dead, 54 were in custody, and 83 were at large.¹⁹
- As of December 29, 2011, according to the director of national intelligence, 95 detainees (15.9 percent) were confirmed, and 72 (12 percent) were suspected to have re-engaged in terrorism. Of the 162 released detainees confirmed or suspected of re-engagement, 14 are dead, 54 were in custody, and 99 were at large.²⁰
- As of July 19, 2012, according to the director of national intelligence, 95 detainees (15.8 percent) were confirmed, and 73 (12.1 percent) were suspected to have re-engaged in terrorism. Of the 168 released detainees confirmed or suspected of re-engagement, 17 are dead, 52 were in custody, and 99 were at large.²¹ As of January 14, 2013, according to the

director of national intelligence, 97 detainees (16.1 percent) were confirmed, and 72 (11.9 percent) were suspected to have re-engaged in terrorism. Director of National Intelligence, Summary of the Reengagement of Detainees Formerly Held at Guantánamo Bay, Cuba (March 5, 2013) available at <http://www.dni.gov/files/documents/March%202013%20GTMO%20Reengagement%20Release.pdf>.

The rate of re-engagement per year remained between 3 and 8 percent through 2008, according to DIA figures. Starting in 2009, the rate of re-engagement rose to 11 percent in January and to 14 percent in April. After the April 2009 report, updates do not address the rise over time in the rate of confirmed or suspected re-engagement of detainees, which is currently at 27 percent.²² It should be noted, however, that the Summary of Reengagement issued by the director of national intelligence in September 2012 lists only three confirmed recidivists out of 70 released since January 22, 2009.²³ There is a reported lag time between the release of a detainee and the intelligence either confirming or suggesting re-engagement. According to the 2006 Defense Intelligence Agency report, the lag time was one year.²⁴ According to the fiscal year 2010 report, the time between release and first report of confirmed or suspected terrorist activity was 2.5 years.²⁵ There is no information provided to account for the change in average lag time between release and first report of re-engagement.

Methodology / Criteria

The specific methodology of how the Defense Intelligence Agency assesses re-engagement in terrorism is not publicly available. In the context of a Freedom of Information Act litigation, the Department of Justice explained: “[to] allow for the proper flexibility in analyzing all available evidence, DIA does not endeavor to create any sort of firm guidelines for identifying a detainee as having returned to the fight. The data collected to support this determination simply varies too greatly to allow for categorical simplification.”²⁶ The best official indicators of the criteria employed in providing the re-engagement numbers are the definitions provided by the DIA reports for “confirmed” and “suspected.” The 2007 update provides the following definitions:

Definition of “Confirmed” — A preponderance of evidence — fingerprints, DNA, conclusive photographic match, or reliable, verified or well-corroborated intelligence reporting — identifies a specific former Defense Department detainee as directly involved in terrorist activities.

Definition of “Suspected” — Significant reporting indicates a former Defense Department detainee is involved in terrorist activities, and analysis indicates the detainee most likely is associated with a specific former detainee or unverified or single-source, but plausible, reporting indicates a specific former detainee is involved in terrorist activities.²⁷

The 2011 DIA report provides the following definitions:

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 over shared experiences at GTMO, communicating with past terrorist associates about non-nefarious activities, writing anti-U.S. books or articles, or making anti-U.S. 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-U.S. 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-U.S. statements or propaganda does not qualify as terrorist or insurgent activity.²⁸

These definitions paint a general picture of the framework used in compiling the data presented by the DIA on re-engagement. The reports prior to 2010 provided illustrative examples of individual cases that fill in some of the details. The examples range from broad statements to specific conduct and include the following: “participating in an attack on U.S. Forces near Kandahar” while carrying a letter of good standing in the Taliban;²⁹ claiming responsibility for a hotel bombing;³⁰ press reports referring to the individual as a Taliban leader;³¹ reportedly organizing a jail break; killed while fighting U.S. forces; killed by Afghan security forces; arrested and sentenced by the Russian government for gas line bombing;³² “renewed his association with Taliban and al-Qaida members and has since become re-involved in anti-coalition militant activity”;³³ convicted by Moroccan officials for terrorist network recruiting;³⁴ committing suicide to evade capture by Pakistani forces;³⁵ arrested by Turkish authorities for leading an Al Qaeda cell;³⁶ conducting a suicide bombing; releasing a video announcing himself as the leader of an Al Qaeda cell.³⁷ The official statements do not indicate which of the above listed acts constitutes suspicion of re-engagement and which constitutes a confirmation.

Congressional Report

Following the DIA updates, the Subcommittee on Oversight and Investigations of the House Committee on Armed Services issued a report in March of 2012 on detainees released or transferred from GTMO. The report specifically focused on the decision to close the base and transfer low-risk detainees and the subsequent re-engagement of released/transferred detainees in terrorism or insurgent activities.³⁸ According to the report, 27 percent of those released or transferred had re-engaged. The House Committee report provided three illustrative examples — Abdallah Saleh Ali al-Ajmi (repatriated to Kuwait in 2005), Said Ali Al-Shihri (transferred to Saudi Arabia in 2007), and Abdullah Zakir (transferred to Afghanistan in 2007) — but no additional details on the individuals that make up the purported 27 percent re-engagement rate.³⁹ While the House report focuses predominantly on the political, legal and security pressures that led to the decision in both the Bush and Obama administrations to close GTMO and to establish a presumption in favor of transfer or release,⁴⁰ it does not provide any lengthy analysis of re-engagement, its causes, consequences or alternatives.

In a dissenting statement, Rep. Jim Cooper, D-Tenn., criticized the report for its methodology, asserting that it relied too heavily on “press clippings and interview[s] [of] a handful of officials” with the goal of writing “ghost stories designed to scare voters.”⁴¹ Rep. Cooper also took issue with the 27 percent rate of re-engagement, stating “the current rate of confirmed reengagement of transferees under the Obama Administration is closer to 3%.”⁴² Additionally, in the “Dissenting Views of Minority Members” section of the report, the Democratic members focused on the confirmed rate of re-engagement (13.5 percent) rather than the combined confirmed and suspected rate (27 percent).⁴³ Of the combined confirmed and suspected re-engagers, 44 percent have been re-captured or are dead. Therefore, the number of released detainees actively engaged on the battlefield is closer to 9 percent.⁴⁴

NGOs, the Academy, the Media

The evaluation of Defense Intelligence Agency reports by academics and NGOs has focused on the need for systematic and detailed data to corroborate the summary broad statistics claiming substantial re-engagement. To date, the information disclosed has been characterized as inaccurate, incomplete and unsubstantiated.⁴⁵ No agency has released a comprehensive list of the individuals that make up the alleged 27 percent.⁴⁶ There is no data on how many of the detainees making up the recidivism percentage were released versus transferred to a third nation's authority. There is limited specific data on the countries to which these individuals were transferred or what evidence led to their transfer.

According to data compiled by the New America Foundation, based on information provided by both official sources and independent media sources, the indicated re-engagement rate of detainees involved in conduct harmful to the United States is 6 percent rather than the widely reported 27 percent.⁴⁷ The 6 percent rate is made up of 36 identified individuals, 12 confirmed, eight suspected, and 16 not listed by the Department of Defense but identified independently. Research conducted by Professor Mark Denbeaux at Seton Hall University School of Law finds further problems with the DIA data, namely: names provided by the Defense Intelligence Agency have gone from confirmed to suspected;⁴⁸ some have been removed from the confirmed list altogether;⁴⁹ some names provided do not appear on the official list of detainees held at Guantánamo;⁵⁰ and the reports make no attempt to account for the released detainees who have gone on to live productive lives;⁵¹ Additionally, while the DIA's definition of re-engagement declares “engagement in anti-U.S. statements or propaganda does not qualify as terrorist or insurgent activity,”⁵² according to Professor Denbeaux's research, vocal opposition to U.S. policies is the only conduct that led to certain individuals' names appearing on the list of detainees who have re-engaged in terrorism.⁵³

The Defense Intelligence Agency data has further been criticized for conflating focused on the “confirmed” and “suspected” categories. The 27 percent re-engagement rate includes both categories, while the level of intelligence and corroborating evidence is vastly different between the two.⁵⁴ Even a Pentagon spokesman took issue with the conflation of the suspected and confirmed categories, saying “[s]omeone on the ‘suspected’ list could very possibly not be engaged in activities that are counter to our national security interests.”⁵⁵ Moreover, the acts described in the definition of “terrorist” and “insurgent activities” are vague; violent attacks against the United States, criminal conduct in detainees, their home states, or merely voicing criticism all could be included.⁵⁶ Such imprecise categories and definitions are dangerous because they paint an inaccurate picture of detainees leaving Guantánamo and returning to the battlefield with the aim of killing and harming American soldiers.⁵⁷

The DIA report of March 2012 states:

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.⁵⁸

While the DIA report states that mere communication among detainees cannot constitute re-engagement, or the suspicion of it, because the other indicators of re-engagement remain classified, there is no way to determine whether a combination of highly circumstantial elements is sufficient to label a released detainee a recidivist. Is the combination of communicating with former GTMO detainees and persons in terrorist organizations sufficient? Is the content of the communication enough? Is the identity of the other party to the communication enough? How many organizations are deemed to be terrorist organizations for the purposes of determining re-engagement? Is there a distinction between organizations waging a fight against the United States and those waging a fight against other parties, *e.g.*, Russia, China, etc.? The implicit answer to these questions is: “we know it when we see it, leave it to us.”

The data on re-engagement of released or transferred GTMO detainees remains incomplete and ambiguous. The rate of re-engagement as reported by the government has risen dramatically and rapidly in the past few years without accompanying corroborating or specific data to substantiate the rise in numbers. There is, obviously, a potential problem in that such data could be used as a justification for long-term detention or greater deference to the executive branch based on fears of a high level of re-engagement, indicating conduct directly harmful to the national security interests of the United States.

Finally, hesitation to publicize explicit definitions of re-engagement (and the accompanying guarantee that speech is excluded) is a symptom of the lack of public information of how these broad standards find practical expression. Two years ago, the U.S. Supreme Court, in its interpretation of a federal criminal statute on providing “material support” to terrorism, threaded the legal needle through First Amendment jurisprudence to distinguish speech and support:

The First Amendment issue before us is more refined than either plaintiffs or the Government would have it. It is not whether the Government may prohibit pure political speech, or may prohibit material support in the form of conduct. It is instead whether the Government may prohibit what plaintiffs want to do — provide material support to the PKK and LTTE in the form of speech.”⁵⁹

Given the reframing of the speech/conduct distinction by the Supreme Court in the national-security context, the guarantees of the Defense Intelligence Agency on the precise classified application of the publicly disclosed standards leaves open questions without the means to conduct a rigorous policy analysis in search of the answers.

PUBLICLY AVAILABLE NAMES OF INDIVIDUALS CONFIRMED OR SUSPECTED OF RE-ENGAGEMENT

	Name	Date Released	Suspected Acts	Source¹
1.	Mohammed Ismail	2004	Made verbal claims of being a Taliban member, was recaptured in Kandahar. Confirmed.	DIA – 2006 Report DIA – 2007 Report DIA – 2008 Report DIA – April 2009 Report New America Foundation Report 2011
2.	Said Mohammed Alim Shah, aka Abdullah Mahsud	2004	Press reports referring to Mahsud as a member of the Taliban. Committed suicide to avoid capture, and reportedly directed other suicide attacks. Confirmed.	DIA – 2006 Report DIA – 2007 Report DIA – 2008 Report DIA – April 2009 Report New America Foundation Report 2011
3.	Mohamed Yusif Yaqub (Yousef Muhammed Yaaqoub), aka Mullah Shazada	2003	Reportedly linked to Taliban activities, including a jail break in Kandahar. Killed in 2004 while fighting U.S. forces. Confirmed.	DIA – 2006 Report DIA – 2007 Report DIA – 2008 Report DIA – April 2009 Report New America Foundation Report 2011
4.	Maulavi Abdul Ghaffar, aka Sabi Jahn Abdul Ghafour	2002–2003	Reportedly linked to Taliban activities in Afghanistan. Killed in 2004 by Afghan security forces. Suspected.	DIA – 2006 Report DIA – 2007 Report DIA – 2008 Report DIA – April 2009 Report New America Foundation Report 2011
5.	Mohammed Nayim Farouq	2003	“Renewed his association with Taliban and al-Qaida members.” Suspected.	DIA – 2006 Report DIA – 2007 Report DIA – 2008 Report DIA – April 2009 Report New America Foundation Report 2011
6.	Ravil Shafeyavich Gumarov	2004	Arrested for a line bombing incident in Russia. Found guilty by Russian Court. Confirmed.	DIA – 2006 Report DIA – 2007 Report DIA – 2008 Report DIA – April 2009 Report New America Foundation Report 2011
7.	Timur Ravilich Ishmurat	2004	Arrested for a line bombing incident in Russia. Found guilty by Russian Court. Confirmed.	DIA – 2006 Report DIA – 2007 Report DIA – 2008 Report DIA – April 2009 Report New America Foundation Report 2011

	Name	Date Released	Suspected Acts	Source ¹
8.	Ibrahim Bin Shakaran		Convicted in Morocco for recruiting others to fight in Iraq. Confirmed.	DIA — 2007 Report DIA — 2008 Report DIA — April 2009 Report New America Foundation Report 2011
9.	Mohammed Bin Ahmad Mizouz		Convicted in Morocco for recruiting others to fight in Iraq. Confirmed.	DIA — 2007 Report DIA — 2008 Report DIA — April 2009 Report New America Foundation Report 2011
10.	Ruslan Anatolovich Odizhev		The Russians suspected Mr. Odizhev of involvement in terrorism in the Caucasus. Killed during attempted arrest by Russia's Federal Security Service. Suspected.	DIA — 2007 Report DIA — 2008 Report DIA — April 2009 Report New America Foundation Report 2011
11.	Ibrahim Shafir Sen	2003	Arrested in Turkey for involvement with Al Qaeda. Confirmed.	DIA — 2008 Report DIA — April 2009 Report New America Foundation Report 2011
12.	Abdallah Saleh Ali al-Ajmi	2005	Carried out a suicide bombing in Iraq. Confirmed.	DIA — April 2009 Report House Armed Services Report of 2012 New America Foundation Report 2011
13.	Abu Sufyan al-Azdi al-Shihri	2007	In an Al Qaeda video released claiming leadership of the cells in the Arabian Peninsula. Confirmed. One of three referred to in the 2012 House Armed Services report; named Said Al-Shihri.	DIA — April 2009 Report House Armed Services Report 2012 New America Foundation Report 2011
14.	Abu al-Hareth Mohammad al-Awfi, aka Muhammed Atiq al-Harbi	2007	In an Al Qaeda video released claiming leadership of the cells in the Arabian Peninsula. Confirmed.	DIA — April 2009 Report New America Foundation Report 2011
15.	Shah Mohammed	2003	"Killed fighting U.S. forces in Afghanistan." Confirmed.	DIA — April 2009 Report New America Foundation Report 2011

	Name	Date Released	Suspected Acts	Source ¹
16.	Abdullah Kafkas	2004	"Suspected involvement in an attack against a traffic police checkpoint I Nalchik." Suspected.	DIA — April 2009 Report New America Foundation Report 2011
17.	Almasm Rabilavich Sharipov	2004	"Associated with terrorist group Hizb ut-Tahrir." Suspected.	DIA — April 2009 Report New America Foundation Report 2011
18.	Abdullah Ghofoor (Listed separately in the same report as Jahn Abdul Ghafour, therefore presumably different detainee)	2004	Suspected Taliban commander killed by Afghan security forces. Suspected.	DIA — April 2009 Report New America Foundation Report 2011
19.	Isa Khan	2004	"Associated with Tehrik-i-Taliban." Suspected.	DIA — April 2009 Report New America Foundation Report 2011
20.	Muhibullah	2005	"Association with the Taliban." Suspected.	DIA — April 2009 Report New America Foundation Report 2011
21.	Abdullah Majid al-Naimi	2005	Arrested. "Involved in terrorist facilitation; has known associations with al-Qaida." Confirmed.	DIA — April 2009 Report New America Foundation Report 2011
22.	Saad Madhi Saad Hawash al Azmi	2005	"Association with al-Qaida." Suspected.	DIA — April 2009 Report New America Foundation Report 2011
23.	Majid Abdullah Lahiq al Joudi	2007	"Terrorist facilitation." Confirmed.	DIA — April 2009 Report New America Foundation Report 2011
24.	Humud Dakhil Humud Said al-Jadan	2007	"Association with known terrorists." Suspected.	DIA — April 2009 Report New America Foundation Report 2011
25.	Abd al Razaq Abdallah Hamid Ibrahim al Sharikh	2007	"Arrested in September 2008 for supporting terrorism." Suspected.	DIA — April 2009 Report New America Foundation Report 2011
26.	Abd al Hadi Abdallah Ibrahim al Sharikh	2007	"Arrested in September 2008 for association with terrorist members; supporting terrorism." Suspected.	DIA — April 2009 Report New America Foundation Report 2011
27.	Zahir Shah	2007	"Participation in terrorist training." Confirmed.	DIA — April 2009 Report New America Foundation Report 2011

	Name	Date Released	Suspected Acts	Source ¹
28.	Abdullah Ghulam Rasoul	2007	“Taliban military commander for Afghanistan; Organized an assault on U.S. military aircraft in Afghanistan.” Suspected. Used as one example out of three of re-engagement in the 2012 House Armed Services report.	DIA — April 2009 Report New America Foundation 2011 House Armed Services Report 2012
29.	Haji Sahib Rohullah Wakil	2008	“Association with terrorist groups.” Suspected.	DIA — April 2009 Report New America Foundation Report 2011
30.	Abdul Rahman Noor	2003	“Fighting against U.S. forces in Kandahar.”	New America Foundation Report 2011
31.	Abdul Rauf Aliza	2007	“Aide to Abdul Qayyum, top deputy of Mullah Omar.”	New America Foundation Report 2011
32.	Hani Abdul Muslih al-Shulan	2007	“Field Commander in AQAP.”	New America Foundation Report 2011
33.	Ibrahim Sulaiman Mohammed Ar-Rabeish aka Abu Mohammed, Saad Al Ansari, Ibrahim Sulayman Al Rabeesh, Ibrahim Sulaiman Al Rubaish, Ibrahim El Roubish, Ibrahim Sulayman Muhammad, Ibrahim Sulayman Muhammad Al Rubaysh	2006	Wanted by the government of Saudi Arabia for involvement in terrorist activities.	New America Foundation Report 2011
34.	Yusuf Muhammad Mubarak al-Jebairy al-Shehri, aka Yusuf Muhammad it Mubarak al-Shihri, Abu al-Harith, Abdul Aziz, Abu Hakim al-Shihri, Yusef Mohammed Aziz Saad Modaray	2007	Wanted by the government of Saudi Arabia for involvement in terrorist activities.	New America Foundation Report 2011
35.	Fahd Jubran Ali al-Faify aka Jaber Alfefey	2006	Wanted by the government of Saudi Arabia for involvement in terrorist activities.	New America Foundation Report 2011

	Name	Date Released	Suspected Acts	Source ¹
36.	Fahd Saleh Suleiman al-Jutayli , aka Kamza Aqeedah, Hamza Al Nejdi, Hamza El Qassimi, Thimir, Hamza, and Hamzah Agida	2006	Wanted by the government of Saudi Arabia for involvement in terrorist activities.	New America Foundation Report 2011
37.	Murtadha Ali Saeed Magram , aka Abul-Baraa al-Hadrami, Murtada Ali Said Magram, Murtadah Ali Said Qawm, Abu al-Bara Murtada Bin al-Hadrami, Khallad al-Muritani, Abdul Malik Abu al-Baraa al-Maghribi, Abu Masab, Abu Shaheed, Murtada Ali Said Qagam	2007	Wanted by the government of Saudi Arabia for involvement in terrorist activities.	New America Foundation Report 2011
38.	Meshal Mohammed Rashid Al-Shedoky aka Mishale Ashadouki	2003	Wanted by the government of Saudi Arabia for involvement in terrorist activities.	New America Foundation Report 2011
39.	Adnan Mohammed Ali, aka Adnan Muhammad Ali Al Saigh, Abu Malik Al Ta'ifi, Adnan, Al Ansari Maalek, Haydardi Al Lubnani, Al Saeh Adnan Mohammad, Al Saigh, Al Sayigh, Al Makdad Al Ta'ifi, Abu Malik, Abu Marzyah, Ibn Ul Mubarak, and Adnan Mohammed Ali Saig	2006	Wanted by the government of Saudi Arabia for involvement in terrorist activities.	New America Foundation Report 2011
40.	Turki Mashawi Zayid al-Assiri, aka Al-Mutasim al-Makki, Turki Mash Awi Zaggd al-Asiri, Mutasim al-Mecci	2007	Wanted by the government of Saudi Arabia for involvement in terrorist activities.	New America Foundation Report 2011
41.	Othman bin Ahmed bin Othman al-Ghamdi aka Othman al-Omairah	2006	Wanted by the government of Saudi Arabia for involvement in terrorist activities.	New America Foundation Report 2011

	Name	Date Released	Suspected Acts	Source ¹
42.	Mohammad Ilyas aka Qari Jaml, Qari Jamil	2004	Alleged involvement in various terrorist plots with links to Al-Qaida according to Pakistani authorities.	New America Foundation Report 2011
43.	Hafizullah Shabaz Khail aka Hafizullah Shahbaz Kiel, Hafizullah Shahbaz Khail	2007	“Allegedly took part in a rocket attack against U.S. base in Afghanistan in 2007; re-arrested by Afghan police in 2008 for treating sick Taliban.”	New America Foundation Report 2011
44.	Ali Husayn Abdullah al Tays aka Ali Hussain alTais, Ali Hussein al-Taiss aka Abu Hussein	2006	“Joined AQAP before surrendering to Yemeni authorities in August 2010”	New America Foundation Report 2011
45.	Mehdi Mohammed Ghezali	2004	Alleged Al Qaeda contact, detained by Pakistani authorities.	New America Foundation Report 2011
46.	Mohammed Souleimani Laalami	2006	Sentenced by a Moroccan court for terrorist activities (criminal gang violence)	New America Foundation Report 2011
47.	Mubarak Hussain Bin Abul Hashem	2006	“Detained in Bangladesh for ‘suspected anti-state activities.’ ”	New America Foundation Report 2011
48.	Abdul Rahim Mulsim Dostaka, aka Abdul Rahim Muslimdost, Rahim Muslim Dost, Abdul Rahim Mannan	2005	Part of an exchange of prisoners between Pakistan and the Taliban.	New America Foundation Report 2011
49.	Usama Hassan Ahmed Abu Kadir (Usama Hassan Ahmed Abu Kabir)	2007	Sentenced for planned attacks on Israel.	New America Foundation Report 2011
50.	Slimane Hadj Abderrahmane	2004	Listed under a category of “former detainees involved in anti-American propaganda or criticism.” Under surveillance in Denmark.	New America Foundation Report 2009
51.	Ruhal (Rhuhel) Ahmed (Tipton Three)	2004	Listed under a category of “former detainees involved in anti-American propaganda or criticism.”	New America Foundation Report 2009 Road to Guantánamo.

	Name	Date Released	Suspected Acts	Source ¹
52.	Shafiq Rasul (Tipton Three)	2004	Listed under a category of "former detainees involved in anti-American propaganda or criticism."	New America Foundation Report 2009 Road to Guantánamo.
53.	Asif Iqbal (Tipton Three)	2004	Listed under a category of "former detainees involved in anti-American propaganda or criticism."	New America Foundation Report 2009 Road to Guantánamo.
54.	Adel Abdulhehim (Albania Uighur), aka Muhammad Qadir, Abu Bakr Qasim	2006	Listed under a category of "former detainees involved in anti-American propaganda or criticism." Uighurs cited as an example of re-engagement by the DOD. ²	New America Foundation Report 2009
55.	Ahmed Adil (Albanian Uighur), aka Oblekim Abdurasul, Oblekim Abdursal	2006	Listed under a category of "former detainees involved in anti-American propaganda or criticism." Uighurs cited as an example of re-engagement by the DOD.	New America Foundation Report 2009
56.	Haji Mohammed Ayub (Albanian Uighur) aka Haji Mohammed Ayub	2006	Listed under a category of "former detainees involved in anti-American propaganda or criticism." Uighurs cited as an example of re-engagement by the DOD.	New America Foundation Report 2009
57.	Akhdar Qasem Basit (Albanian Uighur), aka Niyas Muhammed	2006	Listed under a category of "former detainees involved in anti-American propaganda or criticism." Uighurs cited as an example of re-engagement by the DOD.	New America Foundation Report 2009
58.	Abu Bar Qasim	2006	Listed under a category of "former detainees involved in anti-American propaganda or criticism." Uighurs cited as an example of re-engagement by the DOD.	New America Foundation Report 2009

	Name	Date Released	Suspected Acts	Source¹
59.	Salim Mahmoud Adem Mohammed Bani Amir, aka Benny Ah-Amir, Abu Ahmed, Abu Abdul Salem	2007	Listed under a category of “former detainees involved in anti-American propaganda or criticism.”	New America Foundation Report 2009
60.	Adel Hasan Hamad	2007	Listed under a category of “former detainees involved in anti-American propaganda or criticism.”	New America Foundation Report 2009
61.	Moazzam Begg	2005	Listed under a category of “former detainees involved in anti-American propaganda or criticism.”	New America Foundation Report 2009
62.	Mourad Benchellali, aka Abdullah Mihoub, Jean-Baptiste Mihoub	2004	Listed under a category of “former detainees involved in anti-American propaganda or criticism.”	New America Foundation Report 2009
63.	Jumah al-Dossari	2007	Listed under a category of “former detainees involved in anti-American propaganda or criticism.”	New America Foundation Report 2009
64.	Mustafa Ibrahim Mustafa al Hassan, aka Mustafa Ibrahim al-Qufa, Abu Attica, Abu Safwan, Abdul Jami Khoday Nazan	2008	Listed under a category of “former detainees involved in anti-American propaganda or criticism.”	New America Foundation Report 2009
65.	Muhammad Saad Iqbal, aka Hafez Qari Mohamed, Saad Iqbal Madni	2008	Listed under a category of “former detainees involved in anti-American propaganda or criticism.”	New America Foundation Report 2009
66.	Sadeq Mohammed Saeed Ismail	2007	Listed under a category of “former detainees involved in anti-American propaganda or criticism.”	New America Foundation Report 2009
67.	Abdurahman Khadr, aka Abdul Khadr	2003	Listed under a category of “former detainees involved in anti-American propaganda or criticism.”	New America Foundation Report 2009

	Name	Date Released	Suspected Acts	Source ¹
68.	Murat Kurnaz	2006	Listed under a category of "former detainees involved in anti-American propaganda or criticism."	New America Foundation Report 2009
69.	Binyam Mohammed aka Talha al Kini, Fouad Zouaoui, Binyam Ahmed Mohammad, Mohammed Ahmed Binyam, Binyam Mohamed al Habashi, Talha al-Nigeri, Ben, Benjamin Ahmad Muhammad, John Samuel, Fouad Zouaoui, Nabil, Binyamin Zouioue	2009	Listed under a category of "former detainees involved in anti-American propaganda or criticism."	New America Foundation Report 2009
70.	Adil Kamil Abdullah al Wadi	2005	Listed under a category of "former detainees involved in anti-American propaganda or criticism."	New America Foundation Report 2009
71.	Mullah Abdul Salam Zaeef	2005	Listed under a category of "former detainees involved in anti-American propaganda or criticism."	New America Foundation Report 2009
72.	Lakhdar Boumediene aka Ahmed al-Muntasir	2009	Listed under a category of "former detainees involved in anti-American propaganda or criticism."	New America Foundation Report 2009

(Footnotes)

¹ When there are references to multiple DIA reports there is seldom, if ever, additional information since first reported. Later reports summarize and restate of previously reported cases of re-engagement.

² *National Security Deserves Better*, supra note 51, at 15 ("In the July 2007 DoD news release, the five Uighurs relocated to Albania were listed as examples of recidivist activity. ... Since their release — following three years of incarceration at GTMO — the five men have lived at the same refugee camp in Tirana, Albania.") (The press release was removed by the DOD and is no longer available online, the copy is reproduced in the cited report).