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MILITARY COMMISSIONS TRIAL JUDICIARY GUANTANAMO BAY, CUBA

UNITED STATES OF AMERICA

(U)AE 360Q (GOV)

 \mathbf{v}_{ullet}

(U) Government Unclassified Notice Of Classified Filing

KHALID SHAIKH MOHAMMAD, WALID MUHAMMAD SALIH MUBARAK BIN ATTASH, RAMZI BINALSHIBH, ALI ABDUL AZIZ ALI, MUSTAFA AHMED ADAM AL HAWSAWI

23 January 2019

1. (U) In accordance with the Military Commission Trial Judiciary Rules, the Government provides this unclassified notice that it has filed a classified version of the above captioned motion. The classified version has been filed via SIPR.

2. (U) Attachment

a. (U) Certificate of Service, dated 23 January 2019.

<u>//S//</u>

Clay Trivett Managing Trial Counsel Office of the Chief Prosecutor Office of Military Commiss io ns

Classified By: Clay Trivett
Derived from: Multiple Sources
Declassify on: 25XX. 20691231

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(U)ATTACHMENT A

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(U) CERTIFICATE OF SERVICE

(C) I certify that on the 23rd day January 2019, I filed AE 360Q (GOV), the Government Unclassified Notice Of Classified Filing with the Office of Military Commissions Trial Judiciary and I served a copy of the notice on counsel of record.

<u>//S/</u>

Clay Trivett
Managing Trial Counsel
Office of the Chief Prosecutor
Office of Military Commissions

UNCLASSIFIED//FOR PUBLIC RELEASE **SECRET//NOFORN**

MILITARY COMMISSIONS TRIAL JUDICIARY GUANTANAMO BAY, CUBA

UNITED STATES OF AMERICA

V.

KHALID SHAIKH MOHAMMAD; WALID MUHAMMAD SALIH MUBARAK BIN 'ATTASH; RAMZI BINALSHIBH; ALI ABDUL AZIZ ALI; MUSTAFA AHMED ADAM AL HAWSAWI (U) AE 360Q(GOV)

(U) Government Notice

Of Classification Guidance Regarding the Content of Familial Communications

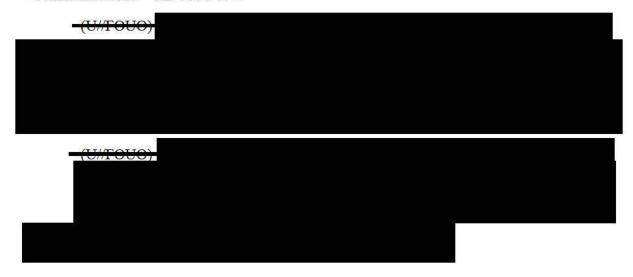
23 January 2019

1. (U) Timeliness

(U) This Notice is timely pursuant to paragraph 6.b. of AE 360O, Order.

2. (V) Notice

Motion to Reconsider AE 360B (RUL), Ruling on Defense Motion to Compel Discovery Related to Audio and Video Messages to Family *and* Mr. Bin 'Attash's Motion for an Order to Show Cause Why the Government Has Not Complied with the Commission's Ruling in AE 360B (RUL). In doing so, the Commission ordered "the Government [to] provide the Commission and the Defense comprehensive classification guidance regarding the content of familial communications." AE 360O at 7.



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it offers the
following clarification regarding the classification surrounding these audio and video messages,
in addition to the above, to assist Defense counsel when advising the Accused regarding familial
communications:
(i) information that would reveal or tend to reveal details surrounding the capture of an accused other than the location and date; (ii) information that would reveal or tend to reveal the foreign countries in which an accused was detained from the time of their capture through 6 September 2006; and, (iii) the names, identities, and physical descriptions of any persons involved with the capture, transfer, detention, or interrogation of an accused or specific dates regarding the same, from on or around the aforementioned capture dates through 6 September 2006.
3. \(\s\int\)\(\s\int\)
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The Prosecution provides this notice in order to better enable Defense counsel to advise the Accused regarding communications with their respective families. To the extent Defense counsel have any questions regarding this guidance or require additional clarification, the Prosecution stands ready to assist the Defense and provide further guidance as necessary.

3. (U) Attachments

A. (U) Certificate of Service, dated 23 January 2019

Respectfully submitted,

<u>//s//</u>

Clay Trivett Managing Trial Counsel

Christopher Dykstra Major, USAF Assistant Trial Counsel

Mark Martins Chief Prosecutor Military Commissions

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(U)ATTACHMENT A

CD CD DT/ATOPODAT

(U) <u>CERTIFICATE OF SERVICE</u>

(U) I certify that on the 23rd day of January 2019, I filed AE 360Q (GOV), Government Notice Of Classification Guidance Regarding the Content of Familial Communications, with the Office of Military Commissions Trial Judiciary and I served a copy on counsel of record.

<u>//s//</u>

Christopher Dykstra Major, USAF Assistant Trial Counsel