



**Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1000 Navy Pentagon, Washington, D.C. 20350-1000**

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ACTION MEMO

14 July 2005

FOR: Designated Civilian Official

FROM: Director, OARDEC *[Signature]*

SUBJECT: ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
FOO ISN 336 (HAUDI ARABIA)

- o Subject ARB was held on 17 May 2005 resulting in a majority recommendation to [REDACTED] subject ISN with conditions:

[REDACTED]

- o Intelligence inputs used in the ARB's determination of the subject ISN included:

[REDACTED]

- o Agency assessments follow:

AGENCY	ASSESSMENT	RECOMMENDATION
DA	[REDACTED]	[REDACTED]
CIA	[REDACTED]	[REDACTED]
FBI	[REDACTED]	[REDACTED]
Dept of State	[REDACTED]	[REDACTED]

- o The ARB recommended that the following [REDACTED] be considered:

[REDACTED]

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EXHIBIT
tabbies
APPENDIX 4

IN RE: GUANTANAMO BAY DETENTION INVESTIGATION

Doc. 956 Att. 4

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**SUBJECT: ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
ICO ISN 335 (SAUDI ARABIA)**

- o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures, are attached.

RECOMMENDATION: That the DCO approve the ARB recommendation [REDACTED]

[REDACTED] (Transfer) *FD 7-15*

Or: Continue to Detain _____, Release _____

Attachments:

Tab A OARDEC SJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

Prepared by: [REDACTED]

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**(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 335**

1. (U) Introduction

(U) The Administrative Review Board (ARB) determined ISN 335 continues to be a threat to the United States and its allies. In reaching this determination, the ARB considered both classified and unclassified information. The following is an account of the proceedings and the factors the ARB used in making its determination.

2. (U) Synopsis of Proceedings

(U) The ARB was convened and began its proceedings without the Enemy Combatant (EC) present. The Designated Military Officer (DMO) presented the unclassified summary, both in written form and with an oral summary of the unclassified primary factors. The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as Exhibit EC-A, identified herein as Enclosure (2). The AMO also presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as Enclosure (3). Exhibit EC-B indicates the EC was uncooperative or unresponsive. The EC did not give the AMO a reason for not wanting to appear before the ARB nor did the EC provide the AMO any comments to present to the ARB. The ARB expressed concerns to the AMO about the EC not appearing and indicated that if the EC appears his testimony/comments are usually beneficial. An ARB member asked one clarification question during the unclassified portion that was answered satisfactorily. The unclassified part of the proceeding was adjourned. The ARB moved to the classified portion of the session and the DMO presented the classified summary. The Presiding Officer asked a clarification question during the classified portion that was answered satisfactorily. The session was then closed for deliberation.

3. (U) Primary Documents, Assessments, Testimony and other Considerations by the Administrative Review Board

(S//NF)



(U) The following assessments considered by the ARB are summarized as follows:

(S//NF)



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[REDACTED]

(S//NF) [REDACTED]

(FOUO//ES) [REDACTED]

(S//NF) [REDACTED]

(S//NF) [REDACTED]

4. (U) Discussion of the primary factors (including intelligence value and law enforcement value of the Enemy Combatant)

(U) The preponderance of the information presented to the ARB supports [REDACTED]. The ARB considered the following key indicators in the decision to assess the EC as a [REDACTED] threat to the U.S. and in its recommendation to [REDACTED]

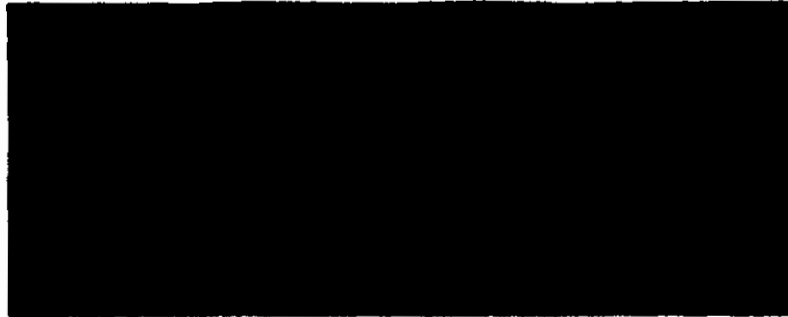
a. (S//NF) [REDACTED]

b. (S//NF) [REDACTED]

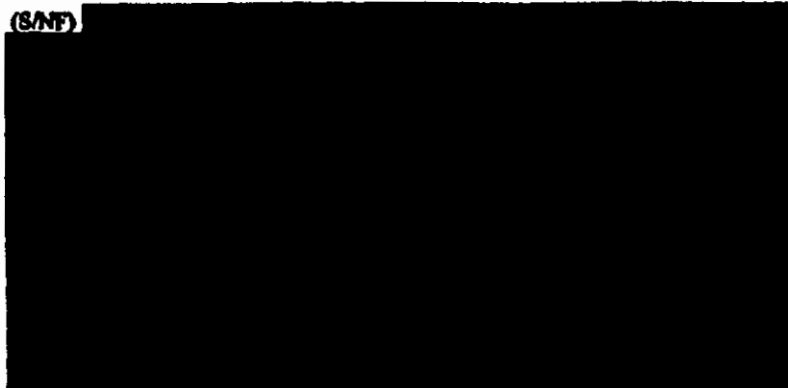
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c. (S/NF)



d. (S/NF)



e. (S/NF)



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f. (S//NF)

[REDACTED]

g. (S//NF)

[REDACTED]

h. (S//NF)

[REDACTED]

5. (U) Considerations by the Administrative Review Board on Enemy Combatant's requests for witness statements and home country statements provided through the United States

(U) The EC is a citizen of Saudi Arabia. No witness or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(U) [REDACTED]

7. (U) Conclusions and Recommendation of the Administrative Review Board

(U) Upon careful review of all the information presented, the ARB makes the following determination and recommendation:

(U) The EC is a [REDACTED] threat to the United States and its allies. [REDACTED]

[REDACTED]

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[REDACTED]

8. (U) Dissenting Board Member's report

(U) There was one dissenting member in the decision, as indicated in enclosure (6).

Respectfully submitted,

[REDACTED]

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