

## ACLU OLC Remand

Document Number: 1  
Date of Document: 07/13/2002  
Document Type: Letter  
Classification: Secret  
From/To: DOJ/CIA  
Subject: Provision of Legal Advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document was released in full.

## ACLU OLC Remand

Document Number: 2  
Date of Document: 07/19/2002  
Document Type: Memo  
Classification: SCI, Top Secret  
From/To: CIA/DOJ  
Subject: Request for legal advice  
Document Pages: 10

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is a nine page draft memo with a fax cover sheet from a CIA attorney to an OLC attorney. It discusses certain proposed interrogation techniques, medical information, and operational intelligence. The document contains pre-decisional and CIA attorney work-product information. The document also contains the names and/or identifying characteristics of individuals engaged in counter-terrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(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. 2008) and 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 to pre-decisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA personnel. It also contains CIA attorney-client communications and attorney work-product done in anticipation of litigation, and thus is 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).

## ACLU OLC Remand

Document Number: 3  
Date of Document: 07/24/2002  
Document Type: Memo  
Classification: Secret  
From/To: CIA/DOJ  
Subject: Request for legal advice  
Document Pages: 2

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is a two-page memo from a CIA attorney to an OLC attorney. It discusses certain proposed interrogation techniques, medical information, and operational intelligence. The document contains pre-decisional and CIA attorney work-product information, as well as the names and/or identifying characteristics of individuals engaged in counter-terrorism operations. Portions of this document are withheld on the basis of Exemption b(2). The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(2), b(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(2)- This document contains information relating to the internal rules and practices of the CIA, including administrative, organizational, and routing information such as the names and addresses of CIA components, the disclosure of which is not subject to genuine and significant public interest, and thus is protected from disclosure by Exemption b(2). Exemption b(2)-Portions of this document are withheld on the basis of Exemption b(2).

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. 2008) and 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). 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. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA personnel, as well as attorney-client communications and CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 4  
Date of Document: 07/24/2002  
Document Type: Memo  
Classification: Top Secret  
From/To: CIA/DOJ  
Subject: Psychological assessment  
Document Pages: 7

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is a six page draft, with a fax cover sheet, of a psychological assessment of Abu Zubaydah. The draft assessment contains information on the history, personality, mental and emotional characteristics of Abu Zubaydah. It also includes operational information and intelligence and the names and/or identifying information of personnel engaged in counter-terrorism activities. This document is withheld in part under FOIA Exemptions b(1), b(2), b(3), b(5), 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(2)- This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees and thus is 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).

## ACLU OLC Remand

Document Number: 5  
Date of Document: 07/24/2002  
Document Type: Memo  
Classification: SCI, Top Secret  
From/To: CIA/DOJ  
Subject: Request for legal advice  
Document Pages: 12

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is an eleven-page draft memo sent by a CIA attorney to an OLC attorney regarding legal analysis of the CIA's rendition detention and interrogation program with a one page fax cover sheet attached. The draft memo contains the pre-decisional legal information, attorney-client communication, and work product of a CIA attorney. It also includes operational information and intelligence and the names and/or identifying information of personnel engaged in counter-terrorism. This document is withheld in full under FOIA Exemption b(5) with portions of this document withheld under Exemptions b(1), b(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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA personnel. It also includes attorney client communications and CIA attorney work-product and 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).

## ACLU OLC Remand

Document Number: 6  
Date of Document: 07/25/2002  
Document Type: Memo  
Classification: Secret  
From/To: DOD/DOD  
Subject: Memo providing legal advice  
Document Pages: 59

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 : Not located.

## ACLU OLC Remand

Document Number: 7  
Date of Document: 07/26/2002  
Document Type: Memo  
Classification: Secret  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 13

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 twelve-page memo from the DOD discussing resistance training techniques to special designated high-risk-of-capture personnel. It includes a fax cover sheet from CIA to DOD. The DOD document is being referred to DOD for reprocessing or a determination that it has previously been processed in this litigation.

## ACLU OLC Remand

Document Number: 8  
Date of Document: 07/31/2002  
Document Type: Memo  
Classification: Confidential  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 2

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 memo from CIA to DOJ responding to DOJ's inquiry about the physiological effects of a proposed interrogation technique in connection with the preparation of legal advice by OLC. The document contains predecisional, attorney-client communication, and attorney work-product information. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 9  
Date of Document: 07/31/2002  
Document Type: Memo  
Classification: Confidential  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 3

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 memo, with a one page fax cover sheet attached, from CIA to DOJ responding to DOJ's inquiry about the physiological effects of a proposed interrogation technique in connection with the preparation of legal advice by OLC. The document contains predecisional, attorney-client communication, and attorney work-product information. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(2), b(3), and b(6). This document is also similar to document number 8.

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(2)-This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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). This document contains information relating to the internal rules and practices of the CIA, including organizational and routing information such as the names of CIA components, the disclosure of which is not subject to genuine and significant public interest, and thus is protected from disclosure by Exemption b(2).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA personnel. It also contains attorney-client communications and attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 10  
Date of Document: 10/11/2002  
Document Type: Memo  
Classification: Secret  
From/To: DOD/DOJ  
Subject: Memo providing legal advice  
Document Pages: 20

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document was inadvertently listed on OLC's original vaughn index. It is a DOD document that is being referred to DOD for processing or a determination that it has been previously addressed in this litigation.



## ACLU OLC Remand

Document Number: 11  
Date of Document: 01/28/2003  
Document Type: Memo  
Classification: SCI, Top Secret  
From/To: CIA/CIA  
Subject: Memo  
Document Pages: 3

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three page document that provides CIA officers with guidelines on confinement conditions for detainee facilities operated, directly or indirectly, by the CIA.

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. 2008) and 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).

## ACLU OLC Remand

Document Number: 12  
Date of Document: 01/28/2003  
Document Type: Memo  
Classification: SCI, Top Secret  
From/To: CIA/CIA  
Subject: Memo  
Document Pages: 4

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page document that discusses the guidelines and conduct of interrogation techniques, as they pertain to permissible techniques, medical and psychological personnel, interrogations personnel, required approvals, and recordkeeping. The document contains information relating to classified intelligence operations, sources, and methods, and is therefore withheld in part under FOIA Exemptions b(1) and b(3).

**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. 2008) and 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).

## ACLU OLC Remand

Document Number: 13  
Date of Document: 03/06/2003  
Document Type: Memo  
Classification: Secret  
From/To: DOD/DOJ  
Subject: Memo providing legal advice  
Document Pages: 3

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document was inadvertently listed on OLC's original vaughn index. It is a DOD document that is being referred to DOD for reprocessing or a determination that it has been previously addressed in this litigation.

## ACLU OLC Remand

Document Number: 14  
Date of Document: 03/06/2003  
Document Type: Memo  
Classification: Secret  
From/To: DOD/DOD  
Subject: Draft memo providing legal advice  
Document Pages: 56 (identified document has 52)

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document was inadvertently listed on OLC's original vaughn index. It is a DOD document that is being referred to DOD for reprocessing or a determination that it has been previously addressed in this litigation.

## ACLU OLC Remand

Document Number: 15  
Date of Document: 03/07/2003  
Document Type: Memo  
Classification: Secret  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 3

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 report, with a one-page fax cover sheet, from the Office of General Counsel to the Office of Legal Counsel, discussing detainee interrogations, assessment of legal, historical, policy, and operational considerations. The document contains predecisional deliberations and attorney-work product information, and is therefore, withheld in its entirety under FOIA Exemption b(5), and in part on the basis of Exemption b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 16  
Date of Document: 03/14/2003  
Document Type: Memo  
Classification: Secret  
From/To: DOJ/DOD  
Subject: Draft memo providing legal advice  
Document Pages: 80

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an 80-page draft OLC legal opinion to DOD consisting of draft advice regarding interrogations of alien unlawful combatants held outside the U.S., to include handwritten notations. It contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government attorneys, and is withheld in its entirety under FOIA Exemption b5.

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government attorneys, and is therefore protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 17  
Date of Document: 04/28/2003  
Document Type: Memo  
Classification: SCI, Top Secret  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 5

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document discusses the legal principles applicable to CIA Detention and Interrogation of captured al-Qa'ida personnel. The document contains information relating to classified intelligence operations, sources, and methods, and is therefore withheld in part under FOIA Exemptions b(1), b(2), and b(3).

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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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). 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. 2008), and thus is protected from disclosure by Exemption b(3).



## ACLU OLC Remand

Document Number: 18  
Date of Document: 05/27/2003  
Document Type: Memo  
Classification: SCI, Top Secret  
From/To: CIA/DOJ  
Subject: Memo providing legal advice  
Document Pages: 5 (identified document has 6)

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page draft document with two fax cover sheets and a routing sheet, from a CIA attorney to a DOJ attorney, providing handwritten notes on a document that appears to have been provided by the DOJ attorney to the CIA attorney on the legal guidelines for the CIA's detention and interrogation program of captured al-Qa'ida personnel. The document contains predecisional and attorney work-product information. The document is withheld in its entirety under FOIA Exemption b(5), and in part on the basis of Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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). This document also contains information relating to the 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government attorneys, and thus is 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).

## ACLU OLC Remand

Document Number: 19  
Date of Document: 06/16/2003  
Document Type: Memo  
Classification: SCI, Top Secret  
From/To: CIA/DOJ  
Subject: Memo providing legal advice  
Document Pages: 5

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page document, with a fax coversheet and a routing cover sheet, from a CIA attorney to a DOJ attorney, providing the legal guidelines for the CIA's detention and interrogation program of captured al-Qa'ida personnel. The document contains information pertaining to intelligence sources and methods and information concerning the identities of personnel engaged in counterterrorism operations. The document is withheld in part under FOIA Exemptions b(1), b(2), b(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(2) -** This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

**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. 2008) and 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). This document also contains information relating to the 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(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).

## ACLU OLC Remand

Document Number: 20

Date of Document: 09/12/2003

Document Type:

Classification: Secret

From/To:

Subject:

Document Pages: 1

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 : Not located.

## ACLU OLC Remand

Document Number: 21  
Date of Document: 02/02/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 16

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is a sixteen page guide on high value detainee interrogation training and it discusses the operational counterterrorism techniques used against high value detainees. This document contains predecisional information and information relating to classified intelligence operations, sources, and methods, and therefore, is withheld in its entirety under FOIA Exemptions b(1) and b(3), and in part on the basis of Exemption b(5).

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. 2008) and 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 to inter-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA personnel.

## ACLU OLC Remand

Document Number: 22  
Date of Document: 03/02/2004  
Document Type: Letter  
Classification: SCI, Top Secret  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 13 (identified document has eight)

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an eight-page letter from CIA to OLC, with markings and marginalia, regarding the counterterrorism detention and intelligence program and the CIA's request for reaffirmation from OLC on previous analyses given. The attached fax cover sheet list sthe number fo pages (including the cover sheet) as 13, but only eight pages are attached. The document contains information relating to classified intelligence operations, sources, and methods, and is therefore, withheld in part under FOIA Exemptions b(1), b(2), and b(3).

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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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).

## ACLU OLC Remand

Document Number: 23  
Date of Document: 05/10/2004  
Document Type: Memo  
Classification: Top Secret  
From/To: DOJ/DOD  
Subject: Memo providing legal advice  
Document Pages: 1

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document was inadvertently listed on OLC's original vaughn index. It is a DOD document that is being referred to DOD for reprocessing or a determination that it has been previously addressed in this litigation.



## ACLU OLC Remand

Document Number: 24  
Date of Document: 05/14/2004  
Document Type: Memo  
Classification: Secret, Top Secret  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 19

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an 18 page briefing presentation with a fax cover sheet, from CIA to OLC, on the CIA's interrogation program. The document contains deliberative information and is withheld in its entirety on the basis of FOIA Exemption b(5), and in part on the basis of Exemptions b(1), b(2), and b(3).

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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number : 25  
Date of Document : 05/18/2004  
Document Type : Memo  
Classification : Secret  
From/To : DOD/DOJ  
Subject : Memo requesting legal advice  
Document Pages : 17

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document was inadvertently listed on OLC's original vaughn index. It is a DOD document that is being referred to DOD for reprocessing or a determination that it has been previously addressed in this litigation.

## ACLU OLC Remand

Document Number: 26  
Date of Document: 05/25/2004  
Document Type: Letter  
Classification: Unclassified  
From/To: DOJ/CIA  
Subject: Letter providing legal advice  
Document Pages: 1

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from OLC to CIA. OLC is requesting the opportunity to review a document discussing OLC's legal advice to the CIA on the counterterrorism interrogation program. This document contains information relating to classified intelligence operations, sources, and methods, and is therefore, withheld in part, under FOIA Exemption b(3).

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. 2008) and 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).

## ACLU OLC Remand

Document Number: 27  
Date of Document: 05/27/2004  
Document Type: Letter  
Classification: SCI, Top Secret  
From/To: DOJ/CIA  
Subject: Unsigned letter providing legal advice  
Document Pages: 2

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 unsigned but otherwise final letter, from OLC to CIA, discussing aspects of the CIA's enhanced interrogation techniques. This document contains information pertaining to intelligence sources and methods withheld under exemption b(3).

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. 2008) and 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).

## ACLU OLC Remand

Document Number: 28  
Date of Document: 05/27/2004  
Document Type: Letter  
Classification: SCI, Top Secret  
From/To: DOJ/CIA  
Subject: Letter providing legal advice  
Document Pages: 2

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from OLC to CIA, discussing aspects of the CIA's enhanced interrogation techniques. This document contains information pertaining to intelligence sources and methods withheld under exemption b(3).

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. 2008) and 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).

## ACLU OLC Remand

Document Number : 29  
Date of Document : 06/10/2004  
Document Type : Letter  
Classification : SCI, Top Secret  
From/To : DOJ/CIA  
Subject : Draft letter providing legal advice (identified document is not draft)  
Document Pages : 2en

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 responsive letter, from OLC to CIA, which provides legal advice regarding a request for reaffirmation of points made in a previous letter sent from CIA to OLC. The document contains information relating to classified intelligence operations and methods. The document is withheld in part on the bases of FOIA Exemptions b(1) and b(3).

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. 2008) and 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).

## ACLU OLC Remand

Document Number: 30  
Date of Document: 06/10/2004  
Document Type: Letter  
Classification: SCI, Top Secret  
From/To: DOJ/CIA  
Subject: Letter providing legal advice  
Document Pages: 2 (identified document has 3)

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 responsive letter, and a confirmation fax sheet, from OLC to CIA. This document provides legal advice regarding a request for reaffirmation of points made in a previous letter sent from CIA to OLC. The document also contains information relating to classified intelligence operations and methods. The document is withheld in part on the bases of FOIA Exemptions b(1) and b(3).

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. 2008) and 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).

## ACLU OLC Remand

Document Number: 31  
Date of Document: 06/10/2004  
Document Type: Memo  
Classification: SCI, Top Secret  
From/To: DOJ/RECORD  
Subject: Memo providing legal advice  
Document Pages: 3

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page memorandum, involving the memorialization of communications between a current and former DOJ attorney, regarding previous legal advice given to the CIA on the interrogation detention program. This document contains the pre-decisional information, legal analysis, and opinion prepared by an attorney in connection with the preparation of legal advice. The document also contains information relating to classified intelligence sources and methods. The document is withheld in its entirety under FOIA Exemption b(5) and in part on the bases of FOIA Exemptions b(1) and b(3).

**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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is protected from disclosure by Exemption b(5).



## ACLU OLC Remand

Document Number: 32  
Date of Document: 06/14/2004  
Document Type: Memo  
Classification: Unclassified  
From/To: DOJ/DOJ  
Subject: Email providing legal advice  
Document Pages: 1

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 with handwritten notes, from an OLC attorney to other OLC attorneys, discussing the summarization of previous legal advice given to CIA. This document contains predecisional deliberations, and therefore is withheld in its entirety under FOIA Exemption b(5), and in part on FOIA Exemption b(6).

Exemption b(5)-This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of DOJ attorneys, and thus is 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).

## ACLU OLC Remand

Document Number: 33  
Date of Document: 06/14/2004  
Document Type: Memo  
Classification: Unclassified  
From/To: DOJ/DOJ  
Subject: Email providing legal advice  
Document Pages: 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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, which includes a draft letter and handwritten notes, confirming oral legal advice given to the CIA from OLC on counterterrorism activities. This document contains the pre-decisional information, legal analysis, and opinion prepared by an attorney in connection with the preparation of legal advice. This document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemption b(3) and b(6).

Exemption b(3) - This document also contains information relating to the 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of OLC employees, and thus is 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).

## ACLU OLC Remand

Document Number: 34  
Date of Document: 06/14/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 3

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 letter with a fax cover sheet, from CIA to OLC, discussing the status of various interrogation techniques. This document contains predecisional deliberative information, as well as attorney-client communications. The document also contains information relating to classified intelligence operations, sources and methods. This document is withheld in its entirety on the basis of FOIA Exemption b(5), and in part under exemptions b(1) and b(3).

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. 2008) and 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). 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. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5)- This document contains information pertaining to deliberations and attorney-client communications made with the expectation that those communications would remain in

confidence, which they have. Therefore, that information is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 35  
Date of Document: 06/14/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 4

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page letter with marginalia and a fax cover sheet, from the CIA to OLC, regarding previously written guidance received from OLC. The document also contains information relating to classified intelligence operations and methods. This document contains the pre-decisional information, legal analysis, and opinion prepared by a CIA attorney. It was prepared with the expectation of the attorney that it would be held in confidence, and it has been held in confidence. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(2), and b(3).

**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(2) -** This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

**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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations provided in connection with the

preparation of legal advice, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 36  
Date of Document: 06/18/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: DOJ/CIA  
Subject: Letter providing legal advice  
Document Pages: 1

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from OLC to CIA, regarding a report they recieved from the CIA. The document also contains information relating to intelligence operations and methods. The document is withheld in part on the basis of FOIA Exemption b(3).

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. 2008) and 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).

## ACLU OLC Remand

Document Number: 37  
Date of Document: 06/18/2004  
Document Type: Memo  
Classification: Unclassified  
From/To: DOJ/CIA  
Subject: Memo providing legal advice  
Document Pages: 5

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 five-page document, from OLC to CIA, regarding a special review on the counterterrorism detention and interrogation activities. This document contains information pertaining to intelligence sources and methods. This document is withheld in part under FOIA Exemption b(3).

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. 2008) and 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).



## ACLU OLC Remand

Document Number: 38  
Date of Document: 06/22/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, with a fax cover sheet, from CIA to OLC, regarding modifications to a report on the CIA's counterterrorism detention and interrogation activities. The document contains information relating to classified intelligence operations and methods. The document is withheld in part under FOIA Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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(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).

## ACLU OLC Remand

Document Number: 39  
Date of Document: 06/29/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/CIA  
Subject: Draft memo providing legal advice  
Document Pages: 10

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 ten-page draft, from OLC to CIA. It is confirming legal advice, which was initially given orally, on whether a detainee is considered a protected person if involved in counterterrorism activities and captured. This document contains the pre-decisional information, legal analysis, and opinion prepared by an attorney in connection with the preparation of legal advice. The document also contains information relating to classified intelligence operations and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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). 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. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is protected from disclosure

by Exemption b(5).

## ACLU OLC Remand

Document Number: 40  
Date of Document: 06/30/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Memo on legal advice  
Document Pages: 11

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an eleven-page document with handwritten comments, from the CIA to OLC, commenting on a draft letter regarding terrorism and interrogation of detainees. This document contains the pre-decisional information, legal analysis, and opinion prepared by a CIA attorney. The document also contains information relating to classified intelligence operations and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(2), and b(3).

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(2) - This document contains purely routing information for which the public has no legitimate interest.

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 41  
Date of Document: 06/XX/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA-DOJ/CIA  
Subject: Draft letter providing legal advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is a two-page draft, from a CIA and DOJ attorney requesting consideration to revisions of a report regarding the CIA's enhanced interrogation technique program. The document contains pre-decisional information and also contains information relating to classified intelligence operations and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemption b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of government attorneys, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 42  
Date of Document: 07/02/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 2

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from CIA to OLC, explaining the purpose of the Special Review, with respect to counterterrorism detention and interrogation activities. The document also contains information relating to classified intelligence operations and methods and the identities of personnel engaged in counter-terrorism activities. The document is withheld in part under FOIA Exemptions b(3) and b(6).

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. 2008) and 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(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)



## ACLU OLC Remand

Document Number: 43  
Date of Document: 07/02/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Memo providing legal advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 memo with a fax cover sheet, from CIA to OLC, on approval of certain interrogation techniques used on a high value detainee. The document contains information related to classified intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemptions b(1), b(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. 2008) and 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). 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. 2008), 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).

## ACLU OLC Remand

Document Number: 44  
Date of Document: 07/02/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Memo providing legal advice  
Document Pages: 3

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 memo with a fax coversheet, providing legal advice regarding the CIA securing custody of a detainee and use of interrogation methods. The document contains predecisional and attorney work-product information. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

**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. 2008) and 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). 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. 2008), and thus is protected from disclosure by Exemption b(3).

**Exemption b(5) -** This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA personnel. It also contains attorney work-product done in anticipation of litigation, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 45  
Date of Document: 07/02/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/CIA  
Subject: Memo requesting legal advice  
Document Pages: 10

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is a ten page memo from the CIA's Office of General Counsel requesting legal guidance on the proposed interrogation of a specific detainee. The document contains predecisional and attorney work-product information. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to inter-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA personnel. It also contains attorney-client communications and attorney work-product done in anticipation of litigation, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 46  
Date of Document: 07/07/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 1

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from CIA to OLC, requesting finalization of a draft, instead of OLC's proposed summary substitute, regarding a proposed intelligence operation. This document contains the pre-decisional information, legal analysis, and opinion prepared by an attorney in connection with the preparation of legal advice. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), b(5), 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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations provided in connection with the preparation of legal advice, and thus is 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).

## ACLU OLC Remand

Document Number: 47  
Date of Document: 07/07/2004  
Document Type: Memo  
Classification: Unclassified  
From/To: unk  
Subject:  
Document Pages: 1

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 : Not located.

## ACLU OLC Remand

Document Number: 48  
Date of Document: 07/07/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: DOJ/CIA  
Subject: Letter providing legal advice  
Document Pages: 1

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from OLC to OGC, setting the guidelines for the interrogation techniques used on a high value detainee. The document is withheld in part under FOIA Exemptions b(1) and b(3).

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 the internal rules and practices of the CIA, including administrative, organizational, and routing information, such as the name and telephone number of a CIA employee, the disclosure of which is not subject to genuine and significant public interest, and thus is protected from disclosure by Exemption b(3).



## ACLU OLC Remand

Document Number: 49  
Date of Document: 07/13/2004  
Document Type: Memo  
Classification: Secret  
From/To: DOJ/CIA  
Subject: Memo providing legal advice  
Document Pages: 4

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 letter, identical to that listed as document number one and released in full on August 24, 2009, as well as two fax cover sheets. One cover sheet, from CIA to OLC, is dated 7/15/02. The second is from OLC to CIA and is dated 6/22/04. This document contains information pertaining to intelligence sources and methods and information pertaining to the identities of individuals involved in counterterrorism operations, and is withheld in part under FOIA Exemptions b(2), b(3), and b(6).

Exemption b(2) - This document contains purely routing information for which the public has no legitimate interest.

Exemption b(3) - This document contains information relating to the internal rules and practices of the CIA, including administrative, organizational, and routing information, such as the names, addresses, and telephone numbers of CIA components, the disclosure of which is not subject to genuine and significant public interest, and thus is protected from disclosure by Exemption b(2).

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).

## ACLU OLC Remand

Document Number: 50  
Date of Document: 07/14/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/Record  
Subject: Memo providing legal advice  
Document Pages: 1

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 OLC memo on whether a captured member of a terrorist network is legally protected under international law. The document contains predecisional, attorney-client, and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. This document contains information, legal analysis, and opinion prepared by attorneys in connection with the provision of legal advice. It was prepared by attorneys with the expectation that it would be held in confidence, and it has been held in confidence. This attorney work product is thus protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 51  
Date of Document: 07/14/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/Record  
Subject: Memo providing legal advice  
Document Pages: 1

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 OLC memo on whether a captured member of a terrorist network is legally protected under international law. The document contains predecisional, attorney-client communications and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 52  
Date of Document: 07/14/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/Record  
Subject: Memo providing legal advice  
Document Pages: 1

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 OLC memo on whether a captured member of a terrorist network is legally protected under international law. This document reflects the work of an attorney and contains predecisional and attorney work-product information. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number : 53  
Date of Document : 07/14/2004  
Document Type : Memo  
Classification : Top Secret, SCI  
From/To : DOJ/Record  
Subject : Memo providing legal advice  
Document Pages : 1

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 OLC memo on whether a captured member of a terrorist network is legally protected under international law. This document reflects the work of an attorney and contains predecisional, attorney-client, and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 54  
Date of Document: 07/14/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/Record  
Subject: Memo providing legal advice  
Document Pages: 1

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 OLC memo on whether a captured member of a terrorist network is legally protected under international law. This document reflects the work of an attorney and contains predecisional, attorney-client communications, and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 55  
Date of Document: 07/14/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/Record  
Subject: Memo providing legal advice  
Document Pages: 2

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 OLC memo on whether a captured member of a terrorist network is legally protected under international law. This document reflects the work of an attorney and contains predecisional, attorney-client communications, and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 56  
Date of Document: 07/14/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/Record  
Subject: Memo providing legal advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 OLC memo on whether a captured member of a terrorist network is legally protected under international law. This document reflects the work of an attorney and contains predecisional, attorney-client communications, and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is protected from disclosure by Exemption b(5).



## ACLU OLC Remand

Document Number: 57  
Date of Document: 07/14/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/Record  
Subject: Memo providing legal advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 OLC memo on whether a captured member of a terrorist network is legally protected under international law. This document reflects the work of an attorney and contains predecisional, attorney-client communications, and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

**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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 58  
Date of Document: 07/14/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/Record  
Subject: Memo providing legal advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 OLC memo on whether a captured member of a terrorist network is legally protected under international law. This document reflects the work of an attorney and contains predecisional, attorney-client communications, and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

**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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 59  
Date of Document: 07/15/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 draft letter and a fax cover sheet, from OGC to DOJ. The document is requesting written confirmation on previous legal advice given from OLC, regarding the use of interrogation techniques used on a detainee. The document contains predecisional and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods, as well as the names and/or identifying characteristics of individuals engaged in counter-terrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest.

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. 2008) and 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). 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. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 60  
Date of Document: 07/15/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Draft letter providing legal advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 draft letter and a fax cover sheet, from OGC to DOJ. The document is seeking confirmation of advice previously given by DOJ regarding the use of interrogation techniques used on a particular detainee. The document contains predecisional and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods, as well as the names and/or identifying characteristics of individuals engaged in counter-terrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

**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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 61  
Date of Document: 07/15/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/Record  
Subject: Memo providing legal advice  
Document Pages: 5

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 five-page OLC memo on whether a captured member of a terrorist network is legally protected under international law. This document reflects the work of an attorney and contains predecisional and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to inter-agency predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It is also an attorney work-product done in anticipation of litigation, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number : 62  
Date of Document : 07/19/02  
Document Type : Memo  
Classification : Top Secret, SCI  
From/To : CIA/DOJ  
Subject : Memo providing legal advice  
Document Pages : 3

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 letter with an attached draft letter and fax cover sheet, from OGC to DOJ, with handwritten marginalia. The letter is requesting confirmation of advice previously given by DOJ to OGC, regarding the use of interrogation techniques used on a particular detainee. The document contains predecisional and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is protected from disclosure by Exemption b(5).



## ACLU OLC Remand

Document Number : 63  
Date of Document : 07/21/2004  
Document Type : Memo  
Classification : Confidential  
From/To : EOP/DOJ  
Subject : Memo providing legal advice  
Document Pages : 12 (identified document has 11)

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 ten-page document with handwritten marginalia and a fax cover sheet, which contains pre-decisional communication regarding detainees, that was sent from the EOP to the DOJ. This document contains information that is pre-decisional and an attorney-client communication, and is therefore withheld in its entirety under FOIA Exemption b(5).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG employees, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 64  
Date of Document: 07/22/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/CIA  
Subject: Memo providing legal advice  
Document Pages: 1

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from DOJ to CIA, confirming legal advice given on the use of certain interrogation techniques on a particular detainee. The document contains predecisional and attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its part under FOIA Exemptions b(1) and b(3).

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. 2008) and 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).

## ACLU OLC Remand

Document Number: 65  
Date of Document: 07/22/2004  
Document Type: Memo  
Classification: Top Secret  
From/To: DOJ/CIA  
Subject: Memo providing legal advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from OLC to OGC, discussing a counterterrorism interrogation technique on a particular detainee. The document contains information relating to classified intelligence activities and operations and methods. This document is withheld in part under FOIA Exemptions b(1) and b(3).

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. 2008) and 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).

## ACLU OLC Remand

Document Number: 66  
Date of Document: 07/30/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 13

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document from CIA to OLC and an 11 page enclosure with handwritten marginalia, requesting legal advice and review of on the CIA's use of counterterrorism interrogation techniques on a particular detainee. This document contains the pre-decisional information, legal analysis, and opinion prepared by government attorneys in connection with the preparation of legal advice. The document also contains information related to classified intelligence operations, sources, and methods, and information pertaining to personnel engaged in counterterrorism operations. The document is withheld in its entirety under FOIA Exemption b(5) and in part under FOIA Exemptions b(1), b(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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number : 67  
Date of Document : 07/30/2004  
Document Type : Letter  
Classification : Top Secret, SCI  
From/To : CIA/DOJ  
Subject : Letter requesting legal advice  
Document Pages : 14

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document from the CIA to OLC, and an 11 page enclosure, and a fax cover sheet, requesting legal advice and review of on the CIA's use of counterterrorism interrogation techniques on a particular detainee. This document contains the pre-decisional information, legal analysis, and opinion prepared by a CIA attorney. The document also contains information related to classified intelligence operations, sources, and methods and information pertaining to personnel engaged in counterterrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(2), b(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(2) - Purely routing information for which the public has no legitimate interest., and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 68  
Date of Document: 08/02/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Draft Letter requesting legal advice  
Document Pages: 14

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 letter from CIA to OLC with a 12 page enclosure with handwritten marginalia, requesting legal advice and review on the CIA's use of counterterrorism interrogation techniques on a particular detainee. Three of the pages are blank. This document contains the pre-decisional information, legal analysis, and opinions prepared by government attorneys in connection with the preparation of legal advice. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is protected from disclosure by Exemption b(5).



## ACLU OLC Remand

Document Number : 69  
Date of Document : 08/02/2004  
Document Type : Letter  
Classification : Top Secret, SCI  
From/To : CIA/DOJ  
Subject : Letter requesting legal advice  
Document Pages : 15

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 fifteen-page document which includes three blank pages and a fax coversheet from CIA to OLC, requesting legal advice and review of on the CIA's use of counterterrorism interrogation techniques on a particular detainee. This document contains the pre-decisional information, legal analysis, and opinion prepared by an attorney in contemplation of criminal, civil, and administrative proceedings. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number : 70  
Date of Document : 08/04/2004  
Document Type : Memo  
Classification : Top Secret, SCI  
From/To : DOJ/CIA  
Subject : Draft memo providing legal advice (identified document is undated)  
Document Pages : 1

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 draft document describing the guidelines for use of counterterrorism interrogation techniques used on a particular detainee. This document reflects the work of an attorney and contains predecisional and CIA attorney work-product information. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 71  
Date of Document: 08/04/2004  
Document Type: Handwritten  
Classification: Unclassified  
From/To: DOJ/Record  
Subject: Handwritten notes  
Document Pages: 4

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document consists of four pages of handwritten notes of an attorney concerning counterterrorism interrogation techniques. This document contains predecisional information and identifying information of individuals engaged in counterterrorism operations. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5) and in part under Exemptions b(1), b(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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel, and thus is 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).

## ACLU OLC Remand

Document Number: 72  
Date of Document: 08/05/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from OGC to OLC, that provides guidelines regarding the use of the counterterrorism enhanced interrogation techniques. The document contains predecisional and attorney-client privilege information. The document also contains information relating to classified intelligence operations, sources, and methods, and the identities of personnel engaged in counter-terrorism operations. The document is withheld in part under Exemptions b(1), b(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. 2008) and 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(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).

## ACLU OLC Remand

Document Number: 73  
Date of Document: 08/05/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 3

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from OGC to OLC and a fax cover sheet. This document provides guidelines regarding the use of the counterterrorism enhanced interrogation techniques. The document is withheld in part under FOIA Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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(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).

## ACLU OLC Remand

Document Number: 74  
Date of Document: 08/06/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/CIA  
Subject: Memo requesting legal advice  
Document Pages: 2

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from an OLC attorney to a CIA attorney. The document provides legal advice on the CIA's use of counterterrorism interrogation techniques on a particular detainee. The document contains information relating to classified intelligence operations, sources, and methods. The document is withheld in part under Exemptions b(1) and b(3).

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. 2008) and 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).

## ACLU OLC Remand

Document Number : 75  
Date of Document : 08/11/2004  
Document Type : Letter  
Classification : Top Secret  
From/To : CIA/DOJ  
Subject : Letter requesting legal advice  
Document Pages : 4

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page document, from CIA to OLC. The document provides information on high value detainees and their imminent capture. This document contains the pre-decisional information, legal analysis, and opinion prepared by an attorney in contemplation of criminal, civil, and administrative proceedings. The document also contains information related to classified intelligence operations, sources, and methods and the identities of personnel engaged in counter-terrorism activities. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5), and in part under Exemption 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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 76  
Date of Document: 08/11/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 5

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page document, from CIA to OLC. The document provides information on high value detainees and their imminent capture. This document contains the pre-decisional information, legal analysis, and opinion prepared by an attorney in contemplation of criminal, civil, and administrative proceedings. The document also contains information related to classified intelligence operations, sources, and methods and the identities of personnel engaged in counter-terrorism activities. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), b(5), and in part under Exemption 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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is 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).

# ACLU OLC Remand

Document Number: 77

Date of Document: 08/16/2004

Document Type: Memo

Classification: Unclassified

From/To: unk/unk

Subject:

Document Pages: 2

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 : Not located.

## ACLU OLC Remand

Document Number: 78  
Date of Document: 08/19/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 3

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, and a fax cover sheet, from CIA to OLC. This document seeks approval for final guidelines concerning interrogation techniques on a particular detainee. This document reflects the work of an attorney and contains predecisional and attorney work-product information, and attorney-client communications. The document also contains information relating to classified intelligence operations, sources, and methods; as well as the names and/or identifying characteristics of individuals engaged in counter-terrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest.

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. 2008) and 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 to predecisional deliberations,

including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 79  
Date of Document: 08/20/2004  
Document Type: Memo  
Classification: SCI, Top Secret  
From/To: OLC/CIA  
Subject: Advice on Interrogation Techniques (identified document is 9/20/2004)  
Document Pages: 2

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is a two-page memo from OLC to CIA providing legal guidance on an interrogation. The document includes information pertaining to classified intelligence operations, sources, and methods, and identifying information of personnel involved in counterterrorism investigations. The document is withheld in part under FOIA Exemptions b(1), b(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. 2008) and 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(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).

## ACLU OLC Remand

Document Number: 80  
Date of Document: 08/20/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 3

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page document, plus a fax cover sheet, from CIA to OLC. This document seeks approval for the CIA's use of counterterrorism interrogation techniques on a particular detainee. This document reflects the work of an attorney and contains pre-decisional and attorney-work product information, and attorney-client communications. The document also contains the names and/or identifying characteristics of individuals engaged in counterterrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(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. 2008) and 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). 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. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains



attorney-client communications and CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 81  
Date of Document: 08/20/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 14 (identified document is 17)

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 two two-page letters with a fax cover sheet from CIA to OLC and a 12 page enclosure. Three of the pages are blank. The two letters from the CIA seek approval for the CIA's use of counterterrorism interrogation techniques. This document contains pre-decisional and CIA attorney-work product information, and attorney-client communications. The document also contains the names and/or identifying characteristics of individuals engaged in counterterrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(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. 2008) and 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). 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. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains

attorney-client communications and CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number : 82  
Date of Document : 08/24/2004  
Document Type : Memo  
Classification : Top Secret, SCI  
From/To : DOJ/CIA  
Subject : Draft memo providing legal guidance  
Document Pages : 14

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 twelve-page draft memo, with two pages of handwritten notes attached, providing legal advice regarding the interrogation of al Qaeda Operatives and the use of enhanced counterterrorism interrogation techniques. This document contains predecisional information and CIA attorney-work-product. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 83  
Date of Document: 08/25/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 5 (identified document has 6)

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 five-page document and a fax cover sheet, from CIA to OLC. The document requests a legal conclusion for use of certain counterterrorism interrogation techniques on a particular detainee. This document contains pre-decisional information, CIA attorney-work-product, and attorney-client communications. The document also contains information related to classified intelligence operations, sources, and methods, and identifying information of individuals engaged in counterterrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2)

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. 2008) and 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 to predecisional deliberations,

including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 84  
Date of Document: 08/25/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 6

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 five-page letter, plus a fax cover sheet, from CIA to OLC requesting interim approval to use certain counterterrorism interrogation techniques. This document contains pre-decisional information, CIA attorney-work-product and attorney-client communications. The document also contains information related to classified intelligence operations, sources, and methods and information identifying individuals involved in counterterrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part Exemptions b(1), b(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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 85  
Date of Document: 08/26/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: DOJ/CIA  
Subject: Letter providing legal advice  
Document Pages: 2

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from OLC to CIA, providing legal advice on the use of particular interrogation techniques on a high-valued detainee. The document contains information related to classified intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemptions b(1) and b(3).

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. 2008) and 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).

## ACLU OLC Remand

Document Number: 86  
Date of Document: 08/XX/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: DOJ/CIA  
Subject: Draft letter providing legal advice  
Document Pages: 2

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 draft letter, from DOJ to CIA, confirming legal advice given regarding the CIA's use of a counterterrorism interrogation technique on a particular detainee. This document contains pre-decisional information, CIA attorney-work-product, and attorney-client communications. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption and b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number : 87  
Date of Document : 09/05/2004  
Document Type : Memo  
Classification : Top Secret, SCI  
From/To : CIA/DOJ  
Subject : Memo requesting legal advice  
Document Pages : 10 (identified document is 4)

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page document, and a fax cover sheet, from CIA to OLC regarding a request for legal opinion on use of interrogation techniques on a particular detainee. This document contains pre-decisional and CIA attorney-work-product information, and attorney-client communications. The document also contains information related to classified intelligence operations, sources, and methods, and information relating to personnel engaged in counter-terrorism activities. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5), and in part under FOIA Exemption 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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees, and thus is 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).

## ACLU OLC Remand

Document Number: 88  
Date of Document: 09/06/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/CIA  
Subject: Memo providing legal advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from OLC to CIA, providing legal advice on the CIA's use of counterterrorism techniques on an al-Qa'ida operative. The document contains information related to classified intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemptions b(1), and b(3).

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. 2008) and 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). 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. 2008), and thus is protected from disclosure by Exemption b(3).

## ACLU OLC Remand

Document Number : 89  
Date of Document : 09/XX/2004  
Document Type : Memo  
Classification : Top Secret, SCI  
From/To : DOJ/DOJ  
Subject : Draft memo providing legal advice  
Document Pages : 3

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page draft memo, from OLC, that provides an update on the status of interrogation advice. This document contains pre-decisional and CIA attorney-work-product information. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of OLC employees, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number : 90  
Date of Document : 10/04/2004  
Document Type : Memo  
Classification : Top Secret, SCI  
From/To : DOJ/Record  
Subject : Draft memo providing legal advice  
Document Pages : 4

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page memo, with handwritten marginalia, from OLC regarding application of international law, as it relates to detainees. This document contains pre-decisional information, attorney-client communications, and CIA attorney work-product. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is protected from disclosure by Exemption b(5).



# ACLU OLC Remand

Document Number: 91  
Date of Document: 10/04/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: DOJ/Record  
Subject: Memo providing legal advice  
Document Pages: 5

## FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 five-page memo, from OLC regarding application of international law as it relates to detainees. This document contains pre-decisional information, attorney-client communications, and CIA attorney work-product. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 92  
Date of Document: 10/12/2004  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 4

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page letter, from CIA to OLC, regarding questions about the use of certain counterterrorism interrogation techniques. This document contains CIA attorney-work-product, confidential communication between an attorney and a client, and information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 93  
Date of Document: 10/22/2004  
Document Type: Letter  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 2

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from CIA to OLC, responding to a request as to which attorneys at other agencies a draft may be shared with and explaining the procedures for use of certain interrogation techniques. This document contains pre-decisional information, attorney-work-product, and attorney-client communications. The document also contains information related to classified intelligence operations, sources, and methods, and information identifying individuals engaged in counterterrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of an attorney, and thus is 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).

## ACLU OLC Remand

Document Number: 94  
Date of Document: 12/08/2004  
Document Type: Letter  
Classification: Secret  
From/To: CIA/DOJ  
Subject: Letter requesting legal advice  
Document Pages: 3

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document with a fax cover sheet, from CIA to OLC, seeking legal advice on whether captured terrorists are protected under international law. This document contains pre-decisional information, attorney-client communications, and attorney work-product. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in full under FOIA Exemptions b(1), b(3), and b(5), and in part under Exemption b(2).

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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains

attorney-client communications and CIA attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 95  
Date of Document: 12/14/2004  
Document Type: Letter  
Classification: Secret  
From/To: DOJ/CIA  
Subject: Letter providing legal advice  
Document Pages: 1

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, from OLC to CIA, confirming legal advice given regarding a captured terrorist. The document contains information relating to classified intelligence operations, sources, and methods. The document also contains pre-deliberative information, attorney-client communications, and CIA attorney work-product. The document is withheld in full under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is protected from disclosure by Exemption b(5).



## ACLU OLC Remand

Document Number: 96

Date of Document: 12/30/2004

Document Type: Memo

Classification: Unclassified

From/To: DOJ/DOJ

Subject: Memo providing legal advice

Document Pages: 17

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is released in full.

# ACLU OLC Remand

**Document Number:** 97  
**Date of Document:** 12/30/2004  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** CIA/DOJ  
**Subject:** Memo requesting legal advice  
**Document Pages:** 19

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an eighteen-page document, plus a fax cover sheet, from CIA to OLC, providing a basic description of the CIA's use of various counterterrorism interrogation techniques. This document contains pre-decisional information, CIA attorney-work-product, attorney-client communications, and information identifying individuals engaged in counterterrorism operations. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemptions b(1), b(2), b(3), b(5), 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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains

attorney-client communications and CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 98  
Date of Document: 01/04/2005  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 4

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page document, from CIA to OLC, on an interrogation technique used on certain detainees. The document contains information related to classified intelligence operations, sources, and methods. The document also contains attorney-client communications. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to attorney-client communications that were made with the expectation that they would remain confidential. These communications have remained confidential. Therefore, this information is exempt from disclosure under FOIA Exemption b(5).

## ACLU OLC Remand

Document Number: 99  
Date of Document: 01/04/2005  
Document Type: Memo  
Classification: Top Secret, SCI  
From/To: CIA/DOJ  
Subject: Memo requesting legal advice  
Document Pages: 5

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 five-page document, including a fax cover sheet, from OGC to OLC, on an interrogation technique used on certain detainees. The document is an attorney-client communication and also contains information related to classified intelligence operations, sources, and methods, and information identifying individuals engaged in counterterrorism operations. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5), and in part on b(2) 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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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 to attorney-client communications that were made with the expectation that they would remain confidential. These communications have remained confidential. Therefore, this information is exempt from disclosure under FOIA 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).

# ACLU OLC Remand

Document Number : 100

Date of Document : 01/15/2005

Document Type : Memo

Classification : Top Secret, SCI

From/To : CIA/DOJ

Subject : Memo requesting legal advice

Document Pages : 4

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page document, from CIA to OLC including a fax cover sheet and handwritten edits, defining the use of a word as it pertains to a specific counterterrorism interrogation technique. This document contains pre-decisional information, CIA attorney-work-product, and attorney-client communications. The document also contains information related to classified intelligence operations, sources, and methods, and information identifying individuals involved in counterterrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part on Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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 to predecisional deliberations,

including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is 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).



## ACLU OLC Remand

**Document Number:** 101  
**Date of Document:** 01/15/2005  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** CIA/DOJ  
**Subject:** Memo requesting legal advice   
**Document Pages:** 63 (identified document is 64)

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 sixty-three page document, plus a fax cover sheet, that provides guidelines on medical and psychological support to the detainee rendition, interrogation, and detention program. Two pages are blank. The document also contains information related to classified intelligence operations, sources, and methods, and information relating to personnel engaged in counter-terrorism operations. This document is withheld in part under FOIA Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest.

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. 2008) and 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). This document also contains information relating to the internal rules and practices of the CIA, including administrative, organizational, and routing information, the disclosure of which is not subject to genuine and significant public interest, 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).

# ACLU OLC Remand

**Document Number:** 102  
**Date of Document:** 01/27/2005  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/CIA  
**Subject:** Draft Memo providing legal advice  
**Document Pages:** 9

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 nine-page draft memo with handwritten notes, regarding the legal application of a statute to certain techniques that might be used in the interrogation of an al- Qaeda operative. This document contains pre-decisional information. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption and b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 103  
**Date of Document:** 01/28/2005  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/CIA  
**Subject:** Draft Memo providing legal advice  
**Document Pages:** 11

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an eleven-page draft memo with handwritten notes, regarding the legal application of a statute to certain techniques that might be used during the interrogation of an al- Qaeda operative. This document contains pre-decisional information. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 104  
**Date of Document:** 01/31/2005  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/CIA  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 50

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 fifty-page draft legal opinion from OLC to CIA, with handwriting, regarding the legal application of a statute to certain techniques that might be used during the interrogation of an al- Qaeda operative. The document contains predecisional, deliberative information, and informal attorney work product. The document also includes information relating to classified intelligence operations, sources, and methods. The document is withheld in full under FOIA Exemption b(5), and in part under FOIA Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, and informal attorney work-product, including preliminary evaluations, opinions, and recommendations of an attorney, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 105

Date of Document: 03/01/2005

Document Type: Memo

Classification: Top Secret, SCI

From/To: CIA/DOJ

Subject: Memo requesting legal guidance

Document Pages: 3

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, plus a classification cover sheet and a fax cover sheet, from CIA to OLC, which comments on a draft legal memorandum prepared by OLC. This document contains pre-decisional information, attorney-client communications, and CIA attorney-work-product. The document also contains information related to classified intelligence operations, sources, methods, and personnel engaged in counter-terrorism activities. The document is withheld in its entirety under FOIA Exemption b(5), and in part Exemptions b(1), b(2), b(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(2) - Purely routing information for which the public has no legitimate interest., and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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. This document also contains information relating to the internal rules and practices of the CIA, including administrative, organizational, and routing information the disclosure of which is not subject to genuine and significant public interest, and thus is protected from disclosure by Exemption b(3).

Exemption b(5)-This document contains information relating to predecisional deliberations, attorney-client communications, and CIA attorney work-product, and thus is 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).

# ACLU OLC Remand

**Document Number:** 106  
**Date of Document:** 03/07/2005  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** CIA/DOJ  
**Subject:** Memo requesting legal guidance  
**Document Pages:** 4

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page document, from CIA to OLC, providing comments on two draft opinions OLC on CIA's counterterrorism interrogation techniques. This document contains pre-decisional information, attorney-client communications, and CIA attorney-work-product. The document also contains information related to classified intelligence operations, sources, methods, and personnel engaged in counter-terrorism activities. The document is withheld in its entirety under FOIA Exemption b(5), and in part Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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.

Exemption b(5) - This document contains information relating to predecisional deliberations, attorney-client communications, and CIA attorney work-product, and thus is 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).

# ACLU OLC Remand

Document Number: 107

Date of Document: 04/22/2005

Document Type: Memo

Classification: Top Secret, SCI

From/To: CIA/DOJ

Subject: Memo requesting legal guidance

Document Pages: 4

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page document, plus a classification cover sheet, providing information and descriptions on the CIA's counterterrorism interrogation techniques. The document also contains information related to classified intelligence operations, sources, and methods, and identifying information of personnel engaged in counter-terrorism activities. The document is withheld in part under FOIA Exemptions b(2), b(3) and b(6).

Exemption b(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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. This document also contains information relating to the internal rules and practices of the CIA, including organizational and routing information the disclosure of which is not subject to genuine and significant public interest, 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).

## ACLU OLC Remand

Document Number: 108

Date of Document: 04/27/2005

Document Type: Memo

Classification: Top Secret, SCI

From/To: CIA/DOJ

Subject: Memo requesting legal advice

Document Pages: 3

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, plus a fax cover sheet, from CIA to OLC commenting on the review of a draft memo from OLC. This document contains pre-decisional information, attorney-work-product, and attorney-client communications. The document also contains information related to classified intelligence operations, sources, and methods, identifying information of personnel engaged in counterterrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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. This document also contains information relating to the internal rules and practices of the CIA, including administrative, organizational, and routing information the disclosure of which is not subject to genuine and significant public interest, and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees, as well as attorney-client communications and CIA attorney work-product, and thus is 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).

# ACLU OLC Remand

Document Number: 109

Date of Document: 04/29/2005

Document Type: Memo

Classification: Top Secret, SCI

From/To: CIA/DOJ

Subject: Memo requesting legal advice

Document Pages: 3

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, plus a fax cover sheet, from CIA to OLC. This document contains edits and comments on two draft opinions prepared by OLC. This document contains pre-decisional information, attorney-work-product, and attorney-client communications. The document also contains information related to classified intelligence operations, sources, and methods, and identifying information of personnel involved in counterterrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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.

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of CIA employees, as well as

attorney-client communications and CIA attorney work-product, and thus is 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).

## ACLU OLC Remand

Document Number: 110

Date of Document: 05/05/2005

Document Type: Memo

Classification: Top Secret, SCI

From/To: CIA/DOJ

Subject: Memo requesting legal advice (identified document is 5/4/05)

Document Pages: 5

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 five-page document, plus a classification cover sheet, from CIA to OLC. This is a document with CIA's response to questions asked by OLC, regarding certain counterterrorism interrogation techniques, in connection with the preparation of legal advice by OLC. This document contains pre-decisional information, attorney-work-product, and attorney-client communications. The document also contains information related to classified intelligence operations, sources, and methods, and identifying information of personnel engaged in counterterrorism information. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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. This document also contains information relating to the internal organizational and routing information the disclosure of which is not subject to genuine and significant public interest,

and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney-client communications and CIA attorney work-product, and thus is 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).



# ACLU OLC Remand

Document Number: 111

Date of Document: 08/13/XXXX

Document Type: Handwritten

Classification: Top Secret, SCI

From/To: DOJ/Unknown

Subject: Handwritten notes

Document Pages: 4

## FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document consists of four pages of handwritten notes of an attorney concerning counterterrorism interrogation techniques in connection with the preparation of legal advice by OLC. The document is informal attorney-work-product relating to predecisional deliberations and contains information related to intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5) and in part under Exemption b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains informal attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 112  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/Unknown  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an undated one-page draft memo, plus a classification cover sheet, analyzing the CIA's interrogation program under the Convention Against Torture (CAT). The document also contains information related to intelligence operations, sources, and methods . The document is withheld in part under FOIA Exemption b(3).

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. 2008) and 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.

## ACLU OLC Remand

**Document Number:** 113  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/Unknown  
**Subject:** Draft memo providing legal guidance  
**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an undated draft memo analyzing the CIA's interrogation program under the Convention Against Torture (CAT), plus a classification cover sheet. The document also contains information related to intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemption b(3).

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. 2008) and 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.

# ACLU OLC Remand

**Document Number:** 114  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/Unknown  
**Subject:** Draft memo providing legal guidance  
**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an undated one-page document on the counterterrorism interrogation techniques, reflecting the attorney's views on certain interrogation techniques. The document contains deliberative information and attorney-work-product, and also contains information related to classified intelligence operations, sources, and methods. This document is withheld in full on the basis of FOIA Exemption b(5) and in part on the basis of Exemption b(3).

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. 2008) and 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.

Exemption b(5) - This document contains attorney-work-product information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of an attorney, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 115

Date of Document: UNDATED

Document Type: Memo

Classification: Top Secret, SCI

From/To: CIA/Unknown

Subject: Draft memo providing legal guidance

Document Pages: 1

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document on recommended standards for detention facilities. The document also contains information related to classified intelligence operations, sources, and methods and pre-decisional information. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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.

Exemption b(5)-This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 116  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** CIA/DOJ  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document discussing legal authorities for interrogation techniques used on detainees. This document contains pre-decisional information and attorney-work-product. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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.

Exemption b(5)-This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations and thus is protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 117

**Date of Document:** UNDATED

**Document Type:** Handwritten

**Classification:** Top Secret, SCI

**From/To:** DOJ/Unknown

**Subject:** Handwritten notes

**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is one page of handwritten notes of an attorney concerning counterterrorism interrogation techniques in connection with the preparation of legal advice by OLC. The document contains informal attorney-work-product related to predecisional deliberations and also contains information related to intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemption b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains informal attorney work-product, and thus is protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 118

**Date of Document:** UNDATED

**Document Type:** Handwritten

**Classification:** Unclassified

**From/To:** DOJ/Unknown

**Subject:** Handwritten notes

**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 a one-page document of handwritten notes of an attorney concerning counterterrorism interrogation techniques generated in connection with the preparation of legal advice by OLC. The document contains deliberative information and informal attorney-work-product, and also contains information related to intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part on Exemption b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains informal attorney work-product, and thus is protected from disclosure by Exemption b(5).



# ACLU OLC Remand

**Document Number:** 119

**Date of Document:** UNDATED

**Document Type:** Handwritten

**Classification:** Top Secret

**From/To:** DOJ/Unknown

**Subject:** Handwritten notes (identified document has no classification markings)

**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 a one-page document of handwritten notes of an attorney concerning counterterrorism interrogation techniques generated in connection with the preparation of legal advice by OLC. The document is deliberative and informal attorney-work-product, and also contains information related to intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5) and in part under Exemption b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains informal attorney work-product, and thus is protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 120

**Date of Document:** UNDATED

**Document Type:** Memo

**Classification:** Top Secret

**From/To:** CIA/DOJ

**Subject:** Draft memo requesting legal advice (identified document is SECRET)

**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of possible legal questions on CIA interrogations. This document is deliberative and is attorney-work-product. The document is withheld in its entirety under FOIA Exemption b(5).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 121  
**Date of Document:** UNDATED  
**Document Type:** Handwritten  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/Unknown  
**Subject:** Handwritten notes  
**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney concerning counterterrorism interrogation techniques generated in connection with the preparation of legal advice by OLC. The document is deliberative. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(1), b(3), and b(5).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel. It also contains attorney work-product, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 122  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** SCI, Top Secret  
**From/To:** DOJ/CIA  
**Subject:** Memo of legal advice  
**Document Pages:** 1

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 draft document from DOJ to the CIA. The document contains predecisional, attorney-client communication, related to the preparation of legal advice by OLC. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in full under FOIA Exemption b(5) and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, attorney-client communications, and thus is protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 123

**Date of Document:** UNDATED

**Document Type:** Handwritten

**Classification:** Unclassified

**From/To:** DOJ/Unknown

**Subject:** Handwritten notes

**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney concerning counterterrorism activities, generated in connection with the preparation of legal advice by OLC. This document is deliberative. The document is withheld in its entirety under FOIA Exemption b(5).

Exemption b(5) -This document contains prediscisional deliberative information and is thus protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 124  
**Date of Document:** UNDATED  
**Document Type:** Handwritten  
**Classification:** Unclassified  
**From/To:** DOJ/Unknown  
**Subject:** Handwritten notes  
**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney concerning counterterrorism activities generated in connection with the preparation of legal advice by OLC. The document is deliberative and informal attorney-work-product. The document is withheld in its entirety under Exemption b(5).

Exemption b(5) - This document is deliberative and is thus protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 125  
**Date of Document:** UNDATED  
**Document Type:** Handwritten  
**Classification:** Unclassified  
**From/To:** DOJ/Unknown  
**Subject:** Handwritten notes  
**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney concerning counterterrorism activities, generated in connection with the preparation of legal advice by OLC. The document is deliberative and informal attorney-work-product. The document is withheld in its entirety under Exemption b(5).

Exemption b(5) - This document is deliberative and is thus protected from disclosure by Exemption b(5).

# ACLU OLC Remand

Document Number: 126

Date of Document: UNDATED

Document Type: Handwritten

Classification: Unclassified

From/To: DOJ/Unknown

Subject: Handwritten notes

Document Pages: 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney concerning counterterrorism activities, generated in connection with the preparation of legal advice . The document is deliberative and informal attorney-work-product. The document is withheld in its entirety under Exemptions b(5).

Exemption b(5) - This document is deliberative and is thus protected from disclosure by Exemption b(5).



# ACLU OLC Remand

Document Number: 127

Date of Document: UNDATED

Document Type: Handwritten

Classification: Unclassified

From/To: DOJ/Unknown

Subject: Handwritten notes

Document Pages: 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney concerning counterterrorism activities generated in connection with the preparation of legal advice by OLC. The document is deliberative and informal attorney-work-product. The document is withheld in its entirety under FOIA Exemption b(5).

Exemption b(5) - This document is deliberative, and is thus protected from disclosure by Exemption b(5).

# ACLU OLC Remand

Document Number: 128

Date of Document: UNDATED

Document Type: Handwritten

Classification: Unclassified

From/To: DOJ/Unknown

Subject: Handwritten notes

Document Pages: 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney concerning counterterrorism activities, generated in connection with the preparation of legal advice by OLC. The document is deliberative and informal attorney-work-product. The document is withheld in its entirety under FOIA Exemption b(5).

Exemption b(5) - This document is deliberative, and is thus protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 129

Date of Document: UNDATED

Document Type: Handwritten

Classification: SCI, Top Secret

From/To: DOJ/Unknown

Subject: Handwritten notes

Document Pages: 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney providing a list of documents. The document contains information pertaining to intelligence activities, sources, and methods, and is withheld in part under b(3).

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. 2008) and 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.

## ACLU OLC Remand

**Document Number:** 130

**Date of Document:** UNDATED

**Document Type:** Handwritten

**Classification:** Unclassified

**From/To:** DOJ/Unknown

**Subject:** Handwritten notes

**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney concerning counterterrorism activities generated in connection with the preparation of legal advice by OLC. The document is deliberative and informal attorney-work-product. The document is withheld in its entirety under FOIA Exemption b(5).

Exemption b(5) - This document is deliberative, and is thus protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 131  
**Date of Document:** UNDATED  
**Document Type:** Handwritten  
**Classification:** SCI, Top Secret  
**From/To:** DOJ/Unknown  
**Subject:** Handwritten notes  
**Document Pages:** 1

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney concerning counterterrorism activities, generated in connection with the preparation of legal advice by OLC. The document is deliberative and informal attorney-work-product, and also contains information pertaining to intelligence activities, sources, and methods. The document is withheld in its entirety under FOAI Exemption b(5), and in part under Exemption b(3).

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. 2008) and 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 that is predecisional and deliberative and is thus protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 132  
**Date of Document:** UNDATED  
**Document Type:** Handwritten  
**Classification:** SCI, Top Secret  
**From/To:** DOJ/Unknown  
**Subject:** Handwritten notes  
**Document Pages:** 1

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney concerning counterterrorism activities generated in connection with the preparation of legal advice. The document is deliberative and informal attorney-work-product, and also contains information pertaining to intelligence activities, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemption b(3).

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. 2008) and 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 is deliberative and is thus protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 133  
**Date of Document:** UNDATED  
**Document Type:** Handwritten  
**Classification:** SCI, Top Secret  
**From/To:** DOJ/Unknown  
**Subject:** Handwritten notes  
**Document Pages:** 1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney concerning counterterrorism activities generated in connection with the preparation of legal advice. The document is deliberative and informal attorney-work-product, and also contains information pertaining to intelligence activities, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemption b(3).

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. 2008) and 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 is deliberative and is thus protected from disclosure by Exemption b(5).

## ACLU OLC Remand

<b>Document Number:</b>	134
<b>Date of Document:</b>	UNDATED
<b>Document Type:</b>	Memo
<b>Classification:</b>	SCI, Top Secret
<b>From/To:</b>	DOJ/CIA
<b>Subject:</b>	Draft memo providing legal advice
<b>Document Pages:</b>	1

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an undated draft memo analyzing the CIA's interrogation program under the CAT. The document also contains information related to intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemptions b(3).

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. 2008) and 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).



## ACLU OLC Remand

<b>Document Number:</b>	135
<b>Date of Document:</b>	UNDATED
<b>Document Type:</b>	Handwritten
<b>Classification:</b>	SCI, Top Secret
<b>From/To:</b>	DOJ/Unknown
<b>Subject:</b>	Handwritten notes (identified document has no classification markings)
<b>Document Pages:</b>	1

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document of handwritten notes of an attorney concerning counterterrorism interrogation techniques generated in connection with preparation of legal advice. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG personnel, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

<b>Document Number:</b>	136
<b>Date of Document:</b>	UNDATED
<b>Document Type:</b>	Memo
<b>Classification:</b>	SCI, Top Secret
<b>From/To:</b>	DOJ/CIA
<b>Subject:</b>	Draft memo providing legal advice
<b>Document Pages:</b>	2

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an undated draft memo, including a classification cover sheet, analyzing the CIA's interrogation program under the CAT. The document contains information related to intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemption b(3).

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. 2008) and 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).

## ACLU OLC Remand

**Document Number:** 137  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** SCI, Top Secret  
**From/To:** DOJ  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 2

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document, with a classification cover sheet, that provides legal advice on the treatment of detainees, under international law. The document contains information related to classified intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemptions b(1) and (3).

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. 2008) and 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).

## ACLU OLC Remand

**Document Number:** 138  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** SCI, Top Secret  
**From/To:** DOJ/Unknown  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 2

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 draft memo, plus a classified cover sheet, listing proposed techniques and the effect of the McCain Amendment on the CIA's RDI program. The document contains information related to intelligence operations, sources, and methods. This document is withheld in part under FOIA Exemption b(3).

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. 2008) and 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).

# ACLU OLC Remand

Document Number: 139

Date of Document: UNDATED

Document Type: Memo

Classification: Top Secret, SCI

From/To: CIA/unknown

Subject: Draft memo providing legal advice

Document Pages: 2

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 draft memo, with handwritten marginalia, discussing the legal principles governing the CIA's interrogation program. This document contains pre-decisional information and informal attorney-work-product. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 140  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** SCI, Top Secret  
**From/To:** CIA/Unknown  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 2

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 draft memo, with handwritten marginalia discussing the legal principles governing detainees captured overseas. This document contains pre-decisional information, informal attorney-work-product, and also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG employees, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

<b>Document Number:</b>	141
<b>Date of Document:</b>	UNDATED
<b>Document Type:</b>	Memo
<b>Classification:</b>	SCI, Top Secret
<b>From/To:</b>	CIA/Unknown
<b>Subject:</b>	Draft memo providing legal advice
<b>Document Pages:</b>	2

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 draft memo with handwritten marginalia, outlining the requirements for interrogation for intelligence purposes. This document contains pre-decisional information, informal attorney-work-product, and information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG employees, and thus is protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 142

**Date of Document:** UNDATED

**Document Type:** Memo

**Classification:** Top Secret

**From/To:**

**Subject:** Memo requesting legal advice

**Document Pages:** 2

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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:** Not located.



## ACLU OLC Remand

**Document Number:** 143  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** SCI, Top Secret  
**From/To:** DOJ/Unknown  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 2

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 draft memo, with handwritten notes, discussing OLC advice concerning interrogations of detainees. This document contains pre-decisional information and informal attorney-work-product. The document also contains information related to intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemption b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG employees, and thus is protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 144

**Date of Document:** UNDATED

**Document Type:** Memo

**Classification:** SCI, Top Secret

**From/To:** DOJ/Unknown

**Subject:** Draft memo providing legal advice

**Document Pages:** 2

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 draft memo, with handwritten notes, discussing OLC advice concerning interrogations of detainees. This document contains pre-decisional information and informal attorney-work-product. The document also contains information related to intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG employees, and thus is protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 145  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** SCI, Top Secret  
**From/To:** DOJ/CIA  
**Subject:** Draft memo requesting legal advice  
**Document Pages:** 2

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document plus fax cover sheet, from OLC to CIA, providing an insert to a draft memo by OLC discussing the use and effects of the CIA's counterterrorism interrogation techniques. This document contains pre-decisional information. The document also contains information related to intelligence operations, sources, and methods and information that could identify personnel engaged in counterterrorism activities. The document is withheld in its entirety under FOIA Exemption b(5) and in part under Exemptions b(3) and b(6).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is 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).

## ACLU OLC Remand

**Document Number:** 146  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Secret  
**From/To:** DOJ/DOJ  
**Subject:** Memo providing legal advice  
**Document Pages:** 2

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document was inadvertently listed on OLC's original vaughn index. It is an OLC document concerning a DOD proposal that is being referred to DOD for reprocessing or a determination that it has been previously addressed in this litigation.

## ACLU OLC Remand

**Document Number:** 147

**Date of Document:** UNDATED

**Document Type:** Handwritten

**Classification:** Unclassified

**From/To:** DOJ/Unknown

**Subject:** Handwritten notes

**Document Pages:** 3

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page document of handwritten notes of an attorney concerning counterterrorism interrogation techniques generated in connection with the preparation of legal advice. The document is withheld in its entirety under FOIA Exemption b(5).

Exemption b(5) -This document contains predecisional deliberative information and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 148  
**Date of Document:** UNDATED  
**Document Type:** Handwritten  
**Classification:** Unclassified  
**From/To:** DOJ/Unknown  
**Subject:** Handwritten notes  
**Document Pages:** 3

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is three-pages of handwritten notes concerning counterterrorism interrogation techniques generated in connection with the preparation of legal advice by OLC. This document contains pre-decisional, informal attorney-work-product and also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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). This document also contains information relating to the 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 149

**Date of Document:** UNDATED

**Document Type:** Memo

**Classification:** Top Secret, SCI

**From/To:** DOJ/Unknown

**Subject:** Draft memo providing legal advice

**Document Pages:** 3

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page draft memo discussing previous OLC opinions on the interrogations of detainees. The document contains information related to intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemption b(3)

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. 2008) and 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).

# ACLU OLC Remand

**Document Number:** 150  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** CIA/Unknown  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 3

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page draft memo discussing the legal principles regarding limited waiver of the USG's sovereign immunity. This document contains pre-decisional information, and also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is protected from disclosure by Exemption b(5).



# ACLU OLC Remand

Document Number: 151

Date of Document: UNDATED

Document Type: Memo

Classification: Top Secret, SCI

From/To: CIA/Unknown

Subject: Memo providing legal advice

Document Pages: 3

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an undated memo discussing legal principles applicable to the CIA's RDI program. The document contains information related to classified intelligence operations, sources, and methods. The document is withheld in its in part under FOIA Exemptions b(1) and b(3).

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. 2008) and 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).

# ACLU OLC Remand

**Document Number:** 152  
**Date of Document:** UNDATED  
**Document Type:** Handwritten  
**Classification:** Unclassified  
**From/To:** DOJ/Unknown  
**Subject:** Handwritten notes  
**Document Pages:** 3

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page document of handwritten notes of an attorney concerning counter-terrorism operations generated in connection with the preparation of legal advice. This document contains pre-decisional information, informal attorney-work-product, and information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 153

Date of Document: UNDATED

Document Type: Memo

Classification: SCI, Top Secret

From/To:

Subject: Memo providing legal advice

Document Pages: 3

### FOIA Exemptions :

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page draft document, from a CIA attorney to a DOJ attorney, providing handwritten notes on a document that appears to have been provided by the DOJ attorney to the CIA attorney on the legal guidelines for the CIA's detention and interrogation program of captured al-Qa'ida personnel. The document contains predecisional and informal attorney work-product information. The document is withheld in its entirety under FOIA Exemption b(5), and in part on the basis of Exemptions b(1), b(2), b(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(2) - This document contains purely routing information for which the public has no legitimate interest, and thus is protected from disclosure by Exemption b(2).

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. 2008) and 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). This document also contains information relating to the 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is 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).

# ACLU OLC Remand

**Document Number:** 154

**Date of Document:** UNDATED

**Document Type:** Handwritten

**Classification:** Unclassified

**From/To:** DOJ/Unk

**Subject:** Handwritten notes

**Document Pages:** 3

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page handwritten document of an attorney concerning counterterrorism activities generated in connection with the preparation of legal advice. This document contains pre-decisional information, informal attorney-work-product, and identifying information of individuals engaged in counterterrorism operations. The document is withheld in its entirety under FOIA Exemption b(5), and in part under 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is 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).

# ACLU OLC Remand

**Document Number:** 155

**Date of Document:** UNDATED

**Document Type:** Memo

**Classification:** Top Secret

**From/To:**

**Subject:** Draft memo with attached handwritten notes requesting legal advice

**Document Pages:** 3

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 :** Not located.

# ACLU OLC Remand

**Document Number:** 156  
**Date of Document:** UNDATED  
**Document Type:** Handwritten  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/Unknown  
**Subject:** Handwritten notes  
**Document Pages:** 3

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document consists of three pages of handwritten attorney notes concerning counter-terrorism operations generated in connection with the preparation of legal advice. This document contains pre-decisional information and informal attorney-work-product. The document also contains information related to intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemption b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG employees, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 157

**Date of Document:** UNDATED

**Document Type:** Handwritten

**Classification:** Top Secret

**From/To:** DOJ/Unknown

**Subject:** Handwritten notes

**Document Pages:** 3

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page document of handwritten notes of an attorney regarding the legal statutes on the standards of conduct for interrogation. It was generated in connection with the preparation of legal advice and contains pre-decisional information and informal attorney-work-product. The document is withheld in its entirety under FOIA Exemption b(5).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG employees, and thus is protected from disclosure by Exemption b(5).



# ACLU OLC Remand

Document Number: 158

Date of Document: UNDATED

Document Type: Handwritten

Classification: Top Secret, SCI

From/To: DOJ/Unknown

Subject: Handwritten notes

Document Pages: 3

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-pages of handwritten notes of an attorney concerning counterterrorism operations generated in connection with the preparation of a legal opinion by OLC. This document contains predecisional information, informal attorney-work-product, and also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 predecisional, deliberative information prepared by an attorney in connection with the preparation of legal advice and is thus protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 159

**Date of Document:** UNDATED

**Document Type:** Memo

**Classification:** Unclassified

**From/To:** Unk

**Subject:** Draft memo providing legal advice

**Document Pages:** 3

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document was released in full.

## ACLU OLC Remand

**Document Number:** 160  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** Unknown/Unknown  
**Subject:** Memo providing legal advice  
**Document Pages:** 3

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 three-page memo containing predecisional deliberative information about the CIA's obligation of treatment of detainees and use of enhanced counterterrorism interrogation techniques on detainees. The document contains deliberative and attorney-work-product information. The document is withheld in full on the basis of FOIA Exemption b(5).

Exemption b(5) - This document contains information relating to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 161

**Date of Document:** UNDATED

**Document Type:** Memo

**Classification:** Top Secret, SCI

**From/To:** DOJ/CIA

**Subject:** Memo concerning request for legal advice

**Document Pages:** 3

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document plus a fax cover sheet, from DOJ to CIA, referencing articles and posing questions on the use of a specific counterterrorism interrogation technique, in connection with the preparation of a legal opinion by OLC. The document contains predecisional, deliberative information. The document also contains information related to intelligence operations, sources, and methods and the identities of personnel engaged in counter-terrorism operations. The document is withheld in its entirety under FOIA Exemption b(5) and in part under FOIA Exemptions b(3) and (6).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and thus is 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).

# ACLU OLC Remand

**Document Number:** 162  
**Date of Document:** UNDATED  
**Document Type:** Handwritten  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/Unknown  
**Subject:** Handwritten notes  
**Document Pages:** 4

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is four-pages of handwritten notes of an attorney concerning counterterrorism interrogation techniques. This document contains predecisional deliberative information and informal attorney-work-product. The document also contains information related to intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(5), and in part under Exemption b(3).

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. 2008) and 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). 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. 2008), and thus is protected from disclosure by Exemption b(3).

Exemption b(5) - This document contains information relating to predecisional deliberative information, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 163  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/Unknown  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 4

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 an undated draft memo analyzing the CIA's interrogation program under the CAT. The document contains information related to classified intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemption b(3).

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. 2008) and 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).

## ACLU OLC Remand

**Document Number:** 164  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/Unknown  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 4

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 draft memo outlining previous OLC opinions addressing certain interrogation techniques. This document contains information related to intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemption b(3).

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. 2008) and 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).

## ACLU OLC Remand

Document Number: 165

Date of Document: UNDATED

Document Type: Handwritten

Classification: Unclassified

From/To: DOJ/Unknown

Subject: Handwritten notes

Document Pages: 4

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page document of handwritten notes of an attorney concerning counterterrorism operations generated in connection with the preparation of a legal opinion by OLC. The document contains information related to classified intelligence operations, sources, and methods, and identifying information of individuals involved in counterterrorism operations. The document is withheld in its entirety under FOIA Exemptions b(5), and in part under Exemptions b(1), b(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. 2008) and 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 to predecisional and deliberative information, and is thus 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).

# ACLU OLC Remand

**Document Number:** 166  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** CIA/DOJ  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 4

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page document providing guidelines for application of certain enhanced interrogation techniques. The document contains pre-decisional information and attorney-work-product. The document also includes information relating to intelligence sources and methods. The document is withheld in full under FOIA Exemption b(5), and in part under Exemption b(3).

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. 2008) and 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 to intra-agency predecisional deliberations and attorney-work-product, and thus is protected from disclosure by Exemption b(5).

# ACLU OLC Remand

<b>Document Number:</b>	167
<b>Date of Document:</b>	UNDATED
<b>Document Type:</b>	Handwritten
<b>Classification:</b>	Top Secret, SCI
<b>From/To:</b>	DOJ/Unknown
<b>Subject:</b>	Handwritten notes
<b>Document Pages:</b>	4

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page document of handwritten notes of an attorney concerning counterterrorism activities, generated in connection with the preparation of a legal opinion by OLC. This document contains deliberative information and informal attorney-work-product. The document is withheld in its entirety under FOIA Exemptions b(5).

Exemption b(5) - This document contains information that is predecisional and deliberative and prepared in connection with the preparation of a legal opinion, and is thus protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 168  
**Date of Document:** UNDATED  
**Document Type:** Handwritten  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/Unknown  
**Subject:** Handwritten notes  
**Document Pages:** 4

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 document is four-pages of handwritten notes of an attorney concerning counterterrorism interrogation techniques, generated in connection with the preparation of a legal opinion by OLC. The document contains deliberative information and informal attorney-work-product, and information related to intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemptions b(5), and in part under Exemption b(3).

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. 2008) and 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 predecisional information, legal analysis, and opinion prepared by an attorney in connection with the preparation of a legal opinion, and is thus protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 169  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/DOJ  
**Subject:** Draft memo concerning legal advice  
**Document Pages:** 4

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page draft document with changes and/or comments on a separate legal document. The document contains pre-decisional information and deliberations, as well as information relating to intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemption b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 170  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** CIA/DOJ  
**Subject:** Memo requesting legal advice  
**Document Pages:** 4

### FOIA Exemptions:

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 four-page document, from CIA OGC to OLC, with information on the use of a particular interrogation technique on certain detainees, as well as other information relating to the CIA's RDI program. The document was provided as part of the CIA soliciting legal advice from OLC. The document contains information relating to classified intelligence operations, sources, and methods. The document is withheld in full under FOIA Exemptions b(1), and b(3).

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. 2008) and 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).

# ACLU OLC Remand

**Document Number:** 171  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** CIA/DOJ  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 5

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 five-page draft document, with handwritten notes, that contains legal analysis regarding the applicability of the law to certain situations. This document contains information relating to predecisional deliberations. The document also contains information relating to classified intelligence operations, sources, and methods. The document is withheld in full under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

Document Number: 172

Date of Document: UNDATED

Document Type: Memo

Classification: Unclassified

From/To: Unk/Unk

Subject: Memo requesting legal advice

Document Pages: 5

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 : Not located.



## ACLU OLC Remand

<b>Document Number:</b>	173
<b>Date of Document:</b>	UNDATED
<b>Document Type:</b>	Memo
<b>Classification:</b>	Top Secret, SCI
<b>From/To:</b>	DOJ/Unknown
<b>Subject:</b>	Draft memo providing legal advice
<b>Document Pages:</b>	6

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 six-page portion of a draft legal opinion by OLC, with handwritten marginalia and attached handwritten notes, that discusses the effects of the CIA's use of certain counterterrorism interrogation techniques. The document contains predecisional information, as well as informal attorney work-product. The document also contains information relating to intelligence sources and methods. The document is withheld in full under FOIA Exemption b(5), and in part under Exemptions b(3).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is protected from disclosure by Exemption b(5).

## ACLU OLC Remand

**Document Number:** 174  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** SCI, Top Secret  
**From/To:** DOJ  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 6

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 six-page undated memo discussing the legal standards for the CIA's interrogation program. This document contains information relating to communications among senior government advisors that is predecisional. The document also contains information related to intelligence operations, sources, and methods. The document is withheld in part under FOIA Exemptions b(3) and b(5).

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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 175

**Date of Document:** UNDATED

**Document Type:** Memo

**Classification:** Top Secret

**From/To:** OLC/CIA

**Subject:** Draft memo providing legal guidance

**Document Pages:** 6

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 :** Not located.

# ACLU OLC Remand

**Document Number:** 176

**Date of Document:** UNDATED

**Document Type:** Handwritten

**Classification:** Top Secret, SCI

**From/To:** DOJ/Unknown

**Subject:** Handwritten notes

**Document Pages:** 9

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 nine-page document of handwritten notes by an attorney concerning counterterrorism interrogation techniques, generated in connection with the preparation of a legal opinion by OLC. The document contains deliberative information, and informal attorney-work-product, and also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1) and b(3).

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. 2008) and 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 predecisional deliberative information written by an attorney in connection with the preparation of legal advice and is thus protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 177

**Date of Document:** UNDATED

**Document Type:** Memo

**Classification:** Top Secret, SCI

**From/To:** DOJ/Unknown

**Subject:** Draft memo providing legal advice

**Document Pages:** 2

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 :** Not located.

# ACLU OLC Remand

**Document Number:** 178  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/CIA  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 17

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 seventeen-page draft memo, from OLC, providing legal advice on interrogation techniques used on Abu Zubaydah. This document contains pre-decisional deliberative information. The document also contains information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), b(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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations, and thus is 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).

## ACLU OLC Remand

**Document Number:** 179  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** CIA/DOJ  
**Subject:** Draft memo requesting legal advice  
**Document Pages:** 22

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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 twenty-two page document, with a classification cover sheet, that includes guidance for the CIA's high value detainee interrogation training. The document also contains information related to classified intelligence operations, sources, and methods, and deliberative information. The document is withheld in its entirety under FOIA Exemptions b(1) and b(3), and in part under Exemption b(5).

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. 2008) and 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 predecisional information protected from disclosure by Exemption b(5).



## ACLU OLC Remand

**Document Number:** 180  
**Date of Document:** UNDATED  
**Document Type:** Memo  
**Classification:** Top Secret, SCI  
**From/To:** DOJ/Unknown  
**Subject:** Draft memo providing legal advice  
**Document Pages:** 23

**FOIA Exemptions:**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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
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**Document Description:** This is a twenty-three page draft memo with handwritten comments and edits, plus a classification cover sheet, discussing the meaning of specific statutory provisions. This document contains pre-decisional, deliberative information, and information related to classified intelligence operations, sources, and methods. The document is withheld in its entirety under FOIA Exemption b(5), and in part under Exemptions b(1), and b(3).

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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. 2008) and 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 to predecisional deliberations, including preliminary evaluations, opinions, and recommendations of USG employees, and thus is protected from disclosure by Exemption b(5).

# ACLU OLC Remand

**Document Number:** 181

**Date of Document:** UNDATED

**Document Type:** Memo

**Classification:** Top Secret

**From/To:**

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**Document Pages:** 127

**FOIA Exemptions :**

- (b) (1)
- (b) (2)
- (b) (3)
- (b) (4)
- (b) (5)
- (b) (6)
- (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
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**Document Description :** Not located.