

~~SECRET//NOFORN~~

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:
GUANTANAMO BAY
DETAINEE LITIGATION

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Misc. No. 08-442 (TFH)

Civil Action No.
[02]-CV-[0828] (CCK)

AMENDED FACTUAL RETURN

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Respondents hereby submit, as explained herein, an amended factual return pertaining to the petitioner identified as the subject of the attached Narrative. This amended return is intended to supersede the material contained in any previously filed return, except for the fact that petitioner was previously determined by a Combatant Status Review Tribunal to be an enemy combatant.

This amended return sets forth factual bases¹ supporting petitioner's lawful, ongoing detention pursuant to the Authorization for the Use of Military Force and the President's power as Commander in Chief.

Dated: September 4, 2008

Respectfully submitted,


GREGORY G. KATSAS
Assistant Attorney General

JOHN C. O'QUINN
Deputy Assistant Attorney General

¹ Respondents reserve the right to seek leave to further supplement the record with additional factual bases supporting petitioner's detention, as necessary.

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A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

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DECLARATION OF REAR ADMIRAL DAVID THOMAS

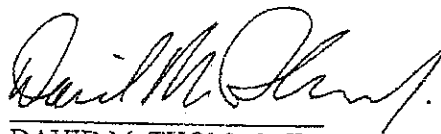
Declaration of Rear Admiral David M. Thomas, Jr.

Pursuant to 28 U.S.C. § 1746, I, David M. Thomas, Jr., hereby declare under penalty of perjury under the laws of the United States of America that to the best of my knowledge, information, and belief, the following is true, accurate, and correct:

I am a Rear Admiral in the United States Navy, with 31 years of active duty service. I currently serve as Commander, Joint Task Force-Guantanamo (JTF-GTMO), at Guantanamo Bay, Cuba. I have held this position since 27 May 2008. As such, I am directly responsible for the successful execution of the JTF-GTMO mission to conduct detention and interrogation operations in support of the Global War on Terrorism, coordinate and implement detainee screening operations, and support law enforcement and war crimes investigations.

The attached narrative and supporting materials from files of the Department of Defense or other government agencies contain information used by the Department of Defense to establish the status of the individual who is the subject of the narrative as an enemy combatant and to substantiate their detention as an enemy combatant at Guantanamo Bay, Cuba.

Dated:



DAVID M. THOMAS, JR.
Rear Admiral, U.S. Navy

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

| | | |
|-------------------------------------|---|-----------------------------------|
| FOUAD AL RABIA, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Civil Action No. 02-CV-0828 (CKK) |
| |) | |
| GEORGE WALKER BUSH, <i>et al.</i> , |) | |
| |) | |
| Respondents. |) | |
| |) | |

NARRATIVE OF FOUAD AL-RABIA (ISN 551)

Introduction

1. [REDACTED] Petitioner Fouad al-Rabia

[REDACTED]

Intelligence evidence gathered by the U.S. further shows [REDACTED]

[REDACTED] al-Rabia [REDACTED] al-Rabia [REDACTED]

2. Al-Rabia [REDACTED]

[REDACTED] al-Rabia [REDACTED]

[REDACTED] such as al-Wafa,

3. Unsurprisingly, then, the evidence supplied by other sources, [REDACTED]

[REDACTED] al-Rabia
Tora Bora (as al-Rabia [REDACTED])

[REDACTED] Tora Bora. To that end, the evidence shows al-Rabia [REDACTED]

[REDACTED] Al-Rabia [REDACTED]

4. [REDACTED] Tora Bora [REDACTED] al-Rabia [REDACTED]

[REDACTED] al-Rabia [REDACTED]
[REDACTED] al-Rabia, a [REDACTED]

5. Consistent with this evidence, al-Rabia's [REDACTED]
[REDACTED]
[REDACTED]

Moreover, one of al-Rabia's aliases ("Abu Abdullah El Kuwaiti") appears as the author of handwritten notes recovered in an al-Qaida stronghold in the Tora Bora region. These notes instructed al-Qaida operatives to publicly threaten the next attack on America, including using their "military, nuclear and biological" weapons to "kill hundreds of thousands of people."

6. In the materials discussed herein related to the factual bases for detaining Fouad al-Rabia, alias Abu Abdullah El Kuwaiti, alias Abu Abdullah,¹ and his assessment as a properly detainable enemy combatant, there are documents reflecting interviews with him and others conducted by law enforcement and intelligence personnel, as well as information derived from other sources and methods. Information received from these sources is commonly reproduced in reports compiled by the collecting officer. Such information is also commonly analyzed by intelligence or law enforcement personnel and used to produce other intelligence products. These reports and intelligence products are routinely relied upon by military or intelligence personnel in making decisions to act upon threats to our country's national security. Declaration of D3

D3; Declaration of Robert H. Holmes.

7. As with all detained enemy combatants at Guantanamo Bay, Cuba, al-Rabia has been assigned an Internment Serial Number or ISN. The ISN is an administrative code assigned to detainees. Al-Rabia's full ISN is b(2)-00551b(2) in which the number 551 is al-Rabia's unique identifier and the b(2) designation indicates that he is a national of b(1). Source documents attached as Exhibits to this Narrative may refer to al-Rabia by name, full ISN, or various short forms, such as "b(2)-00551" or "ISN 551." Consequently, for reasons including those described further below, Petitioner is lawfully subject to detention pursuant to, among other things, the President's powers as Commander in Chief and the Authorization for the Use of Military Force. The following narrative and attached materials set forth the factual bases supporting petitioner's lawful detention. This narrative is not intended to be a complete explication of the information in support of petitioner's detention in those documents.

General Background of the War on Terror

8. Al-Qaida ("the Base") was founded by Usama bin Laden (UBL) and others in or about 1989 for the purpose of opposing certain governments and officials with force and violence. See

¹ It is common for those engaged in terrorist activities to use an alias, commonly known in Arabic as a *kunya*.

government from 1996 until the United States-led military campaign ousted the Taliban from power in 2001. *See id.* at 337-38. During the period in which the Taliban controlled Afghanistan's national government, it provided safe harbor and support to al-Qaida and Usama bin Laden. *See id.* at 64-67.

15. On September 18, 2001, following the attacks on the United States on September 11, 2001, Congress adopted the Authorization for the Use of Military Force. *See* 115 Stat. 224 (2001). Recognizing that the attacks of September 11, 2001 "render it both necessary and appropriate that the United States exercise its rights to self-defense and to protect United States citizens at home and abroad," Congress authorized the President "to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons." Within weeks, United States military forces were deployed in Afghanistan. *See* The 9/11 Commission Report (2004), at 337.

16. The United States led the initial aerial bombing campaign of Afghanistan, with ground forces composed of United States forces and Afghanistan militia opposed to the Taliban, including the Northern Alliance. The Northern Alliance is an association of Afghan groups opposed to the Taliban. The Northern Alliance has assisted the United States in its military campaign in Afghanistan to defeat al-Qaida and the Taliban. *See id.* at 330-34; 336-38.

17. In December 2001, the United States-led military campaign removed the Taliban from control of Afghanistan's national government. *See id.* at 337-38. Taliban and al-Qaida forces, however, have continued to operate in Afghanistan and attack coalition forces. Currently, two major military operations are underway in Afghanistan. First, Operation Enduring Freedom (OEF) is a multinational coalition military operation, led by the United States, initiated in October 2001 to counter terrorism and bring security to Afghanistan in collaboration with Afghan forces. *See* www.state.gov/r/pa/prs/ps/2006/60083.htm. OEF operations led to the

collapse of the Taliban government and helped bring security and stability to Afghanistan. *Id.* OEF involves troops from over 20 nations, including about 19,000 United States forces and about 3,000 non-United States troops. *Id.* Second, the International Security Assistance Force (ISAF) is a United Nations-mandated international coalition operating under the command of the North Atlantic Treaty Organization (NATO). *See* www.nato.int/isaf/index.html. ISAF was established in 2002 with the goal of creating conditions for stabilization and reconstruction in Afghanistan. ISAF is comprised of approximately 50,000 troops from 40 countries. *Id.*

[REDACTED]

18. By his own account, Fouad al-Rabia, [REDACTED]

[REDACTED] b(1)

[REDACTED] b(1) CSRT Detainee Statement; [REDACTED] b(2) [REDACTED] b(1)

[REDACTED] b(1)

[REDACTED] b(1) [REDACTED] b(2) [REDACTED] b(2) [REDACTED] b(1)

[REDACTED] b(1)

[REDACTED] b(1) *See* ISN 551 FD-302 (March 6,

2003); [REDACTED] b(2) [REDACTED] b(2) [REDACTED] b(1) al-

Rabia [REDACTED] b(1)

[REDACTED] b(1) [REDACTED] b(2) [REDACTED] b(2)

[REDACTED] b(2) He returned to Kuwait and worked for years in a management capacity for Kuwaiti

Airways, in addition to having the above-mentioned business interests. CSRT Detainee

Statement. Al-Rabia [REDACTED] b(2) CSRT Detainee Statement;

ISN 551 FD-302 (June 7, 2003) [REDACTED] b(2)

[REDACTED]

19. Al-Rabia [REDACTED]

[REDACTED] b(1), b(6)

[REDACTED] b(1), b(6) [REDACTED] b(2) [REDACTED] b(2) Al-Rabia [REDACTED] b(1), b(6)

b(1), b(6)

b(1), b(6) See CSRT Detainee Statement; accord b(2)

b(2) b(1), b(6) al-Rabia b(1), b(6)

b(1), b(6) al-Rabia b(1), b(6)

b(1), b(6) CSRT Detainee Statement; b(2) b(1), b(6) al-Rabia b(1), b(6)

b(1), b(6) see

generally CSRT Detainee Statement, b(1), b(6)

b(1) b(2)

b(2) b(2) Al-Rabia b(1)

b(1) E.g., b(2)

b(2) So too did the alleged young scholar. CSRT Detainee Statement.

Al-Rabia Meets Usama bin Laden At Least Four Times.

20. According to al-Rabia, C6 then arranged for al-Rabia and C1, C6 2001 through Pakistan, across the Afghan border, and on to bin Laden's residence in Khandahar, Afghanistan. See, e.g., CSRT Detainee Statement. b(1) al-Rabia b(1)

b(1) See b(2)

b(2) ISN 551 FD-302 (June 7, 2003). b(1) al-Rabia b(1)

b(1) See b(2); ISN 551 FD-302 (June 7, 2003); b(2) b(1) al-Rabia b(1)

b(1)

b(1) See CSRT Detainee Statement; see also b(2)

b(2) b(2)

21. Al-Rabia b(1), b(6)

b(1), b(6) b(2) b(1), b(6)

b(1), b(6)

b(1), b(6) [redacted] See CSRT Detainee

Statement; b(2) [redacted] b(2) [redacted] see

also b(2) [redacted] b(1), b(2) [redacted] al-Rabia b(1), b(2)

b(1), b(2) [redacted] Al-Rabia b(1), b(2)

b(1), b(2)

b(1), b(2) [redacted] b(2) [redacted] b(2) [redacted]

b(2) [redacted] b(1) [redacted] (al-Rabia) b(1)

b(1) [redacted] See b(2) [redacted]

22. Al-Rabia met with bin Laden three other times during this trip. b(1), b(6)

b(1), b(6) [redacted] al-Rabia b(1), b(6)

b(1), b(6) [redacted] b(2) [redacted]

23. b(1) [redacted] al-Rabia b(1) [redacted]

E.g., b(2) [redacted] b(2) [redacted] b(2) [redacted]

b(2) [redacted] b(2) [redacted] b(1), b(6) [redacted]

b(2) [redacted] b(1), b(6) [redacted]

b(1), b(6) [redacted] b(2) [redacted]

b(2) [redacted] ISN^{A2} [redacted] Interview (Oct. 24, 2003) b(2) [redacted] b(2) [redacted]

b(2) [redacted] b(2) [redacted] see also b(2) [redacted]

b(1) [redacted] al-Rabia, b(1)

Declaration of ^{D3} [redacted] "Terrorist Training Camps" (Aug. 29, 2008)

b(1), b(2)

see, e.g., b(2) [redacted]

b(2) [redacted]; see also ^{D3} [redacted] Declaration, "Terrorist Training Camps" [redacted]

[REDACTED]

24. [REDACTED] al-Rabia b(1)

b(1) [REDACTED] b(2) [REDACTED] b(1), b(2) [REDACTED] al-Rabia's b(1), b(2)

b(1), b(2) [REDACTED] al-Rabia b(1), b(2)

b(1), b(2) See b(2) [REDACTED] b(1) [REDACTED] al-

Rabia b(1) [REDACTED]

b(1) [REDACTED] See b(2) [REDACTED]

b(2) [REDACTED] b(2) [REDACTED] b(2) [REDACTED] b(2)

b(2) [REDACTED] see also b(2) [REDACTED] b(1) [REDACTED]

al-Rabia b(1) [REDACTED] Al-Rabia b(1)

b(1) [REDACTED] b(2) [REDACTED]

25. Al-Rabia b(1), b(6) [REDACTED]

b(1), b(6) [REDACTED] CSRT Detainee Statement; b(2) [REDACTED] b(1) [REDACTED]

b(1) [REDACTED]

b(1) [REDACTED] See CSRT Detainee Statement; b(2) [REDACTED]

b(2) [REDACTED] Bin Laden eventually arrived and said goodbye to the men. *Id.* Al-Rabia b(1)

b(1) [REDACTED]

b(1) [REDACTED] See b(2) [REDACTED]

b(2) [REDACTED]

[REDACTED]

26. b(1), b(6) [REDACTED] al-Rabia b(1), b(6)

b(1), b(6) [REDACTED]

b(1), b(6) [REDACTED] b(2) [REDACTED] In al-Rabia's b(1)

b(1) [REDACTED] b(2) [REDACTED] al-Rabia b(1)

b(1) [REDACTED], *see id.* b(1)

b(1) al-Rabia b(1) [REDACTED]

b(1) E.g., b(2) CSRT Detainee Statement; *see also id.* (stating Abu Suliyman, the al-Qaida member, also traveled with al-Rabia on this trip). Al-Rabia b(1), b(2), b(6)

b(1), b(2), b(6)

b(1), b(2), b(6)

See b(2) b(2) Al-Rabia b(1), b(2), b(6)

b(1), b(2), b(6)

b(1), b(2), b(6)

b(2)

27. b(1) Al-Rabia b(1)

b(1) b(2) b(1), b(2)

b(1), b(2)

b(1), b(2) b(2) b(1), b(2), b(6)

al-Rabia b(1), b(2), b(6)

b(1), b(2), b(6)

See b(2)

C2

C2 Declaration of D3 "Guest Houses" (Aug. 29, 2008); *accord* CSRT Detainee

Statement. b(1) al-Rabia b(1)

b(1)

b(1) See b(2) b(2) b(1)

b(1) b(2) b(2)

b(2) *see also* Declaration of D3 "Tora Bora" (Aug. 29, 2008)

(describing bin Laden's military cave complex at Tora Bora).

² The author of a Department of Defense Criminal Investigation Task Force (DOD/CITF) memorandum commented, in describing A2 A6 statement as to another detainee, that his credibility was in question with interrogators. DOD/CITF Memorandum (May 14, 2004). b(1), b(2), b(5)

b(1), b(2), b(5) b(2)

28.

b(1)

al-Rabia b(1)

b(1)

CSRT

Detainee Statement;

b(2)

b(2)

al-Rabia

b(1)

b(1)

; see also D3

Declaration, "Tora Bora" (describing retreat of Taliban and al-Qaida fighters to bin Laden's cave complex at Tora Bora by November 2001 and the ensuing battle there). As described by

an admitted mujahideen, as well as by an al-Wafa leader

al-Rabia went to Tora Bora to fight rather than simply escape war-time

conditions. 2)

see also

b(1), b(2)

al-Rabia b(1), b(2)

al-Rabia b(1), b(2)

b(1), b(2)

al-Rabia's b(1), b(2)

al-Rabia b(1), b(2)

See b(2)

Al-Rabia

b(1)

See CSRT Detainee

Statement; b(2)

29. Al-Rabia b(1)

b(1)

See b(2)

b(2)

b(2)

b(1), b(6)

b(1), b(6)

CSRT Detainee Statement; b(2)

b(2)

b(1), b(6)

b(1), b(6)

See

b(2)

b(2)

b(1)

b(1)

al-Rabia

b(1)

b(1)

b(2)

b(1) [REDACTED]

[REDACTED] CSRT Detainee Statement; b(2) [REDACTED]

[REDACTED]

30. Al-Rabia played a leadership role for the forces fighting at Tora Bora. b(1) [REDACTED]

[REDACTED] al-Rabia [REDACTED]

b(1) [REDACTED]

See [REDACTED]

b(2) [REDACTED] al-Rabia [REDACTED]

[REDACTED] al-Rabia's [REDACTED]

See [REDACTED] b(1), b(2) [REDACTED]

[REDACTED] al-Rabia [REDACTED] b(2) [REDACTED] b(1) [REDACTED]

b(1) [REDACTED] b(2) [REDACTED]

b(2) [REDACTED]

31. Al-Rabia [REDACTED]

b(1) [REDACTED] See [REDACTED] 2) [REDACTED]

[REDACTED] al-Rabia [REDACTED]

b(1), b(2) [REDACTED]

b(1), b(2) [REDACTED] See b(2) [REDACTED] Al-Rabia

b(1) [REDACTED]

[REDACTED]

[REDACTED]

32. As the battle in Tora Bora drew to a close, al-Rabia indicated that C1, C6 [REDACTED]

[REDACTED]

[REDACTED] E.g., CSRT Detainee Statement; see also [REDACTED] Declaration, "Tora Bora"

[REDACTED]

[REDACTED] Al-Rabia indicated that, along with ISN 519, he left Tora Bora and tried

escaping the country through the Jalalabad checkpoint. *See, e.g.*, CSRT Detainee Statement. But there, he was captured by coalition forces.

33. Al-Rabia ^{b(1), b(2), b(6)} [redacted]
[redacted] b(1), b(2), b(6)
[redacted] b(1), b(2), b(6) *E.g.* ^{b(2)} [redacted] ^{b(1), b(2)} al-Rabia ^{b(1), b(2)} [redacted]
[redacted] b(1), b(2)
[redacted] b(1), b(2) ^{b(1), b(2)} al-Rabia ^{b(1), b(2)} [redacted]
[redacted] b(1), b(2) *See* ^{b(2)} [redacted] ^{b(2)} [redacted]

[redacted]

34. ^{b(1)} [redacted] al-Rabia's ^{b(1)} [redacted] al-Rabia
[redacted] ^{b(1)} *see, e.g.* ^{b(2)} [redacted] ^{b(1)} [redacted]
[redacted] b(1)
[redacted] The 9/11 Commission Report (2004), at 83,
148, 436 (describing Khalid Sheik Mohammed as the "9/11 mastermind"); *see also* ^{b(2)} [redacted]
[redacted] ^{b(2)} [redacted] ^{b(1)} [redacted] al-Rabia ^{b(1)} [redacted] ^{b(2)} [redacted] ^{b(1)} [redacted] ^{b(2)} [redacted]
[redacted] ^{b(2)} [redacted] ^{b(1)} [redacted] ^{b(2)} [redacted] ^{b(1)} [redacted] al-Rabia ^{b(1)} [redacted]
[redacted] ^{b(1)} [redacted] al-

Rabia's ^{b(1)} [redacted]
[redacted]

[redacted] Al-Rabia ^{b(1), b(6)} [redacted]
[redacted] b(1), b(6)
[redacted] b(1), b(6) [redacted] ^{b(1)} [redacted]

35. Also recovered from an al-Qaida or Taliban cave/stronghold in the Tora Bora region were handwritten notes that implicate al-Rabia. See ^{D2} [redacted] These notes identify al-Rabia by his alias as the author of instructions, the substance of which direct al-Qaida operatives to publicly threaten the next wave of attacks on the "American people":

Your Brother Abu 'Abdullah Al-Kuwaiti [alias for Al-Rabia];
1-Announcing publicly the next attack.
2-Announcing publicly that we gave some groups the green light to move.
3-The groups that are present in America and Europe are above suspicion.***
5-The statement/letter should be directed to the American people. ***
If the American people are ready to die as we are ready to die, then our combat groups along with our military, nuclear, and biological equipment will kill hundreds of thousands of people who don't wish to fight.
B-If you are ready to die as we are ready to die, the thousand present here in Afghanistan equals hundreds of thousands of Americans.

^{D2} [redacted] (translation of notes). The document also appears to include information about possible al-Qaida or Taliban operations in Afghanistan, as well as a list of al-Qaida or Taliban personnel. *Id.* ^{b(1), b(2)} [redacted]

^{b(1), b(2)} [redacted] al-Rabia ^{b(1), b(2)} [redacted] al-Rabia ^{b(1), b(2)} [redacted]
^{b(1), b(2)} al-Rabia, ^{b(1), b(2)} [redacted] ^{b(2)} [redacted]

[redacted]

36. In addition to al-Rabia's role as an al-Qaida financial supporter and supply chief at Tora Bora, he also had an active and longstanding role in that organization. ^{b(1)} [redacted]

^{b(1)} [redacted] al-Rabia ^{b(1)} [redacted] ^{b(2)} [redacted]
^{b(1), b(2), b(6)} [redacted] al-Rabia ^{b(1), b(2), b(6)} [redacted]
^{b(1), b(2), b(6)} [redacted] ^{b(2)} [redacted]
^{b(2)} [redacted] ^{b(2)} [redacted] *see also* ^{D3} [redacted] Declaration, "Terrorist Training Camps"

[redacted]

D1 [redacted] The 9/11 Commission Report (2004) at 234 (noting seven of the Sept. 11 hijackers trained at the "al Faruq camp near Kandahar"). [redacted] al-Rabia [redacted]

[redacted] b(1), b(2); see also [redacted]

b(2) [redacted] b(1) al-Rabia's [redacted] b(1) al-

Rabia [redacted] al-Rabia [redacted] b(2)

b(2) [redacted] b(2)

37. [redacted] al-Rabia [redacted]

[redacted] See [redacted] b(2) [redacted] b(1), b(2)

[redacted] al-Rabia [redacted]

[redacted] al-Rabia [redacted]

[redacted] Al-Rabia [redacted]

[redacted] b(2)

38. The detainee who saw al-Rabia at Tora Bora, ^{A2} [redacted] also indicated that al Rabia had helped another al-Qaida supporter from Kuwait—^{A2 A6} [redacted] prepare terrorist recruiting tapes. See ISN ^{A2} [redacted] FM40 (Sept. 23, 2004). These tapes urged al-Qaida recruits to go fight in Bosnia and Chechnya, among other places. See *id.*

[redacted]

39. Al-Rabia [redacted]

b(1) [redacted]

b(1) [redacted] See, e.g., [redacted] CSRT Detainee Statement; ^{D3} [redacted]

^{D3} [redacted] "Background Declaration—Intelligence 101" [redacted]

[redacted]

In addition, [redacted]

b(1)

b(1) See b(2)

b(2)

40. b(1)

b(1) see b(2) CSRT Detainee Statement,

b(1) See Exec. Order 13224, 66 Fed. Reg. 49079, 49080 (Presidential

designation that al-Wafa is organization linked to terrorism);

<http://www.treasury.gov/offices/enforcement/ofac/programs/terror/terror.pdf> (indicating al-Wafa

remains on terrorist designation list as of August 2008);

<http://www.un.org/sc/committees/1267/consolist.shtml> (designating by October 2001 direction

of United Nations Security Council Committee that al-Wafa is an "entity and other group and

undertakings associated with al-Qaida"). D1

D1 A2 FM40 (Jan. 5, 2005);

Declaration of D3 "Terrorist Organization" (Aug. 29, 2008) D1

D1

D1 Al-Rabia b(1)

b(1)

b(1) See IIR 6 034 0451 04; IIR 6 034 0184 05; see also b(2)

b(2)

41. Al-Rabia b(1)

b(1) See Detainee's Prepared Statement to ARB; b(2)

b(2) This health club is used by men to prepare for jihad. Al-Rabia b(1), b(6)

b(1), b(6)

b(1), b(6) CSRT

Detainee Statement; b(2) accord b(2) b(1), b(6)

b(1), b(6) al-Rabia b(1), b(6)

b(1), b(6) See b(2) b(2) b(1), b(6)

b(1), b(6) al-Rabia b(1), b(6)

b(2)

42. b(1), b(6) of al-Rabia's b(1), b(6)

b(1), b(6) b(2) b(1), b(6)

b(1), b(6)

al-Rabia's b(1), b(6) See

b(2) see also b(2)

43. b(1) al-Rabia b(1)

b(1)

b(1) See b(2)

b(2) b(2) b(1), b(2) al-Rabia

b(1), b(2) b(1)

b(1) al-Rabia b(1)

b(1) See b(2)

b(2) see also b(2) b(1), b(2) al-Rabia b(1), b(2)

b(1), b(2) Al-Rabia has denied allegations to this effect, too.

Conclusion

44. Accordingly, al-Rabia is properly detained as an enemy combatant under the President's power as Commander in Chief and the Authorization for Use of Military Force.