

Central Intelligence Agency



Washington, D.C. 20505

22 July 2013

J. Scott Tarbutton, Esq.
Cozen O'Connor
1900 Market Street
Philadelphia, PA 19103

Reference: F-2013-01872

Dear Mr. Tarbutton:

This is a final response to your 5 June 2013 Freedom of Information Act (FOIA) request, received in the office of the Information and Privacy Coordinator on 5 June 2013, for the following:

1. All intelligence reports authored by the Central Intelligence Agency (CIA) and other U.S. government agencies which were provided to and reviewed by reporters at the Wall Street Journal, as detailed in "Terrorist Finance – U.S. Tracks Saudi Banks Favored By Extremists" (July 26, 2007)...not limited to (1) a 2003 CIA report titled "Al Rajhi Bank: Conduit for Extremist Finance," detailing Sulaiman al Rajhi's and Al Rajhi Bank's financial aid and material support for al Qaeda and affiliated terrorist organizations; (2) a U.S. intelligence memo dated November 16, 2001 describing Al Rajhi Bank's efforts to obtain a visa for Osama bin Laden's second-in-command, Ayman al Zawahiri; and (3) a November 2002 CIA report discussing Saudi Arabia's reluctance to "uncover terrorist financiers, investigate individual donors, and tighten the regulation of Islamic charities."
2. Based on a conversation between you and a member of my staff on 17 June 2013, you provided further clarification to us which we understood to be the previously released documents provided to the original requester in connection with 21 specified EOM cases, which you provided in list form under Exhibit B.
3. CIA Mandatory Declassification Review (EOM) Case Logs for calendar years 1985-2004, 2009, and 2010 to the present.

We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

With regards to Item 1, in accordance with section 3.6(a) of Executive Order 13526, the CIA can neither confirm nor deny the existence or nonexistence of records responsive to your request. The fact of the existence or nonexistence of requested records is currently and properly classified and is intelligence sources and methods information that is protected from disclosure by section 6 of the CIA Act of 1949, as amended, and section 102A(i)(1) of the National Security Act of 1947, as amended. Therefore, your request is denied pursuant to FOIA exemptions (b)(1) and (b)(3). I have enclosed an explanation of these exemptions for your reference and retention. As the CIA Information and Privacy Coordinator, I am the CIA official responsible for this determination. You have the right to appeal this response to the Agency Release Panel, in my care, within 45 days from the date of this letter. Please include the basis of your appeal.

With regards to Item 2, we searched and located the enclosed two documents, consisting of 29 pages, which were released in connection with the earlier cases (EOM-2005-00499 and EOM-2006-00346). There were no other records released in the other cases provided from your list.

With regards to Item 3, enclosed also are copies of the MDR case logs for the calendar years 2009, 2010, 2011, 2012, and the first quarter of 2013, consisting of 38 pages. Please note, MDR case logs were not produced prior to 2005; and, therefore, we cannot provide you with requested records for the period 1985-2004.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michele Meeks".

Michele Meeks

Information and Privacy Coordinator

Enclosures

Explanation of Exemptions

Freedom of Information Act:

- (b)(1) exempts from disclosure information currently and properly classified, pursuant to an Executive Order;
- (b)(2) exempts from disclosure information which pertains solely to the internal personnel rules and practices of the Agency;
- (b)(3) exempts from disclosure information that another federal statute protects, provided that the other federal statute either requires that the matters be withheld, or establishes particular criteria for withholding or refers to particular types of matters to be withheld. The (b)(3) statutes upon which the CIA relies include, but are not limited to, the CIA Act of 1949;
- (b)(4) exempts from disclosure trade secrets and commercial or financial information that is obtained from a person and that is privileged or confidential;
- (b)(5) exempts from disclosure inter-and intra-agency memoranda or letters that would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) exempts from disclosure information from personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy;
- (b)(7) exempts from disclosure information compiled for law enforcement purposes to the extent that the production of the information (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 or, in the case of information compiled by a criminal law enforcement authority in the course of a criminal investigation or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source ; (E) would disclose techniques and procedures for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; or (F) could reasonably be expected to endanger any individual's life or physical safety;
- (b)(8) exempts from disclosure information contained in reports or related to examination, operating, or condition reports prepared by, or on behalf of, or for use of an agency responsible for regulating or supervising financial institutions; and
- (b)(9) exempts from disclosure geological and geophysical information and data, including maps, concerning wells.

April 2012