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APR 06 2004 **MR**

UNITED STATES DISTRICT COURT
AT SEATTLE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE
BY CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON DEPUTY

Lieutenant Commander CHARLES SWIFT, a
resident of the State of Washington, as next
friend for SALIM AHMED HAMDAN,
Military Commission Detainee,
Camp Echo,
Guantanamo Bay Naval Base,
Guantanamo Bay, Cuba,

Petitioner,

v.

DONALD H. RUMSFELD, United States
Secretary of Defense; JOHN D.
ALTENBURG, Jr., Appointing Authority for
Military Commissions, Department of Defense;
Brigadier General THOMAS L.
HEMINGWAY, Legal Advisor to the
Appointing Authority for Military
Commissions; Brigadier General JAY HOOD,
Commander Joint Task Force, Guantanamo,
Camp Echo, Guantanamo Bay, Cuba;
GEORGE W. BUSH, President of the United
States,

Respondents.

NO. **CV 04-0777-L**
DECLARATION OF
CHARLES P. SCHMITZ, PH.D.



04-CV-00777-DECL

Charles P. Schmitz, PH.D., hereby declares and states as follows:

1. I am over the age of eighteen (18) years. The following is true and correct to
the best of my knowledge. I have personal knowledge of the matters stated herein and, if
called upon to testify, could competently testify thereto.

DECLARATION OF CHARLES P. SCHMITZ, PH.D.

- 1
{43439-0001/81040920.098}

Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, Washington 98101-3099
Phone: (206) 359-8000
Fax: (206) 359-9000

1 2. I am an experienced translator of Arabic languages, and am fluent in Arabic
2
3 at an academic level.

4 3. I am presently serving as an Assistant Professor in the Department of
5
6 Geography at Towson University, 8000 York Road, Baltimore, MD 21252. I have held this
7
8 position since the fall of 1999.
9

10 4. My educational background includes a Ph.D. and M.A. in Geography and a
11
12 B.S. in Conservation and Resource Studies from the University of California at Berkeley. In
13
14 1993, I was awarded a Fulbright Scholarship for my dissertation research in Yemen, and
15
16 from 1993-1994, I served as a fellow with the American Institute of Yemeni Studies.
17

18 5. I have been awarded the following fellowships: Foreign Language and Area
19
20 Studies (1990-1991-1993), Social Science Research Council Predissertation Fellowship
21
22 (1991-1992), and Towson University Research Grant for research in Yemen (2001).
23
24 Additionally, I have had several articles published and have performed numerous lectures
25
26 regarding Yemen and the Middle East.
27

28 6. On or about January 25, 2004, I was hired by the appointing authority at the
29
30 Naval Base at Guantanamo Bay, Cuba ("Guantanamo") to serve as the defense translator for
31
32 Salim Ahmed Hamdan, a Yemeni citizen. At all times relevant since January 25th, I have
33
34 served as the sole translator for Mr. Hamdan and his defense counsel. In conjunction with
35
36 this employment, I was granted an interim Secret Clearance.
37

38 7. On or about February 8, 2004, Mr. Hamdan drafted a handwritten affidavit in
39
40 Arabic, which was provided to me for translation.
41

42 8. On or about February 9, 2004, I typed a draft of Mr. Hamdan's affidavit in
43
44 Arabic, and subsequently reviewed my typed draft with Mr. Hamdan to ensure the accuracy
45
46 of the language. Mr. Hamdan made some clarifications to the typed draft of his affidavit,
47

DECLARATION OF CHARLES P. SCHMITZ, PH.D.

- 2

[43439-0001/SL040920.098]

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and after he was satisfied that the typed draft accurately reflected his original handwritten statement, he signed the document in my presence and in the presence of his defense counsel, Lt. Commander Charles Swift. A true and correct copy of Mr. Hamdan's Signed Affidavit is attached hereto as Exhibit A.

9. After Mr. Hamdan had affirmed the accuracy of the typed draft of affidavit, I proceeded to draft an English version of this document. A true and correct copy of the English Translation of Mr. Hamdan's Affidavit is attached hereto as Exhibit B.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge and belief.

DATED this 4 day of April, 2004.



Charles P. Schmitz, PH.D.

Exhibit A

EXHIBIT A, (PAGES 5 – 7)

FILED UNDER SEAL

Exhibit B

EXHIBIT B, (PAGES 9 – 12)

FILED UNDER SEAL