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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

HONORABLE TERRY J. HATTER, JUDGE PRESIDING

UNITED STATES OF AMERICA,	)	
	)	
	)	
	)	
Plaintiff,	)	
	)	
	)	
	)	
Vs.	)	No. CR 06-221 (B) TJH
	)	
	)	
WILLIAM SHAOUL BENJAMIN,	)	
	)	
	)	
	)	
Defendant.	)	
	)	
	)	

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REPORTER'S DAILY TRANSCRIPT OF TRIAL PROCEEDINGS  
LOS ANGELES, CALIFORNIA  
WEDNESDAY, JANUARY 30, 2008

LEANDRA AMBER, CSR 12070, RPR  
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I N D E X

GOVERNMENT'S WITNESS

MR. SARGON

DIRECT EXAMINATION BY MS. HUDSON (RESUMED) 7

CROSS-EXAMINATION BY MR. BLATT 103

GOVERNMENT'S EXHIBITS

FOR IDENTIFICATION

RECEIVED

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1 LOS ANGELES, CALIFORNIA; WEDNESDAY, JANUARY 30, 2008

2 9:10 A.M.

3 -o0o-

4 (Outside the presence of the jury.)

5 THE CLERK: Please remain seated and come to order.  
6 This Court is again in session.

7 THE COURT: Good morning.

8 We're outside the presence of the jury. Are there  
9 any matters that either counsel wish to take up?

10 MS. HUDSON: No, your Honor.

11 MR. BLATT: No, your Honor.

12 THE COURT: All right. Fine.

13 Let's bring the members of the jury in then.

14 (Whereupon, at 9:29 a.m., the jury entered the  
15 courtroom.)

16 THE COURT: Please be seated.

17 Good morning, ladies and gentlemen.

18 THE JURY: Good morning, your Honor.

19 THE COURT: All right. 99 and 44/100 percent  
20 correct. We'll probably be there tomorrow.

21 Let me ask you, as I must, has anything about this  
22 matter come to your attention in any way since you were here  
23 yesterday? If so, please just raise a hand.

24 All right. Yes. Juror Number 6.

25 JUROR NUMBER 6: I saw a headline in the *Times* this

1 morning.

2 THE COURT: Did you put it aside?

3 JUROR NUMBER 6: Yes.

4 THE COURT: All right. And please just leave it  
5 there, and at the end of the trial see if you can recognize  
6 it as something that you actually participated in.

7 All right. Thank you for bringing that to my  
8 attention.

9 And those of you who have others at home, please  
10 make sure that they put aside any newspapers that have  
11 anything at all to do with any legal matters at this time  
12 because you can't tell them which ones you're involved in.  
13 But just tell them to put the newspapers aside and not to  
14 talk to you about it.

15 All right. Mr. Sargon, would you please repeat  
16 your nickname for the record, sir. Spell that name for us  
17 again.

18 THE WITNESS: Sargon, S-a-r-g-o-n.

19 THE COURT: Go ahead.

20 THE WITNESS: S-a-r-g-o-n.

21 THE COURT: You understand you are still under oath  
22 in this matter?

23 THE WITNESS: Yes.

24 THE COURT: Very well.

25 Ms. Hudson, do you want to continue, please.

1 MS. HUDSON: Thank you, your Honor.

2 I would first like to offer into evidence  
3 Exhibits 1 through 6.

4 THE COURT: All right. They will come in over the  
5 objection, which has been previously stated.

6 (Exhibits 1 through 6 received.)

7 THE COURT: You may have an ongoing objection.

8 MR. BLATT: Thank you, your Honor.

9 THE COURT: Sure.

10 MS. HUDSON: And I would also like to publish to  
11 the jury at this time the silent witness exhibit, which is  
12 Exhibit Number 8.

13 THE COURT: Yes. You may do so.

14 MS. HEINZ: Your Honor, I did show it to defense  
15 counsel last night, but I would like to show it to Mr. Blatt  
16 as well at this time.

17 THE COURT: Yes, please.

18 MS. HEINZ: Your Honor, may I approach and show it  
19 to the Court?

20 THE COURT: If you would just give it to the clerk,  
21 please.

22 Thank you.

23 (Exhibit 8 identified.)

24 MS. HEINZ: Your Honor, may I confer briefly with  
25 co-counsel?

1 THE COURT: Of course.

2 (An off-the-record discussion was held.)

3 THE COURT: You may proceed.

4 MS. HUDSON: Your Honor, I would also like to offer  
5 into evidence at this time Exhibits 1-A, 2-A, 3-A, 4-A, 5-A  
6 and 6-A, which are the English translations of Exhibits 1  
7 through 6.

8 THE COURT: Yes. They will all come in subject to  
9 the same objection, over that objection.

10 (Exhibits 1-A, 2-A, 3-A, 4-A, 5-A, 6-A received.)

11 MS. HUDSON: Thank you, your Honor.

12 And I would ask that Exhibit 1 be placed before the  
13 witness.

14 THE COURT: Very well.

15 **DIRECT EXAMINATION (RESUMED)**

16 BY MS. HUDSON:

17 Q. Mr. Sargon, do you have Exhibit 1 in front of you?

18 A. Yes.

19 Q. I believe you testified previously that there's an  
20 indication on the outer cover that this is an administrative  
21 file; is that correct?

22 A. Yes.

23 Q. Can you explain what an administrative file of the Iraqi  
24 Intelligence Service was?

25 A. Well, as I said before, this kind of cover is used

1 usually in the intelligence service of Iraq. And this is the  
2 same size, and I see on the upper right corner the Republic  
3 Presidency Intelligence Service. And the -- the year put the  
4 number, also the source number or incoming number, and under  
5 it there is administrative written here. And they usually  
6 put administrative -- I'm sorry. Administrative or  
7 intelligence.

8 Q. Can you explain what is the difference between an  
9 administrative file and an intelligence file.

10 A. Well, the administrative file would include the personal  
11 information about the source and the results of analysis and  
12 examinations and how that source was recruited and if there  
13 is any kind of training or money paid. On top of that the  
14 personal information regarding --

15 THE INTERPRETER: I didn't catch that.

16 THE WITNESS: Just personal documents.

17 BY MS. HUDSON:

18 Q. That would all be in the administrative file?

19 A. Yes.

20 Q. And what kinds of documents would you find in the  
21 intelligence file?

22 A. The intelligence file includes usually the information  
23 the source is giving and how, you know, it was dealt with.  
24 Let -- let's say if this information was transferred to other  
25 departments or to the presidency and how -- you know, the way



1 of examining this information and also putting it together.

2 Q. Now, were there any instances where a source had a  
3 single file that was both administrative and intelligence?

4 A. Well, you know, in the way -- the general way the  
5 intelligence service used to deal, a source should have both  
6 an administrative and intelligence file.

7 Q. And have you seen an intelligence file for William  
8 Benjamin?

9 A. Well, I -- I -- I noticed -- I noticed that the --  
10 reports that was reported by him was in a different file.

11 MR. BLATT: Objection. Nonresponsive, your Honor.

12 THE COURT: Just a minute.

13 I'm going to strike that. It does appear to be  
14 nonresponsive.

15 MS. HUDSON: I'll withdraw the question, your  
16 Honor.

17 I would ask the witness to turn to the page which  
18 has been numbered in pencil number six, and I'm going to  
19 attempt to use the overhead.

20 BY MS. HUDSON:

21 Q. Mr. Sargon, I have placed on the overhead the page  
22 that -- in my copy is marked number six.

23 Do you have that document in front of you?

24 A. Yes. Yes.

25 Q. Can you explain what that document is.

1 A. Well, this is the ID from the civil status department.  
2 It's issued by the Department of Nationality and Civil  
3 Status. It's -- it's an ID, and we call it an individual  
4 identification card for an Iraqi citizen.

5 Q. Is this something that every Iraqi citizen would have?

6 A. Yes.

7 MS. HUDSON: Your Honor, what I would like to do is  
8 place both the -- if I can, place both the original document  
9 and the translation on the Elmo.

10 Does the Court have any objection?

11 THE COURT: You may.

12 Are they both in evidence?

13 MS. HUDSON: Well, it may not be possible.

14 BY MS. HUDSON:

15 Q. Can you read the name of the person whose identity card  
16 this is.

17 A. William Shaoul Koreel. Well, the last name it's not  
18 very clear, but it looks like Benjamin.

19 Q. Thank you.

20 Did you see in the file variations of that name  
21 William Shaoul Koreel Benjamin?

22 A. Yes.

23 MS. HUDSON: I would ask that the --

24 BY MS. HUDSON:

25 Q. Mr. Sargon, could you turn to page three in the exhibit

1 in front of you, Exhibit 1.

2 A. Yes.

3 Q. And do you see -- well, first of all, what is that  
4 document?

5 A. Well, we call this either like a letter or a report or  
6 notification. And it was actually issued by the general  
7 director of M-4 to the president or to the director of the  
8 intelligence service of Iraq. And I see here that it was  
9 issued by M-4, the director of M-4 at the signature. And his  
10 name is Farouq Hijazioy.

11 Q. Now, do you recognize any of the signatures on that  
12 page?

13 A. Well, this is the signature of Farouq Hijazioy, and this  
14 handwriting in red is the approval of the director of the  
15 Intelligence Service. And here at the right corner bottom  
16 right corner -- that's the signature of Isam Khedder. Also  
17 there is another signature right here for Farouq Hijazioy.

18 Q. And are any of those individuals people that you  
19 personally knew?

20 A. Yes.

21 Q. Who did you personally know?

22 A. I know this Abd-al-Salam, this officer here; and Hillal,  
23 who was the -- actually the department chair. Hillal Safi  
24 here -- it's written Safi, his old -- I'm sorry. His  
25 complete name Safi. And here Aza'a Baher.

1 Q. Had you seen other documents signed by any of these  
2 individuals during the time that you were working for the  
3 Iraqi Intelligence Service?

4 A. Yes, yes. Many, many.

5 Q. And so are you familiar with their signatures?

6 A. Yes.

7 Q. Do these signatures appear to you to be authentic?

8 A. Yes.

9 Q. All right. I would like to ask you a little about the  
10 content of the document. According to our translations, this  
11 communication concerns a Collaborator 9211.

12 Do you see that?

13 A. Yes.

14 Q. Can you explain what would be meant by Collaborator  
15 9211?

16 A. Well, the collaborator is the source in our terms. And  
17 we have several categories. Maybe the one -- we call him the  
18 confidential, and that's the person who works for, you know,  
19 the Iraqi intelligence. And the collaborator, also that's  
20 another category, and that's a person who knowingly also work  
21 for the interest of the Iraqi intelligence. And we have the  
22 foreigner, who could be collaborating with the intelligence  
23 service of Iraq under some other covers as -- as intelligence  
24 services. We give him some kind of cover, like diplomatic  
25 services, for example, in the foreign ministry.

1 Q. Now, with respect to the use of a code number, was that  
2 something that was common -- a code number to refer to as a  
3 source or a collaborator, was that something that was common  
4 in the Iraqi Intelligence Service?

5 A. Yes.

6 Q. And this document apparently refers to an individual  
7 collaborator who was engaging in activities in America.

8 Is that your reading of the document?

9 THE COURT: Well, just -- that is leading. I'm  
10 going to strike that.

11 MS. HUDSON: I'm sorry, your Honor.

12 BY MS. HUDSON:

13 Q. Can you explain what this -- or summarize what the  
14 content of this document is.

15 A. Well, the specialized people here are the people in  
16 charge. They are explaining that this source is actually,  
17 you know, assigned for tasks in the American, you know,  
18 country. And we have special, actually, kind of  
19 correspondence between us and him.

20 THE INTERPRETER: And I'm sorry. I didn't catch  
21 one word.

22 THE WITNESS: That we call it the code -- encoded  
23 correspondence. And the -- the -- they are asking to  
24 approve -- spend \$2,000 for these expenses to -- you know,  
25 that he travels from America to Jordan.

1 BY MS. HUDSON:

2 Q. Was it a common practice -- procedure for Iraqi  
3 Intelligence Service sources in the United States to come to  
4 Iraq or to Oman or other places and have their travel paid  
5 for by the Iraqi Intelligence Service?

6 A. Yes.

7 Q. All right. I would ask you to look at Document  
8 Number 2.

9 Do you have that document in front of you?

10 A. Yes.

11 Q. First, let me ask you. There appears to be some kind of  
12 a logo at the top of the page. I'm pointing to it now.

13 Do you recognize that logo?

14 A. Yes.

15 Q. What is that?

16 A. This is the logo of the Intelligence Service of Iraq.  
17 And it actually represents an eye, a watchful eye or the  
18 awakened eye. And, actually, it is looking at the Arab world  
19 map, as you see, inside the -- there is the map of the Arab  
20 world.

21 Q. All right. Thank you.

22 To whom is this document addressed?

23 A. Well, this is to the accounting department, M-12, which  
24 is the accounting department.

25 Q. Do you see any relationship between this document, which

1 is page two, and the document we just looked at previously,  
2 which was page three?

3 A. Yes. This wouldn't be issued. This document wouldn't  
4 be issued until getting the approval of, you know, spending  
5 the money and the approval from the director of the  
6 Intelligence Service. Because -- because the, you know, hard  
7 currency or the dollar cannot be spent unless you get the  
8 approval of the director of the Intelligence Service.

9 Q. And so do you see a relationship between this document  
10 and the previous document?

11 A. Yes, I see the relationship that the amount of dollars,  
12 you know, that was asked in the previous letter is mentioned  
13 here.

14 Q. And based on these documents and other documents that  
15 you have reviewed in the file, who was -- what was the true  
16 identity, rather, of Collaborator 9211?

17 A. Well, according to the documents I have here,  
18 Mr. William Shaoul.

19 Q. Thank you.

20 And now I would like you to take a look at  
21 Page 148.

22 I'm sorry. Could you just go back to number 2 for  
23 one moment.

24 There is one other thing I wanted to ask you about.  
25 Was it the custom within the Iraqi Intelligence Service to

1 number certain documents or memoranda?

2 A. Yes.

3 Q. Do you see an indication of that on Document Number 2?

4 A. As you see on the right -- you know, right side here,  
5 this -- this actually code or number here, that indicates the  
6 department that issued the letter, which is M-4 here, D-5,  
7 branch three and section four. On the left-hand side, they  
8 put the number of the letter, the date of issue, and there is  
9 a -- this number on the upper corner, this is supposed to  
10 be -- they call it the incoming number.

11 And you see here also NM-4 and, you know, these --  
12 you know, the documents of the Intelligence Service has --  
13 I'm sorry. Have numbers. And this is form number four. And  
14 this, you know, this before -- before it was, you know,  
15 filled out or before it was drafted, it has a form number.

16 Q. All right. With respect --

17 THE COURT: Before you continue, I have a question  
18 of the interpreter.

19 Am I just a very quick Arabic language learner, or  
20 is there no Arabic for the words "section" and the word  
21 "M-4"?

22 THE INTERPRETER: There is a word.

23 THE COURT: What is the Arabic?

24 THE INTERPRETER: Well "section" could be -- you  
25 know, could be part -- could be -- it depends where it comes.



1 I mean, there are, like, three or four terms for "section."

2 THE COURT: All right.

3 THE INTERPRETER: It could be --

4 THE COURT: Well, the reason I ask is because I  
5 hear the witness saying "section four" --

6 THE INTERPRETER: "Section four" that is --

7 THE COURT: -- in English.

8 THE INTERPRETER: In English, yes.

9 Or it also could be, like I said, in the dictionary  
10 is -- he said -- they call it "kessim" (phonetic) in other  
11 countries, they call it "kissim" or "kissic." It depends  
12 where it comes, yeah.

13 THE COURT: Are you saying, though, that in the  
14 Arabic language they use some English? Is what you're  
15 telling me?

16 THE INTERPRETER: Yes. Yes.

17 THE COURT: Okay. Go ahead.

18 BY MS. HUDSON:

19 Q. All right. Could I direct your attention to what, in  
20 English, is in the upper right-hand corner, in Arabic  
21 evidently, the upper left-hand corner, the number 2243.

22 What does that mean or what is that number?

23 A. Well, this is the reference -- the reference number of  
24 this letter.

25 Q. Okay. Thank you.

1           Now, would you take a look at exhibit --

2           THE COURT: One minute, Ms. Hudson.

3           MS. HUDSON: Yes.

4           THE COURT: You don't have to thank your witness.  
5 The witness is here under oath to testify. The Court has  
6 that prerogative, but counsel should not.

7           MS. HUDSON: I'm sorry, your Honor.

8 BY MS. HUDSON:

9 Q. Now, would you please look at exhibit -- or I'm sorry --  
10 page number 148.

11 A. Yes.

12 Q. You have that in front of you?

13 A. Yes.

14 Q. And does that document also refer -- well, what is that  
15 document?

16 A. According to the accounting system in the Iraqi  
17 Intelligence Service, after they get the approval for the  
18 money or the amount, the authorized officer goes and receives  
19 the money, and it's written, you know, on his account -- his  
20 or her account, the officer's account.

21           And then -- then he has to provide a proof or  
22 receipt that he has given the money to this source. This --  
23 this receipt should be approved by three officers, and, you  
24 know, that would be attached with this letter to the  
25 accounting department, and then they would take it off the

1 officer's name. And they just do the regular, you know,  
2 accounting.

3 And -- and in that case the amount would be  
4 considered that it was spent completely. And that's it.  
5 They close that.

6 Q. Thank you.

7 Would you take a look at the next document, which  
8 is number 149.

9 A. Yes.

10 Q. What is that document?

11 A. This is a receipt, you know, given for the amount.

12 Q. And who is it signed by?

13 A. According to the document, it is signed by Mr. William  
14 Shaoul; and the person who gave the amount, Mr. Abdul Salaam  
15 Mahmed Ali; and also it was approved by the section director.

16 THE INTERPRETER: I'm sorry. I didn't get the  
17 name.

18 THE WITNESS: He said Hillal, I'm sorry, and that's  
19 the director of the section. And also after that it was  
20 approved by the Branch 3 director.

21 BY MS. HUDSON:

22 Q. And are these documents that we've discussed so far --  
23 are these typical documents that you would expect to find in  
24 the administrative file of a source for the Iraqi  
25 Intelligence Service?

1 A. Yes.

2 Q. All right. Would you please take a look at page 78.

3 A. Yes.

4 Q. And can you explain what that document is.

5 A. Well, this is similar to the previous one. And this  
6 is -- also was addressed to the accounting, and they are  
7 asking to, you know, spend the \$2,000. Well, that's for the  
8 travel expenses of source such and such.

9 Q. All right. Would you take a look at exhibit -- or I'm  
10 sorry. Page number 76.

11 THE INTERPRETER: 76, you said?

12 MS. HUDSON: Yes.

13 THE WITNESS: Okay.

14 BY MS. HUDSON:

15 Q. Was that --

16 A. This also was addressed to the accounting to -- you  
17 know, that -- to spend that amount of money or to do the  
18 settlement to spend that amount of money.

19 Q. Does that appear to be related to the previous document  
20 we looked at?

21 A. I think this is another transaction, a new one.

22 Q. Well, do you see a number -- is there a reference to a  
23 number of a communication?

24 A. Yes. Yes. I see the number is 2,412.

25 Q. But in the -- in the body of the memo?

1 A. Yes.

2 Q. And what --

3 A. Well, actually, yes. It indicates the number of the  
4 previous notification that we just read.

5 Q. What number is that?

6 A. 1,548.

7 Q. And if you look at page 78, does that appear to be the  
8 number there?

9 A. Yes.

10 Q. All right. Would you please take a look at page 77.

11 A. Yes.

12 Q. And what is that document?

13 A. This is a receipt of receiving \$2,000 signed by  
14 Mr. William Shaoul Benjamin, and the person who gave the  
15 money is Officer Abd-al-Salam Ahmad, and there was a witness  
16 for the money receipt, which is Sameh Fayadh. And it is  
17 approved by the branch director number three -- I'm sorry.  
18 Number six.

19 Q. And do you see Mr. Benjamin's name on this document?

20 A. Yes.

21 Q. And his signature?

22 A. Yes. This is the signature, yes.

23 Q. And does this document also refer to Mr. Benjamin by any  
24 other name?

25 A. Well, it's either, you know, William Shaoul, or he would

1 write William Shaoul Benjamin. It's the same name.

2 Q. Looking at the -- just above the signatures of  
3 Abd-al-Salam and so on, do you see anything in that section  
4 that refers to Benjamin -- Mr. Benjamin by a different name?

5 A. Yes. It's written here Abu Nahrain.

6 Q. Now, was it a practice of the Iraqi Intelligence Service  
7 to refer to sources by a name that began with Abu?

8 A. Yes. Yes. Possible.

9 Q. What is -- can you explain what the word Abu means.

10 A. Well, assume -- I assume that he has a daughter called  
11 Nahrain and, you know, I assume she is the eldest or the  
12 oldest. And in Iraq and in the Middle East, you know, we  
13 give nicknames. You know, Abu Fulaan means father of such  
14 and such.

15 Q. Okay. Thank you.

16 Now, would you take a look at the document which is  
17 number 114.

18 Do you see that document?

19 A. Yes.

20 Q. And can you explain what that document is.

21 A. Well, this is -- this was issued by N-14, which is the  
22 department of enemy activities. And it was addressed to the  
23 accounting department. They are saying that we got the  
24 approval of the Intelligence Service to spend the amount of  
25 the money, \$2,500, to one of the sources.

1 Q. And what -- is there a number on that communication?

2 A. Yes. Yes. 6,131.

3 Q. If you could look at page 110.

4 A. Yes.

5 Q. What is that document?

6 A. This is -- this was issued by M-40. They are referring  
7 to the previous letter, the 6,131. And they are saying that  
8 this amount was received by the source. And to actually  
9 remove it of the officer's name, who that was, Jamal, and  
10 attached to it it says that was the receipt of the amount.

11 Q. And would you take a look at the next page, which is  
12 page 111.

13 A. Yes.

14 Q. What is that document?

15 A. Also a receipt of the amount \$2,500.

16 Q. Is that signed by the source?

17 A. Well, it's signed by Abu Nahrain, yes.

18 Q. All right. Would you please take a look at page 18.

19 THE INTERPRETER: Counsel. I'm sorry. 18 or 80?

20 MS. HUDSON: 18, one eight.

21 THE WITNESS: Yes.

22 BY MS. HUDSON:

23 Q. And what is that document?

24 A. This was issued by the Branch 6 director in M-40. It  
25 was addressed to M-40, and it's talking about the

1 Collaborator 9211. They are saying that on seven -- the date  
2 of 7-6 there was an approval, approved the -- to give the  
3 \$1,500 to help him because he has surgery and that, you know,  
4 he was assigned to some activities on the American -- in the  
5 American area.

6 Q. All right.

7 A. And that this amount --

8 THE INTERPRETER: I'm sorry.

9 THE WITNESS: This amount was given through.

10 THE INTERPRETER: I didn't get the name. I'm  
11 sorry.

12 THE WITNESS: In Baghdad, yes. And they want to  
13 make a phone call to -- oh, to -- I'm sorry. To -- they want  
14 to make a phone call to inform the source that we have given  
15 the money to your daughter in Baghdad.

16 BY MS. HUDSON:

17 Q. Let me ask you about your statement that this had to do  
18 with the source having a surgical procedure.

19 Was it customary for the Iraqi Intelligence Service  
20 to take an interest in the health of its sources?

21 A. Yes.

22 Q. Would you take a look at pages 80 through 83.

23 A. Yes.

24 Q. Now, I realize these documents are in English, but are  
25 you able to understand what these documents -- in a general



1 way what these documents are?

2 A. Well, I am -- I am not a doctor, but, you know, before I  
3 came here I had a blood test done. And I see that this kind  
4 of, you know, tests like a blood -- blood test.

5 Q. Would -- would it be -- would medical records be the  
6 kind of document that you might find in the administrative  
7 file of a source for the Iraqi Intelligence Service?

8 A. Yes.

9 Q. All right. Would you please take a look at page 157.

10 A. Yes.

11 Q. Would you take a moment to look at that and then tell us  
12 what is that document.

13 A. Well, this is a report that was filed by Abd-al-Salam,  
14 who is in charge of the file 20, the section director in  
15 charge, and that was -- that was actually the director of the  
16 minorities section. We call it minorities section. And he  
17 is saying that the Collaborator 9211, you know, that we --  
18 we -- we have had him to go through tests, and they are  
19 talking here about some kind of monitoring, you know, phone  
20 monitoring, and actually about the human or physical  
21 monitoring. So it means monitoring in general. And -- and  
22 human monitoring, you know, means through people doing the  
23 monitoring.

24 And that we examined the information that was given  
25 to us by him, and we looked at our database, and we didn't

1 find any negative indication regarding him that is -- you  
2 know, he is not in connection with any foreign entity or  
3 enemy entity and that he has no interest in discovering and  
4 examining what we do except for what we assign to him.

5 Q. Now, if I can ask my next question, was it -- was this  
6 something that was a normal procedure in the Iraqi  
7 Intelligence Service to evaluate the performance of one of  
8 your sources?

9 A. Yes.

10 Q. And were there different levels of sources in terms of  
11 their trustworthiness?

12 A. Yes.

13 Q. Did all sources -- were all sources assigned a number?

14 A. Numbers? What do you mean exactly by numbers?

15 Q. Such as the number 9211.

16 A. This is given to the source usually after passing a  
17 certain stage.

18 Q. Passing a certain stage which is what?

19 A. Well, normally after, you know, the source is already  
20 recruited, then he would be given a number. It's -- it's --  
21 it's not, you know, a -- a fixed, you know, case completely,  
22 completely fixed case. But usually for these sources we --  
23 it depends on the evaluation of the officer or of the branch  
24 itself. They might give him in the beginning like a nickname  
25 for that individual, a nickname.

1           And after recruiting him, would give him a number.

2       Q.    All right.  Thank you.

3           MS. HUDSON:  I'm sorry.  I'm sorry, your Honor.  
4       That slipped out.

5       BY MS. HUDSON:

6       Q.    Would you please turn to page 117.

7       A.    Yes.

8       Q.    And can you explain what that document is.

9       A.    This was issued by M-40, and it carries the signature --  
10      this -- carries the signature of the director of M-40  
11      addressed to the director of M-11.  And M-11, we call it the  
12      institute of training and preparedness -- I'm sorry.  In the  
13      Intelligence Service.

14           And, you know, they -- you know, they tell them,  
15      you know, in this document that, okay.  We have a source now,  
16      and we are, you know, in training.  So to -- to -- to  
17      coordinate between them and that institute where and who will  
18      train that source.  And, you know, they are saying about the  
19      scope of training.

20      Q.    Was it the practice of the Iraqi Intelligence Service to  
21      on occasion bring sources to Iraq for training?  Sources that  
22      were based outside Iraq?

23      A.    Yes.

24      Q.    And were you familiar with any of the one-week intensive  
25      training seminars for sources who were based outside of Iraq?

1 A. Yes.

2 Q. And so is this a document that would ordinarily be found  
3 in a source's Iraqi Intelligence Service file?

4 A. Yes.

5 Q. All right. Could you -- could you please take a look at  
6 page 158.

7 A. Yes.

8 Q. And could you explain what that document is.

9 A. This document was issued by M-4 -- D-4. I'm sorry.  
10 It's D-5 Branch 4, and it's addressed to M-6 to give a visa,  
11 the passport, to allow this person to travel outside of Iraq.

12 Q. Does it -- well, let me ask you about persons travelling  
13 outside of Iraq.

14 What was the procedure a person went through if he  
15 wanted to leave the country of Iraq, let's say, in 1994 or  
16 1993?

17 A. Well, any Iraqi who wants to travel -- he has to go,  
18 actually, to the department of passports, which belongs -- or  
19 under the ministry of interior to get -- we call it exit  
20 visa. And before that, of course, you know -- you know this  
21 person has to go through certain procedures, like he, you  
22 know, finished the military service. And -- and he shouldn't  
23 owe any previous, like, loans like study -- for study or  
24 things of that nature. And then they would give him, you  
25 know, to travel, visa to travel.

1 Q. Were there any fees that the person who wanted to leave  
2 the country had to pay in order to leave Iraq?

3 A. Yes, there are fees.

4 Q. And was there a term for those fees?

5 A. Well, they call it, you know, visa fees.

6 Q. Okay. And do you see that there -- any indication that  
7 there were documents attached to the document at page 158?

8 A. Yes. There is the copy of the passport. And I am  
9 sorry. The passport itself and a copy of the approval of the  
10 director of the Intelligence Service.

11 Q. All right. Would you take a look at the next page,  
12 which is 159.

13 A. Yes.

14 Q. What is that?

15 A. Well, this is a copy of a passport. It belongs to  
16 Mr. William Shaoul.

17 Q. And page 160 -- what is that?

18 A. Well, this is the next page of the passport.

19 Q. And the following page, 161?

20 A. Yes, the same thing.

21 Q. And the page after that, 162?

22 A. Well, this is the visa with the fees, you know, for the  
23 travel.

24 Q. Does it appear that there were some stamps on a page of  
25 the passport? Stamps or stickers?

1 A. Yes. Yes, these are stamps.

2 Q. Was that something that was normally done?

3 A. Yes.

4 Q. Would that be in connection with someone coming into  
5 Iraq or leaving Iraq?

6 A. Yes. Well, this kind of visa is given to people who  
7 leave.

8 Q. Okay.

9 THE COURT: Is this an American passport or an  
10 Iraqi passport?

11 THE WITNESS: Iraqi.

12 BY MS. HUDSON:

13 Q. Would you please now turn to page 129.

14 A. Yes.

15 Q. Could you explain. What is that document?

16 A. This was issued by D-5, which is, you know, number --  
17 the fifth department. We -- I'm sorry. We call it D because  
18 it's in -- it means international. The word in Arabic is  
19 "doweya" (phonetic). It's addressed to the accounting  
20 department in M-4, and they're asking to -- to spend the  
21 amount of 40,000 Iraqi dinars to give a visa for source  
22 number 9211.

23 Q. Can you give me an idea of how much 40,000 dinars was in  
24 U.S. dollars in 1995?

25 A. I can't give you an exact number because the Iraqi

1 dinars used to fluctuate. Well, 40,000 could be \$15 to \$25.

2 Q. Was it customary for the Iraqi Intelligence Service to  
3 pay for the exit visa for one of their sources who was  
4 leaving Iraq?

5 A. Not -- not -- not to all of them.

6 Q. Did it ever happen to your knowledge?

7 A. Yes. Yes.

8 Q. Do you have any reason to think that this document,  
9 page 29, is not an authentic record of the Iraqi Intelligence  
10 Service?

11 A. No. No.

12 Q. Of the documents that we've looked at so far, do you  
13 have any reason to think that any of them are not authentic  
14 records of the Iraqi Intelligence Service?

15 A. No. No. I didn't see any reason.

16 Q. All right. Could you take a look, please, at the next  
17 page, which is 30.

18 A. Okay. Yes.

19 Q. And could you explain what that is.

20 A. This is issued by M-4 to -- to M-6, which is the  
21 internal security department, and this -- and this department  
22 actually is in charge of coordinating with the passport  
23 department. They are -- they are saying that the  
24 intelligence director has approved to give a visa to source  
25 number 9211.

1 Q. All right. And would you look at page 14.

2 A. Yes.

3 Q. What is that document?

4 A. Well, this is a receipt of receiving 40,000 dinars for  
5 the reason of a passport visa and signed by Mr. William  
6 Shaoul.

7 Q. And was this money for the source, Mr. Shaoul, to leave  
8 Iraq? Money that he would need to pay to leave Iraq?

9 A. Well, this will go to the passports department. But  
10 because it was actually assigned for the passport of William  
11 Shaoul; so he has to receive it. Then they would ask the  
12 accounting department to do the settlement or to take it  
13 off -- to take it off the officer's name who originally  
14 received it.

15 Q. Was it -- in your experience was it customary for the  
16 Iraqi Intelligence Service to document expenditures as small  
17 as \$15 or \$20?

18 A. Yes. I -- well, I think all, you know, intelligence  
19 services in the world document their --

20 Q. All right.

21 A. And maybe he didn't receive the actual money in his  
22 hand, but that's it. I mean, he signed that he received it;  
23 that it was spent.

24 Q. Would you look next at page 59.

25 A. Yes.



1 Q. What is that document?

2 A. Well, this is what we were just talking about. The  
3 receipt goes to the accounting department to take it off --  
4 take it off the officer's name, which is, you know,  
5 Abd-al-Salam.

6 Q. All right. Would you please take a look at page 112.

7 A. Yes.

8 Q. What is that document?

9 A. Well, it belongs to the same -- I'm sorry.

10 THE INTERPRETER: I'm asking the witness to repeat.

11 THE WITNESS: It's a document issued by M-40 to the  
12 accounting department to, you know, spend the 400,000  
13 dinars -- Iraqi dinars to also give a visa to one of the  
14 sources.

15 BY MS. HUDSON:

16 Q. And is there any indication on that document that there  
17 is an attachment?

18 A. Yes. There was a receipt of the amount.

19 Q. Would you look at the next page, which is page 113.

20 A. Yes.

21 Q. What is that document?

22 A. That's a receipt of receiving 400,000 dinars for the  
23 purpose of getting a visa for a passport, signed by Mr. Abu  
24 Nahrain.

25 Q. Based on your understanding of the practices of the

1 Iraqi Intelligence Service and this file, who was Abu  
2 Nahrain?

3 A. Well, I assume that it's the same person, Shaoul  
4 Benjamin.

5 Q. Next, would you please look at page 35.

6 THE INTERPRETER: Counsel, 35?

7 MS. HUDSON: 35.

8 THE WITNESS: Yes.

9 BY MS. HUDSON:

10 Q. What is that document?

11 A. This is a document issued -- issued by M-4 to the  
12 accounting department to -- to, you know, issue or spend the  
13 amount of money, which is 400,000 dinars for the source  
14 passport for source number 9211, in addition to another  
15 amount \$2,500 for the expenses of travel and also for, you  
16 know, residing or staying of the source.

17 Q. What is the date of that document?

18 A. 5-29-96.

19 Q. Would you look at the next page, which is 36.

20 A. Yes.

21 Q. What is that document?

22 A. This is a copy of the approval of the director of  
23 Intelligence Service to issue the amount of \$2,500.

24 Q. Now, does it also mention a place called Trabel?

25 A. Yes.

1 Q. What is the reference to Trabiel?

2 A. Well, this is the border checkpoint between Iraq and  
3 Jordan by land. And we have there an intelligence center  
4 called Trabiel Intelligence Center.

5 Q. Now, in the -- in this document, what does it say about  
6 Trabiel?

7 A. Well, you know, according to the Iraqi law, the Iraqi  
8 law -- the Iraqi, you know, custom law does -- does not allow  
9 an Iraqi citizen to leave the country with more than \$100,  
10 I think. I think -- I think the amount is between 50 to  
11 \$100. And, you know, if you take more than that it would be  
12 taken away or confiscated. Therefore, the Intelligence  
13 Service at the Intelligence Service Center in Trabiel and to  
14 allow our sources to take the amount given to them by us.

15 MS. HUDSON: I would ask that Exhibit 16 be placed  
16 before the witness.

17 THE COURT: Why don't we hold that. We do have to  
18 give some time for our interpreter and for the reporter as  
19 well. We'll take a midmorning recess at this time. Everyone  
20 please rise for the jury. We'll take about 20 minutes.

21 (Whereupon, at 10:52 a.m. the jury exited the  
22 courtroom.)

23 THE COURT: You may take a step down, Mr. Sargon.

24 We're outside the presence of the jury. Are there  
25 any matters that either counsel wish to take up?

1 MR. BLATT: No, your Honor.

2 MS. HEINZ: No, your Honor.

3 THE COURT: Okay. We'll take 20 minutes now.

4 THE CLERK: Court is in recess.

5 (Whereupon, from 10:52 a.m. to 11:19 a.m. a break  
6 was taken.)

7 THE CLERK: Please remain seated and come to order.

8 This Court is once again in session.

9 THE COURT: Again, we are outside the presence of  
10 the jury.

11 Are there any matters that either counsel wish to  
12 take up?

13 MR. BLATT: No, your Honor.

14 MS. HEINZ: No, your Honor.

15 THE COURT: Thank you.

16 We can bring the members of the jury back. I  
17 understand one of the jurors was concerned because her name  
18 was given during the voir dire. But I want to speak to all  
19 the jurors when they come in and be sure there should be no  
20 problems like that.

21 THE CLERK: All rise.

22 (Whereupon, at 11:21 a.m., the jury entered the  
23 courtroom.)

24 THE COURT: Please be seated, ladies and gentlemen.

25 Ladies and gentlemen, I understand that at least

1 one of you expressed some concern to one of our staff about  
2 your name being made public during the voir dire selection  
3 process. Please understand that this is not the kind of case  
4 where you are in any kind of danger. In state courts, as  
5 well as in federal courts, these are public matters. In are  
6 very rare occasions we have what they call anonymous juries,  
7 but those are in situation where, indeed, there is some  
8 suspected danger to not only jurors, but perhaps to court  
9 officers and prosecutors and others. This is not that kind  
10 of case at all. So please do not concern yourself with that.  
11 And evidently the juror thought that her address was also  
12 made public. It was not. So only the city in which you  
13 happen to reside. And you have no real concern about that,  
14 please. Please.

15 We're ready to continue now.

16 And would you give us your nickname again,  
17 Mr. Sargon, and spell it for the record.

18 THE WITNESS: My name is Sargon, S-a-r-g-o-n.

19 THE COURT: And you understand you are still under  
20 oath in this matter?

21 THE WITNESS: Yes.

22 THE COURT: All right. Let's continue then.

23 Ms. Hudson.

24 MS. HUDSON: Thank you, your Honor.

25 Your Honor, I had previously asked that Exhibit 16

1 be placed before the witness.

2 THE COURT: Yes.

3 MS. HUDSON: And I have -- Exhibit 18 is a  
4 stipulation regarding Exhibit 16, which I would like to read  
5 at this time.

6 THE COURT: Read that into the record now. Go  
7 ahead.

8 MS. HUDSON: Thank you, your Honor.

9 It's entitled, "Stipulation of the parties re map."  
10 "Plaintiff United States of America, by and through  
11 its counsel of record, Assistant United States Attorneys  
12 Judith A. Heinz and Janet C. Hudson, and Defendant William  
13 Shaoul Benjamin, individually and by and through his counsel  
14 of record James E. Blatt and Michael G. Raab, Offices of  
15 James E. Blatt, hereby agree and stipulate as follows:

16 "Stipulation.

17 "At trial the Government will introduce as  
18 Government's Exhibit 16 a map of Europe, Northern Africa, and  
19 the Middle East. The Government and defendant agree that the  
20 map that is Government's Exhibit 16 was obtained from the  
21 Internet, is available to the public, and was not prepared  
22 for any purpose connected with this litigation.

23 "The Government and defendant agree further that  
24 Government's Exhibit 16 accurately depicts the location of  
25 the countries and cities identified in Government's

1 Exhibit 16 and that Government's Exhibit 16 is admissible.

2 "It is so stipulated.

3 "It is dated January 28th, 2008. Signed by  
4 Judith A. Heinz; William Shaoul Benjamin, Defendant; and  
5 James D. Blatt, attorney for William Shaoul Benjamin."

6 THE COURT: Mr. Blatt, is that the stipulation to  
7 which you agreed?

8 MR. BLATT: Yes, your Honor.

9 THE COURT: Thank you.

10 It will be received.

11 Go ahead.

12 MS. HUDSON: And pursuant to that stipulation I  
13 would also offer into evidence Exhibit 16, which is the map.

14 THE COURT: It will be received as well.

15 (Exhibit 16 received.)

16 BY MS. HUDSON:

17 Q. Mr. Sargon, do you have Exhibit 16 in front of you?

18 A. Yes.

19 Q. Can you identify Iraq on that map.

20 A. Yes.

21 Q. And do you see on that map where Trabel is? Not that  
22 it's marked on the map, but can you identify on the map where  
23 Trabel is?

24 A. Yes.

25 MS. HUDSON: Your Honor, I would ask that the

1 witness be allowed to mark on the exhibit the location of  
2 Trabel.

3 THE COURT: Yes. He may do so.

4 Would you mark an X.

5 THE WITNESS: Yes.

6 MS. HUDSON: And, your Honor, may I then publish  
7 that to the jury?

8 THE COURT: Yes, please. Give it to Ms. Hudson.

9 BY MS. HUDSON:

10 Q. Mr. Sargon, I'm pointing to Exhibit 16 on the monitor.

11 Is this the X that you have marked?

12 A. Yes.

13 Q. And so when you talk about Trabel, is that the location  
14 that you're referring to?

15 A. Yes.

16 Q. Thank you.

17 MS. HUDSON: Sorry. Your Honor, I will return  
18 Exhibit 16 with the Court's permission.

19 THE COURT: Very well.

20 BY MS. HUDSON:

21 Q. I believe before the break we were looking at -- we had  
22 looked at Exhibit 36. Would you just take a look at that  
23 document.

24 THE INTERPRETER: Counsel, did you say 36?

25 MS. HUDSON: 30.



1 THE INTERPRETER: Yes. Okay.

2 BY MS. HUDSON:

3 Q. Do you remember me asking you questions about that  
4 document?

5 A. Yes.

6 Q. All right. Would you please turn to Exhibit 31.

7 A. Yes.

8 Q. Do you have that document in front of you?

9 A. Yes.

10 Q. Now, can you explain what that document is.

11 A. This document was issued by M-4 to M -- to M-5, slash,  
12 9, Trabel, which means M-5, slash, 9 -- that means the  
13 Intelligence Service center in Trabel. This is a letter,  
14 confidential, and it -- it's sent by wire.

15 Q. And why is this sent by wire?

16 A. Because -- because it's -- it's confidential, and it has  
17 to be sent by wire. And it's urgent also.

18 Q. Was that standard practice to send this type of  
19 communication by wire?

20 A. Yes.

21 Q. Now, there's -- appears on the original here a red  
22 stamp.

23 Do you see that?

24 A. Yes.

25 Q. What is the significance of that stamp?

1 A. This actual stamp belongs to the communications center  
2 of an Intelligence Service. And this is actually  
3 confidential communications.

4 Q. What does that stamp signify?

5 A. That means that this communication was sent by wire to  
6 Trabel, and the timing is 24-40, and the date is 6-11-1996.  
7 And also it's signed by the person who received it in  
8 Trabel, which is Ahmad.

9 Q. Was it a standard practice of the Iraqi Intelligence  
10 Service to place this type of red stamp on a document after  
11 a wire had been transmitted?

12 A. Yes.

13 Q. Now, what was the content of the communication that was  
14 transmitted to Trabel?

15 A. Well, I assume it's translated, but if you want me to  
16 talk about it.

17 Q. Does this relate to something that we've already  
18 discussed?

19 A. Yes.

20 Q. And what is that?

21 A. M-4 is informing Trabel's Intelligence Service center  
22 that on Wednesday, six -- date 6-12, our source -- the Iraqi  
23 person, William Shaoul, will arrive going to Amman, and we  
24 are attaching the approval of the services director to leave  
25 with \$2,500 and -- and to, you know, do what's necessary for

1 him to leave Iraq, to facilitate his leave.

2 Q. Thank you.

3 I'm sorry.

4 On the original, can you explain the -- what  
5 appeared to be dots that -- what I'm pointing to on the  
6 monitor?

7 A. Yes. We use -- we use this in communication in -- you  
8 know, wires to separate sections or paragraphs.

9 Q. Was that something that was used specifically with wire  
10 communications?

11 A. Yes.

12 Q. Would you look at -- please, at page 15.

13 THE INTERPRETER: Five zero, Counsel?

14 MS. HUDSON: I'm sorry. One five.

15 THE WITNESS: Yes.

16 BY MS. HUDSON:

17 Q. Does this appear to be similar in any way to something  
18 we've already seen?

19 A. Yes.

20 Q. Does this also pertain to the Collaborator 9211  
21 traveling through or leaving the country through Trabel?

22 A. Yes.

23 Q. All right. Would you take a look at the following page,  
24 which is page 16.

25 A. Yes.

1 Q. Is this document similar to a document that we saw  
2 previously?

3 A. Yes.

4 Q. What is this document?

5 A. This is also issued by M-4 to the Intelligence Service  
6 Center in Trabel, and they are informing them that the Iraqi  
7 William Shaoul will leave on 1-29-95 and that we have given  
8 him the amount of \$4,000, according to the approval of the  
9 director of the Intelligence Service and to, you know,  
10 facilitate his leave with that amount of money.

11 Q. Do you see the same type of red seal on that document  
12 that we saw previously?

13 A. Yes. Yes.

14 Q. Now, if this wire were not sent and -- to Trabel and  
15 received at Trabel, would the source have been allowed to  
16 leave Iraq with \$4,000?

17 A. Well, he can leave, but he cannot take that amount of  
18 money.

19 Q. I see.

20 THE COURT: Strike that.

21 BY MS. HUDSON:

22 Q. Please turn to page 137.

23 Do you have that in front of you?

24 A. Yes.

25 Q. What is that document?

1 A. Well, this was issued by the Intelligence Center in  
2 Trabel to M-4. They referenced the previous letter they  
3 received from M-4 saying that the person or, you know,  
4 subject of this matter left Iraq on 1-30-95 and that we  
5 facilitate his leave with the amount.

6 Q. Was this also a wire transmission?

7 A. Yes.

8 Q. And is that the same red stamp that we saw before?

9 A. Yes.

10 Q. Would you look at page 105.

11 A. Yes.

12 Q. What is that document?

13 A. Well, that's a notification to M-12 to, you know, issue  
14 or spend \$3,000.

15 Q. To -- for a source?

16 A. Yes.

17 Q. Please look at page 63.

18 What is that document?

19 A. This is a notification to the accounting that the \$3,000  
20 was received by the source, and this is a receipt from the  
21 source. So to take it off the liability or the name of Jamal  
22 'Abd Hamadi.

23 Q. Now, would you look at page 64.

24 A. Yes.

25 Q. What is that document?

1 A. That's a notification from M-40 to Trabel's  
2 Intelligence Service center informing them that will arrive  
3 to you Saturday, 12-6, Iraqi William Shaoul. And this is the  
4 approval of the director of Intelligence Service to take with  
5 him \$5,500.

6 Q. Does there appear to be, the second line of that  
7 document, he -- does there appear to be something whited out?

8 A. Yes.

9 Q. What is whited out? If you can tell.

10 A. Well, I can -- I can read -- it's as if -- it's our  
11 source.

12 Q. The word "source" is what is whited out?

13 A. Yes. It looks like it.

14 Q. And what word follows the -- or what is the rest of the  
15 sentence after the portion that is whited out?

16 A. It says Iraqi William Shaoul.

17 Q. Do you also see a portion towards the bottom of the page  
18 that appears to have been whited out?

19 A. Yes.

20 Q. Can you read what that says?

21 A. It says Iraqi William Shaoul will arrive to you. Please  
22 let him take with him the amount he's carrying. 52,500 --

23 Q. Now, is that -- is that something you're able to read  
24 through the Wite-Out, or does it appear to be something  
25 written over Wite-Out?

1 A. No. Before the Wite-Out.

2 Q. In fact, was this document, page 64 -- was that a --  
3 another wire transmittal similar to the ones that we've seen?

4 A. Yes.

5 Q. Do you know of any reason why the word "source" would  
6 have been whited out? The word "source" prior to Iraqi  
7 William Shaoul?

8 A. Most probably the person who wanted to sign the letter  
9 didn't want to mention that the Iraqi William Shaoul is a  
10 source for the Intelligence Service because this document  
11 would stay in Trabel's center on the border and could be  
12 seen by any other person. Therefore, he wrote here -- down  
13 here the correction, and he probably thought it's, you know,  
14 better to just Wite-Out or erase the word "our source" and  
15 just give the letter.

16 Q. Does the fact that there was something whited out on  
17 this document cause you to believe that this is not an  
18 authentic record of the Iraqi Intelligence Service?

19 A. No.

20 Q. Would you look, please, at page 65. And it may be  
21 marked 65 or 65-A. It's the -- what I'm referring to is the  
22 document I have on the monitor.

23 Do you have that document?

24 A. Yes.

25 Q. Can you explain what that document is.

1 A. Well, it's not very clear here. It's faded away. But  
2 it's issued by the Intelligence Service center in Trabel to  
3 M-4 or M-40 -- it's not clear -- notifying them that the  
4 individual, the subject matter of letter such and such left  
5 Iraq on 12-7, and we facilitated his leave and with the  
6 amount.

7 Q. Does this also appear to be a wire transmission?

8 A. Yes.

9 Q. And do you see that same red stamp on that document that  
10 we've seen in the other wire transmissions?

11 A. Yes.

12 Q. Mr. Sargon, was this customary for the Iraqi  
13 Intelligence Service to sometimes provide gifts for its  
14 sources?

15 A. Yes.

16 Q. Were you aware of the Iraqi Intelligence Service ever  
17 providing bottles of whiskey as a gift to sources?

18 A. Yes. Yes.

19 Q. Would you look at page 41.

20 A. Yes.

21 Q. And is there a reference in that document to providing  
22 gifts to sources?

23 A. Yes.

24 Q. Was a gift of two whiskey bottles in 1994 considered a  
25 generous gift?



1 A. No.

2 Q. Was that routine?

3 A. Yes.

4 Q. Please turn to page 39.

5 A. Yes.

6 Q. Does that document also refer to a gift of bottles of  
7 whiskey?

8 A. Yes.

9 Q. And who was the -- that gift going to be dispersed to  
10 based on this document?

11 A. To Collaborator 9211.

12 Q. Would you turn to page 42.

13 A. Yes.

14 Q. Does this document also pertain to the same  
15 Collaborator 9211?

16 A. Yes.

17 Q. Have you previously reviewed this document?

18 A. Yes.

19 Q. Now, can you explain what this document is in a  
20 nutshell.

21 A. Well, here in this document the -- the officer  
22 explaining or, you know, he's saying that he wants to help  
23 Collaborator 9211; that -- that -- that he has a problem with  
24 his Iraqi nationality because he is originally Iranian. And  
25 they are saying that the source deserved the help. And since

1 the case -- this case is a legal case, he is suggesting to  
2 transfer to M-15, which is -- which is the legal department  
3 in the Iraqi Intelligence Service.

4 Q. Was it at all unusual for a source to request help with  
5 a legal matter from the Iraqi Intelligence Service?

6 A. No. Sources can ask for help.

7 Q. Would you turn, please, to page 13.

8 A. Yes.

9 Q. Do you have page 13?

10 A. Yes.

11 Q. What is that document?

12 A. Well, this is an application or a letter by Mr. William  
13 Shaoul explaining the problem about his Iranian origin and  
14 that he would like to transfer that into an Iraqi origin or  
15 nationality.

16 Q. Now, can you explain how it was that William Shaoul had  
17 Iranian -- was considered somehow Iranian when he was -- had  
18 an Iraqi passport?

19 A. Well, we have a problem in Iraq about this matter. Most  
20 Iraqis have two belongings. We call one of them the Ottoman  
21 belonging and, you know, that the Ottoman Empire used to  
22 occupy Iraq; and the other one is the Persian or the Iranian.  
23 The Ottoman -- the Ottoman, you know, belonging is  
24 considered, you know, Iraqi now or Arabs 100 percent, while  
25 the Persian or Iranian, these are people who were originally

1       Iranians. And the people who used to belong to the Iranian  
2       part did not go for military service, which is the -- you  
3       know, mandatory military service. So in the old records,  
4       some of the Iraqis even said oh, well, we are originally  
5       Iranians; so they avoid the mandatory service after -- you  
6       know after the war with Iran, some of them actually were, you  
7       know, transferred, you know, out of the country. I'm talking  
8       about the Iranian, you know, people.

9       Q.     Based on this document, Document No. 13, is it your  
10       understanding -- where is it your understanding that William  
11       Shaoul is saying his father was born? In Iran or Iraq?

12       A.     No, in Iraq.

13       Q.     Would you look, please, at page five.

14       A.     Yes.

15       Q.     What is that document?

16       A.     We call it the Iraqi citizenship certificate.

17       Q.     Is there an indication on that document -- or whose  
18       Iraqi citizenship certificate is that?

19       A.     Well, this is given to all Iraqis.

20       Q.     But this particular document -- whose -- who does that  
21       belong to?

22       A.     Well, it's under the name of William Shaoul Koreel.

23       Q.     And does that document typically contain information  
24       about where that person's father was born or his nationality?

25       A.     Yes. And it says, you know, place of birth, Iran.

1 Q. Now, was there a reason that Mr. Benjamin would want  
2 that change to Iraq?

3 A. I did not understand the question, please.

4 Q. Well, looking at page 13, what is it your understanding  
5 of what Mr. Benjamin is requesting?

6 A. Well, he wanted to change his belonging from Iranian to  
7 Iraqi. But, you know -- but, please, you know, if you allow  
8 me here, the information written on this document here that  
9 the place of birth of his father is not correct. Maybe they  
10 were born in Iraq, but in the old records, you know, to get  
11 rid or avoid the military service, they said we were born in  
12 Iran. We have -- we have a lot of problems regarding this  
13 matter in particular.

14 Q. Is this a problem that other people in Iraq have, to  
15 your knowledge?

16 A. Oh, yes. Yes. It exists.

17 Q. In this particular case, do you know whether  
18 Mr. Benjamin's nationality was changed?

19 A. Well, not -- not the citizenship.

20 Do you mean the belonging?

21 Q. Yes.

22 Would it be heritage or --

23 A. Yes. Yes. It's actually the belonging or origin. We  
24 have two kinds here. Well, according to these documents, you  
25 know, it says here that he belongs to the Iranian part. And

1 he wanted to correct this mistake and make it, you know,  
2 Iraqi instead.

3 Q. Did sources also, to your knowledge, ask for help from  
4 the Iraqi Intelligence Service in renewing licenses or  
5 memberships that they had in organizations?

6 A. Possible, yes.

7 Q. Please look at page 62.

8 A. Yes.

9 Q. Does this pertain to a request from Source 9211? A  
10 request for help?

11 A. Yes.

12 Q. And would it be unusual at all for the Iraqi  
13 Intelligence Service to help a source renew his trade and  
14 export membership?

15 A. Yes.

16 Q. Would that be unusual?

17 A. What do you mean by unusual?

18 Q. Would that be something that would be a normal thing to  
19 happen in your experience that a source would ask for help  
20 renewing a membership and that the Iraqi Intelligence Service  
21 would help him with that process?

22 THE COURT: That's compound now. You're going to  
23 have to change it.

24 MS. HUDSON: In your --

25 THE COURT: Please ask it again.

1 MS. HUDSON: I'll restate the question.

2 BY MS. HUDSON:

3 Q. If a source asked for assistance from the Iraqi  
4 Intelligence Service in renewing a membership, would it be  
5 unusual for the Iraqi Intelligence Service to agree to help  
6 him?

7 A. I don't know if he had a problem in this subject matter  
8 in particular. You know, supposedly he should go just and  
9 renew it.

10 THE COURT: Well just a minute. I'm going to  
11 strike that.

12 Ask it again, please.

13 BY MS. HUDSON:

14 Q. Would it be unusual if a source asked for help in  
15 renewing a membership? Would it be unusual for the Iraqi  
16 Intelligence Service to help that source obtain the renewal  
17 that he was seeking?

18 A. Well, depending on the request, they could help and they  
19 could not. But in general -- in general we help our sources  
20 unless it's an unreasonable, you know, request.

21 Q. Please look at page 122.

22 A. Yes.

23 Q. What is that document?

24 A. That's a notification sent to the public relations in  
25 M-4 to get the approval of the general director to help

1 Collaborator 9211 to finish some kind of applications in the  
2 Ministry of Trade.

3 Q. Does this document appear to you to be an authentic  
4 record of the Iraqi Intelligence Service?

5 A. Yes.

6 Q. Please look at page 120.

7 A. Yes.

8 Q. What is that document?

9 A. Well, this is a response to that request that we renewed  
10 the ID's to the person you notified us about and that we  
11 spent the amount of 3,900 Iraqi dinars for the fees of  
12 renewal.

13 Q. Again, is there anything about that document that makes  
14 you think that it is not an authentic document of the Iraqi  
15 Intelligence Service?

16 A. No.

17 Q. Do you believe that that document is authentic?

18 A. Yes.

19 Q. Could you please turn to page 79.

20 A. Yes.

21 Q. And what is that document?

22 A. This was sent from M-40 to the legal department in the  
23 Intelligence Service, and they are asking about -- that if  
24 the Iraqi citizen had obtained, you know, foreign nationality  
25 would -- would affect his conduct or his, you know, legal

1 status in owning some real estate or land in Iraq.

2 Q. In general, were sources who were assigned to, let's  
3 say, the United States, were they encouraged by the Iraqi  
4 Intelligence Service to seek U.S. citizenship?

5 A. Yes.

6 Q. Why?

7 A. Well, in the nature -- the core nature in our business  
8 as Intelligence Service were goals that our sources carry the  
9 American citizenship. That would allow them bigger, you  
10 know, area of freedom of movement and they -- they could be  
11 assigned to some positions in the federal government and they  
12 would -- they would -- they would see more information or  
13 information that is of interest to us.

14 Q. Now, if one of your -- one of the Iraqi Intelligence  
15 Service sources who was living in the United States did  
16 obtain American citizenship, could that affect property  
17 that -- that he owned in Iraq?

18 A. Well, I am not aware in details, you know, about the  
19 laws. But I think the Iraqi foreign -- foreign Iraqi --

20 MR. BLATT: Foundation.

21 THE COURT: Just a minute.

22 MR. BLATT: Foundation.

23 THE COURT: The objection is sustained.

24 MR. BLATT: Thank you.

25 BY MS. HUDSON:



1 Q. Would you look please at Document 85?

2 A. Yes.

3 Q. What is that document?

4 A. This is issued by the legal department in the  
5 Intelligence Service and directed or addressed to M-40 giving  
6 them the legal opinion that was issued regarding this matter  
7 that if an Iraqi acquired a foreign nationality with his own  
8 will, he will lose his Iraqi nationality and become a foreign  
9 er. And if he leaves Iraq for two consecutive years, could  
10 the real -- the real estate department -- sorry -- could sell  
11 his property upon a request of the district's commissioner.

12 Q. I would like to direct your attention to what appears to  
13 be a blue stamp or seal on that document.

14 Do you see that?

15 A. Yes.

16 Q. Does that have any significance? I withdraw that.

17 What is the significance of that seal or stamp?

18 A. Well, any letter that comes from a -- another department  
19 to the department -- so the -- the receiving department  
20 stamps the document and calls it incoming. And they document  
21 in their records this number such and such was received. And  
22 they -- and, you know, that it was received under this number  
23 and this date. So as a reference, future reference.

24 Q. Would you look please at the next document, Document  
25 No. 86.

1 THE INTERPRETER: 86, counsel; right?

2 MS. HUDSON: 86.

3 THE WITNESS: Yes.

4 BY MS. HUDSON:

5 Q. Do you have the document that I'm showing on the  
6 monitor?

7 A. Yes.

8 Q. What is that document? Well, I'll withdraw that.  
9 What does that document pertain to?

10 A. Well, you know, approximately the same subject matter we  
11 just mentioned about the previous document.

12 Q. And what department is this document from?

13 A. That's the legal department in the Intelligence Service.

14 Q. Now, are you, yourself, familiar with the eighth clause  
15 of the Iraqi real estate ownership law for foreigners, number  
16 38?

17 A. No.

18 Q. Was there -- to your knowledge, was this type of  
19 question something that would be referred to the legal  
20 department, M-15, in the Iraqi Intelligence Service?

21 A. Well, only if the subject matter, you know, is in regard  
22 to somebody the Intelligence Service cared about.

23 Q. So if a -- would it -- would there be some sources who  
24 might ask or might there be some sources who would ask for a  
25 legal opinion from the Iraqi Intelligence Service and their

1 request would not be granted?

2 MR. BLATT: Objection. Speculation.

3 THE COURT: Sustained.

4 MR. BLATT: Thank you.

5 BY MS. HUDSON:

6 Q. Did you have experience with referring matters to M-15,  
7 the legal department, in your work?

8 A. I don't recall.

9 Q. Was it sometimes the case that -- or was it ever the  
10 case that sources for the Iraqi Intelligence Service would be  
11 given a monthly payment or a payment for a certain period of  
12 time similar to a salary?

13 A. Yes.

14 Q. Would you look, please, at page 75.

15 A. Yes.

16 MS. HUDSON: Pardon me.

17 BY MS. HUDSON:

18 Q. Let me make sure we're both looking at the same  
19 document.

20 Is the document on the monitor the document you're  
21 looking at?

22 A. Yes.

23 Q. All right. That is Document 75?

24 A. Yes.

25 Q. Can you explain what that document is.

1 A. M-40 is asking accounting to disburse or spend the  
2 amount of \$2,400 as the monthly assistant to Collaborator  
3 9211 for period 1-1-2000 until 6-31-2000 and that the  
4 director of the Intelligence Service approved that.

5 Q. Would you look, please, at the previous page, 74.

6 A. Yes.

7 Q. What is that document?

8 A. This is a receipt of receiving the amount by a person  
9 called Abu Ghazwan.

10 THE INTERPRETER: Ghazwan. I'm sorry.

11 THE WITNESS: Abu Ghazwan, and that he will give it  
12 to Abu Nahrain.

13 BY MS. HUDSON:

14 Q. Please look at the previous page to that page 73.

15 A. Yes.

16 Q. What is that document?

17 A. This was issued by M-40 to accounting, notifying them  
18 that the \$2,400 was given to the source.

19 Q. And is that document a document that you would expect to  
20 be generated if a payment of \$2,400 had been made to a source  
21 of M-40 according to the practices -- practices and  
22 procedures of the Iraqi Intelligence Service?

23 A. Yes.

24 Q. Please look at page 22.

25 A. Yes.

1 Q. What is page 22?

2 A. That's a request from M-40 to accounting to disburse the  
3 amount of \$2,400 for the monthly assistant to our source  
4 9-2-11 from 7-1 to --

5 THE INTERPRETER: I missed the second date. I'm  
6 sorry.

7 THE WITNESS: 12-31, and that the director of  
8 Intelligence Service had approved of it.

9 BY MS. HUDSON:

10 Q. Please look at the page before that, which is page 21.

11 A. Yes.

12 Q. What is that document?

13 A. Receipt of receiving the amount of \$2,400, and it says  
14 that, you know, it's salaries from July till the end of the  
15 year 2000.

16 Q. And who signed that?

17 A. William Abu Nahrain.

18 Q. Is that the same person as William Shaoul Benjamin?

19 A. According to the documents, yes.

20 Q. Do you know Mr. Benjamin personally?

21 A. No.

22 Q. So your testimony -- is your testimony here today based  
23 strictly on the documents that you are looking at and your  
24 experience with the Iraqi Intelligence Service?

25 MR. BLATT: Objection. Compound.

1 THE COURT: It is compound. Sustained.

2 BY MS. HUDSON:

3 Q. Would you look, please, at page 156.

4 A. Yes.

5 MS. HUDSON: Your Honor, I'm about to enter into a  
6 group of documents that pertain to another transaction.

7 THE COURT: Then we'll stop at this point, ladies  
8 and gentlemen. We're going to take the luncheon recess. I  
9 ask that you come back at 2:00 o'clock. Would you please  
10 remember the admonition not to discuss the matter. Everyone  
11 please rise for the jury.

12 (Whereupon, at 12:30 p.m. the jury exited the  
13 courtroom.)

14 THE COURT: You may step down, Mr. Sargon.

15 And the interpreter too.

16 All right. Please be seated. We are outside the  
17 presence of the jury.

18 Are there any matters that either counsel wish to  
19 take up?

20 MS. HUDSON: No, your Honor.

21 MR. BLATT: No your Honor.

22 THE COURT: All right. 2:00 p.m. then.

23 Let me just inquire though, how much more do you  
24 have with this witness, would you estimate, Ms. Hudson?

25 MS. HUDSON: I have probably four or five more

1 topics that I wish to discuss through the documents, and then  
2 there are some questions I wish to ask him regarding his  
3 arrest by the Americans, his cooperation, how much he's been  
4 paid, that sort of thing.

5 THE COURT: So what is your estimate in time?

6 MS. HUDSON: I would say it could take another  
7 45 minutes to an hour.

8 THE COURT: All right. Thank you.

9 All right. 2:00 o'clock then.

10 THE CLERK: This Court is in recess.

11 (Whereupon, from 12:32 p.m. to 2:04 p.m., the  
12 afternoon lunch was taken.)

13 (Out of the presence of the jury.)

14 THE CLERK: Please remain seated and come to order.

15 This Court is once again in session.

16 THE COURT: We are outside of the presence of the  
17 jury.

18 Are there any matters that any counsel wish to  
19 raise?

20 MR. BLATT: No, your Honor.

21 MS. HUDSON: No, your Honor.

22 THE COURT: All right. Fine. Let's bring the jury  
23 back, please.

24 THE CLERK: Please rise.

25 (Whereupon, at 2:05 p.m. the jury entered the

1 courtroom.)

2 THE COURT: Please be seated.

3 And good afternoon, ladies and gentlemen. And  
4 congratulations. You've been practicing, I see. You're in  
5 the proper order that time.

6 Let me ask you, ladies and gentlemen, has anything  
7 about this matter come to your attention since you were last  
8 here? If so, please raise your hand.

9 I see no hands having been raised.

10 Mr. Sargon, would you once again give us your name  
11 for the record and spell it, please, your nickname.

12 THE WITNESS: My name is Sargon, S-a-r-g-o-n.

13 THE COURT: And you understand you are still under  
14 oath?

15 THE WITNESS: Yes.

16 THE COURT: Go ahead, Ms. Hudson.

17 MS. HUDSON: Thank you, your Honor.

18 **DIRECT EXAMINATION (CONTINUED)**

19 BY MS. HUDSON:

20 Q. Mr. Sargon, would you please look at document or page  
21 number 156 in Exhibit 1.

22 A. Okay.

23 Q. What is that document?

24 A. This is issued by D-5, which is the international number  
25 five to M-4. This is the administration telling them we got



1 the approval of the director of the Intelligence Service to  
2 assign the Vienna Intelligence Service Center to disburse the  
3 amount of 22,500 to the Source 9211.

4 Q. What is the reference to Vienna the -- I'm not sure  
5 exactly how you described it in our translation. It's the  
6 Vienna station.

7 What does that refer to?

8 A. Well, in our embassy, the Iraqi embassy in Vienna, there  
9 is a, you know, station. It's a Intelligence Service  
10 station. There's an officer or maybe more sometimes under  
11 the diplomatic cover. And it belongs to the foreign ministry  
12 of Iraq. But he's -- but he is in contact directly with us.  
13 When we are talking about Intelligence Service.

14 Q. Did it ever happen that sources who were located in the  
15 United States would visit stations of the Iraqi Intelligence  
16 Service in other countries outside of the United States and  
17 outside of Iraq, such as Vienna?

18 A. Yes. Yes, it happens.

19 Q. Now, looking at our translation of this document, it  
20 says at the top, "Secret."

21 Is that something that appears on the original  
22 document that -- in Arabic?

23 A. Yes.

24 Q. Looking also at our translation, at the very top we have  
25 the word "unclassified."

1           Is that anything that appears on the original  
2 document?

3 A. I did not understand your question.

4 Q. My question was do you see anything at the top of the  
5 page on the original document that says "Unclassified"?

6 A. No. On this paper right here, no.

7 Q. Now, with respect to the "secret" designation -- is this  
8 the word "secret" here, as I'm pointing to it on the monitor?

9 A. Yes.

10 Q. What did that designation indicate?

11 A. Well, the documents in the Intelligence Service is, you  
12 know, categorized or classified, well, you know, secret, and  
13 you know, highly secret, and private and secret, and also  
14 secret, private, and urgent.

15 Q. And have you seen in the documents that we've been  
16 looking at today those designations on any of those other  
17 documents that we've already looked at, if you recall?

18 A. Well, of course, it should be there. Especially for  
19 documents that are sent to the director of the Intelligence  
20 Service.

21 Q. Now, with respect to the documents that we've looked at  
22 so far --

23 A. Yes.

24 Q. -- would it be typical that these documents would  
25 have -- or the documents in an Iraqi intelligence file would

1 have different letterheads or sometimes -- I'm sorry.

2 Different letterheads? Let me withdraw that question.

3 Did the Iraqi Intelligence Service use one single  
4 standard form of paper for all of its documents?

5 A. No. No. No, of course not.

6 Q. Now, did the Iraqi Intelligence Service use one standard  
7 size of documents for all documents in its files?

8 A. No.

9 Q. All right. Would you take a look at Document 155, which  
10 is the preceding document.

11 A. Okay.

12 Q. And what does this communication pertain to?

13 A. Well, this is a request from M-4 to accounting, M-12,  
14 asking for, you know, supporting the balance or the amount of  
15 the station of Vienna to add \$2,500 and this -- and this  
16 amount is actually to receive, you know, somebody on -- in  
17 M-4.

18 THE INTERPRETER: I'm sorry?

19 THE WITNESS: A source from M-4 there.

20 BY MS. HUDSON:

21 Q. From the two documents we've just looked at, does it  
22 appear that Source 9211 actually traveled to Vienna?

23 A. Well, up to this date here, it's not clear if he arrived  
24 in Vienna or not.

25 Q. All right. And based on these documents, do you have an

1 understanding of what the purpose of the \$2,500 disbursement  
2 was?

3 A. Well, usually we prepare the procedures of disbursing  
4 any money before, you know, we receive the person or before  
5 the meeting.

6 MR. BLATT: Objection. Motion to strike.  
7 Nonresponsive as to this request.

8 THE COURT: It's sustained, and I will strike the  
9 answer.

10 MR. BLATT: Thank you, your Honor.

11 BY MS. HUDSON:

12 Q. Mr. Sargon, based on your understanding of these  
13 documents, what was the purpose -- the intended purpose of  
14 the transfer of \$2,500?

15 A. Expenditures to receive one of the sources.

16 Q. And looking at Document No. 156, does that indicate  
17 which source it was?

18 A. Yes.

19 Q. Which source was it?

20 A. 9211.

21 Q. Would you please take a look at page 147.

22 A. Yes.

23 Q. And what does that document pertain to?

24 A. This was issued by D-4, M-4, to Vienna's Intelligence  
25 Service station of Iraq and the subject or the source is

1 Lenny Hard, and it indicates that this amount, \$2,500 --  
2 that's the amount that was disbursed on 9-16-94. And -- and  
3 then -- and then after that in the second paragraph, it puts  
4 the serial number of the, you know, dollar bills that were  
5 disbursed.

6 Q. Now, with respect to the serial numbers of the dollar  
7 bills that were disbursed, was that a normal practice of the  
8 Iraqi Intelligence Service to keep a record of the serial  
9 numbers of dollar bills that were disbursed?

10 A. Yes.

11 Q. Would you take a look, please, at page 152.

12 A. Yes.

13 Q. What is that document?

14 A. Well, this is a document that contains numbers -- well,  
15 maybe one can't, you know, understand it well. But because  
16 of my job, I could say these are numbers of -- of the, you  
17 know, bills that were expended -- spent. And we started this  
18 practice after -- after we had some problems in delivering  
19 and receiving money. Some sources complained that they  
20 received false money. And the officer says, well, actually,  
21 I received it from accounting, and that's all. And  
22 accounting says, "Well, I have no problem. I gave good  
23 money."

24 So they created this practice to resolve that  
25 problem. They -- you know, this money problem -- so there is

1 no problem in transactions; so no false money could get into,  
2 you know, these dollar bills.

3 Q. When you say "false money," would that be what we  
4 consider counterfeit money?

5 A. Yes.

6 Q. If you compare the numbers on page 152 with the numbers  
7 on page 47 --

8 A. 147?

9 Q. Just 47?

10 A. Yes.

11 Q. Do you see any correlation?

12 A. Well, it starts with the same number, which is  
13 944-993-04, and it ends with the same number, which is  
14 252-81-056.

15 Q. All right. If you look at Document 152 --

16 A. Yes.

17 Q. -- is there any writing on that document that says  
18 unclassified?

19 A. No. There's nothing actually.

20 Q. So that's not a translation of something that occurs on  
21 the document?

22 A. Yeah.

23 Q. Would you look, please, at Document No. 153.

24 A. Yes.

25 Q. And what is that document?

1 A. Well, people who are in charge of this file -- they are  
2 asking for or requesting from the authorized director to sign  
3 the letter that was going to Vienna station. And I think  
4 it's pertaining to the amount that was spent after -- upon  
5 the approval of the Intelligence Service director during the  
6 meeting between this station and Collaborator William Shaoul.

7 Q. Did you --

8 A. And it's mentioning that the source contacted us and  
9 sent -- sent information to Vienna station, et cetera, et  
10 cetera.

11 Q. All right. Would you look, please, at Document 61.

12 A. Yes.

13 Q. What is that document?

14 A. Well, this document means that the \$2,500 received by  
15 Vienna station.

16 Q. And what letterhead is that document on?

17 A. Well, it says, "The Embassy of Republic of Iraq in  
18 Vienna," and it's the public relations branch. And -- I'm  
19 sorry. And that means that it's the station of intelligence.

20 We use this type of communication when we  
21 communicate with our stations abroad because we don't want to  
22 mention, you know, that this is Intelligence Service because  
23 this could be easily, you know, penetrated and stolen and  
24 given to enemy intelligence services.

25 Q. In communicating with your sources, let's say, in the

1 United States, did you -- or were you familiar with the use  
2 of mailboxes?

3 A. Could you please repeat the question.

4 Q. Yes.

5 When the Iraqi Intelligence Service wanted to  
6 communicate with sources who were in the United States, are  
7 you aware that mailboxes were ever used?

8 A. Yes.

9 Q. Can you explain how that worked.

10 A. Well, it's -- it's a means of communication. It's an  
11 old one. Well, sometimes we lose connection with the source  
12 for any reason or to keep secrecy or communicating in  
13 secrecy. So we give, you know, boxes in countries where we  
14 have active stations because we do not prefer our sources to  
15 send us mail to Iraq because our mail is under monitoring.

16 So we have some sources or some letters go to  
17 Algeria, Tunisia, or Morocco while somehow this, you know,  
18 not -- is not under monitoring. Our stations take it from  
19 there, and they send us the information to the center.

20 Q. Would you look please at Document No. 40 in Exhibit 1.

21 A. Yes.

22 Q. What is that document?

23 A. This document indicates that -- that the amount of \$4  
24 and a half was spent to renew a P.O. box, that we gave it to  
25 the source on 2-9 who resides in America for the reason of



1 communicating through that box, and that this box is in  
2 Algeria, and that the Algeria station is in charge of, you  
3 know, paying for it.

4 THE COURT: Is there a source number listed?

5 THE WITNESS: Yes.

6 THE COURT: What is it?

7 THE WITNESS: 9211.

8 THE COURT: All right.

9 BY MS. HUDSON:

10 Q. Would you look, please, at Document No. 34 in Exhibit 1.

11 A. Yes.

12 Q. What is that document? Or does that document -- strike  
13 that.

14 Does that document relate to what we were just  
15 talking about?

16 A. Yes. Yes. It pertains to it.

17 Q. And who -- who was sending this document to whom?

18 A. This was sent by the branch of Africa. The Arabic  
19 actually portion of Africa to D -- to D-3, which is Israel --  
20 state of Israel, and a copy of the letter to D-5, which is  
21 the enemy activities. And it indicates that \$4.50 was paid  
22 to renew the P.O. Box.

23 Q. Now, did you also keep in touch with sources of the  
24 Iraqi Intelligence Service by telephone?

25 A. Yes.

1 Q. Would you look please at Document No. 131 in Exhibit 1.

2 A. Yes.

3 Q. What is that document?

4 A. This is a request to make a phone contact with  
5 Collaborator 9211.

6 Q. Does it indicate his telephone number?

7 A. Well, there are some numbers here, but, you know,  
8 supposed to be actually a form that goes to the communication  
9 department.

10 Q. Now, so what is this document?

11 A. Well, this request, actually, is attached to the form  
12 asking the director in charge to sign on the phone  
13 communication form.

14 Q. Would you look at Document No. 19.

15 THE INTERPRETER: "90," Counsel?

16 MS. HUDSON: I'm sorry, 19.

17 THE WITNESS: Yes.

18 BY MS. HUDSON:

19 Q. What is that document?

20 A. This is a list of phone tariffs of the Iraqi  
21 communication department.

22 Q. Does it have a person's name on that?

23 A. Yes. Yes.

24 Q. Do you see the name "William Shaoul Koreel Benjamin" on  
25 that document?

1 A. Yes. Yes. It's clear.

2 Q. Do you know what the meaning of this document is?

3 A. That's, you know -- that's a bill of, you know,  
4 telephone fees.

5 Q. Is there a reason why a source's telephone bill would be  
6 in his Iraqi Intelligence Service file?

7 A. Probably for the purpose of paying this bill.

8 Q. Do you know if it ever happened that a source who  
9 incurred expenses relating to his work for the -- I'm  
10 sorry -- phone expenses relating to his work for the Iraqi  
11 Intelligence Service -- do you know if it ever happened that  
12 a source could be reimbursed for those telephone expenses?

13 A. Well, if a phone call was made from the source telephone  
14 for the purpose of our work, we'll pay it.

15 Q. Would you look, please, at Document No. 91 in Exhibit 1.

16 A. Yes.

17 Q. What is that document?

18 A. This is a notification from M-4 to M-40 notifying them  
19 that the Intelligence Service station in Tunis -- Tunisia --

20 THE INTERPRETER: Sorry.

21 THE WITNESS: -- spent \$32.67 for phone calls under  
22 code or number 9211, and that's for the interest of M-40's  
23 work, and they're asking to approve this spending.

24 BY MS. HUDSON:

25 Q. Now, does that communication have a number?

1 A. Which number are you talking about? Like phone  
2 communication?

3 Q. No. The number of the communication itself of the  
4 document.

5 A. Yes.

6 Q. What number is that?

7 A. 1334.

8 Q. Would you take a look, please, at page 90 of Exhibit 1.

9 A. Okay.

10 Q. What is that document?

11 A. Well, this is the response that, yes, we are aware of  
12 that, and we approve it. That -- yes, this spending, you  
13 know, happened under our knowledge and for the purpose of our  
14 work.

15 Q. And would you look at page 37, please, of Exhibit No. 1.

16 A. Yes.

17 Q. What is that document?

18 A. That is the form, you know, of calls that we spoke  
19 about.

20 Q. Does that form indicate the particular source that it  
21 relates to?

22 A. Yes, Source 9211.

23 Q. And does it also provide the phone number for that  
24 source?

25 A. Yes. It's clear, yes.

1 Q. Now, there is something written at the bottom. Is that  
2 part of the form?

3 And I'll show you what I'm talking about.

4 A. Yes.

5 Q. And what does the form say at the bottom?

6 A. That this form is for a one-time international call and  
7 that the international calls are subject to, you know, MM-1,  
8 which is the director of the special office and which means  
9 that's the director of -- the office of the director of the  
10 Intelligence Service.

11 M-4 -- that means the general director of M-4 and  
12 also the anti-spying department director and the  
13 administrative affairs director and the freedom movement's  
14 director and the enemy activities director and the secretary  
15 of the director of Intelligence Service.

16 Q. When you had or when officials in the Iraqi Intelligence  
17 Service would have phone contact with a source in the United  
18 States, did -- was there some system of coding that was used  
19 in those phone calls?

20 A. Supposed to be, yes.

21 Q. And how was that supposed to work?

22 A. Well, the officer with the source -- they agree on  
23 certain terms, and they know these things between them, and  
24 this is different. Each case has its own.

25 Q. When you say "coding," are you referring to the use of

1 code words?

2 A. Well, yes. We relate, for example, of the Assyrian  
3 party -- we give it certain name, for example, of such and  
4 such. For example, the American Department of Defense -- we  
5 give it a different name. In general, in phone communication  
6 we do not exchange data. We give the source some kind of  
7 a signal for a new target to move on, things of that nature.

8 Q. All right. Would you look, please, at page 25 of  
9 Exhibit 1.

10 A. Yes.

11 Q. First, does this document pertain to a particular  
12 source?

13 A. Yes.

14 Q. Which source is that?

15 A. 9211.

16 Q. Now, I'd like to direct your attention to Paragraph 5 of  
17 this document.

18 A. Yes.

19 Q. Can you explain what that paragraph is about.

20 A. Well, this indicates getting the approval of the  
21 director of the Intelligence Service on 7-25 on the  
22 collaborator's, you know, suggestion to invite some Iraqis to  
23 reside in America to visit Iraq to participate in Babel  
24 International Festival.

25 Q. Are you familiar with the Babel International Festival?

1 A. Yes.

2 Q. What is it?

3 A. Well, it's a cultural festival. Every year actually  
4 it's held around -- actually in the tenth month, and it's in  
5 Babel, the, you know, old city of Babel. We invite, you  
6 know, friends of Iraq, abroad. We invite some of  
7 celebrities --

8 THE INTERPRETER: Sorry.

9 THE WITNESS: -- cultural celebrities to visit  
10 Iraq. And Iraqi government pays -- pays for the expenses.  
11 I'm talking about expenses inside of Iraq.

12 BY MS. HUDSON:

13 Q. Did the Iraqi Intelligence Service use the Babel  
14 International Festival for its own purposes?

15 A. Yes.

16 Q. How?

17 A. Well, we sent for our sources, for example, to come and  
18 visit Iraq under the cover of the festival, the Babel  
19 International Festival. And we could also recruit new  
20 sources in -- among people who are coming from abroad. It's  
21 also an opportunity for us to see our sources inside Iraq and  
22 monitor them and train them.

23 MS. HUDSON: All right. I do not have any further  
24 questions for this witness regarding Exhibit 1. So can you  
25 put Exhibit 1 -- or may the witness put Exhibit 1 to the

1 side.

2 BY MS. HUDSON:

3 Q. Mr. Sargon, was -- we've reviewed a number of documents.

4 Was -- were Iraqi Intelligence Service officers who  
5 created the documents, such as the ones that we've seen --  
6 were they expected to be accurate in creating those  
7 documents?

8 MR. BLATT: Objection. Lack of -- excuse me.

9 Objection. Lack of foundation as to whether he had  
10 knowledge of these two officers who were the handlers.

11 THE COURT: That was not the question. That is  
12 overruled.

13 You may answer.

14 THE WITNESS: Could you please repeat the question.

15 MS. HUDSON: Yes.

16 BY MS. HUDSON:

17 Q. Were Iraqi intelligence officers who prepared documents  
18 such as the ones that we've reviewed in Exhibit 1 -- were  
19 they expected to be accurate in creating those documents,  
20 writing those documents?

21 A. Yes.

22 Q. Mr. Sargon, when you were in the Iraqi Intelligence  
23 Service, did you have any understanding of what was -- what  
24 was supposed to happen to files of the Iraqi Intelligence  
25 Service in case of war?



1 A. Well, actually, we put some internal planning regarding  
2 the internal files and emergency -- emergency planning for  
3 our stations abroad. The ones abroad -- we notified the  
4 stations that if Iraq gets hit and the situation becomes  
5 uncertain and our embassies could be penetrated by chaos or  
6 by some enemy intelligence members, we gave them the  
7 authority to burn the files.

8 Internally, shortly before the war, we transferred  
9 most of the files out of the center of Intelligence Service  
10 and alternative centers. And as some files were taken by  
11 officers to their houses, we didn't have planning regarding  
12 how to deal with these files in case of Baghdad's fall  
13 because the commanders in Iraq did not imagine or put in mind  
14 that Iraq would fall.

15 Q. When you refer to the war, are you talking about the war  
16 in Iraq that began or that occurred in 2003?

17 A. Yes.

18 Q. Did you personally take any actions in 2003 to destroy  
19 files of the Iraqi Intelligence Service?

20 A. Yes.

21 Q. What did you do to destroy files?

22 A. Well, I went to the alternative center on the date of  
23 April 14th. And, well, that's four days approximately after  
24 the fall of Baghdad. And I found the security guard in the  
25 alternative center. And he notified me that he was going to

1 leave because there was no more reason for him to stay.

2 So I asked him to stay. And I went -- I brought  
3 with me a few people, and we burned the whole archive,  
4 United States and Europe, mostly all of it, and a portion of  
5 the North African archive.

6 Q. Did those files pertain to a particular Directorate of  
7 the Iraqi Intelligence Service?

8 A. Yes.

9 Q. Which one?

10 A. Well, I told you North and South America completely,  
11 Europe, western Europe files.

12 Q. Excuse me. I may not have phrased that correctly.

13 MR. BLATT: Excuse me, your Honor. I think the  
14 witness should be allowed to finish. I don't think he's  
15 answered the question.

16 THE COURT: Well, you may inquire of him further if  
17 you care to.

18 Counsel is questioning. She's finished what she  
19 wanted to ask --

20 MS. HUDSON: Thank you, your Honor.

21 BY MS. HUDSON:

22 Q. Were the files files of M-4, M-5, M-40 -- any one of  
23 those or more?

24 A. Well, these files belonged to M-4, which -- not all of  
25 it M-4. But, you know, that's the America division, which I

1 was, you know, in charge of. And Europe also. Europe's  
2 files were in the same center.

3 Q. Did you know where -- at that time did you know where  
4 the files of M-40 were located?

5 THE INTERPRETER: Counsel, I didn't catch the last  
6 word. I'm sorry. "M-40" you said?

7 MS. HUDSON: Yes.

8 BY MS. HUDSON:

9 Q. Where the files of M-40 were located?

10 A. They had more than one center honestly, but I don't know  
11 exactly where.

12 Q. Did you destroy any files belonging to M-40?

13 A. No. No. That wasn't my business.

14 Q. Which section -- which M section did Mr. Benjamin work  
15 for, according to the file that you just looked at as of 2003  
16 or 2001, 2002?

17 A. M-40.

18 Q. Were you ever taken into custody after the war by the  
19 American military?

20 THE INTERPRETER: Could you repeat that, Counsel.  
21 I'm sorry.

22 BY MS. HUDSON:

23 Q. Were you ever taken into custody by the American  
24 military after the war started in 2003?

25 A. Yes.

1 Q. When were you taken into custody?

2 A. It was April 22, 2003.

3 Q. How long were you in custody of the American military  
4 after that arrest?

5 A. Eight months.

6 Q. When were you released?

7 A. 22nd of December 2003.

8 Q. And what happened during the time that you were in  
9 custody, if anything?

10 A. Well, investigation.

11 Q. Who was investigating whom?

12 A. Well, all the American intelligence, you know,  
13 departments, or services investigated us, but mostly FBI.

14 Q. Do you know anything specifically that the FBI did to  
15 investigate you during that time?

16 A. Yes. I knew they did some investigation or some of  
17 work -- investigative work about my background, my work,  
18 about me. And if I ever committed any crimes or participated  
19 in investigations that would cause harm to the Iraqi  
20 citizens.

21 Q. During the time that you were in custody, were you  
22 interrogated?

23 A. Yes.

24 Q. By whom?

25 A. You mean names of entities or names of people?

1 Q. Names of -- names of entities.

2 A. FBI actually questioned me or interrogated me. They  
3 told me they are FBI. And also the military Intelligence  
4 Service from the Department of Defense and others that did  
5 not mention their name. I would suppose CIA. I remember  
6 27 different groups investigated me or interrogated me.

7 Q. What happened when you were released?

8 A. I went to my family for five days, and then I was  
9 transferred to Chicago.

10 Q. Why were you transferred to Chicago?

11 A. For the same -- for the same purpose that I am for right  
12 here.

13 Q. Testimony at a trial?

14 A. Yes.

15 Q. Have you ever lived in the United States?

16 A. No, just visited.

17 Q. Do you have any intention of ever living in the United  
18 States?

19 A. No. No, not at all.

20 Q. When did you last arrive in the United States?

21 A. Two days ago, 4:00 a.m.

22 Q. Have you received any payments for your cooperation with  
23 the FBI?

24 A. Yes.

25 Q. Do you know how much money you've received?

1 A. Well, honestly, I did not do the exact calculation, but  
2 I saw the calculation from you.

3 If your Honor would allow me to look at it --

4 THE COURT: You may refresh your recollection.

5 THE WITNESS: Medical --

6 THE COURT: Just have him read it to himself. And  
7 once he has refreshed his recollection, he can put that away.

8 THE WITNESS: Well, the total is \$116,000  
9 including, you know, medical treatment and food, you know,  
10 travel, lodging, and fees for analyzing information and  
11 reading files.

12 BY MS. HUDSON:

13 Q. Over what --

14 A. For -- for all that period.

15 Q. And for what period of time did you receive that?

16 A. From 2003 until now.

17 Q. And is your testimony today influenced in any way by the  
18 fact that you have received money from the United States for  
19 your cooperation?

20 A. No.

21 MS. HUDSON: Your Honor, I would like to also  
22 question this witness about, just very briefly, Exhibits 2  
23 through 6, and that will conclude his testimony --

24 THE COURT: Go ahead.

25 MS. HUDSON: -- on direct.

1           So I would request that Exhibit 2 be placed before  
2 the witness.

3 BY MS. HUDSON:

4 Q.   Mr. Sargon, do you have Exhibit 2 in front of you?

5 A.   Yes. I have a file in front of me.

6 Q.   And have you seen that file before?

7 A.   Yes.

8 Q.   Is that a file of the Iraqi Intelligence Service?

9 A.   Yes.

10 Q.   Could you turn, please -- let me first ask.

11           Are you able to determine who is the subject of  
12 that file?

13 A.   Yeah. It's -- it's related to Tobia Giwargis, and his  
14 number is 173.

15 Q.   Would you turn please to the page that is marked 1750.  
16 That's 1750. The numbers are written in the extreme lower  
17 left-hand corner.

18 A.   Yes.

19 Q.   And would you look also at the following page,  
20 number 1751.

21 A.   Yes.

22 Q.   Can you describe what this document is.

23 A.   Well, this is a report filed to Abu Khalid and signed  
24 to -- well, actually not signed by Abu Nahrain, but it's  
25 written here "Abu Nahrain," and it's related to some

1 information.

2 Q. I would like to direct your attention to the --  
3 approximately the middle of the first page.

4 Do you see a reference to the Babel International  
5 Festival?

6 A. Yes.

7 Q. What is that reference?

8 A. Well, Nahrain is saying here that I agreed with Tobia.  
9 After your approval that he'll -- he'll visit Iraq during the  
10 Babel International Festival, and that was in Babel's  
11 festival in 1998 in the year 1998.

12 Q. Would you look at Document 1742-A.

13 A. Yes.

14 Q. Now, that document is in English?

15 A. Yes.

16 Q. Are you able to understand what it is?

17 A. Well, this is like a travel ticket.

18 Q. That's -- that's fine.

19 Now, was it one of William Benjamin's duties as a  
20 source of the Iraqi Intelligence Service in the United States  
21 to try to recruit people in the United States to come to the  
22 Babel International Festival?

23 MR. BLATT: Objection, your Honor. There's no  
24 evidence of that submitted.

25 THE COURT: Sustained.



1           You can ask him if he has knowledge, and if so,  
2           how.

3           MR. BLATT: Thank you, your Honor.

4           BY MS. HUDSON:

5           Q. Did -- did Iraqi Intelligence Service sources in the  
6           United States have as one of their assignments or duties that  
7           they should try and recruit people to come to the Babel  
8           International Festival?

9           MR. BLATT: Objection. Asked and answered and  
10          relevancy, your Honor, unless it relates specifically to the  
11          defendant.

12          THE COURT: Overruled.

13          You can ask him if he has such knowledge.

14          BY MS. HUDSON:

15          Q. Do you know if that was one of the duties of Iraqi  
16          Intelligence Service sources in the United States?

17          A. To recruit?

18          Q. Yes.

19          A. Well, they don't recruit. They can do it, but it's  
20          rare. But we -- we use sources to connect us with people,  
21          then we recruit them.

22          Q. Let me rephrase that, then. Was it one of the duties of  
23          sources of the Iraqi Intelligence Service in the United  
24          States to invite other people to come to the Babel  
25          International Festival?

1 A. Yes.

2 THE COURT: And how do you know that?

3 THE WITNESS: It was we -- I'm talking about myself  
4 because of my job -- a lot of our sources are abroad. We  
5 invite them to Iraq. So we give them an excuse to go visit  
6 Iraq, and then we can meet them in Iraq. And we -- you know,  
7 this method was used in the Iraqi Intelligence Service.

8 THE COURT: Go ahead.

9 BY MS. HUDSON:

10 Q. Would you look, please, at the document marked 1743.

11 A. Yes.

12 Q. And can you -- does that document have a signature on  
13 it?

14 A. Yes.

15 Q. Whose signature is on that document?

16 A. Well, it says "William Abu Nahrain."

17 Q. And does it appear that this document was written by  
18 William Abu Nahrain?

19 A. I cannot, you know, decide, you know, this thing.

20 Q. I'm -- I'm not asking you to analyze the handwriting,  
21 but just based on the --

22 A. Well, what I see in front of me, yes. It says that it  
23 was written by William Abu Nahrain.

24 Q. Thank you.

25 THE INTERPRETER: Sure.

1 THE COURT: Strike "thank you."

2 MS. HUDSON: Pardon me, your Honor.

3 BY MS. HUDSON:

4 Q. And would you look please at Document 1754.

5 A. Yes.

6 Q. What is this document about?

7 A. This is a report, well, written by Mr. William Shaoul,  
8 talking about Tobia Ibrahim Giwargis.

9 Q. And to whom is this report addressed?

10 A. Well, it's written here to the official in charge.

11 THE INTERPRETER: Sorry. "Comrade in charge."

12 BY MS. HUDSON:

13 Q. Was the term "comrade" used in the Iraqi Intelligence  
14 Service?

15 A. Yes.

16 MS. HUDSON: Now I have no further questions  
17 regarding Exhibit 2.

18 I would ask that Exhibit 3 be placed before the  
19 witness.

20 THE COURT: I believe he has it.

21 BY MS. HUDSON:

22 Q. Can you explain what this document appears to be.

23 A. Which document you said?

24 Q. 17 -- 1768 and 1769.

25 A. Yes. Yes.

1           This is also a report written by Abu Nahrain, and  
2           it's actually addressed to Abu Tony, and he's talking about  
3           Engineer Sargon Dawod Isaac.

4           Q.    Now do you see a reference to the Sixth Immigrants'  
5           Convention?

6           A.    Yes.

7           Q.    Do you know what that is?

8           A.    Yes.

9           Q.    What is it?

10          A.    This convention is held every two years.  And under the  
11          supervision of the Iraqi Intelligence Service and the foreign  
12          ministry in Iraq, we invite some of Iraqis or Iraqis who live  
13          abroad.  They come and visit as guests, you know, for the --  
14          in Iraq.  They meet, and they decide who is going to be the  
15          chairman of the convention, and they visit the country, and  
16          they see their relatives.

17          Q.    Have you, yourself, ever participated in organizing this  
18          event?

19          A.    Yes.

20          Q.    Is this an event that is controlled by the Iraqi  
21          Intelligence Service?

22          A.    Yes.

23          Q.    Would you look, please, at pages 1766 and 1767.

24          A.    Yes.

25          Q.    What is that -- that document?

1 A. This is a form from the Sixth Division in M-40 to the  
2 director of M-40. They are saying that Source 9211  
3 communicated with them the desire of the Iraqi Sargon Dawod  
4 Isaac and his wife to participate in the Sixth Immigrants'  
5 Convention.

6 Q. Now, with respect to Exhibit 3, is that also a file of  
7 the Iraqi Intelligence Service?

8 A. Yes.

9 Q. I have no further questions regarding Exhibit 3.

10 Could you please take a look at Exhibit 4.

11 A. Yes.

12 Q. Is Exhibit 4 also a file of the Iraqi Intelligence  
13 Service?

14 A. Yes.

15 Q. Would you turn, please, to page 1798.

16 A. Yes.

17 Q. Does -- does your document appear like this one on the  
18 monitor, or is this a bad photocopy?

19 A. No. This one is better.

20 MS. HUDSON: All right. I apologize for the poor  
21 quality of that photocopy.

22 BY MS. HUDSON:

23 Q. Could you explain what that document is.

24 A. This document is issued by M-40 and signed by the  
25 assistant director of the Intelligence Service, and it's

1 addressed to the Intelligence Service director regarding the  
2 Iraqi Butrus Jibra'il and the --

3 From what I see that they lost connection with him  
4 for a long time, and that Source 9211 notified them that now  
5 he works in the International Church (phonetic) Council, and  
6 they are asking -- you know, they are, you know,  
7 communicating with him --

8 Q. I --

9 A. -- and some other information.

10 Q. I have no further questions regarding that exhibit, and  
11 I would ask you to take a look at Exhibit 5.

12 A. You still have more exhibits, or this is the last one?

13 Q. Is this --

14 One more after this.

15 A. It's okay.

16 Q. In Exhibit 5 -- is Exhibit 5 a file of the Iraqi  
17 Intelligence Service?

18 A. Yes. This is an old file.

19 Q. Please take a look at pages 1889 and 1890.

20 A. Yes.

21 Q. What is that document?

22 A. A report written by William Shaoul Koreel and signed --  
23 saying that he's going to Sanharib Club, and he saw Hanna  
24 Malki, and he's an American.

25 Q. To whom is this letter addressed?

1 A. To the comrade in charge.

2 Q. Does this appear to be a report to the Iraqi  
3 Intelligence Service?

4 A. Yes.

5 MS. HUDSON: All right. I have no other questions  
6 regarding Exhibit 5. I would ask -- can that Exhibit 6 be  
7 placed before the witness.

8 BY MS. HUDSON:

9 Q. Do you have Exhibit 6?

10 A. Yes.

11 Q. Is that a file of the Iraqi Intelligence Service?

12 A. Yes.

13 Q. Please look at pages 1691 and 1692.

14 A. 1691?

15 Q. Yes. It should be written in the lower left.

16 A. Yes.

17 Q. Do you have that document?

18 A. Yes.

19 Q. Do you see on the first page of that document any  
20 references to William Shaoul?

21 A. Yes.

22 Q. What are those references?

23 A. The report is saying that we in 1993 assigned William  
24 Shaoul, the source William Shaoul, with a task to travel to  
25 the United States and reside there and to be close to the

1 Assyrian organizations, which are in the American area; and  
2 to give us information and data about these organizations and  
3 their relations with Israel and Iran and that this data was  
4 then transferred to the higher authorities. And, you know,  
5 the letter goes on and on.

6 Q. Would you please look at page 1693.

7 A. Yes.

8 Q. Do you see a reference to William Shaoul at the bottom  
9 of that document?

10 Do you have this document?

11 A. Yes. It's not in the body of the letter. But it's  
12 written -- it's written in blue ink that the original is in  
13 William Shaoul's file.

14 Q. Now, are you familiar with a practice where there would  
15 be multiple copies of the same document in different files in  
16 the Iraqi Intelligence Service?

17 A. Yes.

18 Q. Please look at pages 1667, 1668, 1669, and through --  
19 and so on through 1674.

20 A. Could you repeat the numbers, please.

21 Q. 1667.

22 A. Okay.

23 Q. Does that appear to be an eight-page document?

24 A. Yes.

25 Q. And looking at the first page, do you see a date on that



1 document?

2 A. Yes.

3 Q. What is the date?

4 A. 5-15-98.

5 Q. And is there a location also indicated?

6 A. Yes, Los Angeles.

7 Q. Now, would you take a look, please, at page 1669,  
8 which -- is that the third page of that document?

9 A. Yes.

10 Q. Do you see in the middle of the page a date in April?

11 A. I don't understand what you mean exactly.

12 Yes, I see the date. It's the 25th and 26th of  
13 April '98.

14 Q. Turning to the next page, which is page 1670 --

15 A. Yes.

16 Q. -- do you see in the first line a reference to a  
17 conference?

18 A. Yes.

19 Q. And can you tell from looking at this document what  
20 conference or what type of conference this was based on the  
21 document?

22 A. Well, this is actually out -- you know, outside of my  
23 scope of practice. I am not specialized in -- in enemy  
24 activities. So I have to read in order to answer him.

25 Q. All right. Let me direct your attention to the second

1 sentence of that document.

2 Do you see a reference to the brother-in-law of the  
3 person who wrote this document?

4 A. Yes. In the third line, and his name is Michel Younan.

5 Q. And does that appear to be the name of the  
6 brother-in-law of the person who wrote this document, based  
7 on what is in the document?

8 A. Yes.

9 MS. HUDSON: Your Honor, I would like to read a  
10 stipulation at this time.

11 THE COURT: Go ahead.

12 MS. HUDSON: The stipulation is Exhibit 19. It  
13 reads:

14 "Stipulation of the parties re Michel Younan's  
15 relationship by marriage to the defendant.

16 "The Plaintiff United States of America, by and  
17 through its counsel of record, Assistant United States  
18 Attorneys Judith A. Heinz and Janet C. Hudson, and defendant  
19 William Shaoul Benjamin, individually and by and through his  
20 counsel of record James E. Blatt and Michael G. Raab, Offices  
21 of James E. Blatt, hereby agree and stipulate as follows:

22 "Stipulation:

23 "From 1980 to the present date, Michael Younan,  
24 Y-o-u-n-a-n, who is also known as Michel, M-i-c-h-e-l,  
25 Younan, Y-o-u-n-a-n, has been married to the defendant's

1 sister.

2 "It is so stipulated January 28, 2008, signed by  
3 Judith A. Heinz; William Shaoul Benjamin, defendant; and  
4 James Blatt, attorney for William Shaoul Benjamin."

5 THE COURT: Mr. Blatt, is that a stipulation to  
6 which you've agreed on behalf of your client?

7 MR. BLATT: Yes, your Honor.

8 THE COURT: It will be received.

9 BY MS. HUDSON:

10 Q. Now a little farther down on that same page, if I could  
11 direct your attention -- I'm referring to the fourth page of  
12 this eight-page document, which is marked 1670 -- do you see  
13 a paragraph that begins with the number one?

14 A. Yes.

15 Q. And it's followed by some names that are preceded by  
16 letters?

17 A. Yes.

18 Q. I would ask you to keep that page in mind and look,  
19 please, at page -- the document that begins on page 1724.

20 A. Yes.

21 Q. What is the document that begins on page 1723?

22 A. This is a letter saying -- by the Intelligence Service  
23 to the Secretary of the National Security of Iraq, and it's  
24 talking about information they received from sources about  
25 the Assyrian organizations in America. And this supposed --

1 you know, supposed to have another page of -- four pages.  
2 I think one is missing.

3 Q. If you look at pages 1737, 1736, and 1735, do those  
4 appear to be the remaining pages?

5 A. Well, this is one of them, yes, and this and this, yes.  
6 Yes.

7 Q. Now, with respect to the first page, which is 1724, do  
8 you see the last paragraph is indented, starting with the  
9 letter A?

10 A. Yes.

11 Q. And do you see a list of names there of people who were  
12 elected to membership in a political office?

13 A. Yes.

14 Q. And referring back to page 1670, the document written by  
15 the person whose brother-in-law is Michel Younan --

16 A. Yes.

17 Q. -- do you see any similarity in the names provided in  
18 that letter as persons who were elected to political office  
19 for the Bet Nahrain Party?

20 A. Yes.

21 Q. The document that begins on page 1724 --

22 A. Yes.

23 Q. -- was that document sent to the office of the president  
24 of Iraq?

25 A. Well, it's sent to the Secretary of the National

1 Security.

2 Q. Is that -- what is the relationship between the office  
3 of the National Security and the office of the president?

4 A. Most likely, I am not sure, the -- the secretary of the  
5 Security office is the same person as the secretary of the  
6 president office. And -- and the -- actually security, you  
7 know, office is headed by Izzat Aldurri, who was the, you  
8 know, vice president; and Abdou Hmoud, who is the secretary  
9 of the president. He is the same person who is the secretary  
10 of the security office, submits reports to the president  
11 about the security -- national security office meetings.

12 Q. And at that time who was the president of Iraq?

13 A. Saddam Hussein.

14 MS. HUDSON: I have no further questions.

15 THE COURT: Ladies and gentlemen, we're going to  
16 take an afternoon recess at this time.

17 Everyone, please rise for the jury.

18 (Whereupon, at 3:53 p.m. the jury exited the  
19 courtroom.)

20 THE COURT: You may step down, Mr. Sargon. Return  
21 ten after 4:00.

22 Please be seated. We're outside the presence of  
23 the jury.

24 Any matters that any counsel wish to take up?

25 MS. HUDSON: No, your Honor.

1 MR. BLATT: Yes, your Honor.

2 THE COURT: Yes, Mr. Blatt?

3 MR. BLATT: Your Honor, I'm not going to be able to  
4 finish my cross.

5 THE COURT: I know that.

6 MR. BLATT: May we break at 5:00 --

7 THE COURT: Well, I expect to.

8 MR. BLATT: Thank you, your Honor.

9 THE COURT: All right.

10 THE CLERK: This Court is in recess.

11 THE COURT: Return at ten after 4:00.

12 (Whereupon, from 3:54 p.m. to 4:11 p.m. a break  
13 was taken.)

14 (Outside the presence of the jury.)

15 THE CLERK: Please remain seated and come to order.  
16 This court is once again in session.

17 THE COURT: We are again outside the presence of  
18 the jury.

19 Are there my matters that any counsel wish to  
20 raise?

21 MR. BLATT: No, your Honor.

22 MS. HUDSON: No, your Honor.

23 THE COURT: All right. We can bring in the members  
24 of the jury panel.

25 THE CLERK: Please rise.

1 (Whereupon, at 4:12 p.m. the jury entered the  
2 courtroom.)

3 THE COURT: Please be seated, ladies and gentlemen.  
4 We're entering the last lap for today. In fact,  
5 it's going to be one of those therapist hours, 50 minutes.  
6 We're going to stop at 5:00 o'clock.

7 Mr. Sargon, would you once again repeat your name  
8 and spell your last name for the record.

9 THE WITNESS: Sargon, S-a-r-g-o-n.

10 THE COURT: And you understand you are still under  
11 oath?

12 THE WITNESS: Yes.

13 THE COURT: All right. Let's move to the  
14 cross-examination, Mr. Blatt.

15 **CROSS-EXAMINATION**

16 BY MR. BLATT:

17 Q. Good afternoon, Mr. Sargon.

18 A. Good afternoon.

19 Q. I want to ask you a series of questions in reference to  
20 your responsibilities when you were working for the Iraqi  
21 Intelligence Service.

22 Concerning your involvement -- concerning -- I'm  
23 sorry -- Directorate four, what specifically were your  
24 responsibilities?

25 A. I was responsible for America's division, and my

1 responsibility exactly to collect intelligence information  
2 about certain targets in America.

3 Q. What kind of targets?

4 A. Ministry of Defense, Foreign Affairs Ministry, and the  
5 National Securities Council.

6 Q. Were these targets to be destroyed?

7 THE INTERPRETER: Excuse me, Counsel. I didn't get  
8 the question.

9 BY MR. BLATT:

10 Q. Were these targets to be destroyed?

11 A. No. Penetrated and collect information about it.

12 Q. Were you loyal to Saddam Hussein when you worked for the  
13 Iraqi Intelligence Service?

14 A. Well, Saddam Hussein was the president of Iraq, and I  
15 was working for the Intelligence Service of Iraq. And the  
16 whole world, you know, recognized him as a president.

17 Q. The question, sir, is were you loyal to him when you  
18 worked for the Iraqi Intelligence Service?

19 A. I was loyal to my country.

20 Q. My question, to you, sir, is were you loyal to Saddam  
21 Hussein when you worked for the Iraqi Intelligence Service?

22 A. I was loyal to my job. If my job was loyal to Saddam  
23 Hussein, then I was loyal to Saddam Hussein.

24 Q. Is the answer, "yes," sir?

25 THE COURT: He just answered the question. Please



1 move on.

2 BY MR. BLATT:

3 Q. In reference to director four, were you -- wasn't  
4 that --

5 A. I wasn't director for M-4.

6 Q. I'm sorry.

7 A. I was a director in M-4.

8 Q. In reference to being a director of -- a director of  
9 M-4, wasn't that considered the Iraqi Secret Police?

10 A. No.

11 Q. Well, wasn't the responsibility of M-4 to infiltrate  
12 Iraqi government departments and the Baath party and members  
13 of the Iraqi community?

14 A. You are mixing between things, and I don't think you  
15 understand the situation. Not -- no, not one of our -- it  
16 wasn't one of our duties to penetrate the Baath party and  
17 wasn't my task -- you know, wasn't my task to penetrate also  
18 the enemy organizations. That was for M-40.

19 Q. Was your M-4 division part of the attempted  
20 assassination attempt against President Bush One in Kuwait in  
21 1993?

22 Is that funny, sir? You're laughing.

23 THE COURT: Just -- just a minute.

24 THE WITNESS: Because your questions are out of the  
25 scope, and really it raises some kind of mockery for me.

1 BY MR. BLATT:

2 Q. Well, weren't two Iraqis arrested in Kuwait attempting  
3 to kill President George Bush One in the area of Kuwait?

4 MS. HUDSON: Objection. Relevance.

5 MR. BLATT: It goes --

6 THE COURT: Sustained.

7 BY MR. BLATT:

8 Q. In reference to M-4, what other responsibilities did  
9 that organization have?

10 A. Collect information. That's all.

11 Q. When the Americans were coming in to Baghdad, were you  
12 still collecting information, or were you working to kill  
13 Americans?

14 A. And why not collect information? This is our duty;  
15 that's our task.

16 Q. What I'm asking you is that when the Americans were  
17 coming in, was part of your responsibility to kill them?

18 A. Well, you tell me. Did we come to America or Americans  
19 come to us? And -- and, you know, you want them to come  
20 invade our country and we don't fight back? What? Do you  
21 think we are sheep?

22 Q. Was your responsibilities --

23 THE COURT: All right. Just a minute.

24 BY MR. BLATT:

25 Q. -- to kill Americans when they came in, sir, your

1 responsibility?

2 MS. HUDSON: Objection. Relevance.

3 THE COURT: Sustained.

4 Let's move on.

5 BY MR. BLATT:

6 Q. Let's talk about sheep for a second, sir.

7 Did they ever find your personnel file when you  
8 were investigated by 23 organizations when you were arrested?

9 A. Well, ask them.

10 Q. I'm asking, you, sir.

11 A. I don't know.

12 Q. Well, did you burn your personnel file when you burned  
13 all those files?

14 A. No. I don't keep my personnel file. My personnel file  
15 stays at the administrative affairs or in the -- in the  
16 administration, and I don't know where did it go, but I know  
17 that they --

18 THE COURT: Just slow down. The reporter can't  
19 take down all --

20 THE INTERPRETER: Maybe we should do consecutive,  
21 your Honor, if you want.

22 THE COURT: No, that's fine.

23 Let's have another question, please.

24 BY MR. BLATT:

25 Q. You may finish your answer.

1           You know what, sir?

2           THE COURT: Just a minute.

3           Let's have another question.

4 BY MR. BLATT:

5 Q. Do you remember what the answer was for your -- for the  
6 last question before you were stopped?

7 A. We were talking about personnel files, and you asked me,  
8 "Did you burn your own personnel file?"

9           I told you I don't keep my personnel file.  
10 Personnel files stay at the administration, you know, office  
11 and administrative affairs. And according to my information  
12 that -- the American forces actually took in custody most of  
13 these files, but I don't know if they found my own personnel  
14 file or not.

15 Q. Your -- excuse me. If I may ask you a question now.

16           THE COURT: Well, just a minute. You wanted him to  
17 finish. Let him finish.

18           MR. BLATT: Let him finish.

19           THE WITNESS: But when they came to arrest me, they  
20 had already my complete name; the four, you know, name --  
21 names of my name -- and they had my picture and other  
22 information.

23 BY MR. BLATT:

24 Q. The question is did they ever show you your file during  
25 the interrogations that you had for those eight months?

1 A. No.

2 Q. The head director of M-4. What was his name?

3 A. Dr. Hassan Azba Thalj Alabudai.

4 Q. Was he on one of those cards that were given to American  
5 forces to look for at the fall of Baghdad, if you recall?

6 A. I don't -- I don't understand what you mean.

7 Q. Well, after the fall of Baghdad you tried to escape,  
8 didn't you?

9 A. No.

10 Q. You stayed and fought?

11 A. I stayed in my home. I -- I didn't have fighting  
12 duties. I was intelligence officer. I wasn't a fighter.

13 Q. You never interrogated anyone, did you, in your whole  
14 career as an intelligence officer?

15 A. Yes.

16 Q. And when you interrogated someone, did you ever torture  
17 them?

18 MS. HUDSON: Objection. Relevance.

19 MR. BLATT: It goes to --

20 THE COURT: Sustained. Let's move to something  
21 else.

22 BY MR. BLATT:

23 Q. Do you think that's funny -- torturing? You're smiling  
24 now, sir.

25 THE COURT: All right. Now, let's just ask another

1 question.

2 MR. BLATT: All right, your Honor.

3 THE COURT: You are not to be concerned about the  
4 demeanor of the witness. It's the Court's obligation.

5 MR. BLATT: Yes, your Honor.

6 THE COURT: Let's move on.

7 BY MR. BLATT:

8 Q. Now, during this eight months of the time that you were  
9 in custody, did you cut some type of deal with the FBI in  
10 reference to your situation?

11 A. There was no deal with the FBI, and the FBI actually did  
12 me a favor, and they actually took me out of the hand of the  
13 military. If it wasn't for the FBI, the military would have  
14 committed acts against me as you saw on the pictures -- in  
15 the pictures you saw.

16 Q. What kind of acts would they have committed on you, sir,  
17 if the FBI hadn't rescued you?

18 A. I don't know exactly what would have happened, but you  
19 saw -- you saw all the pictures, you know, all the pictures  
20 of the American prisons in Iraq.

21 Q. So the FBI rescued you, took you to this country?

22 A. Yes. Yes. They -- they arrested me -- rescued me.  
23 They did not, you know, bring me to this country, no.

24 Q. Who brought you to the country then?

25 A. Do you mean -- I mean, this time or the previous times,

1 yes. The FBI.

2 Q. I'll rephrase it.

3 A. Just analyze these files.

4 Q. Why do you think the FBI got you released from the  
5 military prison?

6 MS. HUDSON: Objection. Calls for speculation.

7 MR. BLATT: Goes to his credibility, your Honor.

8 THE COURT: Just a minute. He may answer if he has  
9 knowledge.

10 THE WITNESS: For two reasons: First one, that  
11 they didn't find any mistake against me during my whole  
12 career life and that I was not under any criminal case, you  
13 know, or conviction in Iraq. If it was, you know, my general  
14 demeanor, or it was my career demeanor, and also for needing  
15 me and for needing my information.

16 BY MR. BLATT:

17 Q. What type of information did they need from you?

18 A. Anything related of our work or job in the American  
19 arena.

20 Q. So a deal was made where you would assist them in  
21 reference to the knowledge that you knew and you would be  
22 released from prison?

23 A. There was no such deal at all before I was released from  
24 prison.

25 Q. So it's after you are released from prison, then the

1 deal was made?

2 A. Do you want me to tell you what happened after I was  
3 released from prison?

4 Q. Please do, sir.

5 A. They told me, "You are free to go. We are not going to  
6 force to you do anything, but we need you to analyze some  
7 information and to read these files, and we need you to  
8 analyze these files before the American judicial system."

9 And because they did me a favor, I agreed.

10 Q. Now, they did you the favor first and then you agreed;  
11 is that right?

12 A. They did me a favor without any conditions. There was  
13 no such condition.

14 Q. Your whole life as a military officer you were  
15 supporting your Iraqi government.

16 A. I wasn't a military officer. I was an intelligence  
17 officer.

18 Q. I -- I understand. Thank you.

19 THE COURT: Strike that.

20 BY MR. BLATT:

21 Q. But now after eight months in custody, you work for the  
22 Government that invaded your country. You now betray your  
23 country and work for them; is that right?

24 MS. HUDSON: Objection. Argumentative.

25 THE COURT: It's compound and argumentative.



1                   Just ask it differently.

2       BY MR. BLATT:

3       Q.     What were your feelings about working for a government  
4       that invaded your country?

5                   MS. HUDSON:  Objection.  Relevance.

6                   THE COURT:  You may answer.

7                   Overruled.

8                   THE WITNESS:  Please repeat the question.  Make it  
9       clear, please.

10      BY MR. BLATT:

11      Q.     What were your feelings about helping a government that  
12      had invaded your country and defeated it?

13      A.     Not all Americans are with the occupation.  Actually,  
14      70 -- 70 percent of Americans are against Bush policies and  
15      invading Iraq.  Does that mean these people are working  
16      against the American government?  This is different than  
17      this.

18                   THE COURT:  Let's have another question, please.

19      BY MR. BLATT:

20      Q.     In reference to the destruction of files, did you  
21      destroy tons of files when you burned them, a ton being  
22      2,000 pounds?

23      A.     Yes.

24      Q.     How many tons of files did you destroy?

25      A.     I didn't have a scale to weigh it.

1 Q. Was it a whole building of files?

2 A. Yes.

3 Q. Did you do that to protect your country?

4 A. This is important information, and there was no  
5 country -- no more country, no more state. And, you know, so  
6 the American forces wouldn't come and put, you know, their  
7 hands on it. And -- and I wouldn't let it for the public  
8 also to take it and go, you know, sell it. And -- and they  
9 bargain on it and then create a lot of problems. So I --

10 Q. Isn't that --

11 A. -- decided to burn it.

12 Q. Isn't that what you're doing now? Aren't you bargaining  
13 and selling information for your freedom?

14 A. No.

15 Q. What do you call it?

16 A. I analyze information that is here already. And if  
17 you -- you ask your client who -- ask your client who -- who  
18 was responsible for making his file go to the FBI, I think  
19 it's the association he is with, and it's not my  
20 responsibility.

21 MS. HUDSON: Objection. Ask that that answer be  
22 stricken.

23 THE COURT: It will be stricken.

24 MR. BLATT: Pardon me, your Honor.

25 THE COURT: It will be stricken.

1 BY MR. BLATT:

2 Q. What association helped him get file over there, if you  
3 know?

4 A. What association? What do you mean exactly?

5 Q. When you were released, did you start working with the  
6 FBI to help them get other files that may not have been  
7 destroyed in Iraq?

8 A. No.

9 Q. But you knew where some of the other files were, didn't  
10 you?

11 THE INTERPRETER: Counsel, I didn't get the last  
12 portion. Sorry.

13 BY MR. BLATT:

14 Q. You knew where some of the other files were in various  
15 safe houses?

16 A. In the -- in prison they asked me about it, and I told  
17 them about locations. I don't know what kind of files they  
18 got or not, but when they went to the location I used to be  
19 in charge of they didn't see any files.

20 Q. So you cooperated from the very beginning, didn't you,  
21 as soon as you were caught and -- releasing intelligence  
22 information to the enemy?

23 MS. HUDSON: Objection. Argumentative.

24 THE COURT: It's compound now.

25 Let's have another question.

1 BY MR. BLATT:

2 Q. Did you cooperate from the very beginning in releasing  
3 intelligence information within your control to your enemy,  
4 the United States of America?

5 A. I give them the information that I was under arrest and  
6 under interrogation. I gave information, yes. Not -- not  
7 everything, but I gave them information, yes.

8 Q. Why didn't you give them everything if you're  
9 cooperating?

10 A. This -- you know, this is my business, not your  
11 business.

12 MR. BLATT: Your Honor, could you ask the witness  
13 to answer the question?

14 THE COURT: I just heard his answer.

15 BY MR. BLATT:

16 Q. The question, again, sir, is why didn't you give them  
17 all the information in the beginning?

18 MS. HUDSON: Objection. Asked and answered.

19 THE COURT: Sustained.

20 MR. BLATT: It wasn't answered. He refused to  
21 answer.

22 THE COURT: Sustained.

23 BY MR. BLATT:

24 Q. What information did you hold back in giving them?

25 A. Well, approximately -- I don't hold anything. You're

1 talking about the beginning, yeah. But after eight months  
2 they got almost everything.

3 And also, you know, it seems you are not authorized  
4 to carry interrogation. I mean, you are interrogating me,  
5 and I think this is irrelevant to these old issues.

6 Q. You've done a lot of interrogations in your life,  
7 haven't you, sir?

8 A. What do you mean by "interrogations"?

9 Q. You've interrogated a lot of individuals in your life  
10 who were opposed or suspected being opposed to Saddam  
11 Hussein?

12 MS. HUDSON: Objection. Irrelevant. Beyond the  
13 scope of direct.

14 THE COURT: Sustained.

15 BY MR. BLATT:

16 Q. One other thing, sir. When you were released, did you  
17 negotiate for your back pay of 800 American dollars from the  
18 time you were in custody?

19 A. I don't understand your question, please.

20 Q. Did the FBI ever give you back pay from the time you  
21 were in custody to the time you were released, how much you  
22 were being paid in your intelligence position?

23 A. You know, we talked about the amount I got, and I didn't  
24 get anything else.

25 Q. What I'm asking you is did the Government give you your

1 back pay when you left as part of this understanding?

2 A. No. No.

3 Q. You don't recall ever stating that at a previous  
4 hearing?

5 A. What -- what they paid me -- let me explain to you.  
6 There is a law. According to a law -- according to the  
7 arrest law, they paid me about \$200 and -- and I think also  
8 another amount was either \$800 or \$900 that was paid out of  
9 the camp. That -- what I got, that's what I got.

10 Q. What was it for?

11 A. Well, they paid it to me as assistance. I -- because I  
12 know things because we didn't have anything to live on.

13 Q. How much were you getting paid prior to the fall of  
14 Baghdad per month in American dollars?

15 A. Approximately 500,000 dinars. Well, we don't have a  
16 limit actually, but from \$100 to \$300. And also when we go  
17 on missions -- you know, go on missions abroad -- we could  
18 get up to a thousand dollars or more in one trip.

19 Q. So after 20 years' of service, you are making about \$100  
20 to \$300 American dollars per month; is that correct, sir?

21 A. No, not exactly. Not -- that's not what I said.

22 Q. Well, how much in American dollars were you making a  
23 month at the time of the fall of Baghdad?

24 A. Well, every year, you know, our salary changed.

25 But at the time of the Baghdad fall?

1 Q. Yes, sir.

2 A. It was about 400,000 dinars to 500,000 dinars.

3 Q. And what is that in American dollars?

4 A. I don't recall.

5 Q. Is it just a couple hundred dollars a month?

6 A. Maybe more.

7 Q. In your previous times that you've testified, did you  
8 wear a disguise over your face?

9 A. No.

10 Q. Have you ever worn a disguise?

11 A. No. Well, actually, they told me about it. I didn't  
12 agree.

13 Q. You indicated on direct examination that there were some  
14 problems in reference to counterfeit money and individuals  
15 getting their correct payment.

16 Was there corruption in the Iraqi Intelligence  
17 Service in reference to release of funds?

18 A. Well, in all -- you know, in all international, you  
19 know, offices or departments, corruption exists. Therefore,  
20 they put a very advanced accounting system to protect, you  
21 know, this issue --

22 Q. Well, let's just talk for one second about --

23 A. -- but -- but corruption was --

24 THE COURT: Wait just a moment.

25 THE WITNESS: Corruption was very rare in our

1 service.

2 BY MR. BLATT:

3 Q. And would it be fair to say -- let me rephrase that.

4 Is corruption rare at the time of the fall of  
5 Baghdad in Iraq from your experience as an Iraqi citizen?

6 A. No, it wasn't rare. There was corruption in the state  
7 offices, but -- but the Intelligence Service was clean  
8 because it was a very rigid system.

9 Q. Now, in reference to the safeguard, would you -- when  
10 money was given to the handler in reference to, let's say,  
11 Mr. Benjamin, some other source, wouldn't that source have to  
12 give documentation as to his expenses in reference to plane  
13 tickets?

14 A. Well, the -- the question is very long, honestly. Could  
15 you make it shorter, please?

16 Q. In some of the other files, two through six, there are  
17 some plane records of tickets; correct?

18 A. Yes. Yes.

19 Q. And payment was made in reference to those plane  
20 records?

21 A. Yes.

22 Q. Did you observe any type of plane records or actual  
23 travel expenses in reference to Mr. Benjamin's file?

24 MS. HEINZ: Objection. Compound.

25 THE COURT: Overruled.



1           You may answer.

2           THE WITNESS: Just the last portion of the  
3 question, please.

4 BY MR. BLATT:

5 Q. Did you observe any type of records in Mr. Benjamin's  
6 file that would indicate that he had actual expenses -- plane  
7 tickets, hotel rooms, restaurants -- anything in the file  
8 concerning that?

9 A. I didn't see that, but -- but the money was paid in  
10 cash, you know, as a total; and that's our method in the  
11 Intelligence Service.

12 Q. So, in other words, your method in the Intelligence  
13 Service is to pay cash to the handler without any  
14 documentation of any receipts.

15           Is that your safeguard?

16 A. Yes. Yes. We have both -- we have both methods. We  
17 have this, and we have the other one, yes.

18 Q. What's the other one?

19 A. Either we ask him for detailed receipts, hotel -- and  
20 you know, expenses, air, you know, travel ticket and -- and  
21 then -- then we give him the money; or we give him lump sum;  
22 and, you know, he would take care of it.

23 Q. But you don't give it to the source?

24           You give it to the handler; am I correct?

25 A. Sometimes if we have a direct contact with the source,

1 we give it to the source. But if the source is -- you know,  
2 far, we give it to a handler.

3 Q. In reference to Mr. Benjamin, looking at his file,  
4 wasn't all the money given directly to the handler first?

5 A. If you want me to answer this question, I will answer  
6 according to what I saw in the file because I wasn't  
7 responsible for, you know, his contact.

8 Q. Well, you indicated your responsibility.

9 But do you know specifically how a -- an  
10 administrative file or an intelligence file is made up by the  
11 I.I.S.?

12 A. Yes.

13 Q. Did you have an opportunity to compare the files two --  
14 from Exhibits 2 through 6 with Mr. Benjamin's file?

15 A. Well, there was a clear correlation.

16 Q. What is a collaborator's secret information card?

17 A. The secret information card, yes.

18 Q. Well, what is it, sir?

19 A. It includes detailed information about the collaborator,  
20 his name, nick -- his name, nickname, and the secret number  
21 and a lot of information.

22 Q. Was there a collaborator's information card in  
23 Mr. Benjamin's file?

24 A. I didn't see it.

25 Q. Isn't that usually, based upon your experience,

1 something that's put in every administrative or intelligence  
2 file in reference to a source?

3 A. Yes. It's supposed to be in all files.

4 Q. And also in reference to that collaboration information  
5 card there's a secret code.

6 What is the secret code attached to that card?

7 THE COURT: Wait just a minute.

8 MR. BLATT: Pardon me, your Honor.

9 THE COURT: You have two questions.

10 MR. BLATT: I apologize, your Honor.

11 BY MR. BLATT:

12 Q. What's the secret code attached to the card?

13 THE COURT: First of all, is there a secret code?

14 THE WITNESS: Secret code for what?

15 BY MR. BLATT:

16 Q. For the collaborator's information.

17 A. I don't understand your question.

18 Q. Well, didn't you mention that there was a secret code in  
19 reference to the information card?

20 A. Yes.

21 Q. What is it, sir?

22 A. I can't memorize numbers.

23 Q. So, in other words, there's numbers attached to the  
24 information card; correct?

25 A. I can't -- I can't -- I can't answer you unless you show

1 me the document, and then I'll explain it to you. I really  
2 can't answer this -- this question. And -- I left five years  
3 ago.

4 Do you want me to remember now?

5 Q. I apologize, sir.

6 A. Thank you.

7 Q. What about a "Loyal and Oath Statement" signed by the  
8 source? Isn't that usually in an administrative or  
9 intelligence file?

10 A. Well -- well, you know, these cards, you know, came  
11 about recently. And, you know, supposedly the source and the  
12 officer --

13 THE COURT: Go ahead.

14 THE WITNESS: The officer should construct the file  
15 in a complete way. And we -- we -- we use -- we used to  
16 really monitor the officers rigidly, but a lot of them did  
17 not comply because the administrative file usually is not  
18 directly under supervision. It's like a little bit far away.

19 BY MR. BLATT:

20 Q. What do you mean by the administrative file not under  
21 direct supervision?

22 A. Well, the intelligence file is dealt with daily but the  
23 administrative file -- if there was no money involved or  
24 money, you know, spent, or training or, you know, tests,  
25 these are the cases where we go to the administrative file.

1 But the intelligence file is dealt with on a daily basis.

2 Q. Isn't the administrative and intelligence file kept  
3 together?

4 A. No.

5 Q. They're separated?

6 A. Yes.

7 Q. Why would they be separated?

8 A. Well, I told you. The intelligence file is close to the  
9 officer because he's dealing with it always. The  
10 administrative files, you know, they are put away.

11 Q. Does the handler also handle the intelligence file?

12 A. What do you mean by "the handler"?

13 Q. The person in Mr. Benjamin's file who received the money  
14 and allegedly gave Mr. Benjamin the money, would he also work  
15 on the intelligence file?

16 A. Well, the handler was not an officer, not an  
17 intelligence officer. And he doesn't -- and he doesn't know  
18 anything. Just you know, he took the money, and he took it  
19 to Benjamin.

20 Q. So you're saying now the handler now isn't an  
21 intelligence officer; is that correct?

22 A. What -- what handler you are talking about? Well,  
23 according to the file --

24 Q. I'm talking about Mr. Benjamin's handler.

25 THE COURT: Just a minute. The reporter can't take

1 down all of you at the same time. Let's have a question, and  
2 let's have an answer.

3 Ask your question again, please.

4 BY MR. BLATT:

5 Q. I'm talking about Mr. Benjamin's handler, Abd-al-Salam.

6 A. Yes. Abd-al-Salam was the intelligence officer who was  
7 in charge of the file, and he would have the file, the  
8 administrative and the intelligence files. But the  
9 administrative file -- he -- he puts it aside, and he would  
10 go to it, reference it when he pays money or when he wants to  
11 examine information about the source. But -- but the  
12 intelligence file -- he deals with it almost -- on a daily  
13 basis almost.

14 Q. And there's been no intelligence file found in reference  
15 to Mr. Benjamin to your knowledge.

16 THE COURT: You're asking?

17 MR. BLATT: Yes, your Honor.

18 THE COURT: Well, ask it.

19 MR. BLATT: I'll rephrase it. Excuse me. May I  
20 rephrase it?

21 BY MR. BLATT:

22 Q. To your knowledge, was there any intelligence file ever  
23 found in reference to Mr. Benjamin?

24 A. I did not see here any intelligence file related to  
25 Mr. Benjamin.

1 Q. Is there anything in Mr. Benjamin's administrative file  
2 that indicates an actual assignment?

3 A. In the administrative file, yes.

4 Q. What is it?

5 A. Penetrate the Assyrian organization and the Bet Nahrain  
6 party and other enemy organizations.

7 Q. Can -- and excuse me.

8 A. And -- and, actually, his action plan is very clear.  
9 It's right there.

10 Q. Well, is it clear in some other file, or was it in his  
11 file?

12 A. In his file.

13 Q. So you're saying that you saw it in his file? Are you  
14 sure about that?

15 A. Yes. It's there.

16 Q. So you'll have an opportunity on the break to look for  
17 it?

18 A. Which break?

19 Q. Never mind.

20 Do you get paid for every time you testify in  
21 court?

22 A. No.

23 Q. Do you do it for free?

24 A. All the money I got, I got it for analyzing the files,  
25 and I wasn't promised anything -- no promises made to me.

1 And I am telling you -- I am telling you the reasons and the  
2 background of my cooperation with the FBI.

3 Q. What I'm asking you, sir, is that are you getting paid  
4 for testifying today? Are you going to receive some  
5 additional monies?

6 A. Absolutely not.

7 Q. So you're doing it for free?

8 A. No, not -- not free. You know, I -- this is -- you  
9 know, you are contradicting me. I analyzed the information,  
10 and I analyzed these files, and I got the money for that.  
11 And -- and then I was asked to give this information before  
12 the Court.

13 Q. You can --

14 THE COURT: All right. We'll stop now.

15 MR. BLATT: One more question, your Honor?

16 BY MR. BLATT:

17 Q. Do you consider \$112,000 a lot of money for you, sir?

18 A. No, not at all. This is all, you know, travel expenses  
19 and medications and treatment and lodging -- how much money  
20 you make a day.

21 THE COURT: All right. Thank you.

22 Ladies and gentlemen, we're going to stop for the  
23 day, and we'll pick this up hopefully in a more orderly way  
24 tomorrow.

25 I'll ask that you come in at 9:00 o'clock. And



1 remember, please just put all of this aside and have a good  
2 evening.

3 Everyone, please rise for the jury.

4 (Whereupon, at 5:01 p.m. the jury exited the  
5 courtroom.)

6 THE WITNESS: Your Honor, he's going to ask me  
7 tomorrow more questions?

8 THE COURT: Yes, you will have more questions.

9 THE WITNESS: All right. I will be ready tomorrow.  
10 All right. You may take a seat. We'll see you  
11 tomorrow at 9:00 o'clock tomorrow morning.

12 THE COURT: All right. Please be seated.

13 We're outside the presence of the jury.

14 Are there any matters that any counsel wish to  
15 raise at this time?

16 MR. BLATT: No, your Honor.

17 MS. HUDSON: No, your Honor.

18 THE COURT: All right. We'll see you at  
19 9:00 o'clock.

20 (Whereupon, at 5:02 p.m., the proceeding concluded.)  
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23  
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