

23 September 2001 designation by the President of the United States (EO 12334), and 6 October 2001 designation by the National Security Council.

2. These requests seek production of matters "material to the preparation of the defense" within the meaning of reference (a) and extends to all matters within in the possession, custody or control of the U.S. Government. "Government" as used herein includes *all* departments or agencies of the United States Government. Matters within the scope of discovery include those matters that may become known to the trial counsel through the exercise of "due diligence." See R.M.C. 701(c)(1). That matters responsive to these requests are not within the immediate possession and control of the Office of the Chief Prosecutor is therefore not a sufficient basis for denying the request.

3. Should you have any questions or concerns regarding this request, please contact me at 

/s/
W. C. KUEBLER



LEGAL ADVISOR

OFFICE OF THE SECRETARY OF DEFENSE
OFFICE OF MILITARY COMMISSIONS
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

March 28, 2008

MEMORANDUM FOR MAJ³ [REDACTED] United States Army

SUBJECT: Appointment as Deposition Officer

In accordance with Rule for Military Commissions (RMC) 702(d)(1), you are hereby appointed to serve as a deposition officer for the deposition of LTC³ [REDACTED] in the case of United States v. Omar Khadr. You will arrange for the deposition to be held no later than 4 April 2008. In your duty as the appointed deposition officer you are to review and follow the rules set forth in RCM 702.

A handwritten signature in black ink that reads "Susan J. Crawford".

Susan J. Crawford
Convening Authority
for Military Commissions



OFFICE OF THE SECRETARY OF DEFENSE
OFFICE OF MILITARY COMMISSIONS
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

CONVENING AUTHORITY

April 2, 2008

MEMORANDUM FOR MAJ³ [REDACTED] United States Army

SUBJECT: Appointment as Deposition Officer

In accordance with Rule for Military Commissions (RMC) 702(d)(1), you are hereby appointed to serve as a deposition officer for the deposition of LTC³ [REDACTED] in the case of United States v. Omar Khadr. The deposition has been previously scheduled for 3 April 2008. In your duty as the appointed deposition officer you are to review and follow the rules set forth in RCM 702.

By this appointment Major³ [REDACTED] is relieved of his duties as a deposition officer in this case.

A handwritten signature in black ink that reads "Susan J. Crawford".

Susan J. Crawford
Convening Authority
for Military Commissions



OFFICE OF THE SECRETARY OF DEFENSE

OFFICE OF MILITARY COMMISSIONS
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

CONVENING AUTHORITY

8 April 2008

MEMORANDUM FOR LCDR ³ [REDACTED] Trial Counsel

SUBJECT: Request for Opportunity to Consult Expert Witness in U.S. v. Hamdan, U.S. v. Khadr and U.S. v. al Qosi

1. I have reviewed your 23 March 2008 request to continue to retain and consult with the prosecution's proposed expert witness, Evan F. Kohlmann. Your request lacks sufficient justification and detail to support approval of further funds for this expert witness as required by Rule for Military Commissions (R.M.C.) 703.
2. R.M.C. 703(d) provides that a request for an expert witness "shall include a complete statement of reasons why employment of an expert is necessary and the estimated cost of employment." Your request does not sufficiently clarify the reasons why Mr. Kohlmann's employment is necessary. Specifically, please define the al Qaeda conspiracy, referenced in the first paragraph of your request, and explain why Mr. Kohlmann is necessary to show that alleged conspiracy.
3. In the third unnumbered paragraph, you indicate that the "Prosecution must be prepared to rebut the Defense that Hamdan was somehow associated with a group of individuals (most of which are terrorists) called the 'Ansars'...." In denying an earlier prosecution request, I explained that I had previously denied a defense request for an expert witness on the Ansars issue. Please explain how rebuttal on the Ansars has become a concern since my 13 March 2008 letter.
4. Further, your request does not sufficiently explain your estimation of the costs of employing Mr. Kohlmann. Numbered paragraph four indicates that Mr. Kohlmann charges \$350 per hour for preparation, research and testimony, and then references "at least an additional \$16,000" for "40 hours of preparation and trial time." A rate of \$350 per hour for 40 hours amounts to \$14,000. Please explain how the additional \$2000 will be used. Also, you write that you anticipate future requests for this same expert in these cases. If so, please be explicit on your anticipated employment of the expert. Finally, please provide a break-out for how many hours you anticipate for travel, per diem, research, preparation and trial and how many hours you anticipate for each of the three cases.
5. In future requests, please reference Chapter 13.7 of the Regulation for Trial by Military Commission and submit MC Form 13-1 at Figure 13.1 of the Regulation. While submission of MC Form 13-1 is not a formal requirement when requesting an expert witness, completing this form will succinctly provide much of the information required by the Rule. I encourage you to communicate with the members of my staff as you compile



more information and continue to pursue your request.

Susan J. Crawford
Susan J. Crawford
Convening Authority
for Military Commissions

Copy to: Chief Prosecutor

OFFICE OF THE
CHIEF PROSECUTOR

DEPARTMENT OF DEFENSE
OFFICE OF MILITARY COMMISSIONS
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

23 March 2008

MEMORANDUM THRU COL Lawrence Morris, USA, Chief Prosecutor,
Office of Military Commissions

For Office of the Convening Authority, Office of Military
Commissions

SUBJECT: Request for Opportunity to Consult Expert Witness in
U.S. v. Hamdan, U.S. v. Khadr, and U.S. v. Qosi

The Office of Chief Prosecutor requests approval to continue to retain and consult with the Prosecution's proposed expert witness, Evan F. Kohlmann, in order to prepare the Government's cases in the aforementioned military commissions. At the scheduled April 28, 2008 motions hearing in U.S. v. Hamdan, the Prosecution will litigate its motion to pre-admit the movie "The al-Qaeda Plan" which is a fundamental part of the Prosecution's case in that the video (and the expert testimony associated with it) establishes the al-Qaeda conspiracy. Mr. Kohlmann will be needed to testify in support of this motion and will also be needed to testify at the trial, currently scheduled to begin on May 28, 2008.

Mr. Kohlmann is also needed to begin preparing for his anticipated testimony in U.S. v. Khadr and U.S. v. Qosi. Khadr is scheduled to begin in May, 2008 as well.

As you know, the Prosecution, will use the testimony of Mr. Kohlmann to establish the existence of an armed conflict between the United States and al Qaeda and must also be prepared to rebut the Defense that Hamdan was somehow associated with a group of individuals (most of which are terrorists) called the "Ansars" as well as the military structure of al Qaeda and Ansar fighting units in relation to the Taliban.

3. This expert consultation would be used solely for addressing pre-trial preparation and in court testimony for Hamdan, Khadr, and Qosi. Mr. Kohlmann would be needed for approximately two days of testimony in each case, and then potentially in rebuttal. Then, there would be additional fees for trial preparation.

4. Mr. Kohlmann charges \$350 per hour. He charges that rate for preparation and research as well as for testimony. We would like

to prepare Mr. Kohlmann at his office in New York City as well as in Crystal City, VA at a convenient time for both parties during the month of April 2008. The request for at least an additional \$16,000 would be used for 40 hours of preparation and trial time. I would anticipate additional requests for other cases.

5. I believe this expense is essential to the successful prosecution of this case as well as the information received will be particularly valuable to the prosecution of future cases.

LCDR ³ [REDACTED]
JAGC, USN
Assistant Trial Counsel
Office of Military Commissions

² [REDACTED]



DEPARTMENT OF DEFENSE
OFFICE OF THE CHIEF DEFENSE COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

24 April 2008

MEMORANDUM FOR THE CONVENING AUTHORITY, OFFICE OF MILITARY COMMISSIONS

SUBJECT: Request for alternative disposition in the case of *United States v. Omar A. Khadr*

I am the Detailed Defense Counsel for Omar A. Khadr, a 21 year-old Canadian citizen detained as an "enemy combatant" at the Guantanamo Bay Naval Station. You referred charges against Mr. Khadr to a military commission on 24 April 2007. Those charges relate to conduct Mr. Khadr is alleged to have engaged in as a 15 year-old child in Afghanistan in 2002. As you may know, Mr. Khadr was also one of ten detainees to be charged with offenses to be tried by military commissions convened under the authority of the President's Military Order of 13 November 2001 (PMO). Similar charges were presented against Mr. Khadr under the authority of the PMO on 5 November 2005.

The defense filed a motion to dismiss based on Mr. Khadr's age at the time of his alleged misconduct with the military commission on 18 January 2008. The motion was argued on 4 February 2008 and is pending before the military judge. In summary, it is the defense position that Congress did not intend to authorize trial by military commission of child soldiers (i.e., children involved in armed conflict) when it enacted the Military Commissions Act (MCA) in 2006. The argument is predicated principally on (1) the historical limitation of military jurisdiction (including jurisdiction under the Uniform Code of Military Justice) to adults; (2) the inconsistency of such action with U.S. obligations under the Convention on the Rights of the Child's Optional Protocol on the involvement of children in armed conflict (ratified by the United States prior to Mr. Khadr's initial detention), which sets forth the minimum age at which a person is deemed capable of voluntarily participating in combat and requires children coming within the jurisdiction of a state-party to be afforded opportunities for rehabilitation and reintegration upon capture; and (3) the existence of federal statutes that specifically govern the conduct at issue in the charges when committed by a minor.

It appears from our review of documents provided in discovery (i.e., Colonel Davis's 5 February 2007 memorandum recommending referral and Brigadier General Hemingway's 13 April 2007 pretrial advice) that you were never properly advised with respect to the legal issues implicated by the MCA's purported application to a minor. Moreover, you were never properly advised with respect to the presence of numerous potentially extenuating factors arising from Mr. Khadr's age and background (factors that would inhere in the prosecution of any child in view of a child's limited mental capacity and diminished legal responsibility relative to an adult). Indeed, the charges that



Brigadier General Hemingway ultimately advised you to refer (on the recommendation of Colonel Davis) omitted any mention of Mr. Khadr's age or date of birth, which effectively deprived you of the opportunity to consider such matters or inquire further before acting on his advice.

Moreover, it appears that you were not properly advised with respect to the existence of significant exculpatory evidence, which would likely have affected your decision to refer charges, particularly Charge I (murder in violation of the law of war). Colonel Davis's memorandum misleadingly suggests that the allegation is supported by "eyewitness testimony," when in fact no government witness claims to have seen Mr. Khadr throw a hand grenade in the course of the 27 July 2002 firefight forming the basis for Charge I. The memorandum fails to reference a key statement (by the individual who claims to have shot Mr. Khadr) indicating that there was at least one other combatant alive and fighting while Mr. Khadr was sitting, wounded, facing away from the fight, when a grenade was allegedly thrown, and fails to reference other documents suggesting that persons other than Mr. Khadr were alive at the conclusion of the firefight and therefore could have been responsible for throwing a hand grenade (the relevant documents are attached hereto as Attachments A and B).¹

Moreover, Colonel Davis's memorandum references numerous "admissions" allegedly made by Mr. Khadr, but fails to mention that Mr. Khadr's statements concerning the incident are contradictory and that Mr. Khadr, on more than one occasion, recanted previous inculpatory statements under claims of abuse and mistreatment by U.S. interrogators. Colonel Davis failed to inform you that Mr. Khadr's principal interrogator at Bagram, Sergeant Joshua Claus, was court-martialed, convicted, and discharged for his role in the abuse of a detainee at Bagram who died. And, lastly, Colonel Davis failed to reference any statements Mr. Khadr allegedly made while detained at Bagram, including a 17 September 2002 "confession" (Attachment C) which is inconsistent with verifiable physical (and other government) evidence and clearly false in its particulars. It is this "confession" – taken from Mr. Khadr as a 15 year-old boy suffering from grievous wounds – on which Mr. Khadr's subsequent statements are based. In short, it appears that Colonel Davis selectively provided you with enough information to support a decision to refer, without fully informing you (or your previous Legal Adviser) of significant weaknesses in the prosecution's case against Mr. Khadr.

¹ A diary entry by an officer present during the engagement (apparently interviewed ² [REDACTED] indicates that Mr. Khadr was nearly summarily executed on the battlefield and suggests that one other combatant was, in fact, executed. (Attachment B.) While I do not know when members of the Office of the Chief Prosecutor became aware of the substance of this entry, this information, which clearly colors the reliability of any testimony provided by soldiers present at the engagement, was certainly not provided to you prior to referral. This alone is sufficient to justify the withdrawal of charges pending appropriate independent investigation of the circumstances surrounding the 27 July 2002 engagement near Khost, Afghanistan. That the on-scene commander appears to have retroactively altered official reports to implicate Mr. Khadr in Sergeant Speer's death (something the prosecution does not appear to have known before the fall of 2007), creates an additional degree of doubt warranting a "fresh look" at the matter. (Compare para. 2c of Attachment E with the same paragraph of Attachment F ("killed" to "engaged").)

The circumstances under which these events unfolded suggest a conscious effort by the former Chief Prosecutor to conceal the factual and legal problems associated with this prosecution in seeking referral of charges. You may be aware that prior to reporting to the Office of Military Commissions, Colonel Davis authored a piece in the *Air Power Journal* in which he emphasized the importance of "effectively engaging" with the media and shaping public opinion in connection with high-profile military cases. Colonel Davis has publicly expressed his belief that the Khadr case possessed a media appeal that set it apart from other cases that were the subject of military commission proceedings before the recent charging of the so-called "high value detainees." Indeed, shortly after Mr. Khadr was initially charged in 2005, Colonel Davis made a number of inflammatory public comments about Mr. Khadr in an apparent to "shape public opinion," which led to an ethics complaint against Colonel Davis with one of his licensing authorities (the Bar of the District of Columbia). It is my understanding that Colonel Davis may have subsequently resigned his membership in the D.C. bar in order to avoid discipline, resulting in a unique, personal involvement in the Khadr case, which may have adversely influenced his exercise of professional judgment subsequent thereto.

Colonel Davis's belief that the Khadr case possessed a unique media appeal (and would provide a platform on which to test his theories about media engagement) likely motivated his decision to charge Mr. Khadr in November 2005 without first ensuring that a proper investigation of the case had taken place. While the Criminal Investigation Task Force had begun to investigate the case prior to the charging decision, the vast majority of the investigation appears to have taken place *after* Mr. Khadr was charged. Indeed, it appears that 17 of 28 witness interviews done in connection with the case were conducted after Mr. Khadr was charged. If interviews conducted before the actual charging date, but clearly after the decision to charge had been made are included, the number increases. Moreover, it appears that the Office of the Chief Prosecutor was not aware of, or had made no effort to investigate, the role and actions of Sergeant Claus prior to charging Mr. Khadr in November of 2005 (Attachment D).

It appears that neither you nor your current Legal Adviser had the benefit of all this information when you referred charges in April of 2007. This is clearly the fault of the former Chief Prosecutor, Colonel Davis. We hope that you will reconsider your decision in light of this new information and withdraw charges with a view to transferring Mr. Khadr to Canada for appropriate judicial proceedings consistent with his age at the time of his alleged offenses. We note that the Canadian government has publicly expressed its view that, consistent with international law, Mr. Khadr's age be taken properly into account in all aspects of his detention and trial. These concerns were echoed during a recent meeting between the prosecutor assigned to this case and a representative from the Canadian government. The Canadian government representative expressed his view that any sentence imposed a result of Mr. Khadr's conduct as a child should be rehabilitative in nature. The prosecutor provided no assurances in response, and a member of the prosecution team has subsequently expressed the view that any goal of rehabilitation has been hampered by the U.S. government's own actions with respect to Mr. Khadr's conditions of confinement.

It is my belief (and the view of others that have had contact with Mr. Khadr) that Mr. Khadr is nonetheless "salvageable" and capable of rehabilitation. In light of the questionable legality of his prosecution, as well as apparent (previously undisclosed) weaknesses in the government's evidence against him on the most serious charge, the interests of justice clearly require an alternative course of action at this point.

Should you have additional questions or concerns regarding this matter, please do not hesitate to contact me at 202.761.0133 (ext. 116).


WILLIAM C. KUEBLER
LCDR, JAGC, USN
Detailed Defense Counsel



OFFICE OF THE SECRETARY OF DEFENSE
OFFICE OF MILITARY COMMISSIONS
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

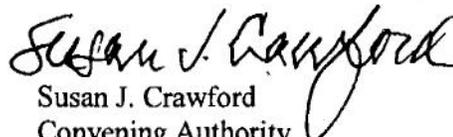
CONVENING AUTHORITY

1 May 2008

MEMORANDUM FOR LCDR William Kuebler, Office of Defense Counsel

SUBJECT: *U.S. v. Khadr*: Response to Request for Alternate Disposition

I have reviewed your 24 April 2008 request for an alternate disposition in *United States v. Khadr* and decline to take any action on this case, which is pending before a military commission.


Susan J. Crawford
Convening Authority
for Military Commissions

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DEPARTMENT OF DEFENSE
OFFICE OF THE CHIEF DEFENSE COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600

13 May 2008

MEMORANDUM FOR THE CONVENING AUTHORITY, OFFICE OF MILITARY COMMISSIONS

SUBJECT: Supplemental matters in connection with request for alternative disposition in the case of *United States v. Omar A. Khadr*

Further to my letter of 24 April 2008, I attach hereto a copy of a report of investigation dated 27 October 2006. The investigation (conducted by the U.S. Army Criminal Investigation Command (CID)) was initiated following a report of abuse submitted by Omar Khadr's previous civilian counsel. CID appears to have been tasked with investigating that portion of Mr. Khadr's complaint relating to his treatment while detained (at the age of 15) at the Bagram Collection Point (BCP) in the wake of his near-fatal shooting in Khost, Afghanistan in 2002.

You will see that CID investigators interviewed one witness, Sergeant ³ [REDACTED] who confirmed that it was a standard "MI procedure" at the BCP to force detainees to stand for hours with their hands tied over their heads, thereby substantiating one of Mr. Khadr's allegations of abuse. Investigators attempted to interview then-Private Joshua Claus (subsequently identified by prosecutors in this case as Mr. Khadr's principal interrogator at Bagram). He declined to be interviewed, citing pending legal proceedings based on his conviction for "offenses of Assault and Battery, and Maltreatment of detainees." The report concludes that "the investigation continues by USACIDC," but there is no evidence of further investigative activity.

The apparent *sub silentio* termination of this investigation is highly significant. You may recall from my previous correspondence that the case against Mr. Khadr is based largely on repetitions of facially unreliable statements extracted from him while detained at Bagram. Had CID continued to investigate this matter, and examined evidence already in its possession as a product of previous investigation into allegations of detainee mistreatment at Bagram, it would, for example, have likely discovered that Sergeant Claus was identified as one of the most aggressive (and abusive) Bagram interrogators during the relevant time period.¹ Had this information been transmitted to the Office of the Chief Prosecutor (OCP) (and ultimately to you), it may have had a significant impact on the decision to recharge Mr. Khadr following the passage of the Military Commissions Act in October 2006 (the same month, coincidentally, in which the CID investigation was seemingly halted). Why this investigation was terminated and what, if any, involvement the OCP (then under the direction of Colonel Davis) had in the decision is unknown to the defense in this case.

This, of course, adds to the list of irregularities in this case that, in our view, warrants termination of military commission proceedings against Mr. Khadr pending an appropriate and

¹ Excerpted portions of the statement of Sergeant ³ [REDACTED] (dated 1 August 2004) pertain and are attached hereto.



thorough re-evaluation of the evidence in the case, the circumstances of the 27 July 2002 firefright, and the "investigation" that has been conducted (or not conducted as the case may be) thus far.

You will recall that in footnote 2 of my letter of 24 April 2008, I make specific reference to evidence suggesting that U.S. personnel may have been involved in some form of misconduct at the scene of the 2002 firefright after which Mr. Khadr was shot and captured (i.e., executing a wounded combatant and attempting or at least contemplating the summary execution of Mr. Khadr). This information certainly calls into question the reliability of testimony provided by U.S. personnel present at the engagement and should have warranted an appropriate examination by the prosecution in this case prior to making the recommendation to refer charges.

Unfortunately, we have no reason to believe that this evidence was ever given its due attention. Indeed, the case appears to be quite the contrary. During a recent meeting with the lead prosecutor, for example, I expressed a desire to personally interview the soldier who claims to have shot Mr. Khadr. In retort, the lead prosecutor remarked (in all seriousness, in my view) "unfortunately, not accurately enough." This is not an isolated incident and follows previous remarks in which the prosecutor has referred to Mr. Khadr as a "terrorist scumbag," or words to that effect. Whether or not such statements are reflective of his true sentiments, the glibness of his most recent remark in view of the evidence that has come to light suggests that these matters are not being given the serious attention they deserve by prosecutors in this case.

I must emphasize, as I did in my letter of 24 April 2008, that it does not appear that you were ever appropriately advised with respect to the evidentiary problems or procedural irregularities present in this case. That said, you are on notice of these matters now, as well as the OCP's apparent inability to adequately discharge its obligations to ensure that the case against Mr. Khadr has a sound evidentiary footing and that allegations of misconduct on the part of U.S. government personnel are taken seriously. I therefore renew my request that you withdraw charges against Mr. Khadr pending, at a minimum, a thorough and independent investigation into the circumstances of the 27 July 2002 firefright and the government's subsequent handling of this case, including the actions of the OCP relating to this case while under the direction of Colonel Davis. I realize that it may not be within your authority to cause the investigation contemplated herein. Accordingly, I am separately forwarding a copy of this letter (and my previous letter) to the Department of Defense General Counsel.

Should you have additional questions or concerns regarding this matter, please do not hesitate to contact me at ² [REDACTED]


WILLIAM C. KUEBLER
LCDR, JAGC, USN
Detailed Defense Counsel



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U.S. officials: CIA kills top al Qaeda terrorist in Pakistan

- Story Highlights
- **NEW:** Abu Laith al-Libi was killed by a missile from an airplane, officials say
- Al-Libi plotted attacks against U.S. and coalition forces, officials say
- Source: Libyan behind 2007 February bombing of Bagram Air Base
- Official: Al-Libi "not far below the importance" of Osama bin Laden, his top aide

WASHINGTON (CNN) -- Abu Laith al-Libi, a wanted al Qaeda terrorist, was killed in Pakistan by a CIA airstrike, three U.S. officials told CNN Thursday.

Al-Libi was described as a senior al Qaeda leader believed to have plotted and executed attacks against U.S. and coalition forces, including a February 2007 bombing at Bagram Air Base in Afghanistan during a visit by Vice President Dick Cheney.

He was on a "most wanted" list of 12 accused terrorists which was issued in October by the Combined Joint Task Force-82 -- an anti-terror unit in Afghanistan.

Earlier, a knowledgeable Western official and a military source confirmed al-Libi's death to CNN. The same official said al-Libi is "not far below the importance of the top two al Qaeda leaders" -- Osama bin Laden and Ayman al-Zawahiri.

The officials said al-Libi was killed by a missile from an airplane.

Radical Islamist Web sites announced al-Libi's death.

"May God have mercy on Sheikh Abu Laith al-Libi and accept him with his brothers, with the martyrs," said a eulogy posted on a main Islamist site, Al-Ekhlaas.

Al-Libi, 41, was of Libyan descent and was believed to have been in the Afghanistan/Pakistan border region, according to the U.S. military.

A U.S. counterterrorism official told CNN he was a significant, senior al Qaeda figure who had taken on a more prominent role in the organization in recent years. This official also confirmed that al-Libi was responsible for plotting attacks targeting U.S. and coalition forces as well as Afghan officials. [Watch senior Arab affairs editor Octavia Nasr detail al-Libi's significance »](#)

In an earlier role, he was a leader of the Libyan Islamic Fighting Group, which eventually merged with al Qaeda, the counterterrorism official said, and was responsible for planning attacks throughout North Africa and the Middle East. The official described al-Libi as part of al Qaeda's inner circle, who helped fill the void created by the capture or death of other senior people in the organization.

A U.S. military official with Combined Joint Task Force-82 said they have no information on al-Libi's death. But he added that CJTF-82 does not collect information from outside of Afghanistan, and would be informed of targeted operations only "if the Pakistani military share(s) that with us."

Enclosure 3

The Pakistani military said an explosion occurred in North Waziristan on Tuesday, and 12 people were killed. However, it was unclear whether this was the incident in which al-Libi was killed. Military spokesman Maj. Gen. Athar Abbas told CNN it was not clear who attacked whom and that he could not comment on the identities of the dead since local al Qaeda and Taliban affiliates removed the bodies and buried them.

The U.S. military placed al-Libi on its most wanted list in 2006, behind bin Laden, al-Zawahiri and Taliban leader Mullah Omar. In October, they announced rewards ranging from \$20,000 to \$200,000 for al-Libi and 11 other mid-level Taliban and al Qaeda leaders.

At that time, the military distributed posters and billboards with pictures and names of the insurgents around eastern Afghanistan.

Al-Libi and the others were described at the time by CJTF-82 spokesman Maj. Chris Belcher as "mid-level bad guys."

He appeared in a 2002 audio recording posted on an Islamist Web site, saying al Qaeda had regrouped and intended to expand its war to include assassinations and attacks against infrastructure.

He also appeared in a 2004 video that showed him participating in an attack on an Afghan army base.

Rep. Peter Hoekstra of Michigan, the top Republican on the House Permanent Select Committee on Intelligence, issued a statement saying al-Libi's reported death would be "a positive development" in efforts against terrorism.

"Intelligence points to, and his [al-Libi's] increasing role in al Qaeda propaganda suggests, that he would have been a top field commander and planner for al Qaeda," Hoekstra said. "His death, if confirmed, clearly will have an impact on the radical jihadist movement."

He said that through the committee, he would monitor the effects on al Qaeda operations.

CNN's Pam Benson, Samson Desta, Elise Labott, Wilf Dinnick, Kelli Arena and CNN senior Arab affairs editor Octavia Nasr contributed to this report.

All About Al Qaeda • Pakistan

Find this article at:

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Enclosure 3

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