

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

AMERICAN CIVIL LIBERTIES UNION,  
CENTER FOR CONSTITUTIONAL RIGHTS,  
PHYSICIANS FOR HUMAN RIGHTS,  
VETERANS FOR COMMON SENSE, and  
VETERANS FOR PEACE,

Plaintiffs,

v.

04 Civ. 4151 (AKH)

DEPARTMENT OF DEFENSE, AND ITS  
COMPONENTS DEPARTMENT OF ARMY,  
DEPARTMENT OF NAVY, DEPARTMENT OF  
AIR FORCE, DEFENSE INTELLIGENCE  
AGENCY; DEPARTMENT OF HOMELAND  
SECURITY; DEPARTMENT OF JUSTICE,  
AND ITS COMPONENTS CIVIL RIGHTS  
DIVISION, CRIMINAL DIVISION,  
OFFICE OF INFORMATION AND PRIVACY,  
OFFICE OF INTELLIGENCE POLICY AND  
REVIEW, FEDERAL BUREAU OF  
INVESTIGATION; DEPARTMENT OF STATE;  
and CENTRAL INTELLIGENCE AGENCY,

Defendants.

---

**DECLARATION OF MARILYN A. DORN  
INFORMATION REVIEW OFFICER  
CENTRAL INTELLIGENCE AGENCY**

I, MARILYN A. DORN, hereby declare and say:

1. I am the Information Review Officer (IRO) for the Directorate of Operations (DO) of the Central Intelligence Agency (CIA). After serving one and a half years as Associate DO/IRO, I was appointed to my current position on

1 August 2003. In addition, I am the Chief of the Information Authorities Group of the Policy and Community Action Staff for the DO.

2. The DO is the organization within the CIA responsible for the clandestine collection of foreign intelligence from human sources. As DO/IRO, I am responsible for the review of records maintained by offices in the DO that may be responsive to Freedom of Information Act (FOIA) and Privacy Act (PA) requests, as well as requests from the Department of Justice in criminal and civil litigation. As part of my official duties, I ensure that determinations as to the release or withholding of information related to the CIA are proper and do not jeopardize CIA interests, personnel, or facilities, and, on behalf of the Director of Central Intelligence, do not jeopardize intelligence activities, sources, or methods.

3. The Executive Director of the CIA has appointed me Records Validation Officer (RVO) for purposes of this and certain other litigation. As RVO, I am authorized access to all CIA records on any subject relevant to this litigation, and am authorized to sign declarations on behalf of CIA regarding CIA searches of records systems and the contents of records, including those located in, or

containing information under the cognizance of, CIA directorates other than the DO.

4. As a senior CIA official and under a written delegation of authority pursuant to section 1.3(c) of Executive Order 12958, as amended,<sup>1</sup> I hold original classification authority at the TOP SECRET level. Therefore, I am authorized to conduct classification reviews and to make original classification and declassification decisions. When acting as RVO, which I am doing in this litigation, my original classification and declassification authority extends to all CIA information.

5. Through the exercise of my official duties, I am familiar with this civil action. I make the following statements based upon my personal knowledge and information made available to me in my official capacity.

6. The purpose of this declaration is to justify, to the greatest extent possible on the public record, the CIA's response to date to Plaintiffs' 25 May 2004 FOIA request (second request), specifically the 70 items identified in Plaintiffs' 16 August 2004 list. This declaration incorporates by reference the declaration of

---

<sup>1</sup> Executive Order 12958 was amended by Executive Order 13292, effective March 25, 2003. See Exec. Order No. 13292, 68 Fed. Reg. 15315 (Mar. 28, 2003). All citations to Exec. Order No. 12958 are to the Order as amended by Exec. Order No. 13292.

Scott A. Koch, Information and Privacy Coordinator, CIA,  
filed this date.

**THE 16 AUGUST 2004 LIST**

7. On 16 August 2004, Plaintiffs submitted a list of 70 specific items regarding their FOIA request to the U.S. Attorney's Office in this case. CIA's response to date to each item is described below, and Plaintiffs' list is reproduced with CIA's responses summarized in the chart attached to my declaration. Where interpretation of Plaintiffs' request has been required, CIA's interpretation has been informed by Plaintiffs' "Description of Record" and Plaintiffs' "Source of Description" that were included in Plaintiffs' list.

**Documents Originated by Other Agencies**  
**61 Items (Nos. 2-21, 23-28, 32-42, 44-54, 56-60, and 62-69)**

8. Only a small portion of the 70 items on Plaintiffs' list make specific reference to CIA. The vast majority of the items make specific reference to other agencies.

9. Sixty-one of the 70 items (Nos. 2-21, 23-28, 32-42, 44-54, 56-60, and 62-69) make specific reference to other agencies or appear to relate to documents originated by other agencies, including the Departments of Defense,

Justice, and State. Therefore, CIA does not address these items.

**Outside the Scope of FOIA Request**  
**1 Item (No. 30)**

10. Plaintiffs' second FOIA request seeks records concerning the treatment, death, and rendition of detainees in U.S. custody. Item No. 30 seeks a purported study by the CIA raising questions about the significance of detainees held at Guantanamo Bay. CIA interprets Item No. 30 as relating to a purported study raising questions about the foreign intelligence significance of detainees held at Guantanamo Bay. The foreign intelligence significance of detainees held at Guantanamo Bay does not concern the treatment, death, or rendition of detainees in U.S. custody. Therefore, the request in Item No. 30 is outside the scope of Plaintiffs' second FOIA request.

11. To the extent the Court interprets the request in Item No. 30 as being within the scope of Plaintiff's second FOIA request, CIA invokes the Glomar response as described in paragraphs 13 through 18 below.

**Glomar Response**  
**6 Items (Nos. 1, 22, 29-31, and 61)**

12. Plaintiffs' second FOIA request seeks records concerning the treatment, death, and rendition of detainees in U.S. custody. Seven of the 70 items (Nos. 1, 22, 29-31,

43, and 61) make specific reference to CIA. Item No. 43 will be addressed separately in paragraph 19 below.

13. These six remaining items allege specific CIA involvement with the treatment, death, or rendition of detainees in U.S. custody which, if true, would be related to purported clandestine intelligence activities that CIA has not officially acknowledged or denied. Therefore, CIA invokes the Glomar response<sup>2</sup> and asserts that it is not able to confirm or deny whether it has any records relating to its purported involvement in these specific activities related to the treatment, death, or rendition of detainees in U.S. custody because to do so would tend to reveal classified information and intelligence sources and methods that are protected from disclosure by FOIA exemptions (b)(1) and (b)(3).<sup>3</sup>

14. Because the particular requests made by Plaintiffs focus directly on whether or not records exist with respect to certain purported CIA activities and

---

<sup>2</sup> The category of requests in which the Agency neither confirms nor denies the existence of responsive information because that fact itself is classified is commonly referred to as the "Glomar" response, after the ship Glomar Explorer, the subject of the FOIA request in the leading case in this area. See Phillippi v. CIA, 655 F.2d 1325 (D.C. Cir. 1981).

<sup>3</sup> Exemptions (b)(1) and (b)(3) referred to in the attached chart are the exemptions applicable to a Glomar response to neither confirm nor deny the existence of documents. Because CIA neither confirms nor denies the existence of responsive documents, obviously we make no representations about other FOIA exemptions.

subjects of intelligence interest, the requests involve different and narrower circumstances than the typical FOIA request processed by CIA.

15. In this case, the CIA has determined that there are no records reflecting an overt or otherwise acknowledged relationship between CIA and any of the activities that are the subjects of the six items in Plaintiffs' 16 August 2004 List. Therefore, Plaintiffs' request seeks records that would exist only if CIA had engaged in clandestine activities or had clandestine intelligence interests in the subjects of Plaintiffs' request. A CIA response that it had no records responsive to one or more portions of Plaintiffs' request would tend to negate the purported activities or interests and would lessen the burden on foreign intelligence agencies attempting to track the CIA's covert activities, relationships, and intelligence interests. Therefore, I have determined that the mere confirmation or denial of whether documents responsive to those items on Plaintiffs' list exist could reasonably be expected to cause damage to the national security of the United States.

16. In all cases seeking records concerning purported but unacknowledged covert or clandestine CIA activities and subjects of intelligence interest, the CIA must neither

confirm nor deny the existence of any records reflecting such unacknowledged, covert, or clandestine CIA activities or subjects of intelligence interest. This is so because the fact of the existence or nonexistence of records containing such information -- unless, of course, it has been officially acknowledged -- would be classified for reasons of national security pursuant to §1.4(c) (intelligence activities and intelligence sources and methods) and § 1.4(d) (foreign relations or foreign activities of the United States) of Executive Order 12958. Further, the Director of Central Intelligence Agency has the responsibility and authority to protect such information from unauthorized disclosure in accordance with Section 103(c)(7) of the National Security Act of 1947, as amended, 50 U.S.C. § 403-3(c)(7). As such, Plaintiff's request must be denied pursuant to FOIA Exemptions (b)(1) and (b)(3). As in all such instances, this determination and communication neither confirms nor denies the existence of responsive records.

17. As CIA must respond to all such FOIA requests in a consistent manner, to neither confirm nor deny the existence of records responsive to such FOIA requests is the best protection to ensure the security of United States foreign relations and foreign activities, covert and

clandestine CIA operations and activities, and the confidential nature of intelligence sources and methods. For example, should CIA deny that it maintains responsive information only in cases when CIA does not possess such information, a CIA response that refuses to confirm or deny when CIA has information would be tantamount to admitting that CIA possesses such information. Such a policy in responding to such FOIA requests obviously reveals the very information that CIA is attempting to protect (current or past clandestine intelligence interests or activities), provides a valuable advantage to foreign intelligence services, and unduly jeopardizes the CIA's intelligence activities and U.S. foreign relations worldwide. On the other hand, should the CIA admit it maintains records but refuse to produce them, this would disclose the very fact that CIA must protect (current or past clandestine intelligence interests or activities).

18. Therefore, I have determined that the mere confirmation or denial of the existence of responsive records could reasonably be expected to cause damage to national security through the disclosure of intelligence activities and intelligence sources and methods that are properly classified under Executive Order 12958 and protected under FOIA Exemption (b)(1). Further, I have

determined that the confirmation or denial of responsive records in this case could be expected to cause damage to U.S. foreign relations and foreign activities and, therefore, is further properly protected by Executive Order 12958 and FOIA Exemption (b) (1). Finally, I have concluded that the CIA must neither confirm nor deny the existence of responsive records in order to preclude disclosure of intelligence sources and methods that the Director of Central Intelligence is required to protect against disclosure pursuant to section 103(c) (7) of the National Security Act of 1947 and FOIA Exemption (b) (3).<sup>4</sup>

**Still Searching**  
**2 Items (43, 55)**

19. Item No. 43 requests purported documents relating to DCI Tenet's request to Secretary Rumsfeld to hold an Iraqi suspect at a high-level detention center but not be listed on the prison rolls, and Rumsfeld's order implementing that request. Item No. 55 requests a purported UNICEF report. CIA has not located any documents responsive to these requests, but the search continues.

**Denied in Full**  
**1 Item (No. 70: 3 documents)**

---

<sup>4</sup> My determinations are supported by Executive Order 12958, which provides at section 3.6(a): "An agency may refuse to confirm or deny the existence or nonexistence of requested records whenever the fact of their existence or nonexistence is itself classified under this order."

20. Item No. 70 requests all records from any agency relating to the abuse of detainees that were identified for, provided to, and/or sought by Congress, congressional committees, or individual members of Congress, including, but not limited to documents, videotapes, audiotapes, and photographs. CIA has located to date three documents responsive to this request that are denied in their entirety on the basis of FOIA exemptions (b)(1), (b)(2), (b)(3), and (b)(7). The classes of information withheld in each document are specified below, followed by a description of the FOIA exemptions upon which the withholdings are based. There is no reasonably segregable non-exempt information in these documents.

21. Document No. 1 - This is an 11-page document consisting of a one-page routing sheet, four 2-page substantially identical letters dated 30 January 2003 from the Director of Central Intelligence (DCI) to the Chairman and Vice Chairman of the Senate Select Committee on Intelligence (SSCI) and the Chairman and Ranking Democratic Member of the House Permanent Select Committee on Intelligence (HPSCI), plus a single copy of a 2-page memorandum dated 23 January 2003 from the Inspector General to the DCI that was enclosed with each of the original letters. The routing sheet, letters, and memorandum are

classified SECRET and TOP SECRET. Document No. 1 is withheld in its entirety on the basis of FOIA exemptions (b) (1), (b) (2), (b) (3), and (b) (7) (A).

22. Document No. 1 contains information that has been classified in accordance with section 1.4(c) of Executive Order 12958 and is protected from disclosure by exemption (b) (1) because it would tend to reveal intelligence activities, sources, and methods whose disclosure reasonably could be expected to cause serious or extremely grave damage to the national security. The document is similarly exempt from disclosure by exemption (b) (3) pursuant to section 103(c) (7) of the National Security Act of 1957, as amended, 50 U.S.C. § 403-3(c) (7). Document No. 1 also contains internal administrative information that is protected from disclosure by exemption (b) (2). Finally, Document No. 1 contains criminal investigative information that is protected from disclosure by exemption (b) (7) (A) because its disclosure would tend to interfere with a pending law enforcement proceeding.

23. Document No. 2 - This is an 9-page document consisting of a one-page internal distribution sheet and four 2-page substantially identically letters dated 17 July 2003 from the DCI to the Chairman and Vice Chairman of the SSCI and the Chairman and Ranking Democratic Member of the

HPSCI. The internal distribution sheet and letters are classified SECRET. Document No. 2 is withheld in its entirety on the basis of FOIA exemptions (b)(1), (b)(2), (b)(3), and (b)(7)(A).

24. Document No. 2 document contains information that has been classified in accordance with section 1.4(c) of Executive Order 12958 and is protected from disclosure by exemption (b)(1) because it would tend to reveal intelligence activities, sources, and methods whose disclosure reasonably could be expected to cause serious damage to the national security. The document is similarly exempt from disclosure by exemption (b)(3) pursuant to the section 103(c)(7) of the National Security Act of 1957, as amended, 50 U.S.C. § 403-3(c)(7). Document No. 2 also contains internal administrative information that is protected from disclosure by exemption (b)(2). Finally, Document No. 2 contains criminal investigative information that is protected from disclosure by exemption (b)(7)(A) because its disclosure would tend to interfere with a pending law enforcement proceeding.

25. Document No. 3 - This is a 3-page letter from the DCI to the Chairman of HPSCI, with a 1-page routing sheet. The letter is classified TOP SECRET. Document No. 4 is

withheld in its entirety on the basis of FOIA exemptions (b) (1) and (b) (3).

26. Document No. 3 contains information that has been classified in accordance with section 1.4(c) of Executive Order 12958 and is protected from disclosure by exemption (b) (1) because it would tend to reveal intelligence activities, sources, and methods whose disclosure reasonably could be expected to cause serious or exceptionally grave damage to the national security. The document is similarly exempt from disclosure by exemption (b) (3) pursuant to the section 103(c) (7) of the National Security Act of 1957, as amended, 50 U.S.C. § 403-3(c) (7). Document No. 3 also contains internal administrative information that is protected from disclosure by exemption (b) (2).

#### APPLICABLE FOIA EXEMPTIONS

27. The invocation of the Glomar response is made pursuant to, and all of the information withheld in documents that are denied in full falls within, one or more of the following exempt categories of information.

a. the information would tend to reveal intelligence activities, intelligence sources, or intelligence methods; or foreign relations or foreign activities of the United States; and is thus currently and properly classified pursuant section 1.4(c) or (d) of Executive Order 12958, respectively, as its disclosure reasonably could be expected to cause

damage, serious damage, or extremely grave damage to the national security, and is therefore protected from disclosure by FOIA exemption (b)(1);

b. the information relates to internal personnel rules and practices of the CIA, and is therefore exempt from disclosure pursuant to FOIA Exemption (b)(2);

c. the information would tend to reveal intelligence activities, intelligence sources, or intelligence methods which the DCI is responsible for protecting from unauthorized disclosure in accordance with Section 103(c)(7) of the National Security Act of 1947, as amended, 50 U.S.C. § 403-3(c)(7), and is therefore protected from disclosure by FOIA exemption (b)(3);

d. the information would tend to reveal the organization, functions, names, or official titles of personnel employed by the CIA, which the DCI is responsible for protecting from disclosure in accordance with Section 6 of the Central Intelligence Agency Act of 1949, as amended, 50 U.S.C. § 403g, and is therefore protected from disclosure by FOIA exemption (b)(3); and/or

e. the information was compiled for law enforcement purposes and its disclosure reasonably could be expected to interfere with enforcement proceedings, and this is protected from disclosure by FOIA exemption (b)(7)(A).

The categories of information withheld by CIA under each FOIA exemption are described below.

FOIA Exemption (b)(1)

28. FOIA Exemption (b)(1), 5 U.S.C. § 552(b)(1), provides that the FOIA does not apply to matters that are:

(A) specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or

foreign policy and (B) are in fact properly classified pursuant to such Executive Order.

As I will discuss below, the CIA invokes FOIA Exemption (b)(1) to justify its Glomor response and its withholding in full responsive CIA documents.

29. Under the Agency's FOIA program, declassification reviews of information responsive to FOIA requests and classified under E.O. 12958 are conducted to determine whether the information is currently and properly classified. I have determined that the classified information being withheld continues to meet the standards for classification under E.O. 12958. Section 3.1(b) of E.O. 12958 states, "[i]t is presumed that information that continues to meet the classification requirements under this order requires continued protection." I have determined that the CIA information being withheld falls within two of the seven categories for classified information listed in Section 1.4 of E.O. 12958: intelligence activities, intelligence sources or methods (§ 1.4(c)), and foreign relations (§ 1.4(d)). The classified information at issue would tend to reveal intelligence sources or methods. I have determined that all of the information withheld on the basis of FOIA Exemption (b)(1) is within the aforementioned § 1.4 categories for classified information.

Intelligence Activities, Sources and Methods

30. The information withheld under FOIA Exemption (b)(1) involves CIA intelligence activities, sources and methods. This category is also exempt under Exemption (b)(3) as set forth in paragraphs 43-46 of this declaration. The CIA relies on a variety of types of intelligence activities, sources, and methods to collect foreign intelligence critical to our national security.

31. Intelligence sources include individual human sources, foreign or American. In light of the probable consequences of disclosure, individuals and entities are understandably reluctant to cooperate with the CIA unless they can be absolutely certain that the fact of their cooperation will forever remain secret. In addition, the revelation of an intelligence source could provide a foreign intelligence organization or hostile organization with information concerning the types of information CIA had or had not collected -- allowing a hostile organization to learn what CIA does and does not know.

32. Generally, intelligence methods are the means by which an intelligence agency accomplishes its mission. Most organized professions or businesses employ methods that are common to and, in some cases, unique to that business or profession, to accomplish their goals and objectives. Certain methods used in intelligence activities imbue any resulting records with a special character that necessitates protecting the fact of their

use, as well as the details of their use, from unauthorized disclosure.

33. Intelligence methods must be protected in situations where a certain capability or technique, or the application thereof, is unknown to those individuals or entities that would take countermeasures. Secret information-collection capabilities or techniques are valuable from an intelligence-gathering perspective only so long as they remain unknown. Once the nature of an intelligence method or the fact of its use in a certain situation is discovered, its continued successful use is in serious jeopardy.

34. Detailed knowledge of the methods and practices of an intelligence agency must be protected from disclosure because such knowledge would be of material assistance to those who would seek to detect, disrupt, or damage the intelligence operations of the United States. The result of disclosure of a particular method may lead to the neutralization of that method, whether the method is used for the collection of intelligence information, the conduct of clandestine activities, or the analysis and evaluation of intelligence information. Knowledge of or insights into specific intelligence collection methods would be of invaluable assistance to those who wish to interfere with the activities of the CIA.

35. Further, in exercising his authority granted by Congress, the DCI must do more than protect the name of an

intelligence source or a mere reference to an intelligence method. Foreign intelligence services have as one of their primary defensive missions the discovery of the particular methodologies CIA utilizes. A primary vehicle for that effort is scouring the public sector for officially released intelligence information. Even from disparate and seemingly unimportant details, foreign intelligence services can learn how to thwart the CIA's intelligence gathering capabilities. What may seem trivial to the uninformed may in fact be of great significance and may put a questioned item of information in its proper context.

36. Accordingly, the DCI in exercising his authority has the power to withhold a full spectrum of information concerning particular intelligence methods if it is determined that such information could reasonably be expected to assist foreign intelligence services to the detriment of the United States.

37. Intelligence activities refer to the actual implementation of intelligence sources and methods in the operational context. Intelligence activities are highly sensitive because their disclosure often would reveal details regarding specific intelligence-collection activities. The CIA is charged with both foreign intelligence and counterintelligence collection and analysis responsibilities. Although it is obviously widely acknowledged that CIA is responsible for performing activities in support of this mission for the United

States, CIA cannot confirm or deny the existence of any specific intelligence collection or disclose the target of such intelligence gathering activities.

38. To disclose the existence (or non-existence) of a particular intelligence collection operation would reveal U.S. intelligence needs, priorities, and capabilities to a foreign intelligence service or hostile organization seeking to take advantage of any national security weakness. The damage that would be caused by such an admission is clear. Foreign government services and hostile organizations would be advised that their activities and information had been targeted by the CIA; future intelligence collection operations would be made more difficult by such a revelation; and, as a result, the conduct of such operations would become even more dangerous.

39. For the foregoing reasons, I have determined that unauthorized disclosure of information which reasonably would or could be expected to lead to the identification of intelligence activities, sources and methods is properly classified pursuant to the criteria of E.O. 12958, as its disclosure could reasonably be expected to cause serious or exceptionally grave damage to the national security of the United States, and is thus exempt from disclosure pursuant to FOIA Exemption (b)(1). Coextensively, information that could lead to the revelation of an intelligence activity, source, or method falls precisely within the scope of 50

U.S.C. § 403-3(c)(7), and is exempt from disclosure pursuant to FOIA Exemption (b)(3), which is discussed in greater detail below.

**FOIA Exemption (b)(2)**

40. FOIA Exemption (b)(2) states that the FOIA does not apply to matters that are "related solely to the internal personnel rules and practices of an agency." 5 U.S.C. § 552(b)(2).

41. Exemption (b)(2) of the FOIA encompasses two distinct categories of information: a) internal matters of a relatively trivial nature, sometimes referred to as "low 2" information; and b) more substantial internal matters the disclosure of which would risk circumvention of a legal requirement, sometimes referred to as "high 2" information.

42. The CIA has properly invoked Exemption (b)(2) in this case to withhold "low 2" information: administrative routing notations. There is no public interest in the release of this internal, clerical information.

**FOIA Exemption (b)(3)**

43. Much of the information withheld concerns intelligence sources, or methods, and, to a lesser extent, CIA organizational or functional information. As a result, that information is also exempt from disclosure pursuant to

FOIA Exemption (b)(3). FOIA Exemption (b)(3) states that the FOIA does not apply to matters that are:

Specifically exempted from disclosure by statute (other than § 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld.

5 U.S.C. § 552(b)(3). As I will discuss below, the CIA invokes FOIA Exemption (b)(3) to justify its Glomor response and its withholding in full responsive CIA documents.

44. Two (b)(3) withholding statutes exempt the CIA information at issue: Section 103(c)(7) of the National Security Act of 1947, as amended, codified at 50 U.S.C. § 403-3(c)(7), which requires the DCI to protect intelligence sources and methods from unauthorized disclosure; and Section 6 of the Central Intelligence Agency Act of 1949, as amended, codified at 50 U.S.C. § 403g, which provides that the CIA shall be exempt from the provision of any other law requiring the publication or disclosure of the organization, function, names, official titles, salaries, or numbers of personnel employed by the CIA. Thus, as discussed herein, information falling within the scope of either of these two statutes is exempt from disclosure pursuant to FOIA Exemption (b)(3).

45. Certain information was withheld from disclosure pursuant to FOIA Exemption (b)(3), in conjunction with the Central Intelligence Agency Act of 1949. Section 6 of this Act exempts the CIA from the provisions of any other law requiring the disclosure of information regarding the organization, functions, names, official titles, salaries, filing instructions, or numbers of personnel employed by the Agency. On the basis of this statute, certain CIA employees' names and personal identifiers (employee signatures or initials), titles, file numbers, and internal organizational data, have been withheld.

46. Internal CIA filing information also has been withheld since it tends to reveal information pertaining to the structure of the CIA records systems. Additionally, the titles or other organizational identifiers and filing instructions of CIA internal organizational components have been withheld. This information has been withheld to prevent detailed knowledge of CIA personnel, structure, organization, and procedures from becoming publicly available and possibly used as a tool for hostile penetration or manipulation. Since such information is covered by 50 U.S.C. § 403g, it is properly exempt from disclosure pursuant to FOIA Exemption (b)(3).

FOIA Exemption (b)(7)(A)

47. FOIA Exemption (b)(7)(A), 5 U.S.C. §  
552(b)(7)(A), authorizes the withholding of:

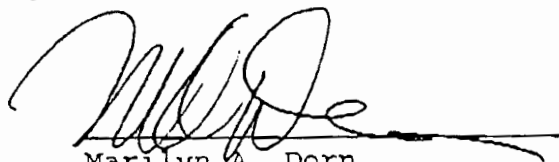
records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information could reasonably be expected to interfere with enforcement proceedings.

FOIA Exemption (b)(7)(A) has been invoked in this case for withholding information compiled in connection with a properly authorized pending law enforcement activity. The CIA information withheld pursuant to Exemptions (b)(7)(A) is located in investigatory records compiled for law enforcement purposes by the CIA Office of Inspector General.

\* \* \* \*

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

Executed this 15th day of October 2004.



Marilyn A. Dorn  
Information Review Officer  
Central Intelligence Agency