

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ROBERT MOORE, <i>et al.</i> ,)	
)	
Plaintiffs.)	
)	
v.)	Case No. 20-1027 (RCL)
)	
CENTRAL INTELLIGENCE AGENCY,)	
)	
Defendant.)	
_____)	

AFFIDAVIT OF ROBERT MOORE

Robert Moore hereby swears and affirms:

1. My name is Robert Moore. I am Harry Cecil Moore's brother. I am a plaintiff in this case. Harry's daughter, Jana Orear, is a plaintiff, as is Christianne O'Malley, Harry's granddaughter. Harry's wife, Lois Moore, had been lead plaintiff in this case. Sadly, on July 24, 2021, Lois passed away.

2. Harry and Lois were married in 1948. Harry, a fighter pilot during World War II and the Korean War. Harry was shot down on June 1, 1951. The government declared that Harry had been killed in action.

3. On April 24, 1954, Lois and I married.

4. In 2002, the government told us that Harry appeared to have survived the shoot-down, to have been taken prisoner, and to have been held captive in Russia. Thus, Lois and I began our search for Harry.

5. We attended around 30 meetings of the Defense POW/MIA Accounting Agency, held in various cities all over the nation. In 2013, we released *Keeping the Promise Alive*, a documentary on Harry's case and our search for him. Over the years, we advocated for families of the over 7,500 service personnel still missing from the Korean War. This case is one of three Freedom of Information Act lawsuits that we have filed.

World War II Shoot-down

6. In October of 1944, the Japanese invaded western China. The U.S. Air Force 14th Squadron was tasked with bombing and strafing Japanese forces who were advancing toward Kunming. On October 10, Harry piloted the lead of five P-40 ground attack aircraft. Ground fire shot him down, and he parachuted into a rice paddy a few yards from his burning P-40. Harry's family was informed by telegram that Harry was missing-in-action.

7. Uninjured, and fearing capture, he fled up a mountain, walking in a stream where he was shielded from view by high grass on its banks. While the bombing and strafing campaign continued, he hid in caves. For the next seven days, Harry travelled at night, evading Japanese forces. Harry then found farmers who fed and clothed him. He thereafter joined the 93rd Chinese Army of around 600 men, walking westward 16-hours a day, for 28

days, until Harry reached Jungkang, where the Chinese army gave him 30 soldiers and a horse to take him to Sanxiu.

8. On December 16, 1944, fifty-one days after the shoot-down, Harry rejoined U.S. forces, whereupon Harry's mother and family were informed that he was alive.

Korean War Shoot-down

9. On June 1, 1951, Harry was flying one of four F-51's that had been dispatched to fly a reconnaissance mission over North Korea. While enroute to their assigned target, they were ordered to proceed north and provide close air support for a B-29 bomber crew that had bailed out in enemy territory. Harry's flight found itself off course and flying near the North Korea/China border.

10. At 3:30 p.m., the F-51s were suddenly attacked by a flight of six MiG-15 aircraft of the Soviet 303rd Fighter Aviation Division that had been patrolling along the Yalu River. The F-51s descended and split up into pairs and single flights. Harry and another pilot from his flight, Captain Hederstrom, flew south along the coast trying to evade the MiGs. A radio malfunction during the attack prevented Hederstrom from communicating with Harry. Hederstrom turned east in the vicinity of Taehwa-do Island and continued inland, while four MiG-15s chased Harry. Harry's F-51 was hit and

it began to smoke and drop in altitude. Three of the MiGs consecutively attacked Harry, and one escorted Harry's F-51 until it gently landed into the Korean Gulf, 65 to 80 yards off the coast of the island of Dan-to.

Transport to USSR

11. Harry was captured. Commander Ivan Kozhedub of the Soviet 324th Fighter Aviation Division interrogated Harry. Later, Harry was sent to the Soviet Air Force Academy at Monino, outside of Moscow, to serve as an instructor.

Government Withheld POW Intelligence

12. On February 27, 1952, eight months after the shoot-down, the Chief of Naval Personnel wrote to the Judge Advocate General "that there is a possibility that Captain Moore survived and is now a prisoner of war." But the government did not inform Lois and me of this intelligence. Rather, in December of 1953, the Air Force notified us that Harry had been re-classified, from missing-in-action to killed-in-action.

13. In 2002 the Department of Defense first advised Lois and me of Harry's survival, and captivity. In 2013, the government provided us the February 1952 memorandum referenced above.

Sources of Information

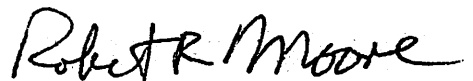
15. The information regarding the Chief of Naval Personnel's memorandum to the Judge Advocate General, "that there is a possibility that Captain Moore survived and is now a prisoner of war," was provided to Lois and me by the Defense POW/MIA Accounting Agency during a 2013 meeting. A copy of that memorandum is attached hereto as Exhibit 1.

16. The information regarding the Korean War shoot-down and interrogation and transfer to the USSR was obtained through the auspices of the US–Russia Joint Commission on POW/MIAs. The Commission obtained that information in 1993 and 1997. The Defense POW/MIA Accounting Agency provided Lois and me with that information in 2002. A copy of that record is attached hereto as Exhibit 2. As related by the pilots who shot his plane down, Niklay Yakov and Vasily Shavsa, an American was interrogated by Commander Ivan Kozhedub of the 324th FAD, and was later sent to Moscow to serve as an instructor at the Soviet Air Force Academy at Monino, outside of Moscow. Shavsa stated that he believed that the pilot interrogated by Kozhedub was Captain Garry Moore (there is no H in the Russian alphabet and they use G for the letter H). These pilots were interrogated by DPAA investigator Mr. Danz Blasser, who concluded that the accounts were accurate.

17. Additionally, in November of 2019, a researcher at the National Archives discovered a debriefing of a repatriated POW, Corporal Eddy Cruz. It relates that a Fighter Pilot, "Lieutenant Moore," had been incarcerated and interrogated in Camp 5 in North Korea. As research yielded no other unrepatriated fighter pilots with the last name Moore, Cruz may have been referring to Harry. A copy of the relevant pages of that debriefing is attached hereto as Exhibit 3, together with a map showing the location of Camp 5.

Date: January 3, 2022.

I hereby declare under penalty of perjury that the forgoing is true and correct to the best of my knowledge and belief.


Robert R. Moore
Robert Moore



DEFENSE PRISONER OF WAR/MISSING PERSONNEL OFFICE
 2400 DEFENSE PENTAGON
 WASHINGTON, DC 20301-2400

Exhibit "4"
 et al. FOIA Request
 July 31, 2017

19 JUL 2002
 I-02/010702

MEMORANDUM FOR HEADQUARTERS, UNITED STATES AIR FORCE MISSING
 PERSONS BRANCH

SUBJECT: Korean War File WRT Captain Harry C. Moore

The attached documents are forwarded for your immediate dissemination to the primary next of kin (PNOK) of Captain Harry C. Moore. These documents were not prepared for public release. Please make copies for your own records prior to forwarding to PNOK.

Through the auspices of the U.S.-Russia Joint Commission on POW/MIAs, American researchers from the Office of the Secretary of Defense, POW/Missing Personnel Office's Joint Commission Support Directorate (DPMO/JCSD), are conducting research in the Central Archives of the Russian Ministry of Defense in Podolsk, Russia, and conducting interviews with Soviet veterans of the Korean War.

Through these efforts, JCSD researchers have received information that possibly refers to the fate of Capt. Harry C. Moore, service number AO 711850, who is listed as Missing-In-Action. Moore was the pilot of an F-51 aircraft that was shot down on June 1, 1951. The attached documents are Soviet Air Force reports documenting the shoot-down of F-51 aircraft by Soviet pilots on June 1, 1951, and messages concerning interviews with Soviet Korean War veterans.

Captain Moore was a member of a flight of four F-51 aircraft dispatched to perform a reconnaissance mission on June 1, 1951, over North Korea. While enroute to their assigned target, they were ordered to proceed north and provide close air support for a B-29 bomber crew that had bailed out in enemy territory. Moore's flight found itself off course and flying near the North Korea/China border. Moore and another pilot from his flight, Captain Hederstrom, were suddenly attacked by a flight of MiG-15 aircraft that were patrolling along the Yalu River. Moore and Hederstrom descended and were flying south along the coast in order to evade the MiGs. Hederstrom was unable to communicate with Moore during the time of the attack because of radio difficulties. Hederstrom turned east in the vicinity of Tashwa-do Island and continued inland. Hederstrom last saw Moore being chased by four MiG-15s.

JCSD representatives conducted an interview in Taganrog, Russia, with a Soviet veteran that suggested Captain Moore may have survived his shoot down. A copy of the report of this January 15, 1997, interview with Igor Ivanovich Shashva is presented at attachment 1. Shashva said that he had been told that an American pilot, who was shot down in the summer of 1951, was interrogated by the Commander of a Soviet Fighter Aviation Division. Shashva said that he believed the American was Captain Gary or Harry Moore.



Exhibit 1

JCSD researchers recently obtained a document relating to this case from the Central Archives of the Russian Ministry of Defense (attachment 2). TFR 675, page 15, is a Soviet combat report from the 303rd Fighter Aviation Division. The report states that on June 1, 1951, at approximately 1330 hours, Soviet pilots closed on six F-51 "Mustang" aircraft (JCSD Note: Moore was in a flight of four F-51s) near the town of Rikakho, North Korea. The F-51s descended and broke into pairs and single flights. (JCSD Note: When Moore's aircraft was attacked, the two lead F-51s were unaware of the MiGs and continued flying in an easterly direction.) One F-51, flying alone, was then attacked by several MiG-15s. After the first pass, made by Gds. Sr. Lt. Shchukin, the F-51 began to smoke and drop in altitude. Consecutive attacks were then made by Gds. Sr. Lt. Akatov, Gds. Capt. Skidan, Gds. Capt. Solov'ev. Guards Captain Kalyuzhnyi then escorted the F-51 until it crashed into the Korean Gulf near the island of Dan-to. The Soviet report and a report written by Hederstrom clearly indicate that this is the same incident and that Captain Moore crashed his plane near Dan-to (Kado) Island. Page 16 is a diagram of the incident.

On May 17, 2002, JCSD researchers interviewed Aleksey Alekseevich Kalyuzhnyi in Odessa, Ukraine (report of this interview at attachment 3). Kalyuzhnyi said that his flight was responsible for shooting down an F-51 on June 1, 1951. Kalyuzhnyi said that he personally followed the aircraft until it safely landed on the water, 20-30 meters from the shore. Kalyuzhnyi stated that the pilot of the aircraft appeared to be in complete control and should have survived the incident. Beyond this information, Kalyuzhnyi knew nothing of the pilot's fate.

Based on the information JCSD analysts have received to date, it is possible that Captain Harry C. Moore survived his shoot down incident and may have been interrogated by Soviet officials. His fate afterwards remains unknown.

JCSD's research has led us to conclude that Russian military personnel were often present at interrogations of American pilots. JCSD has been given numerous interrogation reports from the Russians. To date, no interrogation reports or other documents from Soviet archives have been reviewed that mention Captain Moore. Locating other material or information that may help clarify this case remains a priority for JCSD.

Request that Captain Harry C. Moore's next of kin be notified of this development.



James M. Brandon
Lieutenant Colonel, U.S. Army
Director of Family Support - DPMO

Attachments: As stated



CONFIDENTIAL **SECRET** Security Information

COUNTERINTELLIGENCE INTERROGATION

OF

NAME CRUZ, Eddy

RANK Corporal

ASN RA10306722

HOME ADDRESS 275-C Viaaya St., Guadalupe, Makati,

CITY Rizal, Phil. Isl.

"INFORMATION CONTAINED HEREIN IS NOT TO BE RECORDED IN ANY OTHER INTERROGATION REPORT."

Attention is invited to par 43, SR 380-320-10

Classification cancelled or changed to Confidential by authority of DA Manila 247544 by Gl Wadsworth Wm
17 Nov '53

CONFIDENTIAL **SECRET** Security Information

B199 C 56459

Exhibit 2

SECRET Security Information
CONFIDENTIAL

24. b. In which type of U.S. Air Force activity did camp authorities show most interest? (Communications, radar, intelligence, armament, flying personnel and activities, non flying activities, logistical support, guided missiles, other scientific developments, etc.)

A Lt Moore, fighter pilot, was interrogated at the interrogation center. Cruz does not know what questions were asked.

What information was sought regarding each activity?

N/A

To what extent was it obtained and how?

He does not know to what extent.

CONFIDENTIAL

B199 C 34 a/59
SECRET Security Information



TIMELINE OF AIR FORCE CAPTAIN HARRY CECIL MOORE and MOORE FAMILY QUESTIONS:

June 1, 1951

Captain Harry Cecil Moore was shot down during a combat mission over North Korea.

- Listed as Missing in Action.

February 27, 1952

Case No. 190

February 27, 1952 memo from Major Elmer L. Searle (USAF) regarding the status of Captain Moore.

Re: USAF, AF 525, Subject: Review and Determination of Status on Missing Person, Captain Harry C. Moore, AC 711850, (Case No. 190)

ALL 241 NUMBER, Harry C. (O) 1st Ind
(27 Feb 52)

HEADQUARTERS, FIFTH AIR FORCE, APO 970

14 MAR

TO: Commanding General, Far East Air Forces, APO 925

I. In compliance with basic communication, the following information is submitted:

a. Census Registration Service has recovered no unknown remains believed to be those of Captain Moore.

b. No additional information is available in Air Rescue Service, this headquarters, pertaining to the extent of search.

c. He has not been seen or heard of since 1 June 1951.

d. It is believed that there is a possibility that Captain Moore survived and is now a prisoner of war.

e. It is the opinion of this headquarters that Captain Moore should be continued in a missing status.

FOR THE COMMANDING GENERAL:

ELMER L. SEARLE
Major, USAF
Asst Adj Gen

Should this not be legible... "It is believed that there is a possibility that Captain Moore survived and is now a prisoner of war."

This memo was in the file that the DPMO gave to us on January 24, 2013 when we attended a briefing with Mr. Danz Blasser, Major Carie Parker and her colleague.

Exhibit 3