Associated Press v. United States Department of Defense

Doc. 18 Att. 6

Case 1:05-cv-05468-JSR

Document 18-7

Filed 03/03/2006

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EXHIBIT F



Department of Defense.
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1800 Navy Pentagon, Washington, D.C. 20350-1000

ACTION MEMO

16 May 2005

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FOR: Designated Civilian O	fficial	•		•
FROM: Director, OARDE	7~	,		
SUBJECT: ADMINISTRAL ICO ISN	TVEREVEX POATD AS	sessment and re (b)(6)	COMMENDATION	
o Subject ARB was held of	19 James, 2005 resulting in	an unanimous recomm	andetion (Table	(b)(S)
Threat Assessment: Intelligence Value: Other Factors:				(b)(s) (b)(1) (b)(5)
o intelligence incuts		film entrinet: ISAL include		(P)(E)
o Agency assessments follo	DW:		the state of the s	(b)(b)(i)
AGENCY DASD-DA CIA FBI Dept of State		<u> </u>	REGOMMENDAT	CO)
o The Legal Sufficiency Re (Tab B) with enclosures,	sview (Tab A) and the Presidin are attached.	ng Officer's Assessment	and Recommendatio	•
RECOMMENDATION: Management (Transfer)	t the DCO		(6)(5)	
Or: Continue to Detain	, Releue	•		
Attachments: Tab A OARDEC SJA Legal Tab B Presiding Officer's A	Sufficiency Review		,	•
Prepared by:		(P)	(6)	
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(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN

(b)(b)

1. (U) Introduction

(S/NF)

(U) The Administrative Review Board (ARB) determined ISN

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 with the Enemy Combatant (EC) present. The Designated Military Officer (DMO) presented the unclassified summary, in written form and with an oral summary of the unclassified primary factors to retain the EC, and the primary factors for release. The Assisting Military Officer (AMO) presented the Enemy Combatant Notification as exhibit EC-A and the Enemy Combatant Election Form indicating the EC elected to participate, documented as exhibit EC-B. The AMO related that during the initial interview, he documented EC comments to specific statements in the unclassified summary. These notes are included on exhibit EC-B. The ARB asked the EC questions related to his comments. This dialogue is contained in the Summary of Enemy Combatant Testimony. The unclassified part of the proceeding was adjourned, and the EC was removed from the room. The ARB moved to the classified portion of the session and the DMO presented the classified summary. The ARB members had no questions and the session was closed for deliberation.

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

(U) The ARB considered all relevant information and primary factors in the exhibits presented as EC-B, and DMO-1 through DMO-21.

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

(S/NF)

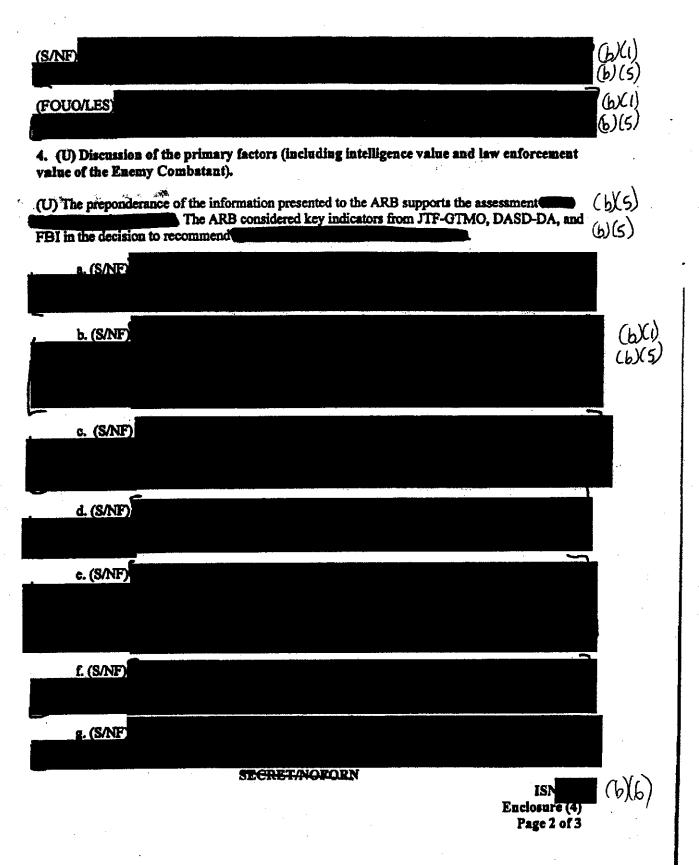
(b)(1)
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(b)(6)

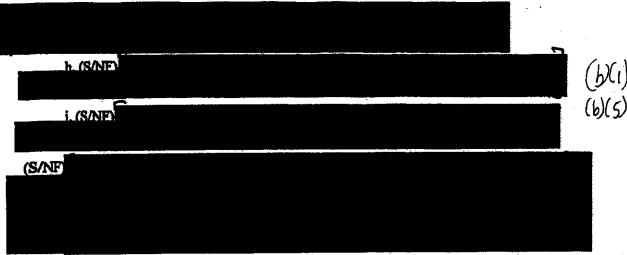
Enclosure (f)

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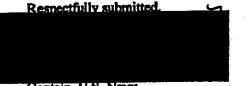
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- 5. (U) Considerations by the Administrative Review Board on Enemy Combatant's requests for witness statements and home country statements provided through the United States
- (U) The home state of the EC provided no additional information to the U.S. Department of State.
- 6. (U) Consultations with the Administrative Review Board Legal Advisor
- (U) There was no legal consultation prior to or during the ARB session.
- 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:

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- 8. (U) Dissenting Board Member's report
- (U) There were no dissenting members in the decision.



(P)(P)

Captain, U.S. Navy Presiding Officer

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