

ACLU v. DOD Final Production

FOIA/PA Request No.: F-2004-01456
Document Number: 121
Date of Document: 01/08/2003
Document Type: Memo
Classification: Secret
From/To: HQ/HQ
Subject: Lessons for the Future
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 document is a six-page memo with an embedded cable discussing possible lessons for the interrogation program. The document contains information relating to classified intelligence sources and methods, as well as the identities of personnel engaged in counter-terrorism operations. The document also contains predecisional information created by CIA attorneys in anticipation of litigation and provided to the client as part of the CIA's deliberative process. 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) – 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 individuals whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

ACLU v. DOD Final Production

FOIA/PA Request No.: F-2004-01456
Document Number: 122
Date of Document: 09/10/2003
Document Type: Memo
Classification: Top Secret
From/To: HQ/HQ
Subject: Destruction of Detainee Videotapes
Document Pages: 5

FOIA Exemptions:

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

Privacy Act Exemptions:

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

Disposition:

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

Document Description:

This document is a five-page draft memo discussing the possible legality of a proposal to destroy the tapes. The document contains information relating to classified intelligence operations, sources, and methods, as well as the identities of personnel engaged in counter-terrorism operations. The documents also contain predecisional, deliberative information created by CIA attorneys in anticipation of litigation and used as part of the CIA's deliberative process. 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 government attorneys created in anticipation of litigation, 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 individuals whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

ACLU v. DOD Final Production

FOIA/PA Request No.: F-2004-01456
Document Number: 123
Date of Document: 09/10/2003
Document Type: Memo
Classification: Top Secret
From/To: HQ/HQ
Subject: Destruction of Videotapes
Document Pages: 5

FOIA Exemptions:

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

Privacy Act Exemptions:

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

Disposition:

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

Document Description:

This document is a draft five-page memo discussing the possible legality of a proposal to destroy the tapes. The document contains information relating to classified intelligence operations, sources, and methods, as well as the identities of personnel engaged in counterterrorism operations. The documents also contain predecisional, deliberative information created by CIA attorneys in anticipation of litigation. 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).

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

ACLU v. DOD Final Production

FOIA/PA Request No.: F-2004-01456
Document Number: 124
Date of Document: 09/10/2003
Document Type: Memo
Classification: Top Secret
From/To: HQ/HQ
Subject: Destruction of Videotapes
Document Pages: 7

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 seven-page draft memo discussing the possible legality of a proposal to destroy the tapes. The document contains information relating to classified intelligence operations, sources, and methods, as well as the identities of personnel engaged in counterterrorism operations. The documents also contain predecisional, deliberative information created by CIA attorneys in anticipation of litigation. 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 predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government attorneys created in anticipation of litigation, 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 individuals whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

ACLU v. DOD Final Production

FOIA/PA Request No.: F-2004-01456
Document Number: 125
Date of Document: 09/11/2003
Document Type: Memo
Classification: Top Secret
From/To: HQ/HQ
Subject: Destruction of videotapes
Document Pages: 5

FOIA Exemptions:

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

Privacy Act Exemptions:

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

Disposition:

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

Document Description:

This document is a five-page memo discussing the possible legality of a proposal to destroy the tapes. The document contains information relating to classified intelligence operations, sources, and methods, as well as the identities of personnel engaged in counter-terrorism operations. The documents also contain predecisional, deliberative information created by CIA attorneys in anticipation of litigation. 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 government attorneys created in anticipation of litigation, 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 individuals whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

ACLU v. DOD Final Production

FOIA/PA Request No.: F-2004-01456
Document Number: 126
Date of Document: 09/12/2003
Document Type: Memo
Classification: Top Secret
From/To: HQ/HQ
Subject: Destruction 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 document is a four-page memo discussing the possible legality of a proposal to destroy the tapes. The document contains information relating to classified intelligence operations, sources, and methods, as well as the identities of personnel engaged in counter-terrorism operations. The documents also contain predecisional, deliberative information created by CIA attorneys in anticipation of litigation. 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 government attorneys created in anticipation of litigation, 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 individuals whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

ACLU v. DOD Final Production

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

Document Number: 127

Date of Document: 01/XX/2004

Document Type: Memo

Classification: Top Secret

From/To: HQ/HQ

Subject: Special Review

Document Pages: 170

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 170-page draft copy of the CIA Office of the Inspector General's Special Review of the CIA Detention and Interrogation program. The document contains information relating to classified intelligence operations, sources, and methods, as well as the identities of personnel engaged in counter-terrorism activities. The document also contains predecisional deliberative information used by the CIA as part of its deliberative process. 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 predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government 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 individuals whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

ACLU v. DOD Final Production

FOIA/PA Request No.: F-2004-01456
Document Number: 128
Date of Document: 07/27/2005
Document Type: MFR
Classification: Top Secret
From/To: HQ/Record
Subject: Disposition of Abu Zubaydah 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 memorandum for the record regarding a meeting to discuss the possible disposition of the videotapes. The document contains information relating to classified intelligence operations, as well as the identities of personnel engaged in counter-terrorism operations. The document also contains deliberative information created by CIA attorneys in anticipation of litigation and transmitted to presidential advisors in connection with the provision of legal advice as part of the United States Government's deliberative process. 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 predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government employees, including presidential advisors, 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 individuals whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

ACLU v. DOD Final Production

FOIA/PA Request No.: F-2004-01456
Document Number: 129
Date of Document: 08/19/02
Document Type: Cable
Classification: Secret
From/To: Field/HQ
Subject: Lessons for the future
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 document is a six-page cable discussing lessons for the future based on the CIA experience. The document discusses several areas, including logistics, security, and legal issues. The document contains information relating to classified intelligence operations, sources, and methods, as well as the identities of personnel engaged in counter-terrorism activities. The document also contains information drafted by a CIA attorney in anticipation of litigation and in connection with the provision of legal advice as well as predecisional deliberative information used by the CIA as part of its deliberative process. 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).

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

ACLU v. DOD Final Production

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

Document Number: 130

Date of Document: 08/19/2002

Document Type: Cable

Classification: Secret

From/To: Field/HQ

Subject: Lessons for the Future

Document Pages: 5

FOIA Exemptions:

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

Privacy Act Exemptions:

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

Disposition:

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

Document Description:

This document is a five-page cable discussing lessons for the future based on CIA experience. The document discusses several areas, including logistics, security, and legal issues. The document contains information relating to classified intelligence operations, sources, and methods, as well as the identities of personnel engaged in counter-terrorism activities. The document also contains information drafted by a CIA attorney in anticipation of litigation and in connection with the provision of legal advice, as well as predecisional deliberative information used by the CIA as part of its deliberative process. 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) – 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 individuals whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

ACLU v. DOD Final Production

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

Document Number: 131

Date of Document: 08/20/2002

Document Type: Cable

Classification: Top Secret

From/To: Field/HQ

Subject: Instituting a formal policy re: 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 discussing a proposed policy regarding the use of videotapes in interrogations. 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 used by CIA officers as part of the CIA's decision making process. 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 intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government 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 individuals whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).

ACLU v. DOD Final Production

FOIA/PA Request No.: F-2004-01456
Document Number: 132
Date of Document: 10/25/2002
Document Type: Cable
Classification: Secret
From/To: HQ/Field
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 CIA Headquarters to the field discussing a proposal to destroy the videotapes. 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 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 individuals 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).

ACLU v. DOD Final Production

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

Document Number: 133

Date of Document: 10/27/2002

Document Type: Cable

Classification: Top Secret

From/To: Field/HQ

Subject: 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 consists of one-page of excerpts from two cables discussing the use of the videotapes. The document contains information related to classified intelligence operations and methods as well as the identities of personnel engaged in counterterrorism activities. 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 individuals 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).

ACLU v. DOD Final Production

FOIA/PA Request No.: F-2004-01456
Document Number: 134
Date of Document: 11/02/2002
Document Type: Cable
Classification: Secret
From/To: HQ/Field
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 document is a two-page cable regarding discussions on how to handle the videotapes. The document contains information relating to classified intelligence operations and methods and the identities of personnel engaged in counter-terrorism activities. The document also contains predecisional information used by the CIA as part of its deliberative process. 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 intra-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government 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 individuals whose privacy would be violated, and thus the information is protected from disclosure by Exemption b(6).