

Agency	Case No.	Vaughn Doc. No.	Count	FOIA Req. No.	CADRE No.	Description of Document and Information Withheld	Doc. Date	Disposition	No. Pages	Exemptions Challenged	Cited in 2013 Op. at p.
CIA	11-445	340	7	F-2010-00599	C05520185	Draft FOIA Internal Business Procedure. Exemption (b)(3) (National Security Act) was invoked to protect information revealing means used to protect intelligence sources and methods. Additionally, CIA Act was invoked to protect identifying information of CIA personnel (names), internal URLs and personnel group. The deliberative process privilege of Exemption (b)(5) was asserted to protect the entire document as it is a pre-decisional draft. Additionally, the attorney client privilege applies to portions of the draft reflecting communications to an OGC attorney in connection with legal advice that was solicited by an Agency component.	1/28/2010	DIF	13	3-NSA, 5-DP	960 F. Supp. 2d at 188-91
CIA	11-445	341	7	F-2010-00599	C05520207	Draft FOIA Internal Business Procedure 2. Exemption (b)(3) (National Security Act) was invoked to protect information revealing means used to protect intelligence sources and methods. Additionally, CIA Act was invoked to protect identifying information of CIA personnel (names) and internal URLs, filepaths, and personnel group. The deliberative process privilege of Exemption (b)(5) was asserted to protect the entire document as it is a pre-decisional draft. Additionally, the attorney client privilege applies to portions of the draft reflecting communications to an OGC attorney in connection with legal advice that was solicited by an Agency component.	1/4/2010	DIF	10	3-NSA, 5-DP, 5-AC	960 F. Supp. 2d at 188-91, 193-195
CIA	11-445	342	7	F-2010-00599	C05520208	Draft FOIA Internal Business Procedure 3. Exemption (b)(3) (National Security and CIA Acts) was invoked to protect information revealing means used to protect intelligence sources and methods. Additionally, CIA Act was invoked to protect identifying information of CIA personnel (names) and internal URLs and filepaths. The deliberative process privilege of Exemption (b)(5) was asserted to protect the entire document as it is a pre-decisional draft. Additionally, the attorney client privilege applies to portions of the draft reflecting communications to an OGC attorney in connection with legal advice that was solicited by an Agency component. Exemption (b)(6) was asserted to protect the names and contact information of federal employees from other government agencies.	8/25/2009	DIF	9	3-NSA, 5-DP	960 F. Supp. 2d at 188-91
CIA	11-445	345	7	F-2010-00599	C05520213	FOIA/PA Up-front Processing Criteria. Exemption (b)(3) (National Security Act) was invoked to protect information revealing means used to protect intelligence sources and methods.	4/4/2005	DIF	3	3-NSA	
CIA	11-445	347	7	F-2010-00599	C05520216	Internal PIPD Policies. Exemption (b)(3) (National Security Act) was invoked to protect information revealing means used to protect intelligence sources and methods. Additionally, CIA Act was invoked to protect identifying information of CIA personnel (names and specific employee assignments/duties) and internal URLs. Additionally, the attorney client privilege of Exemption (b)(5) applies to portions of the draft reflecting communications to an OGC attorney in connection with legal advice that was solicited by an Agency component.	1/15/2010	RIP	9	3-NSA, 5-AC	960 F. Supp. 2d at 193-95
CIA	11-445	349	7	F-2010-00599	C05520218	Who to Task list. Exemption (b)(3) (National Security Act) was invoked to protect information revealing means used to protect intelligence sources and methods. Additionally, the CIA Act was asserted to internal URL and locations of where certain types of records are retained.	12/30/2009	RIP	2	3-CIA, 3-NSA	960 F. Supp. 2d at 174-185

Agency	Case No.	Vaughn Doc. No.	Count	FOIA Req. No.	CADRE No.	Description of Document and Information Withheld	Doc. Date	Disposition	No. Pages	Exemptions Challenged	Cited in 2013 Op. at p.
CIA	11-445	351	7	F-2010-00599	C05520221	Draft outline discussing FOIA fees and fee waivers. Exemption (b)(5) was asserted to protect discussion of the pre-decisional intra-agency deliberations preceding final decision.	11/1/2006	DIF	8	5-DP	960 F. Supp. 2d at 188-91
CIA	11-445	353	7	F-2010-00599	C05520223	Terms and definitions list. Exemption (b)(3) (National Security Act) was invoked to protect information revealing means used to protect intelligence sources and methods.	None	RIP	3	3-NSA	
CIA	11-445	358	7	F-2010-00599	C05520230	Guidelines for FOIA case managers. Exemption (b)(3) (National Security Act) was invoked to protect information revealing means used to protect intelligence sources and methods. Additionally, (CIA Act) was invoked to protect identifying information of CIA personnel (names). The attorney client privilege of Exemption (b)(5) was asserted to protect legal advice provided by OGC that was solicited by an Agency component.	None	DIF	10	3-NSA, 5-AC	960 F. Supp. 2d at 193-95
CIA	11-445	360	7	F-2010-00599	C05520232	Tasking overview slides. Exemption (b)(3) (National Security Act) was invoked to protect information revealing means used to protect intelligence sources and methods. Additionally, the CIA Act was asserted to protect identifying information of CIA personnel (names).	None	RIP	10	3-NSA	
CIA	11-445	362	7	F-2010-00599	C05520234	Referral and coordination workshop slides. Exemption (b)(1) applies to certain information that is classified as SECRET pursuant to 1.4(c) of Executive Order 13526 (specific methods of protecting classified information). Disclosure of this information could reasonably be expected to cause damage to national security because it would reveal information concerning intelligence activities, sources, or methods. This information is also protected under Exemption (b)(3) (National Security Act). Additionally, the CIA Act was asserted to protect identifying information of CIA personnel (name).	None	RIP	32	3-NSA	
CIA	11-445	366			C05371354	Although an entry for a document with this CADRE number was erroneously included in the CIA's first Vaughn index, see ECF No. 29-2, p. 90, this document was not produced to Plaintiff and is not at issue in this litigation. The description of the document in the CIA's Vaughn index is not accurate.					
CIA	11-445	Suppl. 1	7	F-2010-00599	C06197678	Information Review and Release Update. The attorney client privilege of Exemption (b)(5) was asserted to protect confidential communications of an OGC attorney. This legal advice was provided in connection with a request for legal training that was solicited by an Agency component. Each of the slides that are part of the training are marked with an "attorney-client privileged information" stamp.	9/19/2005	RIP	16	5-AC	960 F. Supp. 2d at 193-95
CIA	11-445	Suppl. 2	7	F-2010-00599	C06197677	Operational File Exemption Workshop slides. Exemption (b)(3) (National Security Act) was invoked to protect information revealing means used to protect intelligence sources and methods information about operationally exempt files). (The CIA Act was marked in error for this information). The attorney client privilege of Exemption (b)(5) was asserted to protect confidential communications of an OGC attorney. The legal advice was provided in connection with a request for legal training that was solicited by an Agency component. Each of the slides that are part of the training are marked with an "attorney-client privileged information" stamp.	Sep-09	RIP	31	3-NSA, 5-AC	960 F. Supp. 2d at 193-95

Exhibit B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
NATIONAL SECURITY COUNSELORS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 11-445 (BAH)
)	
CENTRAL INTELLIGENCE AGENCY,)	
)	
Defendant.)	
_____)	

**SUPPLEMENTAL DECLARATION OF MARTHA M. LUTZ
CHIEF OF THE LITIGATION SUPPORT UNIT
CENTRAL INTELLIGENCE AGENCY**

I, MARTHA M. LUTZ, hereby declare and state:

1. I am the Chief of the Litigation Support Unit of the Central Intelligence Agency ("CIA" or "Agency"). I have held this position since October 2012. Prior to assuming this position, I served as the Information Review Officer ("IRO") for the Director's Area of the CIA for over thirteen years. In that capacity, I was responsible for making classification and release determinations for information originating within the Director's Area, which includes, among other offices, the Office of the Director of the CIA, the Office of Congressional Affairs, and the Office of General Counsel. I have held other administrative and professional positions within the CIA since 1989.

internal regulations. Rather, they are guidance consisting of an orientation for Privacy Act analysts (doc. no. 338), a draft on internal FOIA business procedures (doc. no. 341),⁸ internal PIPD policies (doc. no. 347), and guidelines for FOIA case managers (doc. no. 358). The CIA invoked the attorney-client privilege to withhold the legal advice provided by OGC attorneys that is directly quoted and/or summarized in these documents.

17. Lastly, plaintiff challenges the invocation of the attorney-client privilege for documents 55, 311 and 318. For document 55, the email was withheld in full on the basis of the attorney-client privilege because the email consists entirely of a request for legal advice by the client, facts relevant to that legal question, and the advice provided by OGC attorneys as to that issue. There is no segregable nonexempt material in this document. With respect to documents 311 and 318, the CIA asserted the privilege to withhold the legal advice provided to the client in connection with two specific requests. This information was memorialized by the client in order to document the rationale for certain decisions. Although plaintiff argues that the CIA did not properly segregate non-exempt material from the documents, no document was withheld in full on the basis that it contained

⁸ Plaintiff also challenged the assertion of the attorney-client privilege in documents 340 and 342. However, the attorney-client privilege was cited in error for those documents. For reasons discussed above and addressed in my previous declaration, these documents are being withheld in full on the basis that they are draft documents that show deliberative communications - which do not reflect final Agency decisions.

"some" attorney-client privileged information. It is clear from the face of the documents and/or noted on the Vaughn index, submitted with the Agency's prior motion for summary judgment, that the CIA only asserted the privilege to the extent necessary to protect the communications revealing the provision of legal advice.

V. Training Materials

18. As noted above, the Agency located additional training materials in the course of conducting a supplemental search. The seven records that were located contain information withheld pursuant to Exemption (b)(5) and, to a lesser extent, Exemption (b)(3) in conjunction with the National Security Act and the CIA Act. Exemption (b)(5) was invoked to protect legal advice in the form of training provided by attorneys from the CIA's Office of General Counsel at the request of the client (IMS personnel who process FOIA and Privacy Act cases). The information withheld pursuant to the attorney-client privilege consists of advice discussing the administration of specific provisions of the FOIA and Privacy Act tailored to CIA records and information. This Agency-specific legal advice is contained within training slides, outlines and examples authored by OGC attorneys. The confidentiality of all of these communications has been maintained. Disclosure of this information would hinder frank communication between client-personnel and their attorneys,

Exhibit C

ACLU, et. al v. DOD, et. al. No. 15-9317
Central Intelligence Agency Amended Vaughn Index

Doc. No.	CADRE No.	Description	Date of Doc.	No. of Pages	Exemptions Cited	Disposition
6	C06541505	<p>This document is an email from a CIA attorney to Agency component personnel forwarding a draft letter to the Attorney General regarding the former detention and interrogation program. Exemptions (b)(1) and (b)(3) (National Security Act) applies to certain material that is classified under 1.4(c) of E.O. 13526 and reflects intelligence sources and methods (dissemination/control markings). Exemption (b)(3) (CIA Act) was invoked to protect identifying information of CIA personnel (names, titles, email addresses, Agency identification numbers and telephone numbers). Exemption (b)(5) was asserted to protect pre-decisional analysis, recommendations and deliberations. In addition, the attorney client privilege was also asserted to protect this document, which contains information exchanged between the Agency attorney and Agency clients in furtherance of providing requested legal advice. Exemption (b)(6) was asserted to protect personally identifying information of individuals.</p>	7/8/2002	2	<p>(b)(1) (b)(3) CIA Act (b)(3) Nat'l Sec Act (b)(5) (b)(6)</p>	RIP

ACLU, et. al v. DOD, et. al. No. 15-9317
 Central Intelligence Agency Amended Vaughn Index

Doc. No.	CADRE No.	Description	Date of Doc.	No. of Pages	Exemptions Cited	Disposition
17	C06541515	This document is a draft memorandum from Deputy Assistant Attorney General to CIA General Counsel. CIA made one discrete redaction pursuant to Exemptions (b)(1) and (b)(3) (National Security Act), which applies to certain material that is classified under 1.4(c) of E.O. 13526 and reflects intelligence sources and methods (CIA intelligence activities). CIA is also asserting Exemption (b)(5) to protect pre-decisional inter-agency deliberations and legal advice protected by the attorney-client privilege for the reasons set forth in the Declaration of Paul Colborn dated October 14, 2016	1/9/2003	8	(b)(1) (b)(3) Nat'l Sec Act (b)(5)	RIP (Referred record)
18	C06541511	This document is an email from an Agency employee to a supervisor with the subject "Concerns Over Revised Interrogation Plan for Nashiri." Exemptions (b)(1) and (b)(3) (National Security Act) applies to certain material that is classified under 1.4(c) of E.O. 13526 and reflects intelligence sources and methods (field installation). Exemption (b)(3) (CIA Act) was invoked to protect identifying information of CIA personnel (names, email addresses, internal offices, Agency identification numbers and telephone numbers). Exemption (b)(5) was asserted to protect pre-decisional intra-agency deliberations. Exemption (b)(6) was asserted to protect personally identifying information of individuals.	1/22/2003	3	(b)(1) (b)(3) CIA Act (b)(3) Nat'l Sec Act (b)(5) (b)(6)	RIP

ACLU, et. al v. DOD, et. al. No. 15-9317
 Central Intelligence Agency Amended Vaughn Index

Doc. No.	CADRE No.	Description	Date of Doc.	No. of Pages	Exemptions Cited	Disposition
28	C06541527	<p>This document is a memorandum provided by the Office of Medical Services to the CIA Office of Inspector General containing comments on the OIG's "Draft Special Review – Counterterrorism Detention and Interrogation Program." The final version of the Special Review appeared as document no. 32 on the ACLU's list. The ACLU is not challenging any of the redactions to the Special Review. Exemptions (b)(1) and (b)(3) (National Security Act) applies to certain material that is classified under 1.4(c) of E.O. 13526 and reflects intelligence sources and methods (field installation and dissemination/control markings). Exemption (b)(3) (CIA Act) was invoked to protect identifying information of CIA personnel (names, titles and Agency identification numbers). Exemption (b)(5) was asserted to protect pre-decisional intra-agency deliberations. Exemption (b)(6) was asserted to protect the names of individuals named in the report.</p>	1/13/2004	18	(b)(1) (b)(3) CIA Act (b)(3) Nat'l Sec Act (b)(5) (b)(6)	RIP

ACLU, et. al v. DOD, et. al. No. 15-9317
 Central Intelligence Agency Amended Vaughn Index

Doc. No.	CADRE No.	Description	Date of Doc.	No. of Pages	Exemptions Cited	Disposition
43	C06552088	This document is an email with the subject "8 April Draft Opinion from DOJ – OMS Concerns." This is a communication from Agency clients to a CIA attorney providing comments and concerns on a draft DOJ legal opinion. Exemption (b)(3) (CIA Act) was invoked to protect identifying information of CIA personnel (names, email address and telephone numbers). Exemption (b)(5) was asserted to protect pre-decisional intra-agency deliberations. In addition, the attorney client privilege was also asserted to protect this document, which contains information exchanged in furtherance of requesting legal advice. Exemption (b)(6) was asserted to protect personally identifying information of individuals.	4/11/2005	3	(b)(3) CIA Act (b)(5) (b)(6)	RIP
44	C06552089	This document consists of email exchanges between CIA attorneys and CIA Office of Public Affairs personnel providing legal advice on draft talking points related to the interrogation program. Exemption (b)(3) (CIA Act) was invoked to protect identifying information of CIA personnel (names, email addresses, telephone numbers and office locations). Exemption (b)(5) was asserted to protect pre-decisional intra-agency deliberations. In addition, the attorney client privilege was also asserted to protect this document, which contains legal advice. Exemption (b)(6) was asserted to protect personally identifying information of individuals.	4/20/2005	2	(b)(3) CIA Act (b)(5) (b)(6)	RIP

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Doc. No.	CADRE No.	Description	Date of Doc.	No. of Pages	Exemptions Cited	Disposition
45	C06541520	This document consists of email exchanges between CIA attorneys and CIA Office of Public Affairs personnel providing legal advice on draft talking points related to the interrogation program. Exemption (b)(3) (CIA Act) was invoked to protect identifying information of CIA personnel (names, email addresses, telephone numbers and Agency identification numbers). Exemption (b)(5) was asserted to protect pre-decisional intra-agency deliberations. In addition, the attorney client privilege was also asserted to protect this document, which contains legal advice. Exemption (b)(6) was asserted to protect personally identifying information of individuals.	4/21/2005	1	(b)(3) CIA Act (b)(5) (b)(6)	RIP
46	C06541521	This document consists of email exchanges between CIA attorneys and legal staff containing comments on OPA's draft press briefing. Exemption (b)(3) (CIA Act) was invoked to protect identifying information of CIA personnel (names, email addresses, telephone numbers and Agency identification numbers). Exemption (b)(5) was asserted to protect pre-decisional intra-agency deliberations. In addition, the attorney client privilege was also asserted to protect this document, which contains legal advice. Exemption (b)(6) was asserted to protect personally identifying information of individuals.	4/25/2005	1	(b)(3) CIA Act (b)(5) (b)(6)	RIP

Exhibit D

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JAMES MADISON PROJECT,)
)
 Plaintiff,)
)
 v.)
)
 DEPARTMENT OF JUSTICE ET AL.,)
)
 Defendants.)

Civ A. No. 1:15-CV-01307-RMC

**DECLARATION OF ANTOINETTE B. SHINER,
INFORMATION REVIEW OFFICER,
LITIGATION INFORMATION REVIEW OFFICE,
CENTRAL INTELLIGENCE AGENCY**

I. INTRODUCTION

I, ANTOINETTE B. SHINER, hereby declare and state:

1. I currently serve as the Information Review Officer ("IRO") for the Litigation Information Review Office ("LIRO") at the Central Intelligence Agency ("CIA" or "Agency"). Although I only recently assumed this position,¹ I have worked in the information review and release field since 2000.

2. Prior to becoming the IRO for LIRO, I served as the IRO for the Directorate of Support ("DS") for over sixteen months. In that capacity, I was responsible for making classification and release determinations for information originating within the DS. Prior to that, I was the Deputy IRO

¹ I became the IRO for LIRO effective 19 January 2016.

could significantly impair the CIA's ability to carry out its core missions of gathering and analyzing foreign intelligence.

C. FOIA Exemption (b) (5): Privileged Information

51. Exemption (b) (5) provides that the FOIA's disclosure requirements do not apply to inter-agency or intra-agency memoranda or letters that would not be available by law to a private party in litigation with the agency. 5 U.S.C. § 552(b) (5). All of the documents for which Exemption (b) (5) was asserted have either been circulated within the Agency and therefore satisfy the intra-agency threshold, or have been circulated between agencies, satisfying the intra-agency threshold. As described in the attached *Vaughn* Index, the CIA determined that the information for which Exemption (b) (5) was asserted is protected by the deliberative process privilege and, with respect to certain withholdings, the attorney-client communication privilege.

52. Deliberative Process Privilege. 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 the deliberative process privilege to withhold draft versions of various memoranda, letters, charts and other documents which contain comments, or tracked changes, made in connection with inter and intra-agency pre-decisional

discussions. Disclosure of these drafts would inhibit the frank communications and the free exchange of ideas that the privilege is designed to protect, and would hamper the ability of Agency personnel to candidly discuss, debate, and provide assessments of the facts.

53. Attorney-Client Privilege. 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, the attorney-client privilege applies to confidential communications between CIA personnel in Agency operational components and attorneys within OGC. These confidential communications consist of factual information supplied by the clients in connection with their requests for legal advice, discussions between OGC attorneys that reflect those facts, and legal analysis and advice provided to the clients. If this confidential information were to be disclosed, it would inhibit open communication between client-components and their attorneys, thereby depriving the agencies of full and frank legal counsel.

D. FOIA Exemption (b) (6): Privacy

54. Exemption (b) (6) protects from disclosure "personnel and medical files and similar files when the disclosure of such information would constitute a clearly unwarranted invasion of

Exhibit E

**THE JAMES MADISON PROJECT v. DOJ, et al., No. 15-1307(RMC)
Central Intelligence Agency Vaughn Index**

Entry No.	CADRE No.	Description of Document and Information Withheld	Date of Document	Disposition	No. of Pages	Exemptions Cited
1	C06467148	This is a two page internal e-mail with regard to "No Easy Day" and potential guidance.	9/20/2012	DENIED IN FULL (DIF)	2	(b)(3)/CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
2	C06467150	This is a two page internal e-mail with regard to "No Hero" and potential guidance on redactions of classified information.	2/4/2014	DIF	2	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
3	C06467152	This is a two page internal e-mail with regard to "No Hero" and potential guidance on redactions of classified information.	2/4/2014	DIF	2	(b)(1), (b)(3)/CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
4	C06467154	This is a two page internal e-mail with regard to "No Hero" and potential guidance on redactions of classified information.	2/5/2014	DIF	2	(b)(3)/CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
5	C06467155	This is a three page internal e-mail discussing potential redactions of classified information.	1/31/2014	DIF	3	(b)(1), (b)(3) CIAAct, (b)(3) NatSec Act, (b)(5), (b)(7)(A)
6	C06467156	This is a three page internal e-mail discussing potential redactions.	1/31/2014	DIF	3	(b)(1), (b)(3) CIAAct, (b)(3) NatSec Act, (b)(5), (b)(7)(A)
7	C06467157	This is a two page internal e-mail discussing potential classified information.	8/28/2012	DIF	2	(b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)

**THE JAMES MADISON PROJECT v. DOJ, et al., No. 15-1307(RMC)
Central Intelligence Agency Vaughn Index**

Entry No.	CADRE No.	Description of Document and Information Withheld	Date of Document	Disposition	No. of Pages	Exemptions Cited
8	C06467158	This is a one page internal e-mail discussing providing a review for classified information.	8/27/2012	DIF	1	(b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
9	C06467159	This is a nine page internal e-mail discussing potential legal ramifications of publishing a book without going through the proper channels for review.	8/23/2012	DIF	9	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
10	C06467160	This is a three page internal e-mail discussing status of investigation.	3/1/2013	DIF	3	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
11	C06467161	This is a one page internal e-mail giving a status update on review of the book.	8/30/2012	DIF	1	(b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
12	C06467162	This is a two page document discussing review of the book.	undated	DIF	2	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
13	C06467163	This is a three page internal e-mail discussing review of the book.	8/28/2012	DIF	3	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
14	C06467164	This is a four page internal e-mail concerning results of review of the book.	8/29/2012	DIF	4	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)

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Entry No.	CADRE No.	Description of Document and Information Withheld	Date of Document	Disposition	No. of Pages	Exemptions Cited
15	C06467166	This is a four page internal e-mail concerning results of review of the book.	8/28/2012	DIF	4	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
16	C06467187	This is a one page internal e-mail concerning results of review of the book.	8/28/2012	DIF	1	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
17	C06467188	This is a two page document commenting on information in the book.	8/28/2012	DIF	2	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
18	C06467189	This is a three page document concerning results of review of the book.	undated	DIF	3	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
19	C06467190	This is a two page internal e-mail concerning the results of the review of the book.	8/30/2012	DIF	2	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
20	C06467191	This is a two page internal e-mail concerning the results of the review of the book.	8/30/2012	DIF	1	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
21	C06467192	This is a one page internal e-mail concerning the results of the review of the book.	8/30/2012	DIF	1	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)

**THE JAMES MADISON PROJECT v. DOJ, et al., No. 15-1307(RMC)
Central Intelligence Agency Vaughn Index**

Entry No.	CADRE No.	Description of Document and Information Withheld	Date of Document	Disposition	No. of Pages	Exemptions Cited
22	C06467193	This is a six page internal e-mail information in the book.	8/29/2012	DIF	6	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
23	C06467194	This is a four page internal e-mail discussing the results of the review of the book.	8/29/2012	DIF	4	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
24	C06467195	This is a four page internal e-mail discussing the results of the review of the book.	8/29/2012	DIF	4	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
25	C06467196	This is a four page internal e-mail discussing the results of the review of the book.	8/29/2012	DIF	4	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
26	C06467197	This is a four page internal e-mail discussing the results of the review of the book.	8/29/2012	DIF	4	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
27	C06467198	This is a four page internal e-mail discussing the results of the review of the book.	8/29/2012	DIF	4	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
28	C06467199	This is a four page internal e-mail discussing information within the book.	8/28/2012	DIF	4	(b)(1) (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)

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Entry No.	CADRE No.	Description of Document and Information Withheld	Date of Document	Disposition	No. of Pages	Exemptions Cited
29	C06467200	This is a two page internal e-mail referencing the review of the book.	8/28/2012	DIF	2	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
30	C06467544	This is a one page internal e-mail requesting review on the book.	1/28/2014	DIF	1	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
31	C06467545	This is a three page internal e-mail discussing information within the book.	1/31/2014	DIF	3	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A)
32	C06483991	This is a ten page internal investigatory case summary concerning the book.	11/16/2012	DIF	10	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(6), (b)(7)(A), (b)(7)(C), (b)(7)(E)
33	C06483993	This is a three page internal document concerning the results of the review of the book.	undated	DIF	3	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A), (b)(7)(E)

**THE JAMES MADISON PROJECT v. DOJ, et al., No. 15-1307(RMC)
Central Intelligence Agency Vaughn Index**

Entry No.	CADRE No.	Description of Document and Information Withheld	Date of Document	Disposition	No. of Pages	Exemptions Cited
34	C06483994	This is a one page internal case closure summary.	11/15/2012	DIF	1	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(6), (b)(7)(A), (b)(7)(C), (b)(7)(E)
35	C06483995	This is a three page internal memorandum outlining the results of the investigation.	9/11/2012	DIF	3	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(6), (b)(7)(A), (b)(7)(C), (b)(7)(E)
36	C06483996	This is a five page document outlining comments concerning the review of information in the book.	undated	DIF	5	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A), (b)(7)(E)
37	C06483997	This is a twelve page internal document discussing information in the book and classification determinations.	undated	DIF	12	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A), (b)(7)(E)

**THE JAMES MADISON PROJECT v. DOJ, et al., No. 15-1307(RMC)
Central Intelligence Agency Vaughn Index**

Entry No.	CADRE No.	Description of Document and Information Withheld	Date of Document	Disposition	No. of Pages	Exemptions Cited
38	C06483998	This is a six page internal e-mail discussing access to classified information.	8/29/2012	DIF	6	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(7)(A), (b)(7)(E)
39	C06483999	This is a four page letter from CIA to DOJ.	9/18/2012	DIF	4	(b)(1), (b)(3) CIAAct, (b)(3) NatSecAct, (b)(5), (b)(6), (b)(7)(A), (b)(7)(C), (b)(7)(E)
40	C06484001	This is a one page internal case intake form concerning the book.	9/4/2012	DIF	1	(b)(3) CIAAct, (b)(3) NatSecAct, (b)(7)(A), (b)(7)(E)
41	C06484002	This is a one page interagency e-mail concerning the book.	11/14/2012	DIF	1	(b)(3) CIAAct, (b)(5), (b)(6), (b)(7)(A), (b)(7)(C)

Exhibit F

Stephen Whitaker v. Department of State, et al.

FOIA/PA Request No.:	P-2011-00460
Document Number:	C05543099
Date of Document:	05/26/2010
Document Type:	Form
Classification:	Unclassified
From/To:	Internal CIA Communication
Subject:	Processing of Plaintiff's FOIA Request
Document Pages:	2

FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (b) (7) (a)
- (b) (7) (c)
- (b) (7) (d)
- (b) (7) (e)
- (b) (7) (f)

Privacy Act Exemptions:

- (d) (5)
- (j) (1)
- (j) (2)
- (k) (1)
- (k) (2)
- (k) (5)

Disposition:

- Denied in Full
- Partial Release
- Released in Full
- Referred to Third Agency

Document Description: This document is a 2-page document of screen shots reflecting searches in CIA records systems. The document is dated 05/26/2010, and discusses processing of the Plaintiff's FOIA request. This document is UNCLASSIFIED.

FOIA Exemption (b)(3) - The document is withheld in full pursuant to FOIA exemption (b)(3). Specifically, document discloses names, components, and contact information of CIA officers. In addition, the document reveals CIA organizational information and sources and methods regarding CIA's record management systems, internal taskings and tasking responses within the CIA's decentralized records management systems. This information is protected from disclosure by Section 102A(i)(1) of the National Security Act of 1947, as amended, 50 U.S.C.A. § 403-1(i)(1) (West Supp. 2011) and by Section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2011), and thus is protected from disclosure by Exemption (b)(3).

FOIA Exemption (b)(5): The document is withheld in full and is also exempt from disclosure pursuant to FOIA exemption (b)(5). This document contains information relating to advisory opinions, recommendations, and deliberations comprising part of a process by which governmental decisions and policies are formulated. Specifically, the document includes predecisional deliberations by CIA personnel, who discuss the nature of Plaintiff's request and seek guidance and make recommendations on how the request should be processed.

Privacy Act Exemption (j)(1) - The document is withheld in full pursuant to FOIA Exemption (b)(3) and

(b)(5) is also withheld on the basis Privacy Act Exemption (j)(1).

The CIA conducted a line-by-line review of this document to determine whether meaningful reasonably segregable, non-exempt portions of the document could be released. This document is denied in full because there is no meaningful non-exempt information that can reasonably be segregated from any exempt information.

Case Number: 1:12-cv-00316
Judge's Initials: CKK

Stephen Whitaker v. Department of State, et al.

FOI/PA Request No.:	P-2011-00460
Document Number:	C05653569
Date of Document:	04/08/2011
Document Type:	Memo/Report
Classification:	Unclassified
From/To:	Internal CIA Communication
Subject:	Processing of Plaintiff's FOIA Request
Document Pages:	1

FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (b) (7) (a)
- (b) (7) (c)
- (b) (7) (d)
- (b) (7) (e)
- (b) (7) (f)

Privacy Act Exemptions:

- (d) (5)
- (j) (1)
- (j) (2)
- (k) (1)
- (k) (2)
- (k) (5)

Disposition:

- Denied in Full
- Partial Release
- Released in Full
- Referred to Third Agency

Document Description:

This document is a 1-page document of a summary of initial determinations. The document is dated 04/08/11, and discusses processing of the Plaintiff's FOIA request. This document is UNCLASSIFIED.

FOIA Exemption (b)(3) - The document is withheld in full pursuant to FOIA exemption (b)(3). Specifically, document discloses names, components, and contact information of CIA officers. In addition, the document reveals CIA organizational information and sources and methods regarding CIA's record management systems, internal taskings and tasking responses within the CIA's decentralized records management systems. This information is protected from disclosure by Section 102A(i)(1) of the National Security Act of 1947, as amended, 50 U.S.C.A. § 403-1(i)(1) (West Supp. 2011) and by Section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2011), and thus is protected from disclosure by Exemption (b)(3).

FOIA Exemption (b)(5): The document is withheld in full and is also exempt from disclosure pursuant to FOIA exemption (b)(5). This document contains information relating to advisory opinions, recommendations, and deliberations comprising part of a process by which governmental decisions and policies are formulated. Specifically, the document includes predecisional deliberations by CIA personnel, who discuss the nature of Plaintiff's request and seek guidance and make recommendations on how the request should be processed.

Privacy Act Exemption (j)(1) - The document is withheld in full pursuant to FOIA Exemption (b)(3) and

(b)(5) is also withheld on the basis Privacy Act Exemption (j)(1).

The CIA conducted a line-by-line review of this document to determine whether meaningful reasonably segregable, non-exempt portions of the document could be released. This document is denied in full because there is no meaningful non-exempt information that can reasonably be segregated from any exempt information.

Case Number: 1:12-cv-00316
Judge's Initials: CKK

Stephen Whitaker v. Department of State, et al.

FOIA/PA Request No.:	P-2011-00460
Document Number:	C05764944
Date of Document:	10/14/2011
Document Type:	Email
Classification:	Unclassified
From/To:	Internal CIA Communication
Subject:	Processing of Plaintiff's FOIA Request
Document Pages:	5

FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (b) (7) (a)
- (b) (7) (c)
- (b) (7) (d)
- (b) (7) (e)
- (b) (7) (f)

Privacy Act Exemptions:

- (d) (5)
- (j) (1)
- (j) (2)
- (k) (1)
- (k) (2)
- (k) (5)

Disposition:

- Denied in Full
- Partial Release
- Released in Full
- Referred to Third Agency

Document Description:

This document is a 5-page e-mail dated 10/14/2010 and discusses processing of the Plaintiff's FOIA request. This document is UNCLASSIFIED.

FOIA Exemption (b)(3) - The information withheld from release in this document is exempt from disclosure pursuant to FOIA exemption (b)(3). Specifically, document discloses names, components, and contact information of CIA officers. In addition, the document reveals CIA organizational information and sources and methods regarding CIA's record management systems, internal taskings and tasking responses within the CIA's decentralized records management systems. This information is protected from disclosure by Section 102A(i)(1) of the National Security Act of 1947, as amended, 50 U.S.C.A. § 403-1(i)(1) (West Supp. 2011) and by Section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2011), and thus is protected from disclosure by Exemption (b)(3).

FOIA Exemption (b)(5): The information withheld from release in this document is also exempt from disclosure pursuant to FOIA exemption (b)(5). This document contains information relating to advisory opinions, recommendations, and deliberations comprising part of a process by which governmental decisions and policies are formulated. Specifically, the document includes predecisional deliberations by CIA personnel, who discuss the nature of Plaintiff's request and seek guidance and make recommendations on how the request should be processed.

FOIA Exemption (b)(6) - Portions of this document are withheld on the basis of Exemption (b)(6). This

document contains information relating to Plaintiff and his father, the disclosure of which would constitute an invasion of their personal privacy, including Plaintiff and another individual's social security number, Plaintiff's date of birth, telephone number, signature, and address.

Privacy Act Exemption (j)(1) - The information withheld pursuant to FOIA Exemption (b)(3), (b)(5) and (b)(6) is also withheld on the basis Privacy Act Exemption (j)(1).

The CIA conducted a line-by-line review of this document to determine whether meaningful reasonably segregable, non-exempt portions of the document could be released. This document is released in part because there is some meaningful non-exempt information that can reasonably be segregated from any exempt information.

Case Number: 1:12-cv-00316
Judge's Initials: CKK

Stephen Whitaker v. Department of State, et al.

FOIA/PA Request No.:	P-2011-00460
Document Number:	C05873262
Date of Document:	UNDATED
Document Type:	Form
Classification:	Unclassified
From/To:	Internal CIA Communication
Subject:	Processing of Plaintiff's FOIA Request
Document Pages:	1

FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (b) (7) (a)
- (b) (7) (c)
- (b) (7) (d)
- (b) (7) (e)
- (b) (7) (f)

Privacy Act Exemptions:

- (d) (5)
- (j) (1)
- (j) (2)
- (k) (1)
- (k) (2)
- (k) (5)

Disposition:

- Denied in Full
- Partial Release
- Released in Full
- Referred to Third Agency

Document Description: This document is a 1-page document of screen shots reflecting searches in CIA records systems. The document is undated and discusses processing of the Plaintiff's FOIA request. This document is UNCLASSIFIED.

FOIA Exemption (b)(3) - The document is withheld in full pursuant to FOIA exemption (b)(3). Specifically, document discloses names and components. In addition, the document reveals CIA organizational information and sources and methods regarding CIA's record management systems, internal taskings and tasking responses within the CIA's decentralized records management systems. This information is protected from disclosure by Section 102A(i)(1) of the National Security Act of 1947, as amended, 50 U.S.C.A. § 403-1(i)(1) (West Supp. 2011) and by Section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2011), and thus is protected from disclosure by Exemption (b)(3).

FOIA Exemption (b)(5): The document is withheld in full and is also exempt from disclosure pursuant to FOIA exemption (b)(5). This document contains information relating to advisory opinions, recommendations, and deliberations comprising part of a process by which governmental decisions and policies are formulated. Specifically, the document includes predecisional deliberations by CIA personnel, who discuss the nature of Plaintiff's request and seek guidance and make recommendations on how the request should be processed.

Privacy Act Exemption (j)(1) - The document is withheld in full pursuant to FOIA Exemption (b)(3) and

(b)(5) is also withheld on the basis Privacy Act Exemption (j)(1).

The CIA conducted a line-by-line review of this document to determine whether meaningful reasonably segregable, non-exempt portions of the document could be released. This document is denied in full because there is no meaningful non-exempt information that can reasonably be segregated from any exempt information.

Case Number: 1:12-cv-00316
Judge's Initials: CKK

Stephen Whitaker v. Department of State, et al.

FOIA/PA Request No.:	P-2011-00460
Document Number:	C05873264
Date of Document:	05/07/2012
Document Type:	Form
Classification:	Unclassified
From/To:	Internal CIA Communication
Subject:	Processing of Plaintiff's FOIA Request
Document Pages:	1

FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (b) (7) (a)
- (b) (7) (c)
- (b) (7) (d)
- (b) (7) (e)
- (b) (7) (f)

Privacy Act Exemptions:

- (d) (5)
- (j) (1)
- (j) (2)
- (k) (1)
- (k) (2)
- (k) (5)

Disposition:

- Denied in Full
- Partial Release
- Released in Full
- Referred to Third Agency

Document Description: This is a 1-page document of a screen shots reflecting searches in CIA records systems. The document is dated 05/07/2012, and discusses processing of the Plaintiff's FOIA request. This document is UNCLASSIFIED.

FOIA Exemption (b)(3) - The document is withheld in full pursuant to FOIA exemption (b)(3). Specifically, document discloses names, components, and contact information of CIA officers. In addition, the document reveals CIA organizational information and sources and methods regarding CIA's record management systems, internal taskings and tasking responses within the CIA's decentralized records management systems. This information is protected from disclosure by Section 102A(i)(1) of the National Security Act of 1947, as amended, 50 U.S.C.A. § 403-1(i)(1) (West Supp. 2011) and by Section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2011), and thus is protected from disclosure by Exemption (b)(3).

FOIA Exemption (b)(5): The document is withheld in full and is also exempt from disclosure pursuant to FOIA exemption (b)(5). This document contains information relating to advisory opinions, recommendations, and deliberations comprising part of a process by which governmental decisions and policies are formulated. Specifically, the document includes predecisional deliberations by CIA personnel, who discuss the nature of Plaintiff's request and seek guidance and make recommendations on how the request should be processed.

Privacy Act Exemption (j)(1) - The document is withheld in full pursuant to FOIA Exemption (b)(3) and

(b)(5) is also withheld on the basis Privacy Act Exemption (j)(1).

The CIA conducted a line-by-line review of this document to determine whether meaningful reasonably segregable, non-exempt portions of the document could be released. This document is denied in full because there is no meaningful non-exempt information that can reasonably be segregated from any exempt information.

Case Number: 1:12-cv-00316
Judge's Initials: CKK

Stephen Whitaker v. Department of State, et al.

FOIA/PA Request No.:	P-2011-00460
Document Number:	C05873265
Date of Document:	05/17/2012
Document Type:	Email
Classification:	Unclassified
From/To:	Internal CIA Communication
Subject:	Processing of Plaintiff's FOIA Request
Document Pages:	2

FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (b) (7) (a)
- (b) (7) (c)
- (b) (7) (d)
- (b) (7) (e)
- (b) (7) (f)

Privacy Act Exemptions:

- (d) (5)
- (j) (1)
- (j) (2)
- (k) (1)
- (k) (2)
- (k) (5)

Disposition:

- Denied in Full
- Partial Release
- Released in Full
- Referred to Third Agency

Document Description: This document is a 2-page internal email regarding searches in CIA records systems. The document is dated 05/17/2012, and discusses processing of the Plaintiff's FOIA request. This document is UNCLASSIFIED.

FOIA Exemption (b)(3) - The document is withheld in full pursuant to FOIA exemption (b)(3). Specifically, document discloses names, components, and contact information of CIA officers. In addition, the document reveals CIA organizational information and sources and methods regarding CIA's record management systems, internal taskings and tasking responses within the CIA's decentralized records management systems. This information is protected from disclosure by Section 102A(i)(1) of the National Security Act of 1947, as amended, 50 U.S.C.A. § 403-1(i)(1) (West Supp. 2011) and by Section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2011), and thus is protected from disclosure by Exemption (b)(3).

FOIA Exemption (b)(5): The document is withheld in full and is also exempt from disclosure pursuant to FOIA exemption (b)(5). This document contains information relating to advisory opinions, recommendations, and deliberations comprising part of a process by which governmental decisions and policies are formulated. Specifically, the document includes predecisional deliberations by CIA personnel, who discuss the nature of Plaintiff's request and seek guidance and make recommendations on how the request should be processed.

Privacy Act Exemption (j)(1) - The document is withheld in full pursuant to FOIA Exemption (b)(3) and

(b)(5) is also withheld on the basis Privacy Act Exemption (j)(1).

The CIA conducted a line-by-line review of this document to determine whether meaningful reasonably segregable, non-exempt portions of the document could be released. This document is denied in full because there is no meaningful non-exempt information that can reasonably be segregated from any exempt information.

Case Number: 1:12-cv-00316
Judge's Initials: CKK

Stephen Whitaker v. Department of State, et al.

FOIA/PA Request No.:	P-2011-00460
Document Number:	C05873267
Date of Document:	05/02/2012
Document Type:	Email
Classification:	Unclassified
From/To:	Internal CIA Communication
Subject:	Processing of Plaintiff's FOIA Request
Document Pages:	9

FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (b) (7) (a)
- (b) (7) (c)
- (b) (7) (d)
- (b) (7) (e)
- (b) (7) (f)

Privacy Act Exemptions:

- (d) (5)
- (j) (1)
- (j) (2)
- (k) (1)
- (k) (2)
- (k) (5)

Disposition:

- Denied in Full
- Partial Release
- Released in Full
- Referred to Third Agency

Document Description: This document is a 9-page internal email regarding searches in CIA records systems. The document is dated 05/02/2012, and discusses processing of the Plaintiff's FOIA request. This document is UNCLASSIFIED.

FOIA Exemption (b)(3) - The document is withheld in full pursuant to FOIA exemption (b)(3). Specifically, document discloses names, components, and contact information of CIA officers. In addition, the document reveals CIA organizational information and sources and methods regarding CIA's record management systems, internal taskings and tasking responses within the CIA's decentralized records management systems. This information is protected from disclosure by Section 102A(i)(1) of the National Security Act of 1947, as amended, 50 U.S.C.A. § 403-1(i)(1) (West Supp. 2011) and by Section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2011), and thus is protected from disclosure by Exemption (b)(3).

FOIA Exemption (b)(5): The document is withheld in full and is also exempt from disclosure pursuant to FOIA exemption (b)(5). This document contains information relating to advisory opinions, recommendations, and deliberations comprising part of a process by which governmental decisions and policies are formulated. Specifically, the document includes predecisional deliberations by CIA personnel, who discuss the nature of Plaintiff's request and seek guidance and make recommendations on how the request should be processed. The document also includes attorney client privileged communication between CIA personnel and in-house counsel.

Privacy Act Exemption (j)(1) - The document is withheld in full pursuant to FOIA Exemption (b)(3) and (b)(5) is also withheld on the basis Privacy Act Exemption (j)(1).

The CIA conducted a line-by-line review of this document to determine whether meaningful reasonably segregable, non-exempt portions of the document could be released. This document is denied in full because there is no meaningful non-exempt information that can reasonably be segregated from any exempt information.

Case Number: 1:12-cv-00316
Judge's Initials: CKK

Stephen Whitaker v. Department of State, et al.

FOIA/PA Request No.:	P-2011-00460
Document Number:	C05873268
Date of Document:	03/15/2012
Document Type:	Email
Classification:	Unclassified
From/To:	Internal CIA Communication
Subject:	Processing of Plaintiff's FOIA Request
Document Pages:	3

FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (b) (7) (a)
- (b) (7) (c)
- (b) (7) (d)
- (b) (7) (e)
- (b) (7) (f)

Privacy Act Exemptions:

- (d) (5)
- (j) (1)
- (j) (2)
- (k) (1)
- (k) (2)
- (k) (5)

Disposition:

- Denied in Full
- Partial Release
- Released in Full
- Referred to Third Agency

Document Description: This document is a 3-page internal email regarding searches in CIA records systems. The document is dated 03/15/2012, and discusses processing of the Plaintiff's FOIA request. This document is UNCLASSIFIED.

FOIA Exemption (b)(3) - The document is withheld in full pursuant to FOIA exemption (b)(3). Specifically, document discloses names, components, and contact information of CIA officers. In addition, the document reveals CIA organizational information and sources and methods regarding CIA's record management systems, internal taskings and tasking responses within the CIA's decentralized records management systems. This information is protected from disclosure by Section 102A(i)(1) of the National Security Act of 1947, as amended, 50 U.S.C.A. § 403-1(i)(1) (West Supp. 2011) and by Section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2011), and thus is protected from disclosure by Exemption (b)(3).

FOIA Exemption (b)(5): The document is withheld in full and is also exempt from disclosure pursuant to FOIA exemption (b)(5). This document contains information relating to advisory opinions, recommendations, and deliberations comprising part of a process by which governmental decisions and policies are formulated. Specifically, the document includes predecisional deliberations by CIA personnel, who discuss the nature of Plaintiff's request and seek guidance and make recommendations on how the request should be processed. The document also includes attorney client privileged communication between CIA personnel and in-house counsel.

Privacy Act Exemption (j)(1) - The document is withheld in full pursuant to FOIA Exemption (b)(3) and (b)(5) is also withheld on the basis Privacy Act Exemption (j)(1).

The CIA conducted a line-by-line review of this document to determine whether meaningful reasonably segregable, non-exempt portions of the document could be released. This document is denied in full because there is no meaningful non-exempt information that can reasonably be segregated from any exempt information.

Case Number: 1:12-cv-00316

Judge's Initials: CKK

Exhibit G

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STEPHEN WHITAKER,

Plaintiff,

v.
DEPARTMENT OF STATE, et al.,

Defendants.

Case No. 1:12-CIV-00316 (CKK)

**DECLARATION OF MARTHA M. LUTZ
INFORMATION REVIEW OFFICER
DIRECTOR'S AREA
CENTRAL INTELLIGENCE AGENCY**

I. INTRODUCTION

I, MARTHA M. LUTZ, hereby declare and state:

1. I am the Information Review Officer ("IRO") for the Director's Area of the Central Intelligence Agency ("CIA"). I have held this position since January 19, 1999. I have also held various administrative and professional positions within the CIA since 1989.

2. The Director's Area encompasses not only the Offices of the Director of the CIA and the Deputy Director of the CIA, but also several components not organized under one of the CIA's four main directorates (Support, Intelligence, National Clandestine Service, and Science & Technology), such as the Office of Inspector General and the Office of General Counsel.

the CIA Act and the National Security Act, and pursuant to Exemption (j)(1) of the Privacy Act, fall within the ambit of the information protected by those withholding statutes.

FOIA Exemption (b) (5)

93. FOIA exemption (b)(5) provides that FOIA does not apply to inter-agency or intra-agency memoranda or letters that would not be available by law to a private party in litigation with the agency. IMS information review professionals have reviewed the documents exempt under Privacy Act exemption (j)(1) to assess whether the material is releasable under FOIA or whether any FOIA exemptions apply, and have withheld information exempt under FOIA exemption (b)(5) from disclosure. FOIA exemption (b)(5) protects intra-agency or inter-agency records that would be considered privileged in the civil discovery context. As described in the attached Vaughn index, attached as Exhibit L, the CIA determined that the information withheld under FOIA exemption (b)(5) pertains to predecisional deliberations by personnel regarding the nature of information retrieved, the scope of legal exemptions, the application of exemptions to particular material, or making recommendations related to final Agency determinations. This information is protected from disclosure by the deliberative process privilege.

94. Specifically, FOIA exemption (b)(5) has been construed to incorporate the civil discovery concept that information or documents of pre-decisional, deliberative process are exempt from disclosure. The deliberative process privilege protects the internal deliberations of the government by exempting from release those recommendations, analyses and discussions -- both factual and legal -- prepared to inform or in anticipation of decision-making. The integrity of the government's deliberative process, not just the documents themselves, is protected by this privilege.

95. As is reflected in the attached Vaughn index, CIA asserted the (b)(5) deliberative process privilege to protect internal FOIA processing documents, which contain information that reflects the pre-decisional deliberations of CIA officials. For example, document C05506206 includes a cover sheet and e-mail correspondence between CIA officers discussing aspects of CIA's internal processing determinations. Sections of the document relate to whether CIA should assert a Glomar in response to Plaintiff's request for information regarding five individuals and four DC-3 aircraft, and contain predecisional deliberations related to the potential for harm to the national security and the classification of the information at issue.

96. Finally, to the extent that any of the privileged material exempt under (j)(1) of the Privacy Act and (b)(5) of the FOIA reveals CIA sources and methods, or internal organizational and functional information such as names of CIA personnel, official titles or deliberative functions within the organization, routing or administrative data, the information is also exempt pursuant to Privacy Act exemption (j)(1) and FOIA exemption (b)(3).

D. FOIA Exemption (b)(6)

97. FOIA 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."⁹ FOIA's protection of personal privacy is not affected by the type of record in which the agency stores the information. As noted in the Vaughn Index filed with this Declaration, the CIA invoked FOIA exemption (b)(6) to withhold exempt information contained in responsive documents on the grounds that: (1) the withheld information qualifies as "personnel," "medical" or "similar" files; (2) the individuals identified in these documents have a privacy interest in the withheld information; (3) the public does not have a legitimate interest in the disclosure of the withheld information; and (4) disclosure of

⁹ 5 U.S.C. § 552(b)(6) (2000).