

EXHIBIT 3

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:
GUANTANAMO BAY
DETAINEE LITIGATION

)
)
) Misc. No. 08-442 (TFH)

) Civil Action No.
) 09-CV-1332 (HHK)
)
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FACTUAL RETURN

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Respondents hereby submit, as explained herein, a factual return pertaining to the petitioner identified as the subject of the attached Narrative. This return sets forth factual bases¹ supporting petitioner's lawful, ongoing detention pursuant to the Authorization for the Use of Military Force as informed by the principles of the laws of war.

Dated: November 12, 2009

Respectfully submitted,

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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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DECLARATION OF REAR ADMIRAL THOMAS H. COPEMAN III


Declaration of Rear Admiral Thomas Copeman

Pursuant to 28 U.S.C. § 1746, I, Thomas H. Copeman III, 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 27 years of active service. I currently serve as Commander, Joint Task Force - Guantanamo (JTF-GTMO), at Guantanamo Bay, Cuba. I have held this position since 19 June 2009. 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 his detention as an enemy combatant at Guantanamo Bay, Cuba.

Dated:


THOMAS H. COPEMAN III
Rear Admiral, U.S. Navy
Commanding

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJJI NASSIM,

Petitioner,

v.

BARACK OBAMA, *et al.*,

Respondents.

Civil Action No. 09-CV-1332 (HHK)

NARRATIVE FOR PETITIONER HAJJI NASSIM (AKA INAYATULLAH) (ISN 10028)

INTRODUCTION

1. Petitioner, Hajji Nassim, is currently detained at the United States Naval Base in Guantánamo Bay, Cuba, as a person who was a part of or substantially supported Taliban or al-Qaida forces. As described below, and based on the materials submitted herewith, Petitioner was an active participant in several terrorist facilitation networks responsible for moving al-Qaida fighters into Pakistan, knowingly delivered and facilitated the delivery of correspondence and supplies between senior al-Qaida leaders in Iran and Pakistan, and received money from al-Qaida operatives either as payment for his services or to finance his facilitation work. Consequently, for the reasons stated more fully below, Petitioner is lawfully subject to detention pursuant to the Authorization for Use of Military Force, Pub. L. 107-40, 115 Stat. 224 (2001) (hereinafter "AUMF"), as informed by the principles of the laws of war.

2. The following narrative and attached documents set forth the factual basis supporting Petitioner's lawful detention. This narrative is not intended to be a complete

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explication of the information in support of Petitioner's detention contained in those materials.

3. The documents discussed herein contain information obtained through interviews conducted by law enforcement and intelligence personnel, as well as information derived from other sources and methods. Such information is commonly reproduced in reports created by law enforcement and intelligence personnel and often forms the basis for the creation of other intelligence products. 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 the military or intelligence personnel in making decisions to act upon threats against national security. See Declaration ³ [REDACTED] ³ [REDACTED] *Intelligence 101* (Sept. 19, 2008) & Supplemental Declaration (May 29, 2009); Declaration of Robert H. Holmes, *Use of Intelligence Products in the Targeting and Operational Cycles in Operation Enduring Freedom* (Aug. 22, 2008).

4. As with all detained persons at Guantánamo Bay, Petitioner has been assigned an Internment Serial Number, or ISN. The ISN is an administrative code assigned to military detainees. Petitioner's full ISN is US9AF-010028DP, in which the number "10028" is Petitioner's unique identifier, and the "AF" designation indicates that he is a national of Afghanistan.

5. While ethno-linguistic traditions and cultural practices produce variations in the way Arabic names are constructed, and traditionally an Arabic name may be comprised of a *kunya* (alias), those engaged in terrorist activities commonly corrupt the use of *kunyas* to conceal their true identities. See Declaration of ³ [REDACTED] *Names, Aliases, Kunyas, and Variants* (Sept. 19, 2008) ("Aliases Decl."). Accordingly, some of the individuals referred to herein may be known by their *kunyas*.

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6. In addition, names and aliases are sometimes spelled differently when transliterated to Latin characters. See Aliases Decl. There are various transliterations of the same names and aliases in the attached documents and, where obvious, this narrative does not note such instances of variation of the transliterations.

7. Source documents attached as exhibits to this Factual Return may refer to Petitioner by name, full ISN, or various short forms of his ISN containing the number "10028." Likewise, other military detainees may be referred to in the source documents and this narrative by name, kunya, various forms of ISN, or other unique identifying codes.

GENERAL BACKGROUND

8. Al-Qaida (translated from Arabic as "the Base") was founded by Usama bin Laden and others in about 1989 for the purpose of opposing certain governments and officials with force and violence. See National Comm'n on Terrorist Attacks Upon the United States, *The 9/11 Commission Report*, at 56 (2004) (hereinafter "9/11 Commission Report"); Declaration of Jacky L. Hardy, *Al-Qaida* (Sept. 22, 2008) ("Al-Qaida Background Decl."). Usama bin Laden is recognized as the emir (prince or leader) of al-Qaida. See *9/11 Commission Report* at 56; Al-Qaida Background Decl. at 2. A purpose or goal of al-Qaida, as stated by Usama bin Laden and other al-Qaida leaders, is to support violent attacks against nationals and property (both military and civilian) of the United States and other countries. See *9/11 Commission Report* at 59-61; Al-Qaida Background Decl. at 1-2.

9. Between 1989 and 2001, al-Qaida established training camps, guesthouses and business operations in Afghanistan, Pakistan and other countries for the purpose of training and supporting violent attacks against nationals and property (both military and civilian) of the United States and other countries. See *9/11 Commission Report* at 64-67.

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10. In 1996, Usama bin Laden issued a public "Declaration of Jihad Against the Americans," which called for the murder of United States military personnel serving on the Arabian Peninsula. *Id.* at 64-67.

11. In February 1998, Usama bin Laden and Ayman al Zawahiri (bin Laden's deputy) issued a fatwa (purported religious ruling) requiring all Muslims able to do so to kill Americans – whether civilian or military – anywhere in the world. *See 9/11 Commission Report* at 47; *Al-Qaida Background Decl.* at 2.

12. Since its founding, members and associates of al-Qaida, known and unknown, have carried out numerous terrorist attacks, including the attacks against the American Embassies in Kenya and Tanzania in August 1998, which killed approximately 250 people, *9/11 Commission Report* at 68-70; the attack against the USS Cole in October 2000, which killed 17 United States Navy sailors, *id.* at 190-93; and the September 11, 2001, attacks on the United States, which killed approximately 3,000 people. *Id. passim; see also Al-Qaida Background Decl.* at 3.

13. The Taliban ("students of Islamic knowledge") is an Islamic extremist group that emerged as a force in Afghan politics in 1994. *See Council on Foreign Relations, The Taliban in Afghanistan* (Aug. 3, 2009), available at <http://www.cfr.org/publication/10551>. After two years of violent conflict that included the capture of Kabul, Afghanistan's capital, the Taliban took control of Afghanistan's national government in 1996. *9/11 Commission Report* at 65. Although it was never formally recognized by the United States, *id.* at 124, the Taliban controlled Afghanistan's national government from 1996 until the United States-led military campaign ousted the Taliban from power in 2001. *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

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and Usama bin Laden. *Id.* at 64-67.

14. On September 18, 2001, following the attacks on the United States, Congress adopted the AUMF. *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.” *Id.* In the weeks following September 11, 2001, United States military forces deployed to countries in the region neighboring Afghanistan and, on October 7, 2001, began air strikes on al-Qaida and Taliban targets. *9/11 Commission Report* at 337.

15. The United States followed the initial aerial bombing campaign of Afghanistan with an assault by ground forces composed of United States forces and Afghanistan militia opposed to the Taliban, including the Northern Alliance. The Northern Alliance, an association of Afghan groups opposed to the Taliban, assisted the United States in its military campaign in Afghanistan to defeat al-Qaida and the Taliban. *Id.* at 330-34, 336-38.

16. In December 2001, the United States-led military campaign removed the Taliban from control of Afghanistan’s national government. *Id.* at 337-38. Taliban and al-Qaida forces, however, have continued to operate in Afghanistan and attack coalition forces.

17. The Federally Administered Tribal Areas (FATA) of Pakistan, including North

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and South Waziristan,¹ are of significant strategic importance for al-Qaida because it is where the organization's senior leaders and operatives continue to find safe haven, conduct training, and prepare for operations in the region, including the deployment of suicide bombers to key areas inside Afghanistan. See United States Central Command (CENTCOM), *North Waziristan Agency Continuity* (Dec. 1, 2007); National Counterterrorism Center, *Intelligence Community Terrorist Threat Assessment: The Worldwide Terrorism Threat* (Oct. 4, 2007) ("The Worldwide Terrorism Threat").

18. Since the beginning of the Afghanistan war, members of the Taliban have advanced into leadership roles in some parts of the FATA, particularly the agencies of North and South Waziristan and Bajaur. Council on Foreign Relations, *Backgrounder: Pakistan's Tribal Areas* (Oct. 26, 2007), available at <http://www.cfr.org/publication/11973> ("Pakistan's Tribal Areas"). In addition, the FATA has reportedly become a safe haven for al-Qaida and other militants. United States Department of State, *Country Reports on Terrorism 2006: Terrorist Safe Havens*, available at <http://www.state.gov/s/ct/rls/crt/2006/82728.htm>; *Pakistan's Tribal Areas*. Permissive conditions in the FATA region have allowed senior al-Qaida operatives to congregate, develop operational plans, and conduct terrorist training for transnational operations. *The Worldwide Terrorism Threat*. Moreover, increased Talibanization in the FATA in recent years, in particular in North and South Waziristan, has resulted in the proliferation of al-Qaida training camps and the unhindered deployment of suicide bombers to key areas inside Afghanistan and Pakistan. *North Waziristan Agency Continuity*. If forced to vacate FATA and locate elsewhere, al-Qaida would be vulnerable to security crackdowns as well as local

¹ Waziristan is a mountainous region of northwest Pakistan that borders Afghanistan and covers some 4,473 square miles. Columbia Electronic Encyclopedia, *Waziristan*, available at <http://www.infoplease.com/ce6/world/A0851693.html>; Map of Pakistan.

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resistance, and probably would be forced to adopt an even more dispersed and clandestine structure, making training and operational coordination difficult. Dennis C. Blair, Director of National Intelligence, *Annual Threat Assessment of the Intelligence Community for the Senate Select Committee on Intelligence* (Feb. 12, 2009) ("Annual Threat Assessment") at 4, available at <http://intelligence.state.gov/090212/blair.pdf>. Without access to its FATA safe haven, al-Qaida also would have greater difficulty supporting the Taliban insurgency in Afghanistan. *Id.*

19. Currently, two major military operations are underway in Afghanistan. The first, Operation Enduring Freedom (OEF), is a multinational coalition military operation, led by the United States, which was initiated in October 2001 to counter terrorism and bring security to Afghanistan in collaboration with Afghan forces. *See Operation Enduring Freedom, Fact Sheet* (January 2006), available at <http://2001-2009.state.gov/r/pa/prs/ps/2006/60083.htm>. OEF operations led to the collapse of the Taliban government and helped to bring a measure of security and stability to Afghanistan. *Id.* OEF operations in Afghanistan currently involve about 47,000 U.S. forces. The 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 ISAF Official Homepage, available at* <http://www.nato.int/isaf/index.html>. The ISAF was established in 2002 with the goal of creating conditions for stabilization and reconstruction in Afghanistan. As of June 2009, the ISAF was comprised of approximately 67,700 troops from 42 countries, including roughly an additional 20,000 U.S. troops. *Id.*

PETITIONER'S BACKGROUND AND ASSOCIATION WITH AL-QAIDA

21. Petitioner, Hajji Nassim, was born in Afghanistan in 1974 and moved to Pakistan when he was very young. ISN 10028 SIR (Feb. 12, 2008); IIR 6 105 5094 08. He has between

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six and eight children and speaks Farsi, Pushtu, Arabic, Dari, and some English. ISN 10028 SIR (Oct. 3, 2007); ISN 10028 SIR (Oct. 23, 2007); IIR 6 105 5096 08.

22. Petitioner also uses the names Hajji Agha and Inayatullah al-Afghani, or "Inayatullah," for short. IIR 6 034 0024 08; IIR 6 105 5096 08.² The title "Hajji" is an honorific referring to someone who went on a pilgrimage to Mecca. See Aliases Decl. Inayatullah is a name given to Petitioner by his parents during his youth. ISN 10028 SIR (Oct. 16, 2007).

23. Until late 2005 or early 2006, Petitioner (hereinafter "Inayatullah") lived in Quetta, which is the capital of Pakistan's southwestern Baluchistan province. IIR 6 105 5104 08; Columbia Electronic Encyclopedia, *Quetta*, available at <http://www.infoplease.com/ce6/world/A0840793.html>; Map of Pakistan.

24. In mid 2005, while Inayatullah was living in Quetta, an al-Qaida operative named Omar Kandari (also referred to as Omar Kandahari), approached Inayatullah and his brother, Hidayatullah, and asked them to take care of the wife and children of a Moroccan al-Qaida member who was being detained at Guantánamo Bay. ISN 10028 SIR (Sept. 16, 2007); IIR 6 034 0062 08; IIR 6 034 0130 08; IIR 6 105 5021 08. Although Inayatullah claimed that he was not interested in that kind of job due to his involvement in the dried fruit business, his brother, Hidayatullah, agreed to help. ISN 10028 SIR (Sept. 15, 2007); IIR 6 034 0130 08.³ According to Inayatullah, Kandari rented a safehouse in Quetta where Hidayatullah and his wife lived with the Moroccan woman and her children. ISN 10028 SIR (Sept. 15, 2007); IIR 6 034 0130 08. Kandari asked Hidayatullah to cook for the woman and to ensure that she had everything she

² According to one report, Inayatullah denied using any other name besides "Naji Hasim." ISN 10028 FM40 (Jan. 8, 2008). However, this may be an unintentional transposition of the first letters of the name Hajji Nassim.

³ Inayatullah later claimed that Hidayatullah would not associate with al-Qaida. ISN 10028 SIR (Oct. 5, 2007) (B).

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needed. ISN 10028 SIR (Sept. 15, 2007); IIR 6 034 0130 08. The woman and her family lived in the safehouse for two to four months and moved out when her husband was transferred from the custody of the United States. ISN 10028 SIR (Sept. 15, 2007); IIR 6 034 0130 08.

25. After the Moroccan woman and her family left the safehouse, Inayatullah and his brother agreed to assist the wife of an Egyptian al-Qaida member, Abu Yusif, while Yusif was being detained in Iran. ISN 10028 SIR (Sept. 15, 2007); IIR 6 034 0130 08; IIR 6 105 5104 08. According to Inayatullah, the woman moved into the safehouse formerly occupied by the Moroccan family. ISN 10028 SIR (Sept. 15, 2007); IIR 6 034 0130 08. While she was living there, a note was left on her door, allegedly signed by the CIA, stating that an al-Qaida family resided there. ISN 10028 SIR (Sept. 15, 2007); IIR 6 034 0130 08. Inayatullah informed Omar Kandari about the note, and the woman was promptly relocated to Waziristan. ISN 10028 SIR (Sept. 15, 2007); IIR 6-034 0130 08.

26. Inayatullah also admitted that his uncle, Amir Ali Gul, was arrested in Pakistan because Inayatullah allowed Arab women associated with al-Qaida to come to Gul's home. IIR 6 034 0061 08; IIR 6 105 5104 08.

27. In late 2005 or early 2006, Inayatullah moved from Quetta to Zahedan, Iran, a large city near the Pakistan and Afghanistan borders. IIR 6 105 5104 08; Map of Iran/Pakistan Border. Inayatullah claimed that he moved to Iran knowing that he would open a shop. ISN 10028 SIR (Nov. 20, 2007). Inayatullah ran a grocery store in Zahedan for a while and later became a partner in a mobile phone business, which sold illegal phones in bulk to shops in the Zahedan area. ISN 10028 SIR (Sept. 17, 2007); ISN 10028 SIR (Nov. 20, 2007); IIR 6 034 0072 08.

Petitioner Facilitated the Movement of al-Qaida Fighters Between Iran and Pakistan

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28. As explained below, Inayatullah continued his association with al-Qaida after relocating to Iran. During the course of numerous interviews, Inayatullah detailed how al-Qaida fighters illegally traveled to Pakistan, via his store in Zahedan, along a terrorist facilitation network overseen by senior al-Qaida leaders Yasin al-Suri (also known as Yasin Baqush and Abu Sulayman al-Kurdi) (hereinafter "Abu Sulayman") and Abdul Majid Sabash (hereinafter "Abdul Majid"). *See generally* IIR 6 034 0024 08; IIR 6 105 5071 08.

29. Inayatullah identified Abu Sulayman as the most senior leader of al-Qaida in Iran. IIR 6 105 5021 08; IIR 6 105 5071 08. On another occasion, Inayatullah stated that Abu Sulayman seemed to be the al-Qaida leader of Iran and was definitely the leader for Tehran. ISN 10028 SIR (Oct. 4, 2007) (B).⁴ Inayatullah identified Abdul Majid as the head of al-Qaida in Zahedan. IIR 6 105 5022 08.

30. According to Inayatullah, normal operations along this facilitation network consisted of Abu Sulayman picking up the fighters in Tehran, Iran, and bringing them to the home of Abdul Majid in Zahedan. ISN 10028 SIR (Sept. 13, 2007); IIR 6 034 0024 08. The fighters would remain at Abdul Majid's home for an unspecified amount of time and would be taken, one at a time, to Inayatullah's store. ISN 10028 SIR (Sept. 13, 2007); IIR 6 034 0024 08; IIR 6 105 5022 08. Inayatullah would notify Abdul Majid when to send the next fighter over to the store. IIR 6 105 5022 08. Sahih, the man who delivered rice to the store, would meet the fighters there early in the morning and transport them to Taftan, Iran, a town near the Pakistan border. ISN 10028 SIR (Sept. 17, 2007); ISN 10028 SIR (Oct. 25, 2007); IIR 6 034 0024 08; IIR 6 105 5022 08; IIR 6 105 5071 08; IIR 6 105 5094 08. According to Inayatullah, people who were taken into Pakistan illegally had to pay 40,000 Iranian Tomans (approximately 40 USD)

⁴ Later, Inayatullah denied meeting Abu Sulayman and stating that Abu Sulayman was the leader of al-Qaida in Iran. ISN 10028 SIR (Dec. 13, 2007).

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compared to the legal rate of 3,000 Iranian Tomans (approximately 3 USD). ISN 10028 SIR (Sept. 13, 2007); IIR 6 034 0024 08. Sahih asked for and collected the money from the fighters. IIR 6 034 0024 08.

31. Inayatullah explained that Abdul Majid wanted Sahih to move the fighters, as he typically traveled right to Taftan and could take them to the Tablighi office in Taftan, which was located approximately 500 meters from the Pakistani border. IIR 6 105 5022 08; IIR 6 105 5071 08; IIR 6 105 5094 08.⁵ Abdul Majid's nephew, Shuwayb, would ride with Sahih to the Tablighi office, as Shuwayb had a point of contact there. IIR 6 105 5022 08.⁶

32. After arriving at the office, Shuwayb would have the fighters registered as Tablighis, which allowed them to travel into Pakistan. IIR 6 105 5022 08. According to Inayatullah, the cover story offered by most fighters who traveled through Zahedan was that they were on Tabligh. ISN 10028 SIR (Sept. 19, 2007); IIR 6 034 0024 08.

33. The fighters were met at the Tablighi office by someone sent by Kamil Jan, or by Kamil Jan himself, and then escorted into Pakistan. ISN 10028 SIR (Sept. 14, 2007); ISN 10028 SIR (Oct. 22, 2007); IIR 6 034 0024 08; IIR 6 105 5071 08; IIR 6 105 5094 08.⁷ Inayatullah identified Kamil Jan as the al-Qaida leader in Quetta, Pakistan, and possibly the al-Qaida leader

⁵ Tablighi refers to Tablighi Jama'at, an Islamic missionary organization based in Pakistan that has been used by some of its members as a cover for action by Islamic extremists. IIR 2 227 0131 03.

⁶ Inayatullah identified Shuwayb as Abdul Majid's cousin. IIR 6 105 5022 08. Inayatullah later denied knowing Shuwayb. ISN 10028 SIR (Jan. 3, 2008). In a subsequent interview, Inayatullah stated that he learned from Abdul Majid that Shuwayb was killed in early 2007 "on the border of Pakistan and Waziristan." IIR 6 034 0124 09.

⁷ In another interview, Inayatullah reportedly stated that "Hamid" Jan would take the fighters into Pakistan. ISN 10028 SIR (Sept. 13, 2007). This could be a transcription error, however, as Inayatullah later claimed that he did not know anyone named Hamid. ISN 10028 SIR (Dec. 6, 2007).

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for all of Pakistan. ISN 10028 SIR (Oct. 4, 2007) (B).⁸ Abdul Majid would speak to Kamil Jan one day before the fighters were brought to Taftan. IIR 6 105 5071 08.

34. Additionally, Inayatullah would sometimes notify Kamil Jan of the impending movement of fighters to the Pakistani border by contacting an al-Qaida operative in Quetta named Abdul Rahman. IIR 6 105 5094 08. Abdul Rahman would communicate Inayatullah's message to Kamil Jan, who would then make the necessary arrangements for the fighters to be met at the border. *Id.* Inayatullah contacted Abdul Rahman approximately six or seven times since the beginning of his involvement with the al-Qaida network. *Id.*

35. Inayatullah identified Abdul Rahman as an extremely important personality within the Quetta al-Qaida network who was responsible for most of the group's logistics between Quetta and Zahedan. *Id.* Abdul Rahman was a close associate of Omar Kandari, the al-Qaida operative in Quetta who asked Inayatullah and his brother to assist the families of detained al-Qaida members. IIR 6 034 0062 08; *see also supra* ¶¶ 24-25. Inayatullah saw Abdul Rahman twice in Quetta and once or twice in Zahedan, including a meeting at Inayatullah's store. ISN 10028 SIR (Sept. 26, 2007); ISN 10028 SIR (Oct. 20, 2007). Abdul Rahman assumed the al-Qaida network facilitation role previously held by Kamil Jan after Kamil Jan relocated to Waziristan in early 2007. IIR 6 105 5137 08.

36. After entering Pakistan, Kamil Jan's associates would transport the fighters, usually by bus, to Quetta. IIR 6 105 5137 08. Although Inayatullah claimed that he did not know the final destination of the fighters who moved through Zahedan, he knew that they went to a certain mosque in Waziristan. ISN 10028 SIR (Oct. 25, 2007).

⁸ Kamil Jan seemed to take all his direction from a facilitator named Mohammad Iqbal, who resided in Mir Ali, Pakistan. IIR 6 105 5094 08; *see also infra*. On another occasion, Inayatullah apparently identified an individual named Tariq as the head of al-Qaida in Quetta. IIR 6 105 5021 08.

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37. Most of the foreign fighters who traveled through Inayatullah's store were Turks. IIR 6 105 5071 08; *see also* IIR 6 105 5023 08 (Inayatullah provided descriptions of two Turkish fighters who moved through his store along Abdul Majid's facilitation network). Inayatullah explained that all of the Turks who came through his store had legal Turkish passports and did not require visas for entry into Pakistan. IIR 6 105 5094 08. Abdul Majid was reportedly angry at the fighters because they remained in Pakistan for an average of two to three months, instead of six months to a year, as he would have liked. IIR 6 105 5022 08; IIR 6 105 5071 08. When the fighters returned, they would complain about the food, weather and accommodations in Pakistan. IIR 6 105 5071 08. Eventually, Abdul Majid told them not to come back through Zahedan if they were thinking of returning in less than a year. IIR 6 105 5022 08. Most of the fighters ended up complying with these orders because Abdul Majid was holding all of their baggage at his house. *Id.*

38. During one interview, Inayatullah volunteered that the Turks and Kurds who used his shop to wait for a ride to the Pakistani border were al-Qaida. ISN 10028 SIR (Oct. 3, 2007). However, Inayatullah claimed that when the fighters were at his shop he did not know that they were al-Qaida and thought that they were Tablighis, but later found out their true affiliation from Abdul Majid. ISN 10028 SIR (Oct. 3, 2007); ISN 10028 SIR (Oct. 25, 2007).⁹ According to Inayatullah, the fighters rarely talked about fighting, al-Qaida, or the Taliban during their journey. IIR 6 034 0024 08.

39. In addition to facilitating the movement of al-Qaida fighters along the route described above, Inayatullah made his store available as a transit point for fighters traveling to

⁹ In another interview, Inayatullah claimed that he had no knowledge of fighters passing through Zahedan and that he did not know if the Kurds who passed through his shop were fighters or not. ISN 10028 SIR (Sept. 21, 2007). Inayatullah also denied helping fighters get to Afghanistan. ISN 10028 SIR (Dec. 12, 2007).

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Pakistan along other facilitation lines that went through Zahedan. In particular, Inayatullah assisted an al-Qaida facilitator named Abdul Husayn al Baluchi, who Inayatullah identified as the first person to escort a foreigner through his store. IIR 6 105 5022 08. Abdul Husayn had his own facilitation route and would usually take Arabs from Zahedan to Peshawar, Pakistan. IIR 6 105 5022 08; IIR 6 105 5105 08. Inayatullah also stated that Dada Jan, an Uzbek who facilitated al-Qaida operatives out of the Dar al Alum Madrassa near Zahedan, had an operative come through Inayatullah's store. IIR 6 105 5022 08; IIR 6 105 5023 08; IIR 6 105 5071 08.

40. Due to heightened security and other problems at the Taftan border crossing in late 2006, al-Qaida facilitators in Iran, including Abu Sulayman and Abdul Majid, needed to develop and utilize an alternative route for smuggling fighters and supplies into Pakistan. *See* IIR 6 105 5136 08; *see also* IIR 6 105 5048 08 (Inayatullah stated that he could not help a Kuwaiti al-Qaida fighter enter Pakistan in early 2007 due to the restrictions placed on border crossings).

41. Accordingly, in early 2007, Abu Sulayman summoned Inayatullah to Tehran in order to obtain his assessment of the route into Waziristan. ISN 10028 SIR (Oct. 4, 2007) (Abu Sulayman chose Inayatullah for that assignment because he knew the route very well); IIR 6 034 0178 08; IIR 6 105 5104 08.

42. During that visit, Inayatullah told Abu Sulayman that the Taftan border crossing was unsafe for the passage of al-Qaida members because most people going through Taftan were getting stopped before crossing the border. ISN 10028 SIR (Oct. 4, 2007); IIR 6 034 0178 08; IIR 6 105 5104 08. In light of that assessment, Abu Sulayman did not have Inayatullah transport an al-Qaida operative who required movement to Waziristan, as Abu Sulayman had originally planned. ISN 10028 SIR (Oct. 4, 2007); IIR 6 034 0178 08.

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43. Not long after returning to Zahedan following his meeting with Abu Sulayman, Inayatullah learned of another group of al-Qaida facilitators who were able to circumvent the heightened security at the Taftan checkpoint by crossing the Pakistan border near the town of Saravan, Iran.¹⁰ IIR 6 105 5096 08; IIR 6 105 5104 08; IIR 6 105 5136 08; Map of Iran/Pakistan Border. This network involved Inayatullah's former associate in Quetta, Hajji Qayamuddin, and was managed out of Zahedan by an individual named Mehedi Mullahzai ("Mehedi"). IIR 6 105 5096 08. Inayatullah traveled to Saravan to meet with Hajji Qayamuddin and learn more about his network, which had recently facilitated the movement of two individuals across the Iran/Pakistan border. ISN 10028 SIR (Sept. 28, 2007); IIR 6 105 5096 08; IIR 6 105 5136 08; IIR 6 105 5153 08.

44. While in Saravan, Inayatullah learned that Mehedi charged 500 USD per person to move people via his network, regardless of the personalities involved. IIR 6 105 5096 08; IIR 6 105 5153 08. Inayatullah subsequently talked with Yusuf, Abdul Majid's nephew, about using Mehedi's route for their personnel, a plan that Abdul Majid and Abu Sulayman approved. IIR 6 105 5096 08; IIR 6 105 5136 08.

¹⁰ Saravan is located near the Pakistani border south of Taftan, and is part of a route for transportation of individuals and goods between Iran and Pakistan. ISN 10028 SIR (Sept. 28, 2007); Map of Iran/Pakistan Border. Inayatullah stated that the trip from Zahedan to Saravan takes four to five hours by car or taxi, as opposed to just one hour from Zahedan to Taftan. ISN 10028 SIR (Oct. 2, 2007). He also noted that there was a fifty percent likelihood of al-Qaida Arabs being detained by authorities at the Taftan border crossing, compared with a twenty to thirty percent chance of being detained by authorities at the Saravan/Panjgur crossing. IIR 6 105 5008 08. In other interviews, however, Inayatullah stated that he did not know about movement from Saravan into Pakistan, ISN 10028 SIR (Sept. 29, 2007), and that he did not know a route from Zahedan to Pakistan that went through Saravan, ISN 10028 SIR (Oct. 2, 2007). But on another occasion, Inayatullah opined that if he were to travel illegally to Pakistan right now, he would not use the Taftan crossing because it is too dangerous; instead, he would use Saravan. ISN 10028 SIR (Oct. 22, 2007); *see also* IIR 6 034 0097 08.

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45. After the new network was approved, Abu Sulayman started sending people to Abdul Majid and onto Yusuf, who would meet Mehedi at the Makki Mosque or another meeting place in Zahedan. IIR 6 105 5008 08; IIR 6 105 5096 08. Mehedi would then send the fighters down to Saravan. ISN 10028 SIR (Sept. 29, 2007); IIR 6 105 5008 08. After crossing the border into Panjgur, Pakistan, the fighters would be met by an individual named Mohammadullah, who would transport them to the town of Mastung, near Quetta. IIR 6 105 5008 08; IIR 6 105 5137 08. Abdul Rahman would then arrange the transportation of the fighters to Mir Ali, a town in North Waziristan.¹¹ IIR 6 105 5008 08; IIR 6 105 5137 08. In Mir Ali, the fighters would be met by subordinates of Mohammad Iqbal, the primary facilitator responsible for al-Qaida individuals arriving in Mir Ali, and then taken to guesthouses. IIR 6 105 5137 08; IIR 6 105 5139 08.¹² The fighters arriving in Mir Ali would likely possess a letter from Abu Sulayman verifying their purpose and legitimacy. IIR 6 105 5137 08. According to Inayatullah, this process moved at least three al-Qaida fighters from Tehran to Waziristan since February 2007. IIR 6 105 5008 08.¹³

¹¹ The local populace in Mir Ali is heavily influenced by al-Qaida and the Taliban, and the town reportedly houses a significant number of foreign fighters, as well as terrorist training facilities. *North Waziristan Agency Continuity* at 5.

¹² Inayatullah admitted to serving as an intermediary for communications between Abu Sulayman and Mohammad Iqbal. IIR 6 105 5094 08. However, Inayatullah later stated that he never acted as a third party for communications. ISN 10028 SIR (Oct. 23, 2007).

¹³ During proceedings before the Combatant Status Review Tribunal (CSRT), Inayatullah denied owning a cell phone shop and facilitating the movement of al-Qaida personnel from Iran to Pakistan. Detainee Election Form. Inayatullah has also denied knowing Abdul Majid and Abu Sulayman. ISN 10028 SIR (Jan. 3, 2008). Indeed, in a number of interviews beginning in late 2007, Inayatullah stopped cooperating with interrogators and recanted many of the admissions that he made during previous sessions. *See, e.g.*, ISN 10028 SIR (Dec. 13, 2007); ISN 10028 SIR (Dec. 27, 2007); ISN 10028 SIR (Jan. 9, 2008); ISN 10028 SIR (Mar. 4, 2008); ISN 10028 SIR (Aug. 7, 2008); ISN 10028 SIR (Aug. 21, 2008); ISN 10028 SIR (Sept. 4, 2008); ISN 10028 SIR (Mar. 4, 2009); ISN 10028 SIR (Apr. 11, 2009). During several of these interviews,

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Petitioner Served as an Integral Part of al-Qaida's Command and Control System by Facilitating the Delivery of Correspondence, Money and Supplies Between Senior al-Qaida Leaders in Iran and Pakistan

46. During the period of time in which Inayatullah facilitated the movement of al-Qaida fighters across the Pakistani border, Inayatullah also served as a trusted courier for the delivery of communications, money, and supplies between senior al-Qaida leaders in Iran and Pakistan.

47. In late 2006, Abu Sulayman called Abdul Majid and requested that he have Inayatullah deliver a message to Khalid Habib near Mir Ali in North Waziristan. IIR 6 105 5048 08. Khalid Habib was a senior al-Qaida commander operating in North Waziristan, between Miram Shah and Mir Ali, with significant ties to Taliban and Haqqani Network leaders. *North Waziristan Agency Continuity* at 2.¹⁴ He was reportedly associated with the facilitation of suicide bombers from North Waziristan into Khowst, Kabul, and Zabul Province, Afghanistan, and provided guidance and funding to Taliban commanders throughout Afghanistan. *Id.* Khalid

Inayatullah suggested that he was deliberately withholding information because, among other reasons, he did not want to be viewed as a spy within the camp, he was worried about placing his family in danger, and he required certain assurances¹ as a precondition to providing intelligence. ISN 10028 SIR (Dec. 12, 2007); ISN 10028 SIR (Dec. 27, 2007); ISN 10028 SIR (Jul. 1, 2008); ISN 10028 SIR (Jul. 10, 2008); ISN 10028 SIR (Sept. 4, 2008); ISN 10028 SIR (Oct. 26, 2008); ISN 10028 SIR (Dec. 3, 2008); ISN 10028 SIR (Mar. 21, 2009); *see also* ISN 3148 SIR (Jan. 17, 2009).

¹⁴ The Haqqani Network is a major terrorist organization centered in Miram Shah, Pakistan. Declaration of³ *Haqqani Network* (Nov. 3, 2008), at 1. Founded by tribal warlord Jalaluddin Haqqani, the network conducts terrorist operations against the Afghan government, the Afghan National Army, and coalition forces primarily in the eastern Afghan provinces of Khowst, Paktia and Paktika. *Id.* The group works closely with al-Qaida, other Islamic extremist groups and anti-coalition militias, but works independently as well. *Id.*¹
¹ *Id.*

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Habib was assessed to be the third highest al-Qaida personality in Pakistan, preceded by Osama Bin Laden and Aymen Zawahiri. *Id.*¹⁵

48. Inayatullah claimed that he initially refused to make this delivery because of his family situation and disinterest in such things. IIR 6 105 5048 08. Abdul Majid relayed these concerns to Abu Sulayman, but Abu Sulayman decreed that Inayatullah did not have a choice in the matter and would comply. *Id.* Thus, Inayatullah set out for Mir Ali to deliver the letter to Khalid Habib. ISN 10028 SIR (Oct. 3, 2007); ISN 10028 SIR (Oct. 21, 2007); IIR 6 105 5048 08. The letter was folded and taped, with the name "Habib" written on the outside. IIR 6 034 0137 08. Abdul Majid gave Inayatullah 12,000 Pakistani Rupees (approximately 198 USD) for expenses prior to his trip to Waziristan. IIR 6 105 5106 08. His actual expenses for that trip were approximately 4,000 Pakistani Rupees (approximately 66 USD). *Id.*

49. Inayatullah knew that the letter he was carrying was related to al-Qaida. ISN 10028 SIR (Oct. 25, 2007). He did not have a passport that allowed him to enter Pakistan, but he knew how to cross the border illegally. ISN 10028 SIR (Oct. 20, 2007); IIR 6 105 5049 08. He also knew how to smuggle the letter across the Pakistan border without arousing the suspicion of the guards. ISN 10028 SIR (Oct. 22, 2007); ISN 10028 SIR (Oct. 23, 2007); IIR 6 034 0133 08.

50. Upon arriving in Mir Ali after a journey of several days, Inayatullah was personally greeted by Khalid Habib, who received the letter from Inayatullah. IIR 6 105 5048 08. Khalid Habib then asked Inayatullah to deliver a list of supplies and a few letters back to

¹⁵ Khalid Habib was reportedly killed by a missile attack in October 2008. *Annual Threat Assessment* at 4; Pir Zubair Shah, *U.S. Strike Is Said to Kill Qaeda Figure in Pakistan*, N.Y. Times (Oct. 17, 2008), available at <http://www.nytimes.com/2008/10/18/world/asia/18pstan.html>.

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either Abu Sulayman or Mawlawi Ayanullah. *Id.*¹⁶ Apparently, Abu Sulayman and Mawlawi Ayanullah had the same contact in Dubai, an al-Qaida operative known as Abdullah Emirate, who could get these items for Khalid Habib. *Id.*¹⁷ The list of supplies included 20 binoculars, 20 digital video cameras, 40 headlamps, an unknown number of AA batteries and one laptop computer with large graphics for his poor vision. *Id.* Khalid Habib also asked Inayatullah about the current security situation in Iran, to which Inayatullah replied that things were extremely difficult to accomplish without drawing any attention. *Id.*

51. After visiting with Khalid Habib, Inayatullah met with Mohammad Iqbal, the primary al-Qaida facilitator in Mir Ali. *See supra* ¶ 45. Mohammad Iqbal gave Inayatullah a ride to the Mir Ali bazaar, as well as 1000 Pakistani rupees (approximately 17 USD) for transportation expenses and a letter to deliver to Abu Sulayman. IIR 6 105 5048 08; IIR 6 105 5106 08. Petitioner stated that he did not introduce himself during his visit to Mir Ali and no one knew his name. ISN 10028 SIR (Oct. 16, 2007).¹⁸

52. In subsequent interviews, Inayatullah stated that he did not personally give the letter to Khalid Habib, but instead gave it to an elderly man known as "Kaka," whose job was to

¹⁶ Mawlawi Ayainullah was an al-Qaida figure who worked for Abdul Majid by distributing items such as cheese and Afghan sweets to al-Qaida families throughout Pakistan, including Waziristan. After a raid on his home in Quetta, he escaped to Zahedan and sought the assistance of Inayatullah and Abdul Majid. IIR 6 105 5018 08; IIR 6 105 5094 08.

¹⁷ According to Inayatullah, Abdullah Emirate is likely a primary al-Qaida point of contact in the United Arab Emirates who periodically travels to Iran in order to meet with Abu Sulayman for operational purposes. IIR 6 105 5161 08. Inayatullah believes that Abdullah Emirate is subordinate to Abu Sulayman. *Id.* Inayatullah was supposed to have driven Abdullah Emirate from Tehran to Pakistan, but Abu Sulayman cancelled the trip because the route through Taftan was unsafe. IIR 6 034 0178 08; *see also supra* ¶ 42.

¹⁸ In other interviews, Inayatullah denied ever going to Waziristan, ISN 10028 SIR (Jan. 3, 2008), and identified a photograph of Khalid Habib as Usama bin Laden, ISN 10028 SIR (Oct. 5, 2007).

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deliver correspondence to Khalid Habib. ISN 10028 SIR (Oct. 2, 2007); ISN 10028 SIR (Oct. 6, 2007); ISN 10028 SIR (Nov. 15, 2007); IIR 6 034 0137 08; *see also* ISN 10028 SIR (Nov. 9, 2007) (Inayatullah met only two people in Pakistan who could be in al-Qaida, namely Kaka and Iqbal); ISN 10028 SIR (Dec. 13, 2007) (Inayatullah claimed that he never met Khalid Habib). After giving the letter to Kaka, Inayatullah waited for two and a half hours until Mohammad Iqbal returned with a response letter. ISN 10028 SIR (Oct. 2, 2007); ISN 10028 SIR (Nov. 15, 2007); IIR 6 034 0137 08. Inayatullah stated that the letter that he received from Mohammad Iqbal could possibly have been a list of supplies requested by Khalid Habib. ISN 10028 SIR (Oct. 6, 2007); IIR 6 034 0178 08.

53. On his way back to Zahedan from Waziristan, Inayatullah was able to reenter Iran by speaking to the border guards in Farsi, which dispelled their suspicion that he was an Afghan. ISN 10028 SIR (Oct. 23, 2007); IIR 6 034 0133 08; IIR 6 105 5049 08. Once Inayatullah arrived back in Zahedan, he personally delivered the correspondence that he received in Mir Ali to Abdul Majid. IIR 6 034 0134 08; IIR 6 105 5048 08.

54. Abdul Majid passed the supply list from Khalid Habib on to Abu Sulayman and, a few weeks later, received two digital video cameras, two digital picture cameras, three hand-held flashlights and two books on medical procedures. IIR 6 105 5048 08. These supplies were given to Abdul Rahman, who transported the items to Quetta and relayed them to another courier. *Id.*

55. In another interview, Inayatullah stated that while he was visiting the Tehran home of an associate of Abu Sulayman, Inayatullah saw a bag of supplies, including computers and flashlights, which were brought there by al-Qaida operative Abdullah Emirate. According to Inayatullah, these items could have been requested by Khalid Habib in the letter that Inayatullah couriered into Iran. ISN 10028 SIR (Oct. 6, 2007); IIR 6 034 0178 08.

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56. Approximately two months prior to Inayatullah's trip to see Khalid Habib, Inayatullah helped prepare another shipment intended for Mir Ali. On that occasion, he received a large shipment from Abu Sulayman, through Abdul Majid, consisting of six boxes of CDs and two boxes of books. IIR 6 105 5048 08; *see also* IIR 6 105 5142 08. Inayatullah and Abdul Majid repackaged the shipment into two boxes and relayed them to Shuwayb, who transported them into Quetta, possibly through Abdul Rahman, and to their Mir Ali destination. IIR 6 105 5048 08. Inayatullah stated that the CDs appeared to be films about historic mujahideen fighting and the books were for young people learning basic arithmetic and science. *Id.*

57. In addition to couriering letters and packages between senior al-Qaida leaders, Inayatullah admitted to serving as an intermediary for the delivery of funds to Abdul Majid. *See* ISN 10028 SIR (Oct. 16, 2007); IIR 6 034 0134 08.¹⁹ One of these deliveries occurred immediately after Inayatullah returned from his trip to Waziristan. On that occasion, Inayatullah was told to meet with Abdul Majid at an outdoor bazaar in Zahedan. *Id.* Abdul Majid had three people with him when Inayatullah arrived, including a Kuwaiti man. *Id.* Later, the Kuwaiti took Inayatullah aside and gave him 50,000 Kalda (approximately 817 USD) for delivery to Abdul Majid. ISN 10028 SIR (Oct. 16, 2007); IIR 6 034 0134 08. Although Inayatullah claimed that he did not know where the money came from or why it needed to be given to Abdul Majid, Inayatullah believed that the money could have possibly come from Abu Sulayman. ISN 10028 SIR (Oct. 16, 2007).

58. Inayatullah was also present when someone named Ayoub, acting on behalf of Abu Sulayman, delivered 50,000 Pakistani Rupees (approximately 823 USD) to Abdul Majid.

¹⁹ Inayatullah stated that Abdul Majid is financially compensated for his work with the al-Qaida network. Although unaware of the specific amount that Abdul Majid received, Inayatullah believed that Abdul Majid received more than Inayatullah did. IIR 6 105 5106 08.

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IIR 6 105 5106 08. Those funds were for the expenses of Kamil Jan, the former al-Qaida leader in Quetta. *Id.*; *supra* ¶¶ 33, 35. Inayatullah stated that Abdul Majid had apparently been expecting to receive funds from Abu Sulayman and was agitated by the fact that the money was earmarked for Kamil Jan. IIR 6 105 5106 08.

59. Approximately one week later, Ayoub arrived at Inayatullah's house and delivered 50,000 Rupees from Abu Sulayman, which were intended for Abdul Majid. *Id.*

Petitioner Received Money from al-Qaida Operatives, Either as Payment for His Services or to Finance His Facilitation Work

60. In addition to the instances mentioned above where Inayatullah received funds from al-Qaida sources, he provided the following information regarding other payments that he received or expected to receive from al-Qaida operatives in connection with his work for the organization.²⁰

61. Inayatullah stated that Abdullah Emirate traveled from Dubai to Zahedan in March 2006 and gave Inayatullah 1000 USD for his work with the al-Qaida network. At or around that time, Abu Sulayman requested that Inayatullah facilitate the relocation of an al-Qaida family to Waziristan. IIR 6 105 5106 08; IIR 6 105 5142 08; IIR 6 105 5161 08.

62. In approximately late October 2006, Abdul Majid provided Inayatullah with 1000 USD for his continued work with the al-Qaida network. Abdul Majid received those funds from Abu Sulayman. IIR 6 105 5106 08.

63. In approximately March 2007, Abdul Majid gave Inayatullah 40,000 Iranian Tomans (approximately 43 USD) for expenses immediately prior to his trip from Zahedan to

²⁰ During proceedings before the CSRT, Inayatullah denied receiving any money as a facilitator. Detainee Election Form.

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Tehran. *Id.* Abu Sulayman gave Inayatullah 100,000 Iranian Tomans (approximately 107 USD) following their meeting in Tehran. *Id.*

64. Inayatullah was expecting another payment of approximately 1000 USD from Abdul Majid sometime during June 2007. Inayatullah believes that Abdul Majid would have received the funds from Abu Sulayman. *Id.*

CONCLUSION

For the reasons described above and in the attached exhibits, Petitioner is lawfully detained by the United States.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJJI NASSIM,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 09-CV-1332 (HHK)
)	
BARACK OBAMA,)	
President of the United States, <i>et al.</i> ,)	
)	
Respondents.)	

FACTUAL RETURN FOR PETITIONER HAJJI NASSIM (AKA
INAYATULLAH) (ISN 10028)

Exhibit List

- Declaration of ³ [REDACTED] *Intelligence 101* (Sept. 19, 2008)
- Supplemental Declaration of ³ [REDACTED] *Source Reliability* (May 29, 2009)
- Declaration of ³ [REDACTED] *Names, Aliases, Kunyas and Variants* (Sept. 19, 2008)
- Declaration of ³ [REDACTED] *Counter-interrogation Doctrine and Practice* (Oct. 3, 2008)
- Declaration of Robert H. Holmes, *Use of Intelligence Products in the Targeting and Operational Cycles in Operation Enduring Freedom* (Aug. 22, 2008)
- Declaration of ³ [REDACTED] *Al-Qaida* (Sept. 22, 2008)
- Declaration of ³ [REDACTED] *Haqqani Network* (Nov. 3, 2008)

- ISN 10028 SIR (Sept. 13, 2007)
- ISN 10028 SIR (Sept. 14, 2007)
- ISN 10028 SIR (Sept. 15, 2007)
- ISN 10028 SIR (Sept. 16, 2007)
- ISN 10028 SIR (Sept. 17, 2007)
- ISN 10028 SIR (Sept. 19, 2007)
- ISN 10028 SIR (Sept. 21, 2007)
- ISN 10028 SIR (Sept. 26, 2007)
- ISN 10028 SIR (Sept. 28, 2007)
- ISN 10028 SIR (Sept. 29, 2007)
- ISN 10028 SIR (Oct. 2, 2007)
- ISN 10028 SIR (Oct. 3, 2007)

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ISN 10028 SIR (Oct. 4, 2007)
ISN 10028 SIR (Oct. 4, 2007) (B)
ISN 10028 SIR (Oct. 5, 2007)
ISN 10028 SIR (Oct. 5, 2007) (B)
ISN 10028 SIR (Oct. 6, 2007)
ISN 10028 SIR (Oct. 16, 2007)
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ISN 10028 SIR (Oct. 22, 2007)
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ISN 10028 SIR (Nov. 9, 2007)
ISN 10028 SIR (Nov. 15, 2007)
ISN 10028 SIR (Nov. 20, 2007)
ISN 10028 SIR (Dec. 6, 2007)
ISN 10028 SIR (Dec. 12, 2007)
ISN 10028 SIR (Dec. 13, 2007)
ISN 10028 SIR (Dec. 27, 2007)
ISN 10028 SIR (Jan. 3, 2008)
ISN 10028 FM40 (Jan. 8, 2008)
ISN 10028 SIR (Jan. 9, 2008)
ISN 10028 SIR (Feb. 12, 2008)
ISN 10028 SIR (Mar. 4, 2008)
ISN 10028 SIR (Jul. 1, 2008)
ISN 10028 SIR (Jul. 10, 2008)
ISN 10028 SIR (Aug. 7, 2008)
ISN 10028 SIR (Aug. 21, 2008)
ISN 10028 SIR (Sept. 4, 2008)
ISN 10028 SIR (Oct. 26, 2008)
ISN 10028 SIR (Dec. 3, 2008)
ISN 10028 SIR (Mar. 4, 2009)
ISN 10028 SIR (Mar. 21, 2009)
ISN 10028 SIR (Apr. 11, 2009)
ISN 3148 SIR (Jan. 17, 2009)

IIR 2 227 0131 03
IIR 6 034 0024 08
IIR 6 034 0061 08
IIR 6 034 0062 08
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IIR 6 034 0137 08
IIR 6 034 0178 08
IIR 6 105 5008 08
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IIR 6 105 5142 08
IIR 6 105 5153 08
IIR 6 105 5161 08

United States Central Command, *North Waziristan Agency Continuity*
Detainee Election Form
National Counterterrorism Center, *Intelligence Community Terrorist Threat Assessment:
The Worldwide Terrorism Threat* (Oct. 4, 2007)
Map of Pakistan
Map of Iran/Pakistan Border (from National Geographic Atlas of the Middle East)
Map of Southwest Asia

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJJI NASSIM,)
)
Petitioner,)
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v.)
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BARACK OBAMA,)
President of the United States, <i>et al.</i> ,)
)
Respondents.)

Civil Action No. 09-CV-1332 (HHK)

Declaration of ³ [REDACTED]
Intelligence 101 (Sept. 19, 2008)

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Defense Intelligence Agency

Background Declaration – Intelligence 101

2 [Redacted]

2 [Redacted]

19 September 2008

(U) The Defense Intelligence Agency produced the following document for the Department of Defense Office of the General Counsel to utilize in federal court litigation.

(U) I, ³ [Redacted], pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge, information, and belief.

(U) ^{1,3,5} [Redacted]
^{1,3,5} [Redacted]

(U) Intelligence

(U) Intelligence is information essential to the security of the United States and U.S. interests, especially information that is not easily, readily, or publicly known. This information is collected in a variety of ways by different members of the U.S. Intelligence Community (IC). The type of intelligence gathered is identified by the method in which it was collected. The five main types of intelligence are:

- (U) **HUMINT**- Human Intelligence, information derived from a person(s)
- (U) **SIGINT**- Signals Intelligence, information derived from foreign electromagnetic signals transmitted for the purposes of communication
- (U) **IMINT**- Imagery Intelligence, information derived from photographs and other types of imagery.
- (U) **MASINT**- Measure and Signatures Intelligence, information derived from sensors.

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- (U) **OSINT**- Open Source Intelligence, information that is derived from public sources such as news media.

(U) Intelligence gathered using these methods is classified to protect the sources and methods used by the IC. The level of classification depends on how sensitive the information is and the impact the release of the information would have to U.S. National Security.

- (U) **Confidential**- Release of Confidential information could reasonably be expected to cause *damage* to U.S. National Security
- (U) **Secret**- Release of Secret information could reasonably be expected to cause *serious damage* to U.S. National Security
- (U) **Top Secret**- Release of Top Secret information could reasonably be expected to cause *exceptionally grave damage* to U.S. National Security.

(U) In addition to these classifications, intelligence may be further restricted with a Sensitive Compartmented Information (SCI) caveat. In order to gain access to SCI material, a person must be "read-on" to the program that sponsors the collection of that material, reading a description of the uniquely sensitive nature of the protected information and signing a commitment to be held accountable for the program's security. SCI information is dependent on specific methods of collection; therefore, release of that information would compromise U.S. intelligence collection sources and methods.

(U) The Intelligence Community (IC)

(U) The IC is defined as a federation of executive branch agencies and organizations that work separately and together to conduct intelligence activities necessary for advising foreign relations and protecting the national security of the United States. Such activities include:

- (U) Collection of information needed by the President, the National Security Council and the Secretaries of State and Defense, and other Executive Branch officials for the performance of their duties and responsibilities;
- (U) Production, analysis and dissemination of finished intelligence assessments;
- (U) Collection of information concerning, and the conduct of activities to protect against intelligence activities directed against the U.S. by foreign powers, organizations, and their agents, as well as by international terrorists, narcotics traffickers or other hostile foreign elements;
- (U) Administrative and other support activities within the United States and abroad for the performance of authorized activities; and
- (U) Other intelligence activities as directed by the President.



(U) The threats to the United States that the IC works to mitigate take several forms. In addition to military threats that challenged the community in the past, other transnational problems exist: terrorism, proliferation of chemical, biological, radiological, and nuclear (CBRN) materials to

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potentially hostile elements, information infrastructure attacks, narcotics trafficking and foreign intelligence penetrations of sensitive programs.

(U) IC Members

(U) The IC comprises 17 organizations, led by the Director of National Intelligence (DNI). Each member of the IC has its own expertise, mission, and area of responsibility. However, the IC collaborates in various forums, from informal communications, to joint interagency task forces. As of Executive Order 12333, July 2008, the community includes the following organizations:

- (U) The Office of the Director of National Intelligence;
- (U) The Central Intelligence Agency;
- (U) The National Security Agency;
- (U) The Defense Intelligence Agency;
- (U) The National Geospatial-Intelligence Agency;
- (U) The National Reconnaissance Office;
- (U) The other offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;
- (U) The intelligence and counterintelligence elements of the Army, the Navy, the Air Force, and the Marine Corps;
- (U) The intelligence elements of the Federal Bureau of Investigation (FBI);
- (U) The Office of National Security Intelligence of the Drug Enforcement Administration (DEA);
- (U) The Office of Intelligence and Counterintelligence of the Department of Energy;
- (U) The Bureau of Intelligence and Research of the Department of State;
- (U) The Office of Intelligence and Analysis of the Department of the Treasury;
- (U) The Office of Intelligence and Analysis of the Department of Homeland Security;
- (U) The intelligence and counterintelligence elements of the Coast Guard; and
- (U) Such other elements of any department or agency as may be designated by the President, or designated jointly by the Director and the head of the department or agency concerned, as an element of the Intelligence Community.

(U) Although several offices of federal agencies are members of the IC, the agency itself may not be a member of the IC. For example, the Department of Justice (DoJ) as an entity is not a member of the IC; however, the intelligence elements of the FBI and the DEA, which fall under the DoJ, are members of the Community.

(U) The Intelligence Cycle

(U) The intelligence cycle drives the day-to-day activities of the IC. It is the process of developing raw information into finished products for use by the President, military, policy

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makers, law enforcement or other decision makers for National Security purposes. There are five steps in the Intelligence Cycle:

- Planning
- Collection
- Processing
- Analysis and Production
- Dissemination



(U) Planning

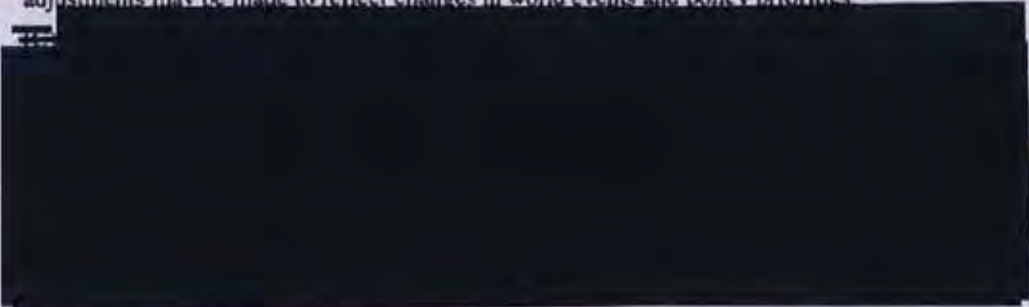
(U) The planning stage is the process of identifying intelligence gaps or topics of intelligence interest, prioritizing intelligence needs, and assigning the appropriate organization to obtain that intelligence. It is the beginning and the end of the cycle—the beginning because it involves drawing up specific collection requirements and the end because finished intelligence, which supports policy decisions, generates new requirements.

(U) The whole process depends on guidance from public officials. Policy makers—the President, his aides, the National Security Council, and other major departments and agencies of government—initiate requests for intelligence. At the national level, the result of the planning process is the National Intelligence Priorities Framework (NIPF).

(U) The NIPF

(U) The NIPF is the Director of National Intelligence's guidance to the IC on the national intelligence priorities approved by the President. The NIPF consists of: (1) intelligence topics reviewed by the National Security Council Principals Committee and approved by the President, (2) a process for assigning priorities to countries and non-state actors relevant to the approved intelligence topics, and (3) a matrix showing those priorities. The NIPF matrix reflects customers' priorities for intelligence support and ensures that long-term intelligence issues are addressed.

(U) The Deputy Director of National Intelligence for Analysis (DDNI/A), on behalf of the DNI, oversees the process for developing recommendations on national intelligence priorities. DDNI/A updates the NIPF semi-annually in coordination with IC elements, the National Intelligence Council, designated Mission Managers, and the Deputy Directors of National Intelligence for Policy, Plans, and Requirements (DDNI/PPR) and Collection (DDNI/C). Ad hoc adjustments may be made to reflect changes in world events and policy priorities.



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(U) Collection

(U) Once intelligence requirements are assigned to the appropriate organization based on their collection assets and mission, the IC begins, or continues, to gather information to satisfy those requirements. The collection specialties of the IC members are as follows:

- (U) HUMINT- CIA, DIA, Military Services
- (U) SIGINT- NSA, Military Services
- (U) IMINT- NGA, NRO, Military Services
- (U) MASINT- DIA, Military Services
- (U) OSINT- Open Source Center (under ODNI)

(U) Processing

(U) Once intelligence is collected, it is typically processed by analysts at the collecting agency who determine its relevance to existing validated requirements. This involves converting the vast amount of collected information to a form usable by analysts through decryption, language translations, and data reduction. This data or "raw" intelligence reporting is then reported electronically or in printed form to customers and to the all-source analytic organizations throughout the IC.

(U) Analysis and Production

(U) The analysis and production step, which occurs at intelligence production centers throughout the IC, includes integrating, evaluating, and analyzing all available data to determine topics of interest to IC customers. Analysts consider the information's reliability, validity, and relevance to standing requirements. They integrate data from multiple sources into a coherent whole and form judgments about its collective meaning. The result is finished intelligence assessments intended to inform policy makers of the implications of the information. All-source analysis may be performed on topics of long-term interest and broad scope, or topics pertaining to ongoing events of immediate interest to policy makers.

(U) Dissemination

(U) Dissemination is the final step in the intelligence cycle. In this step, finished intelligence is communicated to the intelligence consumer, to include those decision makers whose needs initiated the intelligence requirements. The most highly protected finished intelligence is hand-carried daily to the President and key national security advisers. However, most finished intelligence products are stored in computer data banks that allow consumers to retrieve them electronically as needed. The IC constantly strives to disseminate its products in a manner and form that best suits its consumers. Where necessary, it will tailor support to meet the needs of individual users. The recipients of finished intelligence products then make decisions based on

[REDACTED]

the information. These decisions may lead to the levying of more requirements, thus triggering the intelligence cycle.

(U) Intelligence Reports

(U) All-source analysts utilize a variety of "raw" intelligence reports to write finished intelligence (FINTEL) products. Many of these reports are placed into various databases that analysts regularly access. The accessibility of these reports depends on their classification; in some cases, reports may not be available to all analysts in the community. Reports disseminated into the reports databases are referred to as "message traffic." Some examples of reports by the different agencies are listed below.

(U) DoD Human Intelligence Reports

- (U) **Intelligence Information Report (IIR)**. The IIR is the main DoD reporting vehicle for the HUMINT information used by DIA and military services. It is the only report listed here that is broadly available in message traffic. DIA, as the proponent for these reports, has also issued reported numbers to a number of executive branch departments and offices. These include:

- Department of Commerce
- Department of Energy
- Department of Homeland Security (DHS)
- Department of Justice
- Department of State, Bureau of Intelligence and Research
- Department of State, U.S. Aid to International Development
- Department of the Treasury
- Drug Enforcement Administration
- Federal Bureau of Investigation
- Immigration & Customs Enforcement (ICE), DHS
- National Infrastructure Protection Center
- National Reconnaissance Office
- U.S. Coast Guard
- U.S. Secret Service

- (U) **Tactical Interrogation Report (TIR)** [REDACTED]

- (U) **Field Intelligence Report (FIR)** [REDACTED]

[REDACTED]

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- ~~CONFIDENTIAL~~ Draft Intelligence Information Report (DIIR) [REDACTED]
- ~~CONFIDENTIAL~~ Summary Interrogation Report (SIR) [REDACTED]

(U) CIA Intelligence Reports

- ~~CONFIDENTIAL~~ [REDACTED]
- ~~CONFIDENTIAL~~ [REDACTED]
- ~~CONFIDENTIAL~~ [REDACTED]

(U) NSA Intelligence Reports

(U) NSA intelligence reports are most commonly issued as EGRAMs, electronically transmitted reports that convey only one issue or event. They are distinguished by an alphanumeric serial number. Additional handling instructions may accompany the serial to provide additional safeguards or to protect sensitive, fragile, and/or perishable sources and methods. Access to SIGINT reporting, in addition, requires approval for access to Sensitive Compartmented Information.

(U) Law Enforcement Forms

- (U) Field Document (FD 302)- FBI agents fill out this to summarize an interview. This form contains the notes from the interview on the information that is collected. The forms are often used in court as evidence.
- (U) Form 40 (FM40)- The Criminal Investigation Task Force (CITF) uses this form to record investigation activity, such as witness interviews, lab results fingerprint analysis, results of modeling, research results and suspect interviews. This form is used to record information relevant to how a crime was committed as well as the logical and factual basis for any deductions about guilt. CITF conducts investigations of war crimes and to determine if any persons captured in the War of Terrorism are responsible. CITF prepares cases according to the Military Commissions Act for trial by a military tribunal for war crimes and/or acts of terrorism.

(U) Intelligence Analysis

(U) Intelligence analysis is the process of dissecting and compiling ambiguous information to determine a truth. Intelligence analysts undergo rigorous tradecraft training. Analysts use various methods and employ specific analytical tools to assist them in sorting and organizing the

[REDACTED]

various pieces of information. Analysts are trained to recognize and mitigate biases, not only in the information presented to them, but their own cognitive biases as well. The DNI issued the Directive for Analyst Standards in 2007, to ensure that all intelligence analysts in the IC use the same standards of excellence, integrity and objectivity in their assessments.

(U) Analysis: Building an Analytic Argument

- 1. Establish a baseline assessment:** What do we know is going on, what do we think is going on, and what do not we know that we need to figure out?
- 2. Vet new information for consistency with the baseline.** Is it in the ballpark of the baseline? Does it say the same thing or does it reveal new developments? Does it add new details about something we already know? Does it say something outlandish or contradictory to reports from sources that are more reliable?
- 3. Revise your baseline as necessary to accommodate new information.** If there is contradictory reporting of equally good quality, acknowledge this and explore ways it might be reconciled. If there are no good sources or reports with which to establish a reliable baseline, acknowledge the weakness of the reporting and make your best estimate.
- 4. Follow-up information gaps as they become apparent.** Learn about and task collection resources as appropriate across the IC to generate new information. Work closely with collectors whenever possible.

(U) Evaluating Sources

(U) Intelligence analysts must consider the source of intelligence while reading intelligence reports. Several factors help determine the credibility of a HUMINT source, most importantly placement and access to the information, and the motivation for reporting. Much like informant reports received by law enforcement official, HUMINT sources are carefully screened and subsequently rated on their reliability, both on the source themselves and the information provided. Intelligence reports include a source line that gives a description of the source and their assessed credibility by the reporting officer. Further, the analyst uses this information in their overall assessment of the intelligence provided and how it relates to other available intelligence on the same problem set.

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- (U) Source's motivation (inform or influence)
 - (U) (U) Wittingness of the source, and their knowledge that the U.S. government will receive the information provided
2. A context statement which provides details regarding the circumstances in which the source obtained information in the report.

(U) Intelligence analysts take additional steps to determine source reliability, including:

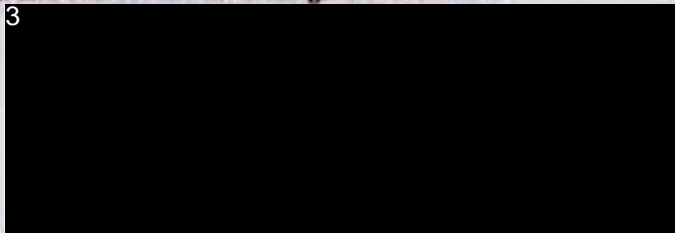
- (U) Verification of intelligence by other means
 - > Other HUMINT sources
 - > Historical reporting
 - > Other intelligence disciplines (IMINT, SIGINT, MASINT, etc)
 - > Review of captured documents and electronic media
- (U) Collaboration of intelligence from other members of the Community
- (U) In some cases, a HUMINT source may be polygraphed

(U) Interrogators are trained to recognize non-verbal cues from the source that will help them determine the credibility of the information provided. Interrogators are also trained to take cultural dynamics to understand the unique psychological issues dealing with sources based on cultural norms. This provides the collectors and interrogators additional insights into deceptive behaviors.

(U) SIGINT, and more specifically communications intelligence (COMINT), is derived from the exploitation of cryptographic systems or other protected sources through the application of specific methods or techniques. In general, SIGINT reporting is deemed reliable since the information comes directly from the communicant(s). However, the information may be deliberately misleading if the communicants suspect they are being monitored and deliberately give false information, or they may be deceptive with the individuals they are communicating with, or they may have a history of providing inaccurate information.

(U) Before a finished intelligence product is disseminated, it goes through a rigorous coordination process, both in the producing organization and with peers throughout the IC. The coordination process ensures there is a consensus on the assessment, and any credibility issues are addressed.

I have read this declaration and concur with the findings and conclusion.



Enclosures:

1. Appendix A. (U) Special Regulations and Designations for Terrorists
2. Appendix B. ICT NIPF Counterterrorism Priorities, June 2008

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3. Appendix C, NIPF CT Priorities Terrorist Support Entities June 2008

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Appendix A. (U) Special Regulations and Designations for Terrorists

(U) Specially Designated Global Terrorist (SDGT)

(U) Executive Order 13224, empowers the Department of State and the Department of the Treasury to place both groups and individuals on the Specially Designated Global Terrorist list, which defines terrorism as: an activity that 1. involves a violent act or an act dangerous to human life, property, or infrastructure; and 2. appears to be intended to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, kidnapping, or hostage taking. This also includes any activity that provides financial, material, or technological support to acts of terrorism or entities designated in or under the Order.

(U) Foreign Terrorist Organization (FTO)

(U) A Foreign Terrorist Organization (FTO) is a foreign organization designated by the Secretary of State in accordance with section 219 of the Immigration and Nationality Act (INA), as amended. FTO designations play a critical role in our fight against terrorism and are an effective means of curtailing support for terrorist activities and pressuring groups to get out of the terrorism business.

(U) The Office of the Coordinator for Counter Terrorism in the State Department (S/CT) continually monitors the activities of terrorist groups active around the world to identify potential targets for designation. When reviewing potential targets, S/CT looks at the actual terrorist attacks that a group has carried out and whether that group has engaged in planning and preparations for possible future acts of terrorism or retains the capability and intent to carry out such acts.

(U) After a target is identified, S/CT prepares a detailed "administrative record," which is a compilation of information, typically including both classified and open sources information, demonstrating that the statutory criteria for designation have been satisfied. If the Secretary of State, in consultation with the Attorney General and the Secretary of the Treasury, decides to make the designation, Congress is notified of the Secretary's intent to designate the organization and given seven days to review the designation, as the INA requires. After the expiration of the seven-day waiting period and in the absence of Congressional action to block the designation, notice of the designation is published in the Federal Register, at which point the designation takes effect. By law, an organization designated as an FTO may seek judicial review of the designation in the United States Court of Appeals for the District of Columbia Circuit not later than 30 days after the designation is published in the Federal Register.

(U) Until recently, the INA provided that FTOs must be re-designated every two years or the designation would lapse. Under the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), however, the re-designation requirement was replaced by certain review and revocation procedures. IRTPA provides that an FTO may file a petition for revocation 2 years after its designation date (or in the case of re-designated FTOs, its most recent re-designation date) or 2 years after the determination date on its most recent petition for revocation. In order to provide a basis for revocation, the petitioning FTO must provide evidence that the circumstances forming the basis for the designation are sufficiently different as to warrant revocation. If no such review has been conducted during a five-year period with respect to a designation, then the

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Secretary of State is required to review the designation to determine whether revocation would be appropriate. In addition, the Secretary of State may at any time revoke a designation upon a finding that the circumstances forming the basis for the designation have changed in such a manner as to warrant revocation, or that the national security of the United States warrants a revocation. The same procedural requirements apply to revocations made by the Secretary of State as apply to designations. A designation may be revoked by an Act of Congress, or set aside by a Court order.

(U) Legal Criteria for Designation

(U) Under Section 219 of the INA, as amended:

- (U) 1. It must be a foreign organization.
- (U) 2. The organization must engage in terrorist activity, as defined in section 212 (a)(3)(B) of the INA (8 U.S.C. § 1182(a)(3)(B)),* or terrorism, as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. § 2656f(d)(2)),** or retain the capability and intent to engage in terrorist activity or terrorism.
- (U) 3. The organization's terrorist activity or terrorism must threaten the security of U.S. nationals or the national security (national defense, foreign relations, or the economic interests) of the United States.

(U) Legal Ramifications of Designation

- (U) 1. It is unlawful for a person in the United States or subject to the jurisdiction of the United States to knowingly provide "material support or resources" to a designated FTO. (The term "material support or resources" is defined in 18 U.S.C. § 2339A(b)(1) as "any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel (1 or more individuals who maybe or include oneself), and transportation, except medicine or religious materials." 18 U.S.C. § 2339A(b)(2) provides that for these purposes "the term 'training' means instruction or teaching designed to impart a specific skill, as opposed to general knowledge." 18 U.S.C. § 2339A(b)(3) further provides that for these purposes the term 'expert advice or assistance' means advice or assistance derived from scientific, technical or other specialized knowledge."
- (U) 2. Representatives and members of a designated FTO, if they are aliens, are inadmissible to and, in certain circumstances, removable from the United States (see 8 U.S.C. §§ 1182 (a)(3)(B)(i)(IV)-(V), 1227 (a)(1)(A)).
- (U) 3. Any U.S. financial institution that becomes aware that it has possession of or control over funds in which a designated FTO or its agent has an interest must retain possession of or control over the funds and report the funds to the Office of Foreign Assets Control of the U.S. Department of the Treasury.

(U) Other Effects of Designation

- (U) 1. Supports our efforts to curb terrorism financing and encourages other nations to do the same.

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- (U) 2. Stigmatizes and isolates designated terrorist organizations internationally.
- (U) 3. Deters donations or contributions to and economic transactions with named organizations.
- (U) 4. Heightens public awareness and knowledge of terrorist organizations.
- (U) 5. Signals to other governments our concern about named organizations.

(U) Current List of Designated Foreign Terrorist Organizations

1. Abu Nidal Organization (ANO)
2. Abu Sayyaf Group
3. Al-Aqsa Martyrs Brigade
4. Al-Shabaab
5. Ansar al-Islam
6. Armed Islamic Group (GIA)
7. Asbat al-Ansar
8. Aum Shinrikyo
9. Basque Fatherland and Liberty (ETA)
10. Communist Party of the Philippines/New People's Army (CPP/NPA)
11. Continuity Irish Republican Army
12. Gama'a al-Islamiyya (Islamic Group)
13. HAMAS (Islamic Resistance Movement)
14. Harakat ul-Jihad-i-Islami/Bangladesh (HUJI-B)
15. Harakat ul-Mujahidin (HUM)
16. Hizballah (Party of God)
17. Islamic Jihad Group
18. Islamic Movement of Uzbekistan (IMU)
19. Jaish-e-Mohammed (JEM) (Army of Mohammed)
20. Jemaah Islamiya organization (JI)
21. al-Jihad (Egyptian Islamic Jihad)
22. Kahane Chai (Kach)
23. Kongra-Gel (KKG, formerly Kurdistan Workers' Party, PKK, KADEK)
24. Lashkar-e Tayyiba (LT) (Army of the Righteous)
25. Lashkar i Jhangvi
26. Liberation Tigers of Tamil Eelam (LTTE)
27. Libyan Islamic Fighting Group (LIFG)

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28. Moroccan Islamic Combatant Group (GICM)
29. Mujahedin-e Khalq Organization (MEK)
30. National Liberation Army (ELN)
31. Palestine Liberation Front (PLF)
32. Palestinian Islamic Jihad (PIJ)
33. Popular Front for the Liberation of Palestine (PFLP)
34. PFLP-General Command (PFLP-GC)
35. al-Qaida (al-Qa'ida)
36. al-Qaida in the Islamic Maghreb (formerly GSPC)
37. Real IRA
38. Revolutionary Armed Forces of Colombia (FARC)
39. Revolutionary Nuclei (formerly ELA)
40. Revolutionary Organization 17 November
41. Revolutionary People's Liberation Party/Front (DHKP/C)
42. Shining Path (Sendero Luminoso, SL)
43. Tanzim Qa'idat al-Jihad fi Bilad al-Rafidayn (QJBR) (al-Qaida in Iraq) (formerly Jama'at al-Tawhid wa'al-Jihad, JTJ, al-Zarqawi Network)
44. United Self-Defense Forces of Colombia (AUC)

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Appendix B, Interagency Intelligence Committee on Terrorism NIPF Counterterrorism Priorities,
June 2008

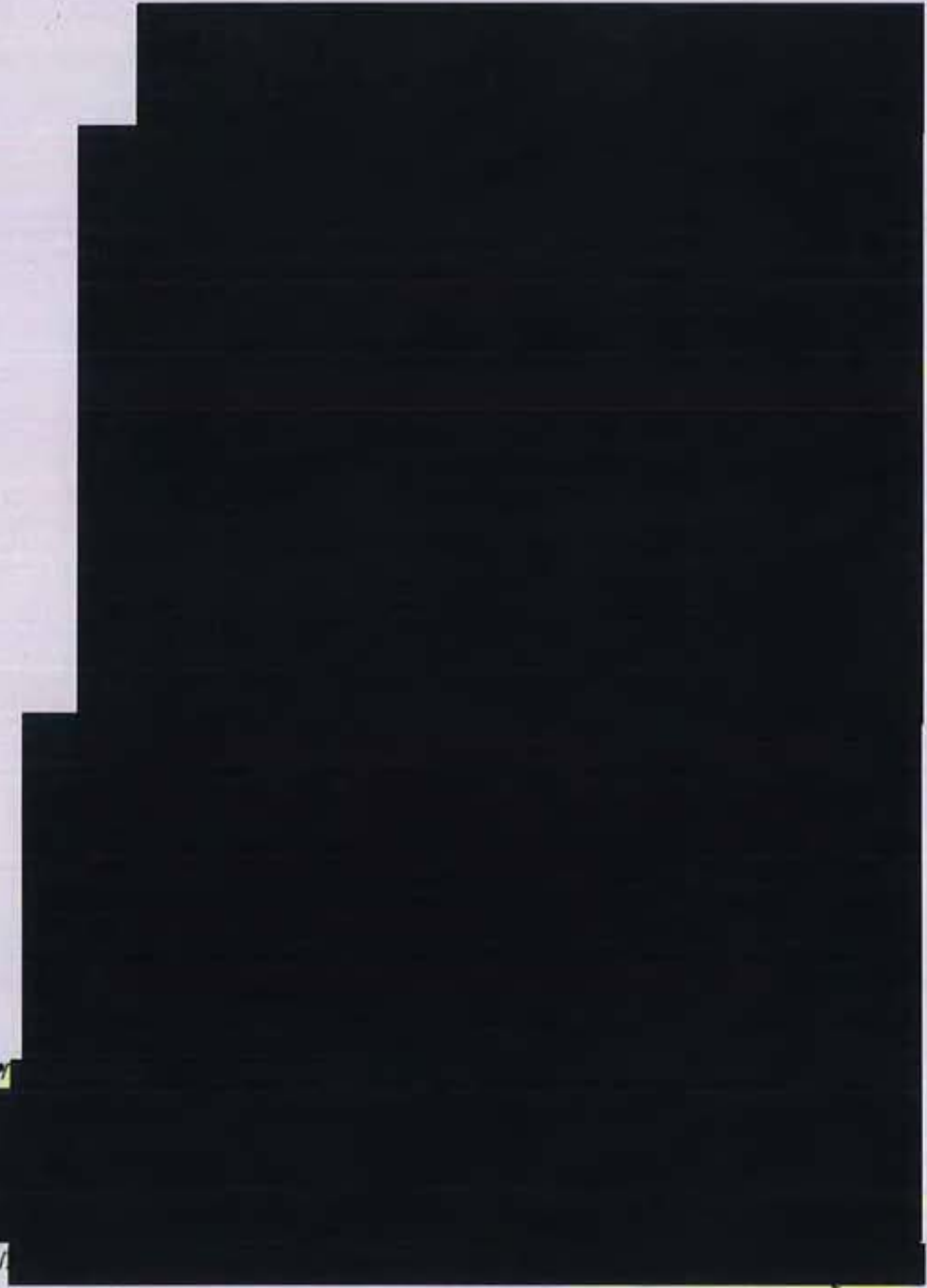
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Appendix C, NIPF CT Priorities Terrorist Support Entities June 2008

(U) Priority 1:

~~TS~~ Definition: [Redacted]

~~TS~~ [Redacted]

(U) Priority 2:

~~TS~~ Definition: [Redacted]

~~TS~~ [Redacted]

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(U) Priority 3:

(U) Definition: [REDACTED]

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(U) Priority 4:

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(D) Priority 5:

~~SECRET~~ Definition: [Redacted]



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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJJI NASSIM,

Petitioner,

v.

BARACK OBAMA,
President of the United States, *et al.*,

Respondents.

Civil Action No. 09-CV-1332 (HHK)

Supplemental Declaration of ³ [REDACTED]
³ [REDACTED] Source Reliability (May 29, 2009)

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Defense Intelligence Agency

*Supplemental Background Declaration –
Intelligence 101 – Source Reliability*

2 [REDACTED]

2 [REDACTED]

29 May 2009

The Defense Intelligence Agency produced the following document for the Department of Defense Office of the General Counsel to utilize in federal court litigation.

~~(S)~~ 3 [REDACTED] pursuant to 28 U.S.C § 1746, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge, information, and belief.

~~(S)~~ [REDACTED]

~~(S)~~ **The Intelligence Cycle**

~~(S)~~ The five steps of Intelligence Cycle described in my previous declaration "Intelligence 101," dated 19 September 2009—Planning, Collection, Processing, Analysis and Production, and Dissemination—describe an organizational process used to translate guidance from policymakers and commanders to intelligence organizations. The cycle drives the day-to-day activities of the Intelligence Community (IC). It is the process of collecting and developing raw information into finished products for use by the President, military, policymakers, law enforcement or other decision makers for National Security purposes. It does not describe in mechanical or substantive terms the disposition of all actionable intelligence, which varies by collection specialty (e.g., HUMINT, SIGINT, and IMINT). Likewise, not all valuable intelligence is distilled into a finished intelligence product. It is often used to support additional collection

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efforts, to support source reliability assessment, or to inform tactical and operational decisionmaking without being used in a finished intelligence product.

~~(S)~~ **Human Intelligence Reporting**

~~(S)~~
[REDACTED]

[REDACTED]

~~(U)~~ **HUMINT Report Formats**

~~(U)~~ The IIR uses a specific message-format structure that supports automated data entry into IC databases. The fields of an IIR are populated with mandatory information to ensure accountability, intelligence oversight, proper handling, and quality of the IIR; these fields also make certain that consumers receive the information in a useable format. Some of these fields require reporters to use a format for the information presented, known as a format field, while others specify the text to be used in every case. Format fields begin with a "prosign" that identifies the topic. The prosign is used by IC databases for message storage and retrieval. Examples of format fields are subject, classification, source, and summary.

~~(U)~~ **Source Field**

~~(U)~~ The source field is at the front of the Source paragraph of the IIR. The classification markings on the following examples are only for illustrative purposes:

SOURCE: ~~(S)~~//SCI 6 899 0975//A MID-LEVEL OFFICIAL OF THE EGYPTIAN MINISTRY OF DEFENSE WITH DIRECT ACCESS TO THE REPORTED INFORMATION. SOURCE HAS REPORTED RELIABLY FOR TWO YEARS.

SOURCE: ~~(S)~~//SCI 6 834 2082//A WESTERN EUROPEAN BUSINESSMAN WHO HAD INDIRECT ACCESS TO THE TYPE OF INFORMATION REPORTED. THIS IS THE FIRST

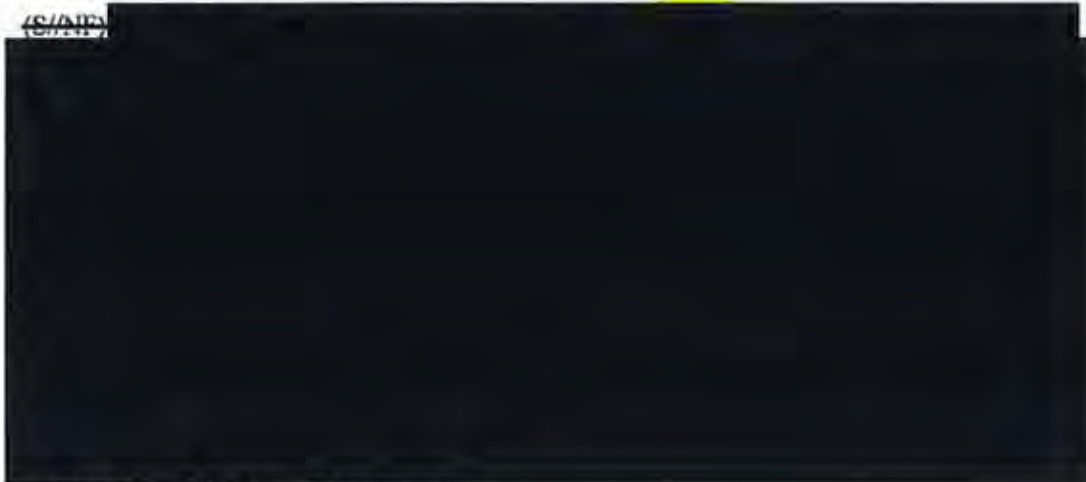
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INFORMATION REPORTED BY THIS SOURCE. REPORTING RELIABILITY HAS NOT BEEN DETERMINED

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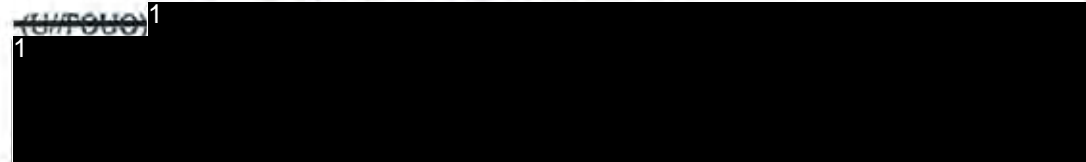


~~(S)~~ Not Finally Evaluated Intelligence

~~(S)~~ An example of a prosign field with specific mandatory text is the warning prosign, which requires this specific text:

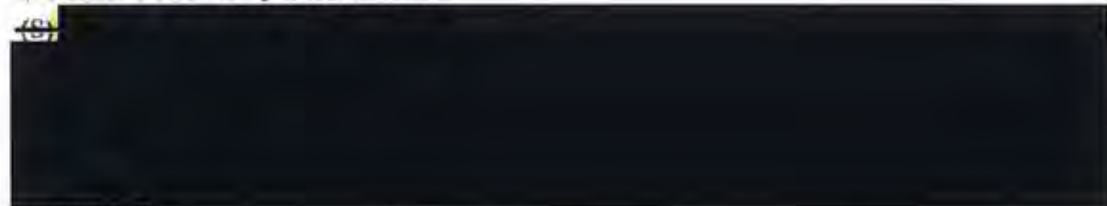
WARNING: ~~(S)~~ THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE. REPORT CLASSIFIED (Classification).

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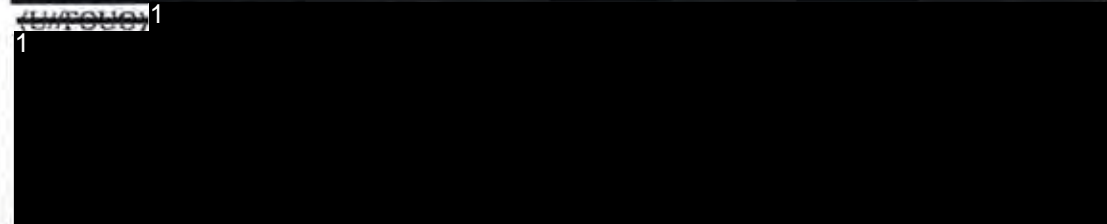


~~(S)~~ Source Reliability Determination

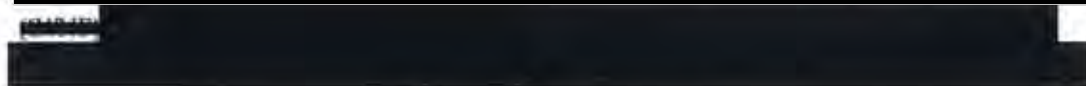
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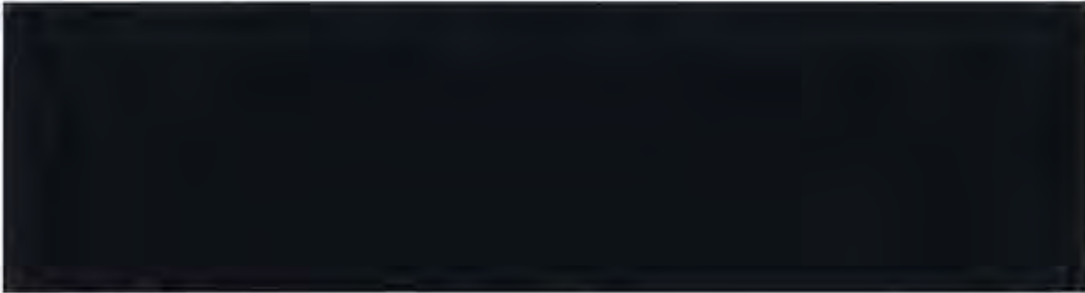
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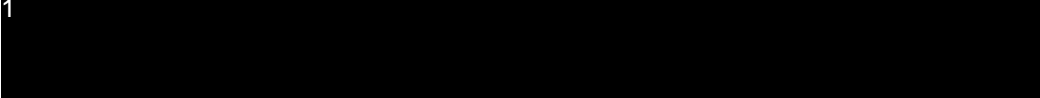
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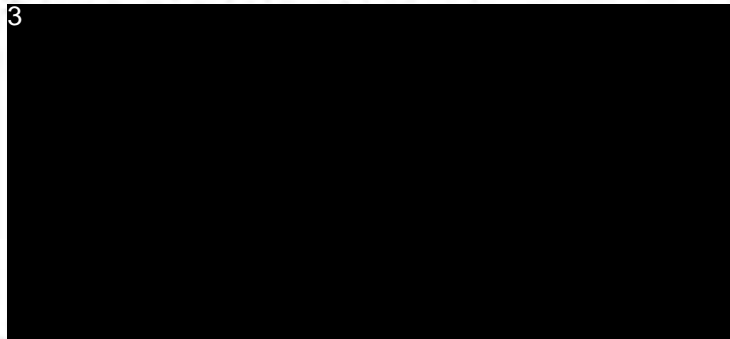
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I have read this declaration and concur with the findings and conclusion.



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IN THE UNITED STATES DISTRICT COURT
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HAJJI NASSIM,

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Respondents.

Civil Action No. 09-CV-1332 (HIK)

Declaration of ³ [REDACTED] Names,
Aliases, Kunyas and Variants (Sept. 19, 2008)

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~~SECRET//NOFORN~~



Defense Intelligence Agency

Background Declaration – Names, Aliases, Knyas and Variants
Defense Intelligence Agency

2 [Redacted]

2 [Redacted]

19 September 2008

The Defense Intelligence Agency produced the following document for the Department of Defense Office of the General Counsel to utilize in federal court litigation.

3 [Redacted] pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge, information, and belief.

1, 3, 5 [Redacted]

(U) Worldwide: Using Names, Aliases, Knyas and Variants

Arab migration and the spread of Islam around the world intermixed with local ethno-linguistic traditions and cultural practices produce regional variations in the way Arabic names are constructed, pronounced and spelled. These variations, along with differences in standards for the transliteration of foreign names by U.S. military, intelligence and law enforcement organizations, present challenges for the collection, reporting, and analysis of intelligence. The lack of a direct correlation between Arabic and Latin alphabets, combined with these complexities, is of particular importance to analysts while in today's Counterterrorism environment. While using aliases and other forms of multiple identities is not unique to these groups, this declaration will limit itself to providing a basic primer on Arabic-related issues to address the detainee population at Guantanamo.

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~~SECRET//NOFORN~~**(U) Elements of Arabic Names**

(U) Traditionally Arabic names are comprised of five elements: ism, kunya, nasab, laqab, and nisba. This naming convention is widely used by Muslim populations and in countries with significant Muslim influence around the world, although varying depending on the country or region.

- (U) **Ism**- The ism is the proper name given at birth. This part of the name is considered the most personal of the elements. In some areas, it is impolite to call an elder by their ism, yet in other areas, it is common to call people by their ism.
- (U) **Kunya**- The kunya is traditionally an honorific, which denotes that the person is either a mother or father, and is constructed using the name of the first-born son or eldest daughter if the person has no sons. The kunya for a man is Abu, meaning father of, plus the name of the first-born; while Umm is used for women, meaning mother of, with the name of the first-born. For example, Abu Ibrahim means father of Ibrahim. Addressing someone by his or her kunya is a sign of respect.
- (U) In addition, there are several nicknames that use an "Abu" construction, that are not true kunyas. Much like the name Jack is used as a nickname for John, many commonly used kunyas are used as nicknames that do not bear direct resemblance to the given name. For example, Abu Sadeq is a nickname for Jafar, and Abu Ali is a nickname for Hassan.
- (U) Insurgents, radicals and terrorists commonly use kunyas as assumed names or pseudonyms. Kunyas used in this manner are often chosen, or given, without regard to the children's names or regard to whether the individual has children. In this case, using the kunya conceals the individual's identity. Further, it is often used as a security, denial and deception measure. The reasons for an insurgent choosing a certain kunya varies widely. It could be the region they are from such as Zaraqawi (from Zarqa), Suri (the Syrian), or al-Masri (the Egyptian). It can be derived from the early heroes of Islamic conquest, like Abu Ubaydah, one of three who led expeditions against Byzantium. It can be derived from past historical or Militant Islamist leaders like Abu Azzam, named after the spiritual founder of al-Qaida Abdullah Azzam.
- (U) **Nasab**- The nasab is a pedigree, which denotes the family lineage on the father's side, and can go back several generations. In many countries ibn or bin, is used for males (the son of) and bint for females (the daughter of), while in other countries the names are simply listed in sequence. For example, Hasan ibn Faraj, would mean, Hasan, son of Faraj. Another example using multiple generations would be Hasan ibn Faraj ibn Ahmed ibn Mohammad, meaning Hasan, son of Faraj, who is the son of Ahmed, who is the son of Mohammad. In some regions, that same name may appear as Hasan Faraj Ahmed. A true name usually consists of the ism, nasab and the nisba.

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- (U) **Laqab**- The laqab is a combination of words that describe some religious or admirable quality of the person and is used as a secondary name. In some cases, it is used in place of the ism. A common laqab includes one of the 99 names of God and "Abd." or servant of, for example, Abd al Rahman, or servant of the Merciful. There is no such name as "Abdul" in Arabic, even though we commonly see this in English. This is a mis-translation of "Abd," which is followed by the article "al." Laqab can also connote a person's profession like Samir al-Haddad, which means Samir whose family members at one time were blacksmiths. Another popular laqab of course is Hajj or Haji, meaning the person has made their pilgrimage to Mecca, like Hajj Amin al-Hussein.
- (U) **Nisba**- The nisba is another secondary name that describes the occupation, descent, tribe or residence of the person. It can be used in combination with any of the above elements, but will always be the last part of the name. For example, Mohammad al Masri, means Mohammad from Egypt, or using several elements, Mohammad al Husayn ibn Harun al Qahtani means Mohammad the beautiful, son of Aaron, from the Qahtani tribe. The nisba can tell you much of the persons ancestry and geographic origins, for instance al-Zawahiri although from Egypt, comes from the Zawahir clan of the Hejaz region of Saudi Arabia. Ayman al-Zawahiri attempts to bolster his Arab lineage by making these connections.
- (U) The following example uses a title and all five elements of the naming convention: Mullah Mohammad Abu Nasar Abd al Rahman, bin Ibrahim bin Hasan al Makki; Mullah (title) Mohammad (ism) Abu Nasar (kunya) Abd al Rahman (laqab) bin Ibrahim bin Hasan (nasab, 2 generations) al Makki (nisba). This name would translate to the teacher Mohammad, father of Nasar, servant of the Merciful, son of Ibrahim, grandson of Hasan, from Mecca.

(U) Spelling Variants

(U) Because Arabic and English have several letters representing sounds that do not correspond directly, several letters or letter combinations are used interchangeably to represent the same sound. This often generates multiple English spellings representing the same word or name in Arabic. Other differences in practice, such as whether to use double or single consonants to express a single sound, further increase variation. It is common to see intelligence reports referencing an individual with several different name spellings. Although, most organizations have established naming standards for common names, this is not consistent throughout the Intelligence Community (IC) and has changed over time.

- (U) Other spelling variables include capitalization, and the use or non-use of dashes, apostrophes and spaces. In some cases, apostrophes replace a letters that do not translate into English, such as the Arabic letter "ayn," which has a distinct sound not used in English. For example, the name Mohammad has over 20 variations and alternate spellings of al-Qaida include al Qaida, al Qa'ida, and al-Qaeda.
- (U) Some commonly interchanged letters include:
 - K, KH, GH, and Q such as: Kandahar, Khadahar, Ghandahar or Qandahar

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- O and U, such as: Mohammad or Muhammad
- A and E, such as: Ahmad, Ahmed
- OO and U, such as: Noor, or Nur
- (U) Some commonly interchanged words and spellings include:
 - Al, Ul and Ur, as in: Mohammad al Rahman, Mohammad ul Rahman or Mohammad ur Rahman
 - ul Din, and Uddin, as in: Nasar ul Din, or Nasaruddin
 - Abd Ul and Abdul, as in: Abd ul Rahman or Abdul Rahamn

(U) Various titles may be added to the beginning of the name, similar to titles used in Western traditions. Although these specific titles are more common in the Arab world, similar titles are used in Afghanistan or Pakistan, from where many fighters are recruited.

- Mullah- Religious leader
- Imam- Religious leader (as in clergy)
- Hajji- Someone who went on a pilgrimage to Mecca
- Shaykh- Title of high respect, usually a leader of some kind (tribal, etc)
- Qari- Someone who can recite the Quran with a specific rhythm
- Qazi/Qadi- Lawyer or judge (on Sharia)
- Ustad- teacher or professor
- Talib- student (Afghan)
- Malim, or Malauwi – religious leader (Afghani)
- Akhund- lawyer (Afghan)

(U) The challenges of spelling and translating the use of Arab and Muslim influenced names is further complicated for individuals originating from countries with conventions based in other cultural traditions, especially when combined with significant differences in pronunciation as well as the use of other local languages and alphabets.

(U) The source of the reporting can also have a significant impact on how names are spelled. Sources may have a regional dialect, which may complicate the transliteration of the name phonetically, or misunderstanding the name completely. Some reporting originates from foreign sources using different letters to represent Arabic sounds. For example, in Spanish, the "h" is often substituted with "j," thus Mohammad would be spelled "Mojammad." In French North Africa, Sherief is Cherief.

(U) Aliases

(U) Aliases can take multiple forms, from part of a true name, to a something completely unrelated to the true name. Like a nickname, some aliases are descriptive of physical traits, such as Nasar al Tawil (Nasar the Tall). Aliases can also be just a single word, such as Tareq. Terrorists do use multiple aliases, often changing them in different locations. Nicknames also provide a degree of "cover" or operational security. In addition to these aliases, many individuals will use "call signs" for security purposes. A call sign is simply another name that is

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only used during indirect communication. These call signs may change depending on with whom one is communicating, or where they are located.

~~(S)~~



(U) Confidence Measures for Identification

(U) Intelligence analysts consider all of these factors when making assessments about a specific individual or group. The biggest asset to an analyst is an understanding of the complexities of this particular problem set. Through training, experience, and drawing on the expertise of senior analysts, subject matter experts and linguists at their disposal, analysts learn the many variables they need to take into account. Analysts use many tools and processes to make confident assessments, some of these include:

- (U) Database programs generally include features allowing the user to search on variants to account for different transliterations or reporting conventions. These tools may include wildcard or pattern matching searches, fuzzy word searches, and phonetic matching algorithms. In addition, some databases have macros, which employ a list of name variants based on historical search results. Analysts then use additional known details and other reporting to make confident assessments.
- (U) Through research and analysis of multiple reporting sources, analysts are often able to determine the various names used. Corroboration and collaboration within the IC helps analysts confirm identities.
- (U) Documents and media recovered from the detainee at the time of detention, and from other sources can help confirm identifications and/or provide further avenues of assessment. Some detainees have forged documents, such as fake passports, that allow analysts to determine alternative identities of a detainee.

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- (U) Photographs, taken during the detainee's in-processing and those captured with the detainee, provide an additional resource to determine identity. Analysts show these photos to multiple sources in order to get a consensus on the individual(s) in the photograph. The photo identifications (PID) can verify the identity of the detainee and his associates, as well as validate suspected relationships.

(U) Conclusion

(U) Detainees often use aliases and cover stories to hide their actual activities; however, it is difficult to maintain these cover stories over time. Interrogators note any changes in details in the story, which occur when the topic is reviewed multiple times over a significant time period. Analysts compare these stories against other detainee reporting as well as other sources of intelligence to find inconsistencies and vulnerabilities in the cover story, develop further lines of questioning, as well as to corroborate the reliability and validity of truthful information. The IC mitigates the challenges that foreign language and cultural practices cause in this complex environment. Through advice provided by foreign area specialists, experience, education, and specialized tools, analysts are able to identify—with confidence—persons of interest or concern, including detainees.

I have read this declaration and concur with the findings and conclusion.

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APPENDIX A

Common Country and Tribal Names

Arabic Geographic Adjectives in Names and Equivalents	
Al-Adani	From Aden, Yemen
Al-Afriqi, al-Afriki	The African
Al-Ajami (actually al-'Ajami)	Literally "the foreigner" but almost always pertains to Persians (Iranian, but it could also apply to any Persian speaker—Iranian, Tajik, or Dari-speaking Afghan).
Al-Ajnabi, al-Agnabi	The Foreigner (i.e., not from "here", or "not one of us." NOTE: If "Agnabi" the "g" may imply an Egyptian context.) Al Ajnabi is unlikely to be part of a terrorist nom de guerre, but may be considered an indication that the person so named is considered a "foreigner" or "an outsider" by those using the term.
Al-Almani	The German
Al-Amriki	The American
Al-Andalusi	From Andalusia (southern Spain)
Al-Anfirsi	The man from Antwerp
Al-Ansari	Literally meaning "the supporter" and originally referring to persons in Medina who aided the Prophet Muhammad, al Ansari as now used among jihadists typically means "local jihadist"—as opposed to al-Muhajir, which means "foreign fighter."
Al-Arjantini	The Argentinean
Al-Armini	The Armenian
Al-Asiri (actually al-'Asiri)	From southwest Saudi Arabia
Al-Ayrlandi, al-Irlandi	The Irishman
Al-Badawi	The Bedouin
Al-Baljiki, al-Biljiki, al-Balgiki	The Belgian
Al-Banghali	The man from Bangladesh
Al-Banghladishi	The man from Bangladesh
Al-Baritani, al-Britani	The Brit

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Al-Bedoui	The Bedouin
Al-Brazili	The Brazilian
Al-Britani, al-Baritani.	The Brit
Al-Burtughali	The Portuguese
Al-Danmarki	The Dane
Al-Emirati, al-Imarati	The man from the United Arab Emirates
Al-Englizi, al-Inklizi, al-Inglizi, al-Injalizi	The Englishman
Al-Faransi, al-Faransawi	The Frenchman
Al-Farsi, al-Farisi	The Persian, the Iranian
Al-Fasi	From Fez, Morocco
Al-Filastini	The Palestinian
Al-Filibini	The Filipino (from the Philippines)
Al-Fiyatnami	The Vietnamese
Al-Ghani	The Ghanaian
Al-Gharbi	The Westerner
Al-Hadrami	From the Hadramat region of Yemen
Al-Halabi	From Aleppo, Syria
Al-Hijazu	From western Saudi Arabia
Al-Hindi	The Indian
Al-Hulandi	The Hollander, from The Netherlands
Al-Ifranji, al-Ifrangi	The European
Al-Ighriqi	The Greek
Al-Ilji (actually al-Ilji)	Pejorative Iraqi slang for a Westerner
Al-Imarati, al-Emirati	The man from the United Arab Emirates
Al-Injalizi, al-Inglizi, al-Englizi, al-Inklizi	The Englishman
Al-Inklizi, al-Injalizi.	The Englishman

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al-Inglizi, al-Englizi	
Al-Irani	The Iranian
Al-Iraqi	The Iraqi
Al-Irlandi, al-Ayrlandi	The Irishman
Al-Isbani	The Spaniard
Al-Iskutlandi	The Scot
Al-Islandi	The Icelander
Al-Isra'ili	The Israeli
Al-Janubi	The Southerner
Al-Jawfi	From the Jauf region of Yemen or Saudi Arabia
Al-Jazairi	The Algerian
Al-Kamiruni	From the Cameroons
Al-Kanadi	The Canadian
Al-Karibi	From the Caribbean
Al-Kashmiri	From Kashmir
Al-Khaliji	From the (Persian) Gulf
Al-Khawaga, al-Khawaji, al-Khawagi.	Literally meaning "Sir," or "Mister" (used especially for Christians and Westerners, with or without the name of the person so addressed), khawaga/khawaji has a street slang meaning, especially in Egypt, similar to calling someone a "gringo." "Al-Khawaja" is unlikely to be part of a terrorist nomme-de-guerre, but can be considered a likely indication the reference is to a Christian or Westerner considered to be "foreign" or "an outsider" to those using the term.
Al-Kini	The Kenyan
Al-Kubawi	The Cuban
Al-Kuri	The Korean
Al-Kuwayti	The Kuwaiti
Al-Libi	The Libyan
Al-Libiri	The Liberian
Al-Lubnani	The Lebanese

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Al-Madani	From Medina, Saudi Arabia
Al-Maghribi	The Moroccan
Al-Majari, al-Magari	The Hungarian
Al-Makkawi, al-Makki	From Mecca, Saudi Arabia
Al-Masri, al-Misri	The Egyptian
Al-Miksiki	The Mexican
Al-Muhajir	Literally "the emigrant" and originally referring to a person who fled from Mecca to Medina with the Prophet Muhammad, al Muhajir as now used among jihadists typically means "foreign fighter."
Al-Muritani/Mauritani	From Mauritania
Al-Nabulsi	From Nablus, in the West Bank, Palestine
Al-Najdi	From central Saudi Arabia
Al-Nasibi	A pejorative for Sunnis used by Shi'a
Al-Nimsawi	The Austrian
Al-Nubi	The Nubian (from area near border between Egypt and Sudan)
Al-Nurwaji	The Norwegian
Al-Parsi, al-Farsi	The Persian, the Iranian
Al-Qamari	From the Comoros Islands
Al-Qubrusi	The Cypriot; from Cyprus
Al-Qudsi	From Jerusalem
Al-Rafidhi	A pejorative for Shi'a used by Sunnis that literally means "rejectionist"
Al-Romani	The Romanian
Al-Russi	The Russian
Al-Sa'idi	From Upper Egypt (i.e., the upland area of southern Egypt)
Al-Safawi	Pejorative for Persians (typically today meaning Iranian, but it could apply to any Persian-speaker—Iranian, Tajik, or Dari-speaking Afghan).
Al-Samarra'i	From Samarra, Iraq

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Al-Saudi	The Saudi
Al-Shami	The Syrian, or from Damascus; the Northerner (esp. when North Yemen)
Al-Sharqi, al-Sharuqi	The Easterner
Al-Shili	The Chilean
Al-Shimali	The Northerner
Al-Shishani	The Chechen
Al-Sini, al-Sinani	The Chinese
Al-Sinighali	The Senegalese
Al-Skutlandi	The Scot
Al-Sudani	The Sudanese
Al-Sumali	The Somali
Al-Suri	The Syrian
Al-Suwidi	The Swede
Al-Suwisri	From Switzerland, the Swiss
Al-Ta'ifi	From Ta'if, Saudi Arabia
Al-Tabuki	From Tabuk, Saudi Arabia
Al-Tanzani	The Tanzanian
Al-Trabulsi, al-Trabelsi, al-Tarabulsi	From Tripoli, either Libya or Lebanon
Al-Trinidadadi	The Trinidadian
Al-Tshiki	The Czech
Al-Tunsi, al-Tunisi	The Tunisian
Al-Turki	The Turk
Al-Umani (actually al-'Umani)	The Omani
Al-Urduni	The Jordanian
Al-Urubi	The European
Al-Uzbiki, al-Uzbeki	The Uzbek
Al-Yabani	The Japanese

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Al-Yamani	The Yemeni
Al-Yunani	The Greek

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJI NASSIM,

Petitioner,

v.

BARACK OBAMA,
President of the United States, *et al.*,

Respondents.

Civil Action No. 09-CV-1332 (HHK)

Declaration of ³ [REDACTED] Counter-
interrogation Doctrine and Practice (Oct. 3, 2008)

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~~UNCLASSIFIED//FOR PUBLIC RELEASE~~



Defense Intelligence Agency

*Background Declaration –
Counter-interrogation Doctrine and Practice*

2 [Redacted]

2 [Redacted]

3 October 2008

~~(S)~~ The Defense Intelligence Agency produced the following document for the Department of Defense Office of the General Counsel to utilize in federal court litigation.

~~(S)~~ 3 [Redacted] pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge, information, and belief.

~~(S)~~ 1, 3, 5
1, 3, 5 [Redacted]

~~(S)~~ Background

~~(S)~~ [Redacted]

~~(S)~~ [Redacted]

~~(S)~~ The Manchester Manual—A Baseline

~~UNCLASSIFIED//FOR PUBLIC RELEASE~~

~~UNCLASSIFIED//FOUO~~

[REDACTED]

[REDACTED]

[REDACTED]

~~(S)~~ Manchester Derivatives

[REDACTED]

[REDACTED]

- ~~(S//FOUO)~~
- ~~(S//FOUO)~~
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[REDACTED]

~~(S)~~ Counter-Interrogation Techniques

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~~UNCLASSIFIED//FOUO~~

~~(S)~~ During the course of my tenure as a supervisor of interrogation operations during operations OIF and OEF I have routinely witnessed detainees commonly employ the following counter-interrogation techniques:

- ~~(S)~~ [REDACTED]
- ~~(S)~~ [REDACTED]
- ~~(S)~~ [REDACTED]
- ~~(S)~~ [REDACTED]
 - ~~(S)~~ [REDACTED]
 - ~~(S)~~ [REDACTED]
 - ~~(S)~~ [REDACTED]
 - ~~(S)~~ [REDACTED]
- ~~(S)~~ [REDACTED]
- ~~(S)~~ [REDACTED]
- ~~(S)~~ [REDACTED]
- ~~(S)~~ [REDACTED]
- ~~(S)~~ [REDACTED]
- ~~(S)~~ [REDACTED]
- ~~(S)~~ [REDACTED]
- ~~(S)~~ [REDACTED]

[REDACTED]

I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 17th Day of October 2008 at ³ [REDACTED]

³ [REDACTED]

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJJI NASSIM,

Petitioner,

v.

BARACK OBAMA,
President of the United States, *et al.*,

Respondents.

Civil Action No. 09-CV-1332 (HHK)

Declaration of Robert H. Holmes, Use of
Intelligence Products in the Targeting and
Operational Cycles in Operation Enduring Freedom
(Aug. 22, 2008)

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Use of Intelligence Products in the Targeting and Operational Cycles
in Operation Enduring Freedom (OEF) ~~(U//FOUO)~~

I, Robert H. Holmes, pursuant to 28 U.S.C. § 1746, hereby declare
and say as follows:

1. ~~(S//FOUO)~~ This is in response to the request from the Office of General Counsel for a declaration for Habeas Corpus litigation regarding the current procedures used to employ intelligence to locate and capture persons of interest on the Afghanistan battlefield. As the Deputy Director of Operations for U.S. Central Command, I am responsible for overseeing the operations of both special operations and conventional forces within the U. S. Central Command (USCENTCOM) area of operations (AOR), to include Afghanistan. From the initial stages of Operation Enduring Freedom (OEF), U.S. special operation forces (SOF) have located and disrupted terrorist networks through the use of intelligence. While the particular tactics, techniques and procedures have changed over time, the process under which OEF operators acquire and utilize battlefield intelligence remains relatively constant.

2. ~~(S//FOUO)~~ General. Intelligence is critical for all military forces, to include those capturing unlawful enemy combatants in Afghanistan. Ground commanders in support of Operation Enduring Freedom (OEF) in Afghanistan employ a FIND, FIX, FINISH, EXPLOIT, and ANALYZE (F3EA) process to target the leadership, supporters and key nodes of terrorist networks. The F3EA process is driven by intelligence products of all types, to include Intelligence Information Reports (IIRs), Telegraph Disseminations (TD)s, FBI 302s, FM 40s and Summary Interrogation Reports (SIRs). Commanders use multi-source and corroborated intelligence products to provide the clearest possible picture of the operational environment. This is critical in the fight against a highly compartmentalized, savvy and network-based enemy. In this fight we must be able to rapidly identify members of the network to disrupt and defeat their operations. Critically, we must then exploit the final results of that operation to lead us to the next individual inside the network before the network can react and adjust its form to become invisible again. The following explains how intelligence is used throughout this continuous cycle to drive operations and ensure we are removing the enemy from the battlefield with the highest degree of accuracy possible.

Classified By: MG Scaparotti, USCENTCOM J3
Reason: 1.4 (a)
Declassify On: 22 Aug 2018

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3. ~~(S//NF)~~ Find, Fix, Finish, Exploit, Analyze (F3EA). The F3EA targeting cycle was developed in order to rapidly operationalize intelligence products. This rapid integration of intelligence products enables the maneuver commander to get inside the enemy's decision making cycle and disassemble the network. Below is a description of each phase of the process and the types of intelligence products used to drive operations:

a. ~~(S//NF)~~ Find. During this stage information from all intelligence disciplines is analyzed to identify an initial vulnerable node or individual. These vulnerable nodes (e.g. a safe house, meeting location, or a courier drop) and individuals (e.g. leaders, financiers, cutouts and religious advisors) are identified through methods such as a Signals Intelligence (SIGINT) developmental reporting (i.e. an individual(s) identified using a particular communications device), a report provided by a walk-in or casual Human Intelligence source, a significant location identified during Geospatial Intelligence (GEOINT) surveys; or more complex operations such as information resulting from deliberate intelligence interrogations, or the technical exploitation of a piece of equipment. Once identified the individual/node is then verified. Ideally this is done through a second intelligence discipline or a second independent unassociated source. While verification and validation is ongoing, the cycle moves into the second phase.

b. ~~(S//NF)~~ Fix. This phase begins immediately after identification of a valid potential target. During the fix phase, available intelligence assets are brought to bear against the target in order to develop a pattern of life and identify points of vulnerability where the target can be trapped for the next phase: finish. Ideally, this is a multi-asset layered process involving manned and unmanned full motion video and [REDACTED] clandestine and overt HUMINT sources and multi-spectral GEOINT products. These products are analyzed and a series of named areas of interest (NAI) are developed. Now additional collection is dedicated to further refine and validate the targets' presence and indicators of the targets' presence in a given NAI. This phase of the cycle culminates with the development of a trigger that enables the commander to make the decision to dedicate forces to one of the NAIs now renamed to an objective on which the target can be found. This trigger could be as simple as watching an individual move into a building, [REDACTED], a technical device, or even a HUMINT source that confirms the location of the target.

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c. ~~(S//NF)~~ Finish. This phase is the combat operation to detain, neutralize or disrupt the target individual/node or seize the target location. Intelligence support during this phase centers around guiding the combat force to the objective and positively identifying the target individual or location. These intelligence products consist of [REDACTED]

[REDACTED] HUMINT sources to guide forces to the objective and to positively identify the target individuals; full motion video support from airborne platforms to guide in forces and maintain situational awareness and early warning of outside threats; and the collection of material of intelligence value from the objective (sensitive site exploitation or SSE).

d. ~~(S//NF)~~ Exploit. This phase is the extraction of all usable information from the target individual, his personal belongings and the target location. All material removed from the target location during SSE is subjected to technical exploitation (in-depth analysis) and translation to collect information of intelligence value. Additionally, the target individual and all associated individuals detained from the objective are questioned to collect intelligence information about the enemy network and future operations. During this process great care is taken to rapidly identify individuals who are not associated with the enemy network and release them. As information is developed during this phase, it is pushed into the analysis occurring in the next phase, which may in turn direct further refinement of the exploitation of the target individuals or the material seized from the objective, thus creating a cycle of exploitation and analysis until a clearer picture of the enemy network is obtained.

e. ~~(S//NF)~~ Analyze. During this phase all the information extracted in the Exploit phase is compared to what was developed in the Find and Fix phases as well as to other related targets along the line of operations to identify the next set of key vulnerable individuals and nodes. This confirms or denies the information that led us to a given objective and shapes our picture of the enemy network. As new vulnerable nodes and target individuals are identified they return to the Find phase and the process begins again. This phase culminates with a new assessment of the enemy network.

4. ~~(S//NF)~~ Unlawful Enemy Combatant Status Determinations. The intelligence products developed and validated during the F3EA process form the foundation upon which commanders make

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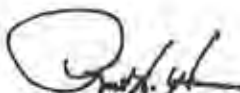
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determinations of the actual involvement of a target individual in the enemy network and therefore ultimately lead to targeting decisions. Intelligence products and physical evidence from the objective are useful tools with which to determine a detainee's status as an unlawful enemy combatant, and, when subjected to thorough review and analysis by the commanders making the actual determination, generally form the factual basis for that legal determination.

5. ~~(S//FOUO)~~ Intelligence and information produced through this F3EA process are also fed into the broader intelligence analytical cycle, which combines this data with existing information and intelligence to further task out for additional intelligence operations. The information or intelligence derived from both the analytical cycle and the operational cycle (F3EA) are disseminated to higher, adjacent and subordinate commanders through existing intelligence systems architecture to assist in developing targets and driving operations.

6. ~~(S//FOUO)~~ Conclusion. The process described above illustrates the ideal with no resource constraints placed upon the process. The practical realities of the battle field often constrain the time and resources available to execute the F3EA cycle; however, the same principles can be applied even with very limited assets to develop the same effect. Additionally, the sensitivity of the target may also drastically reduce the decision making cycle. The F3EA process will never generate a 100% solution; however, the quality and veracity of the intelligence products remain the cornerstone of the ground commander's decision making process and the key to its success.

Signed this 22nd of August, 2008



ROBERT H. HOLMES
Brig Gen, USAF
Deputy Director of Operations

4

~~SECRET//NOFORN~~

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJJI NASSIM,)
)
Petitioner,)
)
v.)
)
BARACK OBAMA,)
President of the United States, <i>et al.</i> ,)
)
Respondents.)

Civil Action No. 09-CV-1332 (HHK)

Declaration of ³ [REDACTED] Al-Qaida (Sept. 22,
2008)

~~SECRET//NOFORN~~



Defense Intelligence Agency

Background Declaration – Al-Qaida

2 [Redacted]

2 [Redacted]

22 September 2008

(U) The Defense Intelligence Agency produced the following document for the Department of Defense Office of the General Counsel to utilize in federal court litigation.

(U) I³ [Redacted] pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge, information, and belief.

(U) 1, 3, 5
1, 3, 5 [Redacted]

(U) Al-Qaida Background Declaration

(U) In 1988, Usama bin Ladin established al-Qaida in secret to unite Arabs who fought against the Soviet Union in Afghanistan, and the organization helped finance, recruit, transport, and train Sunni Islamic extremists for the Afghan resistance. Since al-Qaida's founding, bin Ladin's overall goal has been re-establishing the Islamic Caliphate, unified by a common militant-Salafist ideology rooted in a violent rejection of apostasy and characterized by fervent opposition to Western influence in traditionally Islamic countries. Al-Qaida still seeks to expel U.S. and Western influence from Muslim lands, defeat existing and burgeoning apostate regimes, unite the Ummah and garner Muslim popular support, and continues attempting to carry out future attacks against the United States and its worldwide interests. Al-Qaida merged with the Egyptian Islamic Jihad in 2001 and the Group for Salafist Preaching and Combat (GSPC) in 2006. The merger with GSPC resulted in the creation of "al-Qaida in the Lands of the Islamic Maghreb." Al-Qaida also announced a merger with the Libyan Islamic Fighting Group in late 2007.

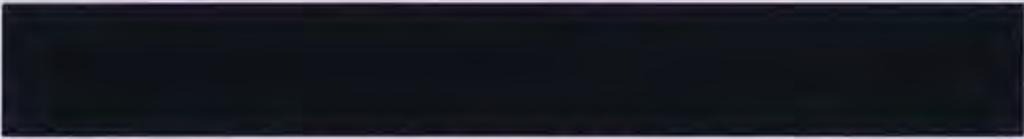
[Redacted]

Further, al-Qaida in Iraq is considered a component of the larger al-Qaida, not a separate entity. Overall, al-Qaida serves as an umbrella organization for a worldwide associated movement that includes many Sunni Islamic militant groups.

(U) Al-Qaida has several thousand members and associates. The associates, although they may not pledge allegiance to al-Qaida, support its ideology and methods and are referred to as the al-Qaida-associated movement or al-Qaida affiliates. Al-Qaida remains a loose global network, broadly defined by its strategic objective of re-establishing the pan-Islamic Caliphate, unified by a militant-Salafist ideology rooted in a vehement rejection of perceived Islamic apostasy and characterized by violent opposition to Western influence in traditionally Islamic countries. While many may view this goal as aspirational rather than realistic, bin Ladin and his supporters believe it is attainable. Since his 1998 fatwa issued under the World Islamic Front, bin Ladin has urged Muslims and directed al-Qaida to attack the United States and its allies wherever possible. However, bin Ladin has taken a more pragmatic near-term approach to apostate regimes and Islamic sects, allowing strategic interests to dictate al-Qaida's policies rather than ideological compulsion. Ayman al-Zawahiri articulated al-Qaida's contemporary strategy in his July 2005 letter to the now-deceased emir of al-Qaida in Iraq, Abu Musab al-Zarqawi. Al-Zawahiri framed peripheral battles in Afghanistan and elsewhere as the vanguard for ultimately establishing an Islamic state in the Levant, Egypt and neighboring states in the Arabian Peninsula and Iraq.

(U) Al-Qaida leadership is best analyzed from a functional perspective. Duties often overlap and individuals can be assigned to several functions by matching skill sets, contacts, and other resources with the present needs of the network. Al-Qaida's structure on multiple levels includes an overall emir-leader, a spiritual wing, multiple shura councils, leaders for interdependent functional arms (i.e. media, finance, logistics, etc.), and regional emirs or mid-level operatives who are given control and responsibility for specific areas of operation. Al-Qaida's leadership core is largely, but not solely, Egyptian, and functions around personal relationships and historical connections, many of which were formed during the anti-Soviet jihad. Much of al-Qaida's leadership is well educated, has some form of prior military service in their home country, and prior jihad experience in Afghanistan or elsewhere.

(U) Usama bin Ladin (Saudi), as the overall emir for all of al-Qaida, holds supreme executive decision-making authority. Dr. Ayman al-Zawahiri (Egyptian) is his second-in-command and likely his most trusted strategic advisor. While bin Ladin maintains overall control, al-Zawahiri is likely most involved on a day-to-day basis and holds the most responsibility for al-Qaida's basic operation. Despite losing numerous senior leaders because of U.S.-led efforts since 2001, al-Qaida has demonstrated an ability to replenish key operatives, usually by promoting from within or adding external operations responsibilities to a senior figure's existing portfolio. It is assessed al-Qaida will continue relying on a cadre of trusted and experienced lieutenants to develop and advance Homeland attack plots from the Federally Administered Tribal Areas (FATA) safe haven.



(U) Al-Qaida's most notable terrorist attacks against the United States and the West are the 1998 bombings of the U.S. embassies in Nairobi, Kenya and Dar Es Salaam, Tanzania; the October 2000 attack on USS COLE in Aden, Yemen; the September 11, 2001 (9/11) attacks on the New York World Trade Center and the Pentagon in Washington, D.C.; and the July 2005 attacks against the London transportation system.

~~(S)~~ [Redacted] Al-Qaida's activities, successes, and ability to generate worldwide press coverage have turned it into a primary recruiter for the global, Sunni militant movement. Key to al-Qaida's longevity and effectiveness is its system of augmenting its members and operations with the resources of affiliated groups as well as "self-recruited" cells that operate independently. Most al-Qaida members operating in Afghanistan/Pakistan are based in Pakistan. Because al-Qaida's senior leadership resides within the Afghanistan/Pakistan border region, local support to the group is critical to its operations and thus facilitates the threat it poses to Western interests throughout the world.

~~(S)~~ [Redacted] Recruiting for al-Qaida occurs in mosques, Islamic and secular schools, universities, prisons, sports clubs, non-governmental organization projects, and refugee camps. While imams, family members, friends, and jihad veterans are important assets in the recruitment process, al-Qaida reaches a broader pool of potential recruits by disseminating information through audio and video tapes through radio, television, publications, and the Internet. Recruiters exploit an individual's sense of religious duty; ongoing regional conflicts; social alienation and anti-U.S. sentiment; and the attraction of belonging to a jihadist group.

- ~~(S)~~ [Redacted]

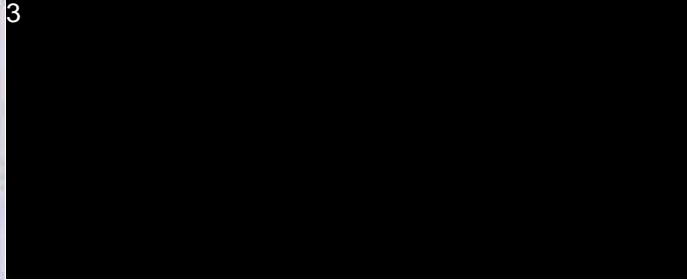
- ~~(S)~~ [Redacted]

- ~~(S)~~ Personal relationships and face-to-face interaction—which give greater control over the vetting process—remain the preferred modus operandi to recruit terrorist operatives for attacks.



I have read this declaration and concur with the findings and conclusions.

3



4

UNCLASSIFIED//FOR PUBLIC RELEASE

~~SECRET//NOFORN~~

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJJI NASSIM,

Petitioner,

v.

BARACK OBAMA,
President of the United States, *et al.*,

Respondents.

Civil Action No. 09-CV-1332 (HHK)

Declaration of ³ [REDACTED] Haqqani Network
(Nov. 3, 2008)

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~



Defense Intelligence Agency

Background Declaration – Haqqani Network

2 [Redacted]

2 [Redacted]

03 November 2008

~~(S)~~ The Defense Intelligence Agency produced the following document for the Department of Defense Office of the General Counsel to utilize in federal court litigation.

~~(S)~~ 3 [Redacted] pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge, information, and belief.

~~(S)~~ 1, 3, 5 [Redacted]
1, 3, 5 [Redacted]

~~(S)~~ The Haqqani Network:

~~(S)~~ [Redacted] The Haqqani Network [Redacted] founded by tribal warlord Jalaluddin Haqqani, conducts terrorist operations against the Afghan government, the Afghan National Army, and coalition forces primarily in the eastern Afghan provinces of Khowst, Paktia, and Paktika, which Jalaluddin Haqqani formerly controlled. The group works closely with al-Qaida, other Islamic extremist groups and anti-coalition militias, but works independently as well. [Redacted]

~~(S)~~ Jalaluddin Haqqani, Historical Network Leader

~~(S)~~ Jalaluddin Haqqani-- [Redacted] tribal elder, mujahidin hero, and Taliban member. Haqqani has significant influence and a loyal following in Khowst, Paktia and Paktika provinces. [Redacted]
[Redacted] Haqqani had enormous success in his efforts against the Soviet forces and became one of the jihad's preeminent military commanders. Gradually, he gained [Redacted]

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Derived from: Multiple Sources
Declassify on: Manual Review

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independence and began acquiring his own weapons and funding. After the Soviet withdrawal in 1989, Haqqani joined with other mujahidin leaders to form a government in opposition to the regime the Soviets installed in 1986. He has actively supported the Taliban government since 1994 and its intent to rule Afghanistan based on a strict Islamic religious code. Haqqani served as the Minister of Tribal and Border Affairs in the Afghan Taliban government before the fall of the Taliban and assisted Usama bin Ladin and other al-Qaida fighters during their escape from Afghanistan in 2001.

~~(S//NF)~~ Jalaluddin Haqqani and his sons support the Taliban, oppose reconciliation with the Afghan government, and want to rid the Zadran tribal areas in the Paktia and Paktika provinces of coalition forces.

[REDACTED]

~~(S//NF)~~ **Haqqani Operations**

~~(S//NF)~~ The Haqqani Network currently works with al-Qaida operationally in Afghanistan and provides critical safe haven in Haqqani-controlled locations in Waziristan. The Haqqani Network enjoys a close relationship with the Pakistan Intelligence Service (ISI).

[REDACTED]

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

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

[REDACTED]

2
~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

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

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

~~(U)~~ Conclusion

~~(S//NF)~~ The Haqqani Network's ultimate goal is to re-gain control of the Paktia and Paktika province region, and it will work with [Redacted] al-Qaida, to achieve this goal. The current Karazi government and the presence of coalition forces are key obstacles for the Haqqanis. The network, currently run by Siraj Haqqani, continues to grow and threaten coalition forces and the overall stability of the Afghanistan/Pakistan border region. Haqqani's close historical relationship with al-Qaida and other anti-coalition militia groups [Redacted] provides a well-seasoned network of fighters and facilitators. The network likely will continue to expand over the next few years and attack U.S. interests in the region using increasingly complex tactics.

I have read this declaration and concur with the findings and conclusion.

3
[Redacted]

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)
HAJJI NASSIM,)
)
	Petitioner,)
)
	v.)
)
BARACK OBAMA,)
President of the United States, <i>et al.</i> ,)
)
	Respondents.)
_____)

Civil Action No. 09-CV-1332 (HHK)

ISN 10028 SIR (Sept. 13, 2007)

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

SUMMARY INTERROGATION REPORT:

~~(S//NF)~~ SUBJECT: ISN US9AF-010028DP, ((INAYATULLAH)) WAS BORN IN 1974 AND CLAIMS AFGHANISTAN CITIZENSHIP.

REASON(S) FOR VISIT:

Command Directed

Rapport

2

1. ~~(S//NF)~~ SUMMARY:

2 INTERROGATED ((INAYATULLAH)) ON 2 FOR 1 HOUR AND 30 MINUTES. THE INTERROGATION WAS CONDUCTED IN PUSHTU USING 2 AN INTERPRETER.

THIS IS THE 1ST SESSION THIS INTERROGATOR HAS HAD WITH ISN-10028. THE PURPOSE OF THE INTERROGATION WAS TO BEGIN THE RAPPORT BUILDING PROCESS AND SERVICE

1, 2

1, 2

THE SESSION TOOK PLACE 1800-1930 HOURS. DETAINEE WAS ALERT AND POLITE THROUGHOUT THE SESSION. DETAINEE DISCUSSED FLAWS IN THE INFORMATION HE GAVE TO INTERROGATORS IN BAGRAM. DETAINEE ALSO DISCUSSED HIS THOUGHTS ON BEING IN GUANTANAMO.

2. ~~(S//NF)~~ APPROACH USED: DIRECT - 2 USED THE DIRECT APPROACH THROUGHOUT THE SESSION, ASKING QUESTIONS IN A CONVERSATIONAL TONE. 2 USED THE DIRECT APPROACH TO ASSESS FOR TRUTHFULNESS AND FUTURE APPROACHES.

3. ~~(S//NF)~~ EFFECTIVENESS OF APPROACH: DIRECT - DETAINEE RESPONDED TO ALL DIRECT QUESTIONS. HOWEVER, HE SHOWED DECEPTION WITH MANY OF HIS ANSWERS.

4. ~~(S//NF)~~ COOPERATION/KNOWLEDGEABILITY/TRUTHFULNESS/EXPLOITED: 2

1, 2, 5

5. ~~(S//NF)~~ RECOMMENDED APPROACH FOR NEXT MEETING: 1, 2, 5

1, 2, 5

6. ~~(S//NF)~~ SUMMARY OF INFORMATION (ENSURE ANY INTELLIGENCE RESULTS IN AN IIR):

1. WHEN 2 ARRIVED, DETAINEE WAS IN THE RECREATION YARD. THE GUARDS BROUGHT DETAINEE TO THE INTERROGATION AREA, AND 2 GREETED HIM AS HIS SHACKLES WERE REMOVED. DETAINEE SHOOK HANDS WITH ALL MEMBERS OF THE INTERROGATION TEAM, EXCEPT THE FEMALE LINGUIST. WHEN ASKED HOW HE WAS DOING, DETAINEE STATED THAT HE HAD THOUGHT ALL NIGHT, AND DECIDED TO CONFESS ABOUT LYING TO THE PREVIOUS INTERROGATORS IN BAGRAM. DETAINEE TOLD THE BAGRAM INTERROGATORS THAT HE HELPED FACILITATE THE MOVEMENT OF 12 TURKS INTO PAKISTAN. DETAINEE NOW CLAIMED HE ONLY HELPED 2 TURKS. (FIELD COMMENT -- 2 MET WITH DETAINEE 2 FOR A NON-INTELLIGENCE MEET AND GREET. DURING THE MEET AND GREET, DETAINEE VOLUNTEERED THE INFORMATION THAT HE HAD FACILITATED THE MOVEMENT OF 10 TURKS TO PAKISTAN, WHICH WAS A CORRECTION FROM 12. OBVIOUSLY, DETAINEE IS CHANGING HIS STORY EACH SESSION.)

2. DETAINEE BEGAN HIS CORRECTED VERSION OF THE STORY BY TELLING 2 THAT ABDUL ((RAHMAN)) AND ABDUL ((BAKR)) CAME TO DETAINEE'S BREAKFAST SHOP IN ZAHEDAN, IR WITH A MAN NAMED ABDUL ((MAJID)). ABDUL MAJID BROUGHT THREE KURDS WITH HIM FROM HIS HOME IN ZAHEDAN TO THE DETAINEE'S SHOP. AT THE SHOP, HUSAYN ((BALUCH)) PICKED UP THE KURDS AND TRANSPORTED THEM TO THE BORDER IR/PK BORDER.

3. ONE MONTH AFTER THE KURDS STOPPED AT DETAINEE'S SHOP, ABU ((SULAYMAN)) BROUGHT TWO TURKS FROM TEHRAN TO ABDUL MAJID'S HOUSE. ABDUL MAJID BROUGHT THE TURKS TO DETAINEE'S SHOP AND ASKED DETAINEE IF SOMEONE COULD DRIVE THE TURKS TO THE IR/PK BORDER. DETAINEE TOLD ABDUL MAJID THAT HUSAYN'S NEPHEW COULD DRIVE THEM. HUSAYN'S NEPHEW MET THE TURKS AT THE SHOP AND DROVE THEM TO THE BORDER. THIS SITUATION OCCURRED 14-15 MONTHS PRIOR TO DETAINEE'S CAPTURE. THE TURK'S NAMES WERE OMAN ((TURKHI)) AND HATEB ((TURKHI)).

4. ONE MONTH PRIOR TO THE TRANSPORTATION OF THE TURKS, ABU SULAYMAN BROUGHT ONE ARAB AND ONE KURD FROM TEHRAN TO ZAHEDAN. THE ARAB HAD BAD TEETH, AND THE KURD WAS ABOUT 24-25 YEARS OLD. THESE TWO MEN ALSO STAYED AT ABDUL MAJID'S HOUSE AND WERE PICKED UP BY SAHII IN FRONT OF THE DETAINEE'S SHOP AND TAKEN TO THE BORDER.

5. DETAINEE STATED THAT NORMAL OPERATIONS CONSISTED OF ABU SULAYMAN PICKING UP FIGHTERS FROM TEHRAN AND BRINGING THEM TO ABDUL MAJID'S HOME IN ZAHEDAN. ABDUL MAJID WOULD CONTACT SAHII AND TELL HIM WHEN TO MEET THE FIGHTERS OUTSIDE OF DETAINEE'S SHOP. SAHII WOULD DRIVE THE FIGHTERS IN A DATSON TRUCK TO THE IR/PK BORDER. ONCE THE FIGHTERS WERE AT THE BORDER, A MAN NAMED HAMID ((JAN)) WOULD TAKE THEM INTO PAKISTAN. (DETAINEE COMMENT -- I DON'T KNOW WHAT HAPPENS AFTER HAMID JAN TAKES OVER THE TRANSPORTATION.) EACH TIME ABU SULAYMAN GOES TO TEHRAN THERE IS USUALLY A 20 DAY OR LONGER GAP IN BETWEEN. IN ORDER FOR FIGHTER TO BE TRANSPORTED, THEY MUST PAY 40000 TOMANS TO GET TRANSPORTED AS OPPOSED TO THE NORMAL RATE OF 3000 DUE TO THE FIGHTERS BEING TRANSPORTED ILLEGALLY.

6. DETAINEE EXPLAINED THAT ONE TIME, WHEN FOUR MEN TRIED TO CROSS THE BORDER IN WAZIRISTAN, (COLLECTORS COMMENT - DETAINEE CLAIMED TO NOT KNOW IF THE MEN WERE GOING TOWARD AFGHANISTAN OR INTO WAZIRISTAN FROM AFGHANISTAN) THEY WERE STOPPED BY THE PAKISTANI MILITARY AND SHOT. THE MEN INVOLVED WERE ABU ((BAKR)), HATEB ((LNU)), OMAR ((TURKHI)), AND ONE MAN DETAINEE DID NOT KNOW. WHEN THE INCIDENT HAPPENED THE MAN NAMED HATEB ESCAPED AS THE ONLY SURVIVOR AND TOLD ABDUL MAJID OF THE INCIDENT. ABDUL MAJID THEN TOLD DETAINEE THE STORY.

7. ~~IS/INT~~ COLLECTORS COMMENTS: DETAINEE IS VERY DECEPTIVE AND ATTEMPTS TO GET THE COLLECTION TEAM OFF TOPIC BY TALKING ABOUT TOPICS THAT ARE RELEVANT ONLY TO THE DETAINEE, SUCH AS COMPARING GTMO TO BRAGRAM. THE TOPICS USUALLY DO NOT REQUIRE DETAINEE TO ANSWER QUESTIONS. THEY ARE CONVERSATIONAL IN NATURE.

8. ~~IS/INT~~ ANALYSTS COMMENTS: DETAINEE SEEMED A BIT ANXIOUS IN HIS NEW SURROUNDINGS. HE SPOKE ON SEVERAL TOPICS, MENTIONING NAMES AND LOCATIONS. AS AN INITIAL SESSION THIS WAS RECEIVED AS DATA TO BE REFLECTED ON AND VERIFIED. DETAINEE WAS COOPERATIVE.

9. ~~IS/INT~~ TEAM CHIEFS COMMENTS: 1, 5
1, 5

10. ~~IS/INT~~ POC FOR THIS MEMORANDUM IS 2, 3
JTF GTMO.

SIIR18999

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJJI NASSIM,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 09-CV-1332 (HHK)
)	
BARACK OBAMA,)	
President of the United States. <i>et al.</i> ,)	
)	
Respondents.)	

ISN 10028 SIR (Sept. 14, 2007)

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

SUMMARY INTERROGATION REPORT:

TS//NF SUBJECT: ISN US9AF-01002BDP, ((INAYATULLAH)) WAS BORN IN 1974 AND CLAIMS AFGHANISTAN CITIZENSHIP.

REASON(S) FOR VISIT:

Command Directed
Rapport

1. ~~(S//NF)~~ SUMMARY:

2 INTERROGATED ((INAYATULLAH 2 FOR 1 HOUR AND 0 MINUTES. THE INTERROGATION WAS CONDUCTED IN PUSHTU USING 2 AS AN INTERPRETER.

THIS IS THE 2ND SESSION THIS INTERROGATOR HAS HAD WITH ISN-10028. THE PURPOSE OF THE INTERROGATION WAS TO CONTINUE THE RAPPORT BUILDING PROCESS AND ASK FOLLOW-UP QUESTIONS TO SUBJECTS DISCUSSED THE PREVIOUS DAY. THE SESSION TOOK PLACE 1800-1900 HOURS. DETAINEE WAS ALERT AND POLITE THROUGHOUT THE SESSION. DETAINEE EXPLAINED THE REASONS WHY HE THOUGHT AL-QAIDA WAS IN AFGHANISTAN. HE ALSO DISCUSSED PERSONALITIES MENTIONED THE PREVIOUS DAY.

2. ~~(S//NF)~~ APPROACH USED: DIRECT - 2 USED DIRECT QUESTIONING THROUGHOUT THE SESSION. 1, 5

1, 5

1, 5 DETAINEE EXPRESSED HIS FEAR OF PROSECUTION. 2 MADE IT CLEAR THAT PROSECUTION WAS NOT THEIR MISSION.

3. ~~(S//NF)~~ EFFECTIVENESS OF APPROACH: DIRECT - DETAINEE RESPONDED TO DIRECT QUESTIONS, ALTHOUGH HE APPEARED DECEPTIVE WITH CERTAIN ANSWERS. DETAINEE FEARED THE IDEA OF PROSECUTION, AND BECAME CONFUSED WHEN 2 STATED THAT WAS NOT THEIR MISSION. EFFECTIVENESS OF THIS APPROACH HAS NOT BEEN FULLY DETERMINED, BUT 1, 2, 5

1, 2, 5 DETAINEE HAS ALREADY EXPRESSED HIS APPRECIATION FOR THE CONDITIONS AT GTMO. HE EXPECTED MUCH WORSE BEFORE HIS ARRIVAL.

4. ~~(S//NF)~~ COOPERATION/KNOWLEDGEABILITY/TRUTHFULNESS/EXPLOITED: 2

1, 2, 5

5. ~~(S//NF)~~ RECOMMENDED APPROACH FOR NEXT MEETING: 1, 2, 5

1, 2, 5

6. ~~(S//NF)~~ SUMMARY OF INFORMATION (ENSURE ANY INTELLIGENCE RESULTS IN AN IIR):

1. 2 GREETED DETAINEE AND ASKED ABOUT HIS WELL BEING. DETAINEE STATED HE HAD A GOOD NIGHT. (DETAINEE COMMENT -- I SLEEP BETTER HERE THAN IN BAGRAM.)
2. DETAINEE DESCRIBED THE REASONS WHY HE THOUGHT AL-QAIDA (AQ) WAS IN AF. DETAINEE STATED THAT THE US WAS AT FAULT FOR AQ COMING TO AF. THE WAR IN IRAQ PUSHED AQ LEADERSHIP INTO AF. MANY ARABS HAD LEGITIMATE JOBS IN AF, SUCH AS LABORERS, BUT THEY WERE FORCED INTO THE TALIBAN. (DETAINEE COMMENT -- IF YOU

KNEW OUR HISTORY, YOU WOULD KNOW THAT COUNTRIES THAT HAVE INVADED AF, SUCH AS BRITAIN AND CHINA, HAVE CAUSED PROBLEMS FOR THE AFGHANS, BUT NEVER CONQUERED THEM. THIS IS THE LESSON THAT THE AMERICANS SHOULD LEARN.)

3. 2 AND DETAINEE DISCUSSED THE GENEROUS HOSPITALITY OF AFGHANS. (DETAINEE COMMENT -- SOMETIMES THE HOSPITALITY IS TOO GENEROUS, AND PEOPLE THAT THE AFGHANS ALLOW INTO THEIR HOMES TAKE ADVANTAGE OF THEM.) 2 USED MULLAH OMAR TAKING IN USAMA BIN LADEN AS AN EXAMPLE. DETAINEE STATED THAT IT WOULD BE A SHAME IF UBL WAS IN AFGHANISTAN DURING 9/11. (DETAINEE COMMENT -- HOPEFULLY HE WAS IN PAKISTAN.)

4. DETAINEE DESCRIBED WHAT AF WAS LIKE UNDER TALIBAN RULE. (DETAINEE COMMENT -- WHEN THE TALIBAN WAS IN CONTROL, EVERYTHING WAS SECURE. THE TALIBAN PUT FEAR INTO PEOPLE WHO DID THINGS WRONG. IF A PERSON STOLE SOMETHING, THEY WOULD GET THEIR HAND CUT OFF.) DETAINEE CLAIMED THAT THE TALIBAN WORKED TO DESTROY POPPY FIELDS IN AF TO CONTROL THE DRUG PROBLEM. HE STATED THE TALIBAN ALSO HELPED BUILD ROADS.

5. 2 TRANSITIONED INTO A DISCUSSION ABOUT DETAINEE'S STATEMENTS THE DAY BEFORE, STATING THAT IT WAS A GOOD THING FOR DETAINEE'S SITUATION THAT HE BEGAN TO CLEAR UP SOME ISSUES HE CLAIMED TO HAVE LIED ABOUT IN BAGRAM. 2 STATED THAT THERE WERE SOME THINGS THAT NEEDED TO BE LOOKED INTO FURTHER ABOUT WHAT HE DISCUSSED THE DAY BEFORE. WHEN 2 ASKED HOW DETAINEE WAS ASSOCIATED WITH HUSAYN ((BALUCH)), HE STATED THAT HUSAYN BALUCH HAD A SISTER THAT LIVED ON IMAM KHOMANI STREET, NEAR HIS SHOP. HUSAYN CAME BY DETAINEE'S SHOP OFTEN. (DETAINEE COMMENT -- MY SHOP OFFERED SHADE DURING THE DAY.)

6. 2 AND DETAINEE DISCUSSED ABDUL ((MAJID)) AND HIS HOSPITALITY. DETAINEE STATED ABDUL MAJID FACILITATED THE MOVEMENT OF SIX KURDS A TURK TO THE PK BORDER. ((HATAB)) TOLD MAJID THE STORY ABOUT THE ACCIDENT WITH THE FOUR MEN TRYING TO GET INTO PK FROM IRAN. DETAINEE STATED THAT ONCE ABDUL MAJID GOT PEOPLE TO THE BORDER, KAMEL JAN TOOK THEM WHERE THEY NEEDED TO GO. KAMEL JAN WAS AN UZBEKI FROM QUETTA, PK. (FIELD COMMENT -- DETAINEE DOES NOT KNOW IF KAMEL JAN PICKED THE MEN UP AT THE BORDER HIMSELF, OR HAD MEN DO IT FOR HIM.) 2 ASKED DETAINEE TO CLARIFY THE INFORMATION ABOUT ABDUL MAJID LETTING THE TRAVELERS STAY AT HIS HOUSE IN ZAHEDAN, IR. DETAINEE STATED THAT ALL HE KNEW WAS THAT WHEN ABDUL MAJID SENT THE PEOPLE TO GET PICKED UP BY THE DRIVER, HE SENT THEM TO DETAINEE'S SHOP.

7. 2 ASKED WHO TOOK THE MONEY COLLECTED FOR TRANSPORTING THE MEN INTO PK. DETAINEE SAID THE DRIVER, ((SAHIH)), TOOK THE MONEY. SAHIH SMUGGLED OIL/GAS FROM IRAN TO PAKISTAN TO MAKE A PROFIT, USING HIDDEN COMPARTMENTS OF HIS DATSON. SAHIH ALSO SOLD SOAP, SHAMPOO, WATER, AND BISCUITS. (DETAINEE COMMENT -- THE SMUGGLING ISN'T ORGANIZED, AND SAHIH DOES NOT SMUGGLE DRUGS.)

8. DETAINEE DISCUSSED THE SIGNIFICANCE OF BALUCHISTAN WITH THE INTERROGATION TEAM. DETAINEE STATED THAT BALUCHISTAN WAS A LARGE AREA BETWEEN AF, PK, AND IR. (DETAINEE COMMENT -- ABDUL MAJID WAS BALUCHI. BALUCHISTAN WAS NOT REGARDED AS MUCH BY IRANIANS. ABDUL ((MALIKI)) IS A BALUCH WHO FOUGHT AGAINST THE IRANIANS. IRANIANS THINK THE US IS GIVING ABDUL MALIKI MONEY FOR SUPPORT.)

9. DETAINEE DISCUSSED ABU SULAYMAN. DETAINEE CLAIMED THAT ABU SULAYMAN STAYED ONE TO THREE MONTHS IN ZAHEDAN, 13-14 MONTHS BEFORE DETAINEE WAS CAPTURED. ABU SULAYMAN TRAVELED TO TEHRAN AND KURDISTAN. HE TRAVELED TO TEHRAN ONCE AND RETURNED WITH PEOPLE TO BE TRANSPORTED, AND LEFT ONCE MORE BUT NEVER CAME BACK TO ZAHEDAN. (FIELD COMMENT -- DETAINEE STATED ONE DAY PRIOR THAT ABU SULAYMAN TRAVELED TO TEHRAN ON SEVERAL OCCASIONS AND APPEARED TO BE CHANGING HIS STORY.)

7. ~~TO/THAT~~ COLLECTORS COMMENTS: DETAINEE IS VERY DECEPTIVE AND SWAYS TEAM OFF TOPIC BY TALKING ABOUT TOPICS THAT ARE RELEVANT TO THE DETAINEE, SUCH AS HOW MUCH BETTER CTMO IS THAN BAGRAM. THE TOPICS USUALLY DO NOT REQUIRE AN ANSWER TO A QUESTION, BUT RATHER A CONVERSATION.

8. ~~(S//NF)~~ ANALYSTS COMMENTS: DETAINEE SPOKE OF TRANSPORTATION OF TURKS AND KURDS BY VARIOUS FACILITATORS. THE IDEA OF KNOWN FACILITATORS PICKING DETAINEE'S SHOP AS A PICK-UP DROP-OFF POINT LEAVES MUCH TO BE SOUGHT IN REGARDS TO DETAINEE'S INVOLVEMENT IN THE TRANSPORTATION OF TURKS AND KURDS. IT ALSO LEAVES QUESTIONS AS TO HOW THEY WERE TRANSPORTED ACROSS THE BORDER, WHERE THEY SNUCK ACROSS, WERE THEY PROVIDED FAKE PASSPORTS OR WAS A BRIBE PAID TO THE PROPER INDIVIDUAL TO GET THEM INTO PAKISTAN. FURTHER RESEARCH AND ASSOCIATIONS MAY YIELD SOME OF THESE ANSWERS.

9. ~~(S//NF)~~ TEAM CHIEFS COMMENTS: DETAINEE CONTINUES TO CHANGE CERTAIN INFORMATION ABOUT FACILITATION ACTIVITIES FROM ONE SESSION TO THE NEXT. ~~ONCE~~ ~~THEY~~ ~~COOPERATIVE~~ 1, 2, 5

1, 2, 5

10. ~~(S//NF)~~ POC FOR THIS MEMORANDUM IS ~~(S//NF)~~ 2, 3
JTF GTMO.

SIR#19000

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
HAJJI NASSIM,)	
)	
	Petitioner,)	
)	
	v.)	Civil Action No. 09-CV-1332 (HHK)
)	
BARACK OBAMA,)	
President of the United States, <i>et al.</i> ,)	
)	
	Respondents,)	
_____)	

ISN 10028 SIR (Sept. 15, 2007)

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

SUMMARY INTERROGATION REPORT:

~~(S//NF)~~ SUBJECT: ISN US9AF-010028DP, ((INAYATULLAH)) WAS BORN IN 1974 AND CLAIMS AFGHANISTAN CITIZENSHIP.

REASON(S) FOR VISIT:
Command Directed
Rapport

1. ~~(S//NF)~~ SUMMARY:

2 INTERROGATED ((INAYATULLAH 2 FOR 1 HOUR AND 0 MINUTES. THE INTERROGATION WAS CONDUCTED IN PUSHTU USING 2 AS AN INTERPRETER. THIS IS THE 3RD SESSION THIS INTERROGATOR HAS HAD WITH ISN-10028. THE PURPOSE OF THE INTERROGATION WAS TO CONTINUE THE RAPPORT BUILDING PROCESS AND COLLECT FOLLOW-UP INFORMATION CONCERNING A PAST GTMO DETAINEE. THE SESSION TOOK PLACE 1800-1900 HOURS. DETAINEE DISCUSSED THE FACILITATION OF A PAST GTMO DETAINEE FROM MOROCCO, AND THE WIFE OF AN EGYPTIAN MAN BEING DETAINED IN IRAN.

2. ~~(S//NF)~~ APPROACH USED: DIRECT - 2 USED DIRECT QUESTIONING THROUGHOUT THE SESSION. 1, 5

1, 5 [REDACTED]

3. ~~(S//NF)~~ EFFECTIVENESS OF APPROACH: DIRECT - DETAINEE RESPONDS TO DIRECT QUESTIONS ALTHOUGH HE APPEARS TO BE DECEPTIVE. DETAINEE HAS ALREADY EXPRESSED HIS APPRECIATION FOR WHAT GTMO TURNED OUT TO BE. DETAINEE EXPECTED WORSE CONDITIONS BEFORE ARRIVING. DETAINEE EXPLAINED HOW HE DID NOT SEE SUNLIGHT FOR THREE MONTHS. DETAINEE MAY JUST BE TRYING TO MAKE THE TEAM FEEL SORRY FOR HIM.

4. ~~(S//NF)~~ COOPERATION/KNOWLEDGEABILITY/TRUTHFULNESS/EXPLOITED: 2

1, 2, 5 [REDACTED]

5. ~~(S//NF)~~ RECOMMENDED APPROACH FOR NEXT MEETING: 1, 5

1, 5 [REDACTED]

1, 5 [REDACTED]

1, 2, 5 [REDACTED]

1, 5 [REDACTED]

6. ~~(S//NF)~~ SUMMARY OF INFORMATION (ENSURE ANY INTELLIGENCE RESULTS IN AN IIR):

1. 2 GREETED DETAINEE AND ASKED HOW HIS NIGHT WAS GOING. (DETAINEE COMMENT -- MY NIGHT IS LIKE ANY OTHER NIGHT.) 2 COMPLIMENTS DETAINEE'S

NEW HAIRCUT, AND STATED THEY WANTED TO GET DOWN TO BUSINESS QUICKLY. [REDACTED] 2 EXPLAINED THAT AFTER REVIEWING DETAINEE'S FILE, THEY FOUND TOPICS THAT NEEDED FOLLOW-UP QUESTIONS. DETAINEE SHOOK HIS HEAD AND AGREED TO GET DOWN TO BUSINESS.

2. [REDACTED] 2 AND DETAINEE DISCUSSED THE FAMILY OF A FORMER MOROCCAN DETAINEE. DETAINEE STATED HE NEVER MET THE FAMILY, BUT KNEW THE FAMILY CONSISTED OF A WOMAN AND LITTLE CHILDREN. DETAINEE'S BROTHER STAYED WITH THE WOMAN IN A TWO STORY HOUSE ON SAMON GUL ROAD IN QUETTA, PK. DETAINEE DISCUSSED OMAR ((KANDARI)), WHO KNEW DETAINEE AND HIS BROTHER. OMAR KANDARI AND MULLAH KHAIR ((MUHAMMAD)) CAME BY DETAINEE'S HOUSE ONE DAY TO ASK IF ANYONE COULD HELP TAKE CARE OF THE WOMAN AND HER CHILDREN. DETAINEE TOLD HIS BROTHER IT WOULD NOT BE A PROBLEM TO HELP, BUT DETAINEE WAS NOT INTERESTED IN THAT KIND OF JOB, DUE TO HIS INTEREST IN THE DRIED FRUIT BUSINESS. KANDARI RENTED THE HOUSE ON SAMON GUL ROAD AND HAD DETAINEE'S BROTHER AND HIS WIFE MOVE IN WITH THE WOMAN AND HER CHILDREN. THE MOROCCAN WOMAN LIVED ON THE SECOND STORY AND THE DETAINEE'S BROTHER LIVED ON THE FIRST FLOOR. DETAINEE'S BROTHER WAS TASKED WITH COOKING AND TAKING CARE OF THE WOMAN. OMAR KANDARI AND THE WOMAN PAID FOR THE FOOD AND SUPPLIES. DETAINEE STATED THAT HE DIDN'T KNOW WHERE THE FAMILY WAS BEFORE MOVING INTO THE RENTED HOUSE. (DETAINEE COMMENT -- PERHAPS THE WOMAN WAS DETAINED IN IRAN, OR MAYBE SHE WAS DROPPED OFF AT THE PK BORDER AND LEFT TO FEND FOR HERSELF.) DETAINEE DIDN'T THE SOURCE OF THE MONEY THAT OMAR KANDARI AND THE MOROCCAN WOMAN USED TO PAY FOR EVERYTHING. WHEN THE SITUATION AROSE, ABOUT A YEAR AND A HALF AGO, DETAINEE'S BROTHER WORKED IN A FACTORY, SO WHEN OMAR ASKED HIM TO DO IT HE WAS OK WITH IT. THE WOMAN LIVED IN THE HOUSE FOR ABOUT TWO TO FOUR MONTHS. ONCE HER HUSBAND WAS RELEASED FROM GTMO, SHE LEFT. DETAINEE DIDN'T KNOW WHERE THE MOROCCAN WOMAN WENT AFTER THAT. (COLLECTORS COMMENT - THERE IS NO INDICATION WHERE THE WOMAN WENT. SHE COULD HAVE GONE TO IRAN OR MOROCCO, BASED ON THE LOCATIONS THE DETAINEE MENTIONED.) DETAINEE DIDN'T KNOW HOW THE WOMAN KNEW HER HUSBAND WAS RELEASED, BUT ASSUMED THE FORMER DETAINEE CALLED HIS WIFE OR OMAR KANDARI. ONCE THE MOROCCAN WOMAN LEFT THE HOUSE, AN EGYPTIAN WOMAN MOVED IN. THIS TIME DETAINEE AND HIS BROTHER HELPED OUT. THE WOMAN STATED THAT HER HUSBAND WAS BEING DETAINED IN IRAN. WHILE THE LADY WAS IN THE HOUSE, A NOTE WAS LEFT ON THE DOOR THAT READ, -WE KNOW THERE IS AN AQ FAMILY RESIDING HERE-. IT WAS SIGNED BY THE CIA. DETAINEE STATED THAT HE CALLED OMAR KANDARI TO NOTIFY HIM OF THE NOTE. OMAR KANDARI AND ABDUL RAHMAN TOOK THE EGYPTIAN TO WAZIRISTAN.

7. ~~SECRET~~ COLLECTORS COMMENTS: [REDACTED] 1, 5

8. ~~SECRET~~ ANALYSTS COMMENTS: DETAINEE SPOKE OF A FORMER MOROCCAN GTMO DETAINEE FAMILY THAT WAS BEING TAKEN CARE OF BY OMAR KANDARI IN QUETTA. [REDACTED] 1, 5

9. ~~SECRET~~ TEAM CHIEFS COMMENTS: [REDACTED] 1, 5

10. ~~SECRET~~ POC FOR THIS MEMORANDUM IS [REDACTED] 2, 3
JTF GTMO.

SIR#19001

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJJI NASSIM,

Petitioner,

v.

BARACK OBAMA,
President of the United States, *et al.*,

Respondents.

Civil Action No. 09-CV-1332 (HHK)

ISN 10028 SIR (Sept. 16, 2007)

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

SUMMARY INTERROGATION REPORT:

~~SECRET~~ SUBJECT: ISN USSAF-010028DP, ((INAYATULLAH)) WAS BORN IN 1974 AND CLAIMS AFGHANISTAN CITIZENSHIP.

REASON(S) FOR VISIT:

Command Directed
Rapport

1. ~~TS//NF~~ SUMMARY:

2 INTERROGATED ((INAYATULLAH 2 FOR 1 HOUR AND 0 MINUTES. THE INTERROGATION WAS CONDUCTED IN PUSHTU USING 2 AS AN INTERPRETER.

THIS IS THE 4TH SESSION THIS INTERROGATOR HAS HAD WITH ISN-10028. THE PURPOSE OF THE INTERROGATION WAS TO CONTINUE THE RAPPORT BUILDING PROCESS AND COLLECT INFORMATION ON MULLAH KHAIR MUHAMMAD. SESSION TOOK PLACE 1800-1900 HOURS. DETAINEE WAS ALERT AND POLITE THROUGHOUT THE SESSION.

2. ~~TS//NF~~ APPROACH USED: DIRECT - 2 USED DIRECT QUESTIONING THROUGHOUT THE SESSION 1, 5

1, 5

3. ~~TS//NF~~ EFFECTIVENESS OF APPROACH: DIRECT - DETAINEE RESPONDS TO DIRECT QUESTIONS ALTHOUGH HE APPEARS TO BE DECEPTIVE. DETAINEE HAS ALREADY EXPRESSED HIS APPRECIATION FOR WHAT GTMO TURNED OUT TO BE. DETAINEE EXPECTED WORSE CONDITIONS BEFORE ARRIVING.

4. ~~TS//NF~~ COOPERATION/KNOWLEDGEABILITY/TRUTHFULNESS/EXPLOITED: 2

1, 2, 5

5. ~~TS//NF~~ RECOMMENDED APPROACH FOR NEXT MEETING: 1, 2, 5

1, 2, 5

6. ~~TS//NF~~ SUMMARY OF INFORMATION (ENSURE ANY INTELLIGENCE RESULTS IN AN IIR):

1. 2 AND DETAINEE GREETED AND INQUIRED ABOUT EACH OTHER'S WELL BEING.

2 STATED THAT THEY WANTED TO GET DOWN TO BUSINESS QUICKLY. DETAINEE AGREED.

2. 2 STATED THAT DETAINEE HAD MENTIONED, IN THE PREVIOUS INTERROGATION, THAT A MAN NAMED MULLAH KHAIR MUHAMMAD STOPPED BY DETAINEE'S HOUSE WHEN OMAR KANDARI ASKED IF DETAINEE AND HIS BROTHER COULD HELP TAKE CARE OF A MOROCCAN GTMO DETAINEE'S FAMILY. 2 STATED THEY WANTED TO DISCUSS MULLAH KHAIR. DETAINEE SHOOK HIS HEAD AND AGREED. WHEN ASKED WHAT HE KNEW ABOUT MULLAH KHAIR, DETAINEE STATED THAT MULLAH KHAIR WORKED IN A SMALL MOSQUE IN CHILTON, PK. DETAINEE DESCRIBED MULLAH KHAIR AS APPROXIMATELY 52, WITH BROWN EYES, GREY HAIR, AND BEARD THAT HE DIES WITH HENNA. MULLAH KHAIR WAS APPROXIMATELY SIX FOOT TWO INCHES WITH A SKINNY TO MEDIUM BUILD. DETAINEE FIRST MET MULLAH KHAIR ABOUT FOUR YEARS AGO WHEN MULLAH KHAIR CAME TO THE DETAINEE'S HOUSE TO SEE HIS FATHER. LATER, MULLAH KHAIR CAME BY WITH OMAR KANDARI TO ASK DETAINEE AND HIS BROTHER

IF THEY COULD HELP TAKE CARE OF A MOROCCAN GTMO DETAINEE'S WIFE. MULLAH KHAIR WALKED TO DETAINEE'S HOUSE BOTH TIMES. (DETAINEE COMMENT -- MULLAH KHAIR WAS AN ELDERLY PERSON IN THE QUETTA AREA, AND OFTEN VISITED SHOPS AROUND TOWN TO TALK WITH PEOPLE.) DETAINEE DIDN'T KNOW ANY SPECIFIC SHOP THAT MULLAH KHAIR USUALLY VISITED, BUT MENTIONED AT LEAST THREE TIMES THAT MULLAH KHAIR WAS AN ELDER. (DETAINEE COMMENT -- THAT'S THE WAY THEY ARE IN PAKISTAN, YOUNGER PEOPLE DO NOT NORMALLY GET INVOLVED WITH THE PERSONAL LIVES OF THE ELDERS.) DETAINEE'S FATHER WAS NOT PART OF MULLAH KHAIR'S MOSQUE, AND DETAINEE DIDN'T KNOW HOW HIS FATHER AND MULLAH KHAIR MET. MULLAH KHAIR LED PRAYER AT THE MOSQUE IN CHILTON. DETAINEE DIDN'T KNOW HOW OMAR KANDARI AND MULLAH KHAIR MET.

3. DETAINEE'S MOSQUE WAS IN LOCATED IN QUETTA, PK, NEAR A SHOPPING CENTER. DETAINEE CLAIMED THAT OMAR KANDARI NEVER WENT TO EITHER MULLAH KHAIR'S MOSQUE OR DETAINEE'S MOSQUE. DETAINEE WENT TO MULLAH KHAIR'S MOSQUE FOR PRAYER WHILE HE WAS IN THE NEIGHBORHOOD.

4. DETAINEE STATED THAT THE MAN HE CALLED FATHER WAS ACTUALLY HIS STEP FATHER. WHEN THE DETAINEE'S BIOLOGICAL FATHER DIED, HIS MOTHER MARRIED DETAINEE'S FATHER'S BROTHER.

5. DETAINEE EXPRESSED HIS DESIRE TO WRITE HOME SO THAT HIS FAMILY WOULD KNOW WHERE HE WAS. INTERROGATION TEAM ASKED THE GUARDS WHEN THE DETAINEE COULD WRITE HOME. GUARDS SAID THE RULE WAS THAT DETAINEE COULDN'T WRITE A LETTER WITHIN THE FIRST 30 DAYS OF HIS DETENTION AT GUANTANAMO BAY.

7. ~~(S//NF)~~ COLLECTORS COMMENTS: DETAINEE APPEARS TO BE DECEPTIVE WHEN DISCUSSING PRECISE DETAILS ON LOCATIONS. WHEN ASKED ABOUT THE MOSQUES USED BY HIM AND MULLAH KHAIR, DETAINEE TALKED AROUND THE SUBJECT. DETAINEE STATED THAT MULLAH KHAIR'S MOSQUE IS NOT ACTUALLY A MOSQUE, BUT A GENERAL AREA, LIKE A COURTYARD, THAT IS USED FOR NOON AND AFTERNOON PRAYER. DETAINEE MAY HAVE TO BE REMINDED THAT, BY LAW, U.S. FORCES CANNOT SET FORTH OPERATIONS ON RELIGIOUS ESTABLISHMENTS, DOING THIS MAY HELP DETAINEE DECIDE TO TALK ABOUT MOSQUES, KNOWING THAT THERE WILL BE NO OPERATIONS ON THESE MOSQUES.

8. ~~(S//NF)~~ ANALYSTS COMMENTS: DETAINEE DISCUSSED THE RELATIONSHIP OF THE LOCAL MULLAH IN REGARDS TO HIS FATHER. DETAINEE CLAIMED HIS FATHER AND FAMILY DID NOT ATTEND KHAIR'S MOSQUE. IT IS POSSIBLE THAT THIS MAY HAVE BEEN A WAY TO DISTANCE HIMSELF AND FAMILY FROM KHAIR. FURTHER PURSUIT OF MULLAH KHAIR, OMAR KANDARI, AND ABDUL RAHMAN IS RECOMMENDED. THE EGYPTIAN AND MORROCAN FAMILIES NEED FURTHER EXPLOITATION TO DETERMINE WHAT THE RELATIONSHIP IS, AS WELL AS THE NAME OF THE MOROCCAN DETAINEE.

9. ~~(S//NF)~~ TEAM CHIEFS COMMENTS: BASED ON THIS REPORT, I ASSESS THAT DETAINEE IS GIVING VAGUE OR FALSE ANSWERS TO ANY QUESTIONS THAT MAY IMPLICATE HIM OR HIS FAMILY. OBVIOUSLY, HE SEES HIS KNOWLEDGE OF MULLAH KHAIR AS A THREAT TO HIM AND HIS FATHER. 1, 5

10. ~~(S)~~ POC FOR THIS MEMORANDUM IS 2, 3
JTF GTMO.

SIR#19002

~~XXXXXXXXXXXX~~

~~SECRET//NOFORN~~

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJJI NASSIM,

Petitioner,

v.

BARACK OBAMA,
President of the United States, *et al.*

Respondents.

Civil Action No. 09-CV-1332 (HHK)

ISN 10028 SIR (Sept. 17, 2007)

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

SUMMARY INTERROGATION REPORT:

~~(S//NF)~~ SUBJECT: ISN US9AF-010028DP, ((INAYATULLAH)) WAS BORN IN 1974 AND CLAIMS AFGHANISTAN CITIZENSHIP.

REASON(S) FOR VISIT:
Command Directed
Rapport

1. ~~(S//NF)~~ SUMMARY:

2. ~~(S//NF)~~ INTERROGATED ((INAYATULLAH)) 2. ~~(S//NF)~~ FOR 1 HOUR AND 0 MINUTES. THE INTERROGATION WAS CONDUCTED IN PUSHTU USING 2. ~~(S//NF)~~ AS AN INTERPRETER.

THIS IS THE 5TH SESSION THIS INTERROGATOR HAS HAD WITH ISN-10028. THE PURPOSE OF THE INTERROGATION WAS TO CONTINUE THE RAPPORT BUILDING PROCESS AND COLLECT INFORMATION ON DETAINEE'S SHOP IN ZAHEDAN, IR AND ASSOCIATED PERSONALITIES. THE SESSION TOOK PLACE 1800-1900 HOURS. DETAINEE WAS ALERT AND POLITE THROUGHOUT THE SESSION.

2. ~~(S//NF)~~ APPROACH USED: DIRECT - 2. ~~(S//NF)~~ USED DIRECT QUESTIONING THROUGHOUT THE SESSION. 1, 5

1, 5
[REDACTED]

3. ~~(S//NF)~~ EFFECTIVENESS OF APPROACH: DIRECT - DETAINEE RESPONDS TO DIRECT QUESTIONS ALTHOUGH HE APPEARS TO BE DECEPTIVE. DETAINEE HAS ALREADY EXPRESSED HIS APPRECIATION FOR WHAT GTMO TURNED OUT TO BE. DETAINEE EXPECTED WORSE CONDITIONS BEFORE ARRIVING. DETAINEE EXPLAINED HOW HE DID NOT SEE SUNLIGHT FOR THREE MONTHS. DETAINEE MAY JUST BE TRYING TO MAKE THE TEAM FEEL SORRY FOR HIM.

4. ~~(S//NF)~~ COOPERATION/KNOWLEDGEABILITY/TRUTHFULNESS/EXPLOITED: 2

1, 2, 5
[REDACTED]

5. ~~(S//NF)~~ RECOMMENDED APPROACH FOR NEXT MEETING: 1, 5

1, 5
[REDACTED]

1
[REDACTED]

1, 5
[REDACTED]

1, 2, 5
[REDACTED]

1, 5
[REDACTED]

6. ~~STATE~~ SUMMARY OF INFORMATION (ENSURE ANY INTELLIGENCE RESULTS IN AN IIR):
1. ~~2~~ GREETED DETAINEE AND INQUIRED ABOUT HIS WELL BEING. DETAINEE SAID HE WAS FINE. ~~2~~ STATED THEY WANTED TO GET TO BUSINESS QUICKLY. DETAINEE AGREED.
 2. DETAINEE DISCUSSED LOCATIONS OF PEOPLE MENTIONED IN PAST SESSIONS. DETAINEE ATTEMPTED TO EXPLAIN THE LOCATION OF HIS GROCERY SHOP IN ZAHEDAN, IR. ~~2~~ ASKED DETAINEE TO DRAW A SKETCH MAP. DETAINEE DREW A SKETCH OF HIS SHOP ON IMAM KUMAYNI STREET IN ZAHEDAN, IR, AND INCLUDED THE SURROUNDING SHOPS. DETAINEE DREW A LARGE BOX TO REPRESENT A LARGER SUPERMARKET ACROSS THE STREET FROM HIS SHOP. DETAINEE DREW FOUR SMALL SHOPS ROAD SIDE, THEN HIS OWN SHOP TO THE LEFT OF THE SMALLER BOXES. DETAINEE'S SHOP WAS A LITTLE BIGGER THAN THE NEIGHBORING SHOPS AND WAS SET BACK TO IMPLY A PATIO IN FRONT. DETAINEE DREW A VERY LARGE BOX BEHIND HIS SHOP THAT REPRESENTED THE LANDLORD'S HOME. DETAINEE DIDN'T REMEMBER THE LANDLORD'S NAME. A SMALL BOX PLACED TO THE LEFT OF THE LANDLORDS HOME REPRESENTED A PLACE WHERE THE DETAINEE WOULD BRING HIS FRIENDS TO SIT AND TALK. A BUS STATION WAS LOCATED ACROSS THE STREET AND TO THE LEFT OF THE LARGER SUPERMARKET. APPROXIMATELY FIVE OTHER BUILDINGS WERE DRAWN TO THE LEFT OF DETAINEE'S SHOP ACROSS FROM THE BUS STATION TO REPRESENT OTHER BUSINESSES. DETAINEE DREW A ROAD PERPENDICULAR TO IMAM KUMAYNI STREET CALLED JAM E JAM ROAD. DETAINEE DREW A SMALL DASH TO REPRESENT WHERE SAHIIH, THE DRIVER, LIVED. DETAINEE STATED THAT SAHIIH'S HOUSE WAS LESS THAN TWO MINUTES FROM THE SHOP. DETAINEE DREW ANOTHER ROAD PARALLEL TO IMAM KUMAYNI STREET CALLED MUSTAFA KUMAYNI STREET. DETAINEE DREW A BOX WITH AN 'X' TO REPRESENT THE HOME OF HUSAYN BALUCHI'S SISTER. DETAINEE STATED HE DIDN'T KNOW WHERE ABDUL MAJID LIVED. SHUWAYB, THE NEPHEW OF ABDUL MAJID, BROUGHT THE FIGHTERS TO DETAINEE'S SHOP. SHUWAYB DROVE THE FIGHTERS UP TO DETAINEE'S SHOP AND PARKED IN FRONT. DETAINEE DREW A BOX AND COLORED IT IN TO REPRESENT THE CAR PARKED OUTSIDE HIS SHOP. SAHIIH WOULD ARRIVE AND TAKE THE FIGHTERS TO THE PK BORDER. DETAINEE STATED THAT WHEN THE TURKS CAME, THEY ARRIVED BEFORE HE OPENED HIS SHOP.
 3. DETAINEE DESCRIBED HIS CURRENT MOBILE PHONE BUSINESS. DETAINEE STATED THAT HE SOLD WHOLESALE PHONES ON BAHISHTI ROAD IN ZAHEDAN, IR. DETAINEE FIRST HAD A SHOP IN THE MUJTAMI KOWDR AREA, IN THE CENTER OF BAZAAR, BUT MOVED HIS SHOP TO A BETTER LOCATION ON BAHISHTI ROAD. DETAINEE SOLD NOKIA, SONY ERICSON, AND SAMSUNG PHONES. RENT ON THE FIRST SHOP WAS 60,000 TOMAN, BUT THE SECOND SHOP'S RENT WAS 200,000 TOMAN, DUE TO ITS BETTER LOCATION FOR BUSINESS. DETAINEE HAD TWO PARTNERS THAT BROUGHT IN ABOUT 2,000 U.S. DOLLARS EACH PER MONTH. DETAINEE'S PARTNERS WERE YAQOUB AND NAJI MIR ULLAH. THE DETAINEE TRAVELED TEN MINUTES TO HIS SHOP EACH DAY, BUT WHEN HE HAD THE SUPERMARKET, HE DROVE 13 TO 15 MINUTES.
 4. DETAINEE ATTEMPTED TO EXPLAIN THE DIFFERENCES OF THE MOBILE PHONES. HE STATED THAT NOKIA PHONES WERE THE BEST FOR THE AREA HE WAS IN, THEN SONY, AND THEN SAMSUNG. DETAINEE STATED THERE WERE MOTOROLLA PHONES IN IRAN, BUT THEY WEREN'T GOOD.
7. ~~STATE~~ COLLECTORS COMMENTS: DETAINEE STATED THAT ~~2~~ WAS THROWING HIM IN A WELL, REFERRING TO THE FACT THAT HE WAS DISCUSSING PEOPLE HE SHOULDN'T HAVE BEEN TALKING ABOUT. ~~2~~ ASSESSES THAT DETAINEE LOOKING FOR SYMPATHY. ~~2~~ EXPLAINED THAT THEY WERE THE ROPE TO PULL HIM FROM THE WELL THAT THE ARABS THREW HIM INTO IN AF AND IR. DETAINEE HAS RECENTLY EXTENDED CONVERSATIONS TO KEEP THE TEAM WITH HIM. ~~2~~ ASSESSES THAT THIS IS DUE TO DETAINEE HAVING NO ONE TO TALK TO ALL DAY. ~~1, 5~~
8. ~~STATE~~ ANALYSTS COMMENTS: THE DETAINEE'S KNOWLEDGE OF THE ZAHEDAN NEIGHBORHOOD WAS PROVIDED WITH A DRAWING THE DETAINEE MADE OF THE AREA. THIS WAS THE GROCERY STORE AND HIS FIRST BUSINESS. FURTHER EXPLOITATION OF HUSAYN BALUCH AND HIS SISTER'S HOUSE AS WELL AS THE DRIVER SAHIIH'S HOUSE NEEDS FOLLOW

UP. THE WILLINGNESS OF THIS INFORMATION BEGS THE QUESTION WHY SO MUCH DATA WAS PROVIDED FOR THIS SITE AND LITTLE FOR THE CELL PHONE STORE. THE LOCATION OF THE CELL PHONE STORE AND IT'S ASSOCIATES NEEDS FURTHER INVESTIGATION. DETAINEE'S MOST RECENT BUSINESS INVOLVING CELLULAR PHONE ACQUISITIONS, SALES, TRANSPORTATION, PHONE NUMBERS AND ASSOCIATED INDIVIDUALS ALSO REQUIRE FURTHER RESEARCH.

9. ~~JOINED~~ TEAM CHIEFS COMMENTS: 1, 5
1, 5

10. ~~POC~~ POC FOR THIS MEMORANDUM IS 2, 3
2, 3

SIR#19004

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJJI NASSIM,

Petitioner,

v.

BARACK OBAMA,
President of the United States, *et al.*,

Respondents.

Civil Action No. 09-CV-1332 (IHK)

ISN 10028 SIR (Sept. 19, 2007)

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

SUMMARY INTERROGATION REPORT:

~~(S//NF)~~ SUBJECT: ISN US9AF-010029DP, ((INAYATULLAH)) WAS BORN IN 1974 AND CLAIMS AFGHANISTAN CITIZENSHIP.

REASON(S) FOR VISIT:

- CMD Requirement
- Command Directed
- Rapport

REQUIREMENTS ADDRESSED:

1, 2

1. ~~(S//NF)~~ SUMMARY:

2 INTERROGATED ((INAYATULLAH ON 2 FOR 1 HOUR AND 0 MINUTES. THE INTERROGATION WAS CONDUCTED IN PUSHTU USING 2 AS AN INTERPRETER. THIS IS THE 7TH SESSION THIS INTERROGATOR HAS HAD WITH ISN-10028. THE PURPOSE OF THE SESSION WAS TO CONTINUE THE RAPPORT BUILDING PROCESS AND SERVICE

1, 2

1, 2

THE SESSION TOOK PLACE 1800-1900 HOURS. DETAINEE WAS ALERT AND POLITE THROUGHOUT THE SESSION. 2 AND DETAINEE DISCUSSED FIGHTER PAPERWORK CARRIED WHILE TRAVELING, NEEDS FOR GAINING ACCESS TO AF, AND DETAILS ON FIGHTERS BEING TRANSPORTED.

2. ~~(S//NF)~~ APPROACH USED: DIRECT - 2 USED DIRECT QUESTIONING THROUGHOUT THE SESSION.

1

3. ~~(S//NF)~~ EFFECTIVENESS OF APPROACH: DIRECT - DETAINEE RESPONDS TO DIRECT QUESTIONS, ALTHOUGH HE APPEARS TO BE DECEPTIVE ON AREAS THAT MAY IMPLICATE HIM DIRECTLY WITH EXTREMIST CONDUCT.

4. ~~(S//NF)~~ COOPERATION/KNOWLEDGEABILITY/TRUTHFULNESS/EXPLOITED: 2

1, 2, 5

5. ~~(S//NF)~~ RECOMMENDED APPROACH FOR NEXT MEETING: 1, 5

1, 5

1

1, 5

1, 5

5. ~~*****~~ SUMMARY OF INFORMATION (ENSURE ANY INTELLIGENCE RESULTS IN AN IIR):

1. ~~*****~~ GREETED DETAINEE WITH A HANDSHAKE. WHEN ASKED, DETAINEE SAID HE WAS WELL. ~~*****~~ ANNOUNCED THAT IT WAS TIME TO GET TO BUSINESS. DETAINEE ACKNOWLEDGED THE REMARK WITH A HEAD NOD.
2. ~~*****~~ ASKED DETAINEE WHERE FIGHTERS STAYED ZAHEDAN WHILE TRAVELING, BESIDES ABDUL MAJID'S HOUSE. DETAINEE STATED HE DIDN'T KNOW WHERE ELSE FIGHTERS STAYED. (DETAINEE COMMENT -- THEY JUST SHOW UP IN FRONT OF MY SHOP, AND I SEE THEM THERE.)
3. WHEN ASKED ABOUT THE KINDS OF DOCUMENTS CARRIED BY FIGHTERS GOING TO PK, DETAINEE STATED THAT FIGHTERS GENERALLY CARRIED A VISA. (FIELD COMMENT -- DETAINEE COULD NOT SUPPLY ~~*****~~ WITH ANY OTHER INFORMATION ON THE TYPES OF VISAS, OR OTHER TRAVEL DOCUMENTS USED BY THE FIGHTERS GOING TO PK. AS FAR AS DETAINEE KNOWS, ALL DOCUMENTS ARE OFFICIAL.) DETAINEE STATED THAT, IN ORDER TO OBTAIN AN AF VISA, AN INDIVIDUAL HAD TO GO IN PERSON TO THE COMMERCE MINISTRY IN KANDAHAR OR HERAT, AF. FIGHTERS NEEDED DOCUMENTATION OF CITIZENSHIP TO A COUNTRY (EX. BIRTH CERTIFICATE), AND HAD TO APPLY FOR ONE OF TWO TYPES OF VISAS. A PERSONAL VISA WAS EASY TO OBTAIN. THE BUSINESS VISA WAS MUCH HARDER TO ACQUIRE, DU TO STRICTER GOVERNMENT REQUIREMENTS. IN ORDER TO OBTAIN A BUSINESS VISA, AN INDIVIDUAL HAD TO PROVIDE PAPERWORK SHOWING PROOF OF A LEGITIMATE BUSINESS.
4. DETAINEE PROVIDED FURTHER DETAIL ON FIGHTERS HE HAD CONTACT WITH. DETAINEE STATED THAT THE MEN WHO WERE SHOT IN WAZIRISTAN WERE RUNNING AWAY FROM THE POLICE WHEN THEY WERE SHOT. THE ONE SURVIVOR, HATEB, TOLD ABDUL MAJID ABOUT THE INCIDENT. (DETAINEE COMMENT -- PEOPLE DIE IN WAZIRISTAN EVERYDAY FOR NO REASON.) DETAINEE SATED THAT MOST FIGHTERS WHO CAME THROUGH ZAHEDAN, USED THE STORY THAT THEY WERE ON TABLIGH. (DETAINEE COMMENT -- THIS STORY IS EVEN TOLD TO THE PEOPLE WHO HELP FACILITATE THEM. SAHIB, THE DRIVER, IS EVEN TOLD BY THE MEN THAT THEY ARE ON TABLIGH. THERE IS USUALLY NO MENTION OF AL-QAIDA, TALIBAN, OR FIGHTING.)

7. ~~*****~~ COLLECTORS COMMENTS: WHEN ASKED ABOUT THE INCIDENT IN WAZIRISTAN IN WHICH FIGHTERS WERE SHOT AND KILLED, THE DETAINEE CHANGED HIS STORY FROM -HE DOES NOT KNOW WHY THE MEN WERE SHOT- TO -THE MEN WERE RUNNING FROM THE POLICE-. DETAINEE SEEMS TO BE GETTING MIXED UP IN HIS OWN LIES. DETAINEE PERSISTANTLY ASKS HOW LONG HE WILL BE IN GTMO. ~~*****~~ TELLS THE DETAINEE THAT THE PROCESS WILL GO FASTER ONCE BUSINESS IS TAKEN CARE OF. THE DETAINEE TAKES DEEP BREATHS WHEN HE IS TOLD THE ANSWER, AND SEEMS TO BE GETTING FRUSTRATED WITH BEING INTERROGATED. IT IS ~~*****~~ ASSESSMENT THAT THE DETAINEE SHOULD BE INFORMED OFTEN OF HOW HIS TIME IN GTMO SHOULD BE SPENT COOPERATING WITH THE INTERROGATORS.

8. ~~*****~~ ANALYSTS COMMENTS: THE DETAINEE SEEMED TO DISTANCE HIMSELF FROM ASSOCIATION WITH INDIVIDUALS BEING SMUGGLED INTO PK OR AF. DETAINEES ANSWERS WERE VAGUE AND SOMEWHAT MISDIRECTIONING WHEN ~~*****~~ APPROACHED SOME TOPICS. THESE WERE NOTED AS POINTS TO FURTHER RESEARCH AND EXPLOIT IN THE FUTURE, SUCH AS LOCATIONS, FOREIGN FIGHTERS, PASSPORT/VISA ACQUISITION, COVER UNDER GROUP NAMES LIKE TABLIGHI, AND RELATED AQ LEADERSHIP PERSONALITIES.

9. ~~MEMO~~ TEAM CHIEFS COMMENTS: 1, 2, 5

1, 2, 5

10. ~~POC~~ POC FOR THIS MEMORANDUM IS
JTF GTMO.

2, 3

SIR#19039

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)
HAJI NASSIM,)
)
	Petitioner,)
)
	v.)
)
BARACK OBAMA,)
President of the United States, <i>et al.</i> ,)
)
	Respondents.)
_____)

Civil Action No. 09-CV-1332 (HHK)

ISN 10028 SIR (Sept. 21, 2007)

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

SUMMARY INTERROGATION REPORT:

~~(S//NF)~~ SUBJECT: ISN US9AF-010028DP, ((INAYATULLAH)) WAS BORN IN 1974 AND CLAIMS AFGHANISTAN CITIZENSHIP.

REASON(S) FOR VISIT:

CMD Requirement
Rapport

REQUIREMENTS ADDRESSED:

1, 2

1. ~~(S//NF)~~ SUMMARY:

2 INTERROGATED ((INAYATULLAH)) FOR 1 HOUR AND 0 MINUTES. THE INTERROGATION WAS CONDUCTED IN 2 USING 2 AS AN INTERPRETER.

THIS IS THE 9TH SESSION THIS INTERROGATOR HAS HAD WITH ISN-10028. THE PURPOSE OF INTERROGATION WAS TO SERVICE 1, 2

1, 2

1, 2 THE SESSION TOOK PLACE 2 FROM

1800-1900 HOURS. DETAINEE REMAINED COOPERATIVE BUT DECEPTIVE DURING SESSION. DETAINEE DISCUSSED LIBYAN FIGHTERS, MASHHAD, AND IRAN. ADDITIONALLY, DETAINEE GAVE NEGATIVE RESPONSES TO FIVE PHOTOS. 2 ANALYST, AND LINGUIST WERE PRESENT IN INTERROGATION AREA DURING INTERROGATION.

2. ~~(S//NF)~~ APPROACH USED: 2 USED DIRECT QUESTIONING THROUGHOUT THE SESSION.

1, 5

3. ~~(S//NF)~~ EFFECTIVENESS OF APPROACH: DIRECT - DETAINEE RESPONDED TO DIRECT QUESTIONS, ALTHOUGH HE APPEARED TO BE DECEPTIVE IN ANSWERS THAT MAY IMPLICATE HIM IN EXTREMIST ACTIVITY.

4. ~~(S//NF)~~ COOPERATION/KNOWLEDGEABILITY/TRUTHFULNESS/EXPLOITED: 1, 2, 5

1, 2, 5

5. ~~(S//NF)~~ RECOMMENDED APPROACH FOR NEXT MEETING: 1

1

1, 5

1, 5

1, 5

1, 5

1, 5

1, 5

6. ~~TOP SECRET~~ SUMMARY OF INFORMATION (ENSURE ANY INTELLIGENCE RESULTS IN AN IIRI):

A. ~~TOP SECRET~~ 2 ~~TOP SECRET~~ BEGAN SESSION BY GREETING DETAINEE WITH A HANDSHAKE. 2 ~~TOP SECRET~~ ASKED DETAINEE ABOUT LIBYANS IN ZAHEDAN. DETAINEE CLAIMED HE DID NOT KNOW ANY LIBYANS, AND STATED MAJID WOULD HAVE A BETTER IDEA REGARDING LIBYANS. DETAINEE NOTED HE WAS JUST A SHOPKEEPER AND HAD LITTLE TIME FOR OTHER THINGS.

B. DETAINEE CLAIMED THE INFORMATION HE PROVIDED IN BAGRAM WAS MANIPULATED BY HIS INTERROGATORS. HIS INTERROGATORS ASKED HIM QUESTIONS ABOUT CERTAIN SITUATIONS BEING POSSIBLE. DETAINEE RESPONDED TO BAGRAM INTERROGATORS WITH YES OR NO. BAGRAM INTERROGATORS WOULD MAKE THEIR OWN ASSUMPTIONS BASED ON POSSIBILITIES, BUT THIS WOULD NOT NECESSARILY MEAN IT WAS TRUE.

C. DETAINEE CLAIMED HE HAD NO KNOWLEDGE OF FIGHTERS PASSING THROUGH ZAHEDAN. DETAINEE CLAIMED THAT EVERYONE PASSING THROUGH USED THE TERM TABLIGHI TO DESCRIBE WHAT THEY WERE DOING. MEN WERE BROUGHT TO DETAINEE'S SHOP AND WERE DRIVEN AWAY. SHUWAYB WAS THE ONLY GUY DETAINEE KNEW. DETAINEE STATED HE NEVER AGAIN SAW KURDS THAT WERE BROUGHT TO ZAHEDAN. HE DID NOT KNOW IF THEY WERE FIGHTERS OR NOT.

D. DETAINEE WAS ASKED TO IDENTIFY INDIVIDUALS IN PHOTOS. DETAINEE GAVE NEGATIVE RESPONSES TO ALL FIVE PHOTOS SHOWN.

PHOTO 1 - BLURRY IMAGE OF A MAN ON AN ADVERTISEMENT FOR MINES FROM AFGHANISTAN
 PHOTO 2 - DETAINEE ISN 000555
 PHOTO 3 - DETAINEE ISN 001103
 PHOTO 4 - DETAINEE ISN 000676
 PHOTO 5 - SA'IDU ABDULLAH (ABDULLAH SA'ID)

E. DETAINEE DISCUSSED HIS TIME SPENT IN MASHHAD, IR. DETAINEE STATED HE ONLY WENT TO MASHHAD TWICE, WHILE TRAVELING ON A BUS FROM TEHRAN TO ZAHEDAN. DETAINEE STATED HE NEVER LEFT THE BUS STATION WHILE HE WAS IN MASHHAD. A COFFEE SHOP WAS LOCATED IN THE MASHHAD BUS STATION. DETAINEE HAD NO FURTHER INFORMATION ON MASHHAD.

7. ~~TOP SECRET~~ COLLECTORS COMMENTS: DETAINEE CONTINUES TO DENY ASSOCIATIONS WITH PERSONALITIES. DETAINEE MAY HAVE TO BE CONVINCED THAT HIS ASSOCIATIONS WILL NOT GET HIM IN TROUBLE. DETAINEE'S LEVEL OF KNOWLEDGE IS MUCH HIGHER THAN HE TRIES TO MAKE IT SEEM.

8. ~~TOP SECRET~~ ANALYSTS COMMENTS: DETAINEE'S PRIOR PID'S MAY HAVE INFLUENCED DETAINEE'S DESIRE TO PARTICIPATE IN THIS PID. GENERAL INFORMATION PROVIDED ON ZAHEDAN AND MASHHAD NEEDS FUTURE RESEARCH.

9. ~~TOP SECRET~~ TEAM CHIEF'S COMMENTS: 1, 2, 5
 1, 2, 5

10. ~~TOP SECRET~~ POC FOR THIS MEMORANDUM IS 2, 3
 JTF GTMO.

SIR#19172

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAJI NASSIM.)
)
Petitioner.)
)
v.)
)
BARACK OBAMA,)
President of the United States, <i>et al.</i> ,)
)
Respondents.)

Civil Action No. 09-CV-1332 (HHK)

ISN 10028 SIR (Sept. 26, 2007)

~~SECRET//NOFORN~~