

EXHIBIT 2

Declaration of Col. Bruce Vargo

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MAHMOAD ABDAH, et al.,)
)
Petitioners,)
)
v.) Civil Action No. 04-1254 (HHK)
)
GEORGE W. BUSH, President of the United)
States, et al.,)
)
Respondents.)
_____)

DECLARATION OF COLONEL BRUCE E. VARGO, US ARMY

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

1. I am a Colonel in the United States Army with over twenty-three (23) years of active duty service. I currently serve as the Commander of the Joint Detention Group (JDG) for the Joint Task Force - Guantanamo Bay, Cuba (JTF-GTMO). I am responsible for all aspects of detention operations for 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 served in this position since June 30, 2007.

2. This declaration is based on information made available to me through my official duties, including information from the detention records of ISN 156 (Adnan Farhan Abdul Latif), one of the petitioners in the above-captioned case.

ISN 156'S DETENTION

3. The detention facility keeps records of daily meals eaten by detainees. Over the last three months, ISN 156 has not complained to the guard staff about being physically unable to eat the food supplied to him.

4. On August 18, 2008, ISN 156 missed his ninth consecutive meal and was declared a hunger striker. On 20 August 2008, ISN 156 was approved for enteral feeding by the Joint Task Force Commander.

5. Detainees may request medical care at any time by making a request to guard personnel or the medical staff who make daily rounds on the cellblocks. Additionally, the guard staff submits, through the detainee database, requests by the detainees to see a corpsman. Medical emergencies are responded to in a prompt manner. On 12 August 2008, ISN 156 complained to a guard that he had blood in both his stool and his vomit. Medical was notified that day. On 19 August 2008, ISN 156 was observed vomiting in his cell and it appeared to the guard there was blood in his vomit. Medical was notified that day.

ISN 156'S RECENT MISCONDUCT

6. An important aspect of detention is the maintenance of discipline among the detainees. This is for the safety and security of all personnel within the detention facility, including detainees. The JDG uses a system of detainee discipline which is tied to a detainee's compliance with camp rules. Detainee violations of camp rules are reported through the guard force chain of command to the appropriate officer who has authority to determine the appropriate action to be taken based on the type of violation involved. This system provides for the fair and consistent delivery of disciplinary sanctions for breaking camp rules. Camp rules are posted in each camp.

7. On 13 August 2008, ISN 156 assaulted a guard by spitting on the guard's face between the eyes. The detainee was being unshackled in the recreation yard at the time of the incident. Once unshackled, ISN 156 turned around and spit on the guard unshackling him.

8. Consistent with the standard procedures for such infractions, ISN 156's actions were reported up through the chain of command by the guard staff. After the incident was reviewed by the appropriate officer in the chain of command, a determination was made that ISN 156 had violated camp rules by committing a "major assault" on a guard. He was placed into disciplinary status for 20 days. ISN 156's disciplinary sanction for this assault is scheduled to end on 2 September 2008.

9. Detainees who are compliant with camp rules are given comfort items which includes a 3 ½ inch thick foam mattress. They have 24 hour use of this mattress as long as they remain in a complaint status. When detainees are in disciplinary status, they may lose the privilege of having this mattress and instead are provided with a thinner mat. Because of his major assault on the guard, ISN 156 lost his mattress for the pendency of his time under disciplinary sanctions. His blanket was also removed from his cell and returned to him each night during the sleeping hours of 9:00 pm to 5:00 am consistent with disciplinary procedures.

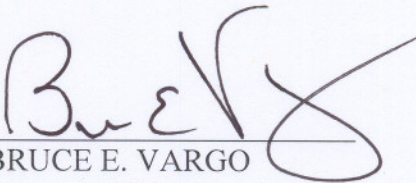
INCIDENT IN JUNE 2008

10. On 18 June 2008, a guard observed ISN 156 lying in the corner of his cell with his head underneath his desk. His prayer rug was draped over his desk in such a manner as to shield his head and neck from view. The guard observed ISN 156 rolling back and forth on the ground, with a makeshift rope, made from a prayer cap, tightened around his neck. A response team was called and entered the cell. The response team took control of the detainee and removed the makeshift rope from around his neck. Medical arrived, examined ISN 156 and moved him to the

camp medical room for examination by medical staff assigned to the Behavioral Health Unit. ISN 156 was given a self harm smock, returned to his cell and more frequent visual checks on his condition were ordered to be undertaken by the guard staff. ISN 156's actions were subsequently determined by the BHU to have been a suicidal gesture, not an actual suicide attempt, and as such, it was determined that he would remain in his cell. No subsequent self harm attempts have been made by 156.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true, accurate, and correct to the best of my knowledge.

Dated: 22 August 2008


BRUCE E. VARGO
Colonel, US Army