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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:04-CR-211-BO(1)

UNITED STATES OF AMERICA )  
 )  
 v. )  
 )  
 DAVID A. PASSARO, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

**DECLARATION OF [REDACTED]**  
**OFFICE OF INSPECTOR GENERAL,**  
**CENTRAL INTELLIGENCE AGENCY**

(b)(3)  
(b)(7)(c)

I, [REDACTED] hereby declare and state:

(b)(3)  
(b)(7)(c)

1. I am a Supervisory Special Agent in the Office of the Inspector General (OIG) of the Central Intelligence Agency (CIA).

I have been an officer in the OIG for [REDACTED] years. I have been the case agent on the OIG investigation of the death of Abdul Wali at Asadabad base since the beginning of the investigation.

(b)(6)  
(b)(7)(c)

2. Through the exercise of my official duties, I have become familiar with the facts in this case. I make the following statements based upon my personal knowledge and information made available to me in my official capacity.

3. Pursuant to Section 17 of the Central Intelligence Agency Act of 1949, as amended, 50 U.S.C. § 403q (West 2003 & Supp. 2005), the OIG is the office within the CIA that is charged with ensuring that the CIA's programs and operations "are conducted efficiently and in accordance with applicable law and

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regulations;" keeping the Director of the CIA informed of possible violations of law and regulations, fraud and other serious problems, and abuses and deficiencies that may occur in CIA's programs and operations; and reporting the process made in implementing corrective action. To fulfill these responsibilities, OIG conducts independent investigations, inspections, and audits of CIA programs and operations. At the conclusion of an investigation, OIG may choose to prepare a Disposition Memorandum, or prepare a Report of Investigation outlining the conclusions of the investigation, as well as any proposed remedial action or recommendations.

4. Pursuant to 28 U.S.C. § 535(b) and 50 U.S.C. § 403q(b)(5), OIG must report to the Attorney General any information that it receives relating to violations of federal criminal law that involve a CIA program, operation, or employee.

OIG is also authorized to assist the Department of Justice in investigating alleged violations of criminal law involving CIA programs, operations, and employees.

5. OIG began an investigation into the death of Abdul Wali at Asadabad base in late June 2003. As required by statute, OIG referred information relating to a possible violation of criminal law to the Attorney General on July 18, 2003.

6. After that initial referral, OIG continued its investigation in conjunction with the Department of Justice's criminal investigation. As part of its investigation, OIG

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prepared summaries of interviews of witnesses and collected physical evidence. OIG has not, however, prepared a Report of Investigation or Disposition Memorandum relating to its investigation into the death of Abdul Wali. Pursuant to its standard practice, OIG does not prepare a Report of Investigation or Disposition Memorandum while a criminal investigation or proceeding is pending.

\* \* \* \* \*

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

Executed this 24<sup>th</sup> day of February, 2006.

[Redacted Signature Box]

(b)(3)  
(b)(6)  
(b)(7)(c)

Supervisory Special Agent  
Office of the Inspector General  
Central Intelligence Agency