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November 4, 2005
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FILED WITH
COURT SECURITY OFFICER
11/07/05 [Signature]
DATE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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| ----- | X | |
| ISA ALI ABDULLA ALMURBATI, <i>ET AL.</i> , |) | |
| |) | |
| Petitioners, |) | |
| |) | |
| v. |) | |
| |) | Civil Action No. 04-1227 (RBW) |
| GEORGE WALKER BUSH, <i>ET AL.</i> , |) | |
| |) | |
| Respondents. |) | |
| ----- | X | |

DECLARATION OF JOSHUA COLANGELO-BRYAN, ESQ.

I, Joshua Colangelo-Bryan, declare as follows:

1. I am associated with Dorsey & Whitney LLP, counsel for Petitioners in this action. I submit this declaration and the attached exhibits in support of the application by Petitioner Jumah Al Dossari for a temporary restraining order and preliminary injunction. The facts set forth in this declaration are based upon my personal knowledge except where otherwise noted.

2. In many instances herein, I describe statements made to me by Mr. Al Dossari during interviews I conducted in person with him in Camp Echo at the U.S. Naval Base at Guantánamo Bay, Cuba ("Guantánamo") on October 25-28, 2004, March 17-19, 2005, and July 29-31, 2005.¹ All such statements were presumptively classified pursuant to the protective order entered in this case, but have been reviewed by the Privilege Review Team and deemed unclassified. Due to the restrictions imposed by Respondents, it was not possible to submit a

¹ I also met with Mr. Al Dossari on October 14 and 15, 2005, but my interview notes from those meetings have not been reviewed yet by the Privilege Review Team.

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declaration directly from Mr. Al Dossari in connection with the instant application, but he has informed me that, if permitted, he would appear before the Court and attest to the accuracy and truthfulness of the facts he conveyed to me that are included in this declaration.

I. Physical Mistreatment of Mr. Al Dossari

3. Mr. Al Dossari reported to me that, in late April 2002, on the day when detainees were being moved from Camp X-Ray to Camp Delta, he exchanged words with an MP,² resulting in the summoning of an immediate response force ("IRF").³ A lieutenant at the scene ordered Mr. Al Dossari to drop to his knees in anticipation of the IRF's arrival. In response, Mr. Al Dossari lay on the floor with his hands behind his back.

4. According to Mr. Al Dossari, the IRF stormed into his cell and an MP wearing full riot gear jumped in the air and landed on his back. Former detainees who now live in the United Kingdom viewed this incident and have described it in a written report which may be viewed at http://www.ccr-ny.org/v2/legal/september_11th/docs/Guantánamo_composite_statement_FINAL.pdf (the "Tipton Report") (excerpts of the Tipton Report are attached as Exhibit B). According to the Tipton Report, the MP who jumped on Mr. Al Dossari's back weighed approximately 240 pounds; Mr. Al Dossari's height is approximately 5' 6" and he weighs approximately 120 pounds. As two men held Mr. Al Dossari by his legs, the MP who

² Mr. Al Dossari is aware of the names of certain MPs involved in this incident, but that information is not disclosed herein.

³ IRFs are the "anti-riot" squads at Guantánamo that are notorious for, among other things, beating Sean Baker, a Guantánamo MP who was posing as a detainee for training purposes, to the point that Mr. Baker suffered brain damage and can no longer serve in the military. When Mr. Baker was asked what the IRF would have done if he had been a real detainee, he replied, "I think that they would have busted him up . . . I've seen detainees come out of there with blood on them." See Steve Lannen, *Ex-Soldier Allegedly Beaten at Guantánamo*, Lexington Herald Leader, November 4, 2004, at b1. A copy of this article is attached as Exhibit A.

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had jumped on Mr. Al Dossari's back began to choke Mr. Al Dossari with his hands, while a female MP joined him in repeatedly hitting Mr. Al Dossari's head to the floor. Mr. Al Dossari lost consciousness.

5. According to the Tipton Report, the military removed Mr. Al Dossari from his cell on a stretcher following this beating, and cleaned the cell with water. The cell was so covered in blood that the water used to clean it turned red. The military recorded this event in its entirety on videotape. Exhibit B at 59.

6. Erik Saar, a former Guantánamo military intelligence soldier, also discusses this incident in a recent book, ERIK SAAR AND VIVECA NOVAK, INSIDE THE WIRE (The Penguin Press 2005) (excerpts are attached as Exhibit C). Specifically, Saar writes that Mr. Al Dossari's face was "black and blue" from a beating delivered by an IRF on the day that MPs were transferring detainees from Camp X-Ray to Camp Delta. Although Saar refers to detainees by pseudonym in his book, it is clear he is writing about Mr. Al Dossari. The author describes the detainee in question as a Bahraini, as is Mr. Al Dossari. In addition, the author's description of this beating (and a suicide attempt by Mr. Al Dossari discussed below) are virtually identical to Mr. Al Dossari's description of the same events. According to Saar, "[g]etting IRFed at X-ray meant receiving a good old-fashioned ass whipping, after which the lucky detainee would be hogtied . . ." Exhibit C at 102. Saar also writes that "the MPs had somehow lost the videotape" of the beating of Mr. Al Dossari. *Id.*

7. I have been informed by Mr. Al Dossari that sometime after this incident, a large African American man, who identified himself as an FBI agent, and a white man in a military uniform interrogated Mr. Al Dossari with the assistance of a Lebanese interpreter. The two men observed the injuries to Mr. Al Dossari's face and asked what had happened. Mr. Al Dossari

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told them and they said that they would investigate. In subsequent meetings, the two men never mentioned the incident again.

8. This interrogation was memorialized in a document that the military released in the context of FOIA litigation. The document is dated June 7, 2002 and describes an interview conducted with a Guantánamo detainee by an FBI special agent and a member of the Naval Criminal Investigative Service. While all names are redacted from the document, it reflects the author's interview with a detainee who describes a beating in terms that are essentially identical to Mr. Al Dossari's description. Most crucially, the document concludes by stating that the detainee had "what appeared to be a recent wound on the bridge of his nose." A copy of this document is attached as Exhibit D. I have personally observed that Mr. Al Dossari has a scar on the bridge of his nose that he attributes to this beating.

9. I also have observed that Mr. Al Dossari has a scar the size of a cigarette ember on his hand that he attributes to having had a cigarette extinguished on him by U.S. military personnel at Kandahar Air Base in Afghanistan. Mr. Al Dossari has informed me that he was held there after being transferred from Pakistan. I have also observed that Mr. Al Dossari has a scar on the side of his face that he attributes to having had his head pushed to the ground on broken glass in Kandahar.

II. Mr. Al Dossari Has Been Subjected to Abusive Interrogations

A. Threats to Mr. Al Dossari and His Family

10. Mr. Al Dossari has often noted to me that interrogations at Guantánamo have caused him great mental stress and that the objective of the interrogations is to do so. For example, he informed me that on one occasion while he was in Camp X-Ray, he was brought to an interrogation room where an MP trained a rifle directly on him at close range, despite the fact that he was shackled to the floor.

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11. As related to me by Mr. Al Dossari, on another occasion in Camp X-Ray, an interrogator in civilian clothing threatened to send Mr. Al Dossari to a prison with murderers, where he said Mr. Al Dossari would be raped. At a subsequent interrogation, an interrogator told Mr. Al Dossari that he was known to be a low-level al Qaeda soldier and that if he admitted this, he would spend five to ten years in prison. If he did not confess, the interrogator said, Mr. Al Dossari would spend 50 years or perhaps the rest of his life in jail. Mr. Al Dossari has also reported that interrogators in Camp Delta have told him that he would be killed or, alternately, detained in Guantánamo for the rest of his life. On many occasions, interrogators who identified themselves as FBI agents have told Mr. Al Dossari that he would be sent to Saudi Arabia, Jordan, Egypt or Israel to be tortured. Interrogators threatened to kidnap Mr. Al Dossari's only child and to attack his family, according to Mr. Al Dossari.

B. Religious/Sexual Humiliation

12. Mr. Al Dossari told me that during one interrogation in Camp Delta, an interrogator wrapped Mr. Al Dossari in Israeli and U.S. flags. The interrogator then asked Mr. Al Dossari for his opinion regarding the U.S.'s support of Israel. The interrogator told Mr. Al Dossari that a holy war was occurring, between the Cross and the Star of David on the one hand, and the Crescent on the other. The report of an FBI agent working at Guantánamo corroborates that such practices were used, stating that the agent personally observed a "detainee sitting on the floor of the interview room with an Israeli flag draped around him . . ." The agent stated that he believed this was "a practice used by the DOD . . ." A copy of this FBI report is attached as Exhibit E.

13. Mr. Al Dossari informed me that in early September 2002, on a Saturday close to midnight, interrogators took him to an interrogation room, where they shackled his feet to the metal ring in the floor and left him alone. Several hours later, the door opened violently and a

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female interrogator and four soldiers wearing black masks entered. While one soldier filmed the scene with a video camera, the interrogator demanded that Mr. Al Dossari admit he was a member of al Qaeda who had been involved in attacks on the U.S. or she would show him something he would never forget. Mr. Al Dossari protested that he had no connection to al Qaeda or violent attacks.

14. Mr. Al Dossari reported to me that the soldiers began to shake chains that they held in a menacing way to scare him and the female interrogator threatened him. Mr. Al Dossari became convinced that he was in serious danger and began to scream in the hopes of attracting the attention of someone outside the room. The female interrogator laughed and told Mr. Al Dossari that because it was a Saturday night, nobody else was in the area. The interrogator ordered the soldiers to take Mr. Al Dossari from his chair and put him on the floor on his back. The soldiers did so and then attached a long chain to the handcuffs that Mr. Al Dossari had been wearing. According to Mr. Al Dossari, the soldiers pulled this chain violently over Mr. Al Dossari's head, extending his arms painfully. At the interrogator's direction, one of the soldiers cut Mr. Al Dossari's clothing from his body with a scissors.

15. Mr. Al Dossari reported to me that the female interrogator then took off all of her clothing and stood over Mr. Al Dossari. She removed a tampon that she had been wearing, causing what Mr. Al Dossari understood to be menstrual blood to drip onto Mr. Al Dossari's genitals. Mr. Al Dossari pulled against his handcuffs to the point that his hands became blue. He spit at the interrogator. Mr. Al Dossari told me that the interrogator smeared blood on his chest. She kissed a crucifix that she was wearing on a necklace and said, "this is a gift from Christ for you Muslims." Then, she smeared blood on Mr. Al Dossari's face. Thereafter, the

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female interrogator put her clothes on and left. The entire episode was captured by the MP's video camera. Mr. Al Dossari was left naked on the floor for two to three hours.

16. In his book *INSIDE THE WIRE*, Erik Saar described an interrogation he witnessed in which a female interrogator unbuttoned her pants, put her hand into her pants, and then wiped red ink that she pretended was menstrual blood on the face of a detainee; the detainee clearly believed the ink was blood. Exhibit C at 225-228. The interrogator left the detainee lying on the floor of the interrogation room. According to Saar, the purpose of such tactics was to make detainees feel "too dirty and ashamed to go before God . . ." *Id.* at 226.

17. The Pentagon itself has confirmed that such interrogation tactics were used and approved of by the Pentagon. See Carol Leonnig and Dana Priest, *Detainees Accuse Female Interrogators; Pentagon Inquiry is Said to Confirm Muslims' Accounts of Sexual Tactics at Guantánamo*, Washington Post, February 10, 2005, at A1 ("wide-ranging Pentagon investigation . . . uncovered numerous instances in which female interrogators, using dye, pretended to spread menstrual blood on Muslim men . . ."); Neil Lewis, *Guantánamo Inquiry Cites Abuses*, New York Times, July 14, 2005 (according to testimony given by Lieutenant General Randall Schmidt to the Senate Armed Services Committee, wiping ink on a detainee and saying it is menstrual blood was an approved interrogation technique). Copies of the Washington Post and New York Times articles are attached as Exhibits F and G.

C. Interrogations Regarding Attorney/Client Communications

18. Mr. Al Dossari has informed me that interrogators have consistently questioned him regarding his communications with counsel. He reported that during the week in which he first met with counsel in October 2004, interrogators questioned him with respect to the content of his communications with his attorneys. Since that time, Mr. Al Dossari has been told by interrogators in military and civilian dress that his lawyers are liars. He has also been

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interrogated regularly regarding the status of his *habeas* case, as well as his interactions with counsel. According to Mr. Al Dossari, interrogators also have told him that they know the substance of his conversations with his attorneys.

19. During a counsel visit in March 2005, Mr. Al Dossari described to me many horrific experiences he had suffered in U.S. custody. Mr. Al Dossari told me on a subsequent visit, that after I had seen him on the last day of the March 2005 visit, a white male interrogator wearing a military uniform came to the cell in Camp Echo where I had met with Mr. Al Dossari. The interrogator's demeanor was angry. According to Mr. Al Dossari, this interrogator yelled that he should forget the torture that he had suffered or he would not be able to live in peace.

III. Prior Suicide Attempts

20. As reported to me by Mr. Al Dossari and as described in the book by Erik Saar, Mr. Al Dossari has attempted to kill himself on multiple occasions at Guantánamo. For example, in or around Christmas 2002, Mr. Al Dossari slashed his arm between the forearm and bicep with a razor in the shower. (I have observed that Mr. Al Dossari has a prominent scar on this part of his arm, which is also where he cut himself on October 15, 2005). Before fainting, Mr. Al Dossari wrote on the wall of his shower in blood, "I committed suicide because of the brutality of my oppressors." Erik Saar writes that he was called to the scene of this incident and translated Mr. Al Dossari's Arabic-language writing for the senior officer present. Exhibit C at 99-100.

21. Mr. Al Dossari informed me that this suicide attempt followed an incident on Christmas Day 2002. On that day, the head of shift banged on detainees' cells, yelling Merry Christmas and cursing Allah. According to Mr. Al Dossari, he began to pray. The head of shift came into Mr. Al Dossari's cell, striking Mr. Al Dossari repeatedly and putting Mr. Al Dossari's flip-flops on Mr. Al Dossari's copy of the Koran. Subsequently, a lieutenant entered Mr. Al

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Dossari's cell, whereupon he hit Mr. Al Dossari. Mr. Al Dossari attempted to kill himself on other occasions as well, according to him and the book by Erik Saar. Exhibit C at 101.

IV. The Military Isolates Mr. Al Dossari

A. Isolation in Camp Delta, [REDACTED] Block

22. I have been informed by Mr. Al Dossari that from early 2004 until May 2004, authorities at Guantánamo held him in isolation in the [REDACTED] Block of Camp Delta. During this five-month period, the military did not permit Mr. Al Dossari to leave his cell other than for a handful of interrogations and weekly showers. Mr. Al Dossari described this cell as being filthy and dark. When he was first brought to the [REDACTED] Block cell, Mr. Al Dossari found that the cell's faucet had been locked. Therefore, he was forced to ask MPs for water, which, when provided, was often dark in color with a very unpleasant odor. As a result, Mr. Al Dossari drank from the toilet in his cell when necessitated by thirst.

23. Mr. Al Dossari told me that after some time he began to receive five basins of water daily. However, this water also was often dark in color. When Mr. Al Dossari complained, an African-American female sergeant told him that MPs had spit in the water while chewing tobacco.

24. According to Mr. Al Dossari, during the first several months in [REDACTED] Block, military authorities did not give him a mattress, blanket, or clothes other than shorts. Mr. Al Dossari's cell was kept at a very cold temperature, and Mr. Al Dossari tried to keep warm by wrapping a thin sleeping mat around himself. Mr. Al Dossari reported that, at one point, MPs gave him pants, but then took them away several days later. A corpsman told Mr. Al Dossari that a doctor had ordered that the pants be taken. In his fourth month in [REDACTED] Block, Mr. Al Dossari received a t-shirt. According to Mr. Al Dossari, for the first two weeks in the [REDACTED]

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Block cell, he was not provided with any toilet paper. Thereafter, he was given seven squares of toilet paper daily.

(i) Interactions with a "Psychiatrist"

25. Mr. Al Dossari informed me that during the first few months in [REDACTED] Block, a man who identified himself as a psychiatrist and who was known as "Dr. [REDACTED]" visited Mr. Al Dossari weekly. During this time, a sergeant told Mr. Al Dossari that Dr. [REDACTED] had ordered that Mr. Al Dossari not be given a mattress, additional clothing or toilet paper. Upon learning this, Mr. Al Dossari asked Dr. [REDACTED] for changes in his conditions of confinement. In response, Dr. [REDACTED] laughed. Mr. Al Dossari reported that approximately three months after being transferred to [REDACTED] Block, he was being interrogated when Dr. [REDACTED] entered the interrogation room. Dr. [REDACTED] told Mr. Al Dossari that he was leaving Guantánamo and that he had come to say goodbye. He told Mr. Al Dossari, "I hope you have a terrible life. You're a criminal."

26. Mr. Al Dossari further informed me that on several occasions, an overweight white man with glasses, who identified himself as a psychiatric doctor (but who was not Dr. [REDACTED]) interrogated Mr. Al Dossari. An interpreter told Mr. Al Dossari that this man, who was in uniform, was with naval intelligence. Other interrogators, corpsmen and nurses told Mr. Al Dossari that this doctor was responsible for determining the manner in which interrogations could be conducted, including with respect to applying pressure to detainees. According to Mr. Al Dossari, the doctor had extensive knowledge about Mr. Al Dossari's background and questioned Mr. Al Dossari regarding many issues, including Mr. Al Dossari's childhood.

B. Isolation in Camp Five

27. Mr. Al Dossari told me that in May 2004, the military transferred him to Camp Five, where he has been held ever since. In Camp Five, Mr. Al Dossari is almost completely isolated from human contact. The door to Mr. Al Dossari's cell contains a small window made

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of a material similar to one-way glass that prevents Mr. Al Dossari from seeing through it. In addition, the window is covered from the outside; MPs lift the cover to see into the cell.

Therefore, Mr. Al Dossari can see no other detainees or even military personnel from his cell.

28. Mr. Al Dossari reports that there is central air conditioning in each of the four Camp Five blocks and in the corridors of Camp Five. However, the military has placed large industrial fans, which generate tremendous noise, in the corridors between the cells. Military personnel have told Mr. Al Dossari that the fans are employed on the orders of interrogators, in part to keep detainees from talking with each other. According to Mr. Al Dossari, he is able to communicate with nearby detainees only when the fans are turned off, and then only by shouting to nearby detainees.

29. Mr. Al Dossari reports that the military typically allows him to leave his cell for one hour (or less) of exercise per week, rare showers and occasional interrogations. However, military personnel ensure that Mr. Al Dossari is isolated even during these activities by keeping him alone in a small cage. For the past six months, Mr. Al Dossari has been taken to the shower only once every five or six days. Although he used to be taken to the shower with other detainees, Mr. Al Dossari reports that typically he is taken alone now.

30. Despite being confined to his cell, Mr. Al Dossari reports that the military takes actions that prevent him from sleeping properly. The three bright fluorescent lights in Mr. Al Dossari's cell are never turned off.⁴ Military authorities keep the cell at a very cold temperature.

⁴ In fact, the only time when these lights were dimmed was when the military was attempting to end a hunger strike in July of this year. At that time, only one small light was kept on in Mr. Al Dossari's cell from 11:00 p.m. to 5:00 a.m. Mr. Al Dossari informed me that this made a tremendous difference in his ability to sleep.

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In addition, powerful cleaning agents are often placed on the floor outside the cell, making breathing difficult, according to Mr. Al Dossari.

31. In addition to being isolated physically from other detainees, Mr. Al Dossari is prevented by the military from communicating meaningfully with his family. Mr. Al Dossari has not been allowed to speak to his young daughter, siblings or parents since his arrival at Guantánamo. Further, Mr. Al Dossari receives letters from family members long after they are sent – if he receives them at all – and such letters are typically heavily censored.

32. Beyond his nearly complete isolation from human beings other than guards and interrogators, Mr. Al Dossari is largely precluded from engaging in intellectual activities. He reports, for example, that while the military briefly permitted him to have Arabic-language novels, he has not been allowed such novels since early 2005. Since that time, the military has allowed Mr. Al Dossari to have only the Koran, attorney-client letters, family letters and an occasional magazine; Mr. Al Dossari has memorized the Koran.

33. In fact, the military rebuffed counsel's attempts to give English/Arabic children's books to Mr. Al Dossari (such as *Puss in Boots*, *Beauty and the Beast*, *Jack and the Beanstalk* and *Cinderella*); Mr. Al Dossari had requested these books in the hopes that he could learn to read English.⁵ Authorities at Guantánamo did not provide any explanation as to why Mr. Al Dossari would not be allowed to try reading these fairy tales, but simply returned the books to counsel stating, "these items were not cleared for delivery to the detainee(s)." Copies of the book covers with the military's handwritten denial (on a post-it note) are attached as Exhibit H.

⁵ In fact, Mr. Al Dossari has already learned to speak English reasonably well at Guantánamo.

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34. Mr. Al Dossari has told me that his isolation and lack of intellectual stimulation have had a significant impact on his mental state. In March 2005, I was preparing to leave on the last day of a visit to Guantánamo when, after discussing these matters, Mr. Al Dossari asked me: “[w]hat can I do to keep myself from going crazy?”

III. The October 15, 2005 Suicide Attempt

35. On October 15, 2005, I met with Mr. Al Dossari in an interview room in Camp Echo. The interview room consists of a small meeting area and a smaller cell, and the two areas are separated by a mesh metal wall. I exited the interview room to allow MPs to move Mr. Al Dossari from the meeting area to the cell so that Mr. Al Dossari could use the bathroom. When I left the interview room, Mr. Al Dossari was sitting in a chair and shackled to the floor, and two MPs were with him. Shortly after I left the interview room, the MPs also exited the interview room.

36. Several minutes later, I opened the door to the interview room to determine if Mr. Al Dossari had finished using the bathroom. I saw a large pool of blood on the floor. I looked up and saw Mr. Al Dossari hanging by his neck from the metal mesh wall on the cell side of the wall. Mr. Al Dossari was bleeding on himself and the floor, evidently from a serious cut to his inner arm (between the forearm and bicep). I summoned help and called Mr. Al Dossari’s name loudly. Mr. Al Dossari did not respond and appeared to be unconscious.

37. Several MPs arrived quickly. The MPs could not immediately locate the correct key, but then opened the door to the cell and began to cut the noose by which Mr. Al Dossari had been hanging. At my urging, one MP attempted to lift Mr. Al Dossari to ease the tension on his neck while the other MP was still attempting to cut the noose. Upon severing the noose, the MPs placed Mr. Al Dossari on the floor. Mr. Al Dossari lay there seeming not to breathe and

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bleeding profusely from the gash on his arm. I called Mr. Al Dossari's name, but he still did not respond. When I suggested that the MPs bind Mr. Al Dossari's wound in order to stop the bleeding, an MP replied that he did not have anything to use for this purpose. An MP then told me to leave the room, which I did. As I left, I saw Mr. Al Dossari appear to gasp for air.

38. Within an hour of this incident, several military personnel who identified themselves as mental health workers asked me if I had any idea why Mr. Al Dossari would try to kill himself. Also at this time, Colonel Michael Bumgarner told me that Mr. Al Dossari was being taken to a hospital facility, and that efforts would be made to facilitate a visit by me to Mr. Al Dossari. Colonel Bumgarner said that, especially if Mr. Al Dossari were taken to the Naval Hospital, as opposed to the detainee hospital, such a visit should not be problematic.

39. At approximately 10:00 pm that evening, Lieutenant Commander De Alicante of the Staff Judge Advocate's office called me in my room to report that surgery had been performed on Mr. Al Dossari's arm, and that Mr. Al Dossari was in stable condition at the Naval Hospital. He also reiterated a request that had been made earlier by military personnel that I draft a report regarding what I had observed with respect to the suicide attempt. I responded that I would prepare a report that evening, which I did.

40. The following day, when I asked for permission to visit Mr. Al Dossari in the Naval Hospital, Lieutenant Commander De Alicante told me the "general" had said that if Mr. Al Dossari awakened and asked to see me, the general would consider the request. I inquired whether it would be possible to have Mr. Al Dossari asked if he wanted to see me. I was told that this request would be relayed to appropriate personnel, but I heard nothing further on the subject. Ultimately, despite repeated requests, I was not permitted to see Mr. Al Dossari at the Naval Hospital during the duration of my visit to Guantánamo.

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41. I returned from Guantánamo on October 17, 2005, and received updates from personnel at Guantánamo regarding Mr. Al Dossari's condition on October 18 and 19, 2005. On October 19, 2005, I was told by personnel at Guantánamo that Mr. Al Dossari's "spirits [were] good."

42. On October 24, 25 and 26, 2005, I requested updates regarding Mr. Al Dossari's condition of Lieutenant Commander De Alicante and counsel for Respondents. These requests have been entirely ignored.

43. Mr. Al Dossari has provided to me an authorization for the release of his medical records by personnel at Guantánamo. A true and correct copy of this authorization is attached as Exhibit I.

IV. Requests For Future Visits and Changed Conditions

44. On October 21, 2005, I made a formal request to visit Guantánamo on November 11, 12 and 13, 2005. Respondents have not approved or denied this request, and have not informed me that they will provide a response by any particular date. Based on my personal communications with other *habeas* counsel, it appears that attorneys from only one other law firm are scheduled to visit Guantánamo during this time. On past occasions, I have visited Guantánamo simultaneously with attorneys from two other law firms.

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45. On October 24, 2005, I sent a letter to counsel for Respondents requesting changes in Mr. Al Dossari's confinement, similar to those requested in this application. In response, I received a letter from counsel that did not respond specifically to any of these requests – or promise that a response would be forthcoming – but rather offered generic statements regarding the high quality of health care provided to detainees at Guantánamo. A copy of the letter from Respondents' counsel is attached as Exhibit J.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 28, 2005

/s/ Joshua Colangelo-Bryan
JOSHUA COLANGELO-BRYAN