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18 UNITED STATES DISTRICT COURT
19 FOR THE EASTERN DISTRICT OF WASHINGTON
20 AT SPOKANE

21 SULEIMAN ABDULLAH SALIM,
22 MOHAMED AHMED BEN SOUD,
23 OBAID ULLAH (as personal
24 representative of GUL RAHMAN),

25 Plaintiffs,

vs.

JAMES ELMER MITCHELL and
JOHN "BRUCE" JESSEN,

Defendants.

NO. 2:15-CV-286-JLQ

DECLARATION OF JAMES
ELMER MITCHELL IN SUPPORT
OF DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT

DECLARATION OF JAMES ELMER
MITCHELL IN SUPPORT OF
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT

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1 I, James Elmer Mitchell, hereby certify under penalty of perjury, that the
2 following is true and correct and within my personal knowledge:

3 1. I am over the age of 18, have personal knowledge of all facts
4 contained in this declaration, and am competent to testify as a witness to those
5 facts.

6 2. I am one of the Defendants in the above captioned case.

7 3. I was an independent contractor for the CIA. In this role, I was
8 present at the CIA's black-site referred to as GREEN for the interrogation of Abu
9 Zubaydah. While I was at GREEN in April, May, and June 2002, another
10 psychologist who had a background with the United States' Survival Evasion
11 Resistance and Escape ("SERE") program was also present. This other
12 psychologist was not Dr. John "Bruce" Jessen ("Dr. Jessen").

13 4. I was also present at GREEN for some time in July and August 2002.
14 During this time, others were also present at GREEN, including Dr. Jessen and
15 other medical professionals familiar with the SERE program, which at times was a
16 third SERE psychologist.

17 5. Some of these individuals had undergone SERE training that was
18 conducted by the CIA when the CIA had its own SERE program. I was not
19 involved in the CIA's SERE program, which was discontinued before I began
20 working for the CIA.

21 6. Through my presence at GREEN for the interrogation of Zubaydah, I
22 became familiar with the titles used for CIA personnel. At GREEN, the Chief of
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1 Base reported to the Station Representative, who reported to the Chief of Station,
2 who reported back to personnel at CIA Headquarters.

3 7. At GREEN, I reported to the Chief of Base and/or the Station
4 Representative.

5 8. The abbreviation "CTC/LGL" was used for the CIA's
6 Counterterrorism Center's legal department.

7 9. From April 2002 through January 2003, of the time I spent working
8 for the CIA, I spent 80% of my time deployed at locations outside the United
9 States.

10 10. Through my work as an independent contractor for the CIA, I
11 understood that Dr. Jessen and I were the sole individuals authorized to apply EITs
12 up until December 2002.

13 11. I visited the CIA's detention cite named COBALT only one time in
14 November 2002. During the visit, I had very limited interaction with Medium-
15 Value Detainees. I had no other contact with Medium-Value Detainees.

16 12. I was not aware that the Director of the CIA's Guidelines on
17 Interrogations, a copy of which is attached here as **Exhibit 1**, was sent to
18 COBALT in January 2003.

19 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the
20 laws of the United States that the foregoing is true and correct.

21 DATED this 19 day of May, 2017.

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James Elmer Mitchell

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