

Declaration of DONALD D. WOOLFOLK

Pursuant to 28 U.S.C. 1746, I, Donald D. Woolfolk, hereby state that, to the best of my knowledge, information, and belief, the following is true, accurate, and correct:

(FOUO) I am a Colonel in the US Army with 30 years Active Federal Commissioned Service. I currently am the Deputy Commander, Joint Task Force (JTF) 170, Guantanamo Bay, Cuba, however, I am serving today as the Acting Commander. As such, I am directly responsible for the successful execution of the JTF 170 mission to fully exploit the intelligence value of terrorist personnel, Taliban, and al Qaida personnel detained worldwide. Currently, there are in excess of 450 detainees being held at the detainee camp at Guantanamo Bay, Cuba.

(U) The security of this nation and its citizens is wholly dependent upon the U.S. Government's ability to gather, analyze, and disseminate timely and effective intelligence. Put simply, intelligence saves lives. Nowhere has this proposition become more apparent than in our nation's current War on Terrorism. Absent a total commitment to intelligence gathering efforts, incidents like those that occurred on September 11th could become tragically common.

(U) The Department of Defense has expended considerable effort to develop effective intelligence techniques, particularly during Operation Enduring Freedom. The Department of Defense employs numerous means and methods to learn information from various sources that may assist everyone from the commanders in the field in Afghanistan to the police chiefs in small towns throughout the United States. A critical element of the intelligence process is that it must be continuous. The timely, effective use of intelligence provides this nation with the best chance of both achieving unqualified success in combating terrorism abroad and maintaining domestic tranquility at home.

(FOUO) A fundamental tool used in the gathering of intelligence is interrogation. This method of active intelligence gathering permits collection of information from sources with direct knowledge of, among other things, plans, locations and persons seeking to do harm to the United States and our citizens. When done effectively, interrogation provides information that likely could not be gleaned from any other source. Loss of this tool, in any respect, would undermine our nation's intelligence gathering efforts, thus crippling the national security of the United States. The United States does not employ any corporal means of coercion to gain information from persons being interrogated. Rather, the United States has adopted a humane approach to interrogation that relies upon creating an atmosphere of dependency and trust between detainees and the intelligence

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gathering staff assigned to that detainee. Over time, information is learned. The United States is now engaged in a robust program of interrogating individuals who have been identified as enemy combatants in the global War on Terrorism. This is because it is recognized that they unquestionably hold critical information that is crucial to our national security. A prime example of the effectiveness of this method of interrogation through dependency and trust can be found in the announcement this week of the U.S. Government's disruption and detention of a U.S. citizen working in coordination with al Qaida to detonate a "dirty bomb" in the United States. Knowledge and disruption of this plot may not have occurred absent effective intelligence gathered through interrogation.

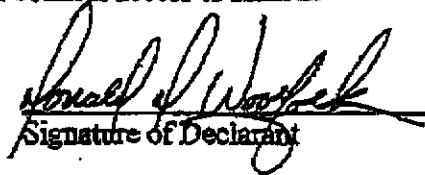
(FOUO) Interrogation leading to the development of meaningful and usable intelligence is not static. The collection of intelligence is active and ongoing. As new intelligence information is derived from any source, the opportunity to learn additional information through interrogation is presented. We are now living in an age where our nation is engaged in international armed conflict against terrorism. Unlike any previous conflict, we face a foe that knows no borders and perceives all Americans, wherever they may be, as targets of opportunity. Under such circumstances the need to maintain the tightly controlled environment, which has been established to create dependency and trust by the detainee with his interrogator, is of paramount importance. Disruption of the interrogation environment, such as through access to a detainee by counsel, undermines this interrogation dynamic. Should this occur, a critical resource may be lost, resulting in a direct threat to national security.

(FOUO) It has been brought to my attention that efforts are underway to provide detainee Yaser Esam Hamdi, an enemy combatant currently being detained in the Naval brig in Norfolk, Virginia, with access to counsel. Permitting such access to detainee Hamdi may create substantial harm to U.S. national security interests. Most importantly, the disruption occasioned by the insertion of outside counsel, will sever the intelligence gathering value of this detainee. As stated previously, the intelligence gathering process must be continuous. As new information is learned from other sources it serves as a new avenue of interrogation with detained enemy combatants.

(FOUO) Detainee Hamdi's background and experience, particularly in the Middle East, Afghanistan, and Pakistan, suggest considerable knowledge of Taliban and al Qaida training and operations. While we have voluntarily chosen to suspend active interrogations of this detainee pending resolution of legal matters, he could have future value as a source of intelligence. Granting access by counsel under these circumstances will not only disrupt the secure interrogation environment that the United States has labored to create, it will thwart any opportunity to develop intelligence through this detainee.

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(FOUO) Further, providing counsel access to detainee Hamdi may have unintended consequences in a number of other ways. For instance, al Qaida training literature and intelligence gathering efforts have revealed that members have been trained in means of covert communication during periods of capture. As such, counsel could unwittingly provide information to the detainee, or be used by the detainee as a communication tool. This may open an information conduit between detainee Hamdi and members of al Qaida, the Taliban, or other terrorist groups against whom the United States is actively engaged in combat. Also, detainee Hamdi is the only detainee that has been under U.S. control in Afghanistan, Guantanamo Bay and Norfolk. Harmful information could be intentionally or unintentionally passed on concerning these facilities, thus increasing the threat to US forces and facilities in those areas. Finally, information from, or concerning, detainee Hamdi could be brought to the attention of terrorists who later themselves become detainees in Guantanamo Bay. Armed with any such knowledge, such "new" detainees may be able to poison the interrogation environment currently being maintained in Guantanamo Bay by information derived as a result of counsel access to Hamdi.


Signature of Declarant

Executed on 13 June 2002