

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

AMERICAN CIVIL LIBERTIES UNION,  
et al.,

Plaintiffs,

v.

CENTRAL INTELLIGENCE AGENCY,

Defendant.

Case No. 1:18-CV-02784-CJN

DECLARATION OF VANNA BLAINE,  
INFORMATION REVIEW OFFICER FOR THE  
LITIGATION INFORMATION REVIEW OFFICE  
CENTRAL INTELLIGENCE AGENCY

I, VANNA BLAINE, hereby declare and state:

I. INTRODUCTION

1. I am the Information Review Officer ("IRO") for the Litigation Information Review Office ("LIRO") at the Central Intelligence Agency ("CIA" or "Agency"). I assumed this position in February 2020; I have worked in the information review and release field since 2014 and at the CIA since 2007.

2. I am a senior CIA official and hold original classification authority ("OCA") at the TOP SECRET level under written delegation of authority pursuant to section 1.3(c) of Executive Order 13526, 75 Fed. Reg. 707 (Jan. 5, 2010). As an OCA, I assess the current and proper classification of CIA information, up to and including TOP SECRET information, based

on the classification criteria of Executive Order 13526 and applicable regulations.

3. I am also responsible for the classification review of CIA documents and information that may be the subject of court proceedings or public requests for information under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and the Privacy Act ("Privacy Act") or ("PA") of 1974, 5 U.S.C. § 552a.

4. Through the exercise of my official duties, I have become familiar with this civil action. I make the following statements based upon my personal knowledge and information made available to me in my official capacity. The purpose of this declaration is to explain and justify, to the greatest extent possible on the public record, the CIA's actions in responding to Plaintiffs' FOIA request. It is submitted in support of the Motion for Summary Judgment to be filed by the United States Department of Justice in this proceeding.

## **II. RELEVANT PROCEDURAL HISTORY OF PLAINTIFFS' FOIA REQUEST**

5. This matter concerns a FOIA request from Plaintiffs to CIA dated 4 May 2018. The request sought all records concerning CIA efforts to support Ms. Haspel's nomination for Director, including but not limited to:

1. All records regarding the selective declassification of information concerning Ms. Haspel, including the decision to declassify

Ms. Haspel's encounter with Mother Theresa while keeping classified Ms. Haspel's actions in the Rendition, Detention, and Interrogation Program;

2. Any records regarding whether Ms. Haspel serves as the original classification authority over information concerning her own participation in abuse, torture, rendition, and detention, and any consideration of possible conflicts of interest in this position;
3. Communications between CIA personnel and journalists regarding Ms. Haspel's nomination, including Agency efforts to promote public perception of Ms. Haspel as "fair," "objective," and "committed to the rule of law," and to discredit accounts of Ms. Haspel's involvement in torture, destruction of evidence of torture, and other actions in the Rendition, Detention, and Interrogation program;
4. Communications between current CIA personnel and former CIA employees seeking statements of support or other legislative and/or media

outreach for Ms. Haspel's nomination, including efforts to promote perception of Ms. Haspel as "fair," "objective," and "committed to the rule of law,";

5. Records concerning CIA decisions to promote coverage deemed favorable of Ms. Haspel, including through the Agency's official twitter account;
6. Records documenting the use of CIA resources, including expenditures of personnel time and money, to support Ms. Haspel's nomination;
7. Records showing actions undertaken by career, nonpolitical CIA employees in support of Ms. Haspel's nomination;
8. Records concerning coordination with nongovernmental actors to promote Ms. Haspel's nomination, including any records concerning CIA contacts with public relations firms and nongovernmental organizations;
9. All CIA guidance on permissibility of using Agency resources, including expenditures of nonpolitical personnel time, to promote a nominee facing Senate confirmation;

10. Communications from CIA Staff to the White house concerning efforts to promote Ms. Haspel's nomination.

A true and correct copy of Plaintiffs' FOIA request is attached as Exhibit "A."

6. The CIA acknowledged receipt of received Plaintiffs' request by letter dated 7 May 2018 and assigned it the reference number F-2018-01533. A true and correct copy of this letter is attached as Exhibit "B."

7. On 29 November 2018, Plaintiffs filed a Complaint in this Court. Defendant timely filed their Answer on 4 March 2019.

8. During the pendency of this case, CIA issued its final response by letter dated 28 February 2020. Along with that response, the Agency released 153 documents in part, and the remaining documents were withheld in full. As discussed below, the CIA asserted FOIA Exemptions (b)(1), (b)(3), (b)(5), and (b)(6) as the basis for the withholdings. A true and correct copy of this letter is attached as Exhibit "C."

9. By letter dated 24 March 2020, the CIA issued a supplemental response letter. The CIA released one document in full and seven documents in part. The CIA asserted FOIA Exemptions (b)(3) and (b)(6) as the basis for the withholdings.

A true and correct copy of this letter is attached as Exhibit "D."

**III. SEARCHES FOR RECORDS RESPONSIVE TO PLAINTIFFS' FOIA REQUEST WERE REASONABLE AND ADEQUATE**

10. As noted above, Plaintiffs' request sought records concerning CIA efforts to support Ms. Haspel's nomination for Director. The request also sought, but was not limited to, 10 additional categories of related information. As a preliminary matter, I note that based on Plaintiffs' request and in addition to the 10 specified categories requested, the CIA interpreted "efforts to support Ms. Haspel's nomination for Director" as the Agency's proactive measures conducted in order to garner and encourage Congressional and public support for Ms. Haspel's nomination as CIA Director. This included written responses for Senate inquiries, press engagements and media outreach, legal guidance, coordination with other government agencies, the White House, and members of the public, and the public release of written information in support of Ms. Haspel's nomination as CIA Director. As a result, and as explained below, the CIA searched for and processed responsive records in accordance with Plaintiffs' FOIA request and the reasonable interpretation previously stated.

11. In response to Plaintiffs' FOIA request, CIA conducted a search that was reasonably calculated to uncover all

responsive documents within the search date parameter of March 14, 2018 through May 14, 2018. The searches included both electronic and hard copy files. The CIA completed a search for records in the Directorates, offices, and files likely to contain responsive material and identified the Office of Congressional Affairs, Office of Public Affairs, Directorate of Digital Innovation, Office of the Director, and the Office of General Counsel as offices that would maintain any potentially responsive information. The Office of Congressional Affairs was selected because it is the liaison between Congress and the Agency. Among its other responsibilities, it is responsible for interacting with Congress regarding matters such as the confirmation process for Presidentially-appointed, Senate confirmed positions and it ensures that Congress is kept informed of intelligence issues and activities - such as the issues that may arise during the selection process for the Director of the CIA. The Office of Public Affairs was selected because part of its mission is to conduct public outreach and field public inquiries on the behalf of CIA. The Directorate of Digital Innovation, as part of its area of responsibility, provides guidance for the public release of Agency information, in compliance with Federal law and Executive mandates, while protecting the Agency's classified equities and promoting transparency with the public. The Office of the Director was

selected because this office provides direct support to senior Agency officials and addresses questions regarding the Director nomination and transition process. The Office of General Counsel was chosen because it is responsible for the legal affairs of the Agency to include providing legal guidance during the Director nomination and transition process. No additional offices were identified as reasonably likely to maintain records responsive to the Plaintiffs' request.

12. Following discussions with the officers who are knowledgeable of each offices' holdings noted above, Agency search professionals conducted a broad search, pursuant to the FOIA request. These searches included emails of certain custodians who were identified as subject matter experts, internal share drives, relevant databases and paper and electronic file holdings to include archived documents and CADRE, the Agency's repository for records that have been previously disclosed to the public.

13. With the assistance of officers who are familiar with their office's holdings, the CIA conducted searches for documents using a broad set of search terms. The search terms were used in comprehensive search strings consisting of targeted combinations using "AND" and "OR" connectors and other Boolean operators and functions compatible with Agency databases that were crafted to best locate responsive material. The search



terms included: Haspel, [a classified term], Mother Teresa, RDI, abuse, torture, rendition, detention, consideration, original classification authority, journalists, media, nomination, Twitter, Senate confirmation, personnel, time, resources, guidance, White House, and National Security Council. The Agency then conducted a further line-by-line review of each document and identified information that could be released and information that is exempt from disclosure because of classification, privacy, or statutory and legal privilege concerns.

14. Following that review, the Agency released one document in full, released 160 documents in part with redactions made pursuant to FOIA Exemptions (b)(1), (b)(3), (b)(5), and (b)(6), and withheld 473 documents in their entirety pursuant to FOIA Exemptions (b)(1), (b)(3), (b)(5), and (b)(6). The CIA's rationale for withholding information, both in full or in part, is explained below and is also documented in the accompanying *Vaughn* index. Upon an agreement with Plaintiffs, the scope of the *Vaughn* index is based on a representational sample of documents withheld in full or in part. The representational sample consists of 10% of the 160 documents that were released in part. The Agency selected every tenth document for a total of 16 documents. The representational sample also consists of 50% of the withheld in full documents that included selected

keywords proposed by Plaintiffs which were a total of 225 documents. The Agency selected every other document for a total of 113 documents. As a result, the Vaughn index is comprised of 129 documents.

#### **IV. APPLICABLE FOIA EXEMPTIONS**

##### **A. Exemption (b) (1)**

15. Exemption (b) (1) provides that FOIA does not require the production of records that are: "(A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order." 5 U.S.C. § 552(b) (1). Here, the information withheld pursuant to Exemption (b) (1) satisfies the procedural and the substantive requirements of E.O. 13526, which governs classification. See E.O. 13526 § 1.1(a), § 1.4(c), § 1.6, § 1.7(a).

16. As an original classification authority, I attest that appropriate measures were taken to search for all responsive documents to release segregable, non-exempt information contained within those records. However, I have determined that certain records in full and discrete portions of certain records responsive to Plaintiffs' FOIA request are currently and properly classified and appropriately withheld from disclosure. Specifically, this information is owned by and is under the

control of the U.S. Government. As described below, the information falls under classification category § 1.4(c) of the Executive Order because it concerns "intelligence activities (including covert action), [or] intelligence sources or methods." Further, its unauthorized disclosure could reasonably be expected to result in damage to national security. In accordance with § 1.7(a) of the Order, none of the information at issue has been classified in order to conceal violations of law, inefficiency or administrative error; prevent embarrassment to a person, organization or agency; restrain competition; or prevent or delay the release of information that does not require protection in the interests of national security. Furthermore, the responsive documents that contain classified information are properly marked in accordance with § 1.6 of the Executive Order.

17. Here, the information withheld pursuant to Exemption (b)(1) falls into several categories. Namely, the redacted details consist of (i) identifying information regarding covert personnel; (ii) Codewords; (iii) covert CIA locations; (iv) information that would tend to reveal specific intelligence methods, and or activities; and (v) classification and dissemination control markings.

18. *Covert Personnel.* The identities of CIA undercover employees and their activities to constitute intelligence

sources and methods. In order to carry out its mission of gathering and disseminating intelligence, the CIA places certain employees undercover to protect the fact, nature, and details of the Agency's interest in foreign activities as well as the intelligence sources and methods employed to assist in those activities. Disclosing the identity of a covert employee could expose the intelligence activities with which the employee has been involved and the sources with whom the employee has had contact. Additionally, disclosing the identity of a covert employee could jeopardize the safety of the employee, his or her family, his or her sources, and even other persons with whom he or she has had contact. In order for the Agency to effectively carry out its foreign-intelligence gathering mission, it is imperative that the identities of these covert personnel be protected.

19. *Code Words.* Some of the redacted information consists of code words. The use of code words is an intelligence method whereby words and letter codes are substituted for actual names, identities, or programs in order to protect intelligence sources and methods. Specifically, the CIA and other federal agencies use code words to disguise the true name of a person or entity of operational intelligence interest, such as a source, a field installation, or a covert program.

20. When obtained and matched to other information, code words possess a great deal of meaning for someone able to fit them into the proper framework. For example, the reader of a message is better able to assess the value of its contents if the reader can identify a source or an intelligence activity by the code word. By using these code words, the CIA and other federal agencies add an extra measure of security, minimizing the damage that would flow from an unauthorized disclosure of intelligence information. The disclosure of code words -- especially in context or in the aggregate -- can permit foreign intelligence services and other groups to fit disparate pieces of information together and to discern or deduce the identity or nature of the project or location for which the code word stands.

20. *Covert Locations.* The records at issue also contain details related to the locations of covert CIA facilities. The places where the CIA maintains a presence constitute classified intelligence methods of the Agency. The CIA's covert overseas facilities are critical to the CIA's mission, as they provide a base for the CIA's foreign intelligence activities. Acknowledging the location of such covert facilities can endanger the physical safety of covert CIA officers who work at those locations by, among other things, significantly increasing

the likelihood that those facilities could be targeted for attacks.

21. *Intelligence Methods and Activities.* The documents at issue also contain information concerning CIA intelligence methods as well as details of specific intelligence activities. The CIA must guard against the disclosure of the clandestine methods it uses to collect and analyze intelligence. Intelligence methods are the techniques and means by which an intelligence agency accomplishes its mission, to include how we train officers to accomplish the mission, and the classified internal regulations, approvals, and authorities that govern our conduct. Such intelligence and the underlying intelligence sources and methods must be protected to prevent foreign adversaries, terrorist organizations, and others from learning about the ways in which the CIA operates, that would allow them to use countermeasures to undermine U.S. intelligence capabilities and render collection efforts ineffective. Clandestine intelligence collection methods are effective as long as they remain unknown and unsuspected. If the technique or source used are disclosed, their usefulness expires and the CIA's ability to employ them in other operations is significantly degraded.

22. *Classification and Dissemination Control Markings.*

The documents at issue also contain classification and dissemination-control markings, which are among the intelligence methods used to control the dissemination of intelligence-related information and to protect such information from unauthorized disclosure. These markings indicate the overall classification level as well as the classification of discrete portions of a document, the presence of any compartmented information, and the limits on disseminating the information, which, in turn, would reveal details about the sensitivity and content of the underlying intelligence and indicate restrictions on access and handling. Disclosure of these markings would reveal or highlight areas of particular intelligence interest, sensitive collection sources or methods, foreign sensitivities, and procedures for gathering, protecting, and processing intelligence. Accordingly, the release of this information could reasonably be expected to cause damage to national security.

23. For all of the reasons discussed above, the CIA cannot disclose these types of details in the responsive records insofar as they would disclose current intelligence sources, methods and intelligence activities. The unauthorized disclosure of such information is reasonably likely to cause damage to the national security. As a result, I have determined

that this information remains currently and properly classified pursuant to the criteria of Executing Order 13526. As described in further detail below, Exemption (b)(3) in conjunction with the National Security Act of 1947 applies to all the information protected by Exemption (b)(1).

**B. Exemption (b)(3)**

24. Exemption (b)(3) protects information that is specifically exempted from disclosure by statute. A withholding statute under Exemption (b)(3) must: (A) require that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establish particular criteria for withholding or refer to particular types of matters to be withheld. 5 U.S.C. § 552(b)(3).

25. Section 102A(i)(1) of the National Security Act which provides that the Director of National Intelligence ("DNI") "shall protect intelligence sources and methods from unauthorized disclosure" applies to the withheld classified information described above. As an initial matter, the National Security Act is well-established as an Exemption (b)(3) withholding statute that both refers to particular types of matters to be withheld, and "requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue." 5 U.S.C. § 552(b)(3). Under the direction of the DNI pursuant to section 102A of the National



Security Act, as amended, and in accordance and consistent with section 1.6(d) of Executive Order 12333, the Director of the CIA is authorized to protect CIA sources and methods from unauthorized disclosure.<sup>1</sup> Accordingly, the CIA relies on the National Security Act to withhold information that would reveal intelligence sources and methods.

26. As set forth above, the withheld classified information - namely, the identities of covert personnel, code words, covert CIA locations, clandestine intelligence methods and activities, and classification and dissemination control markings - constitutes intelligence sources and methods. Such information about the Agency's tradecraft is precisely the type of intelligence information whose disclosure the statute prohibits. Additionally, there are some aspects of the manner in which the Agency protects its intelligence is itself an intelligence method that is unclassified - but nevertheless if disclosed would reveal sensitive intelligence sources and methods. For example, it would reveal dissemination control methods used for protecting sensitive information as it is distributed within the Intelligence Community. Also, disclosure of details regarding the Agency's information

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<sup>1</sup>Section 1.6(d) of Executive Order 12333, as amended, 3 C.F.R. 200 (1981), reprinted in 50 U.S.C. 3001 note at 25 (formerly codified at 50 U.S.C.A. § 401 note at 25 (West Supp. 2009)), and as amended by Executive Order 13470, 73 Fed. Reg. 45,323 (July 30, 2008) requires the Director of the Central Intelligence Agency to "(p)rotect intelligence and intelligence sources, methods, and activities from unauthorized disclosure in accordance with guidance from the [DNI] [.]"

security protocols would reveal types of equipment and devices relied upon by Agency personnel to carry out the CIA's objectives. Furthermore, disclosure of the manner and basis for which the Agency classifies and declassifies intelligence information is also an intelligence method that, if revealed, would disclose sensitive methods employed to protect intelligence information.

27. The National Security Act's statutory requirement to protect intelligence sources and methods does not require the CIA to identify or describe the damage to national security that reasonably could be expected to result from their unauthorized disclosure. Nonetheless, in this case, the protections of the National Security Act apply to the same information for which Exemption (b)(1) was asserted, as well as additional unclassified intelligence methods pertaining to the Agency's manner in which it protects its intelligence, because disclosure could significantly impair the CIA's ability to carry out its core mission of gathering and analyzing foreign intelligence.

28. CIA also asserted Section 6 of the Central Intelligence Agency Act of 1949, as amended, 50 U.S.C. § 3507 (the "CIA Act"), as a basis for withholding certain information. The CIA Act provides that the CIA shall be exempted from provisions of any law that require the publication or disclosure

of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the CIA.

29. Accordingly, under Section 6, the CIA is exempt from disclosing information relating to employees' names and personal identifiers. The CIA Act therefore constitutes a federal statute that "establishes particular criteria for withholding or refers to particular types of matters to be withheld." 5 U.S.C. § 552(b)(3). Here, pursuant to the CIA Act, the Agency withheld names and other personally-identifying information consisting of email addresses, Agency identification numbers, telephone numbers, locations, official titles, and core functions of CIA employees. This is precisely the type of identifying information that the CIA Act was designed to protect.

**C. Exemption (b)(5)**

30. Exemption (b)(5) provides that the FOIA's disclosure requirements do not apply to "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." 5 U.S.C. § 552(b)(5). I note that all of the material that the Agency withheld under Exemption (b)(5) have been circulated either within the Agency or with the White House and therefore satisfy the "inter-agency or intra-agency" threshold of the exemption. As described in the attached *Vaughn* Index, the information for which Exemption (b)(5) was asserted applies to

discussions that were protected by the deliberative process and/or attorney-client privileges.

**Deliberative Process Privilege**

31. The deliberative process privilege protects Agency communications that are pre-decisional and deliberative. The purpose of the privilege is to prevent injury to the quality of agency decision-making. Here, the CIA invoked this privilege for the majority of the documents withheld in full as well as for portions of the documents released in part. As noted in the *Vaughn* index, many of the documents consist of draft documents in response to Senate inquiries, correspondence with the White House regarding deliberations over draft responses to Senate inquiries, draft articles or other written material, and deliberations regarding responses to the media. Each of these communications reflect the CIA's internal and confidential decision-making process during Ms. Haspel's nomination process for CIA Director. Some of the documents withheld are draft versions, which were not finalized, are undated, and/or are unsigned. Also, some of these drafts have embedded comments, and/or contain recommendations, edits, as well as discussions about wording, accuracy and other deliberative ancillary matters. These communications do not convey final Agency viewpoints on a particular matter, but rather reflect different

considerations, opinions, options, and approaches that preceded the Agency's final decision regarding the nomination process.

32. The Agency invoked the deliberative process privilege to protect certain draft documents either compiled or reviewed by the Agency. These documents reflect the status, considerations, and direction of the Agency's support of the nomination process at a given point in time, which was subject to change as new information or inquiries were acquired. For example, the Agency continually received inquiries from the Senate regarding Ms. Haspel as the nominee for CIA Director, and as the inquiries were received they offered new perspectives that directly influenced the direction or scope of the Agency's support as it provided responses, handled subsequent press inquiries and public reaction, prompted new or different areas of focus, or raised new areas for consideration and additional guidance.

33. Similarly, the resulting inter- and intra-agency deliberations that ensued reveal the Agency's decision-making processes by showing precisely what information and considerations, such as the example provided above, were deliberated in the course of the Agency's work conducted to garner and encourage Congressional and public support for Ms. Haspel's nomination as CIA Director. Here, the documents that were withheld in full or in part do not reveal a final decision,

but reflect the deliberative process that the Agency navigated to determine how best to support the CIA Director nomination. If the information documented in the withheld records, were disclosed it would reveal the Agency's decision-making process throughout the course of the nomination by revealing which details were considered significant or what weight was accorded to certain pieces of information. It would also reveal that whether certain available information was, or was not, utilized or selected for inclusion in the final analysis, which ultimately would open the Agency's deliberative process to public scrutiny on decisions that were not final thereby chilling the free flow of discussion in agency decision-making. All of these details would reveal the deliberations underlying the final conclusions of Agency personnel.

34. Further, I am familiar with all of the documents withheld in full and in part pursuant to the deliberative process privilege and have determined that, to the extent there is any factual material, it is part and parcel of the deliberations and cannot be segregated. The selection of facts in these documents would reveal the nature of the preliminary recommendations and opinions preceding the final determinations. In the case of draft documents, disclosure of these records would allow for the comparison between the wording in the final version and the drafts thereby revealing what information was

considered significant or was discarded in the course of the drafting process. Disclosure of any of these documents would inhibit the frank communications and free exchange of ideas that the privilege is designed to protect. If the withheld information were released, CIA employees may hesitate to offer their candid opinions to superiors or coworkers, and such self-censorship would tend to degrade the quality of Agency decisions. Additionally, revealing this information could mislead or confuse the public by disclosing rationales that were not the basis for the Agency's final decisions.

**Attorney-Client Privilege**

35. The attorney-client privilege protects confidential communications between an attorney and his or her client relating to a legal matter for which the client has sought professional advice. In this case, as described in the *Vaughn* Index, the Agency asserted the attorney-client privilege, in conjunction with the deliberative process privilege, to protect confidential communications between Agency officials or Agency personnel and attorneys within the CIA's Office of General Counsel. Here, Agency employees requested legal advice related to responses to Senate inquiries and certain proposed courses of action. These confidential communications consist of factual information supplied by the clients in connection with their requests for legal advice, discussions between attorneys that

reflect those facts, and legal analysis and advice provided to the clients. The confidentiality of these communications was maintained. If this confidential information were to be disclosed, it would subject the legal guidance to scrutiny and reveal preliminary legal risk analysis and strategy. This is precisely the type of information that the attorney-client privilege is designed to protect.

**D. Exemption (b) (6)**

36. Exemption (b) (6) provides FOIA's information-release requirements do not apply to "personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." 5 U.S.C. § 552(b) (6). Courts have broadly construed the term "similar files" to cover any personally identifying information. Here, the CIA invoked Exemption (b) (6) to withhold exempt information regarding individual employees.

37. Specifically, the Agency withheld identifying information of the individuals named in the responsive records. The individuals named in the records are CIA employees, low-level congressional staffers, and other third-parties unaffiliated with the Agency. These persons maintain a strong privacy interest in this information because, due to their contact with the Agency, its release could subject them to harassment, embarrassment or unwanted contact. Terrorist



organizations, foreign intelligence services, and other hostile groups continually gather details regarding the CIA's intelligence activities and attempt to use this information to their advantage. If this information were released, CIA's adversaries could use this information to target individuals overtly associated with the intelligence agency and expose them to threats of violence or intimidation in an effort to unlawfully obtain access to national security information.

38. Conversely, Plaintiffs have not set forth and, I am unable to identify in each of these instances, any qualifying countervailing public interest that would be served by such a disclosure. The release of the withheld identifying information also would not serve the core purpose of FOIA -- informing the public as to the operations or activities of the government. Accordingly, because there is no qualifying public interest in disclosure, I have determined that the release of this information would constitute a clearly unwarranted invasion of these individuals' personal privacy. Additionally, to the extent that the identifying information is that of Agency personnel, the protections of Exemption (b)(3) in conjunction with the CIA Act jointly apply.

V. SEGREGABILITY

39. In evaluating the responsive documents, the CIA conducted a document-by-document and line-by-line review and released all reasonably segregable non-exempt information. In instances where no segregable, non-exempt portions of documents could be released without potentially compromising classified or privileged information or other information protected under the FOIA, then such documents were withheld from plaintiffs in full. In this case, much of the withheld information is protected by several, overlapping FOIA exemptions. For example, the information withheld pursuant to the deliberative process privilege of Exemption 5, also contains discrete pieces of classified information covered by Exemption 1 as well as the names of employees, and intelligence sources and methods that are protected by the Exemption 3 statutes - the CIA Act and the National Security Act. After reviewing all of the records at issue, I have determined that no additional information can be released without jeopardizing classified or privileged material, individuals' personal privacy, and/or other statutorily protected information that falls within the scope of one or more FOIA exemptions.

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

Executed this 20<sup>th</sup> day of November 2020.



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Vanna Blaine  
Information Review Officer  
Litigation Information Review Office  
Central Intelligence Agency