

OIG Documents

FOIA/PA Request No.: F-2004-01456
Document Number: 15 (20 November 2009 Hilton Declaration)
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 concerning the disposition of 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 basis of FOIA exemptions b(1), (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. 2009) and section 6 of the Central Intelligence Act of 1949, as amended, 50 U.S.C.A. § 403g (West Supp. 2009), 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. 2009), 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).

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

~~SECRET~~ROUTE COMMENTS:
[REDACTED]PAGE 001
TOT: 251945Z OCT 02 [REDACTED]~~SECRET~~

STAFF

TO: IMMEDIATE [REDACTED] INFO [REDACTED] DIRECTOR.

FROM: DDO INFO [REDACTED]

SLUGS: [REDACTED]

SUBJECT: EYES ONLY - DISPOSITION OF VIDEOTAPES [REDACTED]

REF: A. [REDACTED]

B. [REDACTED]

TEXT:

1. ACTION REQUIRED: PLEASE REVIEW BELOW GUIDANCE.

2. THIS CABLE HAS BEEN COORDINATED WITH [REDACTED]

[REDACTED] ON 05 SEPTEMBER 2002, HQS ELEMENTS DISCUSSED THE DISPOSITION OF THE VIDEOTAPES DOCUMENTING INTERROGATION SESSIONS WITH ((ABU ZUBAYDAH)) THAT ARE CURRENTLY BEING STORED AT [REDACTED] WITH PARTICULAR CONSIDERATION TO THE MATTERS DESCRIBED IN REF A PARAS 2 AND 3 AND REF B PARA 4. AS REFLECTED IN REFS, THE PARTICIPANTS OF THIS MEETING CONCLUDED THAT THE CONTINUED RETENTION OF THESE TAPES, WHICH IS NOT/NOT REQUIRED BY LAW, REPRESENTS A SERIOUS SECURITY RISK FOR [REDACTED] OFFICERS RECORDED ON THEM, AND FOR ALL [REDACTED] OFFICERS PRESENT AND PARTICIPATING IN [REDACTED] OPERATIONS; THEY ALSO RECOGNIZED THE ADDITIONAL CONCERNS DESCRIBED IN REFS, SUCH AS THE DANGER TO ALL AMERICANS SHOULD THE TAPES BE COMPROMISED. IN THIS POSSIBLE CIRCUMSTANCE, THERE ALSO EXISTS A CLEAR DANGER THAT THE OFFICERS PICTURED ON THE TAPES COULD BE SUBJECT TO RETRIBUTION FROM AL-QA'IDA ELEMENTS. ACCORDINGLY, THE PARTICIPANTS DETERMINED THAT THE BEST ALTERNATIVE TO ELIMINATE THOSE SECURITY AND ADDITIONAL RISKS IS TO DESTROY THESE TAPES [REDACTED] THE BEST MECHANISM FOR DESTROYING THE TAPES FOLLOWS:

A. DEPLOYMENT OF [REDACTED] A

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[REDACTED] WILL BE DEPLOYED [REDACTED] AT THE EARLIEST OPPORTUNITY TO BE PRESENT AND ASSIST IN DESTROYING THE TAPES COMPLETELY.

B. POLICY ON USAGE OF TAPES: STARTING IMMEDIATELY, IT IS NOW HQS POLICY THAT [REDACTED] RECORD ONE DAY'S WORTH OF SESSIONS ON ONE VIDEOTAPE FOR OPERATIONAL CONSIDERATIONS, UTILIZE THE TAPE WITHIN THAT SAME DAY FOR PURPOSES OF REVIEW AND NOTE TAKING, AND RECORD THE NEXT DAY'S SESSIONS ON THE SAME TAPE. THUS, IN EFFECT, THE SINGLE TAPE IN USE [REDACTED] WILL CONTAIN ONLY ONE DAY'S WORTH OF INTERROGATION SESSIONS. (A SPECIFIC EXCEPTION TO THIS TIMETABLE MAY BE MADE WHERE REQUIRED IN THE CASE OF A PARTICULAR DAY'S SESSION.)

C. [REDACTED]

3. HQS IS CONFIDENT THAT [REDACTED] UNDERSTANDS THE REASONING BEHIND ABOVE POLICY FOR THE VIDEOTAPES. THIS WILL ENSURE THE PROTECTION AND SAFETY OF [REDACTED] OFFICERS AT [REDACTED] HQS WILL ADVISE DETAILS OF THE DEPLOYMENT OF THE [REDACTED] SEPARATELY. THANK YOU AND BEST REGARDS.

4. [REDACTED]

END OF MESSAGE

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