

HALL, ET AL. V. CIA, 04-00814-HHK

COLE DECLARATION

EXHIBIT B

Central Intelligence Agency



Washington, D.C. 20505

20 August 2010

James H. Lesar, Esq.
1003 K Street, NW
Suite 640
Washington, DC 20001

Reference: F-2003-00449/F-2010-01218/F-2010-01307
Hall, et al. v. CIA (04-cv-00814) (DDC)

Dear Mr. Lesar:

This is our final response to Item 4 of your 7 February 2003 Freedom of Information Act (FOIA) request and subsequent litigation made on behalf of your clients, Roger Hall, et al., as it pertained to:

“Records of the Senate Select Committee on POW/MIA Affairs which were withdrawn from the collection at the National Archives and returned to the CIA for processing.”

We processed your request in accordance with the Court’s 12 November 2009 Order. Per the Court’s Order, we reviewed identical copies of CIA-originated records in our files that had been included in the congressional collection. After completing a thorough review of these records we made the following determinations:

Enclosed at Tab A are 44 documents that can be released in their entirety.

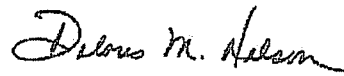
Enclosed at Tab B are 970 documents that can be released in segregable form with deletions made on the basis of FOIA exemptions (b)(1), (b)(3), and/or (b)(6).

We determined that we must withhold additional material in its entirety because it is currently and properly classified or otherwise exempt based upon FOIA exemptions (b)(1), (b)(3), and/or (b)(6).

In addition, there are 167 documents that we determined must be coordinated with other federal agencies. Once the consultation process is completed we will provide a supplemental response concerning those documents.

Because the information in question is the subject of pending litigation in federal court, the CIA cannot accept any administrative appeal of these determinations.

Sincerely,

A handwritten signature in cursive script that reads "Delores M. Nelson".

Delores M. Nelson
Information and Privacy Coordinator

Enclosures