

# OIG Documents

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

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**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