



DEPARTMENT OF THE NAVY
HEADQUARTERS
NAVAL CRIMINAL INVESTIGATIVE SERVICE
716 SICARD STREET SE SUITE 2000
WASHINGTON NAVY YARD DC 20388-5380

5720 F09-1590
SER00LJF/9U2643

FEB 26 2010

Mr. Jameel Jaffer
Director, National Security Project
American Civil Liberties Union
125 Broad Street, 18th Floor
New York, NY 10004

Dear Mr. Jaffer:

The processing of your request for information pertaining to the Interrogation of Detainees, which was referred to this office by the Federal Bureau of Investigation (FBI) along with seven pages of documents, has been completed. Our review of the file reveals that it contains personal identifiers (such as names and social security numbers) of third parties, the release of which would constitute an unwarranted invasion of personal privacy. Accordingly, we must partially deny your request and redact (withhold) this information pursuant to the Freedom of Information Act provisions 5 U.S.C. § 552(b)(6) and (b)(7)(C). All releasable information is provided to you at enclosure (1). We have also provided an enclosure explaining the various exemptions of the Freedom of Information Act.

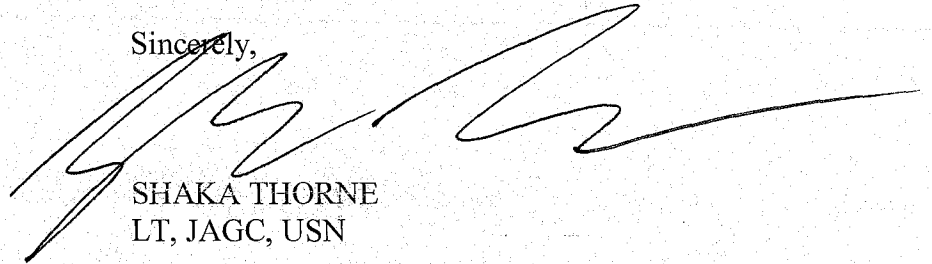
As the official responsible for the partial denial of your request, I am advising you of your right to appeal this determination. Your appeal must be postmarked within 60 calendar days from the date of this letter. An appeal should be addressed to the Secretary of the Navy's designee: Office of the Judge Advocate General, (Code 14), 1322 Patterson Avenue, S.E., Suite 3000, Washington Navy Yard, D.C. 20374-5066. The envelope and letter should bear the annotation "FOIA Appeal." A copy of your original request and this partial denial letter must accompany your appeal.

The FBI has taken exemptions pursuant to 5 U.S.C. § 552(b)(6) and (b)(7)(C). You may appeal any denials cited, by writing within 60 days from the date of this letter to the Director, Office of Information and Policy, U.S. Department of Justice, 1425 New York Avenue, NW, Suite 11050, Washington, D.C. 20530-0001. Please cite FBI FOI/PA #1129744-000 so your request may be easily identified.

F09-1590

There are no assessable fees associated with the processing of your request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shaka Thorne', is written over the typed name and title.

SHAKA THORNE
LT, JAGC, USN

Encl:
(1) Documents

Copy to: FBI FOI/PA #1129744-000

EXPLANATION OF EXEMPTIONS

FREEDOM OF INFORMATION ACT (5 U.S.C. §552):

- (b)(1) protects from disclosure national security information concerning the national defense or foreign policy;
- (b)(2) related solely to internal personnel rules and practices, the release of which would allow circumvention of a statute or rule;
- (b)(3) specifically exempt from disclosure by statute;
- (b)(4) trade secrets and commercial or financial information obtained from a private source which would cause substantial competitive harm to the source;
- (b)(5) pre-decisional opinions and recommendations, inter-agency or intra-agency memoranda or letters that show foreseeable harm if released. Also, attorney-client privilege and attorney-work product are covered;
- (b)(6) personnel and medical information, the release of which would result in a clearly unwarranted invasion of personal privacy;
- (b)(7) investigatory records or information compiled for law enforcement purposes, which (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose investigative techniques, and/or (F) could reasonably be expected to endanger the life or physical safety of an individual.

PRIVACY ACT (5 U.S.C. §552a):

- (b) applies to information concerning other individuals which may not be released without their written consent;
- (j)(2) (A) applies to information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data, (B) information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual, or (C), reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws;
- (k)(1) applies to information and material properly classified pursuant to an Executive Order in the interest of national defense or foreign policy;
- (k)(5) applies to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal, civilian employment, or access to classified information, release of which would disclose a confidential source; and
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service, the release of which would compromise the testing or examination process.