

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

_____	)	
<b>ROGER HALL, et al.,</b>	)	
	)	
<b>Plaintiffs</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No.: 04-0814 (RCL)</b>
	)	
<b>CENTRAL INTELLIGENCE AGENCY,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**DECLARATION OF ROLAND D. TISDALE**

I, Roland D. Tisdale, hereby declare under penalty of perjury that the following information is true and correct to the best of my knowledge:

1. I am the Deputy Director for the Declassification/Freedom of Information Act Division (Declass/FOIA), Defense Prisoner of War/Missing Personnel Office (DPMO), Department of Defense (DoD) and have held this position since November 22, 2009. In this capacity, I am responsible for the declassification of information relating to Americans designated as prisoners of war (POW) or missing in action (MIA) due to war or conflict involving the United States and a foreign government. Additionally, as the DPMO Deputy Director for Declass/FOIA, I am responsible for the Agency's Freedom of Information and Privacy Act program and respond to Freedom of Information Act (FOIA) requests concerning POW/MIA, including appeals for denied information, pursuant to Title 5 USC § 552, the FOIA, and Title 5 USC § 552a, the Privacy Act.

2. On November 30, 2010, DPMO received a request from the DoD Office of Freedom of Information to review a package of documents labeled Hall 1-412 for POW/MIA equities.

3. The purpose of this declaration and attached Document Index is to explain how DoD processed the documents referred to DoD. The declaration further advises the Court that DoD withheld certain information, as set forth below, because it is properly exempt from disclosure under the FOIA based on Exemption.

4. I reviewed the aforementioned documents and noted items that required redaction before the documents could be released to the public. As the DPMO Deputy Director for Declass/FOIA, I determined redactions were required under the following statutory exemptions:

a. FOIA Exemption 1, found at 5 USC § 552(b)(1) and Executive Order 13526, Section 1.4(c) exempts from release information properly classified Secret in accordance with DoD 5200.1-R, intelligence activities (including special activities), intelligence sources or methods properly classified Secret that were redacted or withheld under this exemption.

b. FOIA Exemption 3, found at 5 USC § 552(b)(3), specifically, 10 USC 130b, exempts from release personal identifying information including the names of DoD personnel in overseas, sensitive, or routinely deployable units.

c. FOIA Exemption 3, found at 50 U.S.C 435 Note Sec 1082, P.L. 102-190 – Disclosure of Information concerning US personnel classified as POW/MIA during the Vietnam and Korean conflicts (“McCain Bill”).

d. FOIA Exemption 6, found at 5 USC 552 (b)(6) exempts information the release of which would constitute a clearly unwarranted invasion of the personal privacy of individuals. Specifically, denied material includes social security numbers, dates of birth, names, & home addresses of private citizens.

e. FOIA Exemption 6, found at 5 USC § 552(b)(6), exempts personal information contained in records, as well as information of personnel who are serving overseas or in routinely deployable or sensitive units. Segments of text containing information that would clearly invade personal privacy without serving the public interest were redacted under this exemption.

5. Listed below, by exemption category, are the documents redacted by DPMO and the justification for each redaction.

A. FOIA Exemption 1, found at 5 USC § 552(b)(1) and Executive Order 13526, as amended, Section 1.4(c) exempts from release information properly classified Secret in accordance with DoD 5200.1-R, intelligence activities (including special activities), intelligence sources or methods properly classified Secret that were redacted or withheld under this exemption.

CIA Document C00495753 Specifically, the name of a classified source was protected to maintain access to sensitive information on Americans missing from the Vietnam Conflict.

CIA Document C00492476 FOIA Exemption 1, found at 5 USC § 552(b)(1) and Executive Order 13526, as amended, Section 1.4(c) exempts from release information properly classified Secret in accordance with DoD 5200.1-R, intelligence activities (including special activities), intelligence sources or methods properly classified Secret that were redacted or withheld under this exemption. Specifically, National Security Agency report numbers. This document was referred to the National Security Agency for release determination.

B. FOIA Exemption 3, found at 50 USC 435 Note Sec 1082, P.L. 102-190 – Disclosure of Information concerning US personnel classified as POW/MIA during the Vietnam and Korean conflicts (“McCain Bill”). This law requires the missing Americans’ primary next of kin give written consent to release information concerning their treatment, location, and/or condition. Consent to release information was not given for the following documents; therefore, the missing individual’s names were redacted.

CIA Document C00492472	CIA Document C00471891
CIA Document C00472498	CIA Document C00466352
CIA Document C00495791	CIA Document C00466350
CIA Document C00495778	CIA Document C00466169
CIA Document C00495760	CIA Document C00466154
CIA Document C00495754	CIA Document C00466138
CIA Document C00492313	CIA Document C00465778
CIA Document C00567602	CIA Document C00465763
CIA Document C00472469	CIA Document C00465761
CIA Document C00472465	CIA Document C00465758
CIA Document C00472443	CIA Document C00495779
CIA Document C00472441	CIA Document C00495777
CIA Document C00472065	CIA Document C0047249
CIA Document C00472045	CIA Document C00472066
CIA Document C00471895	

C. FOIA Exemption 3, found at 5 USC § 552(b)(3), specifically, 10 USC 130b, exempts from release personal identifying information including the names of DoD personnel in overseas, sensitive, or routinely deployable units. The names of individuals assigned to routinely deployable units were redacted.

CIA Document C00495778

D. FOIA Exemption 6 found at 5 USC 552 (b)(6) exempts information the release of which would constitute a clearly unwarranted invasion of the personal privacy of individuals. Specifically, denied material includes social security numbers, dates of birth, names, & home addresses of private citizens

CIA Document C00495791

CIA Document C00474196

CIA Document C00495753

CIA Document C00466384

CIA Document C00495589

CIA Document C00466378

CIA Document C00495586

CIA Document C00466345

CIA Document C00495580

CIA Document C00466242

CIA Document C00495493

CIA Document C00466229

CIA Document C00495485

CIA Document C00495581

CIA Document C00495477

CIA Document C004803\_4

CIA Document C00478810

CIA Document C00480\_\_1

CIA Document C00478052

CIA Document C00466176

CIA Document C00474245

E. FOIA Exemption 6, found at 5 USC 552 (b)(6) exempts information the release of which would constitute a clearly unwarranted invasion of the personal privacy of individuals. Specifically, denied material includes social security numbers, dates of birth, names, & home addresses of private citizens

CIA Document C00495778

F. FOIA Exemption 6 found, at 5 USC 552 (b)(6) exempts personal information contained in records, as well as information of personnel who are serving overseas or in routinely deployable or sensitive units. Segments of text containing information that would clearly invade personal privacy without serving the public interest were redacted under this exemption.

6. Pursuant to 28 USC § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and ability.

Dated this 9<sup>th</sup> day of May 2012, at Arlington, Virginia.



ROLAND D. TISDALE  
Deputy Director, Declass/FOIA Div  
Defense POW/Missing  
Personnel Office