

EXHIBIT C

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JOHON ELIAS SUAZO-MULLER, *et al.*,

Plaintiffs,

v.

KRISTI NOEM, Secretary of Homeland
Security, in her official capacity, *et al.*,

Defendants.

Civil Action No. 1:25-cv-00418

DECLARATION OF LIEUTENANT COLONEL ROBERT GREEN

I, LIEUTENANT COLONEL ROBERT GREEN, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a Lieutenant Colonel in the United States Army and have served on active duty for 30 years. My prior positions include Platoon Leader and Executive Officer (XO), 256th Military Police Company Internment/Resettlement (I/R), Fort Leavenworth, KS, Plans Officer, 705th Military Police Battalion (I/R), Fort Leavenworth, KS and Taji (Task Force 134 (Detainee Operations), Iraq, Battalion Logistics Readiness Officer (S-4), 793rd Military Police Battalion, Joint Base Elmendorf Richardson (JBER), AK, Commander, Headquarters and Headquarters Detachment (HHD), 793rd Military Police Battalion, JBER, AK and Gardez, Afghanistan, S3, 532nd Engineer BN (Provisional), JBER, Alaska; Battalion Operations Officer (S3) and Executive Officer XO, 40th Military Police Battalion (Detention), Fort Leavenworth, KS, Joint Exercise Planner, Chairman's Exercise Program Division (CEPD), Joint Training Division, Joint Staff J-7, Pentagon, Washington D.C; Executive Assistant to Director for Joint Force Development, Joint Staff J-7, Pentagon, Washington D.C, Chief, Strategic Initiatives Group

(SIG), Office of the Provost Marshal General (OPMG), Headquarters Department of the Army (HQDA) Washington D.C.; Commander, 508th Military Police Detention Battalion & Northwestern Joint Regional Correctional Facility (NWJRCF) Joint Base Lewis-McChord, WA. I make the following statements based upon my years of service and experience in the United States military, personal knowledge, and information made available to me in my official capacity.

2. In response to a Presidential Memorandum on 29 January 2025, on 30 January 2025, the Secretary of Defense ordered the Commander, United States Southern Command, to expand migrant operations at NSGB. Joint Task Force Southern Guard (JTF-SG) was created to execute that directive.

3. From 14 February 2025 through 6 June 2025, I served as the Commander of Task Force Guardian (TF Guardian), the element responsible for safeguarding and controlling illegal aliens under the direction of, and in support of the Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE) agents. TF Guardian supports JTF-SG at Naval Station Guantanamo Bay, Cuba (NSGB). Effective 6 June 2025, Lieutenant Colonel Travis Nicholson, United States Army, assumed command of TF Guardian. During my time as Commander of TF Guardian, in coordination with DHS and ICE agents and contractors, I oversaw DoD's support to DHS involving Holding Area Operations, of illegal aliens (IAs). I also advised the JTF-SG Commander and staff on all Holding Area Operations for high-threat illegal aliens (HTIAs), as designated by DHS ICE, who are held at Camp VI, referred to as the Windward Holding Facility. JTF-SG's mission focuses on supporting DHS-led illegal alien holding operations (IAHO) at NSGB.

Windward Holding Facility (CAMP VI) Conditions

4. The Windward Holding Facility, completed in 2006, was built as a medium security facility, using layouts and operational practices inspired by U.S. prison system facilities. The facility uses single cells, and when fully operational, it can house up to 175 IAs. IAs reside in eight pods, each containing approximately 22 cells. Each pod consists of a two-story wedge-shaped wing connected to the main structure. Each pod's first floor contains a common area where IAs can interact, eat meals, and take showers.

5. The facility, now over 19 years old, experiences ongoing maintenance issues, including plumbing, electrical systems, camera systems, and locking mechanisms. These issues require constant attention, with staff completing routine fixes on an average of 25 cells per week. As new IAs rotate through the facility, additional wear and tear increases the workload for the facility maintenance representative (FMR), responsible for maintaining operational capacity. IAs are only housed in cell blocks that are in the best condition and have working plumbing, electrical systems, camera systems, and locking mechanisms. The remaining cell blocks (about 25% of the facility) are undergoing regular maintenance to comport with standards.

6. Every IA at the Windward Holding Facility receives shelter and ventilation. Each HTIA has access to potable drinking water, a toilet, and a sleeping area free of insects.

7. The average temperature is maintained between 72- and 74-degrees Fahrenheit, measured at various locations within the facility using a laser thermometer and an environmental weather meter (Kestrel 4000). Each IA receives three nutritionally balanced meals daily, prepared in compliance with United States Department of Agriculture (USDA) dietary guidelines, with adjustments made for religious, cultural, portion, and medical requirements.

8. Meals are prepared in the same kitchen and in the same manner as those provided to military personnel stationed at NSGB, unless otherwise requested. Qualified food handlers prepare and distribute meals based on the IA headcount and a standardized recipe card, which dictates uniform serving sizes using a “one size fits all” approach. The serving size does not account for differences in individual body weight, which could contribute to weight loss for some IAs.

9. As of 6 June 2025, the facility maintains only one designated administrative segregation area, known as the Special Housing Unit (SHU). The SHU houses IAs for short periods when their behavior disrupts the climate of their housing block. This system encourages compliance with facility rules while minimizing disruptions to other IAs. The SHU is also used to separate IAs from general population due to medical concerns, ensuring that communicable disease and other ailments are segregated from the rest of the IA population. Since its opening, a total of (11) IAs have been temporarily placed in the SHU, all (11) were for disciplinary reasons pending DHS ICE internal investigation. Additionally, DHS segregated (4) IAs for medical reasons; however, DHS did not use the SHU for medical segregation.

Migrant Operation Center (MOC) Conditions

10. The primary purpose of the MOC has been to temporarily house migrants intercepted at sea by the US Coast Guard or other agencies. Since the 1990s, the MOC has provided basic care while U.S. authorities determine each migrant’s eligibility for asylum, repatriation, or resettlement to a third country. The MOC includes two hard-stand buildings, the MOC Facility and the MOC Special Housing Unit (SHU), along with two tent holding areas known as MOC East and MOC West – which are not currently in use.

11. The MOC Facility is a concrete building designed to provide shelter and ventilation for communal living. Every IA at the MOC Facility has access to potable drinking

water, a toilet, and a sleeping area free of insects. IAs may reside in groups of up to six per housing area, with a maximum capacity of 50 IAs at the MOC Facility.

12. The average temperature is maintained between 72- and 74-degrees Fahrenheit, measured at various locations using a laser thermometer and an environmental weather meter (Kestrel 4000). Like the Windward Facility, IAs receive three nutritionally balanced meals daily, prepared in compliance with USDA dietary guidelines, with adjustments made for religious, cultural, or medical requirements. The MOC also provides regular opportunities for recreation and personal hygiene.

13. The MOC Guard Force is composed entirely of ICE Agents and ICE contractors (AIP or AGS). United States Marines currently provide security outside the MOC Facility 24 hours a day. Additionally, a Marine Quick Reaction Force (QRF) is available around the clock to provide emergency security support if needed.

14. MOC East and MOC West have not been used to house IAs. If used in the future, MOC East can hold up to 224 low-threat illegal aliens (LTIAAs), and MOC West can house up to 296 LTIAAs, providing a combined capacity of 520 LTIAAs. MOC East and West both have a portable containerized shower and latrine system that IAs may utilize.

Telecommunication

15. The Windward Holding Facility and the MOC allow IAs to make calls to their legal counsel upon request from the IA or attorney. COL Jennifer Venghaus, Staff Judge Advocate for Joint Task Force Southern Guard (JTF-SG), previously addressed access to legal counsel in a Declaration dated 19 February 2025. I adopt by reference the procedures she outlined in that declaration and note that there have been some changes as described in greater detail below.

16. Beginning on 2 March 2025, every IA at the Windward Holding Facility is

authorized one 5-minute personal phone call every third day between the hours of 0830-1230. Due to required repairs to the room designated for phone calls at the Windward Holding Facility, eight phone lines were moved to an alternate room at the Windward Holding Facility effective 3 June 2025. I understand there was a temporary degradation of phone services during that movement, which was promptly resolved and tested on 3 June 2025. To my knowledge, any phone calls missed during that degradation were rescheduled and phone service continues at the alternate building at the Windward Holding Facility. These required repairs are expected to take about (6) months, with a planned outage for all phone lines on 30 June 2025 from 0800 - 1600. During this time, arrangements will be made to reschedule any phone calls that may be impacted. If a phone call is missed for any reason, the call is re-scheduled. To address any concerns of recording of phone calls, the Windward Holding Facility does not have recording capability, video or audio, in any room used for phone calls. For safety, ICE personnel merely maintain the ability to view IAs during phone calls, either by video monitoring equipment for attorney consults (with no sound or recording capability) or in-person for family and welfare calls.

17. At the MOC Facility, IAs are also allowed a 5-minute personal phone call once each day. If a phone call is missed for any reason, the call is re-scheduled. To address any concerns of recording of phone calls, the MOC does not have recording capability, video or audio, in any room used for phone calls. For safety, ICE personnel merely maintain the ability to view IAs during phone calls.

Attorney Access and Document Exchange

18. For operational and logistical reasons, and consistent with direction from DHS, in-person visits by attorneys are not permitted.

19. To my knowledge, IAs have access to document exchange with their attorneys. I am not aware of any issues with this process at either the Windward Holding Facility or the MOC. Consistent with the terms contained in the Memorandum of Understanding (MOU), dated 7 March 2025, DHS determines the appropriate level of access by NSGB IAs to legal representation. This includes DHS's determination not to allow in-person attorney visits, the process for making attorney phone calls, and the process for exchanging legal mail.

Use of Restraints

20. The current practice requires the use of hand and leg restraints anytime an IA moves outside their Cell Block in the Windward Holding Facility. This practice helps protect both the Guard Force and the IA from potential security risks and enables the Guard Force to prevent IAs from accidental falls while being moved. Guard Force personnel must maintain two points of contact with the IA at all times during escorts. This practice will be reassessed as appropriate.

Policy on Use of Strip-Searching and Frisking

21. As part of the intake process at the Windward Holding Facility, IAs undergo a series of search procedures to ensure the safety, security, and welfare of both IAs and staff. These searches occur at various stages during in-processing in accordance with applicable detention standards to ensure safety and security, while also protecting individual rights and dignity.

22. A preliminary frisk search occurs when the IAs arrive via air at NSGB. This pat-down inspection detects any concealed contraband that could threaten staff, other IAs, or the individual being searched. Although limited in scope, this search plays a critical role in ensuring safe intake procedures.

23. Strip searches have occurred on several occasions at the Windward Holding Facility, pursuant to applicable detention standards. Both DHS ICE and DoD detention standards allow for such searches in limited circumstances when a reasonable suspicion exists that an individual may be concealing potentially dangerous contraband in a private area. These searches have only been conducted after a pat-down search, and at least two failed body scan searches, and such searches are then limited to the particular area of the body where the body scan indicates the potentially dangerous contraband is located.

24. Additionally, staff conduct limited frisk searches each time an IA leaves a holding area for medical appointments, required meetings, or relocation to another housing unit. These limited frisk searches occur before and after each movement to prevent the introduction or removal of contraband and to maintain the safety of the IA population, staff, and facility operations.

25. All search procedures are performed under ICE guidance and follow established policies, legal standards, and human rights guidelines to ensure a proper balance between security and the respectful treatment of IAs in accordance with ICE detention standards.

Medical Care

26. Medical care for IAs relies on a combination of facilities and resources on both the Leeward and Windward sides of NSGB.

27. On the Leeward side, the Military Medical Company Area Support (Role II) provides medical care near the Migrant Operations Center (MOC). This facility also conducts initial medical screenings for low-threat illegal aliens (LTIAs), as designated by DHS ICE, upon their arrival. If advanced care is required, IAs could be transported to the Naval Hospital Guantanamo Bay on the Windward side of NSGB.

28. On the Windward side of NSGB, medical care, including an infirmary and behavioral health resources are available. The facility offers comprehensive care, including dental services, using a combination of Department of Defense and Department of Homeland Security medical personnel. For after-hours emergencies, staff transport IAs to the emergency room at Naval Hospital Guantanamo Bay. This process requires securing the IA in a transport van, deploying a transport team, and moving the IA approximately two miles from the holding facility to the hospital. The medical care provided to IAs is comparable to the care provided to U.S. military personnel stationed NSGB. To my knowledge, no IA has ever been denied medical treatment or appropriate care for any ailment or injury.

Staff Misconduct

29. Staff misconduct is taken very seriously. Any credible allegations of actions that violate the basic rights of individuals housed at this facility will be thoroughly investigated and addressed in accordance with all applicable laws, regulations, and the authorities prescribed by the appropriate governing agencies. We are committed to ensuring a safe, respectful, and lawful environment for all individuals in our care, and any staff found to have engaged in misconduct will be held accountable, as appropriate.

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

Dated: 9 June 2025

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ROBERT W. GREEN
Lieutenant Colonel, U. S. Army
Military Police
Commander Task Force Guardian