

Summarized Sworn Detainee Statement

When asked by the Tribunal President if the Detainee understood the Tribunal process, the Detainee stated, "yes."

After taking the Muslim Oath, the Detainee made the following sworn statement:

Detainee: First, I would like to object that I am associated with al Qaida or the Taliban. [although] I did attend training at the camps.

Regarding paragraph 3.a.1 [The Detainee traveled to the Philippines toward the end of 1996 or the beginning of 1997 to train for Jihad at Camp Vietnam], that is correct. I was in the Philippines and spent almost twenty days there. I was with MILF in Denau (the Phillipines) (that is, with the Moro Islamic Liberation Front). I know they were not related to al Qaida or the Taliban because it was in the Philippines. They were fighting the Philippine government because the government took their freedom. I went there to check out the situation and I received training on the M-16 and RPG. I got the justification I needed and returned to my country. MILF is not related or associated with al Qaida or the Taliban.

I went to Afghanistan in 1997, to the Khalden Camp in Khost. The Khalden Camp is not associated with the Taliban or al Qaida. This camp has been open since 1988 during the time of the Soviet Union. At that time, al Qaida had some camps near Khalden Camp, but Khalden Camp wasn't under the direct control of al Qaida or the Taliban. It was open before the Taliban took over Afghanistan. Of course, the Taliban wanted this camp to run, but it wasn't under their control.

Paragraph 3.a.4 [The Detainee attended three courses at the Khalden Camp; The Basic, the Gunnery, and the Tactics course]. I did attend the Basic training and the artillery training. The 75mm rifle wasn't American, it was Soviet. The Urban Warfare Tactics course wasn't in the city, it was in the mountains.

I went back to my country and I stayed for a while before returning to Afghanistan in June 2001 to continue my training. I joined a private small camp outside of Jalalabad; there were only about ten of us. I skipped training to earn money, but it wasn't related to al Qaida. This camp also had no affiliation with al Qaida or the Taliban. A month later, the Taliban and al Qaida closed the camp in July 2001. I did receive training in that Camp.

Paragraph 3.a.9 [The Detainee stayed at an al Qaida guesthouse in Kandahar, Afghanistan]. I was compelled to stay there, because when I first arrived in Afghanistan in 2001, they asked where I was going. Then they took me to an al Qaida guesthouse. Everyone was required to go to the house because they checked passports and wanted to know the reason you were visiting. They asked if I wanted to receive training. I told them no, I only came here to go to (inaudible) with my friends. I spent two weeks in the

guesthouse, and they told me I was free to go wherever I wanted. I left the guesthouse and didn't return. I was compelled to go to the guesthouse because if I hadn't they would have classified me as a spy. I was convinced to go to the house and get help to find my friends that I have known since 1997. I stayed there because I was confused. When I got my thoughts together, I left.

Paragraph 3.a.10 [The Detainee was apprehended by Pakistani authorities in Pakistan]. When I left Afghanistan in September, I took a long trip through the mountains by myself to the Pakistani checkpoints. It was very tiring. I asked the authorities to take me to my Embassy.

Summarized Answers in Response to Questions by the Personal Representative:

Q: Paragraph 3.a.3, [The Detainee traveled to Afghanistan in 1997 and trained at the Khalden Camp]. Was that camp ever closed?

A: Yes, this camp was closed in early 2000 because it didn't belong to al Qaida. I wasn't in Afghanistan at the time; I was in my country. But, I heard they put pressure on the camp and closed it because it was out of their control.

Personal Representative: Your testimony, then, is that it wasn't an al Qaida camp?

Detainee: It wasn't an al Qaida camp because when America bombed al Qaida camps in 1998, they didn't bomb this one. I believe the reason they didn't bomb it was because they knew it didn't belong to al Qaida.

Q: Paragraph 3.a.7 [The Detainee's Tactics Course consisted of learning camouflage, map reading, urban warfare, and small unit tactics]. Did you do any urban warfare training there?

A: We learned tactics and map reading but nothing about urban warfare.

Summarized Answers in Response to Questions by the Tribunal Members:

Q: Are you from Saudi Arabia?

A: Yes.

Q: Do you have a background in military service?

A: No.

Q: What kind of military training have you had besides what we have heard today?

A: None, that was all the military training I had.

Q: The first point says the reason you went to the Philippines was to train for Jihad, is that correct?

A: I went there to check out the situation, not just for training. I wanted to see if they were right, and good people. If they could convince me, I would support them. After I got there, I realized it wasn't for me because at the time, I didn't have adequate training. I wanted to be a soldier, but the training there wasn't any help. After I saw the situation, I got some training and left. I was only there for twenty days.

Q: When you made the decision to go, was it for a religious reason also?

A: I felt I had to help those people in the Philippines. I looked at many cases and saw what was happening in Bosnia-Herzegovina and Chechnya. It was convenient and the opportunity was there for me to go and help.

Q: The Moro Islamic Liberation Front, they are the Muslims who are there now?

A: Yes, they are the Muslims who are there now.

Q: They were fighting the Philippine government?

A: Yes, for a long time, since President Marcos was there. I believe in Jihad to struggle for your rights and freedom. I went there for that reason, not to be a terrorist or part of al Qaida. I wasn't a member of al Qaida or on the front lines with the Taliban because I don't believe in what they are doing. I believe what the Taliban did in Afghanistan was ethnic war. Al Qaida is a terrorist organization. I was with MILF and MILF has no relation with al Qaida.

Q: They were related with Abu Sayyaf, weren't they?

A: They are different. Abu Sayyaf is a small group. MILF had talked about making peace with the government. MILF doesn't just fight about money and they are not linked to Abu Sayyaf. When I was there, I heard about Abu Sayyaf but there was no relationship between MILF and Abu Said.

Q: You got your training in the Philippines, went back to Saudi Arabia, then you went to Afghanistan to get training?

A: Yes, as I told you, when I went to the Philippines there wasn't anyplace to receive adequate training. When I was in the Philippines, I had met some guys that had been in Afghanistan. They gave me some advice and told me about the training in Khalden Camp. When the opportunity was available, I went back to Afghanistan for training.

Q: The real reason you wanted all this training was, in case you were called upon to be a warrior, you would be ready?

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A: That's right, to be ready to be a Jihadist or a soldier. That is what I believed at that time.

Q: We have heard that many people were being encouraged to live in Afghanistan to help the Taliban because it was a pure Muslim state or trying to be a pure Muslim state? Do you share that view?

A: I wasn't sure with them on this point because I believed it was an ethnic war between the North and South, Farsi and Pashtu. I learned this was happening in Afghanistan, but I didn't feel this was the right struggle or Jihad. Some people believe the Taliban is pure Islamic, but I don't believe that.

Q: You didn't think the people in Afghanistan in the South were being repressed by the people in the North?

A: If the opportunity arose in the North, the North would do the same. I believe what happened in Afghanistan was an ethnic war.

Q: When you went to Pakistan, you mentioned when you were at the guesthouse you had to check in?

A: When I went to Afghanistan the second time because the first time Khalden Camp was in Afghanistan. When you have connections with the people in Khalden Camp, you have to go to the houses in Pakistan and Afghanistan so you don't end up in an al Qaida guesthouse. I joined in 2001, after they closed the camp in 2000. Because it was closed, there wasn't a guesthouse for the Khalden Camp. I knew how to get into Afghanistan because I had been there before. When new people arrive in Afghanistan, the Taliban stops them because they are strangers. They are asked who they are and where are they going. I went to get training, so they took me to that guesthouse. I was checked out and so was my passport. When I got to the guesthouse I said I had been in Afghanistan before and I told them whom I knew. I was told they didn't know these people but they were sure I did, so they told me I was free to go, and travel wherever I wanted.

Q: When you went back there the second time, if Khalden Camp had already been closed, how did you expect to find your friends if they had left the camp?

A: Because they were famous and everyone knew them. I knew they were still there. When I went back, I asked about them and I found them.

Q: Your famous friends, what were their names?

A: Abu Zubaydah and Meshir.

Q: When you stayed at the guesthouse, did they ask you to leave your passport there for safekeeping?

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A: No, actually they gave me a choice as to whether I wanted to keep my passport there or not. They asked me if I wanted to leave my passport and attend training, or I could stay there. I told them I already had the training, so I didn't need it. They said okay.

Q: You were able to keep the passport with you the whole time, even when you were leaving to go?

A: Yes, I could keep it with me if I wanted.

Q: When you were apprehended in Pakistan did you have it with you?

A: No, actually it wasn't my passport. It's a long story. It was my brother's passport; I didn't have one. It's a long story. When I got to the guesthouse I sent it back to him.

Q: One of the reasons the Pakistanis apprehended you was because you didn't have a passport?

A: Yes. I went to them so they could help me get to my Embassy. I wanted to get a new passport so I could return to my country.

Q: When you were in jail, did a Saudi representative come see you?

A: Yes, he came. He couldn't get us before the Americans did.

Q: Do you consider the United States to be an enemy?

A: No. I'm an educated guy and I understand politics. Just because the United States doesn't help us in some places, it doesn't mean they are our enemy. I have my beliefs since I first started Jihad. I don't have to believe everyone. I have my knowledge and mind. I have to think about everything. I don't consider the United States an enemy. The United States government has made some wrong decisions, but that doesn't give me the right to consider them an enemy or to kill their people. I don't believe that way. Many members of my family are Americans. My brother married a woman from America. They have four kids who are also American. My other brother had daughters that were born in the United States. My cousin lives in America and has a United States passport, an American wife and children. They all live in America and all have American passports. I believe America is like any nation. They are the superpower. They are wrong in some points and they are right in some points. That doesn't give me the right to consider them an enemy or to kill their people. I was sorry about the 11 September attacks because it was hard to believe it was done in the name of Islam. I believe in struggle. If you are a soldier and you want to struggle, you have to fight man to man on the front line if you are right. Killing people in their houses is wrong. What

happened was wrong and it affected everyone. I can't change it, but I wish I had had a chance to stop it.

Q: If you were released from the camp, what would you do with the rest of your life?

A: I made mistakes. When I left my country I felt my family didn't need me because they had money, they had everything. I wanted to find people that needed my help. I was twenty-one at the time. I was away from my family because my job was almost one thousand miles from my home. When I was away from my family, strange ideas came to my mind. I wanted to go help Muslims get their freedom. I went to the Philippines, then to Afghanistan, and got involved in all these things. I had to continue, I couldn't stop at that point. The three years I spent here was a good time for me to think about the mistakes I had made. I left my family. I think they need me to be with them. If I go back, I will stay with my family and give them advice and explain to them the difference between struggle and terrorism. I have experience now and can direct them. I don't want them cheated by someone like Usama Bin Laden, or the Taliban. I want to educate them so they think before they make any decisions. They must first care about their family and country. Then, if they want to help others, they have to find out what is happening. I shouldn't have been in Afghanistan because it was a place for bad people, good people, neutral people, everyone. Americans went there and took everybody and brought them here. I shouldn't have been in Afghanistan. I'm twenty-nine now, and I won't make this same mistake again.

Q: Originally, before you left for Jihad, you said you were working a thousand miles from home?

A: Yes.

Q: Doing what?

A: I was working in an electric company as a control operator at the Saudi Electric Company.

Q: What function at the electric company?

A: Operator.

Q: When you went to the Philippines and later to Afghanistan, where did the money come from to do that?

A: I saved the money when I was working. They paid well, so I had enough money to live in Afghanistan. It was all from my money.

Q: No one helped you to get money to go to...?

A: No, because I didn't need it. If I had to help people, I had to go by myself. I had the money so I didn't need to ask for help.

Q: You mentioned you were educated and you could think about the situation and make your own decisions. Did you follow any fatwas or anyone else's ideas?

A: We had fatwa about Jihad for a long time. The right Jihad, the right struggle, to help people get their legal rights. That is what I believed and that was the fatwa I gave. I decided to give the reward of the God so I had to help these people. It didn't mean I had to be a soldier and go fight. When there was a war, I would be fighting. When there was peace, I would be a teacher to the kids. That is what struggle meant to me.

Tribunal Member: You sound like a man of conviction.

Detainee: Yes.

Q: You mentioned if you considered someone an enemy, you believe it is okay to take an action (do whatever is necessary, to meet them on the front lines)?

A: Yes, if he is a real enemy and there is war. If there is peace or there are talks about peace, I have to follow what the people I am with want to do. If there is fighting, I would have to fight.

Q: It would be fighting on the front lines?

A: Yes, but not attacking civilians. I would leave my family because they're not involved in that.

Q: If you have strong beliefs and you would fight an enemy you believe is a rightful enemy, but you don't have the power to compete with that enemy, what would you do?

A: There are other things. If they attack you or your country, you have to fight. If you're not ready to attack them, you don't have to. This happened in the Philippines. Marcos killed several Muslims and didn't give them rights. That case has built up until now. The war now isn't like it was in 1970. When I went there, it wasn't a big fight. I went there because these people needed my help. I wanted to get their hearts. If there are any cases like what happened in Bosnia-Herzegovina I would go there. At that time, Bosnia-Herzegovina was finished, so I wasn't needed there.

Q: What about now; if you were needed outside of Saudi Arabia, are you saying you would or would not be available?

A: After what has happened now?

Tribunal Member: Yes.

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A: I think I would have to be with my family now because they need me and I need to be with them. At that time I was young, only twenty-one. I was zealous. I believe the people should have their legal rights and freedom, but I don't think they need me there to help them. I have to take care of my family.

Q: Have you helped the Taliban or al Qaida in the past?

A: No, I haven't. I may have had some friends in al Qaida that I knew before they were al Qaida, because I met them in the Philippines or in the camps in Afghanistan. Maybe they joined al Qaida, but that doesn't mean I am part of al Qaida. Maybe they are friends of al Qaida but they're not members of al Qaida. Maybe al Qaida had their names. Each one knows each other.

Q: Have you ever fired a weapon other than in training?

A: I went hunting sometimes in Saudi Arabia.

Q: What do you hunt in Saudi Arabia?

A: Rabbits.

Q: I understand you traveled back to Afghanistan in July 2001. You traveled later that year to Pakistan before being detained by the authorities in Pakistan. What month would that have been (November, December)?

A: I got to Afghanistan in June 2001. I began the training in Jalalabad in July. I stayed in the guesthouse for two weeks. I was ready to leave Afghanistan before the 11 September attacks. I got a new passport and was headed back to the Philippines. I went to Afghanistan for training and found a place I believed needed my help. When the 11 September attacks occurred, I was stuck in Afghanistan because it was hard to leave during that time. I had to stay until the situation changed. It was dangerous for all Arabs and even some Afghans to stay in Afghanistan. It was the middle of December 2001 when I was with the Pakistani authorities.

Q: That seems to be a lot of time in between July and December. I'm not sure why you didn't leave before December?

A: In July, August and September, I received training at the camp. In September, I was trying to find a passport. I told you I had come to Afghanistan by using my brother's passport. I sent the passport back, and then I tried to find a passport. It's not easy to find a fake passport that fits you, personality and age. All that time I was looking for a passport and receiving training. One or two weeks before 11 September, I received a passport. I had made plans to return to the Philippines but after the attacks, it was hard for anyone to leave Afghanistan.

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Q: I would have thought with such famous friends you wouldn't have much difficulty finding a new passport.

A: It's hard, really hard. Sometimes you find a passport with the incorrect age or with a nationality you can't pass for. They are famous friends but they also have other people they have to take care of. I looked and found a passport. It was for someone younger than I. He was sixteen. I was going to leave Afghanistan using anything. I had to use that passport.

Q: You had your passport now. How did you attempt to leave Afghanistan?

A: At that time, before the attacks of 11 September?

Tribunal President: You had your new passport before 11 September?

A: Yes. I got it one week before the attack.

Q: Why was it so difficult for you to leave? Once you have another passport, you were good to go.

A: The passport wasn't ready. I had to change the picture. You had to take pictures that make you look young. The process wasn't complete. I had to go to Pakistan to take pictures because I couldn't get photos in Afghanistan. I was worried about the passport since it was for a sixteen year old. I wasn't sure if I wanted to use it or not. It takes time and it's not easy to get things done in Afghanistan.

Q: Where did you stay outside of the training camp?

A: The second time, in 2001, I stayed with people at a camp outside of Jalalabad. I traveled between Jalalabad and Kabul. I stayed in Jalalabad at the camp and traveled to Kabul so I could contact my family or to meet Abu Zubaydah or Meshir to get the passport.

Q: Who did you stay with in Kabul?

A: With Abu Zubaydah's assistant. He was an Iraqi. He had a house and lived with his family on the second floor. We lived downstairs. Sometimes Abu Zubaydah came to visit at the house, and that's when I would ask him if he found me a passport.

Q: Outside of the training camp, did you carry any weapons with you as you traveled around Afghanistan?

A: No; even though I traveled alone, it was safe.

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Q: Were you ever transported, or did you ever travel, to the areas where they were fighting?

A: No, because the fighting was in the North of Kabul and I haven't been there. The area of Jalalabad was safe.

Q: When you finally crossed the border of Afghanistan to Pakistan in December 2001, who else was with you?

A: Two friends of mine that I attended training with. They were from Tunis. We were all living in the same house in Jalalabad. When I found out it wasn't safe in Jalalabad any longer, we left and stayed in another small village outside of Jalalabad until we had the chance to leave Afghanistan. We divided into two groups and left after about two weeks. We walked. It was a long trip through the mountains. I was sick and tired and that is why I went to the Pakistani authorities. I thought they would take me to my Embassy. I was wrong and they were right.

Q: Did you at any time pay for your training or accommodations while you were in Afghanistan between July and December of 2001?

A: The first time, when I was in Khalden Camp, I didn't have to pay anything. Profit (ph) Camp didn't have a sponsor so I had to pay for the training I received there. On some occasions, I also had to pay for the house and for food.

Q: Did you have much money with you?

A: Almost three thousand dollars.

Q: How much did you have with you when you were detained in Pakistan?

A: Almost twelve hundred dollars.

Q: But no passport?

A: No passport.

Q: No weapons?

A: No weapons.

Q: Twelve hundred dollars?

A: Twelve hundred dollars. That is enough money for Pakistan and Afghanistan.
Tribunal President: It sounds to me like you could almost buy a passport with twelve hundred dollars.

Detainee: No, I didn't buy the passport. I met with Abu Zubaydah and he gave me the passport. Sometimes you can get a passport for free. After I mentioned my situation to Abu Zubaydah, he told me he would try and find me a passport. Abu Zubaydah found one and told me I had a choice if I wanted to bid for it or not. I told him we were friends and I have money, but you got the passport for free, why do you want to charge me? He gave me the passport but it still needed work and I had to go to Pakistan to take care of it. I didn't have the time to take care of all of it.

Q: If you had to pay for a passport, it would be a very valuable commodity?

A: Yes. It could cost approximately five hundred dollars to one thousand dollars. Of course, I was looking for a passport to leave Afghanistan. Several people looked for these passports.

Tribunal Member: It's a commodity that brings a good price.

Detainee: For a business?

Tribunal Member: Well, five hundred to a thousand dollars. You said you had twelve hundred dollars in Pakistan and Afghanistan and that was a lot of money. Five hundred is a pretty good amount.

Detainee: Yes, this is the cost of the passports and several people want them. These passports come from many places around the world, not necessarily from Pakistan. They get them from Saudi Arabia and Europe. The prices are based on the world market. That was okay with me. I would pay anything within limits. I had money at home that I could have my brother send me.

Tribunal Member: I guess you knew Abu Zubaydah pretty well and he just gave you the passport as a friend.

Detainee: As I told you, he tried to charge me.

Tribunal Member: You went back and forth until he decided to give it to you.

Detainee: Yes, that is what happened.

Q: Why didn't you just use your real passport from Saudi Arabia?

A: It is a long story.

Q: There is a reason you didn't have it with you?

A: It is a long story if you would like to read it. It is in the file.

Q: There was a reason? That is what I wanted to know.

A: I didn't have a passport because it was taken away from me. The authorities were looking for me in my country. I was in Afghanistan. I went to Afghanistan in 1997 and went back in 1999. The Pakistani government took my passport away from me. I didn't want to be put in jail. I lived there for two years and I found a house to stay in. It's hard to live somewhere when someone is looking for you. I had to leave again for Jihad. The second time, when I left in 2001, it was because I didn't want to be arrested by the Saudi government. After staying in the village for two years, I decided I had to leave for Jihad. If the authorities hadn't been looking for me, I might have stayed in my country because I already had a job. It was hard to live with the fact that I was wanted (by authorities), so I left.

Q: It was because you had gone to Afghanistan the first time?

A: Yes, the first time in 1997.

Q: The Saudis considered that to be (inaudible)(objectionable)?

A: When I was in Afghanistan and tried to leave in 1998, the Pakistani Intelligence captured me at the airport because they were looking for Abu Zubaydah. At the time, Abu Zubaydah worked at the Khalden Camp receiving people and financing the camp. Meshir was in Afghanistan taking care of the camp. Abu Zubaydah was in Pakistan taking care of business. I was with Abu Zubaydah in Pakistan. The authorities looked for me at the airport because Abu Zubaydah had purchased my tickets. The Pakistani authorities arrested me in 1998. I was in jail for two months. The Pakistani government couldn't catch Abu Zubaydah so they went after the guys getting the training. I was money for them. I was released after two months. I tried to get my passport returned, but they told me they sent it to my Embassy; however, they didn't provide me with anything to show this. In 1998 the Saudi government arrested many Jihadists, so I was afraid to go the Embassy by myself.

After they took my passport I made bad decisions. I was told I didn't have to go the Embassy, or I would be sent back to Saudi Arabia. They put me in jail and tortured me. I decided to get a fake passport and returned to Saudi Arabia in 1999. During that time, I had to wait for the passport. I was in Pakistan, not in Afghanistan. I spent almost nine months in Afghanistan and fifteen months in Pakistan between jail and trying to get my original passport back. I went back to my country in 1999. I wasn't sure if the Saudi government had my passport or not. I found out I was wanted, but I didn't know why. I didn't know if it was because my passport had expired or if it was because they knew I had been in Afghanistan. Immigration was looking for me. They caught me and turned me over to the secret police. I was confused because they didn't look for me at my house. I went back to my job and was there for two years. It was hard for me to stay there because my brothers got married and my father wanted me to get married. I couldn't get married because it would create too many variables. I didn't want to make it

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difficult for my family. They supported me going to Afghanistan. I went back to Afghanistan so I could get a passport and renew my training. As you have said, it's not easy to get a passport. I had friends in Afghanistan that could help me. I went to Afghanistan. I found a guy that was going back to Saudi Arabia, so I gave him my brother's passport so he could return it. The Saudi government captured the guy and they found my brother's passport with my picture on it. I didn't want to make things difficult for my family. I told them I was okay. I chose this life for myself.

The first time I went to Afghanistan was for training. The second time I wasn't prepared to go. The first time I left Afghanistan, I said I was never coming back. I was compelled to go back to Afghanistan to get the passport. I think that was my first mistake. I should have gone to my Embassy in 1998 and told them who I was and that I was in Afghanistan. They might have put me in jail for a while, but they would have released me. At the time, when you are free, it's hard to stay in jail for six months. I won't make this mistake again. I have told the truth here. After I was captured, I told them from the beginning about my training, my relationship with Abu Zubaydah, and what I know about al Qaida. This is the best way to clear myself. I told you what I did. They will do what they have to do. I'm not going to speculate. If I say this they will put me here forever, or think I am al Qaida. I told them everything. I hope that will help me.

Q: When you were with Abu Zubaydah, did you ever see Usama Bin Laden?

A: No. As I told you, he (Abu Zubaydah) was working in Pakistan. He had no relation with Usama Bin Laden in 1998. In 2001, Khalden Camp was closed and Abu Zubaydah didn't have a job. In 1998, Abu Zubaydah and Usama Bin Laden didn't like each other. In 2001, I think the relationship was okay. Usama Bin Laden put pressure on Meshir to close Khalden Camp. Everyone that wanted to be a Jihadist needed training. I'm sure you will find several people here are not from al Qaida but they received training at Khalden Camp because of an agreement. I think Usama Bin Laden is wrong. He just wants to be famous. He doesn't care how he does it, killing people, killing Muslims, or destroying countries. I think he got what he wanted - to be famous. I don't need to meet him. I don't understand the politics. People look at the vision of Usama Bin Laden and believe America is their enemy. They don't understand what is going on or what happened in Afghanistan in 1980. People consider Usama Bin Laden a god. These are my feelings about al Qaida and the Taliban.

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I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.



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