

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 :
 :

DECLARATION OF ROGER HALL

I, Roger Hall, declare and say as follows:

1. I am a plaintiff in the above-captioned case. In 1958-1962, I served in the United States Marine Corps. In 1993, while a student at the University of Maryland, University College working on an Masters Degree in Business Management, I began researching the Missing in Action ("MIA")/Prisoners of War ("POW") issue.¹ particularly as it relates to the Vietnam War era. I have been involved in it ever since. As a result, I have developed an expertise in certain areas of this subject. This expertise is based on my familiarity with the public record concerning this subject and extensive interviews with persons who had or might have personal knowledge about missing POWs in Southeast Asia, including military and CIA operations concerning POWs and the creation and location of records concerning POWs.

2. The subject of missing POWs in Southeast Asia has been the subject of hearings by the Senate Select Committee on MIA/POW

¹Hereafter, the term POWs will refer to both POWs and MIAs.

Affairs in 1993 and the Military Personnel Subcommittee of the House National Security Committee, which held hearings in 1995. I am intimately familiar with the records of these committees. I have personally reviewed over 90% of the voluminous records compiled by the Senate Select Committee.

3. I have conducted extensive interviews of former government officials who were knowledgeable about or even participated in operations concerning missing POWs. For example, among the military officers I have interviewed concerning this subject are:

a. Admiral Thomas Moorer, ex-Chairman of the Joint Chiefs of Staff;

b. General Richard Secord, who served as Director of the CIA air operations in Laos.

c. General Kingston, who developed the Delta Force, took over POW operations in 1972;

d. General Singlaub;

e. Hymie Atterholt, Head of MACTHAI (Military Assistance Command--Thailand);

f. William LeGro, a member of the Intelligence Branch of the Defense Attache's Office from 1973-1975 and an investigatee for the Senate Select Committee on POW/MIA Affairs.

I also interviewed former Secretary of Defense Melvin Laird.

4. I have interviewed members of congress who were involved in the missing POWs issue, and congressional staff members who worked on the issue, such as

a. Rep. Billy Hendon;

b. Rep. John LeBoutillier; and

c. John McCreary, who worked on the staff of the Senate Select Committee on MIA/POW Affairs;

5. I have interviewed persons with other relevant government agencies, such as

a. John Syphrit of the Secret Service,

b. Chip Beck, a clandestine operations officer of the Central Intelligence Agency;

c. William McLean, a former CIA operative in Laos;

d. Jerry Mooney, an analyst of National Security Agency intelligence for the Air Force, who was also loaned to the CIA for this purpose; and

e. Barry Toll.

6. In connection with my Master's degree, I conducted a nationwide survey of 480 of 591 returned POWs. I have personally interviewed over 80 returned POWs. I have also interviewed many members of POW families. I interviewed Eugene McDaniels a Navy pilot who had been severely tortured while a POW.

7. I was responsible for getting some 40,000 pages of CIA documents on MIA/POWs which the CIA furnished the Senate Select Committee on MIA/POW Affairs declassified. Although the CIA publicly proclaimed that all MIA/POW documents had been declassified pursuant to Executive Order 12812, the CIA in fact refused to declassify these records until ordered to do so by Judge Paul Friedman in Hall v. Central Intelligence Agency, Civil Action No. 98-1319 ("Hall I").

8. To show that I lack personal knowledge of facts asserted in the declaration I submitted in support of plaintiffs' cross-motion for partial summary judgment, the CIA quotes this statement in Paragraph 32 of that declaration: "While the identity of the agency which created these documents is not apparent because the agency's logo and indentifying markings have been removed.. I believe they were either created by the CIA or based in substantial part on information provided by the CIA..." Mot. to Strike at 3, quoting Hall Decl., ¶ 32.

9. I stated this because all logos and indentifying markings had been removed from these documents. However, in format, they looked exactly like CIA records. I was told by Ed Sprague and Lt. Col. Bud Matthews of the Central Declassification Office, an inter-agency unit which declassified POW documents, that the CIA and NSA had ordered them to remove indentifying logos and markings in violation of Executive Order 12812, and that they had protested this.

10. My opinion that these records were either created by the CIA or based on information provided by the CIA reflects my personal knowledge of the different kinds of formats which the CIA and other agencies use to reproduce information.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 6th day of September, 2007.

ROGER HALL

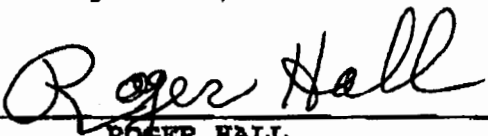
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September 6, 2007