

EXHIBIT 1

DECLARATION OF JAY ALAN LIOTTA

DECLARATION OF JAY ALAN LIOTTA

Pursuant to 28 U.S.C. § 1746, I, Jay Alan Liotta, hereby declare:

1. I am the Principal Director for the Office of Rule of Law and Detainee Policy in the Office of the Under Secretary of Defense for Policy, Department of Defense (“DoD”), and have served in this role since July, 2004. I served as the Department’s principal official for developing and coordinating policies to implement the President’s four Executive Orders regarding detainees, including those governing conditions of detention at U.S. military facilities. I have personally participated in negotiating successfully with numerous countries to enable the transfer or resettlement of more than 300 detainees from the U.S. military detention facility at Guantanamo Bay, Cuba. Before assuming this position, I served as the Deputy Director of the Defense Prisoner of War/Missing Personnel Office from 1995 to 2004, overseeing the national effort to recover American service personnel unaccounted for from the Vietnam War, the Korean War, and World War II.

2. I make this Declaration based upon my personal knowledge and upon information made available to me in the performance of my official duties. I am familiar with the circumstances surrounding the transfer of detainees from Guantanamo Bay, Cuba, to their home country or a third country where appropriate. In addition to providing policy advice, my office is responsible for working with other organizations within the Department of Defense to plan and execute the logistics involved when a detainee is transferred from Guantanamo Bay.

3. Djamel Ameziane, a former Guantanamo Bay detainee, was transferred from the U.S. military detention facility at Guantanamo Bay, Cuba, to the Government of Algeria on December 5, 2013. His transfer to Algeria involved coordination between the U.S. government and the Government of Algeria so that it took place subject to appropriate security measures and consistent with our humane treatment policy.

4. When the Department of Defense transfers Guantanamo Bay detainees to the control of other governments, it does so after a Department of State led dialogue with the receiving government to ascertain or establish what security measures the receiving government intends to take pursuant to its own domestic laws and independent determinations that will substantially mitigate the risk that the detainee may pose to the United States, U.S. persons, or interests. In my role as Principal Director, I often participate in these discussions with the receiving government. In all cases of transfer, including that of Mr. Ameziane, the detainee is transferred entirely to the custody and control of the other government, and once transferred, is no longer in the custody and control of the United States.

5. Certain procedures are uniformly carried out at the Guantanamo Bay detention facility immediately preceding a detainee’s transfer. All property attributable to a transferring detainee that has been previously inventoried, catalogued, and placed in storage is removed from storage. Law enforcement officials are given an opportunity to review the property and to determine if any items have evidentiary value and must therefore be held for potential later use in an investigation or judicial proceeding.

6. Joint Task Force – Guantanamo (JTF-GTMO) personnel also review all of the items in the detainee's cell so they can be readied for departure along with the detainee. Documents, including legal mail, are packaged and sealed in manila envelopes, and other physical property is sealed in plastic containers. Any contraband items discovered during this process are removed and retained by JTF-GTMO.

7. JTF-GTMO separately prepares a travel package for the departing detainee that includes a Koran in the detainee's language, a blanket, clothing, and several personal care items. Specifically, the travel package includes two sets of clothing (pants and smocks), two pairs of underwear, prayer caps, socks, shower shoes and slip-on shoes. The package also contains a towel and washcloth, toothbrush, tooth paste, shaving cream, deodorant, shampoo, a razor and a comb.

8. The inventoried storage items attributable to Mr. Ameziane that were reviewed prior to his departure were: 740 British pounds, 429,000 Afghanis, and 2300 Pakistani rupees, a Casio calculator, and approximately 16 pieces of paper containing French or Arabic writing. All of these items were seized from Mr. Ameziane at the time of his capture. Mr. Ameziane's cell contents, including a large volume of documents related to his legal matters, were inspected for contraband and packaged in the manner described above prior to his departure. When he left Guantanamo Bay, Mr. Ameziane received a standard-issue travel package (described above) with clothing and personal care items. With the exception of the monetary funds that were taken from him at the time of capture, all remaining storage and cell items were transported with Mr. Ameziane when he left the detention facility and returned to Algeria.

9. Department of Defense policy is to return to departing detainees all of the property with which the detainees arrived at Guantanamo and that they accumulated during their time at the facility, with three categorical exceptions that are applied to all Guantanamo Bay detainees, regardless of the detainees' status or whether they have sought or obtained habeas corpus relief. First, all contraband, such as classified documents, electronics, and improvised weapons (*e.g.*, shanks), discovered during the pre-transfer search is kept by JTF-GTMO. Contraband items are kept by JTF-GTMO out of consideration for the security of the United States, and the safety and security of the detainees and U.S. personnel. As contraband is by definition a category of items that detainees are not permitted to have, these items are not considered their personal property. It is my understanding that no items of non-monetary contraband attributable to Mr. Ameziane were retained by JTF-GTMO.

10. In addition, if any property has been identified as potential law enforcement evidence, that property is retained by JTF-GTMO and held in storage pending possible use in investigations or judicial proceedings involving the individual as either a defendant or a witness. There are no established categories of items that are routinely kept as law enforcement evidence; rather, this decision is made on a case-by-case basis by appropriate personnel. It is my understanding that no items belonging to Mr. Ameziane were retained by JTF-GTMO as law enforcement evidence.

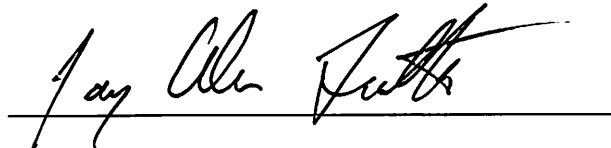
11. Finally, JTF-GTMO retains all money that was on a detainee's person at the time of his capture. The procedure to retain money associated with detainees is based on a strong national security interest in preventing these funds from being used in a manner that would adversely impact the safety and security of the United States. Terrorist organizations such as al-Qaeda rely on financing and support networks to sustain operations and launch attacks. Accordingly, since

the attacks of September 11, 2001, efforts to counter terrorist financing have played a critical role in the United States' counterterrorism strategy. These efforts include disrupting terrorist financing networks and stopping the flow of money to terrorist organizations. Although detainees might use the funds returned to them for legitimate and benign purposes, such as to purchase food or clothing, it also remains possible that former detainees will use their returned money to help finance terrorist activities. *See, e.g.*, Office of the Director of National Security Summary of the Reengagement of Detainees Formerly Held at Guantanamo Bay, Cuba (March 5, 2014) (16.9% of former Guantanamo detainees confirmed of reengagement in terrorist or insurgent activities, with another 12.1% suspected of reengagement) (available at <http://goo.gl/RDqWkJ>). Financial and monetary support is integral to terrorist support activities, as money is needed for recruitment, training, and equipment. Due to the unprecedented and ongoing nature of the current conflict where money can be as useful to a terrorist organization, and thus as dangerous, as a weapon, the Department of Defense appropriately mitigates the threat that a detainee released from Guantanamo Bay may pose by removing from his possession any financial instruments or currency that might be used to adversely impact the safety and security of the United States. The Department sees the decision to withhold such monies to ensure they cannot be used to facilitate terrorist operations against the U.S. as analogous to the statutory obligation under the National Defense Authorization Act of 2014 requiring the Secretary of Defense to make a determination that actions have been or are planned to be taken that will substantially mitigate the risk of the detainee engaging or reengaging in terrorist activity that threatens the United States or United States persons or interests. For these reasons, JTF-GTMO continues to hold 740 British pounds, 429,000 Afghanis, and 2300 Pakistani rupees that were seized from Mr. Ameziane at the time of his capture.

12. The policy to retain contraband, law enforcement evidence, and currency is uniformly applied to all detainees in Department of Defense custody at Guantanamo Bay. No distinctions are made based on a detainee's status or whether the detainee has sought or obtained habeas corpus relief. Further, no distinction has been made based on the amount of money held by JTF-GTMO in relation to a specific detainee. To the best of my knowledge, no detainees who have been transferred or released by the Department of Defense from Guantanamo Bay have ever been provided with inventoried funds attributable to them upon their departure from the detention facility.

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

Dated: 4/11/14



JAY ALAN LIOTTA
PRINCIPAL DIRECTOR
OFFICE OF RULE OF LAW & DETAINEE POLICY