

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 1

Date of Document: 4/27/2002

Document Type: Email

Classification: Secret

From/To: CIA/CIA

Subject: AZ Interrogations

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 one-page email from a CIA officer to another CIA officer, with several additional CIA officers and attorneys copied. The email contains information relating to the interrogation of Abu Zubaydah, including information relating to classified counter-terrorism operations. The email also contains information relating to intelligence sources and methods and the identities of personnel engaged in counter terrorism operations. The document is withheld in part on the bases of FOIA exemptions b(1), b(3), b(6), and b(7)(A). The Agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) over the information the Agency proposed to release, which has resulted in the document being denied in full.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended,

50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 2

Date of Document: 11/09/2005

Document Type: Email

Classification: Top Secret

From/To:

Subject: Request approval to destroy field videotapes

Document Pages: 14

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 fourteen-page email chain with six embedded cables. Three of the cables relate to the decision to destroy the 92 videotapes. The remaining cables discuss an unrelated counter-terrorism operation. The document contains information about classified intelligence operations, sources, and methods. The documents also contain identifying information of personnel engaged in counter-terrorism activities. The document is withheld in part on the basis of FOIA exemptions b(1), b(3), b(6), and b(7)(A). The Agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) over the information the Agency proposed to release, which has resulted in the document being denied in full.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended,

50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 3

Date of Document: 11/08/2005

Document Type: Cable

Classification: Secret

From/To:

Subject: Request for approval to destroy videotapes

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 one-page cable from the field to CIA Headquarters requesting permission to destroy 92 videotapes. The document contains information relating to classified intelligence operations, sources and methods. The document is withheld in part under FOIA exemptions b(1), b(3), and b(7)(A). The Agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) over the information the Agency proposed to release, which has resulted in the document being denied in full.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted from disclosure by section 102A(i)(1) of the National Security Act of 1947, as amended, 50 U.S.C.A. § 403-1(j)(1) (West Supp. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 4

Date of Document: 11/9/2005

Document Type: Cable

Classification: Secret

From/To:

Subject: Videotape destruction confirmation

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 one page cable from the field to CIA Headquarters, confirming the destruction of the videotapes. The cable contains information relating to classified intelligence operations. The document is withheld in part on the basis of FOIA exemptions b(1), b(3), and b(7)(A). The Agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) over the information the Agency proposed to release, which has resulted in the document being denied in full.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 5

Date of Document: 11/8/2005

Document Type: Cable

Classification: Secret

From/To:

Subject: Request for approval to proceed w/authorization of tape destruction

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 one-page cable from the field to CIA Headquarters requesting permission to destroy 92 videotapes. The document contains information relating to classified intelligence operations, sources, and methods. The document is withheld in part under FOIA exemptions b(1), b(3), and b(7)(A). The Agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) over the information the Agency proposed to release, which has resulted in the document being denied in full.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 6

Date of Document: 8/04/2003

Document Type: Cable

Classification: Top Secret

From/To:

Subject: Response to destruction of videotapes

Document Pages: 13

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 thirteen page cable that discusses the disposition of the 92 videotapes. The document contains information that relates to classified counter-terrorism operations, as well as intelligence sources and methods. The document also contains pre-decisional, deliberative information. The document is withheld in part on the bases of FOIA exemptions b(1), (3), b(5), b(6), and b(7)(A). The Agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) over the information the Agency proposed to release, which has resulted in the document being denied in full.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA personnel, and thus is protected from disclosure by Exemption b(5).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 7

Date of Document: 11/8/2005

Document Type: Cable

Classification: Secret

From/To:

Subject: Update regarding Tapes

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 two page cable from the field to headquarters relating to a review of the videotapes by an OGC attorney. The document contains information relating to classified intelligence operations, sources, and methods. The document also contains information relating to confidential communications between CIA officers and CIA attorneys, made for the purpose of obtaining legal advice. The document is withheld in full on the basis of FOIA exemption b(5) and in part on the bases of FOIA exemptions b(1) and b(3).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to confidential communications between a CIA officer and a CIA attorney for the purpose of obtaining legal advice, which were made with an expectation of confidentiality. The information has remained confidential and thus is protected from disclosure by Exemption b(5).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 8

Date of Document: 12/3/2002

Document Type: Cable

Classification: Secret

From/To:

Subject: Closing of facility and destruction of classified information

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 two-page cable from CIA Headquarters to the field discussing the destruction of videotapes and other classified material at a field facility. The document contains information relating to classified intelligence operations and methods. The document is withheld in part on the basis of FOIA Exemptions b(1) and b(3), and b(7)(A). The Agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) over the information the Agency proposed to release, which has resulted in the document being denied in full.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 9

Date of Document: 11/30/2002

Document Type: Cable

Classification: Secret

From/To:

Subject: Disposition of classified media

Document Pages:

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 three-page cable from the field to CIA Headquarters that discusses the disposition of classified media in the field. The document contains information relating to classified operations and methods, as well as predecisional, deliberative information and attorney-client communications. The document is withheld in full on the bases of FOIA Exemptions b(1), b(3), and b(5).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations,

including preliminary evaluations, opinions, and recommendations of CIA personnel, as well as communications between OGC officers and OGC attorneys made for the purpose of obtaining legal advice and kept in confidence, and thus is protected from disclosure by Exemption b(5).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 10

Date of Document: 11/28/2002

Document Type: Cable

Classification: Top Secret

From/To:

Subject: Review of tapes

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 one-page cable regarding discussion of a CIA attorney's travel to a field station to survey video tapes and review pertinent logs, and cable traffic. The document contains information relating to classified intelligence operations and methods, as well as the identities of personnel engaged in counter-terrorism operations. The document also contains predecisional, deliberative information communicated between CIA officers and attorneys for the purpose of obtaining legal advice. The document is withheld in full on the bases of FOIA exemptions b(1), b(3), and b(5).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA personnel, as well as communications between OGC officers and OGC attorneys made for the purpose of obtaining legal advice and kept in confidence, and thus is protected from disclosure by Exemption b(5).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 11

Date of Document: 11/27/2002

Document Type: Cable

Classification: Secret

From/To:

Subject: Tape destruction

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 one-page cable from the field to headquarters requesting approval for destruction of the interrogation videotapes. The document contains information relating to classified operations and methods, as well as predecisional, deliberative information and attorney-client communications. The document is withheld in full on the bases of FOIA Exemptions b(1), b(3), and b(5).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations,

including preliminary evaluations, opinions, and recommendations of CIA personnel, as well as communications between OGC officers and OGC attorneys made and kept in confidence, and thus is protected from disclosure by Exemption b(5).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 12

Date of Document: 11/20/2002

Document Type: Cable

Classification: Secret

From/To:

Subject: Disposition of videotapes

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 is a two-page cable from field to CIA headquarters discussing the OGC review of the tapes. The document contains information relating to classified intelligence operations, sources and methods. The document also contains pre-decisional, deliberative information and information relating to the identity of personnel engaged in counter-terrorism operations. The document is withheld in full on the bases of b(1), b(3), and b(5), and in part on the basis of FOIA exemption b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization of the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA personnel, and thus is protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456
Document Number: 13
Date of Document: 11/19/2002
Document Type: Cable
Classification: Secret
From/To:
Subject: Videotape disposition
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 is a five-page cable from CIA headquarters to field discussing the disposition of all the videotapes, and the duties of the CIA attorney who is visiting the field to review the tapes. The document also contains predecisional, deliberative information relating to confidential communications between CIA officers and CIA attorneys, made for the purposes of obtaining legal advice, as well as information relating to the identities of personnel engaged in counter-terrorism operations. The document is withheld in full on the basis of FOIA exemption b(5) and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to confidential communications between a CIA officer and a CIA attorney which were made with an expectation of confidentiality. The information has remained confidential and thus is protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 14

Date of Document: 11/27/2002

Document Type: Cable

Classification: Secret

From/To:

Subject: Disposition of videotapes

Document Pages: 4

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 four-page cable from CIA headquarters to field regarding disposition of tapes and discussing action for base compliance according to policy guidance. This document contains information relating to classified locations of CIA facilities, intelligence, operations, sources, and methods. The document also contains information relating to confidential communications between CIA officers and CIA attorneys, made in order to obtain legal advice, as well as information relating to the identities of personnel engaged in counter-terrorism operations. The document is withheld in full on the basis of FOIA exemption b(5) and in part on the basis of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended,

50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5)- This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees, and thus is protected from disclosure by Exemption b(5). This document contains confidential communications between a CIA attorney and a CIA officer relating to a matter for which the officer sought legal advice. It was prepared by the CIA attorney with the joint expectation of the attorney and employee that it would be held in confidence, and it has been held in confidence. These privileged attorney-client communications are thus protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 15

Date of Document: 10/25/2002

Document Type: Cable

Classification: Secret

From/To:

Subject: Disposition of videotapes-security risks

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 is a two-page cable from field to CIA headquarters discussing the security risks if videotapes are retained. The document contains information that relates to locations of CIA facilities, as well as intelligence sources and methods. The document also contains attorney-client, work product, pre-decisional, and deliberative information and information relating to the identities of personnel engaged in counter-terrorism operations. The document is withheld in part on the basis of FOIA exemptions b(1), (3), b(5), b(6), and b(7)(A). The Agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) over the information the Agency proposed to release, which has resulted in the document being denied in full.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended,

50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains confidential communications between a CIA attorney and CIA officer relating to a matter for which the officer sought legal advice. It was prepared by the CIA attorney with the joint expectation of the attorney and employee that it would be held in confidence, and it has been held in confidence. This document also contains information, legal analysis, and opinion prepared by a CIA attorney in contemplation of criminal, civil, and administrative proceedings. It was prepared by the CIA attorney with the expectation of the attorney that it would be held in confidence, and it has been held in confidence. This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees. Therefore, this document is protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 16

Date of Document: 12/20/2002

Document Type: Email

Classification: Secret

From/To:

Subject: Source material on videotapes

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 is a three-page memo, with a cable attached, from headquarters to field regarding the policies on tape usage and destruction. The document contains information that relates to locations of CIA facilities, as well as intelligence sources and methods. The document also contains attorney-client, work product, pre-decisional, and deliberative information, as well as information relating to the identities of personnel engaged in counter-terrorism activities. The document is withheld in part on the basis of FOIA exemptions b(1), (3), b(5), and b(7)(A). Additionally, the Agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) over the information the Agency proposed to release, which has resulted in the document being denied in full.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended,

50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains confidential communications between a CIA attorney and CIA officer relating to a matter for which the officer sought legal advice. It was prepared by the CIA attorney with the joint expectation of the attorney and employee that it would be held in confidence, and it has been held in confidence. This document also contains information, legal analysis, and opinion prepared by a CIA attorney in contemplation of criminal, civil, and administrative proceedings. It was prepared by the CIA attorney with the expectation of the attorney that it would be held in confidence, and it has been held in confidence. This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees. Therefore, this document is protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 17

Date of Document: 8/20/2002

Document Type: Cable

Classification: Secret

From/To:

Subject: Risks of indefinite retention of videotapes

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 is a two-page cable from field to headquarters that discusses a policy for the security risks of videotape retention and suggests new procedures for videotape retention and disposal. This document contains information relating to classified locations of CIA facilities intelligence, operations, sources, and methods. This document also contains deliberative information and information relating to the identities of personnel engaged in counter-terrorism activities. The document is withheld in full on the basis of FOIA exemption b(5) and in part under FOIA exemptions b(1) and b(3).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees, and thus is protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 18

Date of Document: 1/13/2003

Document Type: Email

Classification: Top Secret

From/To:

Subject: Guidance on retention of videotapes

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 is a two-page email, with a cable attached from CIA headquarters to field, providing guidance on the procedures for retention of AZ videotapes. This document contains information relating to classified locations of CIA facilities, intelligence, operations, sources, and methods, as well as information relating to the identities of personnel engaged in counter-terrorism activities. The document is withheld in part on the basis of FOIA exemptions b(1), (3), b(6), and b(7)(A). The Agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) (a) over the information the Agency proposed to release, which has resulted in the document being denied in full.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended,

50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(6) - This document contains information relating to [describe nature of information] derived from the [personnel, medical, or similar] files of a CIA employee the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of this information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 19

Date of Document: 1/13/2003

Document Type: Email

Classification: Top Secret

From/To:

Subject: Status of maintaining video recordings

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 is a two-page email, with a cable attachment from field to headquarters. It is a status response to the maintainance of video recordings. The document contains information about classified intelligence operations, sources, and methods. The document also contains pre-decisional, deliberative information and information relating to the identities of personnel engaged in counter-terrorism operations. This document is withheld in full on the basis of FOIA exemption b(5) and in part on the basis of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees, and thus is protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 20

Date of Document: 4/17/2002

Document Type: Cable

Classification: Top Secret

From/To:

Subject: Guidance on retention of videotapes

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 is a two-page cable providing guidance on the retention of video tapes. This document contains information relating to classified locations of CIA facilities, intelligence, operations, sources, and methods. The document also contains predecisional, deliberative information provided by a CIA attorney to his client for the purpose of providing legal advice, as well as information relating to the identities of personnel engaged in counter-terrorism operations. The document is withheld in part on the basis of FOIA exemption b(5) and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization and functions of the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains confidential communications between a CIA attorney and CIA officer relating to a matter for which the officer sought legal advice. It was prepared by the CIA attorney with the joint expectation of the attorney and employee that it would be held in confidence, and it has been held in confidence. Likewise, this document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees. Therefore, this document is protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 21

Date of Document: XX/13/2003

Document Type: Email

Classification: Top Secret

From/To:

Subject: Guidance on retention of videotapes

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 is a two-page email, with a cable attached, from headquarters to field providing instructions on how to retain the video tapes. This document contains information relating to classified locations of CIA facilities, intelligence, operations, sources, and methods. This document also contains predecisional, deliberative information, exchanged between CIA officers and attorneys in connection with the provision of legal advice, as well as information relating to the identities of personnel engaged in counter-terrorism operations, and is denied in full on the basis of FOIA exemption b(5) and in part on the basis of FOIA exemptions b(1) and b(3).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains confidential communications between a CIA attorney and CIA officer relating to a matter for which the officer sought legal advice. It was prepared by the CIA attorney with the joint expectation of the attorney and employee that it would be held in confidence, and it has been held in confidence. This document also contains information, legal analysis, and opinion prepared by a CIA attorney in contemplation of criminal, civil, and administrative proceedings. It was prepared by the CIA attorney with the expectation of the attorney that it would be held in confidence, and it has been held in confidence. This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees. Therefore, this document is protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 22

Date of Document: 10/5/2007

Document Type: Email

Classification: Secret

From/To:

Subject: Videotapes-cable granting approval

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 one-page email, between CIA officers, approving destruction of tapes. This document contains information relating to the names of CIA employees and organizational information. The document is withheld in part on the basis of FOIA exemptions b(1), (3), b(6), and b(7)(A). The agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) over the information the Agency proposed to release, which has resulted in the document being denied in full.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 23

Date of Document: 11/25/2005

Document Type: Email

Classification: Secret

From/To:

Subject: Short backgrounder of tape destruction

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 is a three-page email chain that provides background information on the tape destruction. This document contains information relating to classified intelligence operations and methods, as well as information prepared by CIA attorneys in anticipation of litigation and communicated between CIA attorneys and their clients in connection with the provision of legal advice, as well as the identities of personnel engaged in counter-terrorism operations. The document is withheld in part on the basis of FOIA exemptions b(1), (3), b(5), b(6), and b(7)(A). The Agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) over the information the Agency proposed to release, which has resulted in the document being denied in full.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document also contains information relating to the names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information created by an attorney or the attorney's agent in anticipation of litigation, as well as information communicated between attorneys and clients in connection with the

provision of legal advice. The information has been kept in confidence and therefore is protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 24

Date of Document: 11/10/2005

Document Type: Email

Classification: Secret

From/To:

Subject: AZ tape destruction

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 one-page email from a CIA attorney to CIA officers discussing the fact that the video tapes have been destroyed. This document contains information relating to classified intelligence operations and methods, as well as information created by an attorney in anticipation of litigation and conveyed to the client in connection with the provision of legal advice. The document also contains information relating to the identities of personnel engaged in counter-terrorism operations. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to the intelligence methods, organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information, legal analysis, and opinion prepared by a CIA attorney in contemplation of criminal, civil, and administrative proceedings. It was prepared by the CIA attorney with the

expectation of the attorney that it would be held in confidence, and it has been held in confidence. This document also contains confidential communications between a CIA attorney and CIA officer relating to a matter for which the officer sought legal advice. It was prepared by the CIA attorney with the joint expectation of the attorney and employee that it would be held in confidence, and it has been held in confidence. This document is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 25

Date of Document: 9/25/2007

Document Type: Email

Classification: Top Secret

From/To:

Subject: AZ Tapes

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 is a two-page email, with attachments, discussing the review and disposition of video tapes. The document contains information about classified intelligence operations and methods. The document also contains information relating to confidential communications between CIA attorneys, made in anticipation of litigation in connection to the provision of legal advice, as well as information relating to the identities of personnel engaged in counter-terrorism operations. The document is withheld in full on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to the intelligence methods, organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information, legal analysis, and opinion prepared by a CIA attorney in contemplation of criminal, civil, and administrative proceedings. It was prepared by the CIA attorney with the

expectation of the attorney that it would be held in confidence, and it has been held in confidence. This document also contains confidential communications between CIA attorneys. It was prepared by the CIA attorneys with the joint expectation of the attorneys that it would be held in confidence, and it has been held in confidence. Therefore, this information is protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456
Document Number: 26
Date of Document: 11/10/2004
Document Type: Email
Classification: Top Secret
From/To:
Subject: Memo w/OIG comment on tape disposition
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 is a two-page email chain on the video tapes and OIG's open investigation. The document contains information about classified intelligence operations, sources, and methods. The document contains CIA organizational information. The documents also contains identifying information of personnel engaged in counter-terrorism activities. The document also contains information for the purpose of obtaining legal advice. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to the intelligence methods, organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains confidential communications between a CIA attorney and a CIA officer relating to a matter for which the CIA officer sought legal advice. It was prepared by the CIA attorney with

the joint expectation of the attorney and employee that it would be held in confidence, and it has been held in confidence. These privileged attorney-client communications are thus protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 27

Date of Document: 7/28/2005

Document Type: Email

Classification: Top Secret

From/To:

Subject: DNI news

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 one-page email with a CIA attorney's opinion, conveyed to his client, regarding the DNI's position the destruction of the videotapes. The document contains information that relates to classified intelligence, sources, and methods. The documents also contain predecisional, deliberative information, as well as information regarding the identity of personnel engaged in counter-terrorism operations. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains predecisional deliberative information protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 28

Date of Document: 2/22/2003

Document Type: Email

Classification: Top Secret

From/To:

Subject: Harmon Letter

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 one-page email, discussing a meeting between CIA and the White House regarding the CIA's response to a congressional inquiry. The document also includes the draft text of a letter to Congress. This document contains information relating to the methods and organization of the CIA. The document also contains predecisional, deliberative information, CIA attorney work-product, and information provided by a CIA attorney to his client in connection with the provision of legal advice. The document also contains information relating to the identities of personnel engaged in counter-terrorism operations. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(3), and b(6).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government employees, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in

counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 29

Date of Document: UNDATED

Document Type: Email

Classification: Secret

From/To:

Subject: Meeting on disposition of AZ tapes

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 one-page email that on scheduling a meeting to discuss the disposition of the video tapes. This document contains information related to the methods and organization of the CIA, as well as identifying information of personnel engaged in counter-terrorism activities. The Agency was prepared to release this document in part, but Special Prosecutor Durham has claimed FOIA Exemption b(7) over the information the Agency proposed to release, which has resulted in the document being denied in full. The document is withheld in part on the bases of FOIA exemptions b(3), b(6), and b(7)(A).

Exemption b(3) - This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Exemption b(7) - This document contains information compiled for law enforcement purposes the disclosure of which could reasonably be expected to interfere with enforcement proceedings, and thus is protected from disclosure

by Exemption b(7)(A).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456
Document Number: 30
Date of Document: 2/19/2003
Document Type: Interview Report
Classification: Top Secret
From/To:
Subject: Review of interrogations
Document Pages: 8

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 an eight-page interview report for review of the interrogations for counterterrorism purposes. The document contains information relating to the interrogation of Abu Zubaydah, including information relating to classified counter-terrorism operations, sources, and methods. This document also contains information created by CIA attorneys in anticipation of litigation and conveyed to the client in connection with the provision of legal advice. The document contains identifying information of personnel engaged in counter-terrorism activities. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended,

50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) – This document contains information created by a CIA attorney in anticipation of litigation and conveyed to the client for the purpose of providing legal advice to the client. The communications were made with the expectation that they would remain in confidence and have remained so. Therefore this information is protected from disclosure by Exemption b(5)

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 31

Date of Document: 4/12/2004

Document Type: Email

Classification: Top Secret

From/To:

Subject: Handling of Tapes

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 is a two-page email discussing what actions would make the tapes an official record. This document also contains information relating to the organization of the CIA. The documents also contain identifying information of personnel engaged in counter-terrorism activities, as well as attorney-client, work product, pre-decisional, and deliberative information. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemptions b(3) and b(6). This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemptions b(3) and b(6).

Exemption b(3) - This document contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government employees, as well as CIA attorney work product conveyed for the purposes of soliciting legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal

privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 32

Date of Document: 2/19/2003

Document Type: Email

Classification: Secret

From/To:

Subject: Draft-response to Harmon letter

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 one-page email commenting on a draft letter to Congress. This document information relating to the organization and methods of the CIA as well as attorney-client information that was obtained for the purpose of obtaining legal advice and was prepared by an attorney in anticipation of litigation. The documents also contains personal identifiable information of personnel engaged in counter-terrorism operations. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemptions (3) and b(6).

Exemption b(3) - Exemption b(3) - This document contains information relating to intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) – This document contains information created by an attorney or the attorney’s agent in anticipation of litigation and conveyed between the attorney and client in connection with the provision of legal advice. The information has been kept in confidence by the attorney and client and therefore is protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 33

Date of Document: 2/7/2003

Document Type: Email

Classification: Unclassified

From/To:

Subject: Request of tape copies

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 one-page email on how to best accommodate a request for review of video tapes, without complicating security issues. The document contains information relating to the locations of a CIA facility and personal identifiable information of personnel engaged in counter-terrorism operations. The document also contains attorney-client, work product, pre-decisional, and deliberative information. The document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemptions b(3) and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government employees, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore

protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 34

Date of Document: 1/12/2003

Document Type:

Classification: Top Secret

From/To:

Subject: Official record question regarding tapes

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 one-page email asking what actions will make the video tapes an official record. This document contains information relating to the organizational structure of the CIA and contains personal identifiable information of personnel engaged in counter-terrorism operations. The document contains attorney-client, work product, pre-decisional, and deliberative information. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemptions b(3) and b(6).

Exemption b(3) - This document contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government employees, as well as CIA attorney work product conveyed in connection to the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose

privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 35

Date of Document: 1/12/2003

Document Type: Email

Classification: Top Secret

From/To:

Subject: Official record question regarding tapes

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 one-page email proposing how to reference the video tapes for a briefing. The document contains information relating to the organization of the CIA and names of CIA officers. The document also contains attorney-client, work product, pre-decisional, and deliberative information. The documents also contains personal identifiable information of CIA officers. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemption b(3) and b(6).

Exemption b(3) - This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - Exemption b(5) - This document contains information relating predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government employees, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose

privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 36

Date of Document: 1/12/2003

Document Type: Memo

Classification: Top Secret

From/To:

Subject: Official record question regarding tapes

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 is a two-page email informing and reminding CIA officers of the question, what actions make the video tapes an official record. This document contains information relating to the organization of the CIA, as well as attorney-client, work product, pre-decisional, and deliberative information. The document also contains information relating to the identities of personnel engaged in counter-terrorism operations. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemptions b(3) and b(6).

Exemption b(3) - This document contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government employees, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose

privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 37

Date of Document: 1/9/2003

Document Type: MFR

Classification: Top Secret

From/To:

Subject: Reiview of Interrogation Tapes

Document Pages: 6

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 six-page memorandum summarizing the review of the interrogation videotapes of two detainees. The document contains information about classified intelligence operations, sources, and methods. The documents also contains identifying information of CIA personnel engaged in counter-terrorism activities. This document contains predecisional, deliberative information created by an attorney in anticipation of litigation and in connection to the provision of legal advice to the client. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemption b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) – This document contains information relating predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government employees, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 38

Date of Document: 12/24/2002

Document Type:

Classification: Unclassified

From/To:

Subject: Change to first draft Memo on disposition of AZ videotapes

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 is a two-page email that discusses the the first draft of a memo regarding the disposition of the interrogation video tapes. The document contains organizational information relating to the structure of the CIA. This document was also completed by an attorney in the anticipation of litigation and contains deliberative, predecisional information conveyed in connection with the provision of legal advice. The documents also contains personal identifiable information of personnel engaged in counter-terrorism operations. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(3) and b(6).

Exemption b(3) - This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government employees, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose

privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 39

Date of Document: 12/24/2002

Document Type: Email

Classification: Unclassified

From/To:

Subject: Tapes-CTC memorandum re tapes

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 one-page email confirming receipt of a copy of a memorandum and the writing of a cover memorandum regarding the interrogation video tapes. The document contains information relating to classified intelligence operations and methods, as well as predecisional, deliberative information, created by a CIA attorney and conveyed to the client in confidence in connection with the provision of legal advice. The document also contains identifying information of personnel engaged in counter-terrorism activities. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating predecisional deliberations, including

preliminary evaluations, opinions, and recommendations of government employees, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 40

Date of Document: 12/23/2002

Document Type: Email

Classification: Unclassified

From/To:

Subject: First cut at Memo on disposition of AZ videotapes

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 one-page email regarding a draft memo drafted by CIA OGC regarding the tapes. The document contains information relating to intelligence the organization of the CIA and names of CIA personnel, as well as predecisional, deliberative information, created by a CIA attorney and conveyed in confidence in connection with the provision of legal advice. The document also contains identifying information of personnel engaged in counter-terrorism activities. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemptions b(3), and b(6).

Exemption b(3) - This document contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government employees, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal

privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 41

Date of Document: 12/23/2002

Document Type:

Classification: Confidential

From/To:

Subject: First cut at Memo on disposition of AZ videotapes

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 is a two-page email with draft language for a memo on the disposition of the video tapes. This document contains information relating to the organization of the CIA and its employees. This document contains pre-decisional, deliberative information completed by an attorney in the anticipation of litigation in connection with the provision of legal advice. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemption b(3) and b(6).

Exemption b(3) - This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government employees, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose

privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 42

Date of Document: 12/20/2002

Document Type: Email

Classification: Secret

From/To:

Subject: Draft/outline of leaks memo turn into memo form

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 is a two-page email that is requesting formatting of an attached three-page memorandum. The memorandum requests approval for the destruction of the video tapes. This document also contains information relating to classified intelligence sources and methods as well as identifying information of personnel engaged in counter-terrorism activities. The document also contains information created by an attorney in anticipation of litigation and provided in connection with the provision of legal advice. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(1), b(3) and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information created by an attorney or the attorney's agent in anticipation of litigation and conveyed between the attorney and client in connection with the provision of legal advice. The information has been kept in confidence by the attorney and client and therefore is protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 43

Date of Document: 12/20/2002

Document Type: Email

Classification: Top Secret

From/To:

Subject: Companion email-short decision note on tapes issue

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 is a two-page email providing guidance on a short note decision response to groups of interest on the disposition of the video tapes. The email contains information relating to classified intelligence operations, sources, and methods, as well as identifying information of personnel engaged in counter-terrorism activities. The document also contains information relating to the organization of the CIA. This document was completed by an attorney in the anticipation of litigation and contains pre-decisional deliberative information provided in connection with the provision of legal advice. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended,

50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) – This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government attorneys, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 44

Date of Document: 12/19/2002

Document Type: Email

Classification: Secret

From/To:

Subject: Cable in coordination-destruction of tapes currently held at field

Document Pages: 4

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 four-page email, with an attached cable, regarding cable coordination. The document contains information that relates to locations of CIA facilities, as well as classified intelligence operations, sources and methods. The email also contains information the identities of personnel engaged in counter terrorism operations. This document contains pre-decisional, deliberative information created by an attorney in anticipation of litigation and conveyed in connection with the provision of legal advice. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government attorneys, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 45

Date of Document: 12/19/2002

Document Type: Email

Classification: Top Secret

From/To:

Subject: Short decision note on tapes issue

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 is a two-page email requesting a draft of a short note decision response to groups of interest on the disposition of the video tapes. This document contains information that relates to locations of CIA facilities and the organizational structure of the CIA, as well as information on classified intelligence operations sources and methods. The document contains personal identifiable information of CIA officers. The document also contains pre-decisional and deliberative information conveyed by a CIA attorney in connection with the provision of legal advice.

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel, as well as communications between an attorney and client, made and kept in confidence, for the purpose of the attorney providing the client legal advice, and is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 46

Date of Document: 12/3/2002

Document Type: Email

Classification: Top Secret

From/To:

Subject: Classified tape destruction plan for field tapes

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 one-page email outlining the destruction plan for video tapes. The document contains information that relates to locations of CIA facilities, organizational structure, as well as intelligence sources and methods. The document contains personal identifiable information of CIA officers. The document also contains predecisional, deliberative information, conveyed for the purposes of obtaining legal advice. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemption b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel, as well as communications between an attorney and client, made and kept in confidence, for the purpose of the attorney providing the client legal advice, and is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 47

Date of Document: 12/1/2002

Document Type: Email

Classification: Secret

From/To:

Subject: Notes

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 is a two-page email that discusses the notes of a CIA attorney. The document contains information that relates to locations of CIA facilities, organizational structure, as well as intelligence sources and methods. This document contains pre-decisional deliberative information, created in anticipation of litigation and conveyed by for the purpose of providing legal advice. The documents also contain identifying information of personnel engaged in counter-terrorism activities. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government attorneys, as well as CIA attorney work product conveyed for the purposes of soliciting legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 48

Date of Document: 11/16/2002

Document Type: Email

Classification: Top Secret

From/To:

Subject: Videotapes

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 is a three-page email, forwarding two additional emails, between CIA attorneys, discussing draft language on the logistics of destroying the tapes. The document contains information relating to classified intelligence operations and methods. This document contains identifying information of personnel engaged in counter-terrorism activities and the communication was for the purpose of obtaining legal advice. This document was also completed by an attorney in the anticipation of litigation and contains pre-decisional deliberative information. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the basis of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended,

50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government attorneys, as well as CIA attorney work product conveyed for the purposes of obtaining legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 49

Date of Document: 11/16/2002

Document Type: Email

Classification: Top Secret

From/To:

Subject: Videotapes

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 one-page email from a CIA officer in the field to a CIA attorneys and officers at headquarters, informing headquarters of personnel concerns regarding the videotapes. The document contains information relating to locations of CIA facilities, as well as classified information relating to intelligence operations, sources, and methods. This document contains predecisional, deliberative information conveyed in connection with the provision of legal advice. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel, as well as communications between an attorney and client, made and kept in confidence, for the purpose of the attorney providing the client legal advice, and is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456
Document Number: 50
Date of Document: 11/15/2002
Document Type: Email
Classification: Top Secret
From/To:
Subject: Videotapes-response
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 is a three-page email chain, including an email from a CIA officer in the field to CIA officers and attorneys at headquarters expressing personnel concerns with the disposition of the video tapes and headquarters request to have a random independent review of the video tapes, before they are destroyed, discussed in a two-page email from a CIA attorney at headquarters to the field that is also part of the email chain. The document contains information on classified intelligence operations, sources, and methods. The document also contains information that relates to location of CIA facilities and organizational information, as well as identifying information of personnel engaged in counter-terrorism activities. This document contains predecisional information conveyed in connection with the provision of legal advice, some of which was created in anticipation of litigation. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This

document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government attorneys, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 51

Date of Document: 11/15/2002

Document Type: Email

Classification: Top Secret

From/To:

Subject: Videotapes-response

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 one-page email from headquarters to field informing field of headquarters' request to have a random independent review of the video tapes, before they are destroyed. The document contains information about classified intelligence operations, sources, and methods. The document contains communication between CIA attorney and client for the purpose of obtaining legal advice, as well as identifying information of personnel engaged in counter-terrorism activities. The document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains communications between an attorney and client conducted for the purpose of allowing the attorney to provide legal advice to the client. The communications were made with the expectation that they would remain in confidence and have remained so. They are therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 52

Date of Document: 11/15/2002

Document Type: Email

Classification: Top Secret

From/To:

Subject: Video tapes

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 one-page email from CIA headquarters to field informing field of request to have a random independent review of the video tapes, before they are destroyed, to ensure accuracy. The document contains information relating to classified intelligence operations and methods, as well as communication between CIA attorney and client for the purposes of obtaining legal advice and information relating to the identities of personnel engaged in counter-terrorism operations. The document is withheld in its entirety on the basis of FOIA exemption b(5) and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains communications between an attorney and client conducted for the purpose of allowing the attorney to provide legal advice to the client. The communications were made with the expectation that they would remain in confidence and have remained so. They are therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 53

Date of Document: 11/6/2002

Document Type: Email

Classification: Secret

From/To:

Subject: Tapes issue

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 one-page email from a CIA officer to CIA officers and attorneys following up with the proper procedures for destruction of the interrogation video tapes. The document contains information that relates to classified intelligence sources and methods. This document contains predecisional, deliberative information conveyed for the purpose of obtaining legal advice. The document also contains CIA organization information and identifying information of personnel engaged in counter-terrorism activities. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel, as well as communications between an attorney and client, made and kept in confidence, for the purpose of the attorney providing the client legal advice, and is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)

Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 54

Date of Document: 9/6/2002

Document Type: Email

Classification: Secret

From/To:

Subject: Videotapes-add point to redrafted cable

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 one-page email between CIA attorneys on the revisions of a draft cable regarding the disposition of the video tapes. The document contains information that relates to classified intelligence operations and methods, as well as identifying information of personnel engaged in counter-terrorism activities. This document also contains predecisional, deliberative information, communicated between CIA attorneys, created in anticipation of litigation and conveyed for the purpose of obtaining legal advice. The document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(1), b(3) and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document also contains information relating to the organization and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government attorneys, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from

disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH

OIG Documents

FOIA/PA Request No.: F-2004-01456

Document Number: 55

Date of Document: 9/6/2002

Document Type: Email

Classification: Secret

From/To:

Subject: Destruction proposal on disposition of videotapes at field

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 is a five-page email, between CIA attorneys, regarding a draft of a cable discussing the disposition of the video tapes. This document contains information relating to the location of CIA facilities, as well as classified intelligence, sources, and methods. The documents also contain identifying information of personnel engaged in counter-terrorism activities. This document contains predecisional information, created in anticipation of litigation, and conveyed in connection with the provision of legal advice. This document is withheld in its entirety on the basis of FOIA exemption b(5), and in part on the bases of FOIA exemptions b(1), b(3), and b(6).

Exemption b(1) - This document contains information relating to intelligence activities (including special activities), intelligence sources, intelligence methods, and foreign relations or foreign activities of the United States, including confidential sources, that is properly classified pursuant to section 1.4(c) and 1.4(d) of Executive Order 12958, as amended, and is thus protected from disclosure by Exemption b(1).

Exemption b(3) - This document contains information relating to intelligence sources and intelligence methods that is specifically exempted 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. 2008) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3). This document also contains information relating to the organization, functions, and names of persons employed by the CIA that is specifically exempted from disclosure by section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government attorneys, as well as CIA attorney work product conveyed in connection with the provision of legal advice. The information is therefore protected from disclosure by Exemption b(5).

Exemption b(6) - This document contains information relating to the identities of personnel engaged in counterterrorism operations, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The public interest in disclosure of the information does not outweigh the harm to the individual whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

Case Number: 04-cv-4151 (SDNY)
Judge's Initials: AKH