

DECLARATION OF COLONEL JOHN V. BOGDAN

I, Colonel John V. Bogdan, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a Colonel in the United States Army, with 29 years of service. I currently serve as the Joint Detention Group (JDG) Commander of Joint Task Force-Guantanamo (JTF-GTMO), at the Naval Station, Guantanamo Bay, Cuba. As such, I am responsible for all aspects of detention operations at JTF-GTMO and am familiar with all areas of detention within JTF-GTMO, including the conditions and operational policies and procedures of the various detention areas. I have held this position since 7 June, 2012.

2. I have read the filing by Mr. Al-Madhwani's counsel in which he alleges that on a recent phone call Mr. Al-Madhwani told him, through a translator, that detainees were being denied potable drinking water and appropriate clothing. This declaration is based on my personal knowledge and information made available to me through my official duties.

3. All detainees at Guantanamo Bay, including those housed in Camp 6 and Mr. Al-Madhwani, have unlimited access to potable water from taps in sinks in their cells and on the detention blocks. In accordance with DoD regulations, that water is checked at least once a month in each camp by the personnel from the Joint Medical Group to ensure that it is potable. The water from the sinks originates from the base desalinization plant and is the same water that runs throughout the entire base at Guantanamo, and is available for consumption by all military personnel, civilians, and their dependents on the base. It is the same water that I drink on a daily basis.

4. All detainees at Guantanamo Bay have access to bottled water upon request. Detainees housed in Camp 6, like Mr. Al-Madhwani, have access to cases of bottled water that are kept on the blocks and should that water run out, the detainees can request more. Should a

particular block accumulate a quantity of unconsumed bottled water that exceeds storage capacity, GTMO authorities will wait to provide replacement bottles until the detainees have consumed a sufficient quantity of the stock readily available to them. Contrary to the representations of his counsel, Mr. Al-Madhwani has not been denied bottled water during the time period in question, nor has any other detainee.

5. The temperature in Mr. Al-Madhwani's cell block is maintained between 70-80 degrees Fahrenheit. The temperature is regulated by automated thermostats that are regularly checked and serviced by heating, ventilation, and air conditioning contract professionals. The temperature is verified in each block twice daily and properly recorded. Cell temperature manipulation is not an authorized disciplinary measure and is not used for such purposes. Mr. Al-Madhwani has not complained in the last week about the current temperature to camp staff.

6. Mr. Al-Madhwani is currently issued the same type of clothing that has been issued to detainees for the past eleven years. The current standard issue clothing given to Mr. Al-Madhwani while in Camp 6 includes: 4 uniform tops, 4 uniform bottoms, 9 t-shirts, 7 pairs of socks, and 7 pairs of underwear. Additionally, Mr. Madhwani is issued 1 blanket, 1 pillowcase, and 2 sets of sheets. If the issued items become dirty or torn, a replacement item is available on a 1 for 1 basis. Requests for additional clothing are often not granted in light of potential operational concerns such as additional clothing being used to obstruct the sight lines of the guard force or to engage in self-injurious behavior. However, requests for additional clothing would be approved upon showing of a medical necessity. Mr. Al-Madhwani has not requested additional clothing nor has he indicated any medical necessity which would warrant additional clothing.

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

Dated: March 28, 2013

A handwritten signature in black ink, appearing to read 'J. Bogdan', is written over a horizontal line. The signature is stylized and cursive.

John V. Bogdan
Colonel, U.S. Army
Commander, Joint Detention Group, JTF-GTMO