

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED:

SALIM AHMED HAMDAN (hereafter "Hamdan")

2. ALIASES OF ACCUSED:

Salim Ahmad Hamdan, Salem Ahmed Salem Hamdan, Saqr al Jadawy, Saqr al Jaddawi, Khalid bin Abdalla, Khalid w'd Abdallah

3. ISN NUMBER OF ACCUSED (LAST FOUR):

0149

II. CHARGES AND SPECIFICATIONS

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

SPECIFICATION: (See Attached Charge Sheet)

III. SWEARING OF CHARGES

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

TUBBS II, MARVIN, W

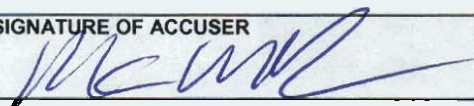
5b. GRADE

O-4

5c. ORGANIZATION OF ACCUSER

OMC-PROSECUTION

5d. SIGNATURE OF ACCUSER



5e. DATE (YYYYMMDD)

20070405

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the 5th day of April, 2007, 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.

WILLIAM B. BRITT

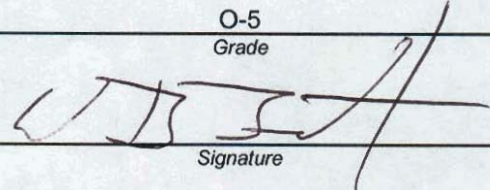
Typed Name of Officer

OMC-PROSECUTION

Organization of Officer

O-5

Grade



Signature

10 U.S.C. 1044(b)

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

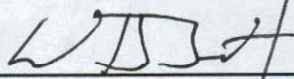


IV. NOTICE TO THE ACCUSED

6. On 5th April, 2007 the accused was notified of the charges against him/her (See R.M.C. 308).

LTC WILLIAM B. BRITT
*Typed Name and Grade of Person Who Caused
 Accused to Be Notified of Charges*

OMC-PROSECUTION
*Organization of the Person Who Caused
 Accused to Be Notified of Charges*



Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

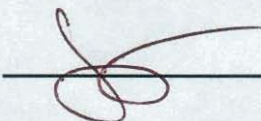
7. The sworn charges were received at 1411 hours, on 6 April 2007, at Arlington, Virginia

Location

For the Convening Authority: Jennifer D. Young
Typed Name of Officer

CW3

Grade



Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY
 Convening Authority 10USC §948h
 Appointed on 6 Feb 2007

8b. PLACE
Arlington, Virginia

8c. DATE (YYYYMMDD)
20070510

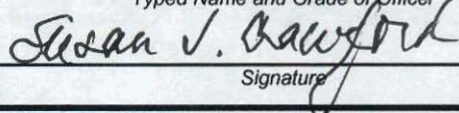
Referred for trial to the (non)capital military commission convened by military commission convening order 07-04
dated 1 May 2007

_____ subject to the following instructions¹: this case is referred
non-capital

~~XX~~ _____ ~~XX~~
Command, Order, or Direction

Susan J. Crawford
Typed Name and Grade of Officer

Convening Authority 10USC §948h
Official Capacity of Officer Signing



Signature

VII. SERVICE OF CHARGES

9. On _____, 2007 I (caused to be) served a copy these charges on the above named accused.

WILLIAM B. BRITT
Typed Name of Trial Counsel

O-5
Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

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



UNITED STATES OF AMERICA)	<u>CHARGES</u>
)	
v.)	Conspiracy
)	
SALIM AHMED HAMDAN)	Providing Material
(hereafter "Hamdan"))	Support for Terrorism
)	

CHARGE I: VIOLATION OF 10 U.S.C. §950v(b)(28), CONSPIRACY

Specification 1: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and other countries, from in or about February 1996 to on or about November 24, 2001, conspire and agree with Usama bin Laden, Saif al Adel, Ayman al Zawahari, Sheikh Sayeed al Masri, Muhammad Atef (a/k/a Abu Hafs al Masri), Saif al Adel and various members and associates, known and unknown, of the al Qaeda organization and join an enterprise of persons known as al Qaeda, and said al Qaeda engaged in hostilities against the United States, including the 1998 attack against the American Embassies in Kenya and Tanzania, the 2000 attack against the USS Cole, the September 11, 2001 attack against the United States and other, separate attacks, continuing to date and the aforementioned members and associates of al Qaeda shared a common criminal purpose that involved the commission or intended commission of one or more substantive offenses subject to trial by military commission, to wit: attacking civilians; attacking civilian objects; murder in violation of the law of war; destruction of property in violation of the law of war; hijacking or hazarding a vessel or aircraft; and terrorism and the said Hamdan knew the unlawful purpose of the agreement and the common criminal purpose of the enterprise and joined willfully, with the intent to further said unlawful purpose, and in order to accomplish some objective or purpose of the agreement or enterprise, Hamdan knowingly committed at least one of the following overt acts:

SJC
5-10-07

SJC
5-10-07

- a. Hamdan served as bodyguard for Usama Bin Laden;
- b. Hamdan served as Usama Bin Laden's personal driver;
- c. Hamdan transported and delivered weapons, ammunition or other supplies to al Qaeda members and associates;

d. Hamdan drove or accompanied Usama bin Laden to various al Qaeda-sponsored training camps, press conferences, or lectures.

e. Hamdan, on various occasions, received weapons training in Afghanistan.

Specification 2: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan, on or about November 24, 2001, willfully enter into an agreement with one or more known or unknown members of al Qaeda or Taliban to commit the offense of Murder in Violation of the Law of War, a substantive offense subject to trial by military commission, to wit; the murder of United States or Coalition service members serving as pilots, crew or passengers of United States or Coalition military aircraft, knowing the unlawful purpose of said agreement and joining into said agreement willingly with the intent to further said unlawful purpose, knowingly commit an overt act in order to accomplish some objective or purpose of said agreement, to wit, transporting one or more SA-7 surface to air missiles to be ultimately used to unlawfully and intentionally kill said United States or Coalition service members.

**CHARGE II: VIOLATION OF 10 U.S.C. §950v(b)(25) – PROVIDING
MATERIAL SUPPORT FOR TERRORISM**

Specification 1: In that Hamdan, a person subject to trial by military commission as an alien unlawful enemy combatant, did, in Afghanistan and other countries, from in or about February 1996 to on or about November 24, 2001, in the context of or associated with an armed conflict, provide material support and resources to wit: personnel, himself, to be used in preparation for or carrying out an act of terrorism, and that the said Hamdan knew the said material support or resources were to be used for an act of terrorism, by joining the terrorist organization known as al Qaeda and performing at least one of the following:

- a. Received training at an al Qaeda training camp;
- b. Served as a driver for Usama bin Laden transporting him to various locations in Afghanistan;
- c. Served as Usama bin Laden's armed bodyguard at various locations throughout Afghanistan;

