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Americans would bomb the house because of that, so they decided to ask me to leave.

The second house was maybe a week or ten days. The third house, thank God, he allowed me to stay in that house.

Q: For how long?

A: Until I left.

Q: How long?

A: I don't remember, it's been three years. I don't remember how long I stayed in the house.

Q: One day or more than a week?

A: No, a long, long time. You can probably calculate it. From the time I entered Kabul and then I left Kabul when the Northern Alliance took over that city. I don't remember exactly.

Q: I realize that the amount of money you brought for charity wasn't considered a lot of money by Kuwaiti standards, but by talking with the people in the house, did they indicate that you should put the money someplace for safe keeping?

A: I kept my passport and money in the house. When I left, I'd take \$500 to \$600 at a time and go and distribute that money. First I would convert it to Afghani money and then I'd distribute it. The rest of the money and the passport were in the house. \$100 is a lot of money in Afghani currency, so you couldn't carry the whole amount with you.

Q: The money you had, it was Kuwaiti money or U.S. Dollars?

A: U.S. Dollars. Kuwaiti Dinars do not work in Afghanistan. It wouldn't be useful.

Q: I guess you had lots of \$20's and \$50's?

A: All \$100's. Also, from that money I bought my plane tickets, paid for my presence in the houses, the hotels I stayed at in Iran and the United Arab Emirates.

Q: You had your passport at the time you were detained?

A: No, it was in the house. The interrogators had asked me before why wouldn't I take my passport with me and I should take it everywhere I go. Ask any Kuwaiti

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if he takes his passport with him when he travels or not. It is impossible that I would travel with Afghans and have my passport with me. If I lost it or dropped it, what would I do then? If a highway robber came up to me and took my passport and my money, what would I do then? That's the Kuwaiti mentality. Anyplace we stay, we put our passport in that place.

Q: While you were staying at the three houses, there were other people there also...

A: No there weren't others. It's not a guesthouse; it was a house I would rent.

Q: Okay, so you were never with more than yourself then?

A: No, I'm independent. I was in America, Zagreb and Bosnia by myself. I don't need anyone and I depend on myself.

Q: Did you ever make contact with the Taliban government, officially, to say you were going to distribute money?

A: I tried, but wasn't able to. They gave me an appointment three days later, but then the war happened. I knew right away that the official Taliban government buildings would be the first ones bombed, so I didn't go back.

Q: So, you decided to just pass out the money without the...

A: Yes, the war happened, and I just did it myself. I had the translator with me and as soon as the war started, I said find any way for me to get out. Truthfully, he helped me a lot.

Q: I missed the part about the translator. Where did you pick up the translator?

A: The secretary that gave me the appointment to come back, he told me he'd help me get a translator after he got off work. We went to this place and he introduced me to this person. Of course, I had to give him money. He helped me, I gave him money and he helped me a lot. He was with me the whole time until I left.

Q: Did he give you suggestions as to where you could go to provide this money?

A: Yes, he was with me and he'd tell me where to go. I didn't know anything, that's why I requested this translator. Otherwise, I would have just stayed in the house until something happened.

Q: You must have been very popular there, giving money for charity.

A: I'm sorry, there's a misunderstanding. Did you mean I was very popular or the translator was very popular?

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- Q: Well, both would be popular. A man was giving out money and the translator was helping you give the money out. It would seem that people would come to you and say "I could use some money" or talk to the translator to say there is Kuwaiti there to provide money if you need anything.
- A: It's not like we were calling out to people on a radio or a megaphone and they were all coming to us and we were giving out money. That's not the way. We would go into a house and see the situation. We'd sit down, have juice with the people and we'd give them some money and then we'd go. It was a very civilized way of doing things; not just yelling out to people.
- Q: I wasn't suggesting that was what you were doing, I was just wondering if word got out. You were there for several weeks providing this service.
- A: We weren't in the same village every day. There are many villages in Kabul and we'd be in a different village all the time.

Tribunal President's Questions to Detainee

- Q: When you crossed the Iranian border, you said you didn't see any refugees, as you would expect. You flew from Herat to Kabul. You were in Kabul for a few days because confusion started because of the bombing. Then you started to move around a little bit in an effort to help distribute funds and charity. It sounds like a month has almost already passed and the time you planned to be in Afghanistan was coming close to the end. Why didn't you make an attempt, especially after things started becoming more difficult, to return to Kuwait sooner?
- A: I told you. From the minute they started bombing, I told the translator I needed an evacuation plan and I wanted to get out as soon as possible.
- Q: Yet you delayed [by going to] several houses and were attempting to pass out charity.
- A: The translator said I couldn't just leave, just like that and take any way. The Taliban is still there and is preventing people from going outside. The villages surrounding Kabul could be with the opposition, the people opposing the Taliban. Even during the days when the Taliban was governing the country, there were still people against the Taliban. There were Shiites and Farsi speakers. He told me he had to search for the best way for me to get out. I couldn't just leave like that.

It is a very long trip from Kabul to Pakistan. I would pass villages and valleys. It's not that easy. I was looking at the same time for a place to stay. Where

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would I stay? Everywhere I would go, people were kicking me out. At the same time, from the first day, I was looking for a way to get out.

Q: Did Kuwait have an embassy in Kabul?

A: I don't know.

Q: Did you try to find out if they did?

A: No, I didn't think of it.

Q: Did you try to contact your family or your employer and let them know you'd be delayed in your return?

A: Yes, in Herat and Kabul I contacted my family several times. They were scared because the war had started.

Q: So, they got word that you were going to be delayed?

A: Of course.

Q: And, your child that was scheduled for heart surgery...did your child have heart surgery?

A: Yes. They sent me a message and said thank God he's okay and they sent me pictures as well.

Q: While you were in Afghanistan?

A: No, it was in November. I don't remember if I was in Cuba. If it was in November, I was in Pakistan or Afghanistan, I'm not sure. If they did the surgery after that, I might have been in Cuba.

Q: You got word that the surgery was completed and it went well?

A: Yes.

Q: And your child is healthy today?

A: Yes.

Q: Good.

A: There are two holes in his heart, but now, thank God, he's okay.

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Q: We're certainly glad to hear that and we certainly hope his health continues to do well.

A: Thank you.

Q: When you turned yourself in to the Pakistan authorities at the border, what type of documents, money or items did you have in your possession?

A: Nothing. The money I was distributing was in the house.

Q: When you left to cross into Pakistan, you purposely left all of your money and your passport in the house?

A: I was running for my life. What is \$4000 dollars? In a month I can make this money.

Q: I would think it would help your effort to get home. If you had money to pay for guides, more translators, and your passport to show to the Pakistan authority to take you to the Kuwaiti embassy, it would help your chances of getting home safely.

A: We did have money. We give it to the Afghans to help us as we were proceeding, but not all of the money. I wasn't concerned with the passport or papers because if they had taken me to the Kuwaiti embassy, they would have known I was from Kuwait. It's easy to know; they don't need a passport. I wasn't thinking that the Pakistanis would turn me over to the Americans.

Q: You indicated that you graduated from the University of Nebraska in 1992?

A: Yes.

Q: Why didn't you ask for documentation from the University of Nebraska, for your graduation evidence?

A: I didn't think it would help me. The Kuwaiti government must have brought it with them and they probably gave it to the Americans. The Americans know that I have graduated. I don't need...I didn't know this would do me any good.

Q: But, you said your citizenship papers from Bosnia would indicate you were a member of the Bosnian Army in 1992.

A: I didn't ask for the Bosnian citizenship or the Kuwaiti citizenship.

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Q: You asked from citizenship papers for Kuwait and Bosnia. The citizenship information is needed to answer 3(a)8 on the Unclassified Summary. 3(a)8 is the Detainee is listed on a document as being a member of the Mujahadin Brigade in Bosnia, which would have been around 1992 or 1993. Is that correct?

A: No. Maybe the first Personal Representative. I asked for three things; a certificate of my work, my son's operation and my leave request from work. After two weeks, the Personal Representative met with me again and said there were some questions from the State Department he needed to ask me so you could give me these documents.

He asked me my son's name, the one going through the operation, where I worked and the address, my wife's name, and some other questions. When did you get your Bosnian and Kuwaiti citizenships? That's what happened. After four weeks, I got a new Personal Representative. I didn't request the Bosnian or Kuwaiti citizenship.

If it does me any good, I'll tell you I got the Bosnian citizenship in 1996 and I automatically got the Kuwaiti citizenship once I reached 18 years of age.

Q: I remember you saying that although you got the Bosnian citizenship, it reflected, incorrectly, that you were a member of the Bosnian Army that served in 1992 and 1993 with the Brigade.

A: It's not the actual citizenship that I requested. It was the paper that the interrogator was reading from that said I was in the Bosnian Army from 1992 to 1993. I asked him where he got the document from and he said he got it from the Bosnian government.

I explained that in 1992 and 1993 I was in Nebraska, Croatia and Kuwait. Then he became quite and I told him I'd explain how this information got to him incorrectly.

Tribunal Members Questions to Detainee

Q: You mentioned that while you were in Afghanistan, you did contact your family several times. But, in the questions that went to your family, the question was "did he tell you his reasons for going to Afghanistan?" The response was "He did not mention anything about going to Afghanistan. We have no information that he went or entered Afghanistan."

A: Who said this? Was it my family? Was it the Kuwaiti government?

Q: It was your family's response.

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A: Saying that I did not go to Afghanistan?

Q: No, they're saying you didn't mention anything about going to Afghanistan.

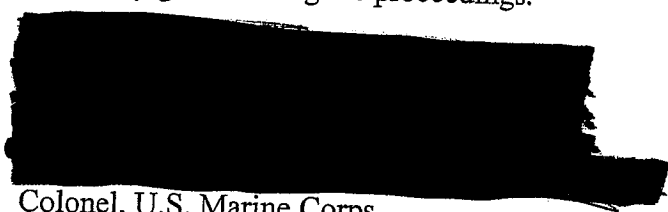
A: That's incorrect. Maybe they said this because they were trying to help me and they didn't want me to be here.

Q: You said that before you went to Afghanistan, you did ...


A: I mentioned it, yes. I told my wife, my mother and my sisters.

AUTHENTICATION

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

A large black rectangular redaction box covering the signature of the certifying official.

Colonel, U.S. Marine Corps
Tribunal President

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DETAINEE ELECTION FORMDate: 30 Oct 2004Start Time: 1200 hrsEnd Time: 1330 hrsISN#: [REDACTED]Personal Representative:
(Name/Rank) [REDACTED]Translator Required? YESLanguage? ArabicCSRT Procedure Read to Detainee or Written Copy Read by Detainee? Both by previous PR**Detainee Election:**

- ☒ **Wants to Participate in Tribunal**
- ☐ **Affirmatively Declines to Participate in Tribunal**
- ☐ **Uncooperative or Unresponsive**

Personal Representative Comments:Wants to participate and make an oral statement.Requested 4 documents

- 1 - Detainee request a copy of his employment history - not received
- 2 - Citizenship papers for Kuwait and Bosnia, The citizenship information will is needed to answer item 8 on the unclassified summary - not received
- 3 - Leave request from his job and a health report on his child. The information on his child and leave request will help show how long he planned to be in Afghanistan--requested 1 ½ months leave from job to attend child's heart surgery - not received
- 4 - Requested documentation from General Hospital of Kuwait for proof that Child was going to have heart surgery to collaborate story - not received

Note: PR was changed due to the fact initial PR has left GTMOPersonal Representative: [REDACTED]

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Exhibit D-a

[REDACTED] COL (H)

From: [REDACTED] CPT (H)
Sent: Saturday, October 30, 2004 4:32 PM
To: [REDACTED] COL (H); [REDACTED] MAJ (H); [REDACTED] MAJ (H)
Cc: [REDACTED] TC (H); [REDACTED] LTC (H); [REDACTED] PT (H)
Subject: [REDACTED] Timeline

Classification: U N C L A S S I F I E D
Caveats: FOUO

Gentlemen:

Please find below a timeline for document requests ICO ISN [REDACTED]

Thank you.

V/R

Capt [REDACTED]

- 29 September:** received document request from detainee/PR
- 04 October:** request to PR to re-interview detainee (insufficient information to forward to DoS)
- 07 October:** received additional information from PR - document request sent to DoS for:
1. employment history with Kuwaiti Ministry of Social Affairs and Labor
 2. leave requests from Kuwaiti Ministry of Social Affairs and Labor (circa Oct 2002)
 3. health reports on child from hospital in Kuwait
 4. citizenship papers from Bosnia and Kuwait
- 19 October:** request to DoS for update on status of detainee's request
- 26 October:** request to DoS for update on status of detainee's request
- 27 October:** DoS reply that embassy unable to locate requested documents
- Classification: U N C L A S S I F I E D
Caveats: FOUO

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Combatant Status Review Board

TO: Personal Representative

FROM: OIC, CSRT (22 September 2004)

Subject: Summary of Evidence for Combatant Status Review Tribunal - AMIN, Omar Rajab

1. Under the provisions of the Secretary of the Navy Memorandum, dated 29 July 2004, *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base Cuba*, a Tribunal has been appointed to review the detainee's designation as an enemy combatant.
2. An enemy combatant has been defined as "an individual who was part of or supporting the Taliban or al Qaida forces, or associated forces that are engaged in hostilities against the United States or its coalition partners. This includes any person who committed a belligerent act or has directly supported hostilities in aid of enemy armed forces."
3. The United States Government has previously determined that the detainee is an enemy combatant. This determination is based on information possessed by the United States that indicates that he supported forces engaged in hostilities against the United States or its Coalition partners.
 - a. The detainee is an al Qaida and/or Taliban supporter:
 1. The detainee traveled from Kuwait, through the United Arab Emirates to Bahrain, to Iran, and finally to Kabul, Afghanistan on 2 October 01.
 2. The detainee is a member of the non governmental organization, (NGO) Kuwaiti Joint Relief Committee
 3. The Kuwaiti Joint Relief Committee is suspected of providing funding and travel documents for mujahidin. Possible links to al-Qaida.
 4. The detainee admits raising \$10,000 (USD) and transporting it to Afghanistan.
 5. The detainee admitted fleeing with others due to the "opposition", (Northern Alliance) taking over the city.
 6. The detainee was listed on a document recovered in safehouse raids associated with suspected al Qaida in Karachi, Pakistan.
 7. During the raid on the Karachi safehouses; armed gunmen fought with police; firearms and grenades were seized; and police and security forces were injured by gunfire.

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Exhibit

R1

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8. The detainee was listed on a document as being a member of the Mujahedin Brigade in Bosnia.
4. The detainee has the opportunity to contest his designation as an enemy combatant. The Tribunal will endeavor to arrange for the presence of any reasonably available witnesses or evidence that the detainee desires to call or introduce to prove that he is not an enemy combatant. The Tribunal President will determine the reasonable availability of evidence or witnesses.

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Memorandum



To : Department of Defense
Office of Administrative Review
for Detained Enemy Combatants,
Col. David Taylor, OIC, CSRT
Date 09/16/2004

From : FBI GTMO
Counterterrorism Division,
Office of General Counsel,
[REDACTED]

Subject REQUEST FOR REDACTION OF
NATIONAL SECURITY INFORMATION
ISN [REDACTED]

Pursuant to the Secretary of the Navy Order of 29 July 2004, Implementation of Combatant Review Tribunal Procedures for Enemy Combatants Detained at Guantanamo Bay Naval Base, Cuba, Section D, paragraph 2, the FBI requests redaction of the information herein marked¹. The FBI makes this request on the basis that said information relates to the national security of the United States². Inappropriate dissemination of said information could damage the national security of the United States and compromise ongoing FBI investigations.

CERTIFICATION THAT REDACTED INFORMATION DOES NOT SUPPORT A DETERMINATION THAT THE DETAINEE IS NOT AN ENEMY COMBATANT

The FBI certifies the aforementioned redaction contains no information that would support a determination that the detainee is not an enemy combatant.

The following documents relative to ISN [REDACTED] have been redacted by the FBI and provided to the OARDEC, GTMO:
FD-302 dated 03/19/2002

¹Redactions are blackened out on the OARDEC provided FBI document.

²See Executive Order 12958

Memorandum from [REDACTED] to Col. David Taylor
Re: REQUEST FOR REDACTION, 09/16/2004

If you need additional assistance, please contact

[REDACTED]
[REDACTED] or Intelligence Analyst [REDACTED]
[REDACTED]

6. Omar Rejab Mohammed Rajab Ameen

**QUESTIONS FOR THE FAMILY OF
RAJIB MOHAMMED AMIN OMAR**

1. Please provide Omar's biographic information: given name, other names he is known as, date of birth, place of birth, home address.
2. Please provide the family's information: father, mother, brothers, sisters, wife (include date of marriage), and children.
3. What is Omar's educational background? What school(s) did he attend as a child? What high school did he attend and graduate from?
4. Where did he attend college/university? How was his education financed (ie scholarship, self financed, etc)? What did he study? Did he earn a degree and if so in what?
5. What did he tell his family about his time in college? Where did he stay? Did he have roommates? What were their names? What activities was he involved in while in college? What did he do in his free time? Did he belong to any organizations?
6. What did he do when he completed college?
7. Provide his employment history: Who has he worked for and how long?
8. What countries has he traveled to, when (dates), for what purpose, and how long did he stay?
9. What has he told you about his travels? What did he do during his travels? Who did he meet? What was his relationship to the people he met (acquaintance, business associate, friend)?
10. Did Omar get arrested while in Bosnia? If so what for and how was this resolved?
11. What did he tell you were his reasons for going to Afghanistan?
12. How did he get to Afghanistan? Who financed his trip?
13. How much money did he take with him and what was the money for? Where did he get the money?
14. Did he contact the family while in Afghanistan? What did he tell you about his activities in Afghanistan? What was he doing, who had he met, where was he staying, how was he traveling in the country?

15. How many passports did he have? Issued from what countries?
16. Did Omar say he was going to travel with anyone or meet anyone upon his arrival in Afghanistan/Pakistan?
17. Do you know how Omar traveled to Afghanistan/Pakistan? How was the trip funded?
18. What Mosques did he attend while in Kuwait?
19. Did he mention any specific Imams?
20. What social groups did Omar associate with while in Kuwait?
21. Was Omar associated with any type of Non Governmental Organization (ie. Al - WAFA) while in Kuwait?
22. Did Omar travel with anyone to Afghanistan/Pakistan?
23. Did he say if he was supposed to meet anyone in Afghanistan/Pakistan?

ANSWER TO THE QUESTIONS FOR THE FAMILY OF
RAJAB MOHAMMED AMIN OMAR

1. Name : Omar Rajab Mohammed Amin
No other names
Date of birth : [REDACTED] 1967
Place of birth : Kuwait
Home Address : [REDACTED]
2. Father Name [REDACTED]
Mother Name [REDACTED]
Brothers Names [REDACTED]
Sisters Names [REDACTED]

Wife name [REDACTED]
Date of Marriage [REDACTED] 1994
Children Name [REDACTED]
3. Omar is an agricultural engineer graduated from the Unites States of America (Nebraska).

Kindergarten : Bader Borosli
Elementary School : Ibn Rashd
Middle School : Al Jabria
High School : Sabah Al Salem
4. His education in the US Nabraska University was financed by Kuwaiti government as a scholarship. He got a degree in Engineering from University of Nebraska on May 1992.
5. Nothing so special he mentioned about his educational period.

We have no information about if he has roommates or not.

He stays in his dorm during his free time or goes with his friends outside as a normal person.

No special activities he was involved in while in college.

No, he does not belong to any organization during his stay in US.
6. He came back to Kuwait and applied for a Governmental job.
7. He worked in Kuwait Scientific Center, then after he applied for a job at the Ministry of Labour and Social Affairs which he become an employee since then.

8. The countries he traveled to were the US, Turkey, UAE, Bosnia, Bahrain, Egypt, Saudi Arabia and Pakistan.

In USA he attend University there, and some vacations, and in both Bosnia and Pakistan he did charity work and family visit to Bosnia. The other countries he visited was for vacation.
9. He did not say anything special about his travels except he enjoyed being there and he was very interested in their culture and sometimes he recommended to his friends to visit some of these countries.

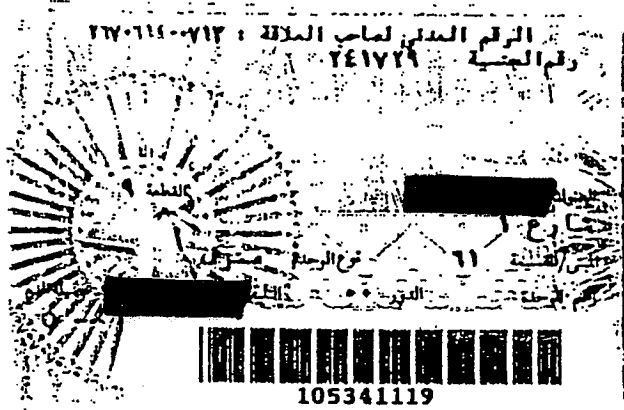
We do not recall anyone he met there.
10. Yes, Omar was arrested once in Bosnia by mistake and next day he was released.
11. He did not mention anything about going to Afghanistan.
12. We have no information that he went or entered Afghanistan, he financed his trip to the borders between Pakistan and Afghanistan.
13. No idea about the amount of money but he took some amount of money from family and relatives to contributed it to poor people and refugees at the boarders of Afghanistan and Pakistan.
14. He did called once from Pakistan, he said he was fine and he will not stay long and he will come back, he did not mention any specific activities or information or any of the people he might have met.
15. He has only one passport, a Kuwait Passport issued in Kuwait.
16. He did not mentioned who is traveling with and we have no idea about the people he might meet with.
17. As far as we know Omar traveled to Pakistan, he paid for his air ticket.
18. He attend the mosque "Haya Al Romaih" which is in the neighborhood.
19. No, he did not mentioned any specific Imam.
20. He joined with some charitable committees.
21. No, he was associated with the Joint Committees of Charitable Work in Bosnia and he worked as deputy director but he was not participated in Al Wafa Charitable Organization.
22. This question been answered.
23. No, he did not say that he supposed to meet with anyone in Pakistan.

دولة الكويت
الرقم المدني ٢٦٧٠٦١٤٠٠٧١٣



الاسم
عمر رجب محمد أمين

الجنسية كويتي
الميلاد [REDACTED]
تاريخ انتهاء البطاقة ٢٠٠٢/٨/٠٦



+++

State of Kuwait

Civil ID Card

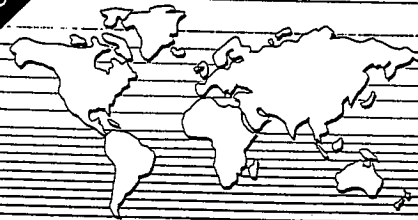
Civil No. 267061400713
Name Omar Rajab Mohammad Rajab A
Nationality Kuwait
Date of birth [REDACTED]/1967 Sex Male
Expiry Date 6/8/2002

Overleaf:

Civil No. of the concerned party 267061400713
Nationality No. 241729
Address [REDACTED] Block 1
Street 1
Building/ Plot 61 Type of Unit House
Unit No. -- Floor --
Tel. No. [REDACTED] Blood Group O +



U.S. Department of the Treasury
Office of Foreign Assets Control



TERRORISM

What You Need To Know About U.S. Sanctions

Executive Order 13224 blocking Terrorist Property and a summary of the
Terrorism Sanctions Regulations (Title 31 Part 595 of the U.S. Code of Federal Regulations),
Terrorism List Governments Sanctions Regulations (Title 31 Part 596 of the U.S. Code of Federal Regulations), and
Foreign Terrorist Organizations Sanctions Regulations (Title 31 Part 597 of the U.S. Code of Federal Regulations)

**EXECUTIVE ORDER 13224 - BLOCKING PROPERTY AND PROHIBITING TRANSACTIONS WITH PERSONS WHO COMMIT, THREATEN
TO COMMIT, OR SUPPORT TERRORISM**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)(IEEPA), the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c) (UNPA), and section 301 of title 3, United States Code, and in view of United Nations Security Council Resolution (UNSCR) 1214 of December 8, 1998, UNSCR 1267 of October 15, 1999, UNSCR 1333 of December 19, 2000, and the multilateral sanctions contained therein, and UNSCR 1363 of July 30, 2001, establishing a mechanism to monitor the implementation of UNSCR 1333,

I, GEORGE W. BUSH, President of the United States of America, find that grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks in New York, Pennsylvania, and the Pentagon committed on September 11, 2001, acts recognized and condemned in UNSCR 1368 of September 12, 2001, and UNSCR 1269 of October 19, 1999, and the continuing and immediate threat of further attacks on United States nationals or the United States constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and in furtherance of my proclamation of September 14, 2001, Declaration of National Emergency by Reason of Certain Terrorist Attacks, hereby declare a national emergency to deal with that threat. I also find that because of the pervasiveness and expansiveness of the financial foundation of foreign terrorists, financial sanctions may be appropriate for those foreign persons that support or otherwise associate with these foreign terrorists. I also find that a need exists for further consultation and cooperation with, and sharing of information by, United States and foreign financial institutions as an additional tool to enable the United States to combat the financing of terrorism.

I hereby order:

Section 1. Except to the extent required by section 203(b) of IEEPA (50 U.S.C. 1702(b)), or provided in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order, all property and interests in property of the following persons that are in the United States or that hereafter come within the United States, or that hereafter come within the possession or control of United States persons are blocked:

- (a) foreign persons listed in the Annex to this order;
- (b) foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury and the Attorney General, to have committed, or to pose a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States;
- (c) persons determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, to be owned or controlled by, or to act for or on behalf of those persons listed in the Annex to this order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of this order;
- (d) except as provided in section 5 of this order and after such consultation, if any, with foreign authorities as the Secretary of State, in consultation with the Secretary of the Treasury and the Attorney General, deems appropriate in the exercise of his discretion, persons determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General;
 - (i) to assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of, such acts of terrorism or those persons listed in the Annex to this order or determined to be subject to this order; or
 - (ii) to be otherwise associated with those persons listed in the Annex to this order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of this order.

Sec. 2. Except to the extent required by section 203(b) of IEEPA (50 U.S.C. 1702(b)), or provided in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date:

- (a) any transaction or dealing by United States persons or within the United States in property or interests in property blocked pursuant to this order is prohibited, including but not limited to the making or receiving of any contribution of funds, goods, or services to or for the benefit of those persons listed in the Annex to this order or determined to be subject to this order;
- (b) any transaction by any United States person or within the United States that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order is prohibited; and
- (c) any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Exhibit R4

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Sec. 3. For purposes of this order:

- (a) the term "person" means an individual or entity;
- (b) the term "entity" means a partnership, association, corporation, or other organization, group, or subgroup;
- (c) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States; and
- (d) the term "terrorism" means an activity that —
 - (i) involves a violent act or an act dangerous to human life, property, or infrastructure; and
 - (ii) appears to be intended —
 - (A) to intimidate or coerce a civilian population;
 - (B) to influence the policy of a government by intimidation or coercion; or
 - (C) to affect the conduct of a government by mass destruction, assassination, kidnapping, or hostage-taking.

Sec. 4. I hereby determine that the making of donations of the type specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by United States persons to persons determined to be subject to this order would seriously impair my ability to deal with the national emergency declared in this order, and would endanger Armed Forces of the United States that are in a situation where imminent involvement in hostilities is clearly indicated by the circumstances, and hereby prohibit such donations as provided by section 1 of this order. Furthermore, I hereby determine that the Trade Sanctions Reform and Export Enhancement Act of 2000 (title IX, Public Law 106-387) shall not affect the imposition or the continuation of the imposition of any unilateral agricultural sanction or unilateral medical sanction on any person determined to be subject to this order because imminent involvement of the Armed Forces of the United States in hostilities is clearly indicated by the circumstances.

Sec. 5. With respect to those persons designated pursuant to subsection 1(d) of this order, the Secretary of the Treasury, in the exercise of his discretion and in consultation with the Secretary of State and the Attorney General, may take such other actions than the complete blocking of property or interests in property as the President is authorized to take under IEEPA and UNPA if the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, deems such other actions to be consistent with the national interests of the United States, considering such factors as he deems appropriate.

Sec. 6. The Secretary of State, the Secretary of the Treasury, and other appropriate agencies shall make all relevant efforts to cooperate and coordinate with other countries, including through technical assistance, as well as bilateral and multilateral agreements and arrangements, to achieve the objectives of this order, including the prevention and suppression of acts of terrorism, the denial of financing and financial services to terrorists and terrorist organizations, and the sharing of intelligence about funding activities in support of terrorism.

Sec. 7. The Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and UNPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 8. Nothing in this order is intended to affect the continued effectiveness of any rules, regulations, orders, licenses, or other forms of administrative action issued, taken, or continued in effect heretofore or hereafter under 31 C.F.R. chapter V, except as expressly terminated, modified, or suspended by or pursuant to this order.

Sec. 9. Nothing contained in this order is intended to create, nor does it create, any right, benefit, or privilege, substantive or procedural, enforceable at law by a party against the United States, its agencies, officers, employees or any other person.

Sec. 10. For those persons listed in the Annex to this order or determined to be subject to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render these measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to this order.

- Sec. 11. (a) This order is effective at 12:01 a.m. eastern daylight time on September 24, 2001.
- (b) This order shall be transmitted to the Congress and published in the *Federal Register*.

THE WHITE HOUSE,
September 23, 2001.

ANNEX

Al Qaida/Islamic Army
Abu Sayyaf Group
Armed Islamic Group (GIA)
Harakat ul-Mujahidin (HUM)
Al-Jihad (Egyptian Islamic Jihad)
Islamic Movement of Uzbekistan (IMU)
Asbat al-Ansar
Salafist Group for Call and Combat (GSPC)
Libyan Islamic Fighting Group
Al-Itihaad al-Islamiya (AIAI)
Islamic Army of Aden
Usama bin Laden
Muhammad Atif (aka, Subhi Abu Sitta, Abu Hafs Al Masri)
Sayf al-Adl
Shaykh Sa'id (aka, Mustafa Muhammad Ahmad)
Abu Hafs the Mauritanian (aka, Mahfouz Ould al-Walid, Khalid Al-Shanqiti)
Ibn Al-Shaykh al-Libi
Abu Zubaydah (aka, Zayn al-Abidin Muhammad Husayn, Tariq)
Abd al-Hadi al-Iraqi (aka, Abu Abdallah)
Ayman al-Zawahiri
Thirwat Salah Shihata
Tariq Anwar al-Sayyid Ahmad (aka, Fathi, Amr al-Fatih)
Muhammad Salah (aka, Nasr Fahmi Nasr Hasanayn)
Makhtab Al-Khidamat/Al Kifah
Wafa Humanitarian Organization
Al Rashid Trust
Mamoun Darkazanli Import-Export Company

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NAMES OF THOSE DESIGNATED ON 10-12-01

Abdullah Ahmed Abdullah
 Haji Abdul Manan Agha
 Al-Hamati Sweets Bakeries
 Muhammad Al-Hamati
 Amin Al-Haq
 Saqar Al-Jadawi
 Ahmad Sa'id Al-Kadr
 Anas Al-Liby
 Ahmad Ibrahim Al-Mughassil
 Abdelkarim Hussein Mohamed Al-Nasser
 Al-Nur Honey Press Shops
 Yasin Al-Qadi
 Sa'd Al-Sharif
 Al-Shifa' Honey Press for Industry and Commerce
 Ibrahim Salih Mohammed Al-Yacoub
 Ahmed Mohammed Hamed Ali
 Ali Atwa
 Muhsin Musa Matwalli Atwah
 Bilal Bin Marwan
 Ayadi Chafiq Bin Muhammad
 Mamoun Darkazanli
 Ali Saed Bin Ali El-Hoorie
 Mustafa Mohamed Fadhil
 Ahmed Khalifa Ghallani
 Riad Hijazi
 Hasan Izz-Al-Din
 Jaish-I-Mohammed
 Jam'Yah Ta'Awun Al-Islamia
 Mufti Rashid Ahmad Ladehyanoy
 Fazul Abdullah Mohammed
 Khalid Shalikh Mohammed
 Fahid Mohammed Aliy Msalam
 Imad Fa'iz Mughniyah
 Rabita Trust
 Sheikh Ahmed Salim Swedan
 Omar Mahmoud Uthman
 Abdul Rahman Yasin
 Tohir Yuldashev
 Mohammad Zia

NAMES OF THOSE DESIGNATED ON 11-07-01

Abbas Abdi Ali
 Abdullahi Hussein Kahle
 Ahmed Nur Ali Jim'ale (a.k.a. Ahmad Nur Ali Jim'ale; a.k.a. Ahmad Ali Jimale; a.k.a. Ahmed Nur Jumale; a.k.a. Ahmed Ali Jumali)
 Al Baraka Exchange LLC
 Al-Barakaat (Mogadishu)
 Al-Barakaat Bank (Mogadishu)
 Al-Barakaat Bank of Somalia (a.k.a. Barakaat Bank of Somalia; a.k.a. BBS)
 Al-Barakat Global Telecommunications (a.k.a. Barakaat Globetelcompany)
 Al-Barakaat Group of Companies Somalia Limited (a.k.a. Al-Barakat Financial Company)
 Al Taqwa Trade, Property and Industry Company Limited (f.k.a. Al Taqwa Trade, Property and Industry; f.k.a. Al Taqwa Trade, Property and Industry Establishment; T.k.a. Himmat Establishment)
 Al-Barakaat Wiring Service (U.S.A.)
 Al-Barakat Finance Group
 Al-Barakat Financial Holding Company
 Al-Barakat International (a.k.a. Baraco Co.)
 Al-Barakat Investments
 Albert Friedrich Armand Huber (a.k.a. Ahmed Huber)
 Ali Ghaleb Himmat
 Asat Trust Reg.
 Bank Al Taqwa Limited (a.k.a. Al Taqwa Bank; a.k.a. Bank Al Taqwa)
 Baraka Trading Company
 Barakaat Boston (U.S.A.)
 Barakaat Construction Company
 Barakaat Group of Companies
 Barakaat International (Sweden)
 Barakaat International Companies (BICO)
 Barakaat International Foundation
 Barakaat International, Inc. (U.S.A.)
 Barakaat North America, Inc. (Canada & U.S.A.)
 Barakaat Red Sea Telecommunications
 Barakaat Telecommunications Company Limited (BTCLCO)
 Barakaat Telecommunications Company Somalia, Limited
 Barakat Bank and Remittances
 Barakat Computer Consulting (BCC)
 Barakat Consulting Group (BCG)
 Barakat Global Telephone Company
 Barakat Post Express (BPE)
 Barakat Refreshment Company
 Barakat Wire Transfer Company (U.S.A.)
 Barako Trading Company LLC
 Dahir Ubeidullahi Aweys

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Personal Representative Review of the Record of Proceedings

I acknowledge that on 4 November 2004 I was provided the opportunity to review the record of proceedings for the Combatant Status Review Tribunal involving ISN # [REDACTED]

☒ I have no comments.

☐ My comments are attached.

[REDACTED], Major, USAF

Name

4 Nov 2004
Date

[REDACTED]
Signature

ISN # [REDACTED]
Enclosure (5)

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