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Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

08 February 2007

TO: Personal Representative

FROM: OIC, CSRT (08 Feb 07)

SUBJECT: SUMMARY OF EVIDENCE FOR COMBATANT STATUS REVIEW
TRIBUNAL – MUHAMMAD, KHALID SHAYKH

1. Under the provisions of the Deputy Secretary of Defense Memorandum, dated 14 July 2006, *Implementation of Combatant Status Review Tribunal Procedures for Enemy Combatants Detained at U.S. Naval Base Guantanamo Bay, Cuba*, a Tribunal has been appointed to determine if the detainee is 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 following facts support the determination that the detainee is an enemy combatant.

a. On the morning of 11 September 2001, four airliners traveling over the United States were hijacked. The flights hijacked were: American Airlines Flight 11, United Airlines Flight 175, American Airlines Flight 77, and United Airlines Flight 93. At approximately 8:46 a.m., American Airlines Flight 11 crashed into the North Tower of the World Trade Center, resulting in the collapse of the tower at approximately 10:25 a.m. At approximately 9:05 a.m., United Airlines Flight 175 crashed into the South Tower of the World Trade Center, resulting in the collapse of the tower at approximately 9:55 a.m. At approximately 9:37 a.m., American Airlines Flight 77 crashed into the southwest side of the Pentagon in Arlington, Virginia. At approximately 10:03 a.m., United Airlines Flight 93 crashed in Stoney Creek Township, Pennsylvania. These crashes and subsequent damage to the World Trade Center and the Pentagon resulted in the deaths of 2,972 persons in New York, Virginia, and Pennsylvania.

b. The detainee served as the head of the al Qaida military committee and was Usama bin Laden’s principal al Qaida operative who directed the 11 September 2001 attacks in the United States.

c. In an interview with an al Jazeera reporter in June 2002, the detainee stated he was the head of the al Qaida military committee.

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d. A computer hard drive seized during the capture of the detainee contained information about the four airplanes hijacked on 11 September 2001 including code names, airline company, flight number, target, pilot name and background information, and names of the hijackers.

e. A computer hard drive seized during the capture of the detainee contained photographs of 19 individuals identified as the 11 September 2001 hijackers.

f. A computer hard drive seized during the capture of the detainee contained a document that listed the pilot license fees for Mohammad Atta and biographies for some of the 11 September 2001 hijackers.

g. A computer hard drive seized during the capture of the detainee contained images of passports and an image of Mohammad Atta.

h. A computer hard drive seized during the capture of the detainee contained transcripts of chat sessions belonging to at least one of the 11 September 2001 hijackers.

i. The detainee directed an individual to travel to the United States to case targets for a second wave of attacks.

j. A computer hard drive seized during the capture of the detainee contained three letters from Usama bin Laden.

k. A computer hard drive seized during the capture of the detainee contained spreadsheets that describe money assistance to families of known al Qaida members.

l. The detainee's name was on a list in a computer seized in connection with a threat to United States airlines, United States embassies and the Pope.

m. The detainee wrote the *bojinka plot*, the airline bomb plot which was later found on his nephew Ramzi Yousef's computer.

n. The *bojinka plot* is also known as the Manila air investigation.

o. The Manila air investigation uncovered the detainee conspired with others to plant explosive devices aboard American jetliners while those aircraft were scheduled to be airborne and loaded with passengers on their way to the United States.

p. The detainee was in charge of and funded an attack against United States military vessels heading to the port of Djibouti.

q. A computer hard drive seized during the capture of the detainee contained a letter to the United Arab Emirates threatening attack if their government continued to help the United States.

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r. During the capture of the detainee, information used exclusively by al Qaida operational managers to communicate with operatives was found.

s. The detainee received funds from Kuwaiti-based Islamic extremist groups and delivered the funds to al Qaida members.

t. A computer hard drive seized during the capture of the detainee contained a document that summarized operational procedures and training requirements of an al Qaida cell.

u. A computer hard drive seized during the capture of the detainee contained a list of killed and wounded al Qaida martyrs.

v. Passport photographs of al Qaida operatives were seized during the capture of the detainee.

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 and that is deemed relevant to that issue. The Tribunal President will determine the reasonable availability and relevance of evidence or witnesses.