

UNCLASSIFIED//~~FOUO~~

Summary of Administrative Review Board Proceedings for ISN 261

The Administrative Review Board was called to order.

The Designated Military Officer (DMO) was sworn.

The Board Reporter was sworn.

The Translator was sworn.

The Detainee entered the proceedings.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Administrative Review Board members were sworn.

The Assisting Military Officer (AMO) was sworn.

The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).

The Detainee accepted taking the oath.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

Presiding Officer: Assisting Military Officer please read your comments from the Enemy Combatant Election Form.

Assisting Military Officer: The Detainee's initial ARB interview occurred on 3 October 2005, and lasted 90 minutes. After a review of the ARB's purpose and procedures, the Arabic translated Unclassified Summary of Evidence was read to the Detainee. When the Detainee was asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the Detainee stated he did not have any problem attending the ARB. The Detainee indicated that he wanted to write out his response to the Unclassified Summary of Evidence and would complete his write-up that afternoon. The Detainee was given a copy of the translated Unclassified Summary of Evidence. A follow up interview occurred on 4 October 2005, and lasted 10 minutes. The Detainee indicated that he did not have time the previous afternoon to

ISN 261
Enclosure (5)
Page 1 of 17

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

prepare his written statement because he was interrogated for a long time after we left and he was tired after the interrogation. The Detainee also indicated that he was scheduled to have an interrogation today, 4 October 2005. The Detainee stated that even though he did not write out his response he was ready for the ARB at anytime and wanted to attend. The Detainee was polite and cooperative during the interviews. The Detainee elected not to submit written comments regarding the Unclassified Summary of Evidence.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, and the FBI Redaction Memorandum, DMO-2, to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1 to the Administrative Review Board.

The Detainee chose to respond line by line to the Unclassified Summary of Evidence. The Designated Military Officer read the Unclassified Summary to assist the Detainee with answering the statements.

Designated Military Officer: (3) The following factors favor continued detention: (3.a) Commitment (3.a.1) In October 2001, the Detainee stated that he traveled to Afghanistan to inspect seven mosques in Kabul, Afghanistan. The Detainee stated he was asked to go to Afghanistan by his local Iman, whose name is Muhammad Agelan, while in Deman, Saudi Arabia.

Presiding Officer: Do you have any comment about that statement? [Detainee appeared to not understand the question] Is that true?

Detainee: Yes it is right. I thought it wasn't right at the beginning.

Presiding Officer: Is this a misspelling [referring to the word "Deman" in line item 3.a.1]? Is that Damman? Al Damman?

Translator: Yes. He [the Detainee] mentioned that before and I mentioned that before.

Designated Military Officer: (3.a.2) The Detainee stated Agelan provided him with \$3,000.00 United States dollars and instructed him to meet a man named Muhammad Gul in Meshed, Iran. The Detainee first traveled to Bahrain where he obtained a Bahraini passport and subsequently traveled to Meshed, Iran.

Detainee: I have had a Bahraini passport before. For many years.

ISN 261
Enclosure (5)
Page 2 of 17

UNCLASSIFIED//~~FOUO~~

Presiding Officer: In reviewing your file it appears you have some sort of dual citizenship. Is that correct?

Detainee: Yes.

Presiding Officer: Please continue.

Board Member: Was the Detainee provided \$3,000.00 dollars?

Detainee: Yes.

Designated Military Officer: (3.a.3) Once in Meshed, Iran, the Detainee purchased a room at the Atlas Hotel. The next morning Gul arrived at the Atlas Hotel and both the Detainee and Gul traveled via taxi into Afghanistan.

Detainee: Yes.

Presiding Officer: Do you speak fairly good English?

Detainee: I speak English, but I prefer for him [the translator] to translate for me.

Presiding Officer: If you feel comfortable answering in English, that is your choice.

Detainee: I don't want to make you laugh because I break the grammar.

Presiding Officer: Very good. Whatever you are most comfortable with, we will do.

Detainee: Thank you.

Designated Military Officer: (3.a.4) The Detainee and Gul crossed the border into Afghanistan near the city of Heart, Afghanistan and continued to Kabul, Afghanistan. Once in Kabul, the Detainee and Gul stayed at a house owned by Gul.

Detainee: Yes.

Designated Military Officer: (3.a.5) The Detainee and Gul stayed in Kabul for approximately three weeks before traveling to another house owned by Gul, located in Jalalabad, Afghanistan.

Detainee: Yes.

Designated Military Officer: (3.a.6) After leaving Jalalabad, the Detainee walked to the Pakistani border where he was arrested and detained by the Pakistani authorities. The Detainee did not have his passport in his possession when he was taken into custody. The Detainee stated Gul had taken his passport while they were still in Jalalabad.

ISN 261
Enclosure (5)
Page 3 of 17

UNCLASSIFIED//~~FOUO~~

Detainee: My passport was taken when I was in Kabul. When we [the Detainee and Gul] were leaving Kabul for Jalalabad, Gul took my passport.

Designated Military Officer: (3.a.7) The Detainee stated that when he arrived in Afghanistan he gave Gul his passport, over \$20,000.00 United States dollars, and his notebook.

Detainee: If I had \$20,000.00 American dollars I would have never gone to Afghanistan.

Presiding Officer: You deny having \$20,000.00 dollars?

Detainee: I never said this. I don't know where this came from. It was just \$2,000.00 American dollars.

Presiding Officer: \$2,000.00? So, this was just a typo. The notebook, is that a computer notebook or just a paper notebook that you write on?

Detainee: I never wrote any notes.

Presiding Officer: You did not have a notebook?

Detainee: It's like an agenda/address book. It is very small. I could put it in my wallet.

Designated Military Officer: (3.a.8) The Detainee was witnessed as the cook in Tora Bora.

Detainee: That makes me laugh. Tora Bora was the target of the American Army. You could hear the bombing from hundreds of kilometers away. I was in Gul's house far away. I could hear the bombing in Tora Bora. If that was right [referring to being a cook], what am I going to cook? I cannot cook.

Presiding Officer: The statement that someone saw you working as a cook is wrong?

Detainee: You can decide for yourself. How can someone be involved in the bombing and cook?

Presiding Officer: So you deny being a cook?

Detainee: It's not right.

Board Member: You could or could not hear the bombing from where you were residing?

Detainee: It was very far from Gul's house and I could hear the bombing. All of Jalalabad could hear the bombing. Thank God I was not accused of being a cook at McDonalds.

ISN 261
Enclosure (5)
Page 4 of 17

UNCLASSIFIED//~~FOUO~~

Designated Military Officer: (3.a.9) The Detainee stated that he was in Bosnia during the war with Serbia and spent time in Saudi prisons. The Detainee stated that he had been imprisoned for being a member of Al Motoaien, a.k.a. Al Mujahadeen, and for participating in the Cole bombing.

Detainee: Yes I was in Bosnia, but there was no war.

Presiding Officer: Were you in Bosnia prior to the war or after the war?

Detainee: There was a war in Bosnia, but I was in a safe place, a safe city, with the United Nations. There were no Arms there. I explained before why I went to Bosnia. About the Al Motoaien, this is the first I have heard of it. Yes, I was in prison in Saudi Arabia, but not for that reason [referring to the Cole bombing].

Presiding Officer: Why were you imprisoned in Saudi Arabia?

Detainee: There was no reason, no legal reason. They have raids and arrest people for no reason.

Board Member: How long were you in prison?

Detainee: Many times. Sometimes it would be two months sometimes it would be three months.

Presiding Officer: You were arrested twice?

Detainee: Three times.

Presiding Officer: Over how long of a period of time?

Detainee: One year and a little bit more than one year. It was not for this reason [referring to the Cole bombing]. They did not accuse me of anything. You can ask the Saudi Government to give you the report about it. I trust myself and I am telling you the truth. This is not right.

Designated Military Officer: (3.a.10) Al Motoaien is a network in Saudi Arabia involved in document forgery, weapons, and poison smuggling.

Translator: The Detainee went back to allegation number nine.

Detainee: This is the first time I am hearing about this statement about the bombing of the Cole.

Presiding Officer: You deny being imprisoned for participation in the bombing of the Cole?

ISN 261
Enclosure (5)
Page 5 of 17

UNCLASSIFIED//~~FOUO~~

Detainee: Yes. This is the first time I have heard about it. I never had anything to do with it.

Presiding Officer: Have you ever heard of them? [Al Motoaien network]

Detainee: Now I have, through the papers.

Presiding Officer: Please continue.

Designated Military Officer: (3.b) Training (3.b.1) The Detainee also traveled from Islamabad to Peshawar, Pakistan and stayed in an Arab guesthouse called Beit Al-Ansar. The leader of this house was an ex-Mujahid from Saudi Arabia. While at the house the Detainee was told about two military camps for training in Afghanistan.

Detainee: Yes. This was when I was maybe 16 years old. That was at the end of 1989 or 1990. I don't want to talk about the support of the Saudi Government to Afghanistan and also the American Government.

Presiding Officer: No negative conclusions will be drawn about you participating in any military actions, against the Russians for example. That is not an issue here.

Detainee: I know that. I went there for three months. The Saudi Government sent me for three months to Afghanistan. I spent three days in Pakistan.

Board Member: This is 1989, 1990?

Detainee: Yes. I spent 3 days in Afghanistan and the rest of the time in Pakistan.

Board Member: What year are we talking about?

Translator: 1989, 1990

Detainee: I received training on the Kalashnikov and exercise.

Designated Military Officer: (3.b.2) The Detainee attended the Al-Siddeek camp. The Al-Siddeek camp was located near Khowsht, Afghanistan and the Detainee received physical exercise and training on the Kalashnikov.

Detainee: As far as I knew, this training camp belonged to the Saudi Government.

Presiding Officer: The allegation is true, but you want to make sure the Review Board understands that this camp was a Saudi Government camp.

Detainee: Yes.

Designated Military Officer: (3.c) Connections/Associations (3.c.1) The Detainee stated that Sheik Mohammed Al-Shiha from Dammam, Saudi Arabia, offered to pay his rent

ISN 261
Enclosure (5)
Page 6 of 17

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

and provided him with 7,000 to 10,000 Saudi Riyals if he would agree to journey to Bosnia to fight. He did so in 1995.

Detainee: That is not true. I did not talk to him. I went with someone named Sulamon. He is the one who gave me the money. I did not go to fight in Bosnia. I have explained that many times. I don't know why they insist on this. I have been interrogated over six hundred times and have repeated this story many times.

Presiding Officer: I am writing down what you tell me. So, you did go to Bosnia in 1995, with a man name Sulamon, and he gave you the money, not Al-Shiha, from Dammam.

Designated Military Officer: (3.c.2) An al Qaida operative said that Al-Shiha might have supported the Wafa Al-Igatha Al Islamia, a.k.a., Wafa Organization during the Chechnyan conflict. He also stated that Al-Shiha was a supporter of the Mujahidin.

Detainee: What is my relation to this?

Presiding Officer: Is it true? Did you say this?

Detainee: I did not say it. I did not know about it.

Designated Military Officer: (3.c.3) The Detainee traveled to Mecca and met a man named Abu Abass Al-Emiraitii.

Detainee: I traveled with Abu Abass to Mecca. I did not meet him there.

Presiding Officer: You traveled with Abu Abass to Mecca?

Detainee: Yes.

Designated Military Officer: (3.c.4) The Detainee was invited to Chechnya to fight, but he told Abu Abass he had no money for the trip. Abu Abass gave him 3,000 to 4,000 Saudi Riyals in addition to travel expenses.

Detainee: I don't know. Abu Abass asked me to go with him to Chechnya, but he did not ask me to go and fight.

Designated Military Officer: (3.c.5) The Detainee traveled to Bahrain. While in Bahrain the Detainee went to the United States Embassy and received a five-year tourist visa. The Detainee's father gave him 19,000 Saudi Riyals for his trip to the United States. The Detainee flew from Bahrain to Istanbul, Turkey, to Chicago, Illinois, and finally to Indianapolis, Indiana. The Detainee was picked up at the airport and taken to Terre Haute, Indiana. The Detainee was there [Terre Haute, Indiana] for approximately two months before returning to Saudi Arabia to visit his sick father. After eight months in

ISN 261
Enclosure (5)
Page 7 of 17

UNCLASSIFIED//~~FOUO~~

Saudi Arabia, the Detainee returned to the United States and made side trips to Michigan and Buffalo, New York.

Detainee: Yes.

Presiding Officer: What was the Saudi Riyal to the U.S. dollar at that time?

Detainee: 3.75 Riyal to one U.S. dollar.

Designated Military Officer: (3.c.6) The Detainee stated that he traveled to Lackawanna, New York from Indiana after speaking with a man at a local area mosque.

Detainee: Yes.

Designated Military Officer: (3.c.7) The Detainee worked as an Iman at a Buffalo, New York area mosque.

Detainee: It was not in Buffalo, New York. It was in Bloomington, Indiana.

Presiding Officer: You did work as an Iman, just not in Buffalo, New York, but rather in Bloomington, Indiana?

Detainee: Yes.

Designated Military Officer: (3.c.8) The Detainee stated that he was shocked to learn that his acquaintance is involved with al Qaida or any Jihadist activity. The Detainee also said that it seem illogical that this acquaintance and Jamaat Tabligh could be so involved.

Detainee: True.

Designated Military Officer: (3.d) Other Relevant Data (3.d.1) The Detainee decided to return to Saudi Arabia. The Detainee flew to Bahrain and was arrested by Saudi Intelligence under suspicion stemming from the Khobar Towers bombing and his foreign travel. The Saudi Government held him for approximately three months, but his passport was revoked for one and a half years.

Detainee: True.

Designated Military Officer: (3.d.2) The Detainee spent time in prison in Jeddah, Saudi Arabia. The Detainee was eventually released and returned to Dammam, but his passport was revoked for five years.

Detainee: Yes. I was arrested in Saudi Arabia.

Presiding Officer: Again, you were arrested for no reason. Is this one of the times you mentioned earlier?

ISN 261
Enclosure (5)
Page 8 of 17

UNCLASSIFIED//~~FOUO~~

Detainee: Yes, one of them.

Designated Military Officer: (3.d.3) The Detainee's name is found listed as number 49 on a computer media listing of Mujahideen that was seized during safe house raids against al Qaida associated safe houses. The list identifies each individual's trust account and the Detainee is noted as having a passport and identification card.

Detainee: I don't know about this thing. I gave my passport to Gul. I don't know what he did with my passport. I don't know if he gave it to somebody else, I don't know.

Presiding Officer: Was the passport a Saudi passport?

Detainee: Bahraini passport. I don't know if he sold it. The passport was his [Gul's] decision. I did not have anything to do with this list.

Designated Military Officer: (3.d.4) A United States psychologist obtained a copy of a translated suicide letter drafted by the Detainee that said, "All that was going to ruin my reputation abroad, and that my family would learn that their son is a terrorist and has taken innocent lives."

Detainee: I asked for that letter to be brought here. The facts always stay fact. I mentioned in that letter that they wanted to do something wrong to me. They want to put something that is not fact against me. There was a movie on channel 13 in Indiana, and they showed it to me through the interrogation and it was saying a lot of bad things about my family. It said that I take innocent lives and that I am a terrorist. This is not right. I told them in the interrogation if that's what you want to do. To do bad things to you're family. I wrote that letter when it was useless for me.

Presiding Officer: You were feeling very bad?

Detainee: Yes. If you want me to tell you what happened to me through the interrogation, I don't mind.

Presiding Officer: This is your hearing to tell us, this board, what we need to know. We will take as much time as you would like.

Detainee: Thank you. Are we taping now? Is there like a film?

Presiding Officer: Yes. This will not be released to the public, but we are recording for your protection.

Detainee: I want you to know, not the media outside.

Translator: What he is going to say right now, he wants you to know, not the media outside.

ISN 261
Enclosure (5)
Page 9 of 17

20263

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

Presiding Officer: We are going to take a brief recess. Your request for a hearing outside the public is granted. It is ordered that the public will go into the next courtroom while the in camera hearing proceeds. Once this portion of the hearing is concluded, we will call you [the media] back in.

[Break for recess]

[The Review Board proceeds in the absence of the media]

Presiding Officer: Please, go over briefly, your incident.

Translator: Do you want him to speak about the letter or what happened during the interrogation?

Presiding Officer: What happened in the interrogation.

Detainee: I am going to be brief. I was sexually assaulted. Soldiers in Kandahar, through the interrogation, assaulted me. It also happened in camp X-Ray. I went through sexual assault by a woman interrogator.

Presiding Officer: Where did this occur?

Detainee: Here in Cuba. In Kandahar they injected me in my back with gas. A lot of things happened. They hit me and urinated on me while in handcuffs. They made me walk on broken glass and barbwire. One of the interrogators put the Israeli flag and the American flag around my body. The interrogator said a lot of things, but we don't have time for that. He would throw the Holy Bible on the floor and would take out his penis and urinate on it.

Board Member: This is here [Cuba]?

Detainee: Yes, in Cuba. There are a lot of other things that have happened. Interrogators knew that I was in the United States; they would accuse me of anything. They put the pressure on me through the interrogation. They put me in a dark room for five months. I was drinking water from the tank of the commode. I was drinking water from the commode and was washing with water from the commode. The room was very cold and dark. All the time I was in shorts. I did not have anything at all. During the interrogation, the interrogator said if I accepted all the allegations I would have things. Of course, I tried suicide seven times. But I did not do anything. Talking about my travel to Afghanistan, I did not travel for Jihad.

Presiding Officer: Before we get back to that subject, are there any other allegations of abuse?

Detainee: There are a lot of things, but I don't want to take your time.

ISN 261
Enclosure (5)
Page 10 of 17

UNCLASSIFIED//~~FOUO~~

Presiding Officer: This is your time.

Detainee: They hit me a lot in Kandahar.

Presiding Officer: Who hit you?

Detainee: American soldiers.

Presiding Officer: Do you have any names?

Detainee: How would I know the names?

Translator: He is going to tell a story.

Detainee: I was injected with the gas. I had an infection and there was bleeding. I asked for a doctor. I mentioned to the doctor that the interrogator had injected me with gas and that I was bleeding and that I was tired. The doctor was shouting at me, "you are a terrorist, you deserve this". The same day, the same night, they took me to interrogation. They assaulted me sexually.

Board Member: Who is "they" again?

Detainee: The interrogators and soldiers in Kandahar. The Marines.

Board Member: What year was this?

Detainee: 2001.

Presiding Officer: The Assisting Military Officer is directed to comply with all reporting directives in regard to this case.

Assisting Military Officer: Yes Sir.

Presiding Officer: Designated Military Officer, do you have any questions at this point?

Designated Military Officer: No.

Assisting Military Officer: I have one comment. I have documented some of what the Detainee has stated, but you are in control of the setting.

Presiding Officer: Very good. You will strictly comply with all Standard Operating Procedures (SOP) regarding the reporting of torture, abuse, etc. The Review Board will recess while we allow the media to return.

[Board recess. Once the media returned, the Review Board went back on the record]

ISN 261
Enclosure (5)
Page 11 of 17

20265

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

Presiding Officer: We are now back on the record. The Review Board had an in camera hearing at the request of the Detainee. The observers have now returned and we will continue with the Unclassified Summary. Please proceed.

Designated Military Officer: (4) The following primary factors favor release or transfer: (4.a.) The Detainee denied ever participating in any armed conflict while in Afghanistan.

Detainee: True.

Designated Military Officer: (4.b) The Detainee stated that he is not a radical fundamentalist Muslim and claimed that he has never taken part in or encouraged anti-American activities.

Detainee: True.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Assisting Military Officer: Yes Sir. The Detainee would like to make an oral statement.

The Detainee made the following statement:

Detainee: I apologize if I did something that was not proper for the hearing. I want to thank the American Government for allowing me to discuss my case. I would like to say that I don't pose a threat to the United States or the Allies, and I will never pose any threat to the United States or Allies. I know I was in the wrong place at the wrong time. But I hope to be released and to start a new life. I will be a good member in my society. I will start a new family. I would like to go on and continue my studies. I would like to go back to my normal life and take care of my daughter.

Translator: The Detainee would like to say something in regards to the letter.

Presiding Officer: Please, whatever you would like to say.

Detainee: Thank you. I mentioned in that letter there is nothing between me and any Americans. But the pressure they put on me, they made me attempt to commit suicide. But every nurse, doctor, and soldier that was good to me, was good treatment and I mentioned that in the letter. I know that is the good nature of the United States. That is the way I look at the United States. But the bad things I saw from some of the soldiers, those people represent themselves, not the United States. Why does the psychologist not

ISN 261
Enclosure (5)
Page 12 of 17

UNCLASSIFIED//~~FOUO~~

mention that part of the letter? But the letter is with you. You can ask for it any time and read it.

Presiding Officer: Thank you for taking the time to add additional information for the Review Board. Do you have any other reasons that you think would convince the Review Board to release you or transfer you back to Bahrain or Saudi Arabia?

Detainee: I know you have a high rank in the military and that you are well educated. You are going to find out and decide that I never fought and I never carried a weapon. I have never said anything against the United States or the Allies. From the Justice side, you know what kind of people I am. You can ask for reports from the Saudi Government and the Bahraini Government. I have never had any problem with the United States or the Allies. I want my lawyer to write a statement about me. I want to say I have never posed a threat to the United States, the environment, or the ozone layer.

Presiding Officer: Thank you very much. Does that conclude your statement?

Detainee: Yes. Thank you.

The Assisting Military Officer had no questions for the Detainee.

The Designated Military Officer had no questions for the Detainee.

Administrative Review Board Member's questions:

Board Member: Mr. Juma, you traveled to Afghanistan to inspect seven mosques. What does inspect mean?

Detainee: Sheik Muhammad Agelan gave Gul money to build mosques and schools in Afghanistan and to teach Koran. They were almost finished building the mosques and the schools. There was some money left in the budget to finish these mosques and schools and he wanted to be sure that all these mosques we actually being built. That was my job. To go and find out if the mosques were being built. That is why they paid me \$3,000.00 dollars.

Board Member: What is your education level? How much schooling have you had?

Detainee: I graduated from high school.

Board Member: So, you have the experience and the expertise to do this inspection of mosques?

Detainee: I am not an engineer. I just go to take pictures and to see if the mosques are being built.

ISN 261
Enclosure (5)
Page 13 of 17

UNCLASSIFIED//~~FOUO~~

Board Member: The \$3,000.00 dollars. What was the size of the denomination of the bills?

Detainee: \$100.00 dollar bills.

Board Member: What date did you enter Afghanistan?

Detainee: I don't know.

Presiding Officer: Estimate.

Detainee: I lost my memory here in Cuba.

Board Member: Gul, he was also involved in the building of these mosques and inspections?

Detainee: Yes.

Board Member: Why did you leave Kabul and go to Jalalabad?

Detainee: The whole journey was to go into Afghanistan for three days to take pictures and to come back. But when the American bombs started, you couldn't do anything. You could not go out. So I went with Gul to Jalalabad.

Board Member: Why did you give Mr. Gul your passport?

Detainee: I am sorry about the \$3,000.00 dollars he took from me, but not the passport.

Board Member: I am concerned about your passport.

Detainee: At that time, basically, Mr. Gul told me that in the hands of the Allies and know you are an Arabic in the area, maybe they would take everything that you have, all your possessions and they will kill you. He had me dress like Afghani people and took me to Jalalabad. I wanted to be sure that nothing sounded or made it seem like I was Arabic. Before I left Kabul I gave Gul my passport and maybe \$2,000.00 dollars.

Board Member: So you gave Gul \$2,000.00 dollars in one hundred dollar bills and you did not have any money after that?

Detainee: I still had about \$500.00 left.

Board Member: What was the significance of the notebook? Why did you give Gul the notebook?

Detainee: Because I write in Arabic and they would know I was Arabic if they took my notebook.

ISN 261
Enclosure (5)
Page 14 of 17

UNCLASSIFIED//~~FOUO~~

Board Member: Do you have any information concerning the Khobar Towers bombing?

Detainee: Definitely I heard about it, but I don't have any information. I know information from the Saudi Government.

Board Member: Besides money from your father, did you have any other financial support while you were in the United States?

Detainee: Yes. I was getting a salary from the Islamic Center.

Presiding Officer: When did you enter the United States and when did you finally leave the United States?

Detainee: I entered the United States three times.

Board Member: When was the first time?

Detainee: I can't remember the date. I think it was in 1999. All this information is in my folder.

Board Member: When did you leave the United States?

Presiding Officer: After September 11th.

Detainee: How do you think your name got on the list of al Qaida members in the safe house?

Detainee: I don't know. I didn't know until now that I was on the list. Maybe Gul gave my passport to someone else or maybe he gave it to the Saudi Embassy. Or Gul might have sold it to someone or lost it.

Board Member: What is your opinion of the United States intervention into Afghanistan and Iraq?

Detainee: I don't have any idea.

Board Member: What is your opinion of Bin Laden?

Detainee: Bin Laden is a terrorist.

Board Member: How would you characterize your behavior while here at Guantanamo?

Detainee: In the name of God, and my life, here in Cuba, I have assaulted soldiers or I have thrown things at them. Maybe sometimes I get angry. It's natural for somebody in my situation to sometimes get angry. But it's not natural to do something unacceptable.

Board Member: Does your family know you are here?

ISN 261
Enclosure (5)
Page 15 of 17

UNCLASSIFIED//~~FOUO~~

Detainee: Unfortunately.

Board Member: Are you in contact with them?

Detainee: Yes.

Board Member: If released, what will you do to support yourself and your family?

Detainee: For the first 75 years I am not going to leave my house.

Board Member: I don't blame you. Thank you Mr. Juma.

Board Member: How did you travel in 2001 to Iran? How did you get to Iran?

Detainee: I flew.

Board Member: Who paid for the tickets?

Detainee: Agelan.

Board Member: In Kabul, besides taking pictures of mosques, what else did you do?

Detainee: I stayed two days in Kabul. I took pictures, but when the bombing started I stayed at home. I did not leave.

Board Member: What did you do in Bosnia?

Detainee: I went there to get married. I was in a safe city with no fighting, far away from fighting. I was looking for a blonde girl.

Board Member: Is that the mother of your daughter?

Detainee: No. I divorced my wife and she is now remarried.

Board Member: What caused you to go from Bloomington, Indiana to Buffalo, New York?

Detainee: I was looking for any place to work so I could get American citizenship.

Presiding Officer: You wanted to be a U. S. citizen?

Detainee: Yes. That is the reason why I traveled to the United States.

Board Member: You stated earlier that the Al-Siddeek camp was a Saudi camp. Is that correct?

Detainee: As far as I knew, in 1989, that camp belonged to the Saudi Government.

ISN 261
Enclosure (5)
Page 16 of 17

20270

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

Board Member: Mr. Juma, why do you think you would be sent to a camp that was funded by Saudis and be arrested by Saudis later?

Detainee: That was my questions for them.

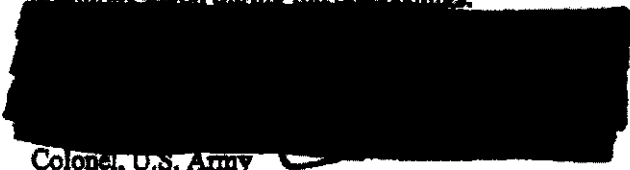
The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

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


Colonel, U.S. Army
Presiding Officer

ISN 261
Enclosure (5)
Page 17 of 17

20271

UNCLASSIFIED//~~FOUO~~

ISN #261

Classification derived
from classified exhibits
R-3, R-14, & R-15 attached
to the Memorandum for
Director, CSPT, entitled:
Review of Combatant
Status Review Tribunal
for Detainee ISN #261,
dated 11 OCT 2004

ISN 261
Page 1 of 11

20272

~~SECRET//NOFORN~~

Dorsey & Whitney
250 Park Avenue
New York, NY 10177
(212) 415-9200

Joshua Colangelo-Bryan
(212) 415-9234

January 19, 2005

VIA FACSIMILE

CDR [REDACTED] JAGC
US Navy Legal Advisor
Office for the Administrative Review (OARDEC)
2000 Navy Pentagon, RM 4D545
Washington, DC 20350-2000

Re: Administrative Review Board; Jam'ah Mohammed Abdullatif Al Dossari, ISN #261 (u)

Dear CDR [REDACTED]:

- (u) We are the attorneys for Jam'ah Mohammed Abdullatif Al Dossari (ISN #261). We make this submission to the Administrative Review Board ("ARB") pursuant to directions provided by you and [REDACTED] senior trial counsel, United States Department of Justice. We request that you forward this document to the ARB that will review the detention of Mr. Al Dossari.
- (u) There is no reliable evidence that Mr. Al Dossari is, or has ever been, a threat to the United States or its allies in any ongoing conflict with al Qaeda (or al Qaeda supporters), and there is no reliable evidence that Mr. Al Dossari is of intelligence value. See Department of Defense Memorandum dated September 14, 2004 Regarding Implementation of Administrative Review Procedures ("Memorandum") at p. 2, Encl (3) at p. 3 (addressing standards of review). More specifically, there is no evidence that Mr. Al Dossari has ever been involved in the commission of any violent acts against the United States or its allies and, thus, no reason to believe that he would be in the future.

Classification markings on this document are based on the information provided to the memorandum for Director, CERT, entitled: Review of Combatant Status Review Tribunal for Detainee ISN # 261, dated 11 Dec 2004

~~SECRET//NOFORN~~

Declassify based on
source documents
marked X1

20273

~~SECRET//NOFORN~~

Redacted per
§ USC § 551 (b)(1)


¹It is not admitted for any purposes that Mr. Al Dossari made these purported statements voluntarily or willingly or that these purported statements constitute admissions in any manner.

~~SECRET//NOFORN~~

20274

In making this submission, we do not waive, and expressly reserve, our right to challenge the ARB proceedings and any final determination on constitutional, statutory and other grounds before any court of competent jurisdiction. Due to restrictions on attorney-client communication imposed by the government, we have been unable to speak with Mr. Al Dosari regarding this submission.

Sincerely,


Joshua Collingale Brown

UNCLASSIFIED

20275

20276-20282 are withheld in full under 5 U.S.C. § 552(b)(1) and (b)(7) as they contain classified and law enforcement sensitive information.