

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

BENNY AH-AMIR,

Petitioner

v.

GEORGE WALKER BUSH, *et al.*,

Respondents.

Civil Action No. 05-0723 (RWR)

DECLARATION OF JOSEPH S. IMBURGIA

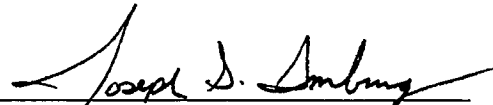
Pursuant to 28 U.S.C. § 1746, I, Major Joseph S. Imburgia, Judge Advocate General's Corps, United States Air Force, hereby state that to the best of my knowledge, information and belief, the following is true, accurate and correct:

1. I am the Assistant Legal Advisor to the Office for the Administrative Review of the Detention of Enemy Combatants at U.S. Naval Base Guantanamo Bay, Cuba (OARDEC). In that capacity, I am an advisor to the Director, Combatant Status Review Tribunals.

2. I hereby certify that the documents attached hereto constitute a true and accurate copy of the portions of the record of proceedings before the Combatant Status Review Tribunal related to petitioner Benny ah-Amir that are suitable for public release. The portions of the record that are classified or considered law enforcement sensitive are not attached hereto or have been redacted. An OARDEC staff member redacted information that would personally identify U.S. Government personnel in order to protect the personal security of those individuals.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 06 July 2005



JOSEPH S. IMBURGIA
Maj, JAGC, USAF



Department of Defense
Director, Combatant Status Review Tribunals

OARDEC/Ser: 960

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25 FEB 2005

From: Director, Combatant Status Review Tribunal

Subj: **REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL FOR
DETAINEE ISN # 710**

Ref: (a) Deputy Secretary of Defense Order of 7 July 2004
(b) Secretary of the Navy Order of 29 July 2004

1. I concur in the decision of the Combatant Status Review Tribunal that Detainee ISN #710 meets the criteria for designation as an Enemy Combatant, in accordance with references (a) and (b).
2. This case is now considered final and the detainee will be scheduled for an Administrative Review Board.

J. M. McGARRAH
RADM, CEC, USN

Distribution:

NSC (Mr. John Bellinger)
DoS (Ambassador Prosper)
DASD-DA
JCS (J5)
SOUTHCOM (CoS)
COMJTFGTMO
OARDEC (Fwd)
CITF Ft Belvoir

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3710

25 Jan 05

MEMORANDUM

From: Assistant Legal Advisor
To: Director, Combatant Status Review Tribunal
Via: Legal Advisor *SRC*

Subj: LEGAL SUFFICIENCY REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL
FOR DETAINEE ISN #710

Ref: (a) Deputy Secretary of Defense Order of 7 July 2004
(b) Secretary of the Navy Implementation Directive of 29 July 2004

Encl: (1) Appointing Order for Tribunal #27 of 9 Dec 2004
(2) Record of Tribunal Proceedings

1. Legal sufficiency review has been completed on the subject Combatant Status Review Tribunal in accordance with references (a) and (b). After reviewing the record of the Tribunal, I find that:

- a. The detainee was properly notified of the Tribunal process and elected to participate in the CSRT by attending the CSRT, and providing a sworn statement, which consisted of responses to the allegations set forth in Exhibit R-1 to Encl. (2). In addition, the detainee responded to questions posed by his personal representative and by Tribunal members. *See* Enclosure (3) to Encl. (2).
- b. The Tribunal was properly convened and constituted by enclosure (1).
- c. The Tribunal substantially complied with all provisions of references (a) and (b).
- d. The detainee did not request that any witnesses or documentary evidence be produced.
- e. The Tribunal's decision that detainee #710 is properly classified as an enemy combatant was unanimous.¹
- f. The detainee's Personal Representative was given the opportunity to review the record of proceedings and declined to submit post-tribunal comments to the Tribunal.

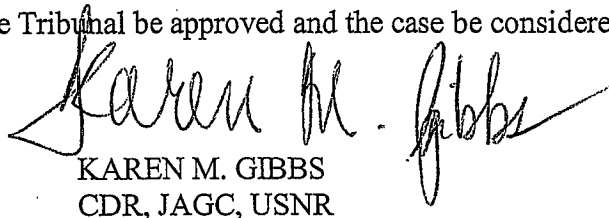
¹ The CSRT originally convened on 1 November 2004 by Tribunal Panel #15, pursuant to an Appointment Order dated 12 October 2004. That Tribunal determined that the detainee was an enemy combatant. However, additional information requested by the Tribunal during its initial determination was finally made available for review before the legal sufficiency review was conducted. The CSRT, accordingly, reconvened to consider that evidence, and again, determined that the detainee is an enemy combatant. *See* Enclosure (1) to Encl. (2).

UNCLASSIFIED

Subj: LEGAL SUFFICIENCY REVIEW OF COMBATANT STATUS REVIEW TRIBUNAL
FOR DETAINEE ISN # 710

2. In my opinion, the majority of the exhibits produced are insufficient to support the decision reached by the CSRT. However, the detainee's own admissions set forth in Enclosure (3) to Encl. (2), combined with Exhibits R-12 through R-16, contain information which a reasonable finder of fact could deem as providing ample support to meet the definition of enemy combatant as set forth in references (a) and (b). Therefore, the proceedings and decision of the Tribunal are legally sufficient, and no corrective action is required.

3. I recommend that the decision of the Tribunal be approved and the case be considered final.


KAREN M. GIBBS
CDR, JAGC, USNR



Department of Defense
Director, Combatant Status Review Tribunals

9 Dec 04

From: Director, Combatant Status Review Tribunals

Subj: APPOINTMENT OF COMBATANT STATUS REVIEW TRIBUNAL #27

Ref: (a) Convening Authority Appointment Letter of 9 July 2004

By the authority given to me in reference (a), a Combatant Status Review Tribunal established by "Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba" dated 29 July 2004 is hereby convened. It shall hear such cases as shall be brought before it without further action of referral or otherwise.

The following commissioned officers shall serve as members of the Tribunal:

MEMBERS:

[REDACTED] Colonel, U.S. Army; President

[REDACTED] Lieutenant Colonel, U.S. Air Force; Member

[REDACTED] Lieutenant Colonel, U.S. Air Force;
Member (JAG)

J. M. McGARRAH
Rear Admiral
Civil Engineer Corps
United States Navy



HEADQUARTERS, OARDEC FORWARD
GUANTANAMO BAY, CUBA
APO AE 09360

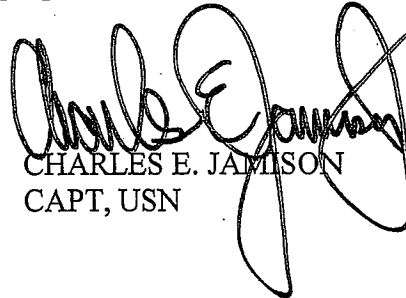
21 January 2005

MEMORANDUM FOR DIRECTOR, CSRT

FROM: OARDEC FORWARD Commander ICO ISN 710

1. Pursuant to Enclosure (1), paragraph (I)(5) of the *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba* dated 29 July 2004, I am forwarding the Combatant Status Review Tribunal Decision Report for the above mentioned ISN for review and action.

2. If there are any questions regarding this package, point of contact on this matter is the undersigned at DSN [REDACTED].


CHARLES E. JAMISON
CAPT, USN

(U) Combatant Status Review Tribunal Decision Report Cover Sheet

(U) This Document is UNCLASSIFIED Upon Removal of Enclosures (2) and (4).

(U) TRIBUNAL PANEL: #27

(U) ISN#: 710

Ref: (a) Convening Order for Tribunal #27 of 9 December 2004 (U)
(b) CSRT Implementation Directive of 29 July 2004 (U)
(c) DEPSECDEF Memo of 7 July 2004 (U)

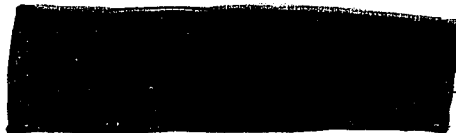
Encl: (1) Unclassified Summary of Basis for Tribunal Decision (U//~~FOUO~~)
(2) Classified Summary of Basis for Tribunal Decision (S//NF)
(3) Summary of Detainee/Witness Testimony (U//~~FOUO~~) - N/A
(4) Copies of Documentary Evidence Presented (S//NF)
(5) Personal Representative's Record Review (U)

(U) This Tribunal was originally convened on 1 November 2004 by Convening Order for Tribunal #15 of 12 October 2004 and reference (b) to make a determination as to whether the detainee met the criteria to be designated as an enemy combatant as defined in reference (c). The Tribunal was reconvened on 15 January 2005 by references (a) and (b), based on the availability of additional evidence, to make a determination as to whether the detainee meets the criteria to be designated as an enemy combatant as defined in reference (c).

(U) The Tribunal has determined that Detainee #710 is properly designated as an enemy combatant as defined in reference (c).

(U) In particular, the Tribunal finds that this detainee is a member of, or affiliated with, al Qaida, as more fully discussed in the enclosures.

(U) Enclosure (1) provides an unclassified account of the basis for the Tribunal's decision. A detailed account of the evidence considered by the Tribunal and its findings of fact are contained in enclosures (1) and (2).



Colonel, U.S. Army
Tribunal President

**UNCLASSIFIED SUMMARY OF BASIS FOR TRIBUNAL
DECISION**

(Enclosure (1) to Combatant Status Review Tribunal Decision Report)

TRIBUNAL PANEL: _____ #27
ISN #: _____ 710

1. Introduction

This Tribunal was originally convened on 1 November 2004 by Tribunal order #15 (12 October 2004). Because the members of this Tribunal are no longer available, this Tribunal was re-convened on 15 January 2005 by Tribunal order #27 (9 December 2004). The recorder presented additional classified exhibits for the Tribunal's consideration.

As the Combatant Status Review Tribunal Decision Report indicates, the Tribunal has determined that this detainee is properly classified as an enemy combatant and is a member of, or affiliated with, al Qaida. In reaching its conclusions, the Tribunal considered both classified and unclassified information. The following is an account of the unclassified evidence considered by the Tribunal. Any classified evidence considered by the Tribunal is discussed in Enclosure (2) to the Combatant Status Review Tribunal Decision Report.

2. Synopsis of Proceedings

The unclassified evidence presented to the Tribunal by the Recorder indicated that the Detainee is associated with al Qaida. Detainee traveled to Pakistan in 1991. Detainee was employed with the Revival of Islamic Heritage Society (RIHS) since 1994. RIHS is suspected of supporting extremist activity, and some employees are suspected of financing terrorism. Illegitimate RIHS funds were reportedly often commingled with legitimate funds and funneled to al Qaida. Detainee traveled to Afghanistan in 1998. Detainee's residence was identified as a suspected al Qaida residence, and raided. Detainee was captured in Pakistan and turned over to American authorities.

3. Evidence Considered by the Tribunal

The Tribunal considered the following evidence in reaching its conclusions:

- a. Exhibits: D-a, R-1 through R-16.
- b. Testimony of the following persons: None.
- c. Sworn statement of the detainee.

4. Rulings by the Tribunal on Detainee Requests for Evidence or Witnesses

Not applicable.

5. Discussion of Unclassified Evidence

The Tribunal considered the following unclassified evidence in making its determinations:

a. The recorder offered Exhibits R-1 and R-2 into evidence during the unclassified portion of the proceeding. Exhibit R-1 is the Unclassified Summary of Evidence. While this summary is helpful in that it provides a broad outline of what the Tribunal can expect to see, it is not persuasive in that it provides conclusory statements without supporting unclassified evidence. Exhibit R-2 provided no usable evidence. Accordingly, the Tribunal had to look to classified exhibits for support of the Unclassified Summary of Evidence.

b. The Tribunal relied on the entire 1 November 2004 unclassified case file.

The Tribunal relied on certain classified evidence in reaching its decision. A discussion of the classified evidence is found in Enclosure (2) to the Combatant Status Review Tribunal Decision Report.

6. Consultations with the CSRT Legal Advisor

No issues arose during the course of this hearing that required consultation with the CSRT legal advisor.

7. Conclusions of the Tribunal


Upon careful review of all the evidence presented in this matter, the Tribunal makes the following determinations:

a. The detainee is properly classified as an enemy combatant and is a member of, or affiliated with al Qaida.

8. Dissenting Tribunal Member's Report

The Tribunal reached a unanimous decision.

Respectfully submitted,


Colonel, U.S. Army
Tribunal President

DETAINEE ELECTION FORM

Date: 28 Oct 2004

Start Time: 1410

End Time: 1515

ISN#: 710

Personal Representative:  LT COL
(Name/Rank)

Translator Required? YES Language? ARABIC


CSRT Procedure Read to Detainee or Written Copy Read by Detainee? YES

Detainee Election:

- Wants to Participate in Tribunal
- Affirmatively Declines to Participate in Tribunal
- Uncooperative or Unresponsive

Personal Representative Comments:

Will attend and speak from translated copy of unclass summary. No witnesses or evidence requests.

Personal Representative: 

Combatant Status Review Board

TO: Tribunal Member

FROM: OIC, CSRT (21 October 2004)

Subject: Summary of Evidence for Combatant Status Review Tribunal – BANI AMIR, Salim Mahmoud Adem Mohammed

1. Under the provisions of the Secretary of the Navy Memorandum, dated 29 July 2004, *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base Cuba*, a Tribunal has been appointed to review the detainee's designation as an enemy combatant.
2. An enemy combatant has been defined as "an individual who was part of or supporting the Taliban or al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners. This includes any person who committed a belligerent act or has directly supported hostilities in aid of enemy armed forces."
3. The United States Government has previously determined that the detainee is an enemy combatant. This determination is based on information possessed by the United States that indicates that detainee is associated with al Qaida.

The detainee is associated with al Qaida:

1. Detainee traveled to Pakistan in 1991.
 2. Detainee was employed with the Revival of Islamic Heritage Society (RIHS) since 1994.
 3. RIHS is suspected of supporting extremist activity, and some employees are suspected of financing terrorism.
 4. Illegitimate RIHS funds were reportedly often commingled with legitimate funds and funneled to al Qaida.
 5. Detainee traveled to Afghanistan in 1998.
 6. Detainee's residence was identified as a suspected al Qaida residence, and raided.
 7. Detainee was captured in Pakistan and turned over to American authorities.
4. The detainee has the opportunity to contest his designation as an enemy combatant. The Tribunal will endeavor to arrange for the presence of any reasonably available witnesses or evidence that the detainee desires to call or introduce to prove that he is not an enemy combatant. The Tribunal President will determine the reasonable availability of evidence or witnesses.


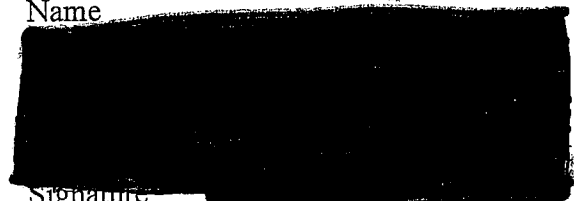
Exhibit RI

Personal Representative Review of the Record of Proceedings

I acknowledge that on 19 January 2005, I was provided the opportunity to review the record of proceedings for the Combatant Status Review Tribunal involving ISN #710.

I have no comments.

My comments are attached.

 Lt Col, USAF
Name

Signature

19 JAN 05
Date

ISN #710
Enclosure (5)



Department of Defense
Director, Combatant Status Review Tribunals

12 Oct 04

From: Director, Combatant Status Review Tribunals

Subj: APPOINTMENT OF COMBATANT STATUS REVIEW TRIBUNAL #15

Ref: (a) Convening Authority Appointment Letter of 9 July 2004

By the authority given to me in reference (a), a Combatant Status Review Tribunal established by "Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba" dated 29 July 2004 is hereby convened. It shall hear such cases as shall be brought before it without further action of referral or otherwise.

The following commissioned officers shall serve as members of the Tribunal:

MEMBERS:

[REDACTED], Colonel, U.S. Air Force; President

[REDACTED], Lieutenant Colonel, U.S. Air Force; Member
(JAG)

[REDACTED], Lieutenant Commander, U.S. Navy; Member

J. M. McGARRAH
Rear Admiral
Civil Engineer Corps
United States Navy



HEADQUARTERS, OARDEC FORWARD
GUANTANAMO BAY, CUBA
APO AE 09360

30 November 2004

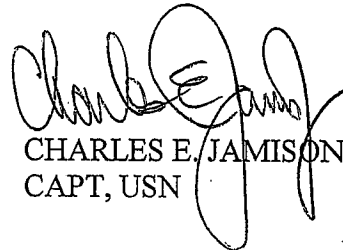
MEMORANDUM FOR DIRECTOR, CSRT

FROM: OARDEC FORWARD Commander

SUBJECT: CSRT Record of Proceedings ICO ISN# 710

1. Pursuant to Enclosure (1), paragraph (I)(5) of the *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba* dated 29 July 2004, I am forwarding the Combatant Status Review Tribunal Decision Report for the above mentioned ISN for review and action.

2. If there are any questions regarding this package, point of contact on this matter is the undersigned at DSN [REDACTED]


CHARLES E. JAMISON
CAPT, USN

(U) Combatant Status Review Tribunal Decision Report Cover Sheet

(U) This Document is UNCLASSIFIED Upon Removal of Enclosures (2) and (4).

(U) TRIBUNAL PANEL: #15

(U) ISN#: 710

Ref: (a) (U) Convening Order for Tribunal #15 of 12 October 2004 (U)
(b) (U) CSRT Implementation Directive of 29 July 2004 (U)
(c) (U) DEPSECDEF Memo of 7 July 2004 (U)

Encl: (1) (U) Unclassified Summary of Basis for Tribunal Decision (U/~~FOUO~~)
(2) (U) Classified Summary of Basis for Tribunal Decision (S/NF)
(3) (U) Summary of Detainee/Witness Testimony (U/~~FOUO~~)
(4) (U) Copies of Documentary Evidence Presented (S/NF)
(5) (U) Personal Representative's Record Review (U/~~FOUO~~)

1. (U) This Tribunal was convened by references (a) and (b) to make a determination as to whether the detainee meets the criteria to be designated as an enemy combatant as defined in reference (c).
2. (U) On 1 Nov 2004 the Tribunal determined, by a preponderance of the evidence, that Detainee #710 is properly designated as an enemy combatant as defined in reference (c).
3. (U) In particular, the Tribunal finds that this detainee is a member of the Revival of Islamic Heritage Society, a Tier 1 NGO, and possibly affiliated with al Qaida, as more fully discussed in the enclosures.
4. (U) Enclosure (1) provides an unclassified account of the basis for the Tribunal's decision. A detailed account of the evidence considered by the Tribunal and its findings of fact are contained in enclosures (1) and (2).



Col, USAF

Tribunal President

**UNCLASSIFIED SUMMARY OF BASIS FOR TRIBUNAL
DECISION**

(Enclosure (1) to Combatant Status Review Tribunal Decision Report)

TRIBUNAL PANEL: #15
ISN #: 710

1. Introduction

As the Combatant Status Review Tribunal (CSRT) Decision Report indicates, the Tribunal has determined that this detainee is properly classified as an enemy combatant and is a member of the Revival of Islamic Heritage Society (RIHS), a Tier 1 NGO, and possibly affiliated with al Qaida. In reaching its conclusions, the Tribunal considered both classified and unclassified information. The following is an account of the unclassified evidence considered by the Tribunal and other pertinent information. Classified evidence considered by the Tribunal is discussed in Enclosure (2) to the CSRT Decision Report.

2. Synopsis of Proceedings

The unclassified summary of the evidence presented to the Tribunal by the Recorder indicated that the detainee was an employee of the RIHS since 1994 and that the RIHS is suspected of supporting extremist activity, financing terrorism, and funneling funds to al Qaida. It further indicated that the detainee was arrested in his home by Pakistani authorities and that his home was a suspected al Qaida residence. The detainee chose to participate in the Tribunal process. He called no witnesses, requested no documents be produced, and made a sworn verbal statement. The detainee, in his verbal statement, admitted being a member of RIHS, but claimed that he was just an inspector of the organization's schools. He also stated that RIHS was a legitimate organization that had nothing to do with terrorism.

3. Evidence Considered by the Tribunal

The Tribunal considered the following evidence in reaching its conclusions:

- a. Exhibits: D-a and R-1 through R-13.
- b. Sworn statement of the detainee.

4. Rulings by the Tribunal on Detainee Requests for Evidence or Witnesses

The Detainee requested no witnesses; no rulings were required.

The Detainee requested no additional evidence be produced; no rulings were required.

5. Discussion of Unclassified Evidence

The Tribunal considered the following unclassified evidence in making its determinations:

a. The recorder offered Exhibits R-1 into evidence during the unclassified portion of the proceeding. Exhibit R-1 is the Unclassified Summary of Evidence. While this summary is helpful in that it provides a broad outline of what the Tribunal can expect to see, it is not persuasive in that it provides conclusory statements without supporting unclassified evidence. Accordingly, the Tribunal had to look to classified exhibits (as well as the detainee's statement) for support of the Unclassified Summary of Evidence.

b. Essentially the only unclassified evidence the Tribunal had to consider was the detainee's sworn testimony. A summarized transcript of the detainee's sworn testimony is attached as CSRT Decision Report Enclosure (3). In sum, the detainee testified that he legally traveled to Pakistan in 1991 and was a resident there until arrested. He initially got a job with the "Committee of International Islamic Charity," but in 1994 left that organization and began working for RIHS. He said that his job for RIHS was to inspect the teachers at the various schools run by RIHS and make sure the teachers were following the correct lesson plans and were given the materials they needed. He claimed that to his knowledge RIHS was a legitimate organization that had nothing to do with terrorism. He also asserted that the house he lived in had nothing to do with al Qaida, to his knowledge, and that he had been renting it from a Pakistani woman for three years. He repeatedly maintained that his residency in Pakistan was lawful, his work was lawful and legitimate, and that he hadn't broken any laws.

The Tribunal also relied on certain classified evidence in reaching its decision. A discussion of the classified evidence is found in Enclosure (2) to the Combatant Status Review Tribunal Decision Report.

6. Consultations with the CSRT Legal Advisor

No issues arose during the course of this hearing that required consultation with the CSRT legal advisor.

7. Conclusions of the Tribunal

Upon careful review of all the evidence presented in this matter, the Tribunal makes the following determinations:

a. The detainee was mentally and physically capable of participating in the proceeding. No medical or mental health evaluation was deemed necessary.

b. The detainee understood the Tribunal proceedings. He asked no questions regarding his rights, indicated that he understood the process, and actively participated in the hearing.

c. The detainee is properly classified as an enemy combatant and is a member of the Revival of Islamic Heritage Society, a Tier 1 NGO, and possibly affiliated with al Qaida

8. Dissenting Tribunal Member's report

None. The Tribunal reached a unanimous decision.

Respectfully submitted,

A large black rectangular redaction box covers the signature of the Tribunal President.

Col, USAF

Tribunal President

Summarized Sworn Detainee Statement

When asked by the Tribunal President if the detainee understood the CSRT process, the Detainee answered, "If it is fair, yes. Up to now I haven't seen anything that isn't fair."

[When the President asked the Detainee if he had any evidence to present to the Tribunal, the Detainee requested a copy of the Unclassified Summary in Arabic. The President informed the Detainee he had a few more instructions to present before the Detainee could provide his statement. The President also told the Detainee to feel free to ask any questions he may have at any time.]

[After taking the Muslim Oath, the Detainee made the following statement]:

Regarding the accusations, they are not true but I will reply to each one.

Yes, I did travel to Pakistan in 1991 on official business. I was a resident in Pakistan until I was arrested. During my numerous interrogations, I clarified the work I did in 1991. I already told the interrogators that I performed official lawful work for schools. How could my work be used against me as an accusation?

[The Detainee stopped his statement and told the President that if he (The President) would like to ask him something he could. The President told the Detainee he would like him to finish his statement, then he might be asked questions later.]

[Detainee continued statement:]

The second point, [Detainee was employed with the Revival of Islamic Heritage Society (RIHS) since 1994.] I mentioned to the interrogators the type of work I did for them up until I was arrested. My work wasn't a crime.

The next point, [RIHS is suspected of supporting extremist activity, and some employees are suspected of financing terrorism] I have only known the Islamic Organization to be associated with humanitarian efforts, never terrorism.

If the Tribunal will allow me, I will show you what kind of schools and teaching I did in the Islamic Organization. As I have mentioned before, just as you took an Oath to get to the truth, I want to show you the truth. If you want, I can describe the schools one by one and tell you exactly where they are so you can get the truth. I can show you the schools and that I was an education official. I went from one school to another to check on education before I was transferred to the Orphanage Office of Administration.

The fifth point, [Detainee traveled to Afghanistan in 1998] I did travel there and my job was to supervise the Administration of Orphanage Schools. My travel was official and a travel agency made my arrangements. I have clarified this during my interrogations. How can my job be classified with those accusations?

Regarding the next point, [Detainee's residence was identified as a suspected al Qaida residence, and raided] I rented the house from a Pakistani woman and I paid monthly rent. I have no other information regarding what the house was before or who lived in the house before, but everything I did regarding the house was legal.

Regarding seven, [Detainee was captured in Pakistan and turned over to American authorities] the officer that arrested us said he was giving us to the American forces to avoid problems and keep our country safe. That is how he explained it to us.

My residence there was official. The Organization I worked for had a permit from the government and it was lawful. I didn't break any rules or laws. Even though I lived there, the Pakistani government turned me over. I was told I was a victim of what happened.

[A Tribunal member mentioned to the Detainee that he didn't have to answer questions if he chose not to, but it would clarify his situation if he did.]

Tribunal President: We have not seen your file. We won't see that until later. If any of these questions sound like you have answered them before it's because we haven't seen anything yet.

Summarized Answers in Response to Questions by the Tribunal Members:

Q: You said you did go to Afghanistan in 1998, and had new responsibilities there. Did you stay and live in Afghanistan or did you continue to live in Pakistan?

A: The first time I went there was in 1998. My job was to be an educational supervisor to see how the schools were doing. I went to Kuna and Jalalabad.

Q: Was it just a business trip when you went back to Pakistan? Was it for a week, a month or a couple of years?

A: A few days, no more than two weeks.

Q: You continued to live in Pakistan but just went to Afghanistan once in a while for your job?

A: Yes, that is how it was.

Q: The house where you lived in Pakistan, what city or town was that in?

A: I lived in the city of Bashawer in a neighborhood called [REDACTED]. The address was [REDACTED] Street. I lived on the second floor.

Q: How long did you rent the house from the Pakistani woman?

- A: I don't remember exactly but it was about three years.
- Q: Do you know which three years?
- A: No, I can't.
- Q: Was it three years until your detention by Pakistani authorities?
- A: Yes.
- Q: Where were you arrested?
- A: I was in my house.
- Q: Earlier you said we were arrested, were there others in the house with you when you were arrested?
- A: Only my children and I.
- Q: Were your children arrested also?
- A: I don't know. Next door there was a new house being built. They knocked on the door and I went downstairs to open it. I was then arrested. The houses are very close to each other. Some of them entered my house by jumping of the roofs of neighboring houses and some came through the front door. When they came in I asked them to please not scare my family. I opened the doors in the house one by one to show them what was inside each room. They handcuffed and blindfolded me then took me away.
- Q: At the time of your arrest, it was just you and no other adults, just you and your children in the house?
- A: It was just my wife and I and our two small children.
- Q: Since you moved to Pakistan in 1991 until the day you were arrested you worked for the RIHS and no other company?
- A: I had mentioned to interrogators before that I had worked for another Islamic humanitarian company.
- Q: Do you remember the Organization's name?
- A: Committee of International Islamic Charity.

Q: Did the organization you worked for own the schools in Afghanistan, is that why you were checking on them?

A: The first organization, the Committee of International Islamic Charity, I worked for from 1991 until September of 1994. The other organization I worked for in 1998 was when I traveled to Afghanistan, at that time I wasn't working for the other organization.

Q: Why were you going to check on these schools? What did the charity you worked for do for the schools? Why the travel?

A: I will explain the nature of the schools. We had schools in Jalalabad and Kuna. Each school had teachers. My job was to supervise the teachers and check their lesson plans to ensure it matched what they were teaching and to ensure they were meeting the educational requirements.

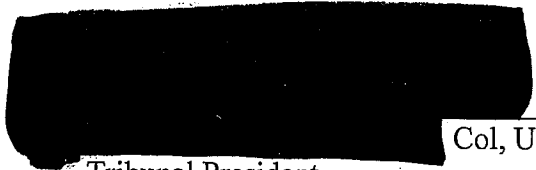
Q: The home you rented in Pakistan, did you have friends and guest stay overnight for any period of time while you lived there?

A: No.

[The Tribunal was recessed to remove the Detainee from the room.]

AUTHENTICATION

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

A large black rectangular redaction box covers the signature of the Tribunal President.

Col, USAF

Tribunal President

Combatant Status Review Board

TO: Tribunal Member

FROM: OIC, CSRT (21 October 2004)

Subject: Summary of Evidence for Combatant Status Review Tribunal – BANI AMIR, Salim Mahmoud Adem Mohammed

1. Under the provisions of the Secretary of the Navy Memorandum, dated 29 July 2004, *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base Cuba*, a Tribunal has been appointed to review the detainee's designation as an enemy combatant.
2. An enemy combatant has been defined as "an individual who was part of or supporting the Taliban or al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners. This includes any person who committed a belligerent act or has directly supported hostilities in aid of enemy armed forces."
3. The United States Government has previously determined that the detainee is an enemy combatant. This determination is based on information possessed by the United States that indicates that detainee is associated with al Qaida.

The detainee is associated with al Qaida:

1. Detainee traveled to Pakistan in 1991.
 2. Detainee was employed with the Revival of Islamic Heritage Society (RIHS) since 1994.
 3. RIHS is suspected of supporting extremist activity, and some employees are suspected of financing terrorism.
 4. Illegitimate RIHS funds were reportedly often commingled with legitimate funds and funneled to al Qaida.
 5. Detainee traveled to Afghanistan in 1998.
 6. Detainee's residence was identified as a suspected al Qaida residence, and raided.
 7. Detainee was captured in Pakistan and turned over to American authorities.
4. The detainee has the opportunity to contest his designation as an enemy combatant. The Tribunal will endeavor to arrange for the presence of any reasonably available witnesses or evidence that the detainee desires to call or introduce to prove that he is not an enemy combatant. The Tribunal President will determine the reasonable availability of evidence or witnesses.

Exhibit RI

Personal Representative Review of the Record of Proceedings

I acknowledge that on 3 November 2004 I was provided the opportunity to review the record of proceedings for the Combatant Status Review Tribunal involving ISN #710.

I have no comments.

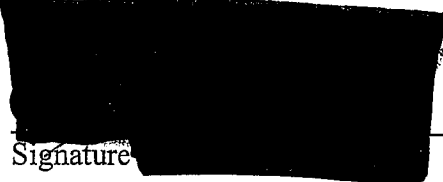
My comments are attached.

 CJ COL, USAF

Name

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Date



Signature

ISN #710
Enclosure (5)