



OFFICE OF THE SECRETARY OF DEFENSE
OFFICE OF MILITARY COMMISSIONS
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

CONVENING AUTHORITY

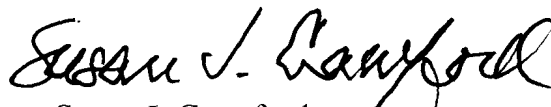
18 August 2009

MEMORANDUM FOR Maj David J.R. Frakt, USAFR, Defense Counsel, OMC

SUBJECT: *U.S. v. Jawad*; Response to Request for Funding for Travel to Afghanistan

I considered carefully your request for funding for Major Eric Montalvo and Captain Christopher Kannady to travel to Afghanistan to aid in Mr. Jawad's repatriation. The request for funding is denied.

You and your fellow defense counsel were assigned to represent Mr. Jawad before a military commission; those charges were dismissed on 31 July 2009. While I appreciate your concern for Mr. Jawad's situation, the actions you propose far exceed the scope of their official duties. Finally, if Mr. Jawad is repatriated, actions on behalf of the United States must be handled by representatives of the Department of State.


Susan J. Crawford
Convening Authority
for Military Commissions

cc: Chief Defense Counsel