

Exhibit 2

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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| _____ |) | |
| Ahmed Zaid Salem Zuhair, <i>et al.</i> |) | |
| |) | |
| Petitioner |) | Civil Action No. 08-CV-0864 (EGS) |
| v. |) | |
| |) | |
| Bush, <i>et al.</i> , |) | |
| |) | |
| Respondents. |) | |
| _____ |) | |

Pursuant to 28 U.S.C. § 1746, I, [REDACTED], hereby declare that to the best of my knowledge, information and belief, the following is true, accurate and correct:

1. I am a Chief Warrant Officer in the United States Navy with 20 years of active duty service. I currently serve as the Assistant Officer in Charge (AOIC) of Camp VI at the Joint Task Force-Guantanamo Bay, Cuba (JTF-GTMO) and have served in this position since February 10, 2008. I have never been disciplined for any inappropriate or improper conduct towards detainees.
2. This declaration is based on my first-hand knowledge and observations. Through information made available to me through my official duties, I am aware of the procedures and protocols which govern the operations and use of Forced Cell Extraction (FCEs) Teams, as explained in the declaration of Colonel Bruce Vargo.
3. In my position as AOIC of Camp VI, my duties include supervising FCEs and ensuring the FCE Teams do not use excessive force and that they, and other guard personnel, comply with the standard operating procedures for the Joint Detention Group at JTF-GTMO. My foremost concern at all times is to ensure the safety of guard staff and the detainees.

Treatment of ISN 669 During Evening of 14 August 2008

4. I have been informed that ISN 669 has made various allegations about the actions of the FCE Team that participated in the FCE of ISN 669 and another detainee on 14 August 2008, including claiming that he and another detainee were strangled during the process. I witnessed the FCEs that occurred during the evening on that day, including that of ISN 669, and the following is a description of what I observed.
5. On 14 August 2008, after ISN 669 refused to leave his cell for his evening enteral feeding despite repeated direction and orders from the guard staff, JTF-GTMO personnel followed our standard operating procedure for such situations. When ISN 669 repeatedly refused to respond to the commands of the guard staff, the staff notified the Detainee Operations Center (DOC) and requested permission to use an FCE Team to remove him from his cell. Permission to remove him from the cell with an FCE Team was granted by Colonel Bruce E. Vargo, Commander, Joint Detention Group, JTF-GTMO.
6. As the FCE Team approached ISN 669's cell, he stood in the doorway of the cell in a combative manner and refused to comply with the FCE Team's instructions to move to the back of the cell. Consistent with our standard operating procedures, the "bean hole" (small opening in the front of the cell) was opened and OC spray was sprayed through the hole. ISN 669 reached through the bean hole in order to slap away the OC canister. Although he was eventually hit with the spray, ISN 669 continued to refuse to obey the commands of the FCE Team.
7. When the FCE Team entered the cell, ISN 669 was taken down to the floor, consistent with our standard operating procedures. He fought briefly with the guards before 5 of them were able to place him on his stomach. It took an additional several minutes to shackle ISN 669.

8. I have been informed that ISN 669 claims he was beaten while on the floor of his cell and that he claims he was grabbed by his "private parts." That is not true. FCE Teams are taught that they must avoid touching or grabbing a detainee's genitals or genital area and that the detainee's head and neck also are "off limits" and not to be grabbed or twisted during a FCE with the exception of the number one team member. The number one team member is responsible for securing the detainee's head during the FCE. I did not see any members of the FCE Team or any guard staff touching or grabbing ISN 669 in either area through out this FCE. Any touching of ISN 669's head by the number one team member was consistent with the standard operating procedures.

9. After shackling him, the FCE Team carried ISN 669 from the cell. After he started singing in Arabic, other detainees joined in. ISN 669 was searched for contraband and then placed in the restraint chair for his enteral feeding session. As the FCE Team attempted to secure him into the chair, he actively resisted them by trying to stand up and moving his body around. After he was placed in the chair, ISN 669 used profanity towards the guards.

10. I have been informed that ISN 669 claims the FCE Team or guards tied him tightly to the chair by his head, put restraints on his throat, covered his eyes and mouth tightly with ties, and that the guards "pressed" hard on his head, throat and neck until he thought he would die. The restraint chair has seven restraint points—one for each ankle and wrist, one for the shoulders, one for the waist and a padded one for the forehead. Under our standard operating procedures, detainees are not required to be restrained with all seven restraint devices, as the number of restraints is dependent on their level of compliance.

11. Detainees, including ISN 669 during this feeding, are not blindfolded, restrained by the neck or throat or choked by guards or FCE Teams during the transfer or restraint process. ISN 669 was fastened into the restraint chair in accordance with our standard operating procedures, which

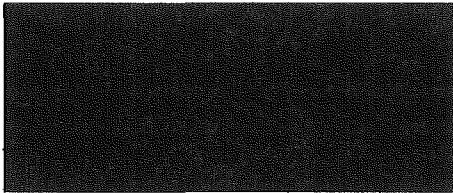
include a requirement that a guard's index finger be able to fit between the detainee's body and his shackles. At that point, medical personnel took over and began the enteral feeding process. The FCE Team left the area.

12. I have been informed that ISN 669 claims that following his enteral feeding, guards threw him on the floor of his cell. That is not true. After medical personnel advised that ISN 669's enteral feeding was complete and when ISN 669 again refused to comply with the guard staff's order that he return to his cell, the FCE Team returned and removed him from the restraint chair, carried him to his cell and placed him on the floor consistent with our standard operating procedures. During this transport, ISN 669 sang and chanted in Arabic. The FCE Team then exited the cell. ISN 669 immediately got to his feet and unsuccessfully attempted to reach the cell door before it closed.

13. I have been informed that ISN 669 claims that he vomited and bled throughout the enteral feeding on 14 August and that he was covered with vomit, blood and feeding liquid by the end of his feeding. That is not true. I observed ISN 669 at the end of his feeding and I did not observe any vomit, blood or feeding liquid on ISN 669.

I declare under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct.

Dated 27th September 2008



Chief Warrant Officer, USN
Joint Detention Group
Joint Task Force-Guantanamo