

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

JOHN DOE,	)	
	)	
	)	
Petitioner,	)	Civil Action No. 1:17-cv-2069 (TSC)
	)	
v.	)	
	)	
GEN. JAMES N. MATTIS,	)	
in his official capacity as SECRETARY	)	
OF DEFENSE,	)	
	)	
Respondent.	)	

---

**ECF 49**

**REDACTED VERSION FOR PUBLIC FILING**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

JOHN DOE,	)	
	)	
	)	
Petitioner,	)	Civil Action No. 1:17-cv-2069 (TSC)
	)	
v.	)	
	)	
GEN. JAMES N. MATTIS,	)	<del>UNDER SEAL</del>
in his official capacity as SECRETARY	)	
OF DEFENSE,	)	
	)	
Respondent.	)	

---

**NOTICE OF SUPPLEMENTAL EXHIBIT**

Respondent hereby gives notice that attached hereto is an additional exhibit in support of Respondent’s Return, filed today as ECF 46 in the above-captioned case. The exhibit was not available in time to be included in Respondent’s noon filing of the Return.

January 22, 2018

Respectfully submitted,

CHAD A. READLER  
Acting Assistant Attorney General  
JESSIE K. LIU  
United States Attorney  
TERRY M. HENRY  
Assistant Director, Federal Programs Branch

/s/ Kathryn L. Wyer  
JAMES M. BURNHAM  
Senior Counsel  
KATHRYN L. WYER  
Senior Trial Counsel, Federal Programs  
U.S. Department of Justice, Civil Division  
20 Massachusetts Avenue, N.W.  
Washington, DC 20530  
Tel. (202) 616-8475 / Fax (202) 616-8470  
kathryn.wyer@usdoj.gov  
*Attorneys for Respondent*

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed under seal, along with attachments, will be served today by email on counsel for Petitioner.

/s/ Kathryn L. Wyer

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

---

JOHN DOE, )  
)  
)  
    Petitioner, )      Civil Action No. 1:17-cv-2069 (TSC)  
)  
v. )  
)  
)  
GEN. JAMES N. MATTIS, )  
in his official capacity as SECRETARY )  
OF DEFENSE, )  
)  
    Respondent. )

---

**DECLARATION OF [REDACTED]**

1. I am [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

2. The statements in this declaration are based on my personal knowledge and information that I have received in my official capacity.

3. A terrorist group founded and led by Abu Mu'sab al-Zarqawi conducted a series of terrorist attacks in Iraq beginning in 2003, around the time of the U.S. arrival in Iraq. Al-Zarqawi had ties to Osama bin Laden that went back to al-Zarqawi's time in Afghanistan and Pakistan before the 11 September 2001 attacks against the United States. This relationship with bin Laden and a shared Salafi-Jihadist ideology prompted al-Zarqawi and his group to join al-Qa'ida.

4. In October 2004, al-Zarqawi publicly pledged his group's allegiance to bin Laden, and bin Laden publicly endorsed al-Zarqawi as al-Qa'ida's leader in Iraq. At this time, al-Zarqawi's group adopted the name al-Qa'ida in Iraq ("AQI"). From that time and continuing through the time U.S. and coalition forces left Iraq in 2011, AQI conducted fatal terrorist attacks against those forces, even after al-Zarqawi was killed by a U.S. airstrike in June 2006. U.S. forces responded by engaging in combat operations against the group throughout this time period.

5. In 2013, now led by Abu Bakr al-Baghdadi (who had ties to al-Qa'ida's top leader Ayman al-Zawahiri), the group changed its name to the Islamic State in Iraq and al-Sham (ISIS, also referred to as ISIL). Since that time, the group has continued to plot and execute attacks against U.S. persons and interests in Iraq, Syria, and the region. ISIL is directly responsible for the murder and beheading of at least four kidnapped American citizens in Syria and multiple fatal attacks against U.S. military personnel who were present in Syria and in Iraq (at the invitation of the Iraqi Government).

6. ISIL split from al-Qa'ida in 2014. This rift was prompted by theological and strategic disagreements and included claims from ISIL that it is the true executor of bin Laden's legacy, rather than al-Qa'ida's current leadership. Some members and factions of al-Qa'ida-aligned groups subsequently publicly declared allegiance to ISIL. Meanwhile, ISIL continues to denounce the United States as its enemy and to target U.S. citizens and interests worldwide. ISIL emir Abu Bakr al-Baghdadi highlighted the group's continued intent on attacking the United States and its interests worldwide by specifically calling for attacks against the United States in a September 2017 statement.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of knowledge.

Dated this 22<sup>ND</sup> day of January 2018, at the Department of Defense, Washington, D.C.

