

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

John Eakin

Plaintiff,

vs.

United States
Department of Defense

Defendant

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NO. SA-16-CV-0972-RCL

DECLARATION OF DONNA D. KNOX

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am over 18 years of age. I reside in Eliot, Maine. I am of sound mind and I make this declaration based on information I have learned over the course of the last twenty-seven years. To my knowledge, all of the facts stated in this declaration are true and correct.

2. My father was a Lieutenant in the U.S. Air Force and served during the Korean War. He went missing in North Korea two months before I was born. He essentially disappeared without explanation. In the early 1990's, Russian President Boris Yeltsin visited the United States and, during that visit, he admitted that the former Soviet Union had taken American POWs from the Korean theatre of combat and held them back at the end of the conflict. Along with many other families of Korean War missing servicemen, I became active at that time. I served on the Board of a family organization for five years and, in 1998, along with two other family members, I formed the Coalition of Families of Korean & Cold War POW/MIAs. I served as the Coalition's President for

a number of years. Today I am the organization's legislative and policy liaison and I am a member of its Board of Directors.

3. Throughout the nearly three decades that I have advocated for the fullest possible accounting of missing American servicemen, the United States government's lack of transparency and pro-active sharing of relevant information has been the primary obstacle in our search for answers as to the fate of our POW/MIAs. FOIA requests sometimes take years to be answered and, more often than not, responses come back largely redacted. I waited ten years to receive an answer to one of my FOIAs. The response I finally received was completely redacted, except for the date. What's more, if a person does not know that a certain document exists, that individual will not know to request that document. The burden has been placed on families & researchers to discover and request relevant information, rather than on the government to produce information of its own volition.

4. Relevant records housed at the National Archives are frequently pulled as still classified when researchers/family members attempt to review them. A key official at NARA informed me that government agencies spend little time at the archives reviewing still-classified documents on this issue, and that there appears to be little-to-no interest in declassifying them.

5. In the mid-1990's I had to go to Congress for assistance in pressuring DPMO (DPAA's predecessor) to make the so-called Generic List¹ of intelligence reports available to family members.

¹ The Generic List consists of Intelligence reports that reference American POW/MIAs generically, none by name. DPMO took the position that, since no men were named, no family member was entitled to see these reports. The reports were not publicly referenced or released, even though they might contain information that, when coupled with other information, could help resolve some cases.

6. Despite numerous reports that the former Soviet Union took and held back American POWs, to this day, the Department of Defense's standard response to questions about that aspect of the issue is that there is no 'credible' evidence that men were held back. Numerous reports, studies and Intelligence documents that have made their way to public scrutiny suggest and/or outright say otherwise. Thus, the question of whether men were held back requires additional investigation. A blanket statement that no credible evidence exists, without a demonstration of how and why the evidence we already know about is not "credible," is not acceptable. Documents related to servicemen who remain missing could shed light on this disturbing aspect of the POW/MIA issue and should be released to the public.

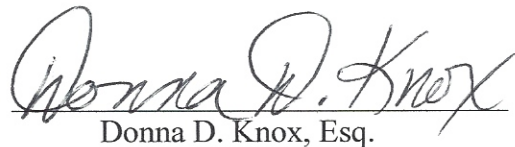
7. These are but a few of many examples of how the effort to account for missing American servicemen has been made more difficult than it should be over the years. As a result, the Coalition of Families partnered with U.S. Senators and drafted the Bring Our Heroes Home Act, which has been introduced in both the Senate and the House of Representatives. If passed, the BOHHA would mandate comprehensive declassification of documents pertaining to missing American servicemen.

8. Meanwhile, the government's reluctance to produce documents continues. John Eakin is not the first citizen who has had to file suit to force transparency. In this case, information contained in personnel files of the missing could be instrumental to efforts to piece together links in the search for answers as to other missing men. Where a servicemember served, or was lost, or was last seen, or was buried could shed light on the fate of other unknowns who have been associated with that individual in other reports.

9. Families of American POW/MIAs are aging. If the government is allowed

to delay and resist production of relevant information, families who have waited for decades to learn of their loved one's fate could pass without ever finding the answers they so desperately need to gain closure. I respectfully ask the Court to order relevant agencies and/or offices of the U.S. Government to release Individual Deceased Personnel Files and other documents related to missing or unidentified American servicemen that are at issue in this case, subject to reasonable exemptions that arise out of concrete and justified concerns for national security, foreign policy and other such matters of national importance. These exemptions should be allowed only to the extent the stated concerns outweigh the families' and the public's right to have access to such information.

10. I declare under penalty of perjury that the foregoing is true and correct to the best of my information. I hereby execute this Declaration in my capacity as the daughter of a missing American Serviceman and as an advocate on behalf of the fullest possible accounting of American POW/MIAs on this 17th day of September 2020.


Donna D. Knox, Esq.

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

John Eakin	§	
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<i>Plaintiff,</i>	§	
	§	
vs.	§	NO. SA-16-CV-0972-RCL
	§	
United States	§	
Department of Defense	§	
	§	
<i>Defendant</i>	§	
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DECLARATION OF JED A. HENRY

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. My name is Jed Henry. I am over 18 years of age. I reside at 2615 Twin Pine St. in Cross Plains, WI. I am fully competent to make this declaration, and I have personal knowledge of the facts stated in this declaration. To my knowledge, all of the facts stated in this declaration are true and correct.

2. *I am the president of the American World War II Association Historians Consortium (AWAHC) which represents more than a million veterans and their families. Our primary mission is to be a united voice for access to World War II records. Because our membership is made up of mostly unit historians, the records we are able to access helps honor and memorialize the service of World War II veterans. It also allows us to assist in providing some measure of closure to the families of killed and/or missing servicemembers. The primary tool necessary to determine the circumstances of loss is*

the military's Individual Deceased Personnel File (IDPF).

3. *The Department of Defense previously restricted access to these files and made it difficult for families and researchers to determine the circumstances of loss and the likely burial location of missing American servicemembers. In 2012, as a result of a Freedom of Information suit filed by John Eakin, a subset of these files known as the X-files became available to the public which resulted in many identifications that were initiated by members of the public and members of AWAHC. I personally have used these documents to assist in the identification of missing US servicemembers and can attest the documents are invaluable.*

4. *While access to this subset of the data has made it possible to identify many Unknown Soldiers, access to the main body of Individual Deceased Personnel Files was and is urgently required by families and researchers. Families have been denied closure in the loss of their family members and should not be further delayed in learning the fate of their missing family members. Previous access to these files required an often lengthy Freedom of Information Act request to the US Army's HRC FOIA Office and fulfillment of those requests was often fragmented/unreliable.*

5. *I personally, and as a representative of the American World War II Association Historians Consortium (AWAHC), respectfully ask the court to immediately order the release of all documents pertaining to missing or unidentified American servicemembers. The release of these documents is of great value to the public and considering US taxpayers have already funded the digitization of these records through appropriations of the government's Defense POW/MIA Accounting Agency it seems unreasonable to keep*

them under lock and key. Approximately 405,000 US service members lost their lives in service to our country. Most of the time families of these great patriots were given no information, or very little information about their deaths. We now have the ability to provide some answers to these families and also a chance to let historians create a richer and more detailed account of our great military history.

6. *The Individual Deceased Personnel Files (IDPFs) also hold a huge significance because in many cases they are the only source of information for deceased servicemembers. This is because a fire in 1973 at the National Personnel Records Center (NPRC) in St. Louis burned about 80-90% of the US Army's Official Military Personnel Files (OMPFs). With these files no longer available, because of the negligence of NPRC, the IDPF's are the only files available to fill in some of the gaps left by this devastating fire. I can attest that my own grandfather's World War II Service records burned in 1973 and as a result a lot of his service and history has been erased. It would be a shame and a disservice if the IDPF's are not made readily available to the public and I support Mr. Eakin's pursuit of these records.*

7. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 30th day of September, 2020.

A handwritten signature in black ink, appearing to read 'Jed Henry', written over a horizontal line.

Jed Henry, Declarant

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

John Eakin

Plaintiff,

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Department of Defense

Defendant

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NO. SA-16-CV-0972-RCL

DECLARATION OF JOHNNIE W. BEAR

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. My name is Johnnie W. Bear. I am over 18 years of age. I reside at 3049 Walnut Ave in Grand Junction, Colorado. I am fully competent to make this declaration, and I have personal knowledge of the facts stated in this declaration. To my knowledge, all of the facts stated in this declaration are true and correct.

2. I am the founder of US POW/MIA Family Locating. Our primary mission is to assist in providing free forensic genealogy services to POW/MIA families who are actively pursuing the identification and contact information for living descendants of those POW/MIA's who were originally buried in the same POW camp common grave (CG) as their MIA loved one. Once current contact information is obtained, US POW/MIA Family Locating helps the family in making contact with the other families to request Family Reference Sample (FRS) DNA be provided to the Armed Forces DNA Identification Lab (AFDIL) through the appropriate Service Causality Office (SCO). Having timely public access to historical case records which include Individual

Deceased Personnel Files (IDPF) are a key reference tool to ensure that the appropriate historical genealogical records for the missing American Servicemember and his Primary Next of Kin (PNOK) are fully and correctly researched and documented.

3. The Department of Defense previously restricted access to these files and made it difficult for families and researchers to determine the circumstances of loss and the likely burial location of missing American Servicemembers. In 2012, as a result of a Freedom of Information suit filed by Mr. John Eakin, a subset of these files known as the X-files became available to the public. As a result of this improved access to information, more than three hundred unidentified remains have been recovered and identified as missing servicemembers.

4. While access to this subset of the data has made it possible to identify many Unknown Soldiers, access to the main body of Individual Deceased Personnel Files was and is urgently required by families and researchers. Families have been denied closure in the loss of their family members and should not be further delayed in learning the fate of their missing family members.

5. I, personally, and as a representative of the US POW/MIA Family Locating, respectfully ask the court to immediately order the release of all documents pertaining to missing or unidentified American Servicemembers.

6. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 18th day of September, 2020.



Johnnie W. Bear, Declarant

the X-file to just a few members from a specific unit. This is possible because DNA is now available to do the comparison when archival records do not provide more specific information. Because of the loss of other records in the St. Louis records center fire, the IDPF is often the only document available to assist us in this effort. We have had success in a number of cases, and need to continue this work. The concentration of resources in the Del-Mar-Va area does not meet the need in a digital age. There should be a resource available in digital format so that all researchers, not just those residing in DelMarVa have access to these files. Without doing that, the DoD is not sufficiently or fairly addressing the needs and historical necessity of making these records available.

3. The Department of Defense previously restricted access to these files and made it difficult for families and researchers to determine the circumstances of loss and the likely burial location of missing American Servicemembers. In 2012, as a result of a Freedom of Information suit filed by John Eakin, a subset of these files known as the X-files became available to the public. As a result of this improved access to information, more than three hundred unidentified remains have been recovered and identified as missing servicemembers.

4. While access to this subset of the data has made it possible to identify many Unknown Soldiers, access to the main body of Individual Deceased Personnel Files was/is urgently required by families and researchers. Families have been denied closure in the loss of their family members and should not be further delayed in learning the fate of their missing family members.

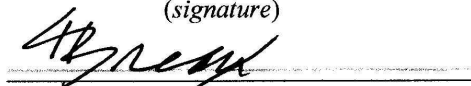
5. I, personally, and as a representative of the MIA Recovery Network, respectfully ask the court to immediately order the release of all documents pertaining to missing or

unidentified American Servicemembers.

6. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day, 11 September, 2020

(signature)

A handwritten signature in black ink, appearing to read "C. Breau", is written over a horizontal line.

(name), Declarant

Charles Kenneth Breau

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

John Eakin

Plaintiff,

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NO. SA-16-CV-0972-RCL

DECLARATION OF JIM KNUDSEN

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:


1. My name is Jim Knudsen. I am over 18 years of age. I reside at 17453 Rivers Trail in Brainerd, MN. I am fully competent to make this declaration, and I have personal knowledge of the facts stated in this declaration. To my knowledge, all of the facts stated in this declaration are true and correct.
2. A member of my family, U.S. Army Tech/5 Julius St John Knudsen, has been missing since June of 1942. The exact circumstances of his death are unknown and his remains have never been recovered. His disappearance without explanation has been a tragedy to our entire family and has deprived us of any measure of closure in his death.
3. The only existing record concerning his disappearance is contained in the Individual Deceased Personnel File on him. The Department of Defense has restricted access to these files and made it difficult for families and researchers to determine the circumstances of loss and the likely burial location of missing American Servicemembers including my family member.

4. In 2012, as a result of a Freedom of Information suit filed by John Eakin, a subset of these files known as the X-files became available to the public. As a result of this improved access to information, my family obtained information previously withheld from us by the U.S. Government.

5. I respectfully ask the court to immediately order the release of all documents pertaining to missing or unidentified American Servicemembers and recognize that the release is in the public interest.

6. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 15th day of September, 2020.



Jim Knudsen, Declarant

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

John Eakin

Plaintiff,

vs.

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Department of Defense

Defendant

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NO. SA-16-CV-0972-RCL

DECLARATION OF CHIEF RICK STONE

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. My name is Rick Stone. I am over 18 years of age and a retired Chief of Police. I reside in Somervell County, Texas . I am fully competent to make this declaration, and I have personal knowledge of the facts stated in this declaration. To my knowledge, all of the facts stated in this declaration are true and correct.

2. I am the Chairman of the Board of Directors for the Chief Rick Stone and Family Charitable Foundation. The Foundation is a 501 (c) (3) private foundation that was established in 2006 to encourage ethical leadership, support charitable purposes, promote education, and lessen the burdens of government by supporting public safety and combating unethical conduct, crime and corruption. I currently provide oversight of the Foundation’s educational efforts to conduct continuing investigations into the cases of missing American servicemen and women. To date, the Chief Rick Stone and Family Charitable Foundation that has completed over 475 comprehensive investigations requested by the families of service members who remain “Missing In Action.”

The purpose of this research is to promote the education of family members and others by aiding in the recovery, identification, and return of these missing heroes. There is absolutely NO charge to the families of MIAs for the Foundation's case investigations.

3. I also previously served as the Deputy Chief of the World War II Research and Investigation Branch, Department of the Navy, Department of Defense at the Joint POW/MIA Accounting Command (JPAC). At JPAC, I personally completed over 175 major case investigations into missing American servicemen from World War II. I also supervised the case investigations of many other incidents of missing servicemen from that conflict.

4. The Defense POW/MIA Accounting Agency (DPAA), and its predecessor Department of Defense agency (JPAC - before it was disbanded under an avalanche of public scandal and congressional investigations) has adopted policies that restrict access to most files relating to the cases of missing American service members. Internally application of these policies is collectively known as "slow rolling", with the perceived intent to "Delay, Deny, and Wait for the Families to Die" in hopes that requests for information on individual cases from family members will just go away due to frustration.

5. The Chief Rick Stone and Family Charitable Foundation is forced to base our research on documents obtained through hundreds of Freedom of Information Act requests to various government agencies, two successful Federal civil lawsuits to obtain public records, information provided to us by family members and other researchers,

online research of public records, or our own investigators' research at the National Archives or the National Personnel Records Center. All of these efforts are costly and time consuming to the Foundation, the families of MIA's, and the Department of Defense.

6. The primary tool necessary to determine the circumstances of loss of missing service members is the military's Individual Deceased Personnel File (IDPF). Without these files it is extremely difficult for families and researchers to even begin to determine the circumstances of loss and the likely burial location of missing American service members. By using the IDPF's and other documents we have been forced to pry from the Department of Defense (DoD), the Chief Rick Stone and Family Charitable Foundation has repeatedly offered DPAA copies of our research files at no charge, including investigation details, photographs, and maps with the locations of missing American servicemen and women.

7. In 2012, as a result of another Freedom of Information suit filed by John Eakin, a subset of these files known as the X-files became available to the public. As a result of this improved access to information and our own Freedom of Information lawsuits, Foundation's researchers have investigated and assisted in the location, recovery, and identification of 205 service members who were previously listed as Missing In Action.

8. While access to this subset of the data has made it possible to identify many Unknown service members, access to the main body of Individual Deceased Personnel Files is urgently required by families and researchers. Families have been denied closure

in the loss of their family members and should not be further delayed in learning the fate of their missing family members. And, more importantly, a generation of family members who hold the DNA key for ultimate identification of remains are rapidly dying due to old age.

9. As a representative of the Chief Rick Stone and Family Charitable Foundation, I respectfully ask the court to immediately order the release of all documents pertaining to missing or unidentified American Servicemembers.

10. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 13th day of September, 2020.

A handwritten signature in blue ink, appearing to read "Rick Stone", with a large, sweeping flourish extending from the end of the name.

Rick Stone, Declarant

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

John Eakin

Plaintiff,

vs.

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Defendant

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NO. SA-16-CV-0972-RCL

DECLARATION OF ROBERT M. RUMSBY

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. My name is Robert Michael Rumsby. I am over 18 years of age. I reside at 60 Storck Road in Fredericksburg, Virginia. I am fully competent to make this declaration, and I have personal knowledge of the facts stated in this declaration. To my knowledge, all of the facts stated in this declaration are true and correct.
2. I am a private, independent researcher who has spent nearly two decades, spanning more than 20,000 hours of volunteer efforts to help research, locate, identify, repatriate, and bury with honor, the remains of U.S. service members who went missing and unaccounted-for, from past wars and conflicts. I have worked with non-profit organizations such as History Flight, Inc., MIA Recovery Network, Inc., and scores of other organizations and individuals in these endeavours. One of the primary research tools and starting points is the military's Individual Deceased Personnel File (IDPF).
3. The Department of Defense previously restricted access to these files and made it difficult for families and researchers to determine the circumstances of loss and the likely

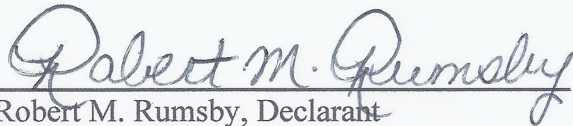
burial location of missing American Servicemembers. In 2012, as a result of a Freedom of Information (FOIA) suit filed by John Eakin, a subset of these files known as the X-files became available to the public. As a result of this improved access to information, more than three hundred unidentified remains have been disinterred and identified as missing servicemembers.

4. While access to this subset of the data has made it possible to identify many Unknown Soldiers, access to the main body of Individual Deceased Personnel Files was/is urgently required by families and researchers. Families have been denied closure in the loss of their family members and should not be further delayed in learning the fate of their missing family members.

5. I, personally, and as a representative of the nearly 80,000 lost souls who remain unaccounted-for to this day from past wars and conflicts dating back to World War II, along with their families, and the nation respectfully ask the court to immediately order the release of all documents pertaining to missing or unidentified American Servicemembers.

6. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 11th day of September, 2020.


Robert M. Rumsby, Declarant

DECLARATION OF KATHLEEN M. SHEMELEY

Pursuant to 28 U.S.C. 1746, I hereby declare as follows:

1. My name is Kathleen M. Semeley. I am over 18 years of age. I reside at 22 Revere Road in New Milford, Connecticut. I am fully competent to make this declaration, and I have personal knowledge of the facts stated in this declaration. To my knowledge, all of the facts stated in this declaration are true and correct.
2. I am the President and a Director of Prisoner of War / Missing in Action, CT Forget-Me-Nots, Inc., a non-profit, all volunteer organization. Our purpose is to develop public awareness of our unrecovered prisoners of war and missing Americans from Southeast Asia, Korea, World War II, and now WWI; to support, encourage, and assist our POW/MIA families; and to dedicate our efforts to the return of our unrecovered POWs and the fullest possible accounting of our missing.
3. Families have relied upon the researchers of specific wars and cases to provide them with kernels of information and to guide them as they presented their cases for disinterment to DPAA. As immediate family members of our unrecovered POWs and missing Americans die, it is important that the remaining generations and/or family friends have immediate access to the IDPF. Members of the immediate family may have had little or no information to leave for future generations.
 - **Vietnam:** Since no one captured in Laos by the Pathet Lao was returned during Operation Homecoming, the details of the men missing in Laos have always been a major question, especially since many of them were initially listed as missing in Vietnam. Families have traveled to Southeast Asia in search of information about their loved one. In the past, live sighting reports, misidentifications, and comingled remains have forced families to seek assistance from forensic specialists, refugees, and organizations because the information from the government is lacking or misleading.
 - **Korea:** John Zimmerlee, the son of a Korean War MIA, created a database based upon his research of the possible unknowns buried in the Punchbowl, and distributed it to families. Families used the database to seek disinterments from the Punchbowl unknowns. The volume of families who requested disinterments based on John's research led to the decision by the government to systematically disinter all Korean unknowns.
 - **WWII:** In 2008, Ray Emory, a Pearl Harbor survivor, researched 27 unknowns of the *USS Oklahoma* buried in three graves. Initially, this resulted in the identification of three individuals. Families of other crewmembers supported Ray Emory in his quest to finally

have the Navy agree to the disinterment of all *USS Oklahoma* unknowns.

In the case of a friend's family member, it was eight years after his sister's DNA was obtained at a nursing home with the help of a Naval Reservist that his remains were identified after his sister's death. His first cousin, active in the *USS Oklahoma* quest, died shortly before his military funeral and was buried the same weekend.

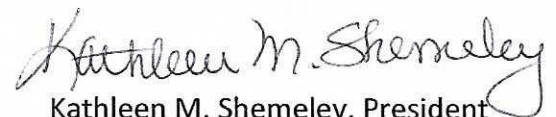
To date, the remains of more than 200 Navy personnel from the *USS Oklahoma* have been identified thanks to the insistence of the researchers and family members.

History Flight, a non-profit MIA Search and Recovery organization, has been responsible for the recovery, return, and identification of remains from across the globe including a significant number of remains and identifications from Tarawa.

- **WWI:** Families of World War I unknowns are dependent upon the researchers of the Doughboy MIA Project of the WWI Centennial Commission. Their work is **not** funded by the DPAA, but by donations.

The withholding of the IDPF files perpetuates the anguish of the families of our unrecovered prisoners and missing Americans by preventing access to information about their loved one. As relatives of military personnel who brought hope to those of our nation and other nations, all of their loved one's service information must be in their possession.

4. I, personally, and as the President/Director of Prisoner of War/ Missing in Action, CT Forget-Me-Nots, Inc., respectfully request the court to immediately order the release of all documents pertaining to all unrecovered POWs and all missing military personnel from all wars.
5. I declare under penalty of perjury that the foregoing is true and correct. Executed on this 25th day of September 2020.



Kathleen M. Shemeley, President
POW/MIA CT Forget-Me-Nots, Inc.

September 25, 2020

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

John Eakin

Plaintiff,

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United States
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Defendant

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NO. SA-16-CV-0972-RCL

DECLARATION OF WALTER WESLEY JOHNSTON

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. My name is WALTER WESLEY JOHNSTON. I am over 18 years of age. I reside at 43559 Sentiero Drive in Indio, California. I am fully competent to make this declaration, and I have personal knowledge of the facts stated in this declaration. To my knowledge, all of the facts stated in this declaration are true and correct.
2. I am the Historian of the 7th Armored Division Association and a Past President of the American World War II Association Historians Consortium, making this declaration in my personal capacity. The 7th Armored Division had about 30,000 members in World War II, of whom 1,369 died with 82 who have never been recovered and identified. The families of these men wish to know about their soldier. They want closure. For families of the missing, World War II has not yet ended. The primary tools necessary to determine the circumstances of these losses are the military's Individual Deceased Personnel File (IDPF) and X-files (of recovered Unknowns).
3. The Department of Defense continues to restrict access to these files, making it

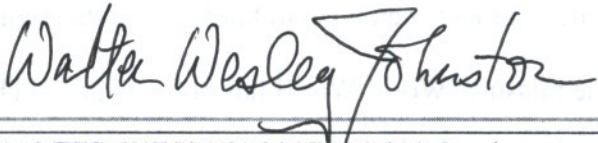
very difficult for families and researchers to determine the circumstances of loss and the likely burial location of missing American service members. In 2012, as a result of a Freedom of Information suit filed by John Eakin, a subset of these files known as the X-files became available to the public. As a result of this improved access to information, more than three hundred unidentified remains have been recovered and identified as missing service members. One case now in progress is highly likely to be the remains of a 7th Armored Division soldier, an identification made possible because the Individual Deceased Personnel File and the X-file showed a tank with the same markings.

4. While access to this subset of the data has made it possible to identify many Unknown Soldiers, access to the main body of Individual Deceased Personnel Files remains urgently required by families and researchers. While waiting years to receive these files, veterans with personal knowledge of the events have died. Families have been denied closure in the loss of their family members and should not be further delayed in learning the fate of their missing family members.

5. I respectfully ask the court to immediately order the release of all documents pertaining to recovered, missing or unidentified American service members, including but not limited to all Individual Deceased Personnel Files and all X-files.

6. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 12th day of September, 2020.



WALTER WESLEY JOHNSTON, Declarant