Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1000 Navy Pentagon, Washington, D.C. 20350-1000

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 532 (AFGHANISTAN)**

- Subject ARB was held on 22 July 2005 resulting in a unanimous recommendation to [redacted] subject ISN with conditions based on the following:

[redacted]

- Intelligence inputs used in the ARB's determination of the subject ISN included:

[redacted]

- Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DASD-DA	[redacted]	
CIA		
FBI		
Dept of State		

[redacted]

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 532 (AFGHANISTAN)**

RECOMMENDATION: That the DCO approve the ARB recommendation to transfer the detainee by initialing:

[redacted] (Transfer) _____ 10-7-05

Or: Continue to Detain _____, Release _____

Attachments:
Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [redacted]

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS OF ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 532

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 532 continues to be a medium threat to the United States and its allies. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The Enemy Combatant (EC) chose to attend the ARB. The Designated Military Officer (DMO) presented the unclassified summary, both in a written form and with an oral summary of the unclassified primary factors.

(U) The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified herein as Enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as Enclosure (3). The EC chose to participate, as shown in exhibit EC-B. As the DMO read the statements in the Unclassified Summary of Evidence, the detainee responded to each with his own remarks. The reader is directed to Enclosure (5) for a transcription of these statements.

(U) The unclassified portion of the proceeding was adjourned. The ARB moved to the classified session and the DMO presented the classified summary. The ARB panel members reviewed the classified exhibits and the session was then closed for deliberation.

3. (U) Primary Documents, Assessments, Testimony, and Other Considerations by the Administrative Review Board

(S/NF) [redacted]

(U) The government agency assessments considered by the ARB are summarized as follows:

(S/NF) [redacted]

(S/NF/OC) [redacted]

- (S/NF) [redacted]
  - (FOUO/LES) [redacted]
  - (FOUO/LES) [redacted]

b. (U) Training: The detainee had access to a Kalashnikov rifle in his service to the Taliban.

- (FOUO/LES) [redacted]

c. (U) Operational Experience: [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]
- (FOUO/LES) [redacted]
  - (FOUO/LES) [redacted]

- (S/NF) [redacted]
  - (FOUO/LES) [redacted]
  - (S/NF) [redacted]
    - (S/NF) [redacted]
  - (S/NF) [redacted]

d. (U) Capture: [redacted]

- (FOUO/LES) [redacted]
- (S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]

e. (U) Connections/Associations: The detainee is assessed as a member of Taliban.

- (S) [redacted]
  - (S) [redacted]

f. (U) Behavior: [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]

[redacted]

- (S/NF) [redacted]
- (FOUO/LES) [redacted]

g. (U) Other:

- (S/NF) [redacted]
- (S/NF) [redacted]
- (FOUO/LES) [redacted]

h. (U) Written and/or Oral Testimony from the Detainee:

- (U) The detainee attended the ARB and provided an oral response to allegations stated in the Unclassified Summary of Evidence.

i. (U) Factors in support of release:

- (S) [redacted]
- (S/NF) [redacted]
- (FOUO/LES) [redacted]
- (FOUO/LES) [redacted]

5. (U) **Considerations by the Administrative Review Board on the Enemy Combatant's Requests for Witness Statements and Home Country Statements Provided Through the United States**

(U) The detainee is a citizen of Afghanistan.

6. (U) **Consultations with the Administrative Review Board Legal Advisor**

(U) [redacted]

7. (U) **Conclusions and Recommendation of the Administrative Review Board**

(S/NF) [redacted]

(S/NF) [redacted]

(S/NF) [redacted]

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(U) [redacted]

8. (U) **Dissenting Board Member's Report**

(U) There were no dissenting members in the decision.

[redacted]

Department of Defense
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at U.S. Naval Base Guantanamo Bay, Cuba
1000 Navy Pentagon, Washington, D.C. 20350-1000

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 555 (IRAN)**

- Subject ARB was held on 19 August 2005 resulting in a unanimous recommendation to [redacted] subject ISN based on the following:

[redacted]

- Intelligence inputs used in the ARB's determination of the subject ISN included:

[redacted]

- Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DASD-DA	[redacted]	
CIA		
FBI		
Dept of State		

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

RECOMMENDATION: That the DCO [redacted] the detainee by initialing:

[redacted] (Release) 9-17

Or: Continue to Detain _____, Transfer_____

Attachments:
Tab A OARDEC SJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [redacted]

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000100

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 555

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 555 continues to [redacted]hreat to the United States and its allies. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The Enemy Combatant (EC) chose to attend, and consequently the board was convened with the EC present. The Designated Military Officer (DMO) presented the unclassified summary, both in a written form and with an oral summary of the unclassified primary factors.

(U) The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified herein as Enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as Enclosure (3). Exhibit EC-B indicated that the EC chose to appear before the ARB and wanted to respond to each statement of information in the unclassified summary after it is presented. The AMO read his comments from his ARB interviews with the EC.

(U) The EC responded verbally to each allegation/statement in the Unclassified Summary. His comments consisted of a line-by-line confirmation or denial of the bullets in paragraphs 3 and 4 of the unclassified summary. The EC ended with a short verbal statement. The EC answered a series of questions from the ARB, which included inquires about the circumstances of his arrest. All EC testimony and comments are included in Enclosure (5).

(U) The unclassified portion of the proceeding was adjourned. The ARB moved to the classified session and the DMO presented the classified summary. The ARB panel members reviewed the classified exhibits and the session was then closed for deliberation.

3. (U) Primary Documents, Assessments, Testimony, and Other Considerations by the Administrative Review Board

(S/NF) [redacted]

(U) The following government agency assessments considered by the ARB are summarized as follows:

(S/NF) [redacted]

(S/NF) [redacted]

(FOUO/LES) [redacted]

(S/NF) [redacted]

(S/NF) [redacted]

4. (U) Discussion of the Primary Factors (including intelligence value and law enforcement value of the Enemy Combatant)

(U) The ARB considered the above agency assessments and the following key indicators in its threat and intelligence assessment of the EC:

a. (U) Travel: [redacted]

- (FOUO/LES) [redacted]

b. (U) Training:

- (FOUO) [redacted]

c. (U) Combat and Capture: The EC is an experienced soldier.

- (FOUO/LES) [redacted]
- (S/NF) [redacted]

d. (U) Organizational Affiliations: The EC has been a known affiliate of organizations that espouse terrorism and violent acts against the United Stated and its allies.

- (FOUO) [redacted]
  - (U) Gulbuddin Hikmatyar founded Hizb-e Islami Gulbuddin (HIG) as a faction of the Hizb-e Islami party in 1977, and it was one of the major mujahedin groups in the war against the Soviets. HIG has long-established ties with Usama bin Laden. Gulbuddin Hikmatyar offered to shelter Usama bin Laden after Usama bin Laden fled Sudan in 1996. HIG has staged small attacks in its attempt to force U.S. troops to withdraw from Afghanistan, overthrow the Afghan Transitional Administration (ATA), and establish a fundamentalist state (DMO-3).
- (S/NF) [redacted]
- (S/NF) [redacted]

- (S/NF) [redacted]

e. (U) Individual Affiliations:

- (FOUO/LES) [redacted]
  - (FOUO/LES) [redacted]

f. (U) Behavior:

- (FOUO) [redacted]
- (S/NF) [redacted]

g. (U) Written and/or oral testimony from the EC:

- (U) The EC provided no written testimony.
- (U) The EC responded verbally to each allegation/statement in the unclassified summary. His comments consisted of a line-by-line confirmation or denial of the bullets in paragraphs 3 and 4 and are included in Enclosure (5).

h. (U) Factors in support of release:

- (FOUO) [redacted]

i. (S/NF) [redacted]

j. (S/NF) [redacted]

k. (S/NF) [redacted]

5. (U) Considerations by the Administrative Review Board on the Enemy Combatant's requests for Witness Statements and Home Country Statements provided through the United States

(U) The EC is a citizen of Iran. No witness or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(U) [redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(U) The EC is a [redacted] threat to the United States and its allies. The EC is of [redacted] intelligence value. [redacted]

8. (U) Dissenting Board Member's report

(U) The panel reached a unanimous decision.

Respectfully submitted,

[redacted]

Department of Defense

Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1000 Navy Pentagon, Washington, D.C. 20350-1000

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ISN 562 (AFGHANISTAN)**

- Subject ARB was held on 8 August 2005 resulting in a unanimous recommendation to [redacted] subject ISN [redacted] based on the following:

[redacted]

- Intelligence inputs used in the ARB's determination of the subject ISN included:

[redacted]

- Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DASD-DA	[redacted]	
CIA		
FBI		
Dept of State		

- In its recommendation, the ARB made the following recommendations for the [redacted]

[redacted]

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

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SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ISN 562 (AFGHANISTAN)**

RECOMMENDATION: That the DCO [redacted]

[redacted] (Transfer) 10-22-05

Or: Continue to Detain _____, Release_____

Attachments:
Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [redacted]

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 562

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 562 continues to be a threat to the United States and its allies. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The Enemy Combatant (EC) chose to attend, and consequently the board was convened with the Enemy Combatant (EC) present. The Designated Military Officer (DMO) presented the unclassified summary, both in a written form and with an oral summary of the unclassified primary factors.

(U) The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified herein as Enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as Enclosure (3). The AMO read the Assisting Military Officer Comments from EC-B.

(U) The EC responded verbally to each allegation/statement in the Unclassified Summary. His comments consisted of a line-by-line confirmation or denial of the bullets in paragraphs 3 and 4 of the Unclassified Summary. He then made a statement on his behalf. The EC answered two questions from the ARB, regarding his activities in his home country, Afghanistan. The Board also inquired about the circumstances of his arrest. All verbal statements by the EC are documented in Enclosure (5).

(U) The Board queried the DMO on details surrounding any letters from home on the EC's behalf. Whether or not the EC had a lawyer statement to present. The AMO was asked as to whether the EC reported any abuse or mistreatment.

(U) The unclassified portion of the proceeding was adjourned. The ARB moved to the classified session and the DMO presented the classified summary. The ARB panel members reviewed the classified exhibits and the session was then closed for deliberation.

3. (U) Primary Documents, Assessments, Testimony, and Other Considerations by the Administrative Review Board

(S/NF) [redacted]

[redacted]

(U) The following government agency assessments considered by the ARB are summarized as follows:

(S/NF) [redacted]

(S/NF) [redacted]

(FOUO/LES) [redacted]

(U) [redacted]

(S/NF) [redacted]

[redacted]

4. (U) Discussion of the Primary Factors (including intelligence value and law enforcement value of the Enemy Combatant)

(U) The ARB considered the above agency assessments and the following key indicators in its threat and intelligence assessment of the EC:

a. (U) Travel. The EC traveled to locations of concern.

- (S) [redacted]
- (S) [redacted]
- (S) [redacted]
- (S/NF) [redacted]
- (S) [redacted]

b. (U) Training. The EC indicated he has not received any military training.

- (S) [redacted]

c. (U) Combat and capture. The EC was captured in connection with the conduct of combat or terrorist operations against the United States and its allies.

- (S/NF) [redacted]
- (S) [redacted]
- (S) [redacted]
- (S/REL) [redacted]
- (S/REL) [redacted]
- (S/NF) [redacted]
- (S) [redacted]
- (FOUO/LES) [redacted]
- (S) [redacted]
  - (S) [redacted]
  - (U) He EC indicated during the ARB that this notebook was part of his religion or witchcraft that he and many Afahanis practice (Enclosure-5).
- (S) [redacted]

- (S) [redacted]

d. (U) Organizational affiliations. The EC has been a known affiliate of organizations that espouse terrorist and violent acts against the United States and its allies.

- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/REL) [redacted]

e. (U) Behavior. The EC's behavior during interrogation and detention indicating he is capable of posing a [redacted] threat.

- (S) [redacted]
- (S/NF) [redacted]

f. (U) Written and/or oral testimony from the EC.

- (U) The EC provided no written testimony.
- (S/NF) [redacted]

g. (U) Factors in support of release.

- (S/NF) [redacted]
- (S/NF) [redacted]

- (S) [redacted]

h. (S/NF) [redacted]

i. (S/NF) [redacted]

j. (S/NF) [redacted]

5. (U) Considerations by the Administrative Review Board on the Enemy Combatant's requests for Witness Statements and Home Country Statements provided through the United States

(U) The EC is a citizen of Afghanistan. No witness or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(U) [redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(U) The EC is a [redacted] threat to the United States and its allies. The EC is of [redacted] intelligence value. [redacted].

[redacted]

8. (U) Dissenting Board Member's report

(U) The panel reached a unanimous decision.

Respectfully submitted,

[redacted]

000415 - 000416 NOT USED

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1000 Navy Pentagon, Washington, D.C. 20350-1000

[redacted]

ACTION MEMO

23 June 2005

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 568 (KUWAIT)**

- Subject ARB was held on 19 and 25 May 2005 resulting in a unanimous recommendation to [redacted] ISN 568 based on the following:

[redacted]

- Intelligence inputs used in the ARB's determination of the subject ISN included:

[redacted]

- Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DASD-DA	[redacted]	
o JTF-GTMO		
CIA		
FBI		

- The detainee is a habeas petitioner in the case of Al-Odah v. Bush, Civil No. 02-0828 (D.D.C.). As of the date of this memorandum, no court order requires the government to provide the detainee's counsel or the court notice prior to removing the detainee from U.S. Naval Base Guantanamo Bay.

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

[redacted]

[redacted]

[redacted]

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 568 (KUWAIT)**

RECOMMENDATION: That the DCO [redacted] transfer

Or: Detain _____, Release_____

6-24

Attachments:
Tab A OARDEC SJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [redacted]

000418

[redacted]

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 568

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 568 continues to be a threat to the United States and its allies. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The Enemy Combatant (EC) declined to attend the ARB, consequently the Board was convened and conducted its proceedings without the EC being present. The Designated Military Officer (DMO) presented the unclassified summary, both in written form and with an oral summary of the unclassified primary factors.

(U) The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified herein as Enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as Enclosure (3). Exhibit EC-B indicated the EC did not want assistance of the Assisting Military Officer and elected not to appear before the ARB. The AMO verbally summarized the EC's comments during the interview.

(U) The Board queried the AMO concerning the EC's behavior and attitude during the pre-ARB interview.

(U) The unclassified portion of the proceeding was adjourned. The ARB moved to the classified session, and the DMO presented the classified summary. The session was then closed for deliberation.

(U) The unclassified portion of the proceeding was adjourned. The ARB moved to the classified session and the DMO presented the classified summary. The ARB panel members reviewed the classified exhibits and the DMO and AMO answered questions posed by the Board. The session was then closed for deliberation.

(U) Per references (a) and (b), an Administrative Review Board reconvened on 25 May 05 to consider Enclosure (7), "Correspondence Submitted on Behalf of Enemy Combatant" which was received after the Board initially convened on 19 May 05. After reviewing Enclosure (7) and further deliberation, Administrative Review Board Panel # 8 determined that its original finding

remains unchanged and that Enemy Combatant ISN 568 continues to be a threat to the United States and its allies.

3. (U) Primary Documents, Assessments, Testimony, and other Considerations by the Administrative Review Board

(S/NF) [redacted]

(U) The following government agency assessments considered by the ARB are summarized as follows:

(S/NF) [redacted]

(S/NF) [redacted]

(FOUO/LES) [redacted]

(S/NF) [redacted]

(S/NF) [redacted]

4. (U) Discussion of the primary factors (including intelligence value and law enforcement value of the Enemy Combatant).

(U) The ARB considered the above agency assessments and the following key indicators in its threat and intelligence assessment of the EC:

a. Recruitment

(S/NF) [redacted]

- (FOUO//LES) [redacted]

- (S/NF) [redacted]

b. Travel

(S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]
- (FOUO/LES) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]

c. Training

(S/NF) [redacted]

d. Combat and capture

(S/NF) [redacted]

- (S/NF) [redacted]
- (FOUO/LES) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]
- (S) [redacted]
- (S/NF) [redacted]

e. Organizational affiliations

(S/NF) [redacted]

- (S) [redacted]
- (S) [redacted]
- (S) [redacted]
- (S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]

f. Individual affiliations

(S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]
- (S//NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]
- (S//NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]
- (S//NF) [redacted]
- (S/NF) [redacted]
- (S) [redacted]

g. Behavior

(S/NF) [redacted]

- (S/NF) [redacted]
- (FOUO/LES) [redacted]
- (S) [redacted]

- (S/NF) [redacted]

h. Written and/or oral testimony from the EC

(S/NF) [redacted]

- (U) The EC provided no written testimony.
- (U) The EC chose not to appear.

i. Factors in support of release

(S/NF) [redacted]

j. Level of Threat Summary

(S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]

k. Intelligence Value Summary

(S/NF) [redacted]

[redacted]

1. Agency Recommendations

(S/NF) [redacted]

(S/NF) [redacted]

5. (U) Considerations by the Administrative Review Board on Enemy Combatant's requests for witness statements and home country statements provided through the United States

(U) The EC is a citizen of Kuwait.

(U) The Board was reconvened on 25 May 05 to consider Enclosure (7) "Correspondence Submitted on Behalf of Enemy Combatant."

6. (U) Consultations with the Administrative Review Board Legal Advisor

(U) [redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(U) The Board carefully read and considered Enclosure (7). Notwithstanding, the EC is a [redacted] threat to the United States and its allies. [redacted]

8. (U) **Dissenting Board Member's report**

(U) The panel reached a unanimous decision.

Respectfully submitted,

[redacted]

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1000 Navy Pentagon, Washington, D.C. 20350-1000

~~SECRET//NOFORN~~

ACTION MEMO

23 June 2005

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 571 (KUWAIT)**

- Subject ARB was held on 23 May 2005 resulting in a unanimous recommendation to [redacted] ISN 571 based on the following:

[redacted]

- Intelligence inputs used in the ARB's determination of the subject ISN included:

[redacted]

- Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DASD-DA	[redacted]	
CIA		
FBI		

- The detainee is a habeas petitioner in the case of Al-Odah v. Bush, Civil No. 02-0828 (D.D.C.). As of the date of this memorandum, no court order requires the government to provide the detainee's counsel or the court notice prior to removing the detainee from U.S. Naval Base Guantanamo Bay.

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

[redacted]

SUBJECT: ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 571 (KUWAIT)

[redacted]

RECOMMENDATION: [redacted]

[redacted] ransfer

6-24

Or: Detain _____, Release_____

Attachments:
Tab A OARDEC SJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [redacted]

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 571

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 571 continues to be a threat to the United States and its allies. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The ARB was convened and began its proceedings without the Enemy Combatant (EC) present. The Designated Military Officer (DMO) presented the unclassified summary, both in written form and with an oral summary of the unclassified primary factors. The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified herein as Enclosure (2). The AMO also presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as Enclosure (3). Exhibit EC-B indicates the EC chose to decline to participate or appear at his ARB. The EC indicated he did not want to appear due to the fact that he told the truth at his Combatant Status Review Tribunal (CSRT) but was still declared an enemy combatant. The ARB expressed concerns to the AMO about the EC not appearing and indicated that if the EC appears his testimony and comments are usually beneficial. The AMO read the EC's comments from Exhibit EC-B that denied and/or qualified the information contained in the unclassified summary. In addition, the AMO presented Correspondence Submitted on Behalf of Enemy Combatant as Exhibit EC-C, identified herein as Enclosure (4). The board asked a few questions to clarify the information in the unclassified summary. The AMO then stated that the Joint Detention Operations Group (JDOG) Staff Judge Advocate (SJA) said the EC's lawyer had visited the EC five times since December 2004 and that on the last visit the EC had refused to leave his cell. According to the AMO, the JDOG SJA also said that the EC's lawyer had been admonished for passing unauthorized news clippings to the EC. The AMO then commented that he thought the contract enclosed towards the end of Exhibit EC-C was not really a contract but some other form of communication to the EC. The unclassified part of the proceeding was adjourned. The ARB moved to the classified portion of the session and the DMO presented the classified summary. The board asked a few questions that were answered satisfactorily. The AMO then provided additional comments about his thoughts concerning the contract contained in Exhibit EC-C on pages 21 thru 26. The contract is unsigned. OARDEC linguist made minor corrections to pages 5 thru 18 of Exhibit EC-C. AMO again stated that he thought it was an attempt to somehow pass on a message to the EC since his lawyer had previously passed the EC unauthorized press clippings. The board PO thought the AMO's comments should have been captured during the unclassified session so he reconvened the unclassified session to allow the AMO to repeat his comments. The session was then closed for deliberation. During deliberation, the board felt the AMO's comments concerning the possible passing of a message to the EC via the contract in Exhibit EC-C was irrelevant because

the AMO had no facts to back up these comments. The board instead felt that the contract was possibly added in error either by the law firm or whoever scanned the documents into the Acrobat Reader format. Either way, this issue had no impact on the board's decision concerning the EC's continued detention. The board did review the letters on behalf of the EC contained in Exhibit EC-C and considered them during the proceedings.

3. (U) Primary Documents, Assessments, Testimony and other Considerations by the Administrative Review Board

(S/NF) [redacted]

(U) The following assessments considered by the ARB are summarized as follows:

(S/NF) [redacted]

(S/NF) [redacted]

(FOUO/LES) [redacted]

(S/NF) [redacted]

(S) [redacted]

[redacted]

4. (U) Discussion of the primary factors (including intelligence value and law enforcement value of the Enemy Combatant)

(U) [redacted]

[redacted] The ARB considered the following key indicators in the decision to assess the EC as a [redacted] threat to the U.S. and in its recommendation [redacted]

a. (S/NF) [redacted]

b. (S/NF) [redacted]

c. (S/NF) [redacted]

[redacted]

d. (S/REL/USA/AUS/CAN/GBR) [redacted]

e. (S/REL/USA/MCFI) [redacted]

f. (S/NF) [redacted]

[redacted]

g. (S/NF) [redacted]

h. (S/NF) [redacted]

i. (S/NF) [redacted]

j. (S/NF) [redacted]

k. (S/NF) [redacted]

1. (S/NF) [redacted]

5. (U) Considerations by the Administrative Review Board on Enemy Combatant's requests for witness statements and home country statements provided through the United States

(U) The EC is a citizen of Kuwait. No witness or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(U) [redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(U) The EC is a [redacted] threat to the United States and its allies. [redacted]

8. (U) Dissenting Board Member's report

(U) There were no dissenting members in the decision.

[redacted]

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1000 Navy Pentagon, Washington, D.C. 20350-1000

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 584 (CHINA)**

- Subject ARB was held on 4 August 2005 resulting in a majority recommendation to [redacted] subject ISN based on the following:

[redacted]

- Intelligence inputs used in the ARB's determination of the subject ISN included:

[redacted]

- Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DASD-DA	[redacted]	
CIA		
FBI		

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

RECOMMENDATION: [redacted]

[redacted] 10-22-05

Or: Detain _____, Release _____

Attachments:
Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [redacted]

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS OF ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 584

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 584 continues to be a threat to the United States and its allies. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The detainee chose not to attend the ARB. The Designated Military Officer (DMO) presented the unclassified summary, both in a written form and with an oral summary of the unclassified primary factors.

(U) The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified herein as Enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as Enclosure (3). The detainee chose not to participate, as shown in exhibit EC-B. The AMO verbally summarized the detainee's responses to the Unclassified Summary of Evidence during the interview.

(U) The unclassified portion of the proceeding was adjourned. The ARB moved to the classified session and the DMO presented the classified summary. The ARB panel members reviewed the classified exhibits and the session was then closed for deliberation.

3. (U) Primary Documents, Assessments, Testimony, and Other Considerations by the Administrative Review Board

(S/NF) [redacted]

(U) The government agency assessments considered by the ARB are summarized as follows:

(S/NF) [redacted]

(S/NF) [redacted]

(FOUO/LES) [redacted]

(S/NF) [redacted]

(S) [redacted]

4. (U) Discussion of the Primary Factors (including intelligence value and law enforcement value of the Enemy Combatant)

(U) The ARB considered the agency assessments given in paragraph 3 above and the following key indicators in its threat and intelligence assessment of the detainee:

a. (U) Recruitment.

- (S) [redacted]
- (S) [redacted]
- (S/NF) [redacted]
- (S) [redacted]
- (S) [redacted]

b. (U) Travel/Guesthouse Stays.

- (FOUO/LES) [redacted]

[redacted]

- (S) [redacted]
- (FOUO/LES) [redacted]
- (U) [redacted]

c. (U) Training.

- (U) [redacted]
- (FOUO/LES) [redacted]
- (FOUO/LES) [redacted]
- (U) [redacted]

d. (U) Combat/Operational Experience.

- (S) [redacted]

c. (U) Capture.

- (FOUO/LES) [redacted]
- (FOUO/LES) [redacted]
- (FOUO/LES) [redacted]
- (FOUO/LES) [redacted]
- (FOUO/LES) [redacted]

f. (U) Connections/Associations.

- (U) The Eastern Turkistan Islamic Movement (ETIM) is designated an Other Foreign Terrorist Organization by the United States Department of Homeland Security. The ETIM, a small Islamic extremist group based in China's western Xinjiang Province, is one of the most militant of the ethnic Uighur separatist groups pursuing an independent "Eastern Turkistan," which would include Turkey, Kazakhstan, Kyrgyzstan, Pakistan, Afghanistan, and Xinjiang. ETIM and other overlapping militant Uighur groups are linked to the international Mujahhedin movement - and to a limited degree al Qaida - beginning with the participation of ethnic Uighur Mujahhedin in the Soviet/Afghan war. [redacted]

[redacted]

- (S/NF) [redacted]
- (FOUO/LES) [redacted]

g. (S/NF) [redacted]

- (S) [redacted]
- (S/NF) [redacted]

h. (U) Other.

- (FOUO/LES) [redacted]
- (S/NF) [redacted]

i. (U) Written and/or Oral Testimony from the Detainee.

- (U) Through the AMO, the detainee did not provide a response to allegations stated in the Unclassified Summary of Evidence.

j. (U) Factors in support of release.

- (FOUO) [redacted]

- (FOUO) [redacted]
- (FOUO) [redacted]
- (FOUO) [redacted]
- (FOUO) [redacted]

5. (U) **Considerations by the Administrative Review Board on the Enemy Combatant's Requests for Witness Statements and Home Country Statements Provided Through the United States**

(U) The detainee is a citizen of China.

6. (U) **Consultations with the Administrative Review Board Legal Advisor**

(U) [redacted]

7. (U) **Conclusions and Recommendation of the Administrative Review Board**

(S/NF) [redacted]

(S/NF) [redacted]

(S/NF) [redacted]

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(U) [redacted] threat to the United States and its allies. [redacted] Therefore, the board recommends ISN 584 for [redacted]

8. (U) **Dissenting Board Member's Report**

(U) A minority assessment and recommendation for the administrative review of the detention of Enemy Combatant ISN 584 is provided in enclosure (5).

Respectfully submitted,

[redacted]

[redacted]

From: Dissenting Officer of Administrative Review Board Panel #18 (U)
To: Presiding Officer

Subj: (U) MINORITY ASSESSMENT AND RECOMMENDATION FOR THE ADMINISTRATIVE REVIEW OF THE DETENTION OF ENEMY COMBATANT ISN-584

1. (U) Dissent for the Following Reasons

(U) [redacted]

2. (U) Basis for Dissent

(S/NF) [redacted]

3. (U) Primary Documents, Assessments, Testimony, and other Considerations by the Dissenting Member

(S/NF) [redacted]

(U) The following assessments considered by the Dissenting Officer are summarized as follows:

- (U) [redacted]
- (S) [redacted]
- (S) [redacted]
- (U) The detainee said he has never asked to participate in a Jihad against the United States and would not fight against the United States even if his religion told him to. He said he would also submit to a polygraph examination. (DMO-1).

4. (U) Discussion of the Primary Factors

- (S/NF) [redacted]
- (S/NF) [redacted]
  - (U) The detainee denied having any knowledge of attacks on the United States (DMO-1).
  - (S/NF) [redacted]
  - (S/NF) [redacted]
- (S/NF) [redacted]
- (S//NF) [redacted]

- (S//NF) [redacted]
- (S/NF) [redacted]

5. (U) Conclusions and Recommendation of the Dissenting Member

(U) Upon careful review of all the information presented, the Dissenting Officer makes the following determination and recommendation:

(S/NF) T[redacted]

Respectfully submitted,

[redacted]

Lieutenant Colonel, U.S. Air Force
Administrative Review Board Member

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1000 Navy Pentagon, Washington, D.C. 20350-1000

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 588 (SAUDI ARABIA)**

- Subject ARB was held on 29 July 2005 resulting in a unanimous recommendation to [redacted] subject ISN [redacted] based on the following:

[redacted]

- Intelligence inputs used in the ARB's determination of the subject ISN included:

[redacted]

- Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DASD-DA	[redacted]	
CIA		
FBI		
Dept of State		

- The ARB recommended that the following [redacted] be considered:

[redacted]

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 588 (SAUDI ARABIA)**

RECOMMENDATION: That the DCO [redacted]

[redacted] (Transfer) 8-16-05

Or: Continue to Detain _____, Release_____

Attachments:
Tab A OARDEC SJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [redacted]

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 588

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 588 continues to be a threat to the United States and its allies. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The Enemy Combatant (EC) declined to attend and the ARB was convened and conducted its proceedings without the EC present. The Designated Military Officer (DMO) presented the unclassified summary, both in a written form and with an oral summary of the unclassified factors.

(U) The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified herein as Enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as Enclosure (3). Exhibit EC-B verified that the Enemy Combatant Notification had been accomplished and that the ARB procedures had been explained. Exhibit EC-B also indicated that the AMO had scheduled an interview with the EC on two separate occasions and on both occasions the EC refused to exit his cell to attend the interview.

(U) The Presiding Officer queried the AMO to ascertain that the EC understood the purpose and procedures involved in the ARB process. The AMO confirmed that a copy of the Unclassified Summary of Evidence for Administrative Review Board translated into the EC's native language was provided to the EC, but that the AMO had no direct contact with the EC due to the fact that the EC had refused to exit his cell to attend the interview. The AMO then read his written comments from the Enemy Combatant Election Form.

(U) The Board queried the AMO further to ascertain whether the EC was constrained by medical reasons from attending the interview and the AMO stated that he had been informed that the EC had no medical condition preventing his participation in either the interview or the ARB itself.

(U) The unclassified portion of the proceeding was adjourned. The ARB moved to the classified session and the DMO presented the classified summary. The ARB panel members reviewed the classified exhibits and the DMO and AMO answered questions posed by the Board. The session was then closed for deliberation.

3. (U) Primary Documents, Assessments, Testimony, and other Considerations by the Administrative Review Board

(S/NF) [redacted]

(U) The following government agency assessments considered by the ARB are summarized as follows:

(S/NF) [redacted]

(S/NF) [redacted]

(FOUO/LES) [redacted]

(S/NF) [redacted]

(S/NF) [redacted]

4. (U) Discussion of the primary factors (including intelligence value and law enforcement value of the Enemy Combatant).

(U) The information presented to the ARB supports the recommendations made by the reporting agencies.

(U) The "Copies of Documented Evidence" package was reviewed for information from agencies known to perform original intelligence collection (interviews) directly from the EC (CITF, FBI, and JTF-GTMO). For this reason, and the fact that other documents generally

appear to have derived their information from them, the Board primarily cites those original intelligence collection documents. However, the Board carefully considered all provided documents, and cites those that provide differing or additional information as well.

a. (U) Recruitment

(S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]

b. (U) Travel

(S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]

c. (U) Combat and capture

- (S/NF) [redacted]
- (S/NF) [redacted]

[redacted]

d. (U) Individual affiliations

(S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]

e. (U) Behavior

(S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]

f. (U) Written and/or oral testimony from the EC

(U) The Board took special note of the following items during deliberation:

- (U) The EC declined to be interviewed by the AMO or to participate in any way in the ARB process.

g. (U) Factors in support of release

(S/NF) [redacted]

- (U) No letters from family members regarding this EC were submitted.
- (U) Government of Saudi Arabia did not submit a letter on behalf of this EC.

h. (U) Level of Threat Summary

(S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]

i. (U) Intelligence Value Summary

(S/NF) [redacted]

(S/NF) [redacted]

- (S/NF) [redacted]

j. (U) Agency Recommendations

(S/NF) [redacted]

5. (U) Considerations by the Administrative Review Board on Enemy Combatant's requests for witness statements and home country statements provided through the United States

(U) The EC is a citizen of Saudi Arabia.

(U) No witness or home country statements were provided.

6. (U) **Consultations with the Administrative Review Board Legal Advisor**

(U) [redacted]

7. (U) **Conclusions and Recommendation of the Administrative Review Board**

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(S/NF) [redacted]

(S/NF) [redacted]

(S/NF) [redacted]

(U) The Board unanimously recommends ISN 588 for [redacted]

8. (U) **Dissenting Board Member's report**

(U) The Board reached a unanimous decision.

[redacted]

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1000 Navy Pentagon, Washington, D.C. 20350-1000

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ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 12-19-05

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 651 (JORDAN)**

- Subject ARB was held on 1 December 2005 resulting in a unanimous recommendation to [redacted] subject ISN based on the following:

[redacted]

- Intelligence inputs used in the ARB's determination of the subject ISN included:

[redacted]

- Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DASD-DA	[redacted]	
CIA		
FBI		
Dept of State		

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

RECOMMENDATION: That the DCO [redacted]

[redacted] (Transfer) 12-27-05

Or: Continue to Detain _____, Release_____

Attachments:
Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [redacted]

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS OF ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 651

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 651 continues to be a threat to the United States and its allies. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The enemy combatant (EC) chose to attend the ARB. The Designated Military Officer (DMO) presented the unclassified summary, both in a written form and with an oral summary of the unclassified primary factors.

(U) The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified as enclosure (3). The EC chose to participate in the ARB and provided an oral statement. Based on council from his lawyer, the EC refused to answer any ARB member questions.

(U) The unclassified portion of the proceeding was adjourned. The ARB moved to the classified session and the DMO presented the classified summary. The ARB panel members reviewed the classified exhibits and the session was then closed for deliberation.

3. (U) Primary Documents, Assessments, Testimony, and Other Considerations by the Administrative Review Board

(S//NF) [redacted]

(U) The government agency assessments considered by the ARB are summarized as follows:

(S//NF) [redacted]

[redacted]

(S//NF) [redacted]

(FOUO//LES) [redacted]

(S//NF) [redacted]

(S) [redacted]

(S//NF) [redacted]

4. (U) Discussion of the Primary Factors (including intelligence value and law enforcement value of the Enemy Combatant)

(U) The ARB considered the agency assessments given in paragraph three above and the following key indicators in its threat and intelligence assessment of the EC:

a. (U) Recruitment

- (S//NF) [redacted]

- (S//NF) [redacted]

b. (U) Travel

- (S//NF) [redacted]
- (S//NF) [redacted]
- (S//NF) [redacted]
  - (S//NF) [redacted]
  - (S//NF) [redacted]
    - (S//NF) [redacted]

c. (S//NF) [redacted]

d. (U) Combat/Operational Experience

- (S//NF) [redacted]

- (S//NF) [redacted]
- (S//NF) [redacted]
  - (S//NF) [redacted]
    - (S//NF) [redacted]
- (S//NF) [redacted]

e. (U) Capture

- (S//NF) [redacted]
- (S//NF) [redacted]
  - (S) [redacted]
    - (S//NF) [redacted]

f. (U) Connections/Associations

- (S//NF) [redacted]
- (S//NF) [redacted]
  - (S//NF) [redacted]
  - (C) [redacted]

g. (S//NF) [redacted]

h. (U) Written and/or Oral Testimony from the EC. The EC provided an oral response to allegations stated in the Unclassified Summary of Evidence.

i. (U) Other

- (FOUO//LES) [redacted]
- (S//NF) [redacted]

j. (U) Factors in support of release

- (S//NF) [redacted]
- (S//NF) [redacted]

5. (U) Considerations by the Administrative Review Board on the Enemy Combatant's Requests for Witness Statements and Home Country Statements Provided Through the United States

(U) The EC is a citizen of Jordan. No witness or home country statements provided.

6. (U) **Consultations with the Administrative Review Board Legal Advisor**

(U) [redacted]

7. (U) **Conclusions and Recommendation of the Administrative Review Board**

(S//NF) [redacted]

(S//NF) [redacted]

(S//NF) [redacted]

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(S//NF) [redacted]

8. (U) **Dissenting Board Member's Report**

(U) There were no dissenting members in the decision.

Respectfully submitted,

[redacted]

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1000 Navy Pentagon, Washington, D.C. 20350-1000

~~SECRET//NOFORN~~

ACTION MEMO

26 July 2005

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 652 (SAUDI ARABIA)**

- Subject ARB was held on 5 July 2005 resulting in a unanimous recommendation to [redacted] subject ISN based on the following:

[redacted]

- Intelligence inputs used in the ARB's determination of the subject ISN included:

[redacted]

- Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DASD-DA	[redacted]	
CIA		
FBI		

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

RECOMMENDATION: [redacted] transfer 7-28

Or: Detain _____, Release _____

Attachments:
Tab A OARDEC SJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [redacted]

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS OF ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 652

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 652 continues to be a threat to the United States and its allies. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The Enemy Combatant (EC) chose not to attend the ARB. The Designated Military Officer (DMO) presented the unclassified summary, both in a written form and with an oral summary of the unclassified primary factors.

(U) The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified herein as Enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as Enclosure (3). The EC chose not to participate, as shown in exhibit EC-B. The AMO verbally summarized the detainee's responses to the Unclassified Summary of Evidence during the interview.

(U) The unclassified portion of the proceeding was adjourned. The ARB moved to the classified session and the DMO presented the classified summary. The ARB panel members reviewed the classified exhibits and the session was then closed for deliberation.

3. (U) Primary Documents, Assessments, Testimony, and Other Considerations by the Administrative Review Board

(S/NF) [redacted]

(U) The government agency assessments considered by the ARB are summarized as follows:

(S/NF) [redacted]

[redacted]

(S/NF) [redacted]

(FOUO/LES) [redacted]

(U) [redacted]

(S/NF) [redacted]

(S) [redacted]

4. (U) Discussion of the Primary Factors (including intelligence value and law enforcement value of the Enemy Combatant)

(U) The ARB considered the agency assessments given in paragraph 3 above and the following key indicators in its threat and intelligence assessment of the detainee:

a. (S/NF) [redacted]

- (S/NF) [redacted]
- (FOUO/LES) [redacted]
- (S/NF) [redacted]
- (FOUO/LES) [redacted]

b. (U) Travel/Guesthouse Stays: The detainee departed Saudi Arabia in February 2001 and arrived in Afghanistan in August 2001 via Pakistan.

- (FOUO/LES) [redacted]
- (FOUO/LES) [redacted]
- (S/NF) [redacted]

[redacted]

- (S/NF) [redacted]
  - o (S/NF) [redacted]
- (S/REL) [redacted]
  - o (S/NF) [redacted]

c. (U) Training:

- (U) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]

d. (U) Combat/Operational Experience: The detainee worked for al Wafa in Pakistan and Afghanistan.

- (FOUO/LES) [redacted]
- (S/NF) [redacted]

e. (U) Capture: After the fall of Afghanistan to the Northern Alliance, the detainee and Jabir were arrested and held for 4-months and then turned over to U.S. forces.

- (S/NF) [redacted]
- (FOUO/LES) [redacted]
- (S) [redacted]

f. (U) Connections/Associations: The detainee was affiliated with al Qaida and al Wafa.

- (S/NF) [redacted]
- (S/NF) [redacted]

- (U) [redacted]

g. (U) Behavior: Detainee has a history of aggressive behavior with multiple acts of assault on his disciplinary record.

- (S/NF) [redacted]
- (S/C) [redacted]
- (S) [redacted]
- (S/NF) [redacted]
- (S) [redacted]
- (S/NF) [redacted]

h. (FOUO/LES) Other:

- (FOUO/LES) [redacted]

i. (U) Written and/or Oral Testimony from the Detainee:

- (U) Through the AMO, the detainee provided information in response to allegations stated in the Unclassified Summary of Evidence.

j. (U) Factors in support of release: [redacted]

- (FOUO/LES) [redacted]
- (FOUO/LES) [redacted]
- (FOUO/LES) [redacted]
- (FOUO/LES) [redacted]

5. (U) Considerations by the Administrative Review Board on the Enemy Combatant's Requests for Witness Statements and Home Country Statements Provided Through the United States

(U) The detainee is a citizen of Saudi Arabia.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(U) [redacted].

7. (U) Conclusions and Recommendation of the Administrative Review Board

(S/NF) [redacted]

(S/NF) [redacted]

(S/NF) [redacted]

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(U) [redacted]

[redacted]

8. (U) **Dissenting Board Member's Report**

(U) There were no dissenting members in the decision.

Respectfully submitted,

[redacted]

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1000 Navy Pentagon, Washington, D.C. 20350-1000

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 655 (AFGHANISTAN)**

- Subject ARB was held on 28 July 2005 resulting in a unanimous recommendation to [redacted] subject ISN based on the following:

[redacted]

- Intelligence inputs used in the ARB's determination of the subject ISN included:

[redacted]

- Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DASD-DA	[redacted]	
CIA		
FBI		
Dept of State		

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

RECOMMENDATION: That the DCO [redacted]

[redacted] (Release) 10-17-05

Or: Continue to Detain _____, Transfer_____

Attachments:
Tab A OARDEC SJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [redacted]

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 655

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 655 continues to [redacted] threat to the United States and its allies. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The Enemy Combatant (EC) chose to attend, and consequently the board was convened with the EC present. The Designated Military Officer (DMO) presented the unclassified summary, both in a written form and with an oral summary of the unclassified primary factors.

(U) The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified herein as Enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as Enclosure (3). The AMO stated the EC desired to speak openly with the ARB in regard to the Unclassified Summary of Evidence.

(U) The EC provided a verbal response to each allegation/statement included in the Unclassified Summary of Evidence. His responses consisted of a line-by-line confirmation or denial of the bullets in paragraphs 3 and 4 of the unclassified summary. The EC answered a series of questions from the ARB, as documented in Enclosure (5), regarding his personal knowledge of known Al Qaida members or leaders with whom he is reported to have associated. The Board also inquired about the circumstances of his arrest.

(U) The unclassified portion of the proceeding was adjourned. The ARB moved to the classified session and the DMO presented the classified summary. The ARB panel members reviewed the classified exhibits and the session was then closed for deliberation.

3. (U) Primary Documents, Assessments, Testimony and Other Considerations by the Administrative Review Board

(S/NF) [redacted]

(U) The following government agency assessments considered by the ARB are summarized as follows:

(S/NF) [redacted]

(S/NF/OC) [redacted]

(FOUO/LES) [redacted]

(S/NF) [redacted]

(S/NF) [redacted]

4. (U) Discussion of the Primary Factors (including intelligence value and law enforcement value of the Enemy Combatant)

(U) The ARB considered the above agency assessments and the following key indicators in its threat and intelligence assessment of the EC:

a. (U) Recruitment.

- (S) [redacted]

b. (U) Training.

- (FOUO//LES) [redacted]

c. (U) Combat and capture. [redacted]

- (S) [redacted]
- (FOUO//LES) [redacted]
- (S) [redacted]
- (S) [redacted]
- (FOUO//LES) [redacted]
- (S//NF) [redacted]
- (FOUO) [redacted]

d. (U) Organizational affiliations.

- (FOUO//LES) [redacted]
- (FOUO//LES) [redacted]

e. (U) Individual affiliations.

- (S) [redacted]

f. (U) Behavior.

- (FOUO) [redacted]

g. (U) Written and/or oral testimony from the EC.

- (U) The EC responded verbally to every item in the Unclassified Summary of Evidence (DMO-1). All allegations associated with the Taliban or terrorist activities were denied.

h. (U) Factors in support of release.

- (FOUO//LES) [redacted]
- (FOUO//LES) [redacted]
- (S) [redacted]

i. (S/NF) [redacted]

j. (S/NF) [redacted]

k. (S/NF) [redacted]

[redacted]

5. (U) Considerations by the Administrative Review Board on the Enemy Combatant's requests for Witness Statements and Home Country Statements provided through the United States

(U) The EC is a citizen of Afghanistan. No witness or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(U) [redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(U) The EC [redacted] pose a threat to the United States and its allies. The EC is of [redacted] intelligence value. Recommend ISN 655 [redacted]

8. (U) Dissenting Board Member's report

(U) The panel reached a unanimous decision.

Respectfully submitted,

[redacted]

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1000 Navy Pentagon, Washington, D.C. 20350-1000

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

JUL 26 2005

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 664 (SAUDI ARABIA)**

- Subject ARB was held on 14 June 2005 resulting in a unanimous recommendation [redacted] based on the following:
  - Threat Assessment: [redacted]
  - Intelligence Value:
  - Other Factors: [redacted]
- Intelligence inputs used in the ARB's determination of the subject ISN included:
  - [redacted]
- Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DASD-DA	[redacted]	
CIA		
FBI		
Dept of State		

- The ARB recommended that [redacted]
  - [redacted]

- [redacted]
- [redacted]

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

RECOMMENDATION: That the DCO [redacted]

[redacted] (Transfer) 7-28

Or: Continue to Detain _____, Release_____

Attachments:
Tab A OARDEC SJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [redacted] phone number [redacted]

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 664

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 664 [redacted]. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The ARB was convened and began its proceedings with the Enemy Combatant (EC) present. The Designated Military Officer (DMO) presented the unclassified summary, both in written form and with an oral summary of the unclassified primary factors. The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified herein as Enclosure (2). The AMO also presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as Enclosure (3). Exhibit EC-B indicates the EC wanted the assistance of the Assisting Military Officer and chose to participate and appear. The EC initially provided comments to the AMO and requested he read them on his behalf, however, during the ARB, the EC elected to respond verbally to each comment contained in Exhibit EC-B and denied and/or qualified the information contained in the unclassified summary. The EC's comments were also received by the ARB. The board asked questions to further clarify the information in the unclassified summary. The unclassified part of the proceeding was adjourned. The ARB moved to the classified portion of the session and the DMO presented the classified summary. An ARB member had a clarification question that was answered satisfactorily. The session was then closed for deliberation. During deliberation the board strongly considered the Enemy Combatant's background, travel, associations and ultimate capture in Pakistan.

3. (U) Primary Documents, Assessments, Testimony and other Considerations by the Administrative Review Board

~~(S/NF)~~ [redacted]

(U) The following assessments considered by the ARB are summarized as follows:

~~(S/NF)~~ [redacted]

[redacted]

~~(S/NF)~~ [redacted]

~~(FOUO/LES)~~ [redacted]

~~(S/NF)~~ [redacted]

~~(S/NF)~~ [redacted]

4. (U) Discussion of the primary factors (including intelligence value and law enforcement value of the Enemy Combatant)

(U) [redacted]

a. ~~(S/NF)~~ [redacted]

[redacted]

b. ~~(S)~~ [redacted]

c. ~~(FOUO/LES)~~ [redacted]

d. ~~(S/NF)~~ [redacted]

e. ~~(S/NF)~~ [redacted]

[redacted]

f. (~~S//NF~~) [redacted]

g. (~~S//NF~~) [redacted]

h. (~~S//NF~~) [redacted]

[redacted]

i. (S/NF) [redacted]

j. ~~(S/NF)~~ Level of Threat Summary: [redacted]

k. ~~(S/NF)~~ Intelligence Value Summary: [redacted]

l. ~~(S/NF)~~ Agency Recommendations: [redacted]

5. (U) Considerations by the Administrative Review Board on Enemy Combatant's requests for witness statements and home country statements provided through the United States

(U) The EC is a citizen of the Kingdom of Saudi Arabia. No witness or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

[redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(U) The EC is a [redacted] Recommend [redacted]

- [redacted]

8. (U) Dissenting Board Member's report

(U) There were no dissenting members in the decision.

Respectfully submitted,

[redacted]

//Colonel, U.S. Marine Corps
Presiding Officer

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1000 Navy Pentagon, Washington, D.C. 20350-1000

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 670 (AFGHANISTAN)**

- Subject ARB was held on 14 July 2005 resulting in a unanimous recommendation to [redacted] subject ISN based on the following:

[redacted]

- Intelligence inputs used in the ARB's determination of the subject ISN included:

[redacted]

- Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DASD-DA	[redacted]	
CIA		
FBI		
Dept of State		

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 670 (AFGHANISTAN)**

RECOMMENDATION: That the DCO [redacted]

[redacted] (Transfer) 10-5-05

Or: Continue to Detain _____, Release _____

Attachments:
Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [redacted]

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 670

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 670 continues to be a threat to the United States and its allies. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The Enemy Combatant (EC) chose to attend. The ARB was convened and conducted its proceedings with the EC present. The Designated Military Officer (DMO) presented the unclassified summary, both in a written form and with an oral summary of the unclassified factors. (U) The Presiding Officer queried the EC to ascertain that EC understood the purpose and procedures involved in the ARB process. The oral summary was read by the DMO and translated to the EC. The Presiding Officer allowed the EC to comment on each statement as it was read.

(U) The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified herein as Enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as Enclosure (3). Exhibit EC-B indicated that the EC was interviewed by the AMO and chose to appear before the Board. Exhibit EC-B also indicated that the EC wanted the assistance of the AMO at the Board. The AMO then read the summary of the interview from the Enemy Combatant Election Form. The EC commented on the summary which the AMO had read. The EC read his statement and it was translated for the ARB.

(U) The Board queried the EC on the unclassified summary and those statements which the EC made to the Board.

(U) The unclassified portion of the proceeding was adjourned. The ARB moved to the classified session and the DMO presented the classified summary. The ARB panel members reviewed the classified exhibits and the DMO and AMO answered questions posed by the Board. The session was then closed for deliberation.

3. (U) Primary Documents, Assessments, Testimony, and other Considerations by the Administrative Review Board

(S/NF) [redacted]

(U) The following government agency assessments considered by the ARB are summarized as follows:

(S/NF) [redacted]

(S/NF/OC) [redacted]

(FOUO/LES) [redacted]

(S/NF) [redacted]

(S/NF) [redacted]

4. (U) Discussion of the primary factors (including intelligence value and law enforcement value of the Enemy Combatant).

(U) The information presented to the ARB supports the recommendations made by the reporting agencies.

(U) The "Copies of Documented Evidence" package was reviewed for information from agencies known to perform original intelligence collection (interviews) directly from the EC

(CITF, FBI, and JTF-GTMO). For this reason, and the fact that other documents generally appear to have derived their information from them, the Board primarily cites those original intelligence collection documents. However, the Board carefully considered all provided documents, and cites those that provide differing or additional information as well.

a. (U) Recruitment

(S/NF) [redacted]

- (S/NF) [redacted]

b. (U) Travel

(S/NF) [redacted]

- (S/NF) [redacted]

c. (U) Training

(S/NF) [redacted]

- (S/NF) [redacted]

d. (U) Combat and capture

- (S/NF) [redacted]

e. (U) Organizational affiliations

(S/NF) [redacted]

- (S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]

f. (U) Individual affiliations

(S/NF) [redacted]

- (S/NF/OC) [redacted]
- (S/NF) [redacted]

g. (U) Behavior

(S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF) [redacted]
- (S/NF) [redacted]

h. (U) Written and/or oral testimony from the EC

(S/NF) [redacted]

- (U) The EC provided no written testimony.

i. (U) Factors in support of release

(S/NF) [redacted]

- (U) No letters from family members regarding this EC were submitted.
- (U) The Government of Afghanistan did not submit a letter on behalf of this EC.

j. (U) Level of Threat Summary

(S/NF) [redacted]

- (S/NF) [redacted]

k. (U) Intelligence Value Summary

(S/NF) [redacted]

(S/NF) [redacted]

- (S/NF) [redacted]
- (S/NF/OC) [redacted]

l. (U) Agency Recommendations

(S/NF) [redacted]

5. (U) Considerations by the Administrative Review Board on Enemy Combatant's requests for witness statements and home country statements provided through the United States

(U) The EC is a citizen of Afghanistan.

(U) No witness or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(U) [redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(U) [redacted]

(S/NF) [redacted]

(S/NF/OC) [redacted]

(U) The Board unanimously recommends ISN 670 for [redacted]

8. (U) Dissenting Board Member's report

(U) The Board reached a unanimous decision.

Respectfully submitted,

[redacted]