

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ROGER HALL, et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 04-0814 (HHK)
	:	
CENTRAL INTELLIGENCE AGENCY	:	
	:	
Defendant	:	

PLAINTIFFS' LOCAL RULE 7.(h) STATEMENT

Pursuant to Local Rule 7(h), plaintiffs Roger Hall and Studies Solutions Results, Inc. to the numbered paragraphs of defendant's statement of materials facts as follows:

- 1. Paragraphs 1-8 are admitted.**
- 2. Paragraph 9 is denied.**
- 3. Paragraphs 10-18 are admitted.**
- 4. Paragraphs 19-21 are not relevant because they do not related to plaintiffs Hall and SSRI.**
- 5. Paragraphs 22-25 are admitted.**
- 6. Paragraph 26 is denied.**
- 7. Paragraphs 27 is admitted.**
- 8. Paragraph 28 is denied.**
- 9. Paragraphs 29-33 are adminted.**
- 10. Paragraph 34. is not relevant as it does not pertain to plaintiffs Hall**

and SSRI.

STATEMENT OF MATERIAL FACTS

Plaintiffs Hall and SSRI state the following genuine issues of material fact are not in dispute.

1. Despite the passage of more than five years, the CIA has not produced or justified materials referred to other government agencies. Dimairo Decl., ¶ 7.

2. The CIA has not searched its designated operational files. Declaration of Scott A. Koch, ¶ 22.

3. Executive Order 12812, issued by President William Jefferson Clinton, required the CIA to search operational files.

4. Director of Central Intelligence Agency James Woolsey stated in a letter to the President that the CIA had forwarded to the Library of Congress's repository on POW/MIA data 1,766 documents and withheld 574 documents. Hall has not been provided copies of these documents. 2d Revised Hall Decl., ¶ 32.

5. Hall has obtained Briefing Boards whose texts indicate that the information in them comes from human sources and photographic surveillance. Hall has not been provided these records. Id., Exh. 4.

6. Hall has obtained from POW family members records related to POW prisons in Laos. The CIA has not released copies of these records. Id., Exh. 12, ¶ 5.

7. General Richard Secord testified in a deposition that the CIA had reliable reports concerning Americans kept at a camp Mahaxay, Laos and indicated that

photography had been taken. Hall has not been provided with records pertaining to this. Id., Exh. 23-A.

8. Jan Senja testified to the Subcommittee on Personnel of the Committee on National Security that on three or four occasions he saw American POWs in Prague, and that they were later transferred to the Soviet Union. Id., Exh. 9.

9. A DIA document refers to a meeting at which representatives of the NSA, the DIA and the CIA were reported as being present. Rear Admiral J. O. Tuttle reviewed a chronological report regarding POW facilities and sighting in Laos. Id., Exh. 7-A. Hall has not received the records regarding this meeting.

10. A January 28, 1981 DIA memorandum on POWs states that in November 1980 the CIA provided information which corroborated a refugee's account and that overhead imagery confirmed the location of the detention site. Id., Exh. 7-B.

11. The Intelligence Information Report from the DCIA's Directorate for Plans has the subject "Preliminary DeBriefing Site for Captured U.S. Pilots in Ving Phu Province." It reports on the location of a debriefing facility for U.S. pilots shot down over Vinh Phu Province. Id., Exh. 10. The CIA has not provided Hall with this record or any other documents pertaining to this debriefing facility. Id., ¶ 14.

12. A typed memorandum obtained from the National Archives and Records Administration's ("NARA'S) collection on POW/MIAs consist of a memorandum which reports that President Reagan , William Casey and Vice President George Herbert Walker Bush came into the Roosevelt Room of the House House from the

Oval Office and joined other Reagan administration officials. The memorandum indicates the North Vietnamese made an offer concerning U.S. POWs which involved payment of \$4.5 billion. This meeting is mentioned in the Select Committee Report. *Id.*, Exh. 11. The CIA has not provided Hall with the 1981 memorandum. *Id.*, ¶ 11.

12. Richard Allen testified to the Senate Select Committee about seeing, in 1981, a photograph of escape and evasion code. *Id.*, Attachment 6. Allen testified that President Reagan launched an operation to investigate the site. However, when the mission arrived at the site, the camp was found to be abandoned. The CIA has not provided records pertaining to this mission. *Id.*, ¶ 13.

13. Admiral Bobby Ray Inman testified to the Senate Select Committee that maps of activities going on in northeast Laos appeared to flow from the CIA to the NSA. *Id.*, Attachment 7. Hall has been provided no copies of such maps. *Id.*, 14.

Respectfully submitted,

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