

Ex 3

1 **Declaration of Hossam Hemdan**

2 I, Hossam Hemdan, hereby declare:

3 1. I make this declaration based on my own personal knowledge and if called to
4 testify I could and would do so competently as follows:

5 2. On August 29, 2008, United Arab Emirates State Security officials took my
6 brother, Naji Hamdan, from his home. Ever since then, my brother has been detained
7 incommunicado. We have not heard from him except for one brief phone call he made to his
8 wife shortly after his arrest, and one conversation we learned about through a consular official.

9 3. I was born on April 4, 1970 in Beirut, Lebanon. I am an American citizen. I
10 have lived in the United States since approximately 1987. I have four children who are
11 American citizens. I currently reside at 12636 Truro Ave, Hawthorne, CA with my girlfriend
12 Teresa Cruz, who is a police officer with the Sheriff's Department.

13 4. My family is from the village of Shebaa, Lebanon, which is currently a disputed
14 territory on the border between Lebanon and Israel.

15 5. My mother and three of my siblings still reside in Lebanon. I have a sister who
16 lives in Montreal, Canada. Naji and I are the only members of our family who moved to the
17 United States. My father, Jawdat Hamdan, passed away on October 22, 2008. He was so
18 stressed about Naji that he suffered a heart attack just days before he was planning to travel to the
19 United Arab Emirates to try to help Naji.

20 6. My brother Naji Hamdan is four years older than me. We are very close. We did
21 business together and own property together. Until his detention, we communicated on almost a
22 daily basis.

23 7. Naji originally came to the United States to study at Northrop University in
24 Inglewood, CA, sometime in the early 1980s. After graduating from Northrop, Naji worked for a
25 living, mostly in Los Angeles, although he lived for short periods elsewhere.

26 8. When I first arrived in the United States around 1987, I worked for four or five
27 years as a security guard at the private home of a movie producer. At night, I went to school in
28

1 Torrance, CA for auto mechanics, paint, and body work. After I left my job, I studied automotive
2 mechanics at El Camino College. During this time, I bought and sold old cars -- mostly
3 government and law enforcement cars -- on the side. Around 1997 or 1998, after I graduated
4 from college, I opened my first business: a junkyard in Southgate, CA. I currently own and
5 manage Redondo Smog, an emission testing shop.

6 9. In the late-1990's Naji started an auto parts business. The company, now called
7 Hapimotors, buys vehicles to be dismantled and re-sold. The business is very successful.

8 10. Before Naji left the United States in 2006, Naji traveled a lot for his business. He
9 frequently traveled to Japan and Taiwan for business. I remember that he also traveled to Saudi
10 Arabia with my parents for the Islamic pilgrimage, and traveled to Lebanon to see our family.

11 11. Naji is a religious person. Sometimes he led the prayer at his mosque because he
12 knew the Koran well. I am not religious, but I know that Naji was a well-known and well-
13 respected figure in the Muslim community in Hawthorne, CA.

14 12. Sometime in 2006, Naji decided to move his family to the United Arab Emirates.
15 Naji was worried about his oldest son, Khaled, being exposed to the drugs, gangs and other vices
16 of high school. The schools in Hawthorne, in particular, have a lot of problems. Naji decided
17 that the schools in the Middle East would serve his children better. Naji also wanted to be closer
18 to our elderly parents and the rest of our family in Lebanon.

19 13. Before Naji left for the U.A.E., he sold his home in Hawthorne to me, where I
20 currently reside. Also, around this time, Naji sold two properties to me that are on the same
21 block as his business. He subsequently sold his business to me as well. It is run by Naji's friend
22 Jihad Suliman.

23 14. Within a couple months of moving to the U.A.E., Naji opened an auto business
24 there. My understanding is that through his business he bought a lot of cars in the U.S., often in
25 on-line auctions, and then Hapimotors shipped the cars to the U.A.E. for Naji to sell. Up until
26 Naji's detention, Hapimotors regularly sent Naji containers of cars and auto parts for his business
27 there.

28 15. Naji was subject to a lot of FBI surveillance, as are many Muslims in Hawthorne,

1 CA, and probably elsewhere. Although the surveillance bothered me and my brother a lot, over
2 the years we grew accustomed to it. It was not until around 2006, that I noticed a significant
3 change in the surveillance. Suddenly the FBI seemed much more interested in Naji, so much so
4 that it worried me and other people.

5 16. The FBI approached me, my brother and many other Arab-Americans in the
6 Hawthorne area sometime at the end of 1999. About four FBI agents came to my house early in
7 the morning one day; it was probably around 5:30 A.M. They stayed for about one hour and
8 asked me all sorts of questions, including about Hezbollah and whether I knew of anyone who
9 wants to harm the U.S. I did not have any information to give them, but I cooperated in
10 answering all their questions as best I could.

11 17. Naji was also approached by the FBI at that same time. He told me that FBI
12 agents questioned him at his house.

13 18. That same day, there was an FBI car - a Ford Crown Victoria - parked outside my
14 shop. I knew it was an FBI car because I used to buy and sell law enforcement cars, so I knew
15 the cars they drove. The FBI car was parked outside my shop for one or two days, and the agents
16 made their presence very obvious by parking close to the shop and at times driving back and
17 forth in front of the entrance. I know Naji also had a car sitting outside his shop for a day or two
18 at that time because we discussed it.

19 19. The second time I was approached by the FBI was right after 9/11. A couple days
20 after 9/11, two FBI agents came to my shop. They showed me photos of fourteen to eighteen
21 bearded men, the same photos I remember that were shown a lot on TV at the time. They asked
22 me if I could identify them. They also asked me if my brother Naji knew them. The agents
23 asked me if I knew anyone who wanted to do something bad to the United States. Again, I had
24 no information to give the agents, but I tried to help them as much as possible.

25 20. A few months later, two FBI agents came to my shop again. I don't remember
26 exactly what they asked me, but the questions were very similar to the questions they asked me
27 previously.

28 21. Naji told me that he was also approached by the FBI around the same time,

1 although I do not remember exactly when he said this happened.

2 22. Since 9/11, I have always had trouble at the airports when I fly. I must be on
3 some kind of list because I am taken aside and questioned at the airport whenever I return to the
4 U.S. Naji also received the same treatment at airports. Starting in 2006, however, after Naji left
5 the United States, I became subject to much more intense scrutiny at the airports. I am now
6 searched extensively before I board planes, and whenever I return from an international flight I
7 am subject to extensive questioning. Even for domestic flights, I often have to be "cleared"
8 before I can board. Each time I have been questioned since Naji left in 2006, the agents have
9 asked me about him; in fact, they questioned me about almost nothing other than Naji. They
10 would ask me if I had seen him in my travels, or if I had spoken to him. They also asked me for
11 details about his businesses and property.

12 23. Sometime around August 2006, Naji and his family moved to the U.A.E. Naji
13 told me that at the LAX airport on their way out they were pulled aside, separated, and
14 interrogated for many hours. I do not know how long they were questioned, but I know that they
15 missed their flight. Naji called me late at night to pick them up from the airport, and I remember
16 when I arrived there to pick them up that there was an agent in civilian clothes who was still with
17 Naji on the sidewalk at the airport. I think Naji's friend Jihad was there also, although I do not
18 remember for sure.

19 24. Also in 2006, I began to have problems receiving my mail. I bought Naji's house
20 from him in 2006 before he moved to the U.A.E. After Naji and his family left for the U.A.E., I
21 hired a man to do work on the house. When my girlfriend, Teresa Cruz, and I traveled to
22 Lebanon around September 2006, Teresa asked the postman to leave our mail in a box while we
23 were gone. The postman refused to leave our mail for us. It was very frustrating when we
24 returned from our trip to find that the postman had not left us any mail. Then, the man who was
25 working on the house told me that the postman told him that the FBI had instructed him to watch
26 over Naji Hamdan's mail and that he knew that the FBI was watching the "terrorist" that lived
27 there.

28 25. Teresa complained to the postman that she was a cop and that she needed to

1 receive her mail. The postman said that he had nothing against her and began delivering her
2 mail. I, however, still did not receive mail at the house. This situation forced me to have all of
3 my mail sent to my business. To this day I do not receive my mail at my house.

4 26. Sometime in 2007, Naji returned to the U.S. to check up on his business. First,
5 Naji commented that agents questioned and searched him at the airport even more intensively
6 than usual. Second, agents followed him everywhere he went during his trip. Sometimes as
7 many as three or four cars trailed behind him. I saw the cars myself; they were always there.

8 27. The fact that he was being followed was apparent to everyone. Our friends and
9 business colleagues were talking about the FBI cars following him everywhere. People were
10 very alarmed. One day I met him at a Denny's and we discussed the situation for some time.

11 28. Some people that were associating with Naji during this trip also became FBI
12 targets. After Naji met one day with one of the Imams from his mosque, the cars started to
13 follow that Imam too. Naji told me that the Imam was very upset by this and asked Naji to keep
14 his distance. He told me that other people distanced themselves from him for this same reason
15 during his visit.

16 29. Naji also has a friend who he knows from his soccer team. Naji met with this
17 friend during his visit in 2007. This friend recently told me that after that meeting with Naji, he
18 began to be pulled aside, searched, and questioned at the airport for the first time. He believes
19 that he was put on a list after being seen with Naji during the 2007 visit.

20 30. After Naji left, he never came back to the United States again.

21 31. In 2008, Naji was returning to the U.A.E. after a visit to his wife and children in
22 Lebanon. At the airport in Beirut, Naji was detained by some kind of intelligence officers in
23 Lebanon. Naji told me that he was detained for about four or five days. He told me that during
24 this detention, he was questioned a lot and accused of various things. He did not tell me very
25 much about it afterwards, I believe out of fear of talking about it over the phone.

26 32. Sometime shortly after Naji was released from Lebanese detention, I was visited
27 by two FBI agents at my shop. One agent was named Agent Joshua Stone and I think the other
28 one was Agent Jerry Price. These agents told me that they wanted to know what happened to

1 Naji in Lebanon. The longer I spoke to these FBI agents, however, the more I realized that the
2 agents already knew everything about what had happened to Naji. The way they asked the
3 questions made it clear that they knew far more than me.

4 33. These agents also asked me all sorts of other questions about Naji. They kept
5 telling me that "I was the one who knew the most about Naji." They asked me questions like
6 "has he ever broken the law," and asked me about his political opinions and whether he supports
7 the war in Iraq. They asked me if he was a member of any militia in Lebanon, such as
8 Hezbollah. They also asked me about how religious he was. I told them what I knew about Naji.
9 I told them that he is a religious person who has his opinions, like anyone else, but he was not a
10 member of any militant organizations in Lebanon or anywhere else. I always told them that Naji
11 had never broken the law, and that if they knew what kind of person Naji was, they would want
12 every American to be like him.

13 34. The next time I interacted with the FBI was when I received a call from someone
14 at the FBI. This person instructed me to tell Naji that Agents Stone and Price wanted to meet
15 with him at the U.S. Embassy in Abu Dhabi on a particular day in August 2008. I don't
16 remember the exact date. He gave me the date and instructed me to call him back if Naji could
17 not be there that day. He was very insistent about it.

18 35. Naji agreed to meet with Agents Stone and Price at the U.S. Embassy in Abu
19 Dhabi at the scheduled time. During that meeting, the agents questioned him for many hours.
20 After this meeting, Naji did not want to talk about it with me, but he did say that he was very
21 disturbed by the questions that the FBI agents asked him and the way they interrogated him. I
22 remember very clearly that he told me that they knew things about him "that you wouldn't
23 believe."

24 36. On August 29, 2008, a few weeks after he met with the FBI agents, Naji was
25 taken from his home in the U.A.E. by State Security forces.

26 37. As soon as I found out, I called Agent Stone to tell him that Naji had disappeared
27 and ask if he knew anything about it. Agent Stone pretended as if he did not know. When I told
28 him what happened to Naji, he said "oh, really?" But as the conversation progressed, he began

1 asking me more and more questions. I was the one calling for help, but he turned the
2 conversation into an interrogation. I remember he actually made me take an oath on the phone
3 that I swore to "tell him the whole truth, nothing but the truth." I told him that I always told them
4 the full truth, but I wanted the truth from them too. He asked me questions about who Naji
5 socialized with, about whether he was involved in politics in Lebanon, and other questions.
6 Again, I answered all the questions truthfully. I spoke with Agent Stone for about forty-five
7 minutes to one hour.

8 38. After Naji called Mona during his detention, I called Agent Stone again to let him
9 know of this development. Agent Stone was very cold on the phone. He told me not to call him
10 anymore about Naji, and that Naji's detention was now a matter for the U.S. Embassy in Abu
11 Dhabi.

12 39. Since Naji was detained in the U.A.E., I have done everything I can think of to
13 find out information about Naji's detention, with very little success. I have contacted U.S.
14 government officials at various levels. I also have contacted the U.A.E. government. I have
15 spoken to friends and family in Lebanon and people that work in the Lebanese government. I
16 have also spoken to friends with connections to the U.A.E. government.

17 40. Shortly after I learned of Naji's detention, I searched on the internet for the phone
18 numbers of police stations in and around Dubai. I called every police station I could find a phone
19 number for and inquired about whether they were holding Naji or had heard of him. None of the
20 stations gave me information about his whereabouts.

21 41. I also sought assistance from the U.S. government. After FBI Agent Stone
22 refused to help, I called the U.S. Embassy in Abu Dhabi. Since then I have spoken to Sean
23 Cooper, the Chief Consul in the Embassy, as well as Christine Tadros, the U.A.E. Desk Officer
24 at the U.S. State Department in Washington, D.C. Mr. Cooper told me that he visited Naji in
25 detention, but only after nearly two months had passed since he was first detained. Mr. Cooper
26 also told me that he could not ask Naji too much about his treatment in detention because State
27 Security officials were present in the room. He also told me that the U.A.E. State Security forces
28 would not allow a lawyer to have access to Naji. Mr. Cooper did not tell me why Naji was

1 arrested and when he might be released. I cannot believe that the U.S. government cannot find
2 out why one of its own citizens is being detained by another government, especially when that
3 government is a close ally of the United States.

4 42. Most recently, I spoke to Christine Tadros, who similarly did not provide any
5 additional information about Naji's detention. She also would not tell me why he was detained
6 or when he would be released.

7 43. I spoke to a friend from Lebanon whose friend is an army general in the Lebanese
8 Military Intelligence Services. At my request, my friend asked this person to look into the
9 reasons behind Naji's arrest in Lebanon. This person confirmed that Lebanon had no reason to
10 detain him, and that Naji's detention was at the behest of a "prominent foreign agency." He was
11 nervous about his own security so he would not say over the telephone the name of the foreign
12 agency. This person also added that Naji was released by Lebanese authorities after the Lebanese
13 authorities found no grounds for the allegations of the foreign agency.

14 44. I also spoke to a friend here in Los Angeles whose family lives in Dubai and who
15 has a connection to the ruling family in the U.A.E. At my request, my friend -- who wishes to
16 remain anonymous for safety reasons -- contacted a friend of his in the U.A.E. to inquire about
17 the reasons for Naji's arrest. This friend confirmed that Naji was arrested by the State Security
18 forces at the request of a foreign government, and that the U.A.E. has no independent motivation
19 to detain him.

20 45. I am deeply concerned about the safety of my brother Naji. He is a very good
21 person who would never cause harm to anyone. He has always been a law-abiding citizen. I
22 know this is a terrible mistake, and I hope he is freed soon.

23
24 I declare under penalty of perjury of the laws of the State of California and the United
25 States that the foregoing is true and correct. Executed this 16 of November, 2008 in Los
26 Angeles, California.

27 

28 Hossam Hemdan

DECLARATION OF JEHAD SULIMAN

I, Jihad Suliman, hereby declare:

1. I make this declaration based on my own personal knowledge. If called to testify I could and would do so competently as follows:
2. My name is Jihad Suliman. I am a naturalized United States citizen. I was born on September 29, 1963. I reside at 14107 Ramona Ave., Hawthorne, CA 90250.
3. I came to the United States on December 30, 1982. I moved to Los Angeles, California in approximately January 1988.
4. I am the current Manager of Hapimotors, the business that Naji Hamdan started. Its current location is in downtown Los Angeles. Before his current detention, I would communicate with Naji at least two to three times a week over the phone and more often over email.
5. I consider Naji one of my closest friends. I do not remember exactly when I first met him, but I believe it was around 1993. I remember Naji was the prayer leader at al-Huda Mosque in Northrop.
6. I have been very active at the Islamic Center of Hawthorne since its inception in 1994. Naji was also active in the Center, so we would see each other a lot there.

7. Over time, Naji and I became very good friends.
8. I started working for Naji in around 2002 at HondAcura Palace (renamed Hapimotors) in 2004 or 2005. I had no official title but I served as his right hand man. In 2003 or 2004, I started managing the business. I ran all daily operations. When Naji left in 2006 to move to the U.A.E., I kept serving as the business manager.
9. Naji has always been a hard working man. As a result, his business is now worth two to three million dollars.
10. I do not remember when the FBI surveillance started exactly. I never really paid much attention to it. It seemed that the FBI was questioning everyone at one point.
11. The FBI came to our business a couple of times. In approximately 2002 or 2003, four to six agents came to the business, and they introduced themselves as from some branch of the FBI. They had no warrants. They asked Naji if they could look at the inventory of the business. Naji told them that that was fine. I thought it was standard procedure. The agents had a laptop with them. They went through the junkyard and looked at the car parts. They looked like they were typing some of the VIN numbers located on the parts into their laptop. They also entered the office area. I am not sure what they did in the office as I was standing outside. I did not want to cause problems so I let them do whatever they wanted. The agents asked all

the employees for our identification. I gave them mine, as did everyone else. They stayed for at least an hour.

12. The second time that I knew of was in approximately 2005. They came for a shorter period, and again went through the yard looking at the car parts. I do not think that they had a laptop the second time.
13. During the same time period, we also had a lot of city inspectors come and check the business. They came to check for building safety, fire safety, etc. I again thought this was just normal procedure. Yet I do not believe we have had many inspectors come to the business to do these kinds of checks ever since Naji left to the U.A.E.
14. In July 2006, federal agents interrogated me about many things, including Naji, when I was stopped at the airport. At the time, Naji had not yet moved to the U.A.E. When I returned from a trip, two agents met me outside the plane. They took me to a room. They questioned me for a long time and did a full body search. They photocopied every single paper that I had with me. They asked me about my work and all the details of my personal life. They also asked about Naji and the business.
15. In August 2006, Naji and his family went to the airport to catch their flight to the U.A.E. They missed their flight because FBI agents interrogated them for several hours. I knew this because Naji called me and asked me to pick him up from the airport, and when I arrived there was an agent still there.

Naji left the following day with his son Khaled. His wife, Mona, and their son, Hamza, left a few days later.

16. Sometime in 2006, before Naji left to the U.A.E., we went to a workshop put on by lawyers from the American Civil Liberties Union at the Islamic Center of Hawthorne. The lawyers told us how to file Freedom of Information Act requests to see what the FBI had on file about us. Afterwards, Naji filed a FOIA request. Six or nine months after filing his request, Naji received his file and found that nearly all the information was redacted. I remember he showed me his file and almost all the writing was completely blacked out.
17. When Naji came back for a visit to the United States after moving to the U.A.E., he was subject to a lot of surveillance. He was planning on staying in the U.S. for a month or longer to check on the business, but cut his trip short due to the surveillance. He was being followed wherever he went. The agents would follow him from his motel to his business. Even the neighbors of our business told me that they noticed the cars following him. During his visit, there was always at least one car posted outside of our business watching. Naji told me that he was pretty sure the agents following him were from the FBI.
18. The people at the Islamic Center of Hawthorne also noticed the surveillance. One or two people commented to me that they saw the cars following Naji around.

19. Before Naji left, he contacted a lawyer and told the lawyer that he was being watched and followed. The lawyer asked Naji if the FBI was approaching him or interrogating him. Naji said they weren't. The lawyer said that there was nothing he could do.

20. A month or two after Naji was detained in Lebanon in 2008, two FBI agents came to the business to talk to me. They introduced themselves and told me that they wanted to help Naji. They told me that the U.S. Embassy in Lebanon had informed them of his detention. I told the FBI agents that I knew very little about Naji's detention. They asked me if he has any relatives in the United States. I told them that he has a brother. They asked me for his address. I did not give it to them. They told me that they could get it anyway. The meeting lasted ten to fifteen minutes. I thought it was very strange that the FBI was asking me questions when they already knew the answers, and also strange that they claimed to want to help him when he has already been released.

21. Since Naji's visit to the United States, we have had problems with the containers that carry goods from the United States to the U.A.E. After Naji's visit to the United States, two containers were x-rayed and reloaded at the U.S. dock. Most of our containers were also held up for an unusually long time in the U.A.E. While we have had small problems with the containers from time to time, after Naji's trip the problems became much more severe.

22. Naji is a peaceful man who does not want to hurt anyone. Naji has always been a very good and solid person. If there is a word greater than excellent

to describe someone, I would use that word to describe Naji. Everyone that knows Naji from his business companions to the people in the community respects him very highly.

I declare under penalty of perjury under penalty of perjury that the foregoing is true and correct. Executed this seventeenth day of November, 2008, in Los Angeles, California.

A handwritten signature in black ink, appearing to read "Jihad Suliman", written over a horizontal line.

Jihad Suliman

1 **Declaration of Ahmed Azam**

2 I, Ahmed Azam, hereby declare:

3 1. I make this declaration based on my own personal knowledge and if called to
4 testify I could and would do so competently as follows:

5 2. I was born on February 2, 1963 in Jordan. I am a citizen of the United States. I
6 currently reside at 4304 W 149th St, Lawdale, CA 90260 with my wife and six children.

7 3. I am one of the founders of the Islamic Center of Hawthorne. I work as a Senior
8 Professor of information systems and engineering at Devry University. I am also pursuing a
9 Ph.D. in information science at Claremont Graduate University.

10 4. I have known Naji Hamdan for over fifteen years. He has played a vital role in
11 our community for many years. He is an honorable person, who is also a very devoted father and
12 husband.

13 5. I first met Naji sometime around 1990 through a mosque we both attended.

14 6. At that time, I believe Naji was a student at Northrop University. Naji came to the
15 United States to study at Northrop University because he received a scholarship given to
16 Lebanese people to study abroad. Around that time, I believe Naji worked as a mechanic for an
17 airline at Los Angeles International airport.

18 7. In the mid-nineties, Naji and his family lived in the same apartment building
19 where I lived with my family and my wife and I saw them frequently. My wife and I moved out
20 of that apartment building when our quadruplets were born.

21 8. The Islamic Center of Hawthorne (ICH) was established in 1994, and I was one of
22 its founders. I served as President of the ICH from 1994-1997. Naji was elected President in
23 1997, after I ended my term. While Naji served as President, I served on the Board of Trustees
24 and had the chance to work with him.

25 9. Naji served as President for about one and a half years. Naji stepped down as
26 President before completing his two-year term because the position demanded more time than he
27 had. Naji had a lot of competing responsibilities at that time between his studies, his young
28 family and managing his business. When Naji stepped down as President, he joined the Board of

1 Trustees. He served on the Board of Trustees until he moved to the United Arab Emirates.
2 During that time, we worked closely together because we were both members of the Board of
3 Trustees.

4 10. Naji was one of the most well-known and respected members of our mosque and
5 community center. People respected and trusted him a great deal.

6 11. Because of Naji's knowledge of the Koran, he sometimes led the prayers during
7 the month of Ramadan. During the rest of the year, Naji did not spend time at the Center on a
8 daily basis. His schedule was so busy with work and family that it prevented him from being
9 more active in the life of the Center.

10 12. Naji owns an auto parts business here in Los Angeles. His friend, Jihad Suliman,
11 runs Naji's business here for him.

12 13. Naji is one of the many Muslim leaders in our community whom the FBI has
13 approached. Naji was interviewed by the FBI in 2000, around the time of Y2K, when many
14 people in our community were approached, including myself. I remember hearing that the FBI
15 were aggressive when they approached Naji – Naji told me that they banged loudly on his door.
16 By contrast, I have always had polite interactions with the FBI. I also believe Naji was
17 interviewed by the FBI after 9/11, as were many Muslim people in our community.

18 14. After Naji moved to the United Arab Emirates, he returned to the U.S. for a short
19 period. During this visit, I heard that the FBI monitored him with alarming intensity. I never
20 saw the cohort of cars that were following Naji around during that visit, but members of our
21 Center reported to me that they saw the cars following him everywhere he went and they
22 expressed to me their concern.

23 15. During this visit, sometime soon after Naji arrived, Naji got together with Imam
24 Othman, one of the Imams at the Center. They got together to exercise their memory of the
25 Koran. After this meeting, Imam Othman noticed that cars that looked like they belonged to law
26 enforcement agents were following him everywhere he went. He noticed there was always a
27 strange car parked across the street from his house. Despite the fact that the agents made
28 themselves so obvious, they never spoke to him.

1 16. Imam Othman was extremely frightened by this surveillance. Because he only
2 experienced the surveillance right after meeting with Naji, he believed that they must be
3 interested in him because of Naji. Alarmed, Imam Othman tried to stay away from Naji. Imam
4 Othman was so rattled by this surveillance that I personally took him to speak with an attorney,
5 Ranjana Natarajan, at the American Civil Liberties Union of Southern California about what he
6 could do to stop the surveillance. The surveillance, however, stopped as soon as Naji left and
7 returned to the United Arab Emirates.

8 17. I remember that Naji described to me that when he flew into the Los Angeles
9 International airport he was questioned and searched more than usual. It is not unusual for
10 members of our community to be separated from other passengers and questioned and searched
11 at the airport, especially when flying overseas. Naji commented that it was not very smooth and
12 that they questioned him about a lot of things, but he did not tell us the details.

13 18. I still have no idea why the agents are so interested in Naji. His situation
14 continues to be a major concern for me. Naji's surveillance and subsequent disappearance in the
15 United Arab Emirates remains a very upsetting development for our community.

16 19. I provide this declaration not only because Naji is my friend, but also because Naji
17 is an honorable person who would never wish harm on anyone. I have known him for more than
18 fifteen years, and I am certain that he is not a violent person and does not want to harm this
19 country or any other country. He is an upstanding citizen of the United States, who made great
20 sacrifices and contributions to his community.

21
22 I declare under penalty of perjury of the laws of the State of California and the United
23 States that the foregoing is true and correct. Executed this 17th day of November, 2008 in Los
24 Angeles, California.



Ahmed Azam

DECLARATION OF KHALED HAMDAN

I, Khaled Hamdan, hereby declare:

1. I make this declaration based on my own personal knowledge. If called to testify I could and would do so competently as follows:
2. My name is Khaled Hamdan. I am a United States citizen. I was born on June 14, 1992.
3. I am the oldest son of Naji Hamdan. I have a younger brother, Hamza Hamdan, and a younger sister, Noor Hamdan.
4. My mother, brother and I moved to Lebanon in approximately 2006. My sister, Noor, was not born at that time. My father, Naji, lived in Dubai for his work but would come to visit us in Lebanon often.
5. Earlier this year, my father was visiting us in Lebanon. My mother and grandfather took my father to the airport to drop him off to catch his flight to Dubai. While at the airport, my father was detained by the Lebanese intelligence officers. They detained him for four days.
6. On the second day of my father's detention, my mother received a phone call from the intelligence officers at approximately 4:00 P.M. I had just returned from school forty-five minutes earlier. The intelligence officers asked if I had any tests or quizzes that day or the following day. My mother told them

that I didn't. They then told her that they wanted to take me to the Ministry of Defense, where my father was being held, for questioning. My mother started crying on the phone. She told them that I was only a child and she did not want them to come take me. They told her that she could bring me and wait for me but threatened that if we did not arrive within an hour and a half, they would come get me. My mother immediately called my two uncles. She called her brother, Mahmoud, and my father's brother, Mirhaj. They immediately came over and accompanied us in the car.

7. When we arrived at the Ministry of Defense, we waited for an hour and a half to two hours. Then, a red car came and took me. My mother and uncles stayed in the waiting area. Only a driver was inside the car. He drove me to a building about five minutes away from the waiting area. When we arrived at the building, the driver entered with me. There were two soldiers with AK-47s at the door of the building. We waited fifteen minutes in the waiting area of that building. The building was very cold.
8. After fifteen minutes, a bald man dressed in jeans and a brown jacket came to get me. He told me to follow him. He walked in front of me. Eight soldiers accompanied us. Four soldiers walked in front of me and four behind me. All eight soldiers carried AK-47s. I was petrified. We went up the stairs to a room on the second floor. When we reached the second floor, some of the soldiers dispersed. Only three soldiers continued to accompany me to the room, one on each side and one soldier behind me. The bald man walked in front of me. I was so scared that I started to walk very slowly. The soldier behind me pushed me and told me to hurry.

9. The bald man and the soldiers took me to a room. They soldiers stayed outside the room and the bald man closed the outer door and the inner door. Inside the room was another bald man dressed in a suit and a man with long hair. The man with the long hair was sitting at a computer. The bald man with the suit began to ask me questions. Since he spoke Arabic and my Arabic is weak, the man with the long hair translated for him into English and typed up my responses. The other bald man who walked me to the room did not speak the entire time.
10. The bald man interrogated me for approximately one hour. He mainly asked me about my father's business. I do not remember everything he asked me, especially because the situation was very traumatizing for me. He wanted to know what my father did, how his business functioned, who worked with my father, what their jobs were, etc.
11. Then, the interrogator showed me a car bidding website, <http://copart.com>. He asked me what my father and I did on this website. I told him that when I worked with my father, we would both get on the website and bid on cars. If we won the bid, we would have the cars delivered to his business and we would take the cars apart and use their parts. The bald interrogator asked me a few follow-up questions while he was looking at the website.
12. After looking at the website, I remember the bald interrogator showed me a number of email addresses: my email address, my mother's email address, my father's email address and some of my cousins' email addresses. After

showing me each email address, he asked me who the email addresses belonged to. I told him who the emails belonged to.

13. Then, the interrogator asked me for the password to my email account. I gave it to him. The man with the long hair opened my email and scanned through my emails. He only looked at my emails for a few minutes and then closed it. He did not ask me questions about my email. Then he opened my mother's email account. I don't know how he had her password but he also looked at her email briefly. Then he opened my father's email. He somehow had my father's email password also. The bald man began to ask me questions about my father's emails. He asked me why my father called his friend and business partner, Jihad Suliman, "Juju." I told him that in America, the word 'jihad' has a very bad connotation and so Jihad goes by the name of Juju. He then asked me why my father calls his brother, Hossam, "Husu." I told him that I think it is just his nickname.
14. I do not remember the other questions that he asked me while looking through my father's email, but I remember that I thought the questions were silly. But I stayed calm and answered all his questions because I was so afraid. Most of the questions the interrogators asked me were related to my father's business.
15. After questioning me for about one hour, the bald man took me to another room. One of the soldiers walked in front of us and another walked behind me. The room was very warm and looked comfortable. It had a bed in it. The room was much warmer than the rest of the building, which was very

cold. In the room was my father. There were no soldiers with him. My father was handcuffed. I think the men wanted me to think that my father was staying in this room, but it was obvious that this was not true.

16. The bald man stood in the back of the room. He did not say anything. When I saw my father I greeted him with the Islamic greeting. I said 'Hey Babba (father), Assalamu alaikum (peace be upon you).' My father told me to come hug and kiss him. I noticed that he had a scratch over his eyebrow. It looked like it was bleeding, although I can't remember exactly. My father was wearing a light coat and felt cold when I hugged him.
17. My father then began to ask me the same questions that the bald interrogator asked me. I could tell by the questions that he had been told what to ask me. I do not remember all the questions, but I remember that my father asked me about his business. He asked me about his email addresses. He asked me about his personal email account and his business email account. He asked me about the website and what happens when we win the bid on a car. After about ten or fifteen minutes of questioning, my father told me to give him another hug and not to worry about anything. At that point, I started crying. I felt helpless because I could not do anything to help him.
18. After I was taken out of the room where my father was, the bald man and the soldiers took me to the room downstairs where I was initially waiting. Then, they took me to a room where they took my picture. At that point there were eight soldiers accompanying me: four in front and four behind. When they took my picture, the bald man made me hold a card with my name written

on it in both English and Arabic. I held the card to my chest. The cameraman then took mug shots of me. He took a photo of my front and two photos of my sides. I was terrified by this.

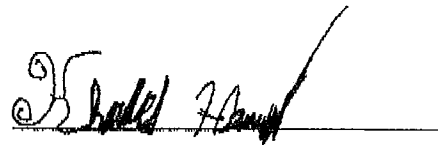
19. When they let me leave, I saw my mother and uncles in the room waiting for me. I don't know how they got to the building. They took us all back to the front of the Ministry in the red car.
20. I had nightmares that night. I remember waking up with tears in my eyes. When I woke up, I found myself on the other side of the bed and I had the pillow and blanket over me. My mother told me that I had been screaming in my sleep. She said I was screaming that the intelligence officials were going to take my father away.
21. For two weeks after I was taken in for interrogation, I was scared to go to school by myself. My mother started dropping me off and picking me up from school in the car. She continued to take me to school and pick me up for a whole week after my father was released because I was still afraid.
22. After four days, my father was released. He told me a little bit about what happened to him. He said that he was always very cold. He said that the soldiers did not give him a pillow or blanket. They put him in a room underground by himself with the air conditioner on full-blast. He only had a very thin jacket. When he slept, he would take his shoes off and use them as his pillow. The soldiers woke him up at random times for any reason. The soldiers also barely fed him. They only gave him a sandwich of rice every

day. Once my father dropped the sandwich on accident and one of the soldiers or interrogators got angry and slapped him on his face. He said that the interrogators threatened to put him in an electric chair. My father could hear people screaming very loudly from the electric chair. Luckily, he was never put in the electric chair.

23. On August 29, 2008, my father disappeared. My mother, siblings, and I had just moved back from Lebanon to the U.A.E. a few months before that. We had just had lunch and I had fallen asleep. My mother later told me that while I was asleep, someone called my father on his cell phone and told him to come downstairs because his car had been hit. After my father went downstairs, the doorbell rang. My mother woke me up. She had looked through the peephole and got scared when she saw that my father was accompanied by the State Security Forces. There were about ten men and one woman. All of them were dressed in traditional Arab clothing and the woman wore a head covering. There was also a cameraman who videotaped the house. The men took my father to his bedroom and the woman told us to come into the living room and sit with her. I could not hear what was happening in the bedroom. The woman said she was part of the State Security Forces and that she knew nothing. She did not tell us anything more. After a short period, the men came and told us that they were going to take my father down to the police station to have him sign a document. I wanted to go with him but they said that he would only be gone for fifteen minutes and he would be back. My father never came back and he is still missing. I wish I knew where he was and why he is being detained.

24. I recently went to the doctor. I sometimes have extreme heart palpitations. The doctor took x-rays of my chest and told my mother that I seemed very stressed. The doctor did not know what has happened to us. The doctor told her that my heartbeats are very quick and I need to be careful, otherwise I may have major heart problems when I get older. He wanted to give me medication but my mother told him that she didn't want me to take medication. He told her to give me Advil, Tylenol or Panadol whenever my heartbeats increased. If my health does not improve in another month, I will have to take daily doses of medication. My heart problems are recent. I am sure that they are due to the stress of my father's detention.
25. My family and I have been living in constant fear and sadness. I miss my father and wish he were with me. I do not understand why he keeps being detained. I especially don't understand why my siblings and I are being deprived of our father, a father we deeply love and greatly miss.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this fifteenth day of November, 2008, in Shebaa, Lebanon.

A handwritten signature in black ink, appearing to read "Khaled Hamdan", written over a horizontal line.

Khaled Hamdan



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Archive for Monday, January 10, 2000

FBI Accused of Terror Overreaction

By Teresa Watanabe and Eric Lichtblau
January 10, 2000 in print edition B-1

The knock on the door came about 7:20 a.m. Dec. 30. It was so loud and insistent that neighbors in a Hawthorne apartment building poked their heads out of their doors to hear FBI agents rouse Naji Hamdan and ask the auto parts dealer: "Do you know Osama bin Laden?"

Carol Brunetti got a knock on the door that day too—as did at least 16 of her friends in Southern California. The Anaheim fund-raiser for an Islamic charitable organization says that two FBI agents, in dark suits and red ties, asked her if she knew anyone with ties to Ahmed Ressam, the Algerian man arrested near Seattle on Dec. 14 for allegedly trying to enter the United States with explosives in his car.

The questions shocked and annoyed Hamdan and Brunetti, who say they know no terrorists and wonder why they were selected for questioning. "Who do they think we are?" asked Brunetti, who converted to Islam 10 years ago. "That we Muslims have a terrorist in every family? Sometimes it just gets ridiculous."

The episode—and similar ones like it, played out several dozen times recently across the nation—revealed the aggressive and sometimes controversial tactics the FBI employed to head off the threat of a millennial terrorist attack.

The FBI won't say why it questioned Hamdan and others. But agents in Los Angeles acknowledged last week that their interviews turned up no evidence linking anyone in the area to terrorist activity or Bin Laden, the Saudi exile suspected of masterminding the bombing against two U.S. embassies in East Africa. Two Algerians arrested in Boston as part of the recent terrorism-related roundup, meanwhile, were cleared of all links to violence.

FBI supporters credit the government's aggressive posture with averting any much-feared millennial attacks, and argue that the extraordinary threats of the last few weeks required extraordinary measures. Beginning the day before New Year's Eve, FBI agents in at least seven states interviewed about 70 people across the country in connection with Ressam's arrest.

Although FBI officials refuse to discuss details of their investigation, they insist that they had reason to believe that each person they contacted might have information about the case—suspicions that were based in part, they say, on telephone logs seized in the case.

"We'd be doing ourselves a disservice if we didn't follow every possible lead," said Los Angeles-based FBI Agent Ramiro Escudero. Defending the line of questioning about Bin Laden, he added: "He's a terrorist, so I think it's a pertinent subject to ask, even if it's a dead end."

But critics say that the FBI went too far. "I think they probably overreacted," said Amy Baron-Evans, a federal public

Exhibit 7
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defender who represented one of the Algerian men cleared in Boston of terrorism-related allegations last week. "I think they made mistakes and they went to wrong doors and they just charged ahead."

For the main targets of the millennial terrorism probes—the American Muslim and Arab communities—the FBI visits renewed their decade-long struggle to ensure that legitimate actions to safeguard national security don't trample on their civil rights. Over the years, the same issues have repeatedly surfaced among Irish, Italians, Sikhs, Central Americans and other targets of counter-terrorism probes.

But the 1990s thrust Arabs and Muslims into the spotlight with the Persian Gulf War, the World Trade Center explosion in New York, the bombings of two U.S. embassies in East Africa and the most recent millennial threats.

Muslims today, however, are responding in ways that few would have dared even a few years ago. Buoyed by a discernible new confidence and feeling of political empowerment, they are speaking out about the FBI visits. They also are talking about other ways in which they assert that national counter-terrorism efforts are unfairly targeting their community and provoking a backlash of resentment among Muslims.

From the use of secret evidence in immigration cases to airport security checks to increased scrutiny of Islamic fundraising here, American Muslims and Arabs are protesting a host of counter-terrorism tools they say have been selectively used against them. Their allegations are backed by such civil rights attorneys as David Cole of Georgetown University, who helped win recent victories against secret evidence laws and co-wrote the 1999 book "Terrorism and the Constitution: Sacrificing Civil Liberties in the Name of National Security."

In October, a federal district judge in New Jersey ruled unconstitutional the detention of Palestinian immigrant Hany Kiarelddeen. It was based on secret evidence purporting to link him to terrorism—evidence that his lawyers say appears to consist largely of allegations by a disgruntled ex-wife. So far, a coalition to abolish the laws—which permit authorities to use evidence that neither the defendants nor their lawyers have the right to see—has enlisted the support of 63 members of Congress.

Media Coverage Seen as Highly Biased

Muslims have also aggressively fought to restrain the public from bias in treating issues of terrorism and Islam. Late last month, the quick protests of Muslim leaders led the State Department to stop linking potential terrorist attacks with the holy season of Ramadan in its millennial warning alerts.

And in a new report, the Council on American-Islamic Relations documented the enormous difference between U.S. media coverage of the Algerian scare—which generated 129 stories by the day after Ressam's arrest, including 21 on front pages—and similar millennium-related incidents involving non-Muslims. The arrest of two suspected militia members for allegedly plotting to blow up two propane tanks outside Sacramento, for instance, produced just one front page story nationwide.

"We Muslims are fed up with being used as punching bags," said Shukri Abu Baker, who heads the Dallas-based Holy Land Foundation for Relief and Development, the nation's largest American Muslim charity. "We have become empowered."

U.S. law enforcement officials stress that their efforts to protect Americans from terrorism do not target any group of people or focus on protected 1st Amendment activities, such as attending rallies or criticizing U.S. policies.

"Probably one of the more frustrating elements of the backlash are charges that we target groups based on race, religion, etc.," said Mike Rolince, chief of the FBI international terrorism operations section. "We investigate based on allegations or instances of violations of U.S. law. Law-abiding Muslims and Arab Americans have nothing to fear from the FBI."

Those assurances don't assuage everyone, however. The relentless focus on Islamic-related terrorism over the past decade, many Muslims say, has created a climate of intimidation that has chilled even legal political and humanitarian activity.

Some mosque leaders say that they will no longer give a forum to speakers who use "vitriolic rhetoric"—in criticizing, for instance, U.S. policy against Iraq. Controversial speech has not disappeared, however. A Northern California Islamic conference last year featured speakers who invoked a hadith, or narrative attributed to the Prophet Muhammad, that some Jews interpret as calling on Muslims to kill them.

In some cases, Muslims have canceled humanitarian projects to nations out of favor with the United States, such as a book drive for Sudan. Other Muslims say their applications for green cards and citizenship are being held up, and wonder if the delays are linked to their political activity.

Muslim charitable activity has emerged as one of the most controversial topics in the counter-terrorism debate. A 1996 counter-terrorism law criminalized donations to designated terrorist organizations for the first time.

The Washington Post has reported that the FBI targeted 20 Islamic organizations to see if any were covertly funneling donations to support terrorist activities. Rolince said only that none of those being investigated have been shut down—and that it was "immaterial" whether they were Islamic or not.

The focus on fund-raising has produced at least two effects. Some communities find it harder to raise money now. Southern California Muslims, for instance, could raise only \$300,000 for Kosovars last year compared to nearly \$1 million for Bosnians in 1994—a drop that Minaret Magazine editor Aslam Abdullah attributes in part to more wariness about charitable giving.

Other charities report increased contributions as Muslims become more savvy about direct mail and other fund-raising techniques—but more caution in how donors give. Brunetti, for instance, said people now tend to request tax identification numbers, give cash, shun receipts and avoid leaving a paper trail in supporting her organization, which is affiliated with the United Nations and raises about \$2.5 million a year to supply food and medicine to the needy in Iraq.

Future Bin Laden Ally Raised Money in U.S.

The charges that radical Islamists may be using subterfuges to raise money among law-abiding Muslims for devious purposes are not entirely groundless, however. In a case that created an uproar last year, a respected Northern California Muslim leader was extensively questioned by the FBI, then subpoenaed to testify before a New York grand jury after helping the U.S. fund-raising efforts of a man who turned out to be a top ally of Bin Laden.

The Muslim leader, who spoke on condition of anonymity, said the bearded, soft-spoken man called himself Dr. Abdel Muez and came to him in 1991, claiming to be raising money for Afghan widows, orphans and other refugees displaced in the long war against Soviet occupation of Afghanistan. Because the U.S. government supported the Islamic fighters at the time, including Bin Laden, the American Muslim says he thought nothing of taking the man around to three mosques in Northern California.

But the doctor turned out to be Ayman Al-Zawahiri, who was indicted last year by a New York federal grand jury on charges of conspiring to bomb two American embassies in East Africa.

Al-Zawahiri, thought to be in Afghanistan with Bin Laden, was active in Jihad, a terrorist organization believed responsible for the assassination of President Anwar Sadat of Egypt. Both Al-Zawahiri and Bin Laden became known as enemies of the United States in the mid-1990s.

Jihad leader Sheik Omar Abdel Rahman was convicted in 1995 in a plot to bomb New York City landmarks, including the World Trade Center.

Al-Zawahiri associates arrested last year in Egypt named the California Muslim as one of those who had helped the terrorist leader raise funds in the United States.

The California Muslim, a philanthropist who helped start several Islamic centers across the nation, has not been

charged with any wrongdoing, but says the experience "ruined my life." Both his business and family life have suffered. But he agreed to share his story to warn American Muslims about what he says are the perils they face from both Islamic radicals and overzealous law enforcement officials.

The Islamic Supreme Council of America has urged all Muslim organizations to open their books to avoid even the perception of wrongdoing. And the Muslim Public Affairs Council of Los Angeles, in a detailed position paper on U.S. counter-terrorism policy, is urging Muslim organizations to adopt greater financial transparency for fund-raising activities, more vociferously condemn terrorism and monitor and resist violent infiltrators.

The paper also urges the U.S. government to explore the causes of terrorism, condemn violence consistently—whether committed by foreign friend or foe—and improve relations between Muslims and law enforcement.

On that last score, FBI agents couldn't agree more.

"We are trying to reach out to Muslims and Arab Americans and let them know we truly do believe we need their help to solve these cases," Rolince said.

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