



U.S. Department of Justice

Office of Legal Counsel

Washington, D.C. 20530

June 13, 2016

Dror Ladin
Staff Attorney
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, New York 10004
dladin@aclu.org

Re: FOIA Tracking No. FY15-098; ACLU v. DOD et al., No. 15-cv-9317 (SDNY)

Dear Mr. Ladin:

This letter responds to your August 14, 2015 Freedom of Information Act ("FOIA") request to the Office of Legal Counsel ("OLC"), in which you sought "records listed in [an] attached table" that pertain to "the Executive Summary of the Senate Select Committee on Intelligence ('SSCI') *Study of the CIA's Detention and Interrogation Program.*" As you know, the request is also the subject of the above-captioned litigation. Pursuant to 28 C.F.R. § 16.5(b), your request was processed in the expedited track.

OLC has processed nine records responsive to your request. One of those records is enclosed in full. One record is enclosed with redactions pursuant to FOIA Exemption Six, 5 U.S.C. § 552(b)(6). Disclosure of the material redacted pursuant to Exemption Six would constitute a clearly unwarranted invasion of personal privacy. The remaining seven records are enclosed with redactions pursuant to FOIA Exemptions One and Three, § 552(b)(1), (3). The material redacted pursuant to Exemption One is classified national security information, and the material redacted pursuant to Exemption Three is specifically exempted from disclosure by Section 6 of the Central Intelligence Agency Act of 1949, 50 U.S.C. § 3507, and/or Section 102A(i)(1) of the National Security Act of 1947, 50 U.S.C. § 3024(i)(1), as indicated on the documents.

You may access the nine records on the enclosed CD-ROM. The files are encrypted and may be opened using the password "LadinACLU15-098" with the included decryption software.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Although your request is the subject of ongoing litigation, and administrative appeals are not ordinarily acted upon in such situations, I am required by statute and regulation to inform

you of your right to file an administrative appeal. You may submit an appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <http://www.justice.gov/oip/efoia-portal.html>. Your appeal must be postmarked or transmitted electronically within sixty days from the date of this letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



Paul P. Colborn
Special Counsel

cc: Tara M. LaMorte
Assistant United States Attorney
Southern District of New York

Sarah S. Normand
Assistant United States Attorney
Southern District of New York

Enclosures