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Office of Information Programs and Services
A/GIS/IPS/RL
U S Department of State
Washington, D. C. 20522-8100
Fax: (202) 261-8579

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United States Department of State
Washington, D.C. 20520

FEB 27 2015

Case No. F-2012-28943
Segment: FRUS-0001

I refer to our letter dated August 22, 2014, regarding the release of certain Department of State material under the Freedom of Information Act (Title 5 USC Section 552). As you may recall, further coordination was required before a decision could be made as to the release of one of the documents previously retrieved in response to your request. That coordination has now been completed. As a result, we find that the document may be released with excisions. All released material is enclosed.

An enclosure explains Freedom of Information Act exemptions and other grounds for withholding material. Where we have made excisions, the applicable exemptions are marked on the document. All non-exempt material that is reasonably segregable from the exempt material has been released.

You have the right to appeal our determination by writing, within 60 days, to the Chairman, Appeals Review Panel, c/o Appeals Officer, A/GIS/IPS/PP/LA, U.S. Department of State, SA-2, Room 8100, Washington, DC 20522-8100. The appeal letter should refer to the case number shown above, clearly identify the decision being appealed, and provide supporting arguments when possible. For further information, see the Code of Federal Regulations, 22 CFR 171.52.

We will continue to keep you informed as your case progresses. If you have any questions, you may write to the Office of Information Programs and Services, SA-2, Department of State, Washington, DC 20522-8100, or telephone us at (202) 261-8484. Please be sure to refer to the case number shown above in all correspondence about this case.

Sincerely,

Anita L. Boone for

John F. Hackett, Acting Director
Office of Information Programs and Services

Enclosures: As stated.

The Freedom of Information Act (5 USC 552)

FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
 - 1.4(b) Foreign government information
 - 1.4(c) Intelligence activities, sources or methods, or cryptology
 - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
 - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
 - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
 - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
 - 1.4(h) Weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- | | |
|----------------|---|
| ARMSEXP | Arms Export Control Act, 50a USC 2411(c) |
| CIA PERS/ORG | Central Intelligence Agency Act of 1949, 50 USC 403(g) |
| EXPORT CONTROL | Export Administration Act of 1979, 50 USC App. Sec. 2411(c) |
| FS ACT | Foreign Service Act of 1980, 22 USC 4004 |
| INA | Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f) |
| IRAN | Iran Claims Settlement Act, Public Law 99-99, Sec. 505 |
- (b)(4) Trade secrets and confidential commercial or financial information
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Personal privacy information
- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
 - (B) deprive a person of a fair trial
 - (C) constitute an unwarranted invasion of personal privacy
 - (D) disclose confidential sources
 - (E) disclose investigation techniques
 - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

- NR Material not responsive to a FOIA request excised with the agreement of the requester

SECRET

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BUREAU OF INTELLIGENCE AND RESEARCH, 6/24/08

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Section I Introduction and Overall Guidelines

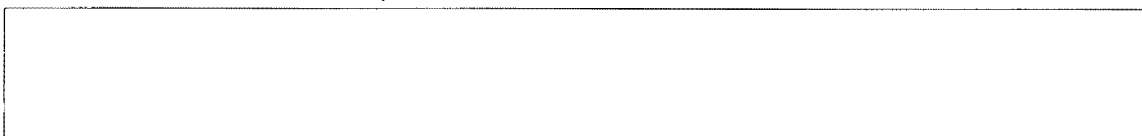
I. A. The Intelligence Community

(C) The intelligence community (IC) was reorganized in 2004 in the wake of the 9/11 Commission report and now consists of 16 organizations under the Director of National Intelligence (ODNI), an office newly established outside CIA. A complete overview of the IC organization is at the ODNI web site, www.dni.gov. The following are the IC's principal components.

- The ODNI assumed direct control of the National Intelligence Council (NIC), along with the new counterterrorism center and the counterproliferation center.
- The Central Intelligence Agency includes the National Clandestine Service, or NCS (formerly the Directorate of Operations), responsible for HUMINT and covert action. The Directorate of Intelligence (DI), responsible for analysis, also remains part of CIA. FBIS was renamed the Open Source Center (OSC) and given an expanded mandate.
- The National Security Agency (NSA) remains responsible for signals intelligence, or SIGINT, and information assurance (ex-COMSEC).
- The National Geospatial-Intelligence Agency (NGA), ex-NIMA & NPIC, analyzes and disseminates the product of reconnaissance satellites.
- The National Reconnaissance Office (NRO) designs, builds, launches and maintains reconnaissance satellites.
- The Defense Intelligence Agency administers the Defense Attache system and DIA HUMINT collection.
- INR is a full IC member as well, as are other agency intelligence units.

(U) ODNI wants to receive FOIA and mandatory referrals *regardless of age* for its new components, including the NIC (see below). In most cases it will simply pass through to CIA material for declassification review dated prior to ODNI's creation in 2005. Systematic review material should continue to be referred to CIA for the time being.

(U) The longstanding President's Intelligence Advisory Board (PIAB, ex-PFIAB) and the Intelligence Oversight Board (IOB), a committee of the PIAB), both based at the White House, are active as in-house but independent evaluation and oversight groups. Refer any IOB FOIA cases to the IOB Counsel after State review.



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I. B. Overall Guidelines

(U) A/ISS/IPS is responsible for the retrieval, review and release of records originated by the INR bureau and other intelligence materials contained in Department of State records. IPS is also responsible for review and proper referral of material originated by other agencies found in the Department's files or referred to us. The same general guidelines apply to the review of intelligence material as for material from other bureaus. For example, the in-house rule for consultation with bureaus before release of material less than 5 years old applies also for INR. However, the sensitivity of intelligence information requires that the special additional guidelines contained herein be employed during review.

(U) Given its sensitivity, intelligence information should be protected for at least 25 years and often much longer.

(U) The State Department (including INR) does not have original or delegated authority to declassify--or classify-- intelligence information, specifically including Special Compartmented Intelligence, or SCI, the product of SIGINT and imagery. Documents produced by IC agencies must be referred to those agencies, along with any recommendations concerning State Department equities. Documents from State or other non-IC agencies that contain "embedded" intelligence information and derivative codeword classifications also must be referred to the concerned intelligence agencies for review.

(U) When documents containing embedded intelligence agency equities are to be *denied in full* for State Department equities, they need not be referred (until expiration of our initial exemption). This procedure is a generally accepted one among agencies. Recent documents to be denied should be marked for declassification 25 years from their date of origin, or in the case of a confidential human or human intelligence source, mark them 25X1 (human)--the only exemption category that does not require a declassification date. Older documents may be referred directly to the IC agency holding principal equity, or they may be withheld for up to 25 years from the date of review or 50 years from their date of origin. At the expiration of any initial State withholding period, such documents must be referred to the relevant IC agency.

I.C. Exceptions and Released Information

(S) There are a few exceptions to the above guidelines about the referral and withholding of intelligence information:

- 4 -

- In very limited circumstances, such as a non-location-specific acronym denoting an intelligence organization like CAS used in a generic sense, redaction without referral may be possible. Consult a senior reviewer.
- A number of older National Intelligence Estimates have been released in full or part, including some published in FRUS (see below). A list of NIE's released through 2002 is available in several SRP offices and on the NIC's ODNI web site. *Only those released in full need not be referred.* Refer unreleased NIC items of any age to ODNI/NIC, not CIA (except systematic).
- Policy on older FBIS material recently has been liberalized. *Some* unclassified reporting from FBIS and its predecessors may be released without referral. Serial publications 25 years old or older may be released if they are unmarked, marked unclassified or marked declassified, without exception as to bureau of origin. The surnames *only* of all FBIS employees also may be released in 25-year-old unclassified reporting (full names may be *redacted* without referral).



- The names of directors, deputy directors and executive secretaries of CIA may be released, but only for the periods they served in those capacities. The names of lower-level CIA and other intelligence agency employees must be protected and referred, or excised (see Section II. E.).
- Records and equities of the CIA's predecessor organizations during WWII, the OSS and the SSU, may be considered unclassified and do not need to be referred. They should, however, undergo a privacy review prior to release.

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(U) Reviewers who encounter original versions of IC documents that have subsequently been declassified in another context, e.g., FRUS (see below), should nevertheless refer them to the originating IC agency for disposition.

(U) A considerable amount of material on intelligence matters during WW II and the early days of the Cold War is being officially released, much of it in the *Foreign Relations of the United States* (FRUS) series published by the Department (PA/HO). Such material-- from all involved agencies and the NSC, not just State--has been published for most years from 1945 to 1972 (see Steve Worrel in FRUS for details). In addition, disclosures of some U.S. covert action programs are being made in regional FRUS volumes, under the close guidance of the tripartite NSC-State-CIA high-level panel on whether to disclose historical covert actions not previously acknowledged by the USG (see list in the White Book in SRP). And several individual Presidential Findings (PF's) or Memoranda of Notification (MON's) on covert action have been declassified by the NSC as of 2008, mostly on Nicaragua and Iran. Information, publications and FOIA releases on legacy intelligence programs,

operations and analyses are increasingly found on the Internet web sites of the CIA, NSA, NGA and NRO (generally accessed as "agency acronym".gov, e.g., www.nro.gov).

(U) Section II Categories of Intelligence Information

Four general categories of intelligence-related information usually require extended classification and protection:



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(S//NF) Section III Indicators of Intelligence Information

Classified information concerning intelligence is most likely to be found in documents of the following types or with the following indicators:

III. A. Types of Documents:

1. Reports or assessments produced by INR or any of its predecessors (ORI, OIR, R, etc.). Reports produced by various regional and functional offices of INR often were labeled "Intelligence Reports", or "Intelligence Research Reports." Some reports did include or refer to information that originated with U.S. or foreign intelligence agencies. Others, however, reflected only the analysis and judgment of INR analysts based solely on public knowledge and Foreign Service reporting. Prior to 1972, there

were no indicators on the documents to warn specifically of the inclusion of intelligence information.

2. Documents or information which are clearly labeled "intelligence" or which refer specifically to covert, clandestine, or intelligence activities, or sources and methods as described below in Section III, Categories of Intelligence Information.
3. Documents or information generated by intelligence organizations of the U.S. or foreign governments.
4. Communications addressed primarily to U.S. intelligence community agencies or to foreign government intelligence agencies.

III. B. Document Markings (including SCI & CODEWORD)

(U) This summary refers only to intelligence indicators most likely to be encountered by reviewers: those relating to NSA, CIA, NGA and DIA equities and to INR programs and activities. Sensitive Compartmented Information or SCI--the principal source of intelligence information--is classified national intelligence information handled within formal access control systems established by the DNI. A SCIF ("skiff"), or SCI Facility, is a physical location where SCI may be stored, used, discussed, or processed.

(U) The three overall SCI control system indicators summarized in this section are:

- COMINT (Communications Intelligence)
- HCS (HUMINT Control System)
- TALENT KEYHOLE (Satellite Imagery)

A summary chart of intelligence markings is in Annex I

(U) State, NSC, [] and other agencies have different designators that are not SCI or codeword designators, some of which denote special access programs. For such designators and how to treat them, consult S/ES for State, NSC for NSC or check the Red Book chapter for [] or the concerned agency; or see a Senior Reviewer. Many such designators are sensitive and may need to be deleted if a document is released in whole or in part.

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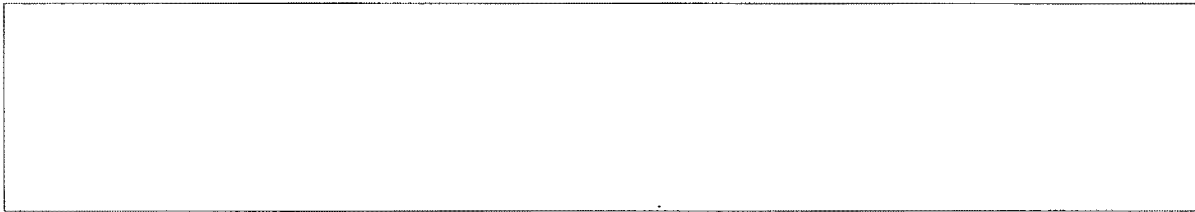
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(U) The following NATO and DOE codewords usually are *not* associated with intelligence matters: ATOMAL, COSMIC, BOHEMIA, BALK, RD, FRD, CNWDI, Sigma.

1. Signals Intelligence (NSA Markings)

(C) In 1952 the National Security Agency assumed responsibility for the management and operation of U.S. Signals Intelligence (SIGINT). SIGINT consists of three categories: Communications Intelligence (COMINT); Electronic Intelligence (ELINT); and Foreign Instrument Signals Intelligence (FISINT). Only COMINT, the most likely category to be encountered by State reviewers, is discussed here.

COMINT Codewords



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(U) Since 1968 the codewords UMBRA, SPOKE and MORAY (in descending order of sensitivity) have been used and are the most likely to be encountered. However, they and most other codewords were eliminated in 1999, and communications intelligence is now simply labeled "COMINT."

(U) Other principal COMINT flags and handling caveats are:

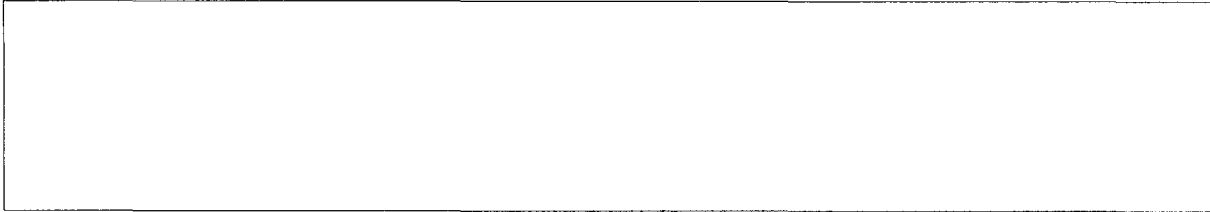
SI	Special Intelligence
SCI	Sensitive Compartmented Information
HVCCO	Handle via COMINT Channels Only
VRK	Very Restricted Knowledge
ECI	Exceptionally Controlled Information
G	Gamma
TSC	Top Secret Codeword
CCO	COMINT Channels Only
SC/SCX	Secret Codeword
TKC	Talent Keyhole/COMINT
BYE	BYEMAN (re reconnaissance design and operation)

(U) Former codewords and most SCI markings are no longer classified when standing alone, but they remain classified when appearing with material that retains its codeword status.

(U) State documents containing codeword markers must be referred to the IC agency originating the information, *unless* (a) the documents so labeled can be fully denied;

(b) the documents can be declared non-relevant in a FOIA case, or; (c) the documents in fact do *not* contain codeword material (e.g., a paragraph-classified morning summary template).

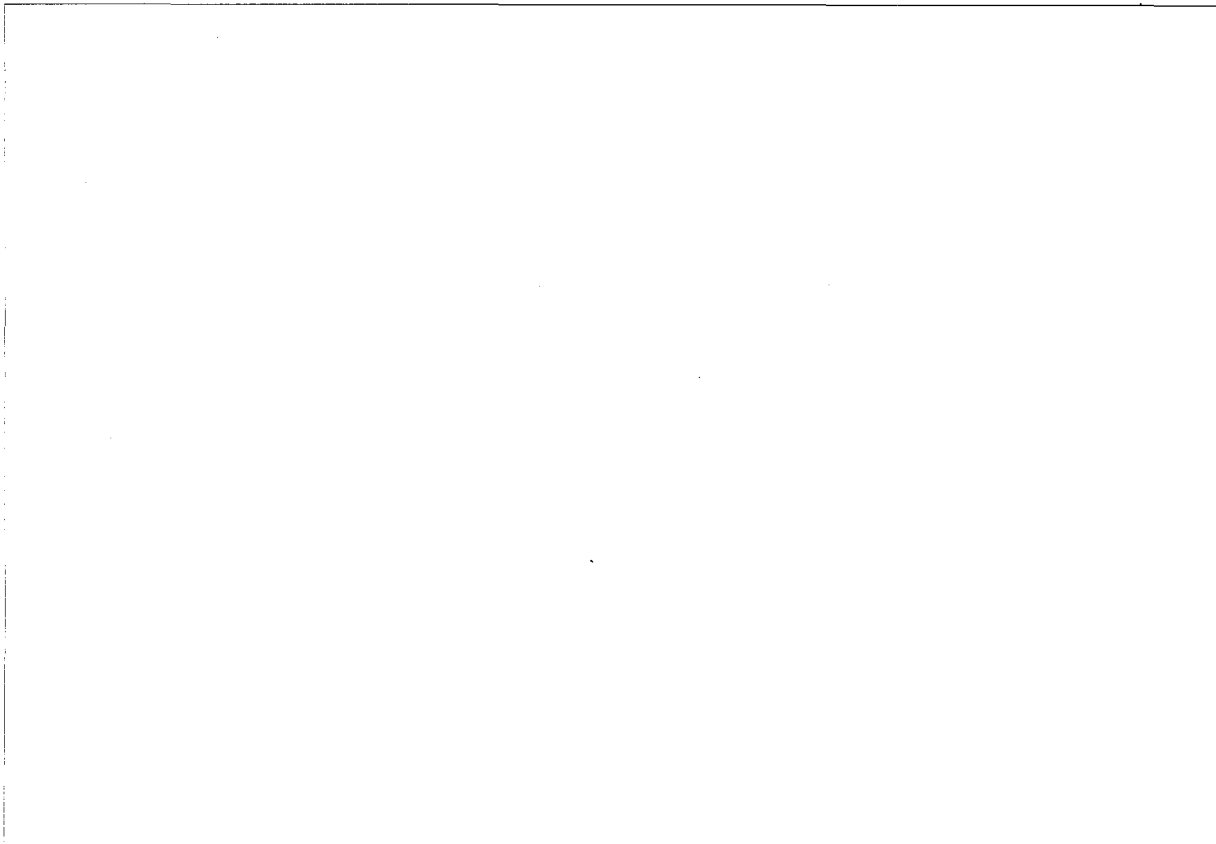
2. Human Intelligence and Indicators of CIA Reporting



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(U) At Annex IV is a paper, "Recognition of CIA Equities in Department of State Records 25 Years Old or Older," provided by CIA. Note that it is intended solely as a guide to equity referral; it is *not* a declassification guide or an indicator of the final disposition by CIA of items identified for referral. (Despite its title, much of the information applies to CIA material of any age.)

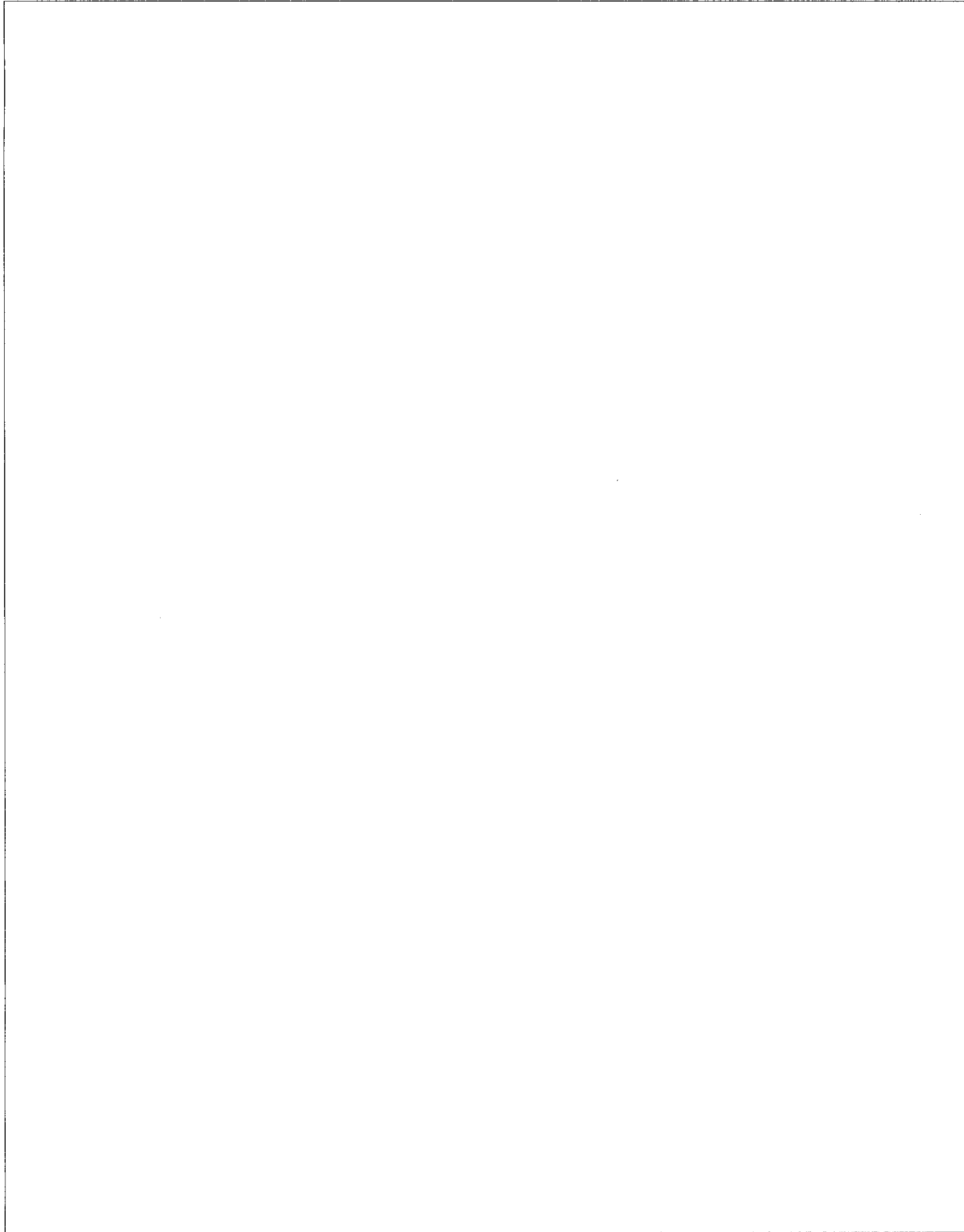
(a) CIA Acronyms in State or Other Agency Documents:



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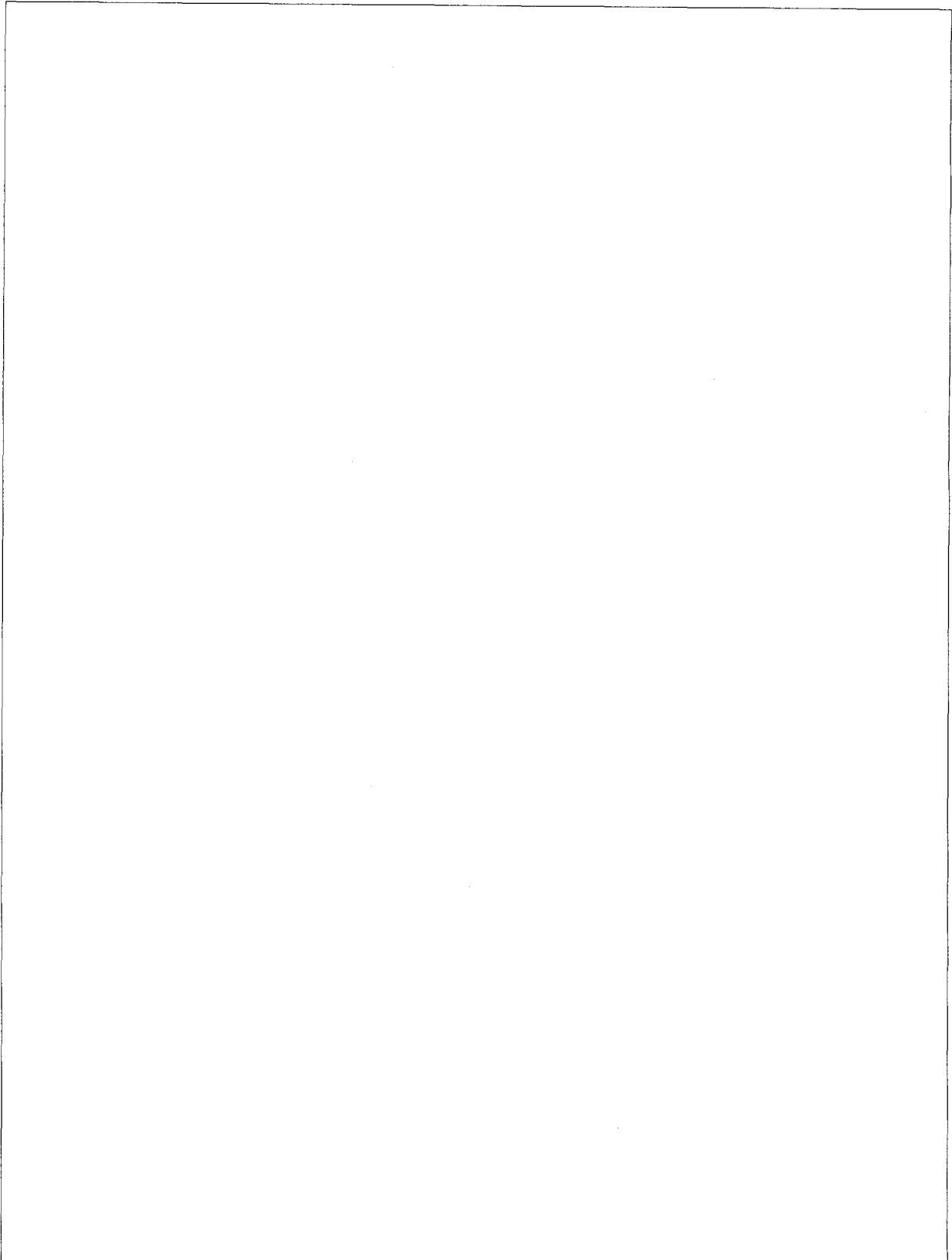
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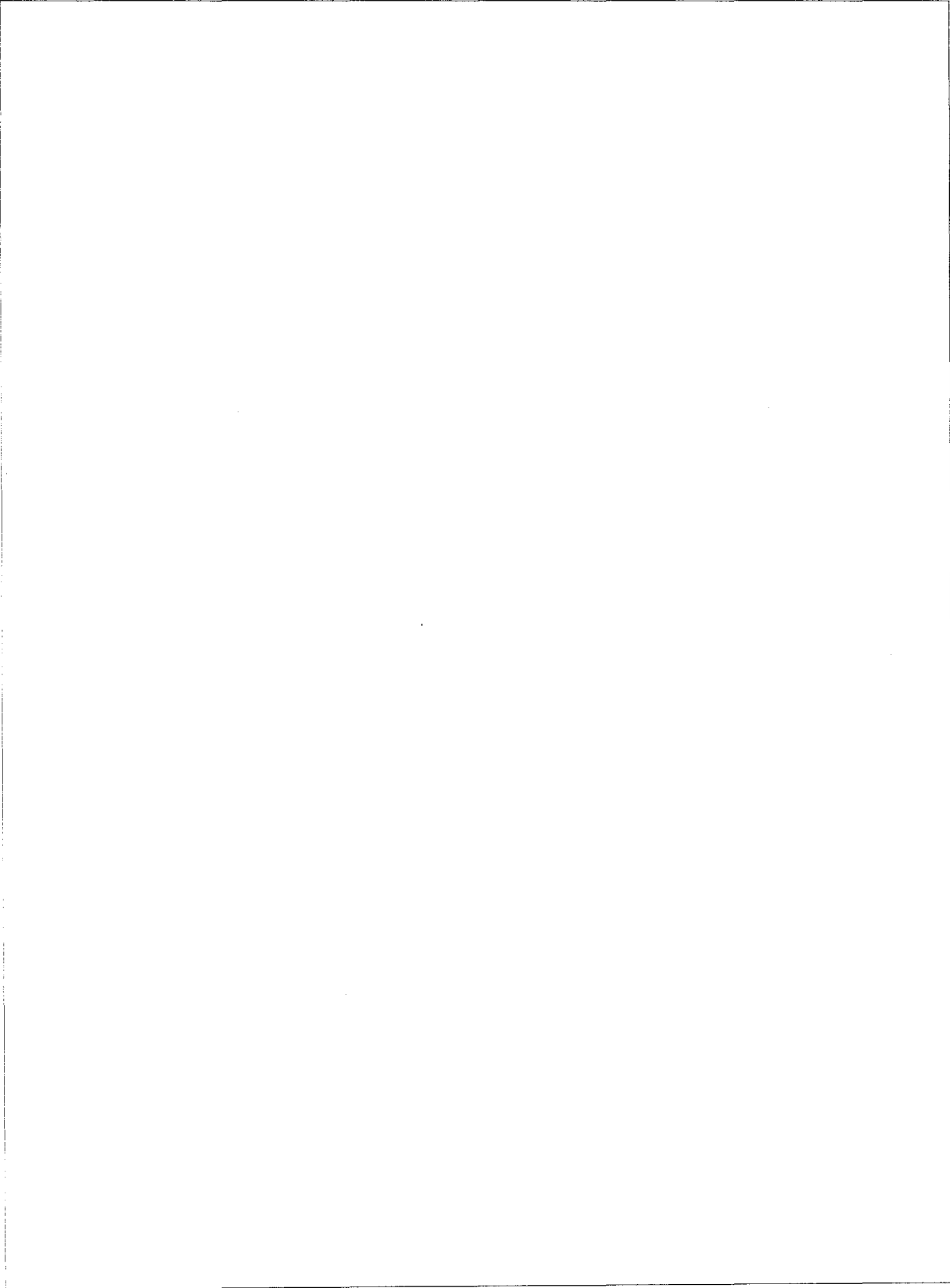
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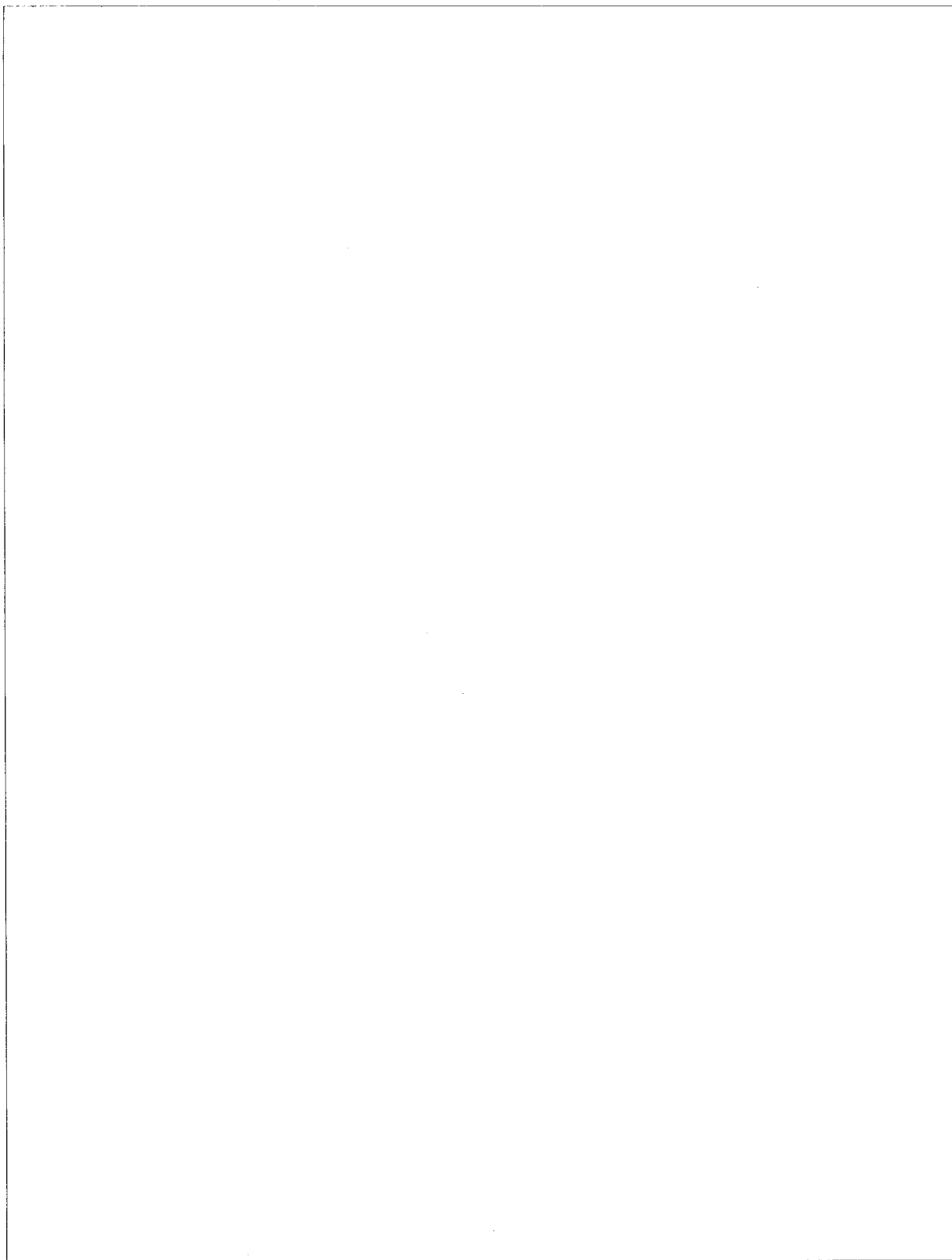




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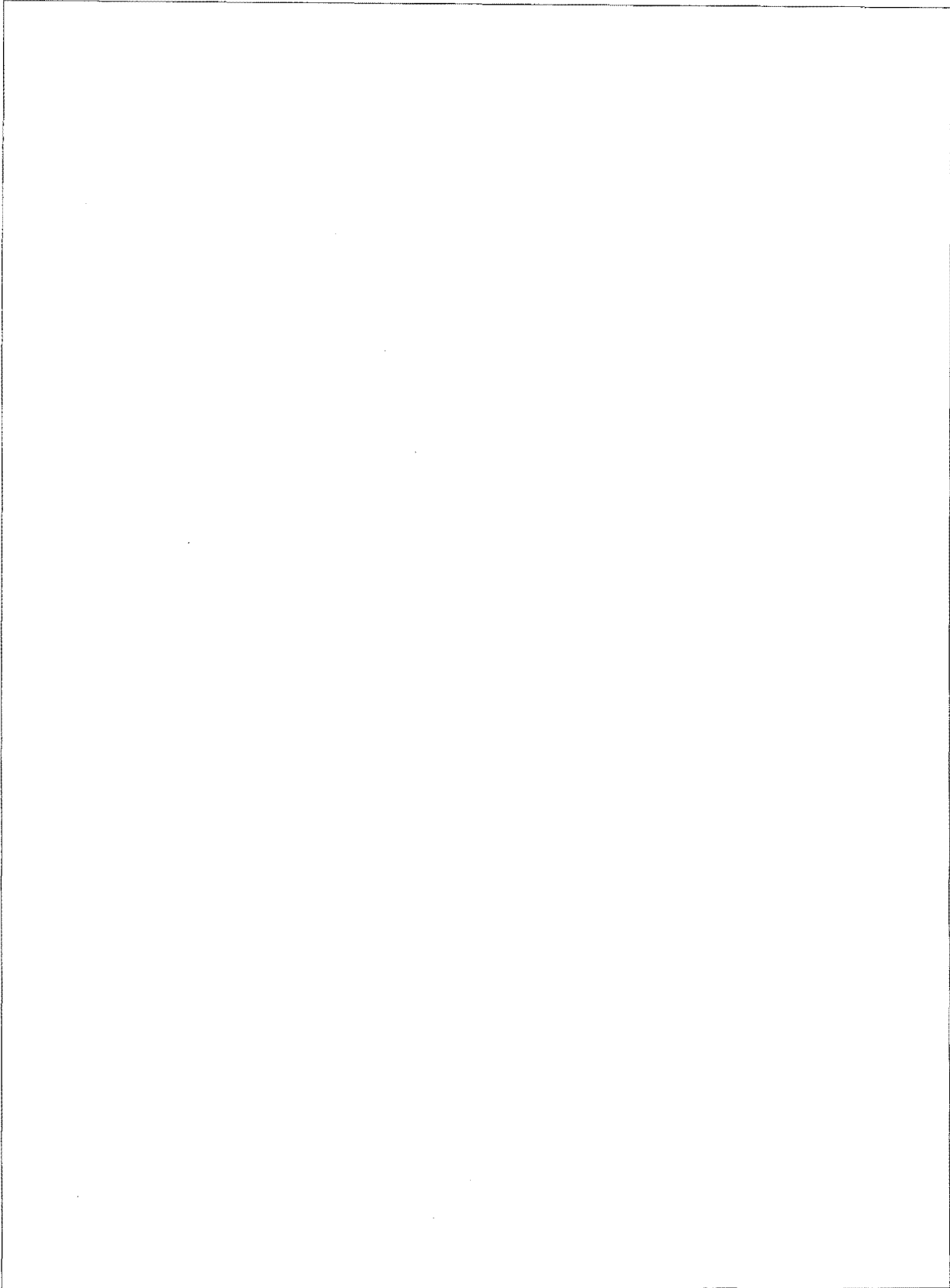


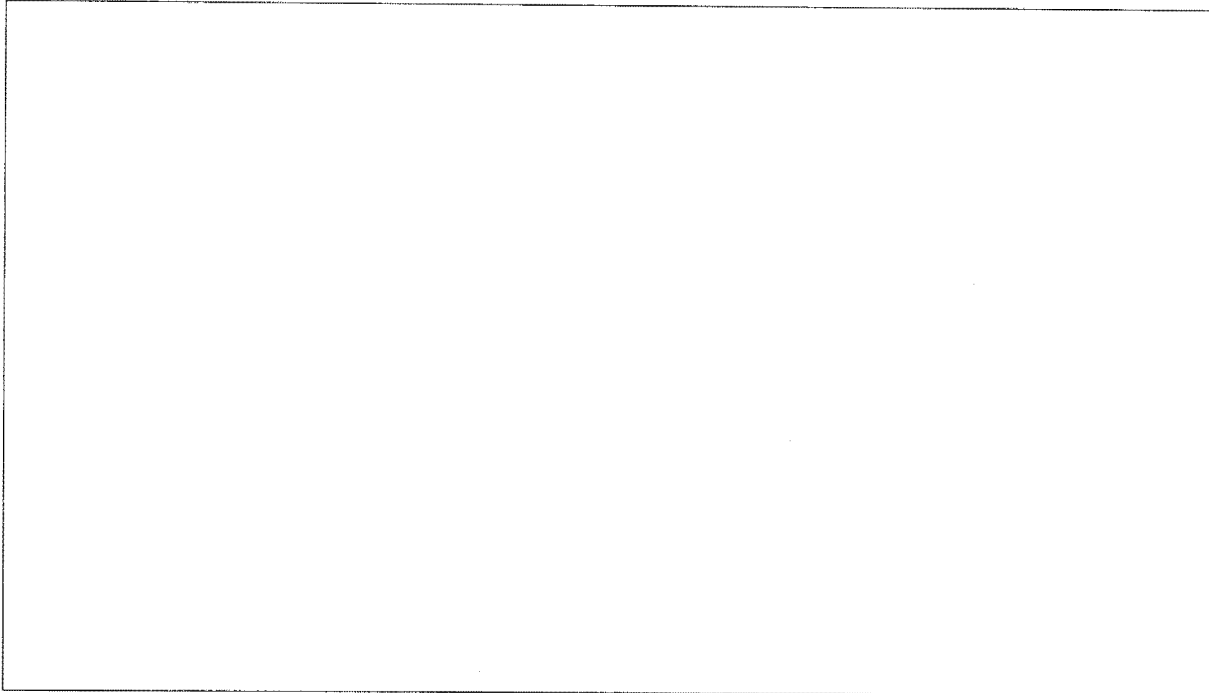
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(U) EDITORIAL NOTE

This revision of the INR Red Book chapter was drafted and coordinated by John Mills of IPS/PP/LC and Steve Worrel of IPS/SRP/FRUS. The basic draft, or portions thereof, was reviewed by the following INR officials: [redacted] of INR/IC, [redacted] of INR/OPS, and [redacted] of INR/AL. [redacted] of INR/IRE provided final bureau clearance on 6/25/08. A copy was provided to CIA as well.

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Reviewers are invited to make suggestions for corrections/improvements to the authors, Mills or Worrel, or to Arch Bolster or Charles Daris of CR/EAN.

Annexes:

- I. CIA Recognition of CIA Equities in Department of State Records 25 Years Old or Older (2009)
- II. DIA Classification and Control Markings Chart
- II. NSA Word Listing