

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED:

JABRAN SAID BIN AL QAHTANI

2. ALIASES OF ACCUSED:

Salam al Farsi, Hateb, Jabran al Qahtan, Saad Wazar Hatib Jabran, Jabran Wazar

3. ISN NUMBER OF ACCUSED (LAST FOUR):

0696

II. CHARGES AND SPECIFICATIONS

4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.

SPECIFICATION:

SEE CONTINUATION SHEET ATTACHED.

III. SWEARING OF CHARGES

5a. NAME OF ACCUSER (LAST, FIRST, MI)

STAMPS, ROBERT, F

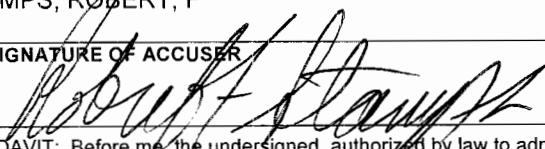
5b. GRADE

O-6

5c. ORGANIZATION OF ACCUSER

OMC-PROSECUTION

5d. SIGNATURE OF ACCUSER



5e. DATE (YYYYMMDD)

20080528

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the 28th day of MAY, 2008, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

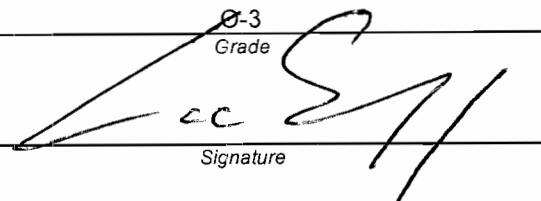
ISAAC C. SPRAGG

Typed Name of Officer

OMC-PROSECUTION

Organization of Officer

O-3
Grade



Signature

10 U.S.C. 1044(b)

*Official Capacity to Administer Oath
(See R.M.C. 307(b) must be commissioned officer)*

IV. NOTICE TO THE ACCUSED

6. On _____, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

CPT ISAAC C. SPRAGG

Typed Name and Grade of Person Who Caused Accused to Be Notified of Charges

Organization of the Person Who Caused Accused to Be Notified of Charges

Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at _____ hours, on _____, at _____

Location

For the Convening Authority:

Typed Name of Officer

Grade

Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY

8b. PLACE

8c. DATE (YYYYMMDD)

Referred for trial to the (non)capital military commission convened by military commission convening order _____

subject to the following instructions¹: _____

By _____ of _____
Command, Order, or Direction

Typed Name and Grade of Officer

Official Capacity of Officer Signing

Signature

VII. SERVICE OF CHARGES

9. On _____, _____ I (caused to be) served a copy these charges on the above named accused.

Typed Name of Trial Counsel

Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

CHARGE I: Violation of 10 U.S.C. § 950v(b)(28) Conspiracy

Specification: In that Jabran Said Bin al Qahtani (“al Qahtani”), a person subject to trial by military commission as an alien unlawful enemy combatant, did, at various locations in Afghanistan, Pakistan and elsewhere, between about September 2001 and March 2002, conspire and agree with Usama bin Laden, Saif al Adel, Dr. Ayman al Zawahari (a/k/a “the Doctor”), Muhammad Atef (a/k/a Abu Hafs al Masri), Binyam Mohamed, Noor al Deen, Akrama al Sudani, Ghassan Abdullah al Sharbi (“al Sharbi”), Sufyan Barhoumi (“Barhoumi”), and various other members and associates of the al Qaeda organization, known and unknown, to commit one or more substantive offenses triable by military commission, to wit: murder of a protected person or persons, attacking civilians, attacking civilian objects, intentionally causing serious bodily injury, murder in violation of the law of war, destruction of property in violation of the law of war, providing material support to an international terrorist organization and terrorism; and did join al Qaeda, an enterprise of persons who shared a common criminal purpose, that involved, at least in part, the commission or intended commission of one or more of the said substantive offenses triable by military commission; and did, with knowledge of the common criminal purpose of the al Qaeda enterprise and of the unlawful purposes of the agreement, willfully join the al Qaeda enterprise and willfully enter into the agreement with the intent to further those unlawful purposes, and knowingly commit one or more of the following overt acts in order to accomplish some objective or purpose of the enterprise and the agreement:

- a. Shortly after the September 11, 2001, attacks on the United States, al Qahtani, a Saudi citizen and a graduate in civil or electrical engineering from King Saud University in Saudi Arabia, left Saudi Arabia with the intent to join al Qaeda and fight against the Northern Alliance and United States forces, which forces he expected would soon be fighting in Afghanistan.
- b. Upon his arrival in Afghanistan, al Qahtani attended an al Qaeda military training camp near Kabul, where he received training in the use of automatic weapons, hand guns, and grenades, as well as participated in physical fitness training.

- c. In December 2001, al Qahtani followed the orders of Muhammad Atef (a/k/a/ Abu Hafs al Masri), the head of al Qaeda's military committee and al Qaeda's military commander. Muhammad Atef ordered that al Qahtani, as one of two "brothers" from the al Farouq training camp, receive electronically-controlled explosives training in Pakistan, for the purpose of establishing a new and independent section of the military committee.
- d. Between late December 2001 and the end of February 2002, al Qahtani, al Sharbi and Binyam Mohamed moved from Birmel, Afghanistan, to a safe house in Faisalabad, Pakistan, where they were to receive training, conducted by the bomb maker Barhoumi, in the construction and use of remote detonation devices, in order to attack United States and Coalition forces.
- e. By early March 2002, al Qahtani, Barhoumi, al Sharbi, and Binyam Mohamed had all arrived at the safe house in Faisalabad, Pakistan. Al Qahtani began training on building small, hand-held remote-detonation devices for explosives that were later to be used in Afghanistan against United States forces.
- f. In March 2002, Barhoumi facilitated the purchase of electronic components, which included, *inter alia*, electrical resistors, plastic resistors, light bulbs for circuit board lights, plastic and ceramic diodes, circuit testing boards, an ohmmeter, watches, soldering wire, soldering guns, wire and coil, six cell phones of a specified model, transformers and an electronics manual. While at the Faisalabad safehouse, using these recently purchased supplies, Barhoumi trained al Sharbi and al Qahtani on how to build hand-held remote-detonation devices for explosives.
- g. After the necessary components were purchased, al Qahtani and al Sharbi continued to receive training from Barhoumi in the construction of the remote detonation devices.
- h. After al Qahtani and al Sharbi completed their training by Barhoumi, and had constructed a number of circuit boards and remote detonation devices, al Qahtani and al Sharbi intended to return to Afghanistan in order to use, and to train others to construct remote-control devices to detonate, car bombs against United States forces.

- i. On March 28, 2002, al Sharbi, Barhoumi, al Qahtani, and others were captured in a safe house in Faisalabad after authorities raided the home.

CHARGE II: Violation of 10 U.S.C. § 950v (b)(25) Providing Material Support for Terrorism

Specification: In that Jabran Said Bin al Qahtani, a person subject to trial by military commission as an alien unlawful enemy combatant, did, at various locations in Afghanistan, Pakistan and elsewhere, between about September 2001 and March 2002, in the context of or associated with an armed conflict, intentionally provide material support to al Qaeda, an international terrorist organization engaged in hostilities against the United States, knowing that such organization has engaged or engages in terrorism, by performing at least one of the following acts:

- a. Shortly after the September 11, 2001, attacks on the United States, al Qahtani, a Saudi citizen and a graduate in civil or electrical engineering from King Saud University in Saudi Arabia, left Saudi Arabia with the intent to join al Qaeda and fight against the Northern Alliance and United States forces, which he expected would soon be fighting in Afghanistan.
- b. Upon his arrival in Afghanistan, al Qahtani attended an al Qaeda military training camp near Kabul, where he received training in the use of automatic weapons, hand guns, and grenades, as well as participating in physical fitness training.
- c. In December 2001, al Qahtani followed the orders of Muhammad Atef (*a/k/a/ Abu Hafs al Masri*), the head of al Qaeda's military committee and al Qaeda's military commander. Muhammad Atef ordered that al Qahtani, as one of two "brothers" from the al Farouq training camp, receive electronically-controlled explosives training in Pakistan, for the purpose of establishing a new and independent section of the military committee.
- d. Between late December 2001 and the end of February 2002, al Qahtani, al Sharbi and Binyam Mohamed moved from Birmel, Afghanistan, to a safe house in Faisalabad, Pakistan, where they were to receive training conducted by the bomb maker Barhoumi, in the construction and use of remote detonation devices, in order to attack United States and Coalition forces.

- e. By early March 2002, al Qahtani, Barhoumi, al Sharbi, and Binyam Mohamed had all arrived at the safe house in Faisalabad, Pakistan. Al Qahtani began training on building small, hand-held remote-detonation devices for explosives that were later to be used in Afghanistan against United States forces.
- f. In March 2002, Barhoumi facilitated the purchase of electronic components, which included, *inter alia*, electrical resistors, plastic resistors, light bulbs for circuit board lights, plastic and ceramic diodes, circuit testing boards, an ohmmeter, watches, soldering wire, soldering guns, wire and coil, six cell phones of a specified model, transformers and an electronics manual. While at the Faisalabad safe house, using these recently purchased supplies, al Sharbi and al Qahtani received training from Barhoumi on how to build hand-held remote-detonation devices for explosives.
- g. After the necessary components were purchased, al Qahtani and al Sharbi continued to receive training from Barhoumi in the construction of the remote detonation devices.
- h. After al Qahtani and al Sharbi completed their training by Barhoumi, and had constructed a number of circuit boards and remote detonation devices, al Qahtani and al Sharbi intended to return to Afghanistan in order to use, and to train others to construct remote-control devices to detonate, car bombs against United States forces.
- i. On March 28, 2002, al Sharbi, Barhoumi, al Qahtani, and others were captured in a safe house in Faisalabad after authorities raided the home.