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105 S.Ct. 1881

Supreme Court of the United States

CENTRAL INTELLIGENCE
AGENCY, et al., Petitioners

v.

John Cary **SIMS** and Sidney M. Wolfe.John Cary **SIMS** and Sidney
M. Wolfe, Petitioners

v.

CENTRAL INTELLIGENCE
AGENCY and William J. Casey,
Director, Central Intelligence Agency.

Nos. 83–1075, 83–1249.

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Argued Dec. 4, 1984.

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Decided April 16, 1985.

Synopsis

A Freedom of Information Act suit was brought seeking disclosure by the Central Intelligence Agency of individuals and institutions conducting research on a **CIA**-funded project. The United States District Court for the District of Columbia, Louis F. Oberdorfer, J., [479 F.Supp. 84](#), ordered disclosure of the withheld names. The Court of Appeals for the District of Columbia Circuit, [642 F.2d 562](#), remanded for reconsideration. The District Court again ordered the **CIA** to disclose the names of some researchers and institutions, but exempted others from disclosure. Appeals were taken. The Court of Appeals, [709 F.2d 95](#), affirmed in part and reversed in part. Certiorari was granted. The Supreme Court, Chief Justice Burger, held that: (1) the statute requiring the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure qualifies as a “withholding statute” for purposes of the Freedom of Information Act; (2) institutions and individuals who performed research on a project financed by the **CIA** were “intelligence sources” and, therefore, the Director was authorized to withhold their identities; and (3) the Act did not

require the Director to disclose the institutional affiliations of exempt researchers.

Affirmed in part and reversed in part.

Justice Marshall filed an opinion concurring in the result, in which Justice Brennan joined.

West Headnotes (9)

[1] Records Matters Exempted or Prohibited from Disclosure Under Other Laws

Statute requiring Director of Central Intelligence to protect intelligence sources and methods qualifies as withholding statute under exemption of Freedom of Information Act for information specifically exempted from disclosure by statute if statute affords agency no discretion on disclosure, establishes particular criteria for withholding of information or refers to particular types of material to be withheld. National Security Act of 1947, § 102(d)(3), as amended, [50 U.S.C.A. § 403\(d\)\(3\)](#); [5 U.S.C.A. § 552\(b\)\(3\)](#).

[168 Cases that cite this headnote](#)

[2] Records Matters Exempted or Prohibited from Disclosure Under Other Laws

Director of Central Intelligence has very broad authority to protect all sources of intelligence information from disclosure. National Security Act of 1947, § 102(d)(3), as amended, [50 U.S.C.A. § 403\(d\)\(3\)](#).

[81 Cases that cite this headnote](#)

[3] Records Matters Exempted or Prohibited from Disclosure Under Other Laws

Authority of Director of Central Intelligence to protect all sources of intelligence information from disclosure is not limited to sources to which Central Intelligence Agency had to guarantee confidentiality in order to obtain information. National Security Act of 1947, § 102(d)(3), as amended, [50 U.S.C.A. § 403\(d\)\(3\)](#); [5 U.S.C.A. § 552\(b\)\(3\)](#).

[94 Cases that cite this headnote](#)

[4] Records 🔑 [Matters Exempted or Prohibited from Disclosure Under Other Laws](#)

Director of Central Intelligence was within his statutory authority in withholding names of institutions and individuals who performed research on project financed by **CIA** as “intelligence sources” which were exempt from disclosure under Freedom of Information Act exemption for matters specifically exempted from disclosure by statute. National Security Act of 1947, § 102(d)(3), as amended, 50 U.S.C.A. § 403(d)(3); 5 U.S.C.A. § 552(b)(3).

[92 Cases that cite this headnote](#)

[5] Records 🔑 [Matters Exempted or Prohibited from Disclosure Under Other Laws](#)

Authority of Director of Central Intelligence to withhold researchers' identities from disclosure under Freedom of Information Act as intelligence sources Director was required by statute to protect is not limited to those who supply **CIA** with information unattainable without a guarantee of confidentiality. National Security Act of 1947, § 102(d)(3), as amended, 50 U.S.C.A. § 403(d)(3); 5 U.S.C.A. § 552(b)(3).

[47 Cases that cite this headnote](#)

[6] Records 🔑 [Matters Exempted or Prohibited from Disclosure Under Other Laws](#)

Where researchers on project funded by Central Intelligence Authority in fact provided **CIA** with information related to **CIA's** intelligence function, identities of researchers were exempt from disclosure under Freedom of Information Act as information specifically exempted from disclosure by statute. National Security Act of 1947, § 102(d)(3), as amended, 50 U.S.C.A. § 403(d)(3); 5 U.S.C.A. § 552(b)(3).

[29 Cases that cite this headnote](#)

[7] Records 🔑 [Matters Exempted or Prohibited from Disclosure Under Other Laws](#)

Director of Central Intelligence, in exercising his authority under statute providing that Director shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, has power to withhold superficially innocuous information on ground that it might enable observer to discover identity of intelligence source. National Security Act of 1947, § 102(d)(3), as amended, 50 U.S.C.A. § 403(d)(3).

[79 Cases that cite this headnote](#)

[8] Records 🔑 [Matters Exempted or Prohibited from Disclosure Under Other Laws](#)

Freedom of Information Act did not require Director of Central Intelligence to disclose institutional affiliations of researchers whose identities were exempt from disclosure as being intelligence sources Director was required by statute to protect. National Security Act of 1947, § 102(d)(3), as amended, 50 U.S.C.A. § 403(d)(3); 5 U.S.C.A. § 552(b)(3).

[3 Cases that cite this headnote](#)

[9] Records 🔑 [Matters Exempted or Prohibited from Disclosure Under Other Laws](#)

Fact that Central Intelligence Agency revealed names of many institutions at which research on project financed by **CIA** was performed did not preclude **CIA** from withholding identities of others as being information concerning intelligence sources which Director of Central Intelligence was statutorily bound to protect. National Security Act of 1947, § 102(d)(3), as amended, 50 U.S.C.A. § 403(d)(3); 5 U.S.C.A. § 552(b)(3).

[80 Cases that cite this headnote](#)

****1882 *159 Syllabus***

Between 1953 and 1966, the Central Intelligence Agency (**CIA**) financed a research project, code-named MKULTRA, that was established to counter Soviet and Chinese advances

in brainwashing and interrogation techniques. Subprojects were contracted out to various universities, research foundations, and similar institutions. In 1977, respondents in No. 83–1075 (hereafter respondents) filed a request with the **CIA** under the Freedom of Information Act (FOIA), seeking, *inter alia*, the names of the institutions and individuals who had performed the research under MKULTRA. Citing Exemption 3 of the FOIA—which provides that an agency need not disclose “matters that are ... specifically exempted from disclosure by statute ... provided that such statute ... refers to particular types of matters to be withheld”—the **CIA** declined to disclose the requested information. The **CIA** invoked, as the exempting statute referred to in Exemption 3, § 102(d)(3) of the National Security Act of 1947, which states that “the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure.” Respondents then filed suit under the FOIA in Federal District Court. Applying, as directed by the Court of Appeals on an earlier appeal, a definition of “intelligence sources” as meaning only those sources to which the **CIA** had to guarantee confidentiality **1883 in order to obtain the information, the District Court held that the identities of researchers who had received express guarantees of confidentiality need not be disclosed, and also exempted from disclosure other researchers on the ground that their work for the **CIA**, apart from MKULTRA, required that their identities remain secret. The court further held that there was no need to disclose the institutional affiliations of the individual researchers whose identities were exempt from disclosure. The Court of Appeals affirmed this latter holding, but reversed the District Court’s ruling with respect to which individual researchers satisfied “the need-for-confidentiality” aspect of its formulation *160 of exempt “intelligence sources.” The Court of Appeals held that it was error automatically to exempt from disclosure those researchers to whom confidentiality had been promised, and that an individual qualifies as an “intelligence source” exempt from disclosure under the FOIA only when the **CIA** offers sufficient proof that it needs to protect its efforts in confidentiality in order to obtain the type of information provided by the researcher.

Held:

1. Section 102(d)(3) qualifies as a withholding statute under Exemption 3. Section 102(d)(3) clearly refers to “particular types of matters” within the meaning of Exemption 3. Moreover, the FOIA’s legislative history confirms that Congress intended § 102(d)(3) to be a withholding statute

under that Exemption. And the plain meaning of § 102(d)(3)’s language, as well as the National Security Act’s legislative history, indicates that Congress vested in the Director of Central Intelligence broad authority to protect all sources of intelligence information from disclosure. To narrow this authority by limiting the definition of “intelligence sources” to sources to which the **CIA** had to guarantee confidentiality in order to obtain the information, not only contravenes Congress’ express intention but also overlooks the practical necessities of modern intelligence gathering. Pp. 1886–1890.

2. MKULTRA researchers are protected “intelligence sources” within § 102(d)(3)’s broad meaning, because they provided, or were engaged to provide, information that the **CIA** needed to fulfill its statutory obligations with respect to foreign intelligence. To force the **CIA** to disclose a source whenever a court determines, after the fact, that the **CIA** could have obtained the kind of information supplied without promising confidentiality, could have a devastating impact on the **CIA**’s ability to carry out its statutory mission. The record establishes that the MKULTRA researchers did in fact provide the **CIA** with information related to its intelligence function, and therefore the Director was authorized to withhold these researchers’ identities from disclosure under the FOIA. Pp. 1890–1892.

3. The FOIA does not require the Director to disclose the institutional affiliations of the exempt researchers. This conclusion is supported by the record. The Director reasonably concluded that an observer who is knowledgeable about a particular intelligence research project, such as MKULTRA, could, upon learning that the research was performed at a certain institution, deduce the identities of the protected individual researchers. Pp. 1892–1894.

228 U.S.App.D.C. 269, 709 F.2d 95 (1983), affirmed in part and reversed in part.

Attorneys and Law Firms

*161 *Acting Assistant Attorney General Willard* argued the cause for petitioners in No. 83-1075 and respondents in No. 83-1249. With him on the briefs were *Solicitor General Lee, Deputy Solicitor General Geller, David A. Strauss, Robert E. Kopp, Leonard Schaitman, and Stanley Sporkin.*

Paul Alan Levy argued the cause for respondents in No. 83-1075 and petitioners in No. 83-1249. With him on the briefs were *Alan B. Morrison and David C. Vladeck.*

Opinion

Chief Justice BURGER delivered the opinion of the Court.

In No. 83–1075, we granted certiorari to decide whether § 102(d)(3) of the National Security Act of 1947, as incorporated in Exemption 3 of the Freedom of Information Act, exempts from disclosure only those sources of intelligence information to which the Central Intelligence Agency had to guarantee confidentiality in order to obtain the information. In No. 83–1249, the cross-petition, we granted certiorari to decide whether the Freedom of Information Act requires the Agency to disclose the institutional affiliations of persons whose identities are exempt from disclosure as “intelligence sources.”

I

Between 1953 and 1966, the Central Intelligence Agency financed a wide-ranging project, code-named MKULTRA, concerned with “the research and development of chemical, biological, and radiological materials capable of employment in clandestine operations to control human behavior.”¹ The *162 program consisted of some 149 subprojects which the Agency contracted out to various universities, research foundations, and similar institutions. At least 80 institutions and 185 private researchers participated. Because the Agency funded MKULTRA indirectly, many of the participating individuals were unaware that they were dealing with the Agency.

MKULTRA was established to counter perceived Soviet and Chinese advances in brainwashing and interrogation techniques. Over the years the program included various medical and psychological experiments, some of which led to untoward results.² These aspects of MKULTRA surfaced publicly during the 1970's and became the subject of executive and congressional investigations.³

On August 22, 1977, John C. Sims, an attorney, and Sidney M. Wolfe, M.D., the director of the Public Citizen *163 Health Research Group,⁴ filed a request with the Central Intelligence Agency seeking certain information about MKULTRA. Respondents invoked the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Specifically, respondents sought the grant proposals and contracts awarded

under the MKULTRA program and the names of the institutions and individuals that had performed research.⁵

**1885 Pursuant to respondents' request, the Agency made available to respondents all of the MKULTRA grant proposals and contracts. Citing Exemption 3 of the FOIA, 5 U.S.C. § 552(b)(3)(B),⁶ however, the Agency declined to disclose the names of all individual researchers and 21 institutions.⁷ Exemption 3 provides that an agency need not disclose “matters that are ... specifically exempted from disclosure by statute ... provided that such statute ... refers to particular *164 types of matters to be withheld.” *Ibid.* The Agency relied on § 102(d)(3) of the National Security Act of 1947, 61 Stat. 498, 50 U.S.C. § 403(d)(3), which states that

“the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure.”

Dissatisfied with the Agency's limited disclosure, respondents filed suit under the FOIA, 5 U.S.C. § 552(a)(4)(B), in the United States District Court for the District of Columbia. That court ordered disclosure of the withheld names, holding that the MKULTRA researchers and affiliated institutions were not “intelligence sources” within the meaning of § 102(d)(3). 479 F.Supp. 84 (1979).

On appeal, the United States Court of Appeals concluded, as had the District Court, that § 102(d)(3) qualifies as a withholding statute under Exemption 3 of the FOIA. The court held, however, that the District Court's analysis of that statute under the FOIA lacked a coherent definition of “intelligence sources.” Accordingly, it remanded the case for reconsideration in light of the following definition:

“[A]n ‘intelligence source’ is a person or institution that provides, has provided, or has been engaged to provide the CIA with information of a kind the Agency needs to perform its intelligence function effectively, yet could not reasonably expect to obtain without guaranteeing the confidentiality of those who provide it.” 206 U.S.App.D.C. 157, 166, 642 F.2d 562, 571 (1980).

On remand, the District Court applied this definition and ordered the Agency to disclose the names of 47 researchers and the institutions with which they had been affiliated. The court rejected respondents' contention that the MKULTRA research was not needed to perform the Agency's intelligence function, explaining that

“[i]n view of the agency's concern that potential foreign enemies could be engaged in similar research and the *165 desire to take effective counter-measures, ... [the Agency] could reasonably determine that this research was needed for its intelligence function.” App. to Pet. for Cert. in No. 83–1075, pp. 22a–23a.

The court then turned to the question whether the Agency could show, as the Court of Appeals' definition requires, that it could not reasonably have expected to obtain the information supplied by the MKULTRA sources without guaranteeing confidentiality to them. The court concluded that the Agency's policy of considering its relationships with MKULTRA researchers as confidential was not sufficient to satisfy the Court of Appeals' definition because “the chief desire for confidentiality was on the part of the CIA.” *Id.*, at 24a. **1886 The court recognized that some of the researchers had sought, and received, express guarantees of confidentiality from the Agency, and as to those held that their identities need not be disclosed. The court also exempted other researchers from disclosure on the ground that their work for the Agency, apart from MKULTRA, required that their identities remain secret in order not to compromise the Agency's intelligence networks in foreign countries. *Id.*, at 26a–27a, 30a–31a. Finally, the court held that there was no need to disclose the institutional affiliations of the individual researchers whose identities were exempt from disclosure; this withholding was justified by the need to eliminate the unnecessary risk that such intelligence sources would be identified indirectly. *Id.*, at 27a, 34a.

Both the Agency and respondents appealed. The Court of Appeals affirmed that part of the District Court's judgment exempting from disclosure the institutional affiliations of individual researchers found to be intelligence sources. However, it reversed the District Court's ruling with respect to which individual researchers satisfied “the need-for-confidentiality” aspect of its formulation of exempt “intelligence sources.” 228 U.S.App.D.C. 269, 275, 709 F.2d 95, 101 (1983).

*166 At the outset, the court rejected the suggestion that it reconsider the definition of “intelligence sources.” *Id.*, at 271, 709 F.2d, at 97. The court then criticized the District Court for focusing its inquiry on whether the Agency had in fact promised confidentiality to individual researchers. The court held that the District Court's decision automatically to exempt from disclosure those researchers to whom confidentiality had been promised was erroneous; it directed the District

Court on remand to focus its inquiry on whether the Agency offered sufficient proof that it needed to cloak its efforts in confidentiality in order to obtain the type of information provided by the researcher. Only upon such a showing would the individual qualify as an “intelligence source” exempt from disclosure under the FOIA.⁸

We granted certiorari, 465 U.S. 1078, 104 S.Ct. 1438, 79 L.Ed.2d 759, 82 L.Ed.2d 818 (1984) and 467 U.S. 1240, 104 S.Ct. 3509, 82 L.Ed.2d 818 (1984). We now reverse in part and affirm in part.

II

No. 83–1075

A

The mandate of the FOIA calls for broad disclosure of Government records.⁹ Congress recognized, however, that *167 public disclosure is not always in the public interest and thus provided that agency records may be withheld from disclosure under any of the nine exemptions defined in 5 U.S.C. § 552(b). Under Exemption 3 disclosure need not be made as to information “specifically exempted from disclosure by statute” if the statute affords the agency no discretion on disclosure, § 552(b)(3)(A), establishes particular criteria for withholding the information, or refers to the particular **1887 types of material to be withheld, § 552(b)(3)(B).

The question in No. 83–1075 is twofold: first, does § 102(d)(3) of the National Security Act of 1947 constitute a statutory exemption to disclosure within the meaning of Exemption 3; and second, are the MKULTRA researchers included within § 102(d)(3)'s protection of “intelligence sources.”

B

[1] Congress has made the Director of Central Intelligence “responsible for protecting intelligence sources and methods from unauthorized disclosure.” 50 U.S.C. § 403(d)(3). As part of its postwar reorganization of the national defense system, Congress chartered the Agency with the responsibility of coordinating intelligence activities relating to national

security.¹⁰ In order to carry out its mission, the Agency was expressly entrusted with protecting the heart of all intelligence operations—“sources and methods.”

Section 102(d)(3) of the National Security Act of 1947, which calls for the Director of Central Intelligence to protect “intelligence sources and methods,” clearly “refers to particular types of matters,” 5 U.S.C. § 552(b)(3)(B), and thus qualifies as a withholding statute under Exemption 3. The “plain meaning” of the relevant statutory provisions is sufficient to resolve the question, see, e.g., *168 Garcia v. United States*, 469 U.S. 70, 75, 105 S.Ct. 479, 483, 83 L.Ed.2d 472 (1984); *United States v. Weber Aircraft Corp.*, 465 U.S. 792, 798, 104 S.Ct. 1488, 1492, 79 L.Ed.2d 814 (1984). Moreover, the legislative history of the FOIA confirms that Congress intended § 102(d)(3) to be a withholding statute under Exemption 3.¹¹ Indeed, this is the uniform view among other federal courts.¹²

Our conclusion that § 102(d)(3) qualifies as a withholding statute under Exemption 3 is only the first step of the inquiry. Agency records are protected under § 102(d)(3) only to the extent they contain “intelligence sources and methods” or if disclosure would reveal otherwise protected information.

C

[2] [3] Respondents contend that the Court of Appeals’ definition of “intelligence sources,” focusing on the need to guarantee confidentiality in order to obtain the type of information desired, draws the proper line with respect to intelligence sources deserving exemption from the FOIA. The plain meaning of the statutory language, as well as the legislative history of the National Security Act, however, indicates that Congress vested in the Director of Central Intelligence very *169 broad authority to protect all sources of intelligence information from disclosure. The Court of Appeals’ narrowing of this authority not only contravenes the express intention of Congress, but also overlooks the practical necessities of modern intelligence gathering—the very reason Congress entrusted this Agency with sweeping power to protect its “intelligence sources and methods.”

****1888** We begin with the language of § 102(d)(3). *Baldrige v. Shapiro*, 455 U.S. 345, 356, 102 S.Ct. 1103, 1110, 71 L.Ed.2d 199 (1982); *Steadman v. SEC*, 450 U.S. 91, 97, 101 S.Ct. 999, 1005, 67 L.Ed.2d 69 (1981). Section 102(d)(3)

specifically authorizes the Director of Central Intelligence to protect “intelligence sources and methods” from disclosure. Plainly the broad sweep of this statutory language comports with the nature of the Agency’s unique responsibilities. To keep informed of other nations’ activities bearing on our national security the Agency must rely on a host of sources. At the same time, the Director must have the authority to shield those Agency activities and sources from any disclosures that would unnecessarily compromise the Agency’s efforts.

The “plain meaning” of § 102(d)(3) may not be squared with any limiting definition that goes beyond the requirement that the information fall within the Agency’s mandate to conduct foreign intelligence. Section 102(d)(3) does not state, as the Court of Appeals’ view suggests, that the Director of Central Intelligence is authorized to protect intelligence sources only if such protection is needed to obtain information that otherwise could not be acquired. Nor did Congress state that only confidential or nonpublic intelligence sources are protected.¹³ Section 102(d)(3) contains no such limiting language. Congress simply and pointedly protected all sources *170 of intelligence that provide, or are engaged to provide, information the Agency needs to perform its statutory duties with respect to foreign intelligence. The plain statutory language is not to be ignored. *Weber Aircraft Corp.*, *supra*, 469 U.S., at 798, 104 S.Ct., at 1492.

The legislative history of § 102(d)(3) also makes clear that Congress intended to give the Director of Central Intelligence broad power to protect the secrecy and integrity of the intelligence process. The reasons are too obvious to call for enlarged discussion; without such protections the Agency would be virtually impotent.

Enacted shortly after World War II, § 102(d)(3) of the National Security Act of 1947 established the Agency and empowered it, among other things, “to correlate and evaluate intelligence relating to the national security.” 50 U.S.C. § 403(d)(3). The tragedy of Pearl Harbor and the reported deficiencies in American intelligence during the course of the war convinced the Congress that the country’s ability to gather and analyze intelligence, in peacetime as well as in war, must be improved. See, e.g., H.R.Rep. No. 961, 80th Cong., 1st Sess., 3–4 (1947); S.Rep. No. 239, 80th Cong., 1st Sess., 2 (1947).

Congress knew quite well that the Agency would gather intelligence from almost an infinite variety of diverse sources. Indeed, one of the primary reasons for creating the Agency

was Congress' recognition that our Government would have to shepherd and analyze a "mass of information" in order to safeguard national security in the postwar world. See *ibid.* Witnesses with broad experience in the intelligence field testified before Congress concerning the practical realities of intelligence work. Fleet Admiral Nimitz, for example, explained that "intelligence is a composite of authenticated and evaluated information covering not only the armed forces establishment of a possible enemy, but also his industrial capacity, racial traits, religious beliefs, and other related aspects." National Defense Establishment: *171 Hearings on S. 758 before the Senate Committee on Armed Services, 80th Cong., 1st Sess., 132 (1947) (Senate Hearings). General Vandenberg, then the Director of the Central Intelligence Group, the Agency's immediate predecessor, emphasized that "foreign intelligence [gathering] consists of securing **1889 all possible data pertaining to foreign governments or the national defense and security of the United States." *Id.*, at 497.¹⁴

Witnesses spoke of the extraordinary diversity of intelligence sources. Allen Dulles, for example, the Agency's third Director, shattered the myth of the classic "secret agent" as the typical intelligence source, and explained that "American businessmen and American professors and Americans of all types and descriptions who travel around the world are one of the greatest repositories of intelligence that we have." National Security Act of 1947: Hearings on H.R. 2319 before the House Committee on Expenditures in the Executive Departments, 80th Cong., 1st Sess., 22 (1947) (Closed House Hearings).¹⁵ In a similar vein, General Vandenberg spoke of "the great open sources of information upon which roughly 80 percent of intelligence should be based," and identified such sources as "books, magazines, technical and scientific surveys, photographs, commercial analyses, newspapers, and radio broadcasts, and general information from *172 people with knowledge of affairs abroad." Senate Hearings, at 492.

Congress was also well aware of the importance of secrecy in the intelligence field. Both General Vandenberg and Allen Dulles testified about the grim consequences facing intelligence sources whose identities became known. See Closed House Hearings, at 10–11, 20. Moreover, Dulles explained that even American citizens who freely supply intelligence information "close up like a clam" unless they can hold the Government "responsible to keep the complete security of the information they turn over." *Id.*, at 22.¹⁶ Congress was plainly alert to the need for maintaining confidentiality—both Houses went into executive session to

consider the legislation creating the Agency—a rare practice for congressional sessions. See n. 15, *supra*.

Against this background highlighting the requirements of effective intelligence operations, Congress expressly made the Director of Central Intelligence responsible for "protecting intelligence sources and methods from unauthorized disclosure." This language stemmed from [President Truman's Directive of January 22, 1946, 11 Fed.Reg. 1337](#), in which he established the National Intelligence Authority and the Central Intelligence Group, the Agency's predecessors. These institutions were charged with "assur[ing] the most effective accomplishment of the intelligence mission related to the national security," *ibid.*, and accordingly made "responsible *173 for fully protecting intelligence sources and methods," *id.*, at 1339. The fact that the mandate of § 102(d)(3) derives from this Presidential Directive reinforces our reading of the legislative history that Congress gave **1890 the Agency broad power to control the disclosure of intelligence sources.

III

A

[4] Applying the definition of "intelligence sources" fashioned by the Congress in § 102(d)(3), we hold that the Director of Central Intelligence was well within his statutory authority to withhold the names of the MKULTRA researchers from disclosure under the FOIA. The District Court specifically ruled that the Agency "could reasonably determine that this research was needed for its intelligence function,"¹⁷ and the Court of Appeals did not question this ruling. Indeed, the record shows that the MKULTRA research was related to the Agency's intelligence-gathering function in part because it revealed information about the ability of foreign governments to use drugs and other biological, chemical, or physical agents in warfare or intelligence operations against adversaries. During the height of the cold war period, the Agency was concerned, not without reason, that other countries were charting new advances in brainwashing and interrogation techniques.¹⁸

Consistent with its responsibility to maintain national security, the Agency reasonably determined that major research *174 efforts were necessary in order to keep informed of our potential adversaries' perceived threat. We

thus conclude that MKULTRA researchers are “intelligence sources” within the broad meaning of § 102(d)(3) because these persons provided, or were engaged to provide, information the Agency needs to fulfill its statutory obligations with respect to foreign intelligence.

Respondents' belated effort to question the Agency's authority to engage scientists and academic researchers as intelligence sources must fail. The legislative history of § 102(d)(3) indicates that Congress was well aware that the Agency would call on a wide range and variety of sources to provide intelligence. Moreover, the record developed in this case confirms the obvious importance of scientists and other researchers as American intelligence sources. Notable examples include those scientists and researchers who pioneered the use of radar during World War II as well as the group which took part in the secret development of nuclear weapons in the Manhattan Project. See App. 43; App. to Pet. for Cert. in No. 83–1075, p. 88a.¹⁹

B

[5] The Court of Appeals narrowed the Director's authority under § 102(d)(3) to withhold only those “intelligence sources” who supplied the Agency with information unattainable without guaranteeing confidentiality. That crabbed reading of the statute contravenes the express language of § 102(d)(3), the statute's legislative history, and the harsh realities of the present day. The dangerous consequences of that narrowing of the statute suggest why Congress chose to vest the *175 Director of Central Intelligence with the broad discretion to safeguard the Agency's sources and methods of operation.

The Court of Appeals underestimated the importance of providing intelligence **1891 sources with an assurance of confidentiality that is as absolute as possible. Under the court's approach, the Agency would be forced to disclose a source whenever a court determines, after the fact, that the Agency could have obtained the kind of information supplied without promising confidentiality.²⁰ This forced disclosure of the identities of its intelligence sources could well have a devastating impact on the Agency's ability to carry out its mission. “The Government has a compelling interest in protecting both the secrecy of information important to our national security and the appearance of confidentiality so essential to the effective operation of our foreign intelligence service.” *Snepp v. United States*, 444 U.S. 507, 509, n. 3, 100

S.Ct. 763, 765, n. 3, 62 L.Ed.2d 704 (1980) (*per curiam*). See *Haig v. Agee*, 453 U.S. 280, 307, 101 S.Ct. 2766, 2782, 69 L.Ed.2d 640 (1981). If potentially valuable intelligence sources come to think that the Agency will be unable to maintain the confidentiality of its relationship to them, many could well refuse to supply information to the Agency in the first place.

Even a small chance that some court will order disclosure of a source's identity could well impair intelligence gathering and cause sources to “close up like a clam.” To induce some sources to cooperate, the Government must tender as absolute an assurance of confidentiality as it possibly can. “The continued availability of [intelligence] sources depends upon the CIA's ability to guarantee the security of information *176 that might compromise them and even endanger [their] personal safety.” *Snepp v. United States*, *supra*, 444 U.S., at 512, 100 S.Ct., at 767.

We seriously doubt whether a potential intelligence source will rest assured knowing that judges, who have little or no background in the delicate business of intelligence gathering, will order his identity revealed only after examining the facts of the case to determine whether the Agency actually needed to promise confidentiality in order to obtain the information. An intelligence source will “not be concerned with the underlying rationale for disclosure of” his cooperation if it was secured “under assurances of confidentiality.” *Baldrige v. Shapiro*, 455 U.S., at 361, 102 S.Ct., at 1113. Moreover, a court's decision whether an intelligence source will be harmed if his identity is revealed will often require complex political, historical, and psychological judgments. See, e.g., *Fitzgibbon v. CIA*, 578 F.Supp. 704 (DC 1983). There is no reason for a potential intelligence source, whose welfare and safety may be at stake, to have great confidence in the ability of judges to make those judgments correctly.

The Court of Appeals also failed to recognize that when Congress protected “intelligence sources” from disclosure, it was not simply protecting sources of secret intelligence information. As noted above, Congress was well aware that secret agents as depicted in novels and the media are not the typical intelligence source; many important sources provide intelligence information that members of the public could also obtain. Under the Court of Appeals' approach, the Agency could not withhold the identity of a source of intelligence if that information is also publicly available. This analysis ignores the realities of intelligence work, which often involves seemingly innocuous sources as well as

unsuspecting individuals who provide valuable intelligence information.

Disclosure of the subject matter of the Agency's research efforts and inquiries may compromise the Agency's ability to gather intelligence as much as disclosure of the identities of intelligence sources. A foreign government can learn a great deal ****1892** about the Agency's activities by knowing the ***177** public sources of information that interest the Agency. The inquiries pursued by the Agency can often tell our adversaries something that is of value to them. See [228 U.S.App.D.C., at 277, 709 F.2d, at 103](#) (Bork, J., concurring in part and dissenting in part). For example, disclosure of the fact that the Agency subscribes to an obscure but publicly available Eastern European technical journal could thwart the Agency's efforts to exploit its value as a source of intelligence information. Similarly, had foreign governments learned the Agency was using certain public journals and ongoing open research projects in its MKULTRA research of "brainwashing" and possible countermeasures, they might have been able to infer both the general nature of the project and the general scope that the Agency's inquiry was taking.²¹

C

[6] The "statutory mandate" of § 102(d)(3) is clear: Congress gave the Director wide-ranging authority to "protec[t] intelligence sources and methods from unauthorized disclosure." *Snepp v. United States*, [supra](#), [444 U.S., at 509, n. 3, 100 S.Ct., at 765, n. 3](#). An intelligence source provides, or is engaged to provide, information the Agency needs to fulfill its statutory obligations. The record establishes that the MKULTRA researchers did in fact provide the Agency with information related to the Agency's intelligence function. We therefore hold that the Director was authorized to withhold the identities of these researchers from disclosure under the FOIA.

IV

No. 83–1249

The cross-petition, No. 83–1249, calls for decision on whether the District Court and the Court of Appeals correctly ***178** ruled that the Director of Central Intelligence need not disclose the institutional affiliations of the MKULTRA

researchers previously held to be "intelligence sources." Our conclusion that the MKULTRA researchers are protected from disclosure under § 102(d)(3) renders unnecessary any extended discussion of this discrete issue.

In exercising the authority granted by Congress in § 102(d)(3), the Director must, of course, do more than simply withhold the names of intelligence sources. Such withholding, standing alone, does not carry out the mandate of Congress. Foreign intelligence services have an interest in knowing what is being studied and researched by our agencies dealing with national security and by whom it is being done. Foreign intelligence services have both the capacity to gather and analyze any information that is in the public domain and the substantial expertise in deducing the identities of intelligence sources from seemingly unimportant details.

[7] In this context, the very nature of the intelligence apparatus of any country is to try to find out the concerns of others; bits and pieces of data "may aid in piecing together bits of other information even when the individual piece is not of obvious importance in itself." *Halperin v. CIA*, [203 U.S.App.D.C. 110, 116, 629 F.2d 144, 150](#) (1980). Thus,

"[w]hat may seem trivial to the uninformed, may appear of great moment to one who has a broad view of the scene and may put the questioned item of information in its proper context." *Halkin v. Helms*, [194 U.S.App.D.C. 82, 90, 598 F.2d 1, 9](#) (1978), quoting *United States v. Marchetti*, [466 F.2d 1309, 1318](#) (CA4), cert. denied, [409 U.S. 1063, 93 S.Ct. 553, 34 L.Ed.2d 516](#) (1972).

Accordingly, the Director, in exercising his authority under § 102(d)(3), has power to withhold superficially innocuous information ****1893** on the ground that it might enable an observer to discover the identity of an intelligence source. See, e.g., ***179** *Gardels v. CIA*, [223 U.S.App.D.C. 88, 91–92, 689 F.2d 1100, 1103–1104](#) (1982); *Halperin v. CIA*, [supra](#), [203 U.S.App.D.C., at 113, 629 F.2d, at 147](#).

[8] Here the Director concluded that disclosure of the institutional affiliations of the MKULTRA researchers could lead to identifying the researchers themselves and thus the disclosure posed an unacceptable risk of revealing protected "intelligence sources."²² The decisions of the Director, who must of course be familiar with "the whole picture," as judges are not, are worthy of great deference given the magnitude of the national security interests and potential risks at stake. It is conceivable that the mere explanation of why information

must be withheld can convey valuable information to a foreign intelligence agency.

The District Court, in a ruling affirmed by the Court of Appeals, permitted the Director to withhold the institutional affiliations of the researchers whose identities were exempt from disclosure on the ground that disclosure of “the identities of the institutions ... might lead to the indirect disclosure of” individual researchers. App. to Pet. for Cert. in No. 83–1075, p. 27a. This conclusion is supported by the record.²³ The Director reasonably concluded that an observer *180 who is knowledgeable about a particular intelligence research project, like MKULTRA, could, upon learning that research was performed at a certain institution, often deduce the identities of the individual researchers who are protected “intelligence sources.” The FOIA does not require disclosure under such circumstances.

[9] Respondents contend that because the Agency has already revealed the names of many of the institutions at which MKULTRA research was performed, the Agency is somehow estopped from withholding the names of others. This suggestion overlooks the political realities of intelligence operations in which, among other things, our Government may choose to release information deliberately to “send a message” to allies or adversaries.²⁴ Congress did not mandate the withholding of information that may reveal the identity of an intelligence source; it made the Director of Central Intelligence responsible only for protecting against *unauthorized* disclosures.

The national interest sometimes makes it advisable, or even imperative, to disclose information that may lead to the identity of intelligence sources. And it is the responsibility of the Director of Central Intelligence, not that of the judiciary, to weigh the variety of complex and subtle factors in determining whether disclosure of information may lead to an unacceptable risk of **1894 compromising the Agency's intelligence-gathering process. Here Admiral Turner, as Director, decided that the benefits of disclosing the identities of institutions that had no objection to disclosure outweighed the costs *181 of doing so. But Congress, in § 102(d)(3), entrusted this discretionary authority to the Director, and the fact that Admiral Turner made that determination in 1978 does not bind his successors to make the same determination, in a different context, with respect to institutions requesting that their identities not be disclosed. See, e.g., *Salisbury v. United States*, 223 U.S.App.D.C. 243, 248, 690 F.2d 966, 971 (1982).

V

We hold that the Director of Central Intelligence properly invoked § 102(d)(3) of the National Security Act of 1947 to withhold disclosure of the identities of the individual MKULTRA researchers as protected “intelligence sources.” We also hold that the FOIA does not require the Director to disclose the institutional affiliations of the exempt researchers in light of the record which supports the Agency's determination that such disclosure would lead to an unacceptable risk of disclosing the sources' identities.

Accordingly, we reverse that part of the judgment of the Court of Appeals regarding the disclosure of the individual researchers and affirm that part of the judgment pertaining to disclosure of the researchers' institutional affiliations.

It is so ordered.

Justice MARSHALL, with whom Justice BRENNAN joins, concurring in the result.

To give meaning to the term “intelligence source” as it is used in § 102(d)(3) of the National Security Act of 1947, the Court today correctly concludes that the very narrow definition offered by the Court of Appeals is incorrect.¹ That the *182 Court of Appeals erred does not, however, compel the conclusion that the Agency's sweeping alternative definition is in fact the correct one.² The Court nonetheless simply adopts wholesale the Agency's definition of “intelligence source.” That definition is mandated neither by the language or legislative history of any congressional Act, nor by legitimate policy considerations, and it in fact thwarts congressional efforts to balance the public's interest in information and the Government's need for secrecy. I therefore decline to join the opinion of the Court.

I

The Freedom of Information Act (FOIA or Act) established a broad mandate for disclosure of governmental information by requiring that all materials be made public “unless explicitly allowed to be kept secret by one of the exemptions....” S.Rep. No. 813, 89th Cong., 1st Sess., 10 (1965). The Act requires courts to review *de novo* agency claims of exemption, and it places on the agency the burden of defending its withholding

of information. 5 U.S.C. § 552(a)(4)(B). Congress, it is clear, sought to assure that the Government would not operate behind a veil of secrecy, and it narrowly tailored the exceptions to the fundamental goal of disclosure.

Two of these few exceptions are at issue in this case. The first, on which the Court focuses, is Exemption 3, which exempts information “specifically exempted from disclosure by statute,” if the statute affords the agency no discretion on disclosure, § 552(b)(3)(A), establishes particular ****1895** criteria for withholding the information, § 552(b)(3)(B), or refers to the particular types of material to be withheld, *ibid.* The Court ***183** quite rightly identifies § 102(d)(3) of the National Security Act as a statutory exemption of the kind to which Exemption 3 refers; that section places with the Director of Central Intelligence the responsibility for “protecting intelligence sources and methods from unauthorized disclosure.”

A second exemption, known as Exemption 1, covers matters that are “(A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order.” 5 U.S.C. § 552(b)(1). This latter Exemption gives to the Executive Branch the authority to define material that will not be disclosed, subject of course to congressional amendment of the Exemption. Agency decisions to withhold are subject to *de novo* review in the courts, which must ascertain whether documents are correctly classified, both substantively and procedurally.

Exemption 1 is the keystone of a congressional scheme that balances deference to the Executive's interest in maintaining secrecy with continued judicial and congressional oversight. In the past, Congress has taken affirmative steps to make clear the importance of this oversight. See n. 5, *infra*. Exemption 1 allows the Government to protect from the scrutiny of this Nation's enemies classes of information that warrant protection, as long as the Government proceeds through a publicly issued, congressionally scrutinized, and judicially enforced executive order. See Hearing on Executive Order on Security Classification before the Subcommittee of the Committee on Government Operations of the House of Representatives, 97th Cong., 2d Sess. (1982) (Hearing).

Exemption 1 thus plays a crucial role in the protection of Central Intelligence Agency information. That the Court does not mention this Exemption even once, in the course of its

lengthy analysis on the *policy* reasons for broadly interpreting ***184** the “intelligence source” provision, is extraordinary. By focusing myopically on the single statutory provision on which the Agency has chosen to rely in asserting its secrecy right, the Court rewards the Agency's decision not to invoke Exemption 1 in these cases.³ Of course, the Agency may fairly assert any possible ground for decision, and it has no duty to select that which is narrowest. But the Court, intent to assure that important information is protected, today plays into the Agency's hands by stretching the “intelligence source” exception beyond its natural limit; it does so while simply ignoring the fact that the information sought could properly have been withheld on other grounds—on which the Agency chose not to rely. The cost of acceding to the Agency's litigation strategy, rather than undertaking a thorough analysis of the entire statutory scheme, is to mangle, seriously, a carefully crafted statutory scheme.

II

I turn, then, to consider in light of this statutory framework the Court's analysis of Exemption 3. After concluding that Exemption 3 incorporates § 102(d)(3) as a withholding provision, the Court sets out to define the term “intelligence source.” First, it looks to the “plain meaning” of the phrase and concludes that an “intelligence source” is self-evidently the same as an ****1896** “information source.” *Ante*, at 1888. Second, the Court looks to the legislative history. Pulling ***185** together pieces of testimony from congressional hearings on the need to establish a centralized agency to gather information, it concludes that Congress knew that the Agency would collect information from diverse sources, and that “Congress was plainly alert to the need for maintaining confidentiality” so as not to lose covert sources of information. *Ante*, at 1889; see also Brief for Petitioners in No. 83–1075, pp. 18–21. Third, the Court chastises the Court of Appeals for adopting a “crabbed” reading of the statute and explains how, as a policy matter, the “forced disclosure of the identities of its intelligence sources could well have a devastating impact on the Agency's ability to carry out its mission.” *Ante*, at 1891; see also Brief for Petitioners in No. 83–1075, p. 31. The Court offers examples of highly sensitive information that, under the lower court's reading, might be disclosed. See *ante*, at 1891 – 1892; see also Brief for Petitioners in No. 83–1075, pp. 34–37.

Before this Court, the Agency argued against the lower court's definition of “intelligence source,” substituted its own

sweeping offering, and then recounted a litany of national security nightmares that would surely befall this Nation under any lesser standard; today the Court simply buys this analysis. But the Court thereby ignores several important facts. First, the holding today is not compelled by the language of the statute, nor by the legislative history on which the Court relies. Second, the Court of Appeals' definition is not the sole alternative to the one adopted by the Court today. Third, as noted, *supra*, other broad exemptions to FOIA exist, and a holding that this Exemption 3 exception does not apply here would in no way pose the risk of broad disclosure the Agency suggests. The Court's reliance on the Nation's national security interests is simply misplaced given that the "intelligence source" exemption in the National Security Act is far from the Agency's exclusive, or most potent, resource for keeping probing eyes from secret documents. In its haste to adopt the Agency's sweeping definition, *186 the Court completely bypasses a considerably more rational definition that comports at least as well with the statutory language and legislative history, and that maintains the congressionally imposed limits on the Agency's exercise of discretion in this area.

To my mind, the phrase "intelligence source" refers only to sources who provide information either on an express or implied promise of confidentiality, and the exemption protects such information and material that would lead to disclosure of such information. This reading is amply supported by the language of the statute and its history.

First, I find reliance on "plain meaning" wholly inappropriate. The heart of the issue is whether the term "intelligence source" connotes that which is confidential or clandestine, and the answer is far from obvious. The term is readily susceptible of many interpretations, and in the past the Government itself has defined the term far less broadly than it now does before this Court. In testimony before the House Subcommittee on Government Operations on President Reagan's Exemption 1 Executive Order, Steven Garfinkel, Director of the Information Security Oversight Office, explained that the term "intelligence source" is narrow and does not encompass even all confidential sources of information:

"[C]ertain of these sources are not 'intelligence sources.' They are not involved in intelligence agencies or in intelligence work. They happen to be sources of information received by these agencies in confidence." Hearing, at 204.

The current administration's definition of the term "intelligence source" as used in its Executive Order does not, of course, control our interpretation of a longstanding statute. But the fact that the same administration has read the phrase in different ways for different purposes certainly undercuts the Court's argument that the **1897 phrase has any single and readily apparent definition.

*187 "[P]lain meaning, like beauty, is sometimes in the eye of the beholder," *Florida Power & Light Co. v. Lorion*, 470 U.S. 729, 737, 105 S.Ct. 1598, 1603, 84 L.Ed.2d 643 (1985), and in an instance such as this one, in which the term at issue carries with it more than one plausible meaning, it is simply inappropriate to select a single reading and label it the "plain meaning." The Court, like the Government, argues that the statute does not say "confidential source," as it might were its scope limited to sources who have received an implied or express promise of confidentiality. See *ante*, at 1888, and n. 13; Brief for Petitioners in No. 83–1075, p. 16. However, the statute also does not say "information source" as it might were it meant to define the class of material that the Court identifies. I therefore reject the Court's basic premise that the language at issue necessarily has but a single, obvious interpretation.

Nor does the legislative history suggest anything other than a congressional desire to protect those individuals who might either be harmed or silenced should their identities or assistance become known. The congressional hearings quoted by the Court, and by the Government in its brief, focus on Congress' concern about the "deadly peril" faced by intelligence sources if their identities were revealed, and about the possibility that those sources would " 'close up like a claim' " without protection. See *ante*, at —; Brief for Petitioners in No. 83–1075, p. 20. These concerns are fully addressed by preventing disclosure of the identities of sources who might face peril, or cease providing information, if their identities were known, and of other information that might lead an observer to identify such sources. That, to my mind, is the start and finish of the exemption for an "intelligence source"—one who contributes information on an implicit understanding or explicit assurance of confidentiality, as well as information that could lead to such a source.⁴

*188 This reading of the "intelligence source" language also fits comfortably within the statutory scheme as a whole, as the Court's reading does not. I focus, at the outset, on the recent history of FOIA Exemption 1 and particularly on the way in which recent events reflect Congress' ongoing effort

to constrain agency discretion of the kind endorsed today. The scope of Exemption 1 is defined by the Executive, and its breadth therefore quite naturally fluctuates over time. For example, at the time this FOIA action was begun, [Executive Order 12065](#), promulgated by President Carter, was in effect. That Order established three levels of secrecy—top secret, secret, and confidential—the lowest of which, “confidential,” was “applied to information, the unauthorized disclosure of which reasonably could be expected to cause identifiable damage to the national security.” 3 CFR 191 (1979).

The Order also listed categories of information that could be considered for classification, including “military plans, weapons, or operations,” “foreign government information,” and “intelligence activities [and] sources.” *Id.*, at 193. As it is now, nondisclosure premised on Exemption 1 was subject to judicial review. A court reviewing an Agency claim to withholding under Exemption 1 was required to determine *de novo* whether the document was properly classified and whether it substantively met the criteria in the Executive Order. If the claim was that the document or information in it contained military plans, for example, a court was required to determine whether the document was classified, ****1898** whether it in fact contained such information *and* whether disclosure of the document reasonably could be expected to cause at least identifiable damage to national security. The burden was on the Agency to make this showing. At one time, this ***189** Court believed that the Judiciary was not qualified to undertake this task. See [EPA v. Mink](#), 410 U.S. 73, 93 S.Ct. 827, 35 L.Ed.2d 119 (1973), discussed in n. 5, *infra*. Congress, however, disagreed, overruling both a decision of this Court and a Presidential veto to make clear that precisely this sort of judicial role is essential if the balance that Congress believed ought to be struck between disclosure and national security is to be struck in practice.⁵

Today's decision enables the Agency to avoid making the showing required under the carefully crafted balance embodied in Exemption 1 and thereby thwarts Congress' effort to limit the Agency's discretion. The Court identifies two categories of information—the identity of individuals or entities, whether or not confidential, that contribute material related ***190** to Agency information gathering, and material that might enable an observer to discover the identity of such a “source”—and rules that all such information is *per se* subject to withholding as long as it is related to the Agency's “intelligence function.” The Agency need not even assert that disclosure will conceivably affect national security, much less that it reasonably could be expected

to cause at least identifiable damage. It need not classify the information, much less demonstrate that it has properly been classified. Similarly, no court may review whether the source had, or would have had, any interest in confidentiality, or whether disclosure of the information would have any effect on national security. No court may consider whether the information is properly classified, or whether it fits the categories of the Executive Order. By choosing to litigate under Exemption 3, and by receiving this Court's blessing, the Agency has cleverly evaded all these carefully imposed congressional requirements.⁶

****1899** If the class thus freed from judicial review were carefully defined, this result conceivably could make sense. It could ***191** mean that Congress had decided to slice out from all the Agency's possible documents a class of material that may always be protected, no matter what the scope of the existing executive order. But the class that the Court defines is boundless. It is difficult to conceive of anything the Central Intelligence Agency might have within its many files that might not disclose or enable an observer to discover something about where the Agency gathers information. Indeed, even newspapers and public libraries, road maps and telephone books appear to fall within the definition adopted by the Court today. The result is to cast an irrebuttable presumption of secrecy over an expansive array of information in Agency files, whether or not disclosure would be detrimental to national security, and to rid the Agency of the burden of making individualized showings of compliance with an executive order. Perhaps the Court believes all Agency documents should be susceptible to withholding in this way. But Congress, it must be recalled, expressed strong disagreement by passing, and then amending, Exemption 1. In light of the Court's ruling, the Agency may nonetheless circumvent the procedure Congress has developed and thereby undermine this explicit effort to keep from the Agency broad and unreviewable discretion over an expansive class of information.

III

The Court today reads its own concerns into the single phrase, “intelligence source.” To justify its expansive reading of these two words in the National Security Act the Court explains that the Agency must be wary, protect itself, and not allow observers to learn either of its information resources *or of the topics of its interest*. “Disclosure of the subject matter of the Agency's research efforts and inquiries may compromise the

Agency's ability to gather intelligence as much as disclosure of the identities of intelligence sources," *ante*, at 1892, the Court observes, and the "intelligence source" *192 exemption must bear the weight of that concern as well. That the Court points to no legislator or witness before Congress who expressed a concern for protecting such information through this provision is irrelevant to the Court. That each of the examples the Court offers of material that might disclose a topic of interest, and that should not be disclosed, could be protected through other existing statutory provisions, is of no moment.⁷ That the public already knows all about the MKULTRA project at issue in this case, except for the names of the researchers, and therefore that the Court's concern about disclosure of the Agency's "topics of interest" argument is not appropriate to this case, is of no consequence. And finally, that the Agency now has virtually unlimited discretion to label certain information "secret," in contravention of Congress' explicit efforts to confine the Agency's discretion both substantively and procedurally, is of no importance. Instead, simply because the Court can think of information that it believes should not be **1900 disclosed, and that might otherwise not fall within this exemption, the Court undertakes the task of interpreting the exemption to cover that information. I cannot imagine the canon of statutory construction upon which this reasoning is based.

*193 Congress gave to the Agency considerable discretion to decide for itself whether the topics of its interest should remain secret, and through Exemption 1 it provided the Executive with the means to protect such information. If the Agency decides to classify the identities of nonconfidential contributors of information so as not to reveal the subject matter or kinds of interests it is pursuing, it may seek an Exemption 1 right to withhold. Under Congress' scheme, that is properly a decision for the Executive. It is not a decision for this Court. Congress has elsewhere identified particular types of information that it believes may be withheld regardless of the existence of an executive order, such as the identities of Agency employees, or, recently, the contents of Agency

operational files. See 50 U.S.C. § 403g (exempting from disclosure requirements the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency); Central Intelligence Agency Information Act, Pub.L. 98-477, § 701(a), 98 Stat. 2209, 50 U.S.C. § 431 (1982 ed., Supp. III) (exempting the Agency's operational files from disclosure under FOIA). Each of these categorical exemptions reflects a congressional judgment that as to certain information, the public interest will always tip in favor of nondisclosure. In these cases, we have absolutely no indication that Congress has ever determined that the broad range of information that will hereinafter be enshrouded in secrecy should be inherently and necessarily confidential. Nevertheless, today the Court reaches out to substitute its own policy judgments for those of Congress.

IV

To my mind, the language and legislative history of § 102(d)(3), along with the policy concerns expressed by the Agency, support only an exemption for sources who provide information based on an implicit or explicit promise of confidentiality and information leading to disclosure of such sources. That reading of the "intelligence source" exemption poses no threat that sources will "clam up" for fear of *194 exposure, while at the same time it avoids an injection into the statutory scheme of the additional concerns of the Members of this Court. The Court of Appeals, however, ordered the release of even more material than I believe should be disclosed. Accordingly, I would reverse and remand this case for reconsideration in light of what I deem to be the proper definition of the term "intelligence source."

All Citations

471 U.S. 159, 105 S.Ct. 1881, 85 L.Ed.2d 173, 53 USLW 4453, 11 Media L. Rep. 2017

Footnotes

* The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Lumber Co.*, 200 U.S. 321, 337, 26 S.Ct. 282, 287, 50 L.Ed. 499 (1906).

¹ Final Report of the Select Committee to Study Government Operations with Respect to Intelligence Activities, S.Rep. No. 94-755, Book I, p. 389 (1976) (footnote omitted) (Final Report). MKULTRA began with a proposal from Richard Helms, then the Agency's Assistant Deputy Director for Plans. Helms outlined a special funding mechanism for highly sensitive

Agency research and development projects that would study the use of biological and chemical materials in altering human behavior. MKULTRA was approved by Allen Dulles, then the Director of Central Intelligence, on April 13, 1953.

2 Several MKULTRA subprojects involved experiments where researchers surreptitiously administered dangerous drugs, such as LSD, to unwitting human subjects. At least two persons died as a result of MKULTRA experiments, and others may have suffered impaired health because of the testing. See *id.*, at 392–403. This type of experimentation is now expressly forbidden by Executive Order. [Exec. Order No. 12333](#), § 2.10, 3 CFR 213 (1982).

3 See generally Final Report, at 385–422, 471–472; Report to the President by the Commission on **CIA** Activities Within the United States 226–228 (June 1975); Project MKULTRA, the **CIA's** Program of Research in Behavioral Modification: Joint Hearings before the Select Committee on Intelligence and the Subcommittee on Health and Scientific Research of the Senate Committee on Human Resources, 95th Cong., 1st Sess. (1977); Human Drug Testing by the **CIA**, 1977: Hearings on S.1893 before the Subcommittee on Health and Scientific Research of the Senate Committee on Human Resources, 95th Cong., 1st Sess. (1977).

An internal Agency report by its Inspector General had documented the controversial aspects of the MKULTRA project in 1963. See Report of Inspection of MKULTRA (July 26, 1963).

4 **Sims** and Wolfe are the respondents in No. 83–1075 and the cross-petitioners in No. 83–1249. In order to avoid confusion, we refer to **Sims** and Wolfe as respondents throughout this opinion.

5 Twenty years after the conception of the MKULTRA project, all known files pertaining to MKULTRA were ordered destroyed. Final Report, at 389–390, 403–405. In 1977, the Agency located some 8,000 pages of previously undisclosed MKULTRA documents. These consisted mostly of financial records that had inadvertently survived the 1973 records destruction. Upon this discovery, Agency Director Stansfield Turner notified the Senate Select Committee on Intelligence and later testified at a joint hearing before the Select Committee and the Subcommittee on Health and Scientific Resources of the Senate Committee on Human Resources. Although the Joint Committee was given a complete list of the MKULTRA researchers and institutions, the Committee honored the Agency's request to treat the names as confidential. Respondents sought the surviving MKULTRA records that would provide this information.

6 The Agency also cited Exemption 6, [5 U.S.C. § 552\(b\)\(6\)](#), which insulates from disclosure “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” This claim, rejected by the District Court and the Court of Appeals, is no longer at issue.

7 The Agency tried to contact each institution involved in MKULTRA to ask permission to disclose its identity; it released the names of the 59 institutions that had consented. Evidently, the Agency made no parallel effort to contact the 185 individual researchers. See n. 22, *infra*.

8 Judge Bork wrote a separate opinion, concurring in part and dissenting in part. He criticized the majority's narrow definition of “intelligence sources,” urging in particular that there is “no reason to think that [section 403\(d\)\(3\)](#) was meant to protect sources of information only if secrecy was needed in order to obtain the information.” [228 U.S.App.D.C., at 277, 709 F.2d, at 103](#). He noted that “[i]t seems far more in keeping with the broad language and purpose of [[§ 403\(d\)\(3\)](#)] to conclude that it authorizes the nondisclosure of a source of information whenever disclosure might lead to discovery of what subjects were of interest to the **CIA**.” *Ibid*. He also took issue with the majority's conclusion that the FOIA sometimes requires the Agency to break a promise of confidentiality it has given to an intelligence source. This is “not an honorable way for the government of the United States to behave,” and would produce “pernicious results.” *Id.*, at 276–277, [709 F.2d, at 102–103](#).

9 The Court has consistently recognized this principle. See, e.g., [Baldrige v. Shapiro](#), 455 U.S. 345, 352, 102 S.Ct. 1103, 1108, 71 L.Ed.2d 199 (1982); [NLRB v. Robbins Tire & Rubber Co.](#), 437 U.S. 214, 220, 98 S.Ct. 2311, 2316, 57 L.Ed.2d 159 (1978); [EPA v. Mink](#), 410 U.S. 73, 80, 93 S.Ct. 827, 832, 35 L.Ed.2d 119 (1973).

10 See, e.g., H.R.Rep. No. 961, 80th Cong., 1st Sess., 3 (1947); S.Rep. No. 239, 80th Cong., 1st Sess., 1 (1947).

11 See H.R.Rep. No. 94–880, pt. 2, p. 15, n. 2 (1976), U.S.Code Cong. & Admin.News 1976, p. 2183, 2225. See also H.R.Conf.Rep. No. 93–1380, p. 12 (1974); [S.Conf.Rep. No. 93–1200, p. 12 \(1974\)](#), U.S.Code Cong. & Admin.News 1974,

p. 6267, 6290; S.Rep. No. 93–854, p. 16 (1974). For a thorough review of the relevant background, see *DeLaurentiis v. Haig*, 686 F.2d 192, 195–197 (CA3 1982) (*per curiam*).

Recently, Congress enacted the Central Intelligence Agency Information Act, Pub.L. 98–477, 98 Stat. 2209, exempting the Agency's "operational files" from the FOIA. The legislative history reveals that Congress maintains the position that § 102(d)(3) is an Exemption 3 statute. See, e.g., H.R.Rep. No. 98–726, pt. 1, p. 5 (1984), U.S.Code Cong. & Admin.News 1984, p. 3741, 3743; S.Rep. No. 98–305, p. 7, n. 4 (1983).

- 12 See, e.g., *Miller v. Casey*, 235 U.S.App.D.C. 11, 15, 730 F.2d 773, 777 (1984); *Gardels v. CIA*, 223 U.S.App.D.C. 88, 91, 689 F.2d 1100, 1103 (1982); *Halperin v. CIA*, 203 U.S.App.D.C. 110, 113, 629 F.2d 144, 147 (1980); *National Comm'n on Law Enforcement and Social Justice v. CIA*, 576 F.2d 1373, 1376 (CA9 1978).
- 13 Congress certainly is capable of drafting legislation that narrows the category of protected sources of information. In other provisions of the FOIA and in the Privacy Act, Congress has protected "confidential source[s]," sources of "confidential information," and sources that provided information under an express promise of confidentiality. See 5 U.S.C. §§ 552(b)(7)(D), 552a(k)(2) and (5).
- 14 Congressmen certainly appreciated the special nature of the Agency's intelligence function. For example, Representative Wadsworth remarked that the "function of [the Agency] is to constitute itself as a gathering point for information coming from all over the world through all kinds of channels." 93 Cong.Rec. 9397 (1947). Representative Boggs, during the course of the House hearings, commented that the Director of Central Intelligence "is dealing with all the information and the evaluation of that information, from wherever we can get it." National Security Act of 1947: Hearings on H.R. 2319 before the House Committee on Expenditures in the Executive Departments, 80th Cong., 1st Sess., 112 (1947).
- 15 These hearings were held in executive session. The transcript was declassified in 1982. The Senate also held hearings behind closed doors. See S.Rep. No. 239, 80th Cong., 1st Sess., 1 (1947).
- 16 Secrecy is inherently a key to successful intelligence operations. In the course of issuing orders for an intelligence mission, George Washington wrote to his agent:

"The necessity of procuring good intelligence, is apparent and need not be further urged. All that remains for me to add is, that you keep the whole matter as secret as possible. For upon secrecy, success depends in most Enterprises of the kind, and for want of it they are generally defeated...." 8 Writings of George Washington 478–479 (J. Fitzpatrick ed. 1933) (letter from George Washington to Colonel Elias Dayton, July 26, 1777).
- 17 App. to Pet. for Cert. in No. 83–1075, pp. 22a–23a.
- 18 For example, Director of Intelligence Stansfield Turner explained in an affidavit that the MKULTRA program was initiated because the Agency was confronted with "learning the state of the art of behavioral modification at a time when the U.S. Government was concerned about inexplicable behavior of persons behind the 'iron curtain' and American prisoners of war who had been subjected to so called 'brainwashing.'" *Id.*, at 89a.
- 19 Indeed, the legislative history of the recently enacted Central Intelligence Agency Information Act, Pub.L. 98–477, 98 Stat. 2209, in which Congress exempted the Agency's "operational files" from disclosure under the FOIA, 50 U.S.C. § 431 (1982 ed., Supp. III), reveals Congress' continued understanding that scientific researchers would be valuable intelligence sources. See H.R.Rep. No. 98–726, pt. 1, p. 22 (1984).
- 20 Indeed, the Court of Appeals suggested that the Agency would be required to betray an explicit promise of confidentiality if a court determines that the promise was not necessary, or if a court concludes that the intelligence source to whom the promise was given was "unreasonably and atypically leery" of cooperating with the Agency. 228 U.S.App.D.C., at 273, 709 F.2d, at 99. However, "[g]reat nations, like great men, should keep their word." *FPC v. Tuscarora Indian Nation*, 362 U.S. 99, 142, 80 S.Ct. 543, 567, 4 L.Ed.2d 584 (1960) (Black, J., dissenting).

- 21 In an affidavit, Director of Central Intelligence Turner stated that “[t]hroughout the course of the [MKULTRA] Project, CIA involvement or association with the research was concealed in order to avoid stimulating the interest of hostile countries in the same research areas.” App. to Pet. for Cert. in No. 83–1075, pp. 89a–90a.
- 22 During the congressional inquiries into MKULTRA, then Director of Central Intelligence Turner notified the 80 institutions at which MKULTRA research had been conducted. Many of these institutions had not previously been advised of their involvement; Director Turner notified them as part of “a course of action [designed to] lead to the identification of unwitting experimental subjects.” *Id.*, at 92a, n. 1. As a result of inquiries into the MKULTRA program, many of these institutions disclosed their involvement to the public. Others advised the Agency that they had no objection to public disclosure. Director Turner disclosed the names of these institutions; he did not disclose the names of any institutions that objected to disclosure. See n. 7, *supra*.
- 23 For example, an affidavit filed by an Agency operations officer familiar with MKULTRA stated that disclosure of the institutions at which MKULTRA research was performed would pose “a threat of damage to existing intelligence-related arrangements with the institutions or exposure of past relationships with the institutions.” App. 27.
- 24 Admiral Turner provided one well-known example of this phenomenon:
- “[D]uring the Cuban missile crisis, President Kennedy decided to release a great deal of sensitive intelligence information concerning Soviet missile installations in Cuba. It was clear, at that time, that the Soviets had to be told publicly that the United States Government had precise information on the extent of the Soviet threat in order to justify the strong counter-measures then taken by our Government.” App. to Pet. for Cert. in No. 83–1075, p. 90a.
- 1 The Court of Appeals defined an “intelligence source” as “a person or institution that provides, has provided, or has been engaged to provide the CIA with information of a kind the Agency needs to perform its intelligence function effectively, yet could not reasonably expect to obtain without guaranteeing the confidentiality of those who provide it.” 206 U.S.App.D.C. 157, 166, 642 F.2d 562, 571 (1980) (*Sims I*).
- 2 The Court today defines an “intelligence source” as one that “provides, or is engaged to provide, information ... related to the Agency’s intelligence function,” *ante*, at 1892, and holds also that the Director may withhold, under this definition, information that might enable an observer to discover the identity of such a source. *Ante*, at 1893.
- 3 Indeed, these cases present a curious example of the Government’s litigation strategy. Despite the repeated urging of the District Court, the Agency steadfastly refused to invoke Exemption 1 to withhold the information at issue. The lists of names of MKULTRA researchers were in fact once classified under an Executive Order and were therefore within the potential scope of Exemption 1, but the Agency elected to declassify them. See 479 F.Supp. 84, 88 (DC 1979). The District Court went so far as to postpone the effective date of its disclosure order, so the Agency could “act on the possibility of classifying the names of institutions and researchers which would otherwise be disclosable,” *ibid.*, and thereby withhold the information under Exemption 1. The Agency refused to do so, however.
- 4 The fact that Congress established an Agency to collect information from anywhere it could does not mean that it sought through the phrase “intelligence source” to keep secret everything the Agency did in this regard. Far from it, as the Court and the Agency both acknowledge, the early congressional expressions of concern about secrecy all focused on the need to maintain the anonymity of persons who would provide information only on an assurance of confidentiality.
- 5 In *EPA v. Mink*, 410 U.S. 73, 93 S.Ct. 827, 35 L.Ed.2d 119 (1973), the Court held that when an agency relied on Exemption 1, which at the time covered matters “specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy,” 5 U.S.C. § 552(b)(1) (1970 ed.), a reviewing court could affirm the decision not to disclose on the basis of an agency affidavit stating that the document had been duly classified pursuant to executive order. The Court held that *in camera* inspection of the documents was neither authorized nor permitted because “Congress chose to follow the Executive’s determination in these matters.” 410 U.S., at 81, 93 S.Ct., at 833.

Shortly thereafter, Congress overrode a Presidential veto and amended the Act with the express purpose of overruling the *Mink* decision. Exemption 1 was modified to exempt only matters that are “(A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) in fact

properly classified pursuant to such Executive order.” 5 U.S.C. § 552(b)(1). In addition, Congress amended the judicial review language to provide that “the court shall determine the matter de novo, and may examine the contents of such agency records in camera to determine whether such records or any part thereof shall be withheld under any of the exemptions set forth in subsection (b) of this section, and the burden is on the agency to sustain its action.” 5 U.S.C. § 552(a)(4)(B). The legislative history unequivocally establishes that *in camera* review would often be necessary and appropriate. See S.Rep. No. 93–1200, p. 9 (1974).

- 6 The current Executive Order moves Exemption 1 a step closer to Exemption 3, given the manner in which the Court interprets the National Security Act exemption. Like its predecessor, the Order establishes three classification levels, but unlike the prior Order, the “confidential” classification no longer requires a reasonable possibility of *identifiable* damage. Instead, the label “confidential” now shall be applied to “information the unauthorized disclosure of which reasonably could be expected to cause damage to the national security.” Exec. Order No. 12356, 3 CFR 166 (1983). In addition, the new Order not only lists “intelligence sources” as a category subject to classification, but it also creates a presumption that such information is confidential. This presumption shifts from the Agency the burden of proving the possible consequence to national security of disclosure. As a result, if the Agency defines “intelligence source” under the Executive Order as broadly as the Court defines the term in § 102(d)(3), the Agency need make but a limited showing to a court to invoke Exemption 1 for that material. In light of this new Order, the Court’s avid concern for the national security consequences of a narrower definition of the term is quite puzzling.
- 7 For example, the Court suggests that disclosure of the fact that the Agency subscribes to an obscure but publicly available Eastern European technical journal “could thwart the Agency’s efforts to exploit its value as a source of intelligence information.” *Ante*, at 1892; see Brief for Petitioners in No. 83–1075, p. 36. Assuming this method of obtaining information is not protected by Exemption 1, through an executive order, it would surely be protected through Exemption 3’s incorporation of § 102(d)(3) of the National Security Act. That provision, in addition to protecting “intelligence sources,” also protects “intelligence methods,” and surely encompasses covert means of obtaining information, the disclosure of which might close access to certain kinds of information. Similarly, the fact that some unsuspecting individuals provide valuable intelligence information must be protected, see *ante*, at 1892; Brief for Petitioners in No. 83–1075, p. 39, n. 15, but again, because it is a covert means of obtaining information, not because the “source” of that information needs or expects confidentiality.














Filings (5)






Title	PDF	Court	Date	Type
1. Reply Brief for the Petitioners CENTRAL INTELLIGENCE AGENCY and William J. Casey, Director of Central Intelligence, Petitioners, v. John Cary SIMS and Sidney M. Wolfe. 1984 WL 565421	—	U.S.	Nov. 05, 1984	Brief
2. Brief for the Respondents John Cary SIMS and Sidney M. Wolfe, Petitioners, v. CENTRAL INTELLIGENCE AGENCY and William J. Casey, Director of Central Intelligence. 1984 WL 565422	—	U.S.	Nov. 05, 1984	Brief
3. Respondents' Supplemental Brief on the Central Intelligence Agency Information Act CENTRAL INTELLIGENCE AGENCY and William J. Casey, Director of Central Intelligence, Petitioners-Respondents, v. John Cary SIMS and Sidney M. Wolfe, Respondents-Petitioners. 1984 WL 565420	—	U.S.	Oct. 30, 1984	Brief
4. Brief for Respondents in No. 83-1075 and for Petitioners in No. 83-1249 CENTRAL INTELLIGENCE AGENCY, and William J. Casey, Petitioners-Respondents, v. John Cary SIMS and Sidney M. Wolfe, Respondents-Petitioners. 1984 WL 565419	—	U.S.	Aug. 22, 1984	Brief
5. Brief for the Petitioners CENTRAL INTELLIGENCE AGENCY and William J. Casey, Director of Central Intelligence, Petitioners, v. John Cary SIMS and Sidney M. Wolfe. 1984 WL 565418	—	U.S.	June 14, 1984	Brief

Negative Treatment

Negative Citing References (10)

The KeyCited document has been negatively referenced by the following events or decisions in other litigation or proceedings:

Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Extend by	 1. Shapiro v. U.S. Department of Justice ” 37 F.Supp.3d 7 , D.D.C. GOVERNMENT — Records. FBI affidavit was too generalized to warrant withholding records under FOIA exemption for law enforcement records raising personal privacy concerns.	Mar. 12, 2014	Case		1 2 3 S.Ct.
Declined to Extend by	2. Citizens for Responsibility and Ethics in Washington v. United States Department of Justice ” 160 F.Supp.3d 226 , D.D.C. GOVERNMENT — Records. FBI records concerning its use of drones were exempt from disclosure pursuant to Freedom of Information Act.	Feb. 09, 2016	Case		1 3 7 S.Ct.
Declined to Extend by	 3. Wolk Law Firm v. United States of America National Transportation Safety Board MOST NEGATIVE 392 F.Supp.3d 514 , E.D.Pa. GOVERNMENT — Records. FOIA exemption for materials specifically exempted from disclosure by statute applied to cell phone video, in NTSB's possession, recorded on aircraft.	June 18, 2019	Case		1 4 S.Ct.
Distinguished by	 4. Reporters Committee for Freedom of Press v. U.S. Dept. of Justice 816 F.2d 730 , D.C.Cir. Reporter and association of journalists sought production of criminal records pursuant to the Freedom of Information Act. The United States District Court for the District of...	Apr. 10, 1987	Case		1 S.Ct.
Distinguished by	 5. Doe v. Gonzales ” 500 F.Supp.2d 379 , S.D.N.Y. GOVERNMENT - Records. Revised provisions of Patriot Act governing nondisclosure of national security letters (NSLs) are unconstitutional.	Sep. 06, 2007	Case		—
Distinguished by	 6. Aguirre v. S.E.C. 551 F.Supp.2d 33 , D.D.C. GOVERNMENT - Records. Documents relating to SEC insider trading investigation did not fall within FOIA exemption for law enforcement records.	Apr. 28, 2008	Case		1 S.Ct.
Distinguished by	 7. Horn v. Huddle 647 F.Supp.2d 55 , D.D.C. LITIGATION - Discovery. Court had authority to order parties' counsel to be granted access to classified information.	Aug. 26, 2009	Case		—


Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by	 8. American Civil Liberties Union v. Department of Defense ” 2009 WL 8732937 , S.D.N.Y. On September 30, 2009, the parties argued two partial summary judgment motions before this Court. The Government presented its arguments first in an ex parte, in camera session...	Oct. 13, 2009	Case		2 3 4 S.Ct.
Distinguished by	9. American Civil Liberties Union v. Department of Defense 492 F.Supp.3d 250 , S.D.N.Y. GOVERNMENT — Records. DOD could not invoke FOIA exemption for material classified by executive order to neither confirm nor deny existence of updated presidential policies.	Oct. 05, 2020	Case		2 3 S.Ct.
Limitation of Holding Recognized by	 10. Citizens for Peace in Space v. City of Colorado Springs 477 F.3d 1212 , 10th Cir.(Colo.) CIVIL RIGHTS - Free Speech. Security plan for NATO defense conference was narrowly tailored to advance a significant security interest.	Feb. 28, 2007	Case		—

History (6)

Direct History (6)

 1. [Sims v. Central Intelligence Agency](#)
479 F.Supp. 84 , D.D.C. , Aug. 13, 1979

Vacated by

 2. [Sims v. Central Intelligence Agency](#)
642 F.2d 562 , D.C.Cir. , Sep. 29, 1980

Appeal After Remand

 3. [Sims v. C.I.A.](#)
709 F.2d 95 , D.C.Cir. , June 10, 1983



Certiorari Granted by

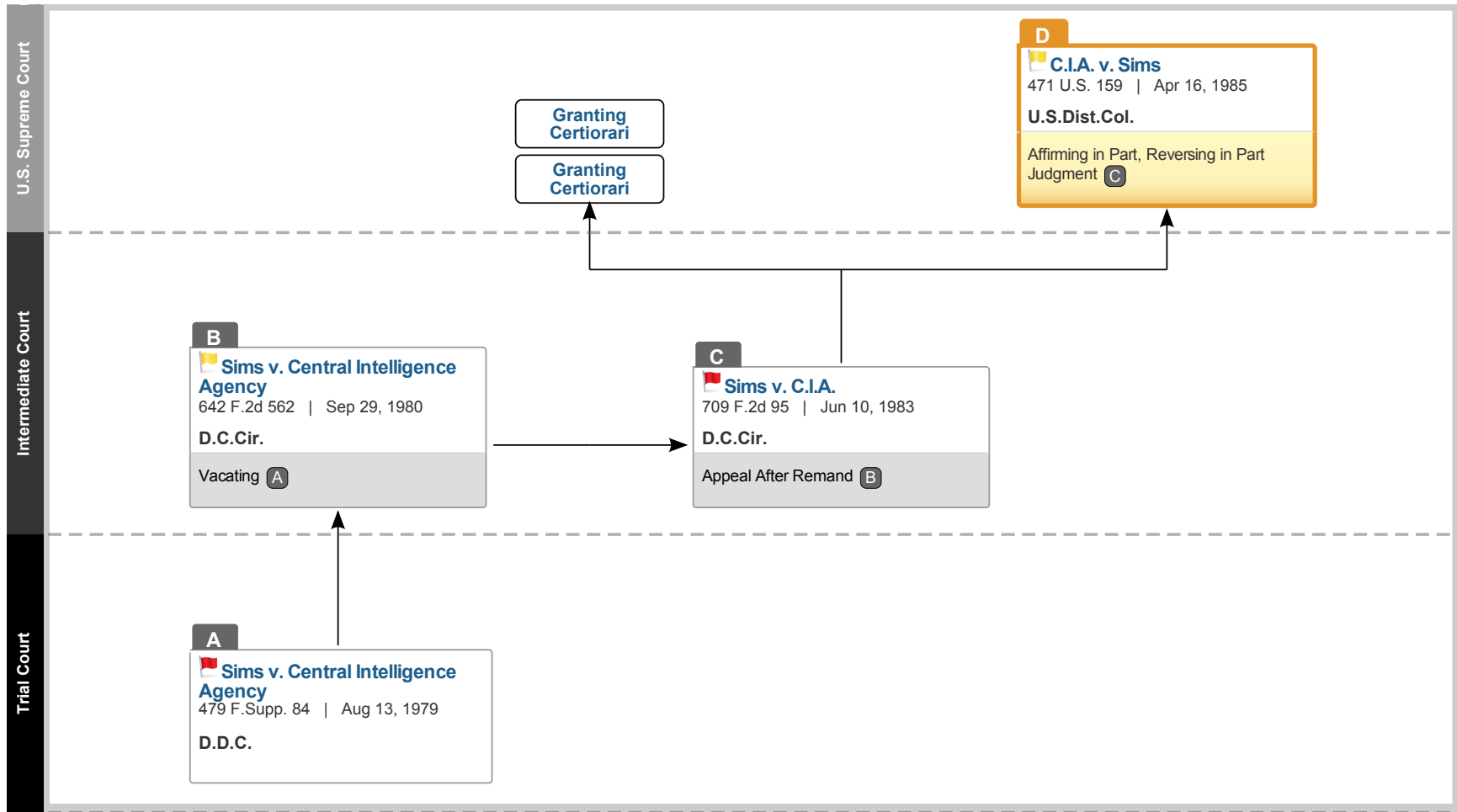
4. [Central Intelligence Agency v. Sims](#)
465 U.S. 1078 , U.S.Dist.Col. , Mar. 05, 1984

AND Certiorari Granted by


5. [Sims v. Central Intelligence Agency](#)
467 U.S. 1240 , U.S.Dist.Col. , June 11, 1984














AND Judgment Affirmed in Part, Reversed in Part by













 6. [C.I.A. v. Sims](#) 
471 U.S. 159 , U.S.Dist.Col. , Apr. 16, 1985





























Citing References (500)

Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Extend by NEGATIVE	 1. Wolk Law Firm v. United States of America National Transportation Safety Board 392 F.Supp.3d 514, 522+ , E.D.Pa. GOVERNMENT — Records. FOIA exemption for materials specifically exempted from disclosure by statute applied to cell phone video, in NTSB's possession, recorded on aircraft.	June 18, 2019	Case		1 4 S.Ct.
Examined by	 2. Maynard v. C.I.A. ¶¶ 986 F.2d 547, 554+ , 1st Cir.(Me.) Former wife brought action under Freedom of Information Act (FOIA) to compel disclosure of documents pertaining to disappearance of former husband during flight over Cuba in...	Feb. 04, 1993	Case		5 7 9 S.Ct.
Examined by	 3. American Civil Liberties Union v. Department of Justice ¶¶ 681 F.3d 61, 65+ , 2nd Cir.(N.Y.) GOVERNMENT - Records. Information regarding enhanced interrogation techniques (EITs) was properly withheld from disclosure under FOIA.	May 21, 2012	Case		1 2 3 S.Ct.
Examined by	 4. Knight v. U.S. C.I.A. ¶¶ 872 F.2d 660, 661+ , 5th Cir.(Tex.) Freedom of Information Act request was made for CIA documents relating to 1985 sinking of vessel belonging to environmental and pacifist organization by French government. On...	May 10, 1989	Case		4 7 9 S.Ct.
Examined by	 5. Berman v. C.I.A. ¶¶ 501 F.3d 1136, 1140+ , 9th Cir.(Cal.) GOVERNMENT - Records. President's Daily Briefs provided to President Johnson during Vietnam War were exempt from FOIA disclosure.	Sep. 04, 2007	Case		4 5 9 S.Ct.
Examined by	 6. Doe v. Tenet ¶¶ 329 F.3d 1135, 1155+ , 9th Cir.(Wash.) GOVERNMENT - Records. CIA was not entitled to dismissal of former spies' action for financial support.	May 29, 2003	Case		7 9 S.Ct.
Examined by	7. Hunt v. C.I.A. ¶¶ 981 F.2d 1116, 1118+ , 9th Cir.(Cal.) Individual on trial for murder of Iranian national filed Freedom of Information Act (FOIA) request with Central Intelligence Agency (CIA) for disclosure of CIA records pertaining...	Dec. 30, 1992	Case		4 5 9 S.Ct.
Examined by	 8. American Civil Liberties Union v. U.S. Dept. of Defense ¶¶ 628 F.3d 612, 618+ , D.C.Cir. GOVERNMENT - Records. Information redacted from records related to Guantanamo Bay detainees qualified as "intelligence sources or methods."	Jan. 18, 2011	Case		1 3 4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 9. Center for Nat. Sec. Studies v. U.S. Dept. of Justice ¶ 331 F.3d 918, 925+ , D.C.Cir. GOVERNMENT - Records. Names of persons detained during DOJ's 9/11 investigation were within FOIA's law enforcement exemption.	June 17, 2003	Case		4 5 9 S.Ct.
Examined by	 10. Fitzgibbon v. C.I.A. ¶ 911 F.2d 755, 758+ , D.C.Cir. Historian filed lawsuit under Freedom of Information Act seeking release of materials withheld by Central Intelligence Agency (CIA) and FBI. The District Court, 578 F.Supp. 704,...	Aug. 14, 1990	Case		5 7 9 S.Ct.
Examined by	 11. Doe v. Casey ¶ 796 F.2d 1508, 1521+ , D.C.Cir. Nonprobationary career employee discharged by the Central Intelligence Agency after he had voluntarily acknowledged to a superior that he was homosexual brought action against the...	Aug. 01, 1986	Case		5 9 S.Ct.
Examined by	12. Yagman v. Brennan ¶ 2020 WL 4341592, *8+ , C.D.Cal. Before the Court is Defendants Gina Haspel and the Central Intelligence Agency's ("Defendants" or the "CIA") motion for summary judgment. See Dkt. # 167 ("MSJ"). Plaintiff Stephen...	June 09, 2020	Case		1 2 3 S.Ct.
Examined by	13. Whitaker v. Central Intelligence Agency ¶ 31 F.Supp.3d 23, 36+ , D.D.C. GOVERNMENT — Records. Agency's search for records under FOIA was inadequate.	Mar. 10, 2014	Case		1 2 3 S.Ct.
Examined by	14. American Civil Liberties Union v. Central Intelligence Agency ¶ 892 F.Supp.2d 234, 243+ , D.D.C. GOVERNMENT - Records. CIA reports were properly withheld under FOIA exemption covering intelligence sources or methods.	Sep. 25, 2012	Case		2 3 9 S.Ct.
Examined by	 15. American Civil Liberties Union v. Department of Justice ¶ 808 F.Supp.2d 280, 289+ , D.D.C. GOVERNMENT - Records. CIA did not waive its ability to deny existence of records of alleged use of unmanned drones to kill specific human targets.	Sep. 09, 2011	Case		2 3 9 S.Ct.
Examined by	16. Kelly v. C.I.A. ¶ 2002 WL 34463900, *1+ , D.D.C. LITIGATION - Judgment. The CIA was not required to disclose information that would reveal a connection between the CIA and a state university, despite author's contention that the...	Aug. 08, 2002	Case		4 5 9 S.Ct.
Examined by	17. Allen v. Department of Defense ¶ 658 F.Supp. 15, 19+ , D.D.C. Researcher who sought disclosure, pursuant to Freedom of Information Act, of communications between Central Intelligence Agency and House Select Committee which investigated...	Nov. 26, 1986	Case		5 7 9 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	18. Schwartz v. Department of Defense ” 2017 WL 78482, *15+ , E.D.N.Y. Plaintiff, Mattathias Schwartz, brings this action under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Schwartz, a journalist, submitted FOIA requests to the defendant...	Jan. 06, 2017	Case		1 3 7 S.Ct.
Examined by	 19. Florez v. C.I.A. ” 2015 WL 728190, *1+ , S.D.N.Y. Plaintiff Sergio Florez has filed a request pursuant to the Freedom of Information Act, 5 U.S.C. § 552 et seq., with defendant Central Intelligence Agency (“CIA”) for records...	Feb. 19, 2015	Case		2 3 4 S.Ct.
Examined by	 20. Amnesty International USA v. C.I.A. ” 728 F.Supp.2d 479, 501+ , S.D.N.Y. GOVERNMENT - Records. Documents related to terrorist detention program were exempt from disclosure under Freedom of Information Act.	Aug. 02, 2010	Case		4 5 9 S.Ct.
Examined by	 21. American Civil Liberties Union v. Department of Defense ” 723 F.Supp.2d 621, 626+ , S.D.N.Y. GOVERNMENT - Records. FOIA exemption for matters specifically exempted from disclosure by statute was not limited to lawful sources.	July 15, 2010	Case		5 7 9 S.Ct.
Examined by	22. Kronisch v. U.S. ” 1995 WL 303625, *5+ , S.D.N.Y. Pursuant to Rule 72(a) of the Federal Rules of Civil Procedure, plaintiff appeals Magistrate Judge Buchwald's September 26, 1994 order denying plaintiff leave to make a motion to...	May 18, 1995	Case		4 5 9 S.Ct.
Examined by	23. Kronisch v. U.S. ” 1994 WL 524992, *4+ , S.D.N.Y. In this lawsuit, which was commenced on March 30, 1983, plaintiff Gloria Kronisch alleges that her now-deceased brother, Stanley Glickman, was one of the victims of a decade-long...	Sep. 27, 1994	Case		4 5 9 S.Ct.
Examined by	24. PRESIDENTIAL DISCRETION TO DELAY MAKING DETERMINATIONS UNDER THE CHEMICAL AND BIOLOGICAL WEAPONS CONTROL AND WARFARE ELIMINATION ACT OF 1991 ” 19 U.S. Op. Off. Legal Counsel 306, 306+ You have asked for our opinion concerning the scope, if any, of the President's discretion to delay making the determinations that are prerequisite to imposing mandatory sanctions...	Nov. 16, 1995	Administrative Decision		3 7 9 S.Ct.
Declined to Extend by 	25. Citizens for Responsibility and Ethics in Washington v. United States Department of Justice ” 160 F.Supp.3d 226, 235+ , D.D.C. GOVERNMENT — Records. FBI records concerning its use of drones were exempt from disclosure pursuant to Freedom of Information Act.	Feb. 09, 2016	Case		1 3 7 S.Ct.















Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Extend by NEGATIVE	 26. Shapiro v. U.S. Department of Justice ¶ 37 F.Supp.3d 7, 26+ , D.D.C. GOVERNMENT — Records. FBI affidavit was too generalized to warrant withholding records under FOIA exemption for law enforcement records raising personal privacy concerns.	Mar. 12, 2014	Case		1 2 3 S.Ct.
Distinguished by NEGATIVE	 27. American Civil Liberties Union v. Department of Defense ¶ 2009 WL 8732937, *3+ , S.D.N.Y. On September 30, 2009, the parties argued two partial summary judgment motions before this Court. The Government presented its arguments first in an ex parte, in camera session...	Oct. 13, 2009	Case		2 3 4 S.Ct.
Discussed by	 28. Webster v. Doe ¶ 108 S.Ct. 2047, 2052+ , U.S. Dist. Col. Discharged employee brought action against Director of Central Intelligence Agency seeking declaratory and injunctive relief based on claim that he was fired because of his...	June 15, 1988	Case		5 7 9 S.Ct.
Discussed by	 29. Florez v. Central Intelligence Agency ¶ 829 F.3d 178, 192+ , 2nd Cir.(N.Y.) GOVERNMENT — Records. Remand was warranted to reconsider decision in favor of Central Intelligence Agency in public-records action in light of FBI's disclosure.	July 14, 2016	Case		2 3 9 S.Ct.
Discussed by	 30. Sterling v. Tenet ¶ 416 F.3d 338, 346+ , 4th Cir.(Va.) LABOR AND EMPLOYMENT - Discrimination. CIA agent's Title VII action was barred by state secrets doctrine.	Aug. 03, 2005	Case		5 7 9 S.Ct.
Discussed by	 31. U.S. v. Moussaoui ¶ 365 F.3d 292, 306+ , 4th Cir.(Va.) CRIMINAL JUSTICE - Discovery. Defendant had right of access to enemy combatant witnesses.	Apr. 22, 2004	Case		9 S.Ct.
Discussed by	 32. U.S. ex rel. Mateski v. Mateski ¶ 634 Fed.Appx. 192, 193+ , 9th Cir.(Cal.) GOVERNMENT - False Claims. Government's dismissal of qui tam action initiated by relator under False Claims Act was based on valid governmental purpose.	Dec. 18, 2015	Case		6 S.Ct.
Discussed by	 33. Hamdan v. U.S. Dept. of Justice 797 F.3d 759, 773+ , 9th Cir.(Cal.) GOVERNMENT - Records. Names of countries and intelligence organizations with which Defense Intelligence Agency shared intelligence were exempt from disclosure under FOIA.	Aug. 14, 2015	Case		1 3 6 S.Ct.















Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p> 34. Minier v. Central Intelligence Agency ¶¶ 88 F.3d 796, 800+ , 9th Cir.(Cal.)</p> <p>Appeal was taken from judgment of the United States District Court for the Eastern District of California, Garland E. Burrell, Jr., J., upholding Central Intelligence Agency's...</p>	July 08, 1996	Case		<p>1 4 5</p> <p>S.Ct.</p>
Discussed by	<p> 35. Wiener v. F.B.I. 943 F.2d 972, 983+ , 9th Cir.(Cal.)</p> <p>Freedom of Information Act (FOIA) Investigation (FBI) regarding late member of British rock group. The United States District Court for the Central District of California,...</p>	July 12, 1991	Case		<p>4 5 9</p> <p>S.Ct.</p>
Discussed by	<p> 36. Cable News Network, Inc. v. Federal Bureau of Investigation ¶¶ 984 F.3d 114, 120+ , D.C.Cir.</p> <p>GOVERNMENT — Records. Declaration explaining why FBI redacted FBI director's memoranda documenting his conversations with President was "judicial record."</p>	Jan. 08, 2021	Case		<p>2 3 5</p> <p>S.Ct.</p>
Discussed by	<p> 37. DiBacco v. U.S. Army ¶¶ 795 F.3d 178, 183+ , D.C.Cir.</p> <p>GOVERNMENT - Records. Department of Army conducted adequate search for records pursuant to Freedom of Information Act (FOIA) request.</p>	July 31, 2015	Case		<p>2 3 7</p> <p>S.Ct.</p>
Discussed by	<p> 38. Larson v. Department of State ¶¶ 565 F.3d 857, 864+ , D.C.Cir.</p> <p>GOVERNMENT - Records. In camera review of materials withheld by CIA and NSA pursuant to national security exemption was not warranted.</p>	May 08, 2009	Case		<p>3 5</p> <p>S.Ct.</p>
Discussed by	<p> 39. Wolf v. C.I.A. ¶¶ 473 F.3d 370, 374+ , D.C.Cir.</p> <p>GOVERNMENT - Records. Existence or nonexistence of CIA records were exempt from disclosure under national security exemption to FOIA.</p>	Jan. 16, 2007	Case		<p>4 5 9</p> <p>S.Ct.</p>
Discussed by	<p>40. Assassination Archives and Research Center v. C.I.A. ¶¶ 334 F.3d 55, 58+ , D.C.Cir.</p> <p>GOVERNMENT - Records. CIA list of Cuban personalities was exempt from disclosure under Freedom of Information Act.</p>	July 08, 2003	Case		<p>5 7 9</p> <p>S.Ct.</p>
Discussed by	<p>41. Lam Lek Chong v. U.S. Drug Enforcement Admin. ¶¶ 929 F.2d 729, 733+ , D.C.Cir.</p> <p>Appeal was taken from order of the United States District Court for the District of Columbia, Norma Holloway Johnson, J., upholding Drug Enforcement Administration's (DEA's)...</p>	Apr. 09, 1991	Case		<p>1 4</p> <p>S.Ct.</p>












Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	42. Association of Retired R.R. Workers, Inc. v. U.S. R.R. Retirement Bd. ¶ 830 F.2d 331, 333+ , D.C.Cir. Non-profit association representing retired railroad workers appealed from decision of the United States District Court for the District of Columbia, Stanley S. Harris, J.,...	Oct. 02, 1987	Case		1 9 S.Ct.
Discussed by	43. Church of Scientology of California v. I.R.S. ¶ 792 F.2d 153, 169+ , D.C.Cir. Church brought action under Freedom of Information Act to compel Internal Revenue Service to disclose all documents in its possession relating to church. The United States...	May 27, 1986	Case		—
Discussed by	44. Langton v. United States Department of Homeland Security ¶ 2020 WL 4607251, *4+ , D.Ariz. Pending before the Court are Defendant's Motion to Dismiss and Motion for Summary Judgment (doc. 16). For the reasons discussed below, the Motion to Dismiss will be denied as moot...	Aug. 11, 2020	Case		1 2 3 S.Ct.
Discussed by	45. Bothwell v. Central Intelligence Agency ¶ 2014 WL 5077186, *3+ , N.D.Cal. Plaintiff Anthony P.X. Bothwell ("Bothwell"), an attorney proceeding pro se, brings this action against Defendant Central Intelligence Agency ("CIA") for its alleged noncompliance...	Oct. 09, 2014	Case		1 2 3 S.Ct.
Discussed by	46. Mosier v. C.I.A. 2013 WL 6198197, *6+ , E.D.Cal. In the present action, Plaintiff Phillip Mosier ("Plaintiff") sues the Central Intelligence Agency ("CIA" or "Agency") for the CIA's alleged noncompliance with Plaintiff's...	Nov. 27, 2013	Case		2 3 9 S.Ct.
Discussed by	47. Broemer v. Federal Bureau of Investigation 2011 WL 13142587, *11+ , C.D.Cal. Pro se plaintiff Glen Broemer commenced this action on August 21, 2008. On March 2, 2009, the federal defendants moved to dismiss Broemer's first amended complaint. The court...	Apr. 22, 2011	Case		2 6 S.Ct.
Discussed by	48. Center for Human Rights and Constitutional Law v. National Geospatial-Intelligence Agency ¶ 2011 WL 13143722, *5+ , C.D.Cal. On May 5, 2010, plaintiffs Center for Human Rights and Constitutional Law and Leonard Weinglass commenced this action seeking declaratory and injunctive relief for alleged...	Mar. 14, 2011	Case		2 3 7 S.Ct.
Discussed by	49. Council on American-Islamic Relations, California v. F.B.I. ¶ 749 F.Supp.2d 1104, 1113+ , S.D.Cal. GOVERNMENT - Records. Names of companies that provided information to FBI during its investigation of mosques were exempt from disclosure.	Oct. 12, 2010	Case		4 9 S.Ct.





Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	50. Berman v. C.I.A. ¶¶ 378 F.Supp.2d 1209, 1214+ , E.D.Cal. GOVERNMENT - Records. Documents provided to President Johnson by CIA during Vietnam War were exempt from disclosure under FOIA.	July 11, 2005	Case		4 5 9 S.Ct.
Discussed by	51. Ritchie v. U.S. ¶¶ 210 F.Supp.2d 1120, 1125+ , N.D.Cal. GOVERNMENT - Tort Claims. Former marshal's claims arising from CIA's involuntary LSD administration were not barred.	July 01, 2002	Case		4 9 S.Ct.
Discussed by	52. Gallagher v. NSA-national Security Agency 2020 WL 5519173, *3+ , D.Colo. This case comes before the court on "Defendant's Motion for Summary Judgment" (Doc. No. 95 [Mot.], filed December 16, 2019). Plaintiff did not respond to the motion. This case...	Aug. 24, 2020	Case		1 4 S.Ct.
Discussed by	53. Al-Turki v. Department of Justice ¶¶ 175 F.Supp.3d 1153, 1174+ , D.Colo. GOVERNMENT — Records. evidence supported decision to exempt certain documents from disclosure in interest of national defense and foreign policy.	Mar. 30, 2016	Case		1 3 7 S.Ct.
Discussed by	54. Electronic Privacy Information Center v. United States Department of Justice ¶¶ 490 F.Supp.3d 246, 255+ , D.D.C. GOVERNMENT — Records. Information revealing criminal charges considered but not pursued against named individuals was not protected by deliberative process privilege.	Sep. 30, 2020	Case		2 3 7 S.Ct.
Discussed by	55. Accuracy in Media, Inc. v. Department of Defense ¶¶ 2020 WL 9439354, *3+ , D.D.C. This case arises from a number of requests made pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, for information related to the 2012 attack on the United States...	Aug. 27, 2020	Case		1 2 3 S.Ct.
Discussed by	56. Citizens United v. United States Department of State ¶¶ 460 F.Supp.3d 12, 18+ , D.D.C. GOVERNMENT — Records. Research document was properly withheld from disclosure under Freedom of Information Act exemption for information exempted by statute.	May 19, 2020	Case		2 3 7 S.Ct.
Discussed by	57. Gellman v. Department of Homeland Security ¶¶ 613 F.Supp.3d 124, 142+ , D.D.C. GOVERNMENT — Records. Federal agencies properly withheld emails under the Freedom of Information Act exemption for inter-agency or intra-agency memorandums or letters.	Mar. 20, 2020	Case		1 3 7 S.Ct.






Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	58. Khatchadourian v. Defense Intelligence Agency 453 F.Supp.3d 54, 85+ , D.D.C. GOVERNMENT — Records. Task force report assessing damage caused by unauthorized leak of government information fell within scope of FOIA exemption for classified material.	Mar. 19, 2020	Case		1 3 7 S.Ct.
Discussed by	59. Porup v. Central Intelligence Agency ” 2020 WL 1244928, *7+ , D.D.C. It has been nearly 45 years since the Church Committee exposed the Central Intelligence Agency's ("CIA") participation in plots to assassinate several foreign leaders in the 1960s...	Mar. 16, 2020	Case		1 2 3 S.Ct.
Discussed by	60. Smith v. Central Intelligence Agency ” 393 F.Supp.3d 72, 83+ , D.D.C. GOVERNMENT — Records. Former President's public statements was not an official acknowledgement precluding CIA's Glomar response to FOIA request.	Aug. 20, 2019	Case		1 3 7 S.Ct.
Discussed by	61. Cable News Network, Inc. v. Federal Bureau of Investigation ” 384 F.Supp.3d 19, 30+ , D.D.C. GOVERNMENT — Records. Redacted information in FBI Director's memoranda was protected from disclosure under Freedom of Information Act.	June 07, 2019	Case		2 3 7 S.Ct.
Discussed by	62. Elgabrownly v. Central Intelligence Agency ” 2019 WL 1440345, *12+ , D.D.C. Plaintiff Ibrahim Elgabrownly, proceeding pro se, filed suit against the Central Intelligence Agency ("CIA"), Department of Justice ("DOJ"), and Executive Office of United States...	Mar. 31, 2019	Case		1 3 7 S.Ct.
Discussed by	63. Talbot v. U.S. Department of State ” 373 F.Supp.3d 212, 219+ , D.D.C. GOVERNMENT — Records. CIA conducted adequate search for records relating to CIA agent, a purported covert operation to overthrow Fidel Castro, and related assassination plot.	Nov. 16, 2018	Case		4 S.Ct.
Discussed by	64. Electronic Privacy Information Center v. Office of Director of National Intelligence ” 281 F.Supp.3d 203, 213+ , D.D.C. GOVERNMENT — Records. Classified assessment of Russian attempts to influence 2016 presidential election was exempt from disclosure under Freedom of Information Act (FOIA).	Dec. 18, 2017	Case		1 3 7 S.Ct.
Discussed by	65. Brennan Center for Justice v. Department of State ” 296 F.Supp.3d 73, 84+ , D.D.C. GOVERNMENT — Records. Unpublished international agreements were exempt from disclosure due to national security as documents could reveal cooperating nations that wanted secrecy.	Nov. 06, 2017	Case		2 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 66. Shapiro v. Central Intelligence Agency ¶¶ 247 F.Supp.3d 53, 62+ , D.D.C. GOVERNMENT — Records. Freedom of Information Act exemption for classified information applied to documents, and thus FBI was allowed to withhold documents from requester.	Mar. 31, 2017	Case		1 3 9 S.Ct.
Discussed by	 67. Shapiro v. United States Department of Justice ¶¶ 239 F.Supp.3d 100, 115+ , D.D.C. GOVERNMENT — Records. FBI's FOIA processing records relating to "no records" responses were exempt from disclosure under law enforcement exemption.	Mar. 06, 2017	Case		1 2 3 S.Ct.
Discussed by	68. Leopold v. Central Intelligence Agency ¶¶ 106 F.Supp.3d 51, 58+ , D.D.C. GOVERNMENT — Records. Information relating to CIA's former detention and interrogation program expenditures was exempt from disclosure under FOIA.	May 14, 2015	Case		3 7 9 S.Ct.
Discussed by	 69. Sack v. Central Intelligence Agency ¶¶ 53 F.Supp.3d 154, 166+ , D.D.C. EDUCATION — Records. Federal agency properly withheld documents from doctoral student pursuant to FOIA.	July 10, 2014	Case		2 3 5 S.Ct.
Discussed by	70. Sack v. Central Intelligence Agency ¶¶ 49 F.Supp.3d 15, 20+ , D.D.C. EDUCATION — Records. Records student sought from CIA were protected as relating to interests of national defense.	June 17, 2014	Case		2 3 9 S.Ct.
Discussed by	 71. Electronic Privacy Information Center v. Office of the Director of National Intelligence ¶¶ 982 F.Supp.2d 21, 29+ , D.D.C. GOVERNMENT — Records. Office of Director of National Intelligence's (ODNI) records were exempt from disclosure under FOIA.	Oct. 09, 2013	Case		2 3 7 S.Ct.
Discussed by	72. Electronic Privacy Information Center v. National Sec. Agency ¶¶ 798 F.Supp.2d 26, 31+ , D.D.C. GOVERNMENT - Records. Information sought by requester was exempt from FOIA disclosure under NSA provision prohibiting disclosure of information pertaining to national security.	July 08, 2011	Case		6 S.Ct.
Discussed by	73. In re Guantanamo Bay Detainee Litigation ¶¶ 787 F.Supp.2d 5, 19+ , D.D.C. GOVERNMENT - United States. Government demonstrated narrowly tailored rationale for protecting certain unclassified information.	May 12, 2011	Case		2 3 5 S.Ct.
Discussed by	 74. Schoenman v. F.B.I. 2009 WL 763065, *23+ , D.D.C. CIVIL RIGHTS - Privacy. NULL	Mar. 19, 2009	Case		4 5 9 S.Ct.



















Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 75. Wilson v. Libby ¶ 498 F.Supp.2d 74, 78+ , D.D.C. GOVERNMENT - Public Officials. Court lacked jurisdiction in CIA employee's action arising out of government officials' disclosures of her covert status.	July 19, 2007	Case		5 9 S.Ct.
Discussed by	 76. Riquelme v. C.I.A. ¶ 453 F.Supp.2d 103, 111+ , D.D.C. GOVERNMENT - Records. Refusal to confirm or deny existence of records responsive to FOIA request was proper.	Sep. 29, 2006	Case		1 5 7 S.Ct.
Discussed by	 77. Morley v. U.S. C.I.A. ¶ 453 F.Supp.2d 137, 145+ , D.D.C. GOVERNMENT - Records. Central Intelligence Agency properly withheld certain records from disclosure under Freedom of Information Act.	Sep. 29, 2006	Case		4 5 9 S.Ct.
Discussed by	78. Larson v. Department of State ¶ 2005 WL 3276303, *8+ , D.D.C. Seven plaintiffs filed this Freedom of Information Act ("FOIA") lawsuit in an effort to obtain documents from the defendant agencies regarding various violent acts committed in...	Aug. 10, 2005	Case		9 S.Ct.
Discussed by	 79. Whalen v. U.S. Marine Corps ¶ 407 F.Supp.2d 54, 58+ , D.D.C. GOVERNMENT - Records. Portions of government study of Bay of Pigs operation were exempt from disclosure under Freedom of Information Act.	Mar. 31, 2005	Case		4 5 9 S.Ct.
Discussed by	 80. Aftergood v. Central Intelligence Agency ¶ 355 F.Supp.2d 557, 561+ , D.D.C. GOVERNMENT - Records. Historical intelligence budget information was exempt from disclosure under Freedom of Information Act.	Feb. 09, 2005	Case		1 7 S.Ct.
Discussed by	81. Davy v. C.I.A. ¶ 357 F.Supp.2d 76, 86+ , D.D.C. GOVERNMENT - Records. CIA, responding to FOIA request for records pertaining to JFK assassination, made adequate search of its records.	July 07, 2004	Case		4 5 9 S.Ct.
Discussed by	82. Andrade v. Central Intelligence Agency 1997 WL 527347, *4+ , D.D.C. Plaintiff, Camilo A. Andrade II, commenced this Freedom of Information Act proceeding seeking disclosure of eight documents numbered 240, 242–247 and 249. These documents pertain...	Aug. 18, 1997	Case		5 9 S.Ct.
Discussed by	83. Fitzgibbon v. U.S. Secret Service ¶ 747 F.Supp. 51, 54+ , D.D.C. Historian researching alleged plot by regime of former head of state of Dominican Republic to assassinate former president or kidnap his daughter brought action under Freedom of...	Sep. 14, 1990	Case		5 9 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p> 84. Orlikow v. U.S. 682 F.Supp. 77, 79+ , D.D.C.</p> <p>Suit was filed under the Federal Tort Claims Act alleging negligence by the Central Intelligence Agency in supervision and control over its employees, reckless funding of hazardous...</p>	Jan. 19, 1988	Case		<p>4 6 9</p> <p>S.Ct.</p>
Discussed by	<p>85. U.S. Student Ass'n v. C.I.A. ¶¶ 620 F.Supp. 565, 567+ , D.D.C.</p> <p>Student organization sought disclosure from the Central Intelligence Agency of documents concerning predecessor student organization. After delays, student association filed suit...</p>	Oct. 25, 1985	Case		<p>3 5 9</p> <p>S.Ct.</p>
Discussed by	<p>86. Broward Bulldog, Inc. v. U.S. Department of Justice ¶¶ 2019 WL 13178390, *17+ , S.D.Fla.</p> <p>THIS MATTER is before the Court upon Defendants' Renewed Motion For Summary Judgment (DE 96). The Court has carefully reviewed said Motion, the entire court file and is otherwise...</p>	Aug. 22, 2019	Case		<p>1 4 7</p> <p>S.Ct.</p>
Discussed by	<p> 87. Bassiouni v. C.I.A. ¶¶ 2004 WL 1125919, *4+ , N.D.Ill.</p> <p>Before the court is Defendant's Motion for Summary Judgment [docket entry 22–1]. For the following reasons, the motion is granted. Plaintiff, Mahmoud Cherif Bassiouni...</p>	Mar. 31, 2004	Case		<p>7</p> <p>S.Ct.</p>
Discussed by	<p>88. Central Platte Natural Resources District v. United States Department of Agriculture ¶¶ 2010 WL 11545694, *10+ , D.Neb.</p> <p>On January 11, 2010, Plaintiff Central Platte Natural Resources District (CPNRD) filed an amended complaint against Defendants United States Department of Agriculture (USDA) and...</p>	Sep. 08, 2010	Case		<p>1 4 6</p> <p>S.Ct.</p>
Discussed by	<p>89. Pickering v. U.S. Department of Justice 2021 WL 5810396, *10+ , W.D.N.Y.</p> <p>On August 16, 2019, the parties to this action consented pursuant to 28 U.S.C. § 636(c) to proceed before the undersigned. The matter is presently before the court on Defendant's...</p>	Dec. 07, 2021	Case		<p>1 2 3</p> <p>S.Ct.</p>
Discussed by	<p>90. In re Terrorist Attacks on September 11, 2001 523 F.Supp.3d 478, 498+ , S.D.N.Y.</p> <p>GOVERNMENT — Records. File listing of all documents in FBI's "subfile" investigation into terrorist attacks was subject to state secrets privilege.</p>	Mar. 04, 2021	Case		<p>3</p> <p>S.Ct.</p>
Discussed by	<p> 91. New York Times Company v. United States Department of Justice ¶¶ 235 F.Supp.3d 522, 530+ , S.D.N.Y.</p> <p>GOVERNMENT — Records. Details in Department of Justice (DOJ) memoranda were protected from disclosure under Freedom of Information Act (FOIA) exemption.</p>	Feb. 21, 2017	Case		<p>1 2 3</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 92. Platsky v. National Security Agency ¶¶ 2016 WL 3661534, *5+ , S.D.N.Y. Pro se plaintiff Henry Platsky served requests for records under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, on the National Security Agency ("NSA"), the Central...	July 01, 2016	Case		2 3 7 S.Ct.
Discussed by	 93. New York Times Co. v. U.S. Dept. of Justice ¶¶ 915 F.Supp.2d 508, 531+ , S.D.N.Y. GOVERNMENT - Records. Government did not violate FOIA by refusing to disclose information relating to targeted killing of persons tied to terrorism.	Jan. 03, 2013	Case		2 3 9 S.Ct.
Discussed by	 94. Roman v. National Sec. Agency 2012 WL 569747, *7+ , E.D.N.Y. Plaintiff pro se Gilbert Roman ("plaintiff" or "Roman") brought the above-captioned actions separately and individually against the National Security Agency ("NSA"), the...	Feb. 22, 2012	Case		1 S.Ct.
Discussed by	95. Roman v. National Sec. Agency ¶¶ 2009 WL 303686, *5+ , E.D.N.Y. GOVERNMENT - Injunction. The National Security Agency's motion for summary judgment dismissing a plaintiff's action seeking injunctive relief ordering the NSA to produce satellite...	Feb. 09, 2009	Case		1 9 S.Ct.
Discussed by	96. Wilson v. McConnell ¶¶ 501 F.Supp.2d 545, 553+ , S.D.N.Y. GOVERNMENT - Records. Letter from CIA official to former employee which contained secret information was not official disclosure.	Aug. 03, 2007	Case		4 5 9 S.Ct.
Discussed by	 97. American Civil Liberties Union v. Department of Defense ¶¶ 389 F.Supp.2d 547, 554+ , S.D.N.Y. GOVERNMENT - Records. Photographs showing abuse of detainees, when redacted to protect privacy, were not exempt from production under FOIA.	Sep. 29, 2005	Case		1 7 9 S.Ct.
Discussed by	98. Hogan v. Huff ¶¶ 2002 WL 1359722, *7+ , S.D.N.Y. Pro se plaintiff Stefan Morris Hogan ("Hogan") brings this action pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 (1988) (hereinafter " § 552"), seeking...	June 21, 2002	Case		1 S.Ct.
Discussed by	99. Rubin v. C.I.A. ¶¶ 2001 WL 1537706, *2+ , S.D.N.Y. In this action, graduate student Andrew Rubin ("Rubin") seeks the disclosure and expedited processing of records and information regarding two British writers, Stephen Spender...	Dec. 03, 2001	Case		5 7 9 S.Ct.
















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Discussed by	 100. Earth Pledge Foundation v. C.I.A. ¶ 988 F.Supp. 623, 626+ , S.D.N.Y. Plaintiffs brought action contesting denial by Central Intelligence Agency (CIA) of their Freedom of Information Act (FOIA) request for correspondence between alleged CIA station...	Dec. 04, 1996	Case		4 5 9 S.Ct.
Discussed by	 101. Wolk Law Firm v. United States 371 F.Supp.3d 203, 210+ , E.D.Pa. GOVERNMENT — Records. Cell phone video taken on aircraft before it crashed was exempt from FOIA disclosure due to NTSB statute banning disclosure of cockpit recordings.	Apr. 09, 2019	Case		1 S.Ct.
Discussed by	102. Huddleston v. Federal Bureau of Investigation ¶ 2022 WL 4593084, *16+ , E.D.Tex. Pending before the Court are Defendants' Motion for Summary Judgment (Dkt. #39), and Plaintiff's Cross-Motion for Summary Judgment (Dkt. #46). After reviewing the motions and the...	Sep. 29, 2022	Case		1 2 7 S.Ct.
Discussed by	103. Arabian Shield Development Co. v. Central Intelligence Agency ¶ 1999 WL 118796, *4+ , N.D.Tex. This case is before the Court on cross-motions for summary judgment. For the reasons stated herein, defendant's motion is granted and plaintiff's motion is denied. Plaintiff...	Feb. 26, 1999	Case		—
Discussed by	104. Bloomer v. U.S. Dept. of Homeland Sec. ¶ 870 F.Supp.2d 358, 364+ , D.Vt. GOVERNMENT - Records. Names of Assistant United States Attorney and FBI agent who helped informant reenter country were exempt from disclosure under FOIA.	May 03, 2012	Case		1 4 6 S.Ct.
Discussed by	105. Dennett v. C.I.A. ¶ 2006 WL 2585104, *3+ , D.Vt. Pro se plaintiff Charlotte Dennett is an attorney who is researching and writing a book about the Middle East and her father, the late Daniel C. Dennett. Mr. Dennett served in two...	July 26, 2006	Case		1 7 9 S.Ct.
Discussed by	106. Kinnucan v. National Security Agency ¶ 2022 WL 16716224, *7+ , W.D.Wash. The Court previously issued an Order on the Parties' Cross-Motions for Summary Judgment. (Dkt. No. 40.) The Court reserved ruling on Plaintiff's Freedom of Information Act (FOIA)...	Nov. 04, 2022	Case		2 3 7 S.Ct.
Discussed by	 107. American Civil Liberties Union of New Jersey, Inc. v. County of Hudson ¶ 799 A.2d 629, 649+ , N.J.Super.A.D. IMMIGRATION - Records. INS regulation barring disclosure of information on detainees held in county jails on its behalf valid.	June 12, 2002	Case		9 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	108. AT&T Inc. ¶¶ 2007 WL 624327 (S.E.C. No - Action Letter), *21+ Dear Mr. Wirtz: This is in response to your letters dated December 11, 2006 and January 19, 2007 concerning the shareholder proposal submitted to AT&T by Jeremy Kagan and...	Feb. 09, 2007	Administrative Decision		1 7 S.Ct.
—	109. McGrath v Director-General, National Archives of Australia 2020 WL 3265529, *1+ , AATA In 1971 and 1972, the Commonwealth of Australia and the Republic of Indonesia (Indonesia) reached two agreements through which they permanently delimited a large segment of their...	June 09, 2020	Case	—	—
Distinguished by NEGATIVE	110. American Civil Liberties Union v. Department of Defense 492 F.Supp.3d 250, 262+ , S.D.N.Y. GOVERNMENT — Records. DOD could not invoke FOIA exemption for material classified by executive order to neither confirm nor deny existence of updated presidential policies.	Oct. 05, 2020	Case		2 3 S.Ct.
Distinguished by NEGATIVE	111. Horn v. Huddle 647 F.Supp.2d 55, 65 , D.D.C. LITIGATION - Discovery. Court had authority to order parties' counsel to be granted access to classified information.	Aug. 26, 2009	Case		—
Distinguished by NEGATIVE	112. Aguirre v. S.E.C. 551 F.Supp.2d 33, 51 , D.D.C. GOVERNMENT - Records. Documents relating to SEC insider trading investigation did not fall within FOIA exemption for law enforcement records.	Apr. 28, 2008	Case		1 S.Ct.
Distinguished by NEGATIVE	113. Doe v. Gonzales ¶¶ 500 F.Supp.2d 379, 416 , S.D.N.Y. GOVERNMENT - Records. Revised provisions of Patriot Act governing nondisclosure of national security letters (NSLs) are unconstitutional.	Sep. 06, 2007	Case		—
Distinguished by NEGATIVE	114. Reporters Committee for Freedom of Press v. U.S. Dept. of Justice 816 F.2d 730, 735+ , D.C.Cir. Reporter and association of journalists sought production of criminal records pursuant to the Freedom of Information Act. The United States District Court for the District of...	Apr. 10, 1987	Case		1 S.Ct.
Limitation of Holding Recognized by NEGATIVE	115. Citizens for Peace in Space v. City of Colorado Springs 477 F.3d 1212, 1221 , 10th Cir.(Colo.) CIVIL RIGHTS - Free Speech. Security plan for NATO defense conference was narrowly tailored to advance a significant security interest.	Feb. 28, 2007	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	116. United States v. Zubaydah  142 S.Ct. 959, 976 , U.S. GOVERNMENT — United States. State secrets doctrine applied to domestic discovery requests that could confirm Poland as location for enhanced interrogation by CIA's contractors.	Mar. 03, 2022	Case		6 S.Ct.
Cited by	 117. Food Marketing Institute v. Argus Leader Media 139 S.Ct. 2356, 2368 , U.S. GOVERNMENT — Records. Supplemental Nutrition Assistance Program redemption data from individual retailers was confidential information exempt from disclosure under FOIA.	June 24, 2019	Case		—
Cited by	 118. Department of Homeland Sec. v. MacLean 135 S.Ct. 913, 925 , U.S. LABOR AND EMPLOYMENT - Whistleblowing. Federal Air Marshal's disclosure was not "specifically prohibited by law" under statute creating whistleblower protection.	Jan. 21, 2015	Case		1 S.Ct.
Cited by	 119. Tenet v. Doe  125 S.Ct. 1230, 1238 , U.S. GOVERNMENT - United States. Alleged former spies' estoppel and due process claims against the CIA were barred by Totten.	Mar. 02, 2005	Case		9 S.Ct.
Cited by	 120. Franklin v. Massachusetts 112 S.Ct. 2767, 2784+ , U.S.Mass. Massachusetts and two registered voters brought action challenging the method by which Congress apportioned seats in the United States House of Representatives. A three-judge...	June 26, 1992	Case		4 S.Ct.
Cited by	 121. U.S. Dept. of Justice v. Reporters Committee For Freedom of Press 109 S.Ct. 1468, 1482 , U.S.Dist.Col. Reporter and association of journalists sought protection of criminal records pursuant to Freedom of Information Act. The United States District Court for the District of...	Mar. 22, 1989	Case		4 S.Ct.
Cited by	 122. U.S. Dept. of Justice v. Julian  108 S.Ct. 1606, 1611+ , U.S.Ariz. Prisoners requested copies of their presentence investigation reports under the Freedom of Information Act. In separate suits, the United States District Court for the District...	May 16, 1988	Case		—
Cited by	 123. Department of Navy v. Egan  108 S.Ct. 818, 825 , U.S. Navy employee who had been discharged when his security clearance was revoked sought review. The Merit Systems Protection Board, 28 M.S.P.R. 509, upheld the removal and employee...	Feb. 23, 1988	Case		—







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Cited by	<p> 124. Passamaquoddy Tribe v. State of Me. 75 F.3d 784, 793 , 1st Cir.(Me.)</p> <p>Passamaquoddy Indian Tribe sought to force state of Maine to negotiate tribal state gaming compact under Indian Gaming Regulatory Act (IGRA). The United States District Court for...</p>	Feb. 09, 1996	Case		—
Cited by	<p> 125. United Technologies Corp. v. Browning-Ferris Industries, Inc. 33 F.3d 96, 102 , 1st Cir.(Me.)</p> <p>Parties liable under consent decree for cleanup of contaminated landfill brought suit alleging that defendants were wholly or partially responsible for contamination of site and...</p>	Aug. 19, 1994	Case		—
Cited by	<p> 126. Sullivan v. C.I.A. 992 F.2d 1249, 1251+ , 1st Cir.(Me.)</p> <p>Daughter of small aircraft passenger who disappeared on flight to Honduras in 1963, allegedly while on Central Intelligence Agency (CIA)-sponsored mission to drop propaganda or...</p>	May 26, 1993	Case		9 S.Ct.
Cited by	<p> 127. Aronson v. I.R.S. 973 F.2d 962, 964+ , 1st Cir.(Mass.)</p> <p>Private tracer of lost taxpayers brought action seeking to compel Internal Revenue Service (IRS) to give him information concerning persons to whom the government owed tax refunds....</p>	July 10, 1992	Case		4 S.Ct.
Cited by	<p>128. American Civil Liberties Union v. Central Intelligence Agency </p> <p>24 F.4th 863, 867 , 2nd Cir.(N.Y.)</p> <p>GOVERNMENT — Records. Information regarding CIA's construction of several detention facilities fell within scope of FOIA exemption.</p>	Feb. 02, 2022	Case		4 S.Ct.
Cited by	<p>129. Osen LLC v. United States Central Command </p> <p>969 F.3d 102, 107 , 2nd Cir.(N.Y.)</p> <p>GOVERNMENT — Records. Information being sought did not match prior disclosures, and, thus, prior disclosures did not effect waiver of FOIA exemption.</p>	Aug. 10, 2020	Case		2 4 S.Ct.
Cited by	<p> 130. United States v. Blaszczak 947 F.3d 19, 33 , 2nd Cir.(N.Y.)</p> <p>CRIMINAL JUSTICE — Fraud. Government agency's confidential regulatory information could constitute "property" in hands of the agency.</p>	Dec. 30, 2019	Case		—
Cited by	<p>131. American Civil Liberties Union v. National Security Agency </p> <p>925 F.3d 576, 600 , 2nd Cir.(N.Y.)</p> <p>GOVERNMENT — Records. Memorandum to Attorney General analyzing legality of electronic surveillance program authorized after September 11, 2001 terrorist attacks was exempt from...</p>	May 30, 2019	Case		1 4 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	132. Kuzma v. United States Department of Justice 692 Fed.Appx. 30, 33 , 2nd Cir.(N.Y.) GOVERNMENT — Records. FBI's withholding of grand jury materials from release of information related to civil rights activist's disappearance was proper under FOIA.	May 31, 2017	Case		1 4 S.Ct.
Cited by	133. Main Street Legal Services, Inc. v. National Sec. Council 811 F.3d 542, 553+ , 2nd Cir.(N.Y.) GOVERNMENT - Records. National Security Council (NSC) was not "agency" subject to Freedom of Information Act (FOIA).	Jan. 26, 2016	Case		6 S.Ct.
Cited by	134. New York Times Co. v. U.S. Dept. of Justice 756 F.3d 100, 111 , 2nd Cir.(N.Y.) GOVERNMENT - Records. Release of DOJ White Paper analyzing lawfulness of targeted killings of suspected terrorists constituted waiver of secrecy.	June 23, 2014	Case		4 S.Ct.
Cited by	135. New York Times Co. v. U.S. Dept. of Justice 752 F.3d 123, 134 , 2nd Cir. GOVERNMENT - Records. OLC memorandum regarding lawfulness of targeted killings of United States citizens was subject to disclosure.	Apr. 21, 2014	Case		4 S.Ct.
Cited by	136. Wilner v. National Sec. Agency 592 F.3d 60, 72+ , 2nd Cir. GOVERNMENT - Records. Ex parte and in camera review of additional, confidential material was unnecessary and beyond role assigned to judiciary.	Dec. 30, 2009	Case		1 S.Ct.
Cited by	137. Wilson v. C.I.A. ” 586 F.3d 171, 193+ , 2nd Cir.(N.Y.) CIVIL RIGHTS - Free Speech. CIA's mailing of letter containing confidential information to former employee was not official public disclosure.	Nov. 12, 2009	Case		9 S.Ct.
Cited by	138. American Civil Liberties Union v. Department of Defense 543 F.3d 59, 72 , 2nd Cir.(N.Y.) GOVERNMENT - Records. Term "any individual," as used in FOIA exemption, did not embrace unidentified member of vast group.	Sep. 22, 2008	Case		—
Cited by	139. Disabled in Action of Metropolitan New York v. Hammons 202 F.3d 110, 124 , 2nd Cir.(N.Y.) GOVERNMENT - Elections. Federal and nongovernmental offices were not mandatory voter registration agencies.	Jan. 26, 2000	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 140. A. Michael's Piano, Inc. v. F.T.C. 18 F.3d 138, 143+ , 2nd Cir.(Conn.) Former retail distributor of piano manufacturer brought action against Federal Trade Commission (FTC), seeking corporate records that FTC had in its possession which were...	Mar. 03, 1994	Case		1 7 S.Ct.
Cited by	 141. Donovan v. F.B.I. 806 F.2d 55, 58 , 2nd Cir.(N.Y.) Plaintiffs made Freedom of Information Act request of Federal Bureau of Investigation relating to documents concerning murder of four American churchwomen in El Salvador. On...	Nov. 24, 1986	Case		—
Cited by	142. Houghton v. National Security Agency 378 Fed.Appx. 235, 238 , 3rd Cir.(N.J.) GOVERNMENT - Records. NSA properly denied request under Freedom of Information Act (FOIA) pursuant to exemption for classified information.	May 05, 2010	Case		1 S.Ct.
Cited by	 143. Herring v. U.S. ¶¶ 424 F.3d 384, 391 , 3rd Cir.(Pa.) TORTS - Fraud. Assertion of privilege did not misrepresent the nature of the information contained in the accident report.	Sep. 22, 2005	Case		7 S.Ct.
Cited by	144. U.S. v. Sterling ¶¶ 724 F.3d 482, 509+ , 4th Cir.(Va.) CRIMINAL JUSTICE - Privileges. There was no First Amendment reporter's privilege that protected journalist from being compelled to testify about source.	July 19, 2013	Case		2 3 S.Ct.
Cited by	145. Al Shimari v. CACI Intern., Inc. ¶¶ 679 F.3d 205, 245 , 4th Cir.(Md.) LITIGATION - Appeals. Orders denying motions to dismiss on immunity ground were not appealable under collateral order doctrine.	May 11, 2012	Case		7 S.Ct.
Cited by	 146. Lebron v. Rumsfeld ¶¶ 670 F.3d 540, 554 , 4th Cir.(S.C.) CIVIL RIGHTS - Constitutional Torts. Designations of persons and groups as special threats to national security were not reviewable by judiciary.	Jan. 23, 2012	Case		3 S.Ct.
Cited by	 147. al-Marri v. Pucciarelli ¶¶ 534 F.3d 213, 308+ , 4th Cir.(S.C.) GOVERNMENT - United States. Petitioner had not been afforded sufficient process to challenge his designation as an enemy combatant.	July 15, 2008	Case		—
Cited by	 148. U.S. v. Abu Ali ¶¶ 528 F.3d 210, 247 , 4th Cir.(Va.) CRIMINAL JUSTICE - Sentencing. District court did not justify more than 20 year variance from presumptive life sentence.	June 06, 2008	Case		—














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Cited by	 149. U.S. v. Moussaoui ¶ 382 F.3d 453, 470 , 4th Cir.(Va.) CRIMINAL JUSTICE - Discovery. Government's refusal to produce enemy combatant witnesses did not warrant dismissal.	Sep. 13, 2004	Case		9 S.Ct.
Cited by	 150. Reinbold v. Evers ¶ 187 F.3d 348, 357 , 4th Cir.(W.Va.) Employee of the National Security Agency (NSA) sued the United States, the Department of Defense (DOD), the NSA, the Navy, and four individual officials of the Navy and the NSA,...	Aug. 05, 1999	Case		—
Cited by	 151. White v. National Steel Corp. 938 F.2d 474, 483 , 4th Cir.(W.Va.) Former employees brought action against employers alleging that employers had breached individually negotiated employment contracts and engaged in actual and constructive fraud. ...	July 03, 1991	Case		4 S.Ct.
Cited by	 152. U.S. v. Snepp 897 F.2d 138, 141 , 4th Cir.(Va.) United States brought suit seeking declaration that former Central Intelligence Agency (CIA) agent had breached contract, injunction requiring former agent to submit future...	Feb. 27, 1990	Case		—
Cited by	 153. U.S. v. Smith ¶ 780 F.2d 1102, 1109 , 4th Cir.(Va.) Defendant in espionage case sought disclosure of classified information as part of his defense. The United States District Court for the Eastern District of Virginia, Richard L....	Dec. 04, 1985	Case		—
Cited by	 154. U.S. v. El-Mezain ¶ 664 F.3d 467, 568 , 5th Cir.(Tex.) CRIMINAL JUSTICE - Discovery. Court was not required to compel government to produce untranslated classified FISA intercepts to defendants themselves.	Dec. 07, 2011	Case		3 S.Ct.
Cited by	155. In re Combustion 103 F.3d 124, 124 , 5th Cir.(La.) John J. Day, Jr., Patrick L. Tessier, Diane P. Cogley Johnson, and John J. Cogley, Jr., all appeal the district court's denial of their requests for permission to file late proof...	Nov. 13, 1996	Case		—
Cited by	156. Villanueva v. Department of Justice ¶ 782 F.2d 528, 531+ , 5th Cir.(Tex.) Applicant for position of special agent with the Federal Bureau of Investigation sued Justice Department and the FBI under the Freedom of Information Act and the Privacy Act to...	Feb. 12, 1986	Case		1 2 7 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 157. Detroit Free Press v. Ashcroft ¶ 303 F.3d 681, 706+ , 6th Cir.(Mich.) IMMIGRATION - Deportation or Removal. Deportation proceeding of alien with suspected terrorist ties could not be closed to press.	Aug. 26, 2002	Case		—
Cited by	 158. Bassiouni v. C.I.A. 392 F.3d 244, 245+ , 7th Cir.(Ill.) GOVERNMENT - Records. Requestor of documents from CIA was not entitled to Vaughn index of documents which satisfied request.	Dec. 08, 2004	Case		4 S.Ct.
Cited by	159. Twitter, Inc. v. Garland ¶ 61 F.4th 686, 716+ , 9th Cir.(Cal.) E-COMMERCE — Social Media. Bar on social media company publishing report describing amount of national security legal process it received did not violate First Amendment.	Mar. 06, 2023	Case		2 S.Ct.
Cited by	160. Husayn v. Mitchell ¶ 965 F.3d 775, 787 , 9th Cir. The full court was advised of the petition for rehearing en banc. A judge requested a vote on whether to rehear the matter en banc. The matter failed to receive a majority of the...	July 20, 2020	Case		6 S.Ct.
Cited by	 161. Pickard v. Department of Justice ¶ 653 F.3d 782, 785 , 9th Cir.(Cal.) GOVERNMENT - Records. Glomar response, refusing to confirm or deny the existence of responsive records, was not available.	July 27, 2011	Case		6 S.Ct.
Cited by	 162. Mohamed v. Jeppesen Dataplan, Inc. ¶ 614 F.3d 1070, 1086 , 9th Cir.(Cal.) GOVERNMENT - United States. Foreign nationals' action under Alien Tort Statute would be dismissed pursuant to state secrets privilege.	Sep. 08, 2010	Case		9 S.Ct.
Cited by	 163. Cal-Almond, Inc. v. U.S. Dept. of Agriculture ¶ 960 F.2d 105, 107+ , 9th Cir.(Cal.) Almond handler challenged Department of Agriculture's failure to provide it with list of California almond growers eligible to vote in referendum on continuation of marketing...	Mar. 30, 1992	Case		1 S.Ct.
Cited by	 164. Frigard v. U.S. 862 F.2d 201, 203 , 9th Cir.(Hawaii) Investors brought suit against United States on basis that Central Intelligence Agency's involvement with investment company was an actionable misrepresentation. The United...	Nov. 29, 1988	Case		—
Cited by	165. Frigard v. U.S. 855 F.2d 861, 861 , 9th Cir.(Hawaii) D.Hawaii AFFIRMED.	Aug. 15, 1988	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 166. Hill v. Department of Air Force ¶ 844 F.2d 1407, 1410 , 10th Cir.(N.M.) Civilian employee filed suit seeking preliminary injunction and order requiring the Air Force to reinstate his security clearance, remove any notation of the suspension from his...	Mar. 30, 1988	Case		—
Cited by	167. Broward Bulldog, Inc. v. U.S. Department of Justice ¶ 939 F.3d 1164, 1182+ , 11th Cir.(Fla.) GOVERNMENT — Records. Names, addresses, and phone numbers of persons who allegedly had ties to 9/11 terrorists fell within scope of FOIA exemption for private information.	Sep. 23, 2019	Case		1 2 3 S.Ct.
Cited by	 168. U.S. v. Davis ¶ 754 F.3d 1205, 1214 , 11th Cir.(Fla.) CRIMINAL JUSTICE - Searches and Seizures. Stored Communications Act provision allowing government to obtain cell location information without probable cause violated Fourth...	June 11, 2014	Case		6 S.Ct.
Cited by	 169. Alley v. U.S. Dept. of Health and Human Services 590 F.3d 1195, 1208 , 11th Cir.(Ala.) GOVERNMENT - Records. Injunction covered information that Department of Health and Human Services was ordered to disclose under FOIA.	Dec. 18, 2009	Case		4 8 9 S.Ct.
Cited by	170. Hart v. U.S. ¶ 894 F.2d 1539, 1547 , 11th Cir.(Fla.) Wife, mother, and daughter of American flyer shot down over Laos during Vietnam conflict brought action against United States for intentional infliction of emotional distress. ...	Mar. 01, 1990	Case		—
Cited by	 171. Kaplan v. Conyers 733 F.3d 1148, 1158 , Fed.Cir. LABOR AND EMPLOYMENT - Public Employment. MSPB was prohibited from reviewing DoD's determinations concerning eligibility of employee to occupy "sensitive" position.	Aug. 20, 2013	Case		—
Cited by	172. Skees v. Department of Navy ¶ 864 F.2d 1576, 1578 , Fed.Cir. Employee appealed removal due to revocation of security clearance. The Merit Systems Protection Board, 29 M.S.P.R 23, sustained dismissal. Appeal was taken. The Court of...	Jan. 11, 1989	Case		—
Cited by	173. Schaerr v. United States Department of Justice ¶ 69 F.4th 924, 930+ , D.C.Cir. GOVERNMENT — Records. Federal intelligence agencies' Glomar response to FOIA request for records about unmasking of President's campaign and transition team was proper.	June 09, 2023	Case		1 4 7 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	174. Barnes v. Federal Bureau of Investigation 35 F.4th 828, 830 , D.C.Cir. GOVERNMENT — Records. Waiver in plea agreement barred criminal defendant's FOIA request for FBI records about investigation of his case.	June 03, 2022	Case		1 S.Ct.
Cited by	175. Porup v. Central Intelligence Agency ” 997 F.3d 1224, 1235+ , D.C.Cir. GOVERNMENT — Records. CIA conducted sufficient search for records responsive to FOIA request for documents relating to CIA's use of poison for covert assassination.	May 21, 2021	Case		1 3 5 S.Ct.
Cited by	176. Leopold v. Central Intelligence Agency ” 987 F.3d 163, 167 , D.C.Cir. GOVERNMENT — Records. President's social media post was not official acknowledgment of agency records, and so did not preclude agency's Glomar response to FOIA request.	Feb. 09, 2021	Case		1 3 7 S.Ct.
Cited by	177. Dhiab v. Trump 852 F.3d 1087, 1098 , D.C.Cir. CIVIL RIGHTS — Free Press. Public did not have First Amendment right of access to properly classified national security information filed in court during habeas proceedings.	Mar. 31, 2017	Case		—
Cited by	178. Electronic Privacy Information Center v. U.S. Dept. of Homeland Sec. 777 F.3d 518, 525+ , D.C.Cir. GOVERNMENT - Records. DHS document describing protocol for shutting down wireless networks fell within scope of FOIA exemption.	Feb. 10, 2015	Case		—
Cited by	179. Ancient Coin Collectors Guild v. U.S. Dept. of State 641 F.3d 504, 510 , D.C.Cir. GOVERNMENT - Records. Requesters failed to show that information on ancient coin import restrictions was improperly withheld under Freedom of Information Act.	Apr. 15, 2011	Case		1 S.Ct.
Cited by	180. U.S. v. Maynard ” 615 F.3d 544, 562 , D.C.Cir. CRIMINAL JUSTICE - Searches and Seizures. Warrantless use of global positioning system (GPS) device on defendant's vehicle for a month was a search.	Aug. 06, 2010	Case		2 S.Ct.
Cited by	181. Wilson v. Libby ” 535 F.3d 697, 710+ , D.C.Cir. GOVERNMENT - Tort Claims. Court would decline to create Bivens remedy for CIA employee injured by disclosure of covert operative status.	Aug. 12, 2008	Case		9 S.Ct.

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Cited by	 182. Morley v. C.I.A. 508 F.3d 1108, 1126 , D.C.Cir. GOVERNMENT - Records. Mere reference to other files does not establish the existence of documents that are relevant to FOIA request.	Dec. 07, 2007	Case		1 7 S.Ct.
Cited by	 183. Ryan v. Reno ”” 168 F.3d 520, 523 , D.C.Cir. Applicants for Immigration and Naturalization Service (INS) jobs who resided in Ireland and possessed dual Irish and American citizenship brought Title VII action challenging...	Feb. 26, 1999	Case		—
Cited by	184. Eddington v. Central Intelligence Agency 1999 WL 151410, *1 , D.C.Cir. Upon consideration of the motion for summary affirmance, the response thereto (which includes a cross-motion for summary reversal), and the reply, it is ORDERED that the motion for...	Feb. 16, 1999	Case		4 S.Ct.
Cited by	185. Linder v. Department of Defense ”” 133 F.3d 17, 25 , D.C.Cir. In connection with family's wrongful death action, in Eleventh Circuit, against alleged leaders of Nicaraguan contra organizations operating out of Florida, decedent's family moved...	Jan. 16, 1998	Case		9 S.Ct.
Cited by	 186. Critical Mass Energy Project v. Nuclear Regulatory Com'n ”” 975 F.2d 871, 884 , D.C.Cir. Public interest organization brought action under Freedom of Information Act (FOIA) to obtain nuclear industry group's safety reports that had been voluntarily provided to Nuclear...	Aug. 21, 1992	Case		2 S.Ct.
Cited by	 187. U.S. v. Yunis ”” 867 F.2d 617, 623+ , D.C.Cir. Defendant charged with air piracy, conspiracy, and hostage taking, sought discovery of transcripts of taped conversations between himself and confidential informant, which...	Jan. 30, 1989	Case		—
Cited by	188. Williams v. U.S. Dept. of Justice, Drug Enforcement Admin. 851 F.2d 1502, 1502 , D.C.Cir. D.D.C. AFFIRMED.	May 18, 1988	Case		4 S.Ct.
Cited by	 189. Washington Post Co. v. U.S. Dept. of State 840 F.2d 26, 42 , D.C.Cir. Newspaper brought Freedom of Information Act action to gain access to State Department documents relating to alleged United States citizenship of foreign government official. The...	Feb. 05, 1988	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 190. American Min. Congress v. U.S. E.P.A. 824 F.2d 1177, 1189 , D.C.Cir. Industry representatives petitioned for review of Environmental Protection Agency's final rule amending definition of "solid waste" to establish agency's authority to regulate...	July 31, 1987	Case		4 S.Ct.
Cited by	 191. American Cetacean Soc. v. Baldrige 768 F.2d 426, 449 , D.C.Cir. Wildlife conservation groups brought action for declaratory relief and injunction, alleging that cabinet members breached statutory duty with respect to enforcement of...	Aug. 06, 1985	Case		—
Cited by	192. Paschal v. McHugh  2015 WL 3836965, *22 , N.D.Ala. Plaintiff, Alesya M. Paschal, is a General Engineer who is employed by the United States Army's Space & Missile Defense Center located on Redstone Arsenal in Huntsville, Alabama....	June 22, 2015	Case		2 S.Ct.
Cited by	193. Coppett v. Tennessee Valley Authority  987 F.Supp.2d 1264, 1287 , N.D.Ala. GOVERNMENT - Jurisdiction. Court lacked jurisdiction over employee's claim that suspension of his nuclear unescorted access was retaliatory.	Dec. 16, 2013	Case		2 S.Ct.
Cited by	194. Muhammad v. U.S. Dept. of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives 2007 WL 433552, *2 , S.D.Ala. This matter is before the court on motion and brief of the United States on behalf of the Department of Justice and the Bureau of Alcohol, Tobacco, Firearms and Explosives...	Feb. 06, 2007	Case		2 S.Ct.
Cited by	195. Hucul v. United States Department of Health and Human Services 2021 WL 961656, *4 , S.D.Cal. Before the Court are both parties' motions for summary judgment. (Dkt. Nos. 17, 18.) Both parties filed their oppositions and replies. (Dkt. Nos. 20, 21, 22, 23.) A telephonic...	Mar. 15, 2021	Case		—
Cited by	 196. Poulsen v. Department of Defense 373 F.Supp.3d 1249, 1269+ , N.D.Cal. GOVERNMENT — Records. Agencies were not precluded from asserting Glomar responses in response to FOIA request seeking information regarding surveillance of the President.	Mar. 22, 2019	Case		1 4 6 S.Ct.
Cited by	197. Anguiano v. United States Immigration and Customs Enforcement 356 F.Supp.3d 917, 922 , N.D.Cal. GOVERNMENT — Records. Search terms identified by ICE satisfied FOIA's adequacy requirement in responding to request for documents related to requester's pending removal proceeding.	Dec. 21, 2018	Case		1 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	198. Anguiano v. United States Immigration and Customs Enforcement 2018 WL 5923451, *8, N.D.Cal. Plaintiff Ariel Cervantes Anguiano filed this action under the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"), seeking 12 categories of documents from the United States...	Nov. 13, 2018	Case		—
Cited by	199. Center for Investigative Reporting v. United States Department of Justice 2018 WL 3368884, *2, N.D.Cal. Plaintiff Center for Investigative Reporting ("CIR") brings this action under the Freedom of Information Act ("FOIA" or "the Act") against Defendant the United States Department of...	July 10, 2018	Case		—
Cited by	200. United States v. Hayat 2017 WL 4959408, *4, E.D.Cal. The United States of America (the "Government") moves for an order staying the Magistrate Judge's discovery order filed on October 10, 2017, ECF No. 649, arguing: "[w]ithout a...	Nov. 01, 2017	Case		—
Cited by	201. McCash v. Central Intelligence Agency 2016 WL 6650389, *8, N.D.Cal. Plaintiff Tania McCash ("Plaintiff") brings this action under the Freedom of Information Act, 5 U.S.C. § 552, against the National Security Agency ("NSA"), the Central Intelligence...	Nov. 10, 2016	Case		4 S.Ct.
Cited by	202. Raimondo v. Federal Bureau of Investigation 2016 WL 2642038, *4, N.D.Cal. Plaintiffs Dennis Raimondo and Eric Garris bring claims under the Freedom of Information Act and the Privacy Act against Defendant the Federal Bureau of Investigation ("FBI")....	May 10, 2016	Case		—
Cited by	203. Carlson v. United States Postal Service 2015 WL 9258072, *2, N.D.Cal. Plaintiff Douglas F. Carlson ("Plaintiff"), proceeding pro se, brings this action against Defendant United States Postal Service ("Defendant") pursuant to the Freedom of...	Dec. 18, 2015	Case		—
Cited by	204. Bothwell v. Brennan 2015 WL 6689387, *2, N.D.Cal. Plaintiff Anthony P.X. Bothwell ("Bothwell"), an attorney proceeding pro se, brings this action against Defendant Central Intelligence Agency ("CIA") for its alleged noncompliance...	Nov. 03, 2015	Case		—
Cited by	205. In re Application for Telephone Information Needed for a Criminal Investigation 119 F.Supp.3d 1011, 1022, N.D.Cal. CRIMINAL JUSTICE — Searches and Seizures. Government must secure search warrant on showing of probable cause in order to obtain historical cell site location information (CSLI).	July 29, 2015	Case		7 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	206. Bothwell v. Brennan 2015 WL 3523212, *2 , N.D.Cal. Plaintiff Anthony P.X. Bothwell ("Bothwell"), an attorney proceeding pro se, brings this action against Defendant Central Intelligence Agency ("CIA") for its alleged noncompliance...	June 04, 2015	Case		—
Cited by	207. Ferguson-Cassidy v. City of Los Angeles 2015 WL 12806478, *1 , C.D.Cal. Los Angeles Police Department officers allegedly shot Cash Jerome Ferguson-Cassidy during the wee hours of June 30, 2013. Notice of Removal, Exh. 1 at ¶ 10, ECF No. 1. A year...	May 27, 2015	Case		—
Cited by	208. First Amendment Coalition v. U.S. Department of Justice 2014 WL 1411333, *13 , N.D.Cal. The parties have filed cross-motions for summary judgment in this Freedom of Information Act (FOIA) case. Having considered the parties' papers and oral argument on the motion,...	Apr. 11, 2014	Case		1 2 3 S.Ct.
Cited by	209. Hajro v. U.S. Citizenship and Immigration Services 832 F.Supp.2d 1095, 1112 , N.D.Cal. GOVERNMENT - Records. Injunction was warranted to require United States Citizenship and Immigration Services to comply with time mandates of FOIA.	Oct. 13, 2011	Case		4 S.Ct.
Cited by	210. Gerstein v. C.I.A. 2008 WL 4415080, *9+ , N.D.Cal. Before the Court are the following four motions: (1) Motion for Partial Summary Judgment, filed August 2, 2007 by defendants Central Intelligence Agency ("CIA"), Department of...	Sep. 26, 2008	Case		5 9 S.Ct.
Cited by	211. Lahr v. National Transp. Safety Bd. 453 F.Supp.2d 1153, 1190+ , C.D.Cal. GOVERNMENT - Records. Requester was entitled to documents presenting preliminary radar data regarding the mid-air explosion of an airliner.	Aug. 31, 2006	Case		9 S.Ct.
Cited by	212. Los Angeles Times Communications, LLC v. Department of Army 442 F.Supp.2d 880, 899 , C.D.Cal. GOVERNMENT - Records. Names of companies serving as private security contractors in Iraq were protected from disclosure under FOIA.	July 24, 2006	Case		9 S.Ct.
Cited by	213. Carlson v. U.S. Postal Service 2005 WL 756583, *2 , N.D.Cal. Plaintiff Douglas E. Carlson's motion for summary judgment and request for injunctive relief, and defendant United States Postal Services's ("USPS") motion for summary judgment...	Mar. 31, 2005	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	214. Lopez v. City of Chula Vista 1994 WL 845770, *4 , S.D.Cal. Okay. Basically, there are seven claims by the Plaintiffs that have been removed to the federal court, and at this point the Defendants before me allege that the Plaintiffs' state...	Feb. 28, 1994	Case		—
Cited by	215. El Badrawi v. Department Of Homeland Sec. ¶¶ 258 F.R.D. 198, 205 , D.Conn. LITIGATION - Discovery. Law enforcement privilege protected certain National Crime Information Center documents from discovery.	July 24, 2009	Case		—
Cited by	216. El Badrawi v. Department of Homeland Sec. ¶¶ 583 F.Supp.2d 285, 319 , D.Conn. GOVERNMENT - Records. Records about revocation of alien's visa was not specifically exempted from FOIA disclosure by INA statute.	Sep. 30, 2008	Case		—
Cited by	217. Doe v. Gonzales 386 F.Supp.2d 66, 78 , D.Conn. CIVIL RIGHTS - Free Speech. Ban on disclosure of FBI information disclosure demand letter receipt would be preliminarily enjoined.	Sep. 09, 2005	Case		—
Cited by	218. Muhammad Husayn v. Austin ¶¶ 2023 WL 4198364, *2+ , D.D.C. Pending before the Court is journalist Raymond Bonner's ("Movant") Motion to Intervene and Unseal. See ECF No. 317. Upon careful consideration of the motion, opposition, reply...	June 27, 2023	Case		2 3 7 S.Ct.
Cited by	219. Assassination Archives and Research Center v. Central Intelligence Agency ¶¶ 2023 WL 2184550, *4+ , D.D.C. GOVERNMENT — Records. Files related to individuals connected to President Kennedy's assassination did not fall within scope of exception to exemption from FOIA disclosure.	Feb. 22, 2023	Case		2 3 7 S.Ct.
Cited by	220. Project for Privacy and Surveillance Accountability, Inc. v. United States Department of Justice --- F.Supp.3d ---- , D.D.C. GOVERNMENT — Records. United States Department of Justice (DOJ) was unable to assert a blanket-level Glomar response to Freedom of Information Act (FOIA) request.	Sep. 29, 2022	Case		1 3 7 S.Ct.
Cited by	221. Eddington v. U.S. Department of Justice 581 F.Supp.3d 218, 224 , D.D.C. GOVERNMENT — Records. There was no official acknowledgment, as would have overcome Glomar response to Freedom of Information Act request.	Jan. 25, 2022	Case		1 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	222. Washington Post Company v. Special Inspector General for Afghanistan Reconstruction ¶ 2021 WL 4502106, *4, D.D.C. On March 23, 2017, Craig Whitlock, a reporter from plaintiff Washington Post Company (the "Post"), submitted a Freedom of Information Act ("FOIA") request to the Special Inspector...	Sep. 30, 2021	Case		2 S.Ct.
Cited by	223. Citizens United v. United States Department of State ¶ 2021 WL 3268385, *5+, D.D.C. This case concerns a Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, request submitted by Citizens United to the Department of State ("the Department") seeking records related...	July 29, 2021	Case		3 7 S.Ct.
Cited by	224. Government Accountability Project v. Central Intelligence Agency 548 F.Supp.3d 140, 151, D.D.C. GOVERNMENT — Records. CIA properly refused to confirm or deny existence of information responsive to FOIA request for records discussing provision of nuclear technology.	July 07, 2021	Case		2 3 7 S.Ct.
Cited by	225. Citizens for Responsibility and Ethics in Washington v. U.S. Department of Homeland Security ¶ 525 F.Supp.3d 181, 190, D.D.C. GOVERNMENT — Records. Government properly withheld information under Freedom of Information Act regarding number of Secret Service personnel who accompanied president.	Mar. 12, 2021	Case		1 S.Ct.
Cited by	226. Judicial Watch, Inc. v. U.S. Department of Health and Human Services ¶ 525 F.Supp.3d 90, 94, D.D.C. GOVERNMENT — Records. Freedom of Information Act exemption for trade secrets and commercial or financial information did not apply to contract laboratory addresses.	Mar. 11, 2021	Case		4 S.Ct.
Cited by	227. Shapiro v. United States Department of Justice ¶ 507 F.Supp.3d 283, 309, D.D.C. GOVERNMENT — Records. FBI failed to support claim that disclosure of file numbers under FOIA would create risk of circumvention of the law.	Dec. 11, 2020	Case		1 3 9 S.Ct.
Cited by	228. United States v. Bolton 496 F.Supp.3d 146, 158, D.D.C. LABOR AND EMPLOYMENT — Public Employment. Government pled plausible claim against former National Security Advisor for breach of contractual obligation not to divulge classified...	Oct. 01, 2020	Case		3 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	229. Lindsey v. Federal Bureau of Investigation ” 490 F.Supp.3d 1, 15+ , D.D.C. GOVERNMENT — Records. Federal Bureau of Investigation was justified in issuing Glomar response when responding to Freedom of Information Act request.	Sep. 18, 2020	Case		1 2 3 S.Ct.
Cited by	230. Washington Post Company v. Special Inspector General for Afghanistan Reconstruction ” 486 F.Supp.3d 141, 156 , D.D.C. GOVERNMENT — Records. Notes made by SIGAR staff in course of interviewing informants were not protected by deliberative process privilege.	Sep. 15, 2020	Case		2 S.Ct.
Cited by	231. Shapiro v. Department of Justice ” 2020 WL 3615511, *16+ , D.D.C. Plaintiff, “a longtime animal rights activist” and “Ph.D. candidate” whose research “focuses on disputes over animals and national security from the late nineteenth century to the...	July 02, 2020	Case		1 2 7 S.Ct.
Cited by	232. Bloche v. Department of Defense 464 F.Supp.3d 73, 88 , D.D.C. GOVERNMENT — Records. United States Army properly applied deliberative process privilege under Freedom of Information Act exemption for inter- or intra-agency memorandums.	May 14, 2020	Case		1 4 S.Ct.
Cited by	233. Ullah v. Central Intelligence Agency ” 435 F.Supp.3d 177, 187 , D.D.C. GOVERNMENT — Records. Information about whereabouts of detainee's remains was properly withheld as classified by CIA.	Jan. 16, 2020	Case		2 3 6 S.Ct.
Cited by	234. Cause of Action Institute v. Internal Revenue Service 390 F.Supp.3d 84, 101 , D.D.C. GOVERNMENT — Records. Watchdog group stated a claim that the IRS violated FOIA by refusing to disclose certain communications and records in response to FOIA request.	July 17, 2019	Case		1 S.Ct.
Cited by	235. Hardway v. Central Intelligence Agency 384 F.Supp.3d 67, 79 , D.D.C. GOVERNMENT — Records. CIA was not required to provide proof of the destruction of Office of Security files pertaining to requesters.	Apr. 28, 2019	Case		1 4 6 S.Ct.
Cited by	236. Judicial Watch, Inc. v. U.S. Department of State 373 F.Supp.3d 142, 147+ , D.D.C. GOVERNMENT — Records. National Security Act provided basis for Department of State to assert Glomar response to existence or nonexistence of responsive records.	Mar. 13, 2019	Case		1 3 7 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	237. Brick v. Department of Justice ¶ 358 F.Supp.3d 37, 48 , D.D.C. GOVERNMENT — Records. FBI records regarding travel to Soviet Union by former first lady, who was also United Nations delegate, were exempt from disclosure under FOIA.	Feb. 19, 2019	Case		1 3 4 S.Ct.
Cited by	238. Lynn v. National Archives and Records Administration 2019 WL 481290, *4 , D.D.C. This lawsuit arises from a Freedom of Information Act ("FOIA") request that Plaintiff Katalin Lynn made to Defendant National Archives and Records Administration ("NARA")....	Feb. 07, 2019	Case		1 3 S.Ct.
Cited by	239. Talbot v. U.S. Department of State ¶ 315 F.Supp.3d 355, 372+ , D.D.C. GOVERNMENT — Records. Central Intelligence Agency performed adequate search for CIA agent's personnel file, in response to requester's Freedom of Information Act request.	June 07, 2018	Case		1 2 3 S.Ct.
Cited by	240. Hall & Associates LLC v. U.S. Environmental Protection Agency ¶ 315 F.Supp.3d 519, 531 , D.D.C. GOVERNMENT — Records. Redactions made by Environmental Protection Agency (EPA) in documents requested under FOIA were exempt under deliberative process privilege.	May 22, 2018	Case		1 4 S.Ct.
Cited by	241. Muckrock, LLC v. Central Intelligence Agency 300 F.Supp.3d 108, 128 , D.D.C. GOVERNMENT — Records. Redacted portions of Central Intelligence Agency national security classification guide were exempt from disclosure under Freedom of Information Act.	Feb. 28, 2018	Case		1 3 8 S.Ct.
Cited by	242. Associated Press v. Federal Bureau of Investigation 265 F.Supp.3d 82, 97+ , D.D.C. GOVERNMENT — Records. FOIA protected identity of vendor who assisted FBI in unlocking smartphone of the suspected terrorist who perpetrated attack on San Bernardino, California...	Sep. 30, 2017	Case		1 4 7 S.Ct.
Cited by	243. Mattachine Society of Washington, D.C. v. United States Department of Justice 267 F.Supp.3d 218, 224 , D.D.C. GOVERNMENT — Records. FBI did not conduct adequate search in response to FOIA request for records related to Executive Order signed by President Eisenhower allowing for firing of...	July 28, 2017	Case		1 4 6 S.Ct.
Cited by	244. Scudder v. Central Intelligence Agency ¶ 254 F.Supp.3d 135, 143 , D.D.C. GOVERNMENT — Records. CIA properly withheld article from its internal journal as classified in interest of national security as they contained intelligence methods and sources.	May 17, 2017	Case		6 7 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p>245. Judicial Watch, Inc. v. United States Department of Defense ¶</p> <p>245 F.Supp.3d 19, 34+ , D.D.C.</p> <p>GOVERNMENT — Records. Memoranda regarding the search, raid, capture, and killing of a terrorist leader, were exempt from disclosure pursuant to FOIA.</p>	Mar. 28, 2017	Case		<p>1</p> <p>3</p> <p>7</p> <p>S.Ct.</p>
Cited by	<p> 246. Reporters Committee for Freedom of the Press v. Federal Bureau of Investigation ¶</p> <p>236 F.Supp.3d 268, 277+ , D.D.C.</p> <p>GOVERNMENT — Records. FBI properly withheld documents about its alleged practice of impersonating journalists under FOIA national security exemption.</p>	Feb. 23, 2017	Case		<p>1</p> <p>2</p> <p>3</p> <p>S.Ct.</p>
Cited by	<p>247. Unrow Human Rights Impact Litigation Clinic v. U.S. Department of State</p> <p>134 F.Supp.3d 263, 272 , D.D.C.</p> <p>GOVERNMENT — Records. Agencies properly withheld diplomatic cables from disclosure under Freedom of Information Act's (FOIA) classified documents exemption.</p>	Sep. 29, 2015	Case		<p>4</p> <p>S.Ct.</p>
Cited by	<p> 248. Touarsi v. United States Department of Justice ¶</p> <p>78 F.Supp.3d 332, 343 , D.D.C.</p> <p>GOVERNMENT — Records. FBI properly withheld information pursuant to Freedom of Information Act exemption relating to national defense.</p>	Jan. 23, 2015	Case		<p>1</p> <p>2</p> <p>3</p> <p>S.Ct.</p>
Cited by	<p>249. Shapiro v. United States Department of Justice ¶</p> <p>2014 WL 12912625, *1 , D.D.C.</p> <p>The plaintiff, Ryan Noah Shapiro is among the most prolific requesters of materials from the defendant, the United States Department of Justice, under the Freedom of Information...</p>	Dec. 08, 2014	Case		<p>6</p> <p>S.Ct.</p>
Cited by	<p>250. Sack v. Central Intelligence Agency ¶</p> <p>2014 WL 12768160, *3 , D.D.C.</p> <p>Kathryn Sack challenges the CIA's withholding of certain materials in response to a series of Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, requests to the Central...</p>	Sep. 16, 2014	Case		<p>1</p> <p>2</p> <p>3</p> <p>S.Ct.</p>
Cited by	<p> 251. Labow v. U.S. Department of Justice ¶</p> <p>66 F.Supp.3d 104, 117 , D.D.C.</p> <p>GOVERNMENT — Records. FBI source spoke under implied assurance of confidentiality.</p>	Sep. 04, 2014	Case		<p>3</p> <p>S.Ct.</p>
Cited by	<p>252. Whitaker v. Central Intelligence Agency ¶</p> <p>64 F.Supp.3d 55, 63+ , D.D.C.</p> <p>GOVERNMENT — Records. CIA properly withheld records under FOIA, pursuant to National Security Act.</p>	Aug. 15, 2014	Case		<p>1</p> <p>2</p> <p>3</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 253. Dorsen v. United States Securities and Exchange Commission 15 F.Supp.3d 112, 125 , D.D.C. GOVERNMENT — Records. Freedom of Information Act (FOIA) requestor was not entitled to attorney fee award.	Feb. 14, 2014	Case		—
Cited by	 254. Trea Senior Citizens League v. United States Department of State 994 F.Supp.2d 23, 33 , D.D.C. GOVERNMENT — Records. State Department document seeking authorization to sign international agreement was not exempt from disclosure under FOIA.	Oct. 30, 2013	Case		1 S.Ct.
Cited by	255. Hodes v. U.S. Department of Treasury 967 F.Supp.2d 369, 373 , D.D.C. GOVERNMENT — Records. Department of Treasury improperly withheld names of unsuccessful bidders for procurement contracts on plaintiff's FOIA request.	Sep. 25, 2013	Case		—
Cited by	256. Mousovi v. Obama  916 F.Supp.2d 67, 75 , D.D.C. CIVIL RIGHTS - Arrest and Detention. Government need not disclose certain top secret, source-related information to counsel for Guantanamo detainee.	Jan. 09, 2013	Case		2 7 S.Ct.
Cited by	 257. Judicial Watch, Inc. v. U.S. Secret Service 803 F.Supp.2d 51, 62+ , D.D.C. GOVERNMENT - Records. Official visitor logs and/ or other records concerning visits made to White House were "agency documents" under FOIA.	Aug. 17, 2011	Case		—
Cited by	258. Wade v. I.R.S.  771 F.Supp.2d 20, 23+ , D.D.C. GOVERNMENT - Records. IRS properly withheld home telephone numbers of enrolled agents in response to FOIA request.	Mar. 23, 2011	Case		1 4 S.Ct.
Cited by	259. American Civil Liberties Union v. Department of Justice  2011 WL 10657342, *3+ , D.D.C. Plaintiffs, American Civil Liberties Union and American Civil Liberties Union Foundation, filed this lawsuit against Defendant Department of Justice ("DOJ"), seeking "the...	Feb. 14, 2011	Case		1 S.Ct.
Cited by	260. Subh v. C.I.A. 760 F.Supp.2d 66, 70 , D.D.C. GOVERNMENT - Records. Records documenting CIA intelligence checks on requestor were exempt under Freedom of Information Act.	Jan. 19, 2011	Case		1 S.Ct.
Cited by	261. Valfells v. C.I.A. 717 F.Supp.2d 110, 116 , D.D.C. GOVERNMENT - Records. FBI's disclosure of CIA originating information did not waive CIA's valid exemption claim.	June 17, 2010	Case		4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	262. American Civil Liberties Union v. Department of Defense ¶ 664 F.Supp.2d 72, 75+ , D.D.C. GOVERNMENT - Records. Department of Defense (DOD) and Central Intelligence Agency (CIA) properly withheld detainee statements under Freedom of Information Act (FOIA).	Oct. 16, 2009	Case		1 S.Ct.
Cited by	263. Citizens for Responsibility and Ethics in Washington v. U.S. Dept. of Justice 658 F.Supp.2d 217, 240 , D.D.C. GOVERNMENT - Records. FOIA's law enforcement exemption did not categorically protect FBI records of special counsel's Vice President interview.	Oct. 01, 2009	Case		1 S.Ct.
Cited by	264. In re Guantanamo Bay Detainee Litigation ¶ 634 F.Supp.2d 17, 23 , D.D.C. CRIMINAL JUSTICE - Habeas Corpus. District Court was required to make certain findings before requiring Government to disclose classified information.	July 10, 2009	Case		7 S.Ct.
Cited by	265. Doe v. Doe Agency 608 F.Supp.2d 68, 71 , D.D.C. GOVERNMENT - Records. Court refused as matter of comity to modify orders protecting classified documents filed in action against federal agency.	Apr. 07, 2009	Case		—
Cited by	266. Al Odah v. U.S. 608 F.Supp.2d 42, 45 , D.D.C. CIVIL RIGHTS - Arrest and Detention. Alleged enemy combatants were not entitled to production of complete declassified factual returns or adequate substitutes.	Apr. 02, 2009	Case		—
Cited by	267. Al-Adahi v. Obama ¶ 597 F.Supp.2d 38, 45 , D.D.C. CRIMINAL JUSTICE - Habeas Corpus. Government was not required to conduct more expansive searches for exculpatory information in enemy detainees' habeas cases.	Feb. 12, 2009	Case		7 S.Ct.
Cited by	268. Taher v. Bush ¶ 585 F.Supp.2d 94, 99 , D.D.C. CRIMINAL JUSTICE - Terrorism. Government had continuing obligation to disclose exculpatory evidence.	Nov. 17, 2008	Case		—
Cited by	269. Aweda v. Bush ¶ 585 F.Supp.2d 101, 106 , D.D.C. CRIMINAL JUSTICE - Terrorism. Government had continuing obligation to disclose exculpatory evidence.	Nov. 17, 2008	Case		—
Cited by	270. Razak v. Bush ¶ 585 F.Supp.2d 108, 111 , D.D.C. On November 6, 2008, Judge Hogan issued a Case Management Order in In re: Guantanamo Detainees Litigation, Miscellaneous No. 08-442. That Order applied to those cases which...	Nov. 17, 2008	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	271. Alhami v. Bush  585 F.Supp.2d 114, 119 , D.D.C. MILITARY LAW - National Defense. Detainee at Guantanamo Bay who brought habeas challenge to detention was entitled to government's factual basis for detention.	Nov. 17, 2008	Case		—
Cited by	272. Ansi v. Bush  585 F.Supp.2d 121, 125 , D.D.C. MILITARY LAW - Habeas Corpus. Government had to disclose all reasonably available evidence in its possession in enemy combatant's habeas action.	Nov. 17, 2008	Case		—
Cited by	273. Ahmed v. Bush  585 F.Supp.2d 127, 131 , D.D.C. CRIMINAL JUSTICE - Habeas Corpus. Rebuttable presumption of authenticity would be accorded to certain documents in Guantanamo detainee's habeas proceeding.	Nov. 17, 2008	Case		—
Cited by	274. Dhiab v. Bush  2008 WL 4905489, *3 , D.D.C. On November 6, 2008, Judge Hogan issued a Case Management Order in In re: Guantanamo Detainees Litigation, Miscellaneous No. 08-442. That Order applied to those cases which...	Nov. 17, 2008	Case		—
Cited by	275. Al-Adahi v. Bush  585 F.Supp.2d 78, 81 , D.D.C. On November 6, 2008, Judge Hogan issued a Case Management Order in In re: Guantanamo Detainees Litigation, Miscellaneous No. 08-442. That Order applied to those cases which...	Nov. 13, 2008	Case		—
Cited by	 276. In re Guantanamo Bay Detainee Litigation 2008 WL 4858241, *2 , D.D.C. Upon review of the parties' briefs in response to the Court's order of July11, 2008, and the record herein, and to provide the petitioners in these cases with prompt habeas corpus...	Nov. 06, 2008	Case		—
Cited by	 277. Talbot v. C.I.A. 578 F.Supp.2d 24, 27+ , D.D.C. GOVERNMENT - Records. Information about aliases used by former Central Intelligence Agency (CIA) agents was exempt from disclosure under FOIA.	Sep. 23, 2008	Case		1 5 7 S.Ct.
Cited by	278. Clemmons v. U.S. Dept. of Justice  2007 WL 1020796, *4 , D.D.C. This matter comes before the Court on the defendants' motion [16] to dismiss the complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) and failure to state a...	Mar. 30, 2007	Case		2 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	279. Clemmons v. U.S. Army Crime Records Center ¶ 2007 WL 1020827, *5, D.D.C. This matter comes before the Court on the defendant's motion [7] to dismiss in part for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) and for summary judgment in...	Mar. 30, 2007	Case		2 S.Ct.
Cited by	280. Fuller v. C.I.A. 2007 WL 666586, *2, D.D.C. Plaintiff Gary Fuller sued defendant Central Intelligence Agency ("CIA") for information withheld in response to Fuller's request for documents under the Freedom of Information...	Feb. 28, 2007	Case		—
Cited by	281. People for the American Way Foundation v. National Security Agency/Central Security Service 462 F.Supp.2d 21, 28+, D.D.C. GOVERNMENT - Records. Agency established entitlement to summary judgment with respect to information withheld under FOIA's national security exemption.	Nov. 20, 2006	Case		1 S.Ct.
Cited by	282. Edmonds v. U.S. Dept. of Justice ¶ 405 F.Supp.2d 23, 33, D.D.C. GOVERNMENT - Records. Documents were exempt from FOIA disclosure under mosaic theory.	Dec. 19, 2005	Case		7 S.Ct.
Cited by	283. National Sec. Archive Fund, Inc. v. C.I.A. ¶ 402 F.Supp.2d 211, 216+, D.D.C. GOVERNMENT - Records. CIA declaration permitted determination that portions of intelligence analysis for Iraq could not be segregated for release.	Sep. 30, 2005	Case		9 S.Ct.
Cited by	284. Perry-Torres v. U.S. Dept. of State 404 F.Supp.2d 140, 143, D.D.C. GOVERNMENT - Records. Requester failed to exhaust administrative remedies with respect to his FOIA request for documents at Embassy in Columbia.	Sep. 19, 2005	Case		1 S.Ct.
Cited by	285. Judicial Watch, Inc. v. U.S. Dept. of Commerce 337 F.Supp.2d 146, 167, D.D.C. GOVERNMENT - Records. Commerce Department's second search of its files met its Freedom of Information Act obligations.	Sep. 30, 2004	Case		1 S.Ct.
Cited by	286. Wolf v. C.I.A. 357 F.Supp.2d 112, 117+, D.D.C. GOVERNMENT - Records. Documents concerning former Columbian presidential candidate were exempt from disclosure under national security exemption.	July 14, 2004	Case		9 S.Ct.

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Cited by	287. Edmonds v. F.B.I.  272 F.Supp.2d 35, 47 , D.D.C. GOVERNMENT - Records. National security exemption protected documents concerning whistleblowing that followed September 11 attacks.	July 23, 2003	Case		2 S.Ct.
Cited by	 288. Wheeler v. C.I.A.  271 F.Supp.2d 132, 137+ , D.D.C. GOVERNMENT - Records. CIA could refuse to confirm or deny existence of information in its records about a journalist.	June 04, 2003	Case		9 S.Ct.
Cited by	 289. Snyder v. Central Intelligence Agency 230 F.Supp.2d 17, 23 , D.D.C. GOVERNMENT - Records. CIA could withhold analysis of foreign service from FOIA response.	Nov. 14, 2002	Case		—
Cited by	 290. Center for Public Integrity v. Department of Energy 191 F.Supp.2d 187, 189 , D.D.C. GOVERNMENT - Records. Agency failed to meet its burden of showing that its records were exempt from disclosure under FOIA.	Mar. 26, 2002	Case		1 S.Ct.
Cited by	 291. Assassination Archives And Research Center v. C.I.A. 177 F.Supp.2d 1, 9 , D.D.C. GOVERNMENT - Records. CIA compendium on "Cuban Personalities" was exempt from disclosure.	Oct. 24, 2001	Case		1 S.Ct.
Cited by	 292. Schrecker v. U.S. Dept. of Justice 74 F.Supp.2d 26, 33 , D.D.C. Author brought action under Freedom of Information Act seeking document relating to Justice Department investigations during Cold War. On cross-motions for summary judgment, the...	Nov. 29, 1999	Case		7 S.Ct.
Cited by	 293. Blazy v. Tenet 979 F.Supp. 10, 23 , D.D.C. Former Central Intelligence Agency (CIA) employee brought action pursuant to Privacy Act, in conjunction with Freedom of Information Act (FOIA), seeking access to and amendment of...	Sep. 17, 1997	Case		4 S.Ct.
Cited by	 294. Kay v. F.C.C. 976 F.Supp. 23, 36 , D.D.C. Radio licensee brought action against Federal Communications Commission (FCC), seeking, inter alia, disclosure of records pertaining to Commission investigation of licensee's...	Aug. 21, 1997	Case		—
Cited by	295. Reiter v. Drug Enforcement Admin. 1997 WL 470108, *3 , D.D.C. Pro se plaintiff Mark Reiter brings this action against defendant Drug Enforcement Agency ("DEA") for disclosure of withheld records pertaining to himself under the Freedom of...	Aug. 13, 1997	Case		—

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Cited by	296. Public Citizen v. Barshefsky ¶ 939 F.Supp. 31, 35+ , D.D.C. Action was brought against United States Trade Representative (USTR), seeking declaratory and injunctive relief from USTR's closure of trade advisory committee meetings. On...	Sep. 19, 1996	Case		1 S.Ct.
Cited by	297. Campbell v. U.S. Dept. of Justice ¶ 1996 WL 554511, *7+ , D.D.C. Plaintiff James Campbell brings this action against the United States Department of Justice ("DOJ") for injunctive relief and attorney's fees under the Freedom of Information Act...	Sep. 19, 1996	Case		5 7 9 S.Ct.
Cited by	298. Summers v. U.S. Dept. of Justice ¶ 934 F.Supp. 458, 462+ , D.D.C. Action was brought pursuant to the Freedom of Information Act (FOIA), seeking documents pertaining to telephone logs and appointment calendars of a former director of the Federal...	Aug. 09, 1996	Case		2 S.Ct.
Cited by	299. Jimenez v. F.B.I. 938 F.Supp. 21, 27 , D.D.C. Freedom of Information Act (FOIA) request was filed against various government agencies. On cross-motions for summary judgment, the District Court, Sporkin, J., held that: (1)...	July 23, 1996	Case		1 S.Ct.
Cited by	300. Scott v. U.S. C.I.A. ¶ 916 F.Supp. 42, 47+ , D.D.C. Action was filed under Freedom of Information Act (FOIA), seeking Central Intelligence Agency (CIA) and Federal Bureau of Investigation (FBI) records relating to requesting party's...	Mar. 01, 1996	Case		2 S.Ct.
Cited by	301. Public Educ. Center, Inc. v. Department of Defense ¶ 905 F.Supp. 19, 21+ , D.D.C. News service brought action challenging decision of Department of Defense to withhold videotapes and portions of videotapes responsive to the service's Freedom of Information Act...	Nov. 20, 1995	Case		2 S.Ct.
Cited by	302. U.S. v. Rezaq ¶ 899 F.Supp. 697, 708 , D.D.C. Defendant was indicted for aircraft hijacking. Government moved to reconsider earlier protective order. Defendant moved to dismiss. The District Court, Lamberth, J., held...	Sep. 20, 1995	Case		3 S.Ct.
Cited by	303. Nayed v. I.N.S. ¶ 1993 WL 524541, *2+ , D.D.C. Before the Court are the motions of defendants the Central Intelligence Agency ("CIA"), the Federal Bureau of Investigation ("FBI"), and the Department of State ("State") for...	Nov. 29, 1993	Case		4 S.Ct.

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Cited by	304. Rothschild v. C.I.A. ¶ 1992 WL 71393, *2+ , D.D.C. On November 2, 1987, the plaintiff filed a request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552 et seq. with the Department of State, seeking access to documents...	Mar. 25, 1992	Case		1 5 7 S.Ct.
Cited by	305. Saratoga Development Corp. v. U.S. 777 F.Supp. 29, 35 , D.D.C. Unsuccessful bidder on contract for development of property in the District of Columbia filed suit challenging the award of the contract to a competing developer. Bidder moved...	Oct. 31, 1991	Case		9 S.Ct.
Cited by	306. Coleman v. F.B.I. 1991 WL 333709, *2 , D.D.C. Plaintiff, Alton Coleman, is a prisoner currently incarcerated in the Southern Ohio Correctional Facility in the State of Ohio. Plaintiff's lawsuit arises from a series of...	Apr. 03, 1991	Case		5 S.Ct.
Cited by	307. Halperin v. Kissinger 723 F.Supp. 1535, 1547 , D.D.C. Former chief of National Security Council Policy Planning Group and his family brought action against former national security advisor, former chief administrative assistant of...	Oct. 25, 1989	Case		—
Cited by	308. Schmerler v. F.B.I. 696 F.Supp. 717, 721+ , D.D.C. In Freedom of Information Act suit, both parties moved for summary judgment. The District Court, Gesell, J., held that: (1) F.B.I. failed to establish that nondisclosure of...	Sep. 29, 1988	Case		5 9 S.Ct.
Cited by	309. Summers v. U.S. Dept. of Justice 1987 WL 11216, *1+ , D.D.C. In this Freedom of Information Act case, plaintiff, an author, seeks from the Federal Bureau of Investigation a number of documents pertaining to actor Peter Lawford which are...	May 14, 1987	Case		—
Cited by	310. Sluby v. U.S. Dept. of Justice 1987 WL 10509, *2 , D.D.C. Plaintiffs, Paul and Barbara Sluby, bring this action under the Freedom of Information Act, 5 U.S.C. §552 ("FOIA"), seeking an order requiring the Federal Bureau of Investigation...	Apr. 30, 1987	Case		—
Cited by	311. Bojan v. General Services Admin. ¶ 1987 WL 9534, *2 , D.D.C. A Memorandum and Order filed November 20, 1986 (a copy of which is attached) granted plaintiff a preliminary injunction that precluded defendant, General Services Administration...	Mar. 27, 1987	Case		4 S.Ct.











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Cited by	312. American Federation of Government Employees, AFL-CIO v. Frazier ” 1986 WL 5440, *4, D.D.C. Plaintiffs, on behalf of various locals and affiliated councils of the American Federation of Government Employees, sue the Federal Labor Relations Authority ('the Authority') and...	Feb. 07, 1986	Case		—
Cited by	313. Republic of New Afrika v. F.B.I. ” 656 F.Supp. 7, 10, D.D.C. Organization characterizing itself as “nation of Black people within the territorial boundaries of the United States of America” brought action to obtain FBI documents under...	July 29, 1985	Case		—
Cited by	314. Karantsalis v. Department of the Navy 2013 WL 1768659, *2+, S.D.Fla. THIS MATTER comes before the Court upon Defendant's Motion for Summary Judgment (DE # 7), filed March 27, 2013. Upon review of the record, the Court finds that the Motion should be...	Apr. 24, 2013	Case		—
Cited by	315. Najjar v. Reno 97 F.Supp.2d 1329, 1359, S.D.Fla. IMMIGRATION - Bonds. Alien's procedural due process rights were violated in bond redetermination proceedings.	May 31, 2000	Case		8 S.Ct.
Cited by	316. Taylor v. National Sec. Agency ” 2014 WL 4926269, *2+, S.D.Ga. Before the Court is Defendant's motion for summary judgment and Plaintiff's motion to amend judgment. For the reasons stated herein, Defendant's motion is GRANTED, and Plaintiff's...	Sep. 30, 2014	Case		1 6 S.Ct.
Cited by	317. Taylor v. National Security Agency 2014 WL 12788725, *6, S.D.Ga. Before the Court are Defendant National Security Agency's ("Defendant") motion and amended motion for summary judgment. (Doc. nos. 11, 15.) Upon due consideration of the following...	Mar. 28, 2014	Case		1 4 S.Ct.
Cited by	318. Advocates for the West v. United States Department of Justice ” 331 F.Supp.3d 1150, 1158, D.Idaho GOVERNMENT — Privileges. Department of Justice properly invoked presidential communications privilege to withhold documents from disclosure under Freedom of Information Act.	Aug. 06, 2018	Case		1 S.Ct.
Cited by	319. United States v. Smith 2022 WL 4608259, *4, N.D.Ill. Darren Smith and Andrew Lee were indicted by the United States of America in connection with the claimed payment of money by Mr. Smith to Mr. Lee, who was employed by the United...	Sep. 30, 2022	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	320. Rahman v. Chertoff 2008 WL 4534407, *7, N.D.Ill. In this case, plaintiffs assert class action claims for violation of their rights under the Fourth and Fifth Amendments to the United States Constitution, all of which they allege...	Apr. 16, 2008	Case		9 S.Ct.
Cited by	321. Terkel v. AT & T Corp. 441 F.Supp.2d 899, 906, N.D.Ill. LITIGATION - Privileges. State secrets privilege barred questions whether telephone company had disclosed subscriber information to government.	July 25, 2006	Case		—
Cited by	322. U.S. v. Abu Marzook ¶¶ 412 F.Supp.2d 913, 926, N.D.Ill. CRIMINAL JUSTICE - Public Trial. Evidentiary hearing in terrorism prosecution would be closed for classified testimony of Israeli government agents.	Jan. 31, 2006	Case		5 S.Ct.
Cited by	323. Bassiouni v. C.I.A. 248 F.Supp.2d 795, 797, N.D.Ill. GOVERNMENT - Records. No Vaughn index was warranted at early stages of litigation.	Mar. 06, 2003	Case		—
Cited by	324. Torres v. C.I.A. ¶¶ 29 F.Supp.2d 497, 497+, N.D.Ill. This Court has reviewed ex parte all of the documents submitted to it in camera by defendant Central Intelligence Agency ("CIA")—Bates Nos. 1–723 in complete and unreacted form ...	Dec. 15, 1998	Case		9 S.Ct.
Cited by	325. Gale v. F.B.I. 141 F.R.D. 94, 98, N.D.Ill. Freedom of Information Act action was brought to compel government agencies to produce all documents concerning plaintiff. On agencies' motions for summary judgment, the District...	Feb. 12, 1992	Case		9 S.Ct.
Cited by	326. Beattie v. U.S. ¶¶ 759 F.Supp. 753, 759, D.Kan. Employee of military airplane company under contract with United States Air Force filed civil rights suit alleging that his constitutional rights were violated when Air Force...	Mar. 15, 1991	Case		—
Cited by	327. Gahagan v. U.S. Citizenship and Immigration Services ¶¶ 2015 WL 6738549, *2, E.D.La. Before the Court are two Motions for Summary Judgment. The first was filed by the Defendant, United States Citizenship and Immigration Services ("USCIS"), on July 23, 2015 seeking...	Nov. 04, 2015	Case		1 S.Ct.
Cited by	328. Rahim v. F.B.I. ¶¶ 947 F.Supp.2d 631, 638, E.D.La. GOVERNMENT - Records. Glomar response properly invoked FOIA exemption protecting records whose disclosure would constitute unwarranted invasion of privacy.	May 31, 2013	Case		4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	329. Johnson v. Central Intelligence Agency 330 F.Supp.3d 628, 645 , D.Mass. GOVERNMENT — Records. Central Intelligence Agency (CIA) was unreasonable in limiting search pursuant to Freedom of Information Act to one agency department.	Sep. 17, 2018	Case		1 3 5 S.Ct.
Cited by	330. Katsiaficas v. United States Central Intelligence Agency ¶ 2017 WL 2172437, *8+ , D.Mass. Plaintiff George Katsiaficas (“Plaintiff”) sued the United States Central Intelligence Agency (the “CIA” or “Defendant”) to compel disclosure under the Freedom of Information Act...	May 17, 2017	Case		1 2 3 S.Ct.
Cited by	331. James Madison Project v. National Security Agency ¶ 2023 WL 4181196, *5+ , D.Md. Plaintiffs The James Madison Project and Brian J. Karem have filed a civil action against Defendant National Security Agency (“NSA”) requesting the release of government records...	June 26, 2023	Case		1 4 6 S.Ct.
Cited by	332. Blackhouse v. TLC Properties ¶ 2010 WL 3780990, *3 , D.Me. Eli Archer Blackhouse filed a pleading on September 15, 2010, entitled “Request for a Temporary Restraining Order” accompanied by a motion to proceed in forma pauperis. This...	Sep. 21, 2010	Case		4 6 9 S.Ct.
Cited by	333. Baser v. Department of Veterans Affairs 2014 WL 4897290, *4 , E.D.Mich. On June 13, 2013, Plaintiff Onur Baser filed the instant suit against Defendants Department of Veterans Affairs (“VA”), Secretary of Veterans Affairs (“Secretary”) and Director...	Sep. 30, 2014	Case		—
Cited by	 334. Detroit Free Press, Inc. v. U.S. Dept. of Justice ¶ 16 F.Supp.3d 798, 801+ , E.D.Mich. GOVERNMENT - Records. Booking photographs were not exempt from disclosure under Freedom of Information Act.	Apr. 21, 2014	Case		1 S.Ct.
Cited by	335. Tenenbaum v. Ashcroft 2009 WL 2222933, *6 , E.D.Mich. CIVIL RIGHTS - Judgment. Plaintiffs were collaterally estopped from relitigating defendants' assertion to state secrets doctrine that was fully litigated in previous lawsuit...	July 23, 2009	Case		—
Cited by	336. Kuntz v. Department of Justice 2020 WL 6324343, *9 , D.N.D. Defendant Department of Justice (DOJ) moves for summary judgment on the sole remaining claim— regarding a FOIA request submitted to the Federal Bureau of Investigation (FBI)—raised...	Aug. 14, 2020	Case		1 2 7 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	337. Zirvi v. United States National Institutes of Health ¶ 2022 WL 1261591, *3, D.N.J. This matter comes before the Court upon cross-motions for summary judgment. The United States Patent and Trademark Office ("USPTO"), the National Institutes of Health ("NIH"), the...	Apr. 28, 2022	Case		—
Cited by	338. C.O. Truxton, Inc. v. Blue Caribe, Inc. 2014 WL 6883145, *7, D.N.J. This matter comes before the Court on the motion of Defendants Blu Caribe, Inc. and Blu Pharmaceuticals, LLC (collectively "Defendants"), to dismiss Plaintiff C.O. Truxton, Inc.'s...	Dec. 05, 2014	Case		—
Cited by	339. Houghton v. National Security Agency 2009 WL 10697259, *2, D.N.J. This matter comes before the Court upon the parties' cross-motions for summary judgment [Docket Nos. 7, 9]. Plaintiff David V. Houghton alleges that Defendant National Security...	Oct. 21, 2009	Case		1 S.Ct.
Cited by	340. Makky v. Chertoff ¶ 489 F.Supp.2d 421, 442, D.N.J. LABOR AND EMPLOYMENT - Public Employment. Court affirmed AJ's decision upholding indefinite unpaid suspension of federal employee whose security clearance was revoked.	May 31, 2007	Case		—
Cited by	341. Pipko v. C.I.A. 312 F.Supp.2d 669, 676+, D.N.J. GOVERNMENT - Records. Information requested from CIA was exempt under FOIA.	Mar. 26, 2004	Case		4 5 9 S.Ct.
Cited by	342. U.S. v. Koreh ¶ 144 F.R.D. 218, 222+, D.N.J. Denaturalization proceeding was brought against Eastern European emigre for concealing propaganda efforts on behalf of Nazis. Chesler, United States Magistrate Judge, upheld...	Sep. 18, 1992	Case		3 7 9 S.Ct.
Cited by	343. Citizen Action v. United States Department of Energy National Nuclear Security Administration ¶ 2008 WL 11401742, *4+, D.N.M. THIS MATTER is before the Court on Defendant's Motion to Dismiss, or in the Alternative, Motion for Summary Judgment (Doc. 44), filed on November 21, 2007, and Plaintiff's Motion...	June 09, 2008	Case		1 S.Ct.
Cited by	344. CLEAR v. United States Customs and Border Protection 2022 WL 16636686, *7+, E.D.N.Y. Plaintiff Creating Law Enforcement Accountability and Responsibility Project at the City University of New York School of Law ("CLEAR"), together with the American Civil Liberties...	Nov. 02, 2022	Case		1 2 3 S.Ct.












Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	345. United States v. Schulte ¶ 608 F.Supp.3d 70, 76 , S.D.N.Y. CRIMINAL JUSTICE — Public Trial. Test for whether partial closure of criminal trial to public was justified applied to government's proposed treatment of classified evidence.	June 23, 2022	Case		3 7 S.Ct.
Cited by	346. New York Times Company v. Department of Defense 2021 WL 3774410, *2 , S.D.N.Y. Plaintiffs The New York Times Company and New York Times reporter Carol Rosenberg bring this action under the Freedom of Information Act ("FOIA") against the United States...	Aug. 25, 2021	Case		—
Cited by	347. RAYMOND BONNER, Plaintiff, v. CENTRAL INTELLIGENCE AGENCY et al., Defendants. ¶ 2021 WL 3193090, *1 , S.D.N.Y. Raymond Bonner, an investigative journalist and author preparing a documentary in connection with the twentieth anniversary of the September 11, 2001 terrorist attacks, sues the...	July 28, 2021	Case		1 3 4 S.Ct.
Cited by	348. Open Society Justice Initiative v. Department of Defense ¶ 2021 WL 3038528, *3 , S.D.N.Y. At issue in this case under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, is the proper balance between the American public's right to know what its Government is doing...	July 15, 2021	Case		1 2 3 S.Ct.
Cited by	349. Stahl v. Department of Justice ¶ 2021 WL 1163154, *10 , E.D.N.Y. Convicted for his role in the 1993 terrorist attacks on the World Trade Center, Mohammad Salameh was incarcerated at the United States Penitentiary, Administrative Maximum Facility...	Mar. 26, 2021	Case		4 S.Ct.
Cited by	350. In re Terrorist Attacks on September 11, 2001 2020 WL 6161732, *6+ , S.D.N.Y. On September 11, 2019, the Plaintiffs' Executive Committees ("PECs" or "Plaintiffs") filed an initial motion to compel non-party Federal Bureau of Investigation ("FBI") to produce...	Oct. 21, 2020	Case		3 S.Ct.
Cited by	351. Freedom of Press Foundation v. Department of Justice 493 F.Supp.3d 251, 269 , S.D.N.Y. GOVERNMENT — Records. Criminal Division of Department of Justice improperly withheld information on certain records pursuant to Freedom of Information Act (FOIA) exemption.	Oct. 09, 2020	Case		1 3 S.Ct.
Cited by	352. Clevenger v. U.S. Department of Justice 2020 WL 1846565, *18+ , E.D.N.Y. Plaintiff, Ty Clevenger, brings this action pro se pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 against defendants U.S Department of Justice ("DOJ"), the...	Apr. 03, 2020	Case		1 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 353. Natural Resources Defense Council v. United States Environmental Protection Agency </p> <p>403 F.Supp.3d 270, 277 , S.D.N.Y.</p> <p>GOVERNMENT — Records. EPA adequately explained how disclosure of computer program would harm its deliberative process, as required for withholding under FOIA exemption.</p>	Aug. 22, 2019	Case		<p>1</p> <p>4</p> <p>S.Ct.</p>
Cited by	<p>354. Makuhari Media LLC v. Federal Bureau of Investigation</p> <p>2019 WL 5693915, *1 , E.D.N.Y.</p> <p>Plaintiff Makuhari Media LLC moves for clarification and reconsideration of the Court's Memorandum and Order dated March 29, 2019, granting Defendant Federal Bureau of...</p>	June 13, 2019	Case		<p>1</p> <p>S.Ct.</p>
Cited by	<p>355. Moore v. United States Postal Service</p> <p>2018 WL 4903230, *2+ , N.D.N.Y.</p> <p>Plaintiff Don M. Moore commenced this action pro se on July 14, 2017, alleging violations of the Freedom of Information Act 5 U.S.C. § 552 ("FOIA") by Defendant, the United States...</p>	Oct. 09, 2018	Case		—
Cited by	<p>356. Intellectual Property Watch v. United States Trade Representative</p> <p>344 F.Supp.3d 560, 567+ , S.D.N.Y.</p> <p>GOVERNMENT — Records. Communications regarding Trans Pacific Partnership were exempt from disclosure under Freedom of Information Act (FOIA).</p>	Sep. 30, 2018	Case		<p>1</p> <p>4</p> <p>S.Ct.</p>
Cited by	<p>357. New York Times Company v. Central Intelligence Agency</p> <p>314 F.Supp.3d 519, 534 , S.D.N.Y.</p> <p>GOVERNMENT — Records. President's statements about alleged covert operation did not constitute declassification, so as to overcome FOIA exemptions from disclosure.</p>	June 29, 2018	Case		<p>1</p> <p>4</p> <p>7</p> <p>S.Ct.</p>
Cited by	<p>358. American Civil Liberties Union v. Department of Defense </p> <p>322 F.Supp.3d 464, 475 , S.D.N.Y.</p> <p>GOVERNMENT — Records. White House Press Secretary's statements in press briefings clearly disclosed Central Intelligence Agency's intelligence interest in Yemen air raid.</p>	June 27, 2018	Case		<p>1</p> <p>3</p> <p>7</p> <p>S.Ct.</p>
Cited by	<p>359. Johnson v. Central Intelligence Agency</p> <p>309 F.Supp.3d 33, 34+ , S.D.N.Y.</p> <p>GOVERNMENT — Records. Classified e-mails sent by CIA to three reporters were not part of public domain as required for waiver of FOIA exemptions under public disclosure doctrine.</p>	Apr. 26, 2018	Case		<p>2</p> <p>3</p> <p>S.Ct.</p>
Cited by	<p>360. Grynberg v. U.S. Department of Justice</p> <p>302 F.Supp.3d 532, 536 , S.D.N.Y.</p> <p>GOVERNMENT — Records. Bank and oil company records obtained from Switzerland via mutual legal assistance treaty in prosecution were exempt from disclosure under FOIA.</p>	Feb. 01, 2018	Case		<p>1</p> <p>4</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	361. Johnson v. Central Intelligence Agency 2018 WL 833940, *2 , S.D.N.Y. The issue in this FOIA case is straightforward—and fascinating And it is an issue of first impression in this Circuit, and quite possibly anywhere. In dispute are five email...	Jan. 30, 2018	Case		—
Cited by	362. New York Times Company v. Federal Bureau of Investigation ¶ 297 F.Supp.3d 435, 447 , S.D.N.Y. GOVERNMENT — Records. Withheld information regarding interview with terrorist was exempt from disclosure under FOIA exemption for law enforcement purposes.	Nov. 07, 2017	Case		4 S.Ct.
Cited by	363. American Civil Liberties Union v. National Security Agency 2017 WL 1155910, *4+ , S.D.N.Y. Plaintiffs, the American Civil Liberties Union and the American Civil Liberties Union Foundation, bring this action challenging the nondisclosure of information requested by...	Mar. 27, 2017	Case		4 S.Ct.
Cited by	364. American Civil Liberties Union Foundation v. Department of Homeland Security ¶ 243 F.Supp.3d 393, 401+ , S.D.N.Y. GOVERNMENT — Records. Freedom of Information Act exemption did not apply to United States Customs and Border Protection's questions to unaccompanied alien children.	Mar. 22, 2017	Case		1 S.Ct.
Cited by	365. American Civil Liberties Union v. U.S. Department of Justice ¶ 229 F.Supp.3d 259, 264+ , S.D.N.Y. GOVERNMENT — Records. Memorandum concerning commercial service agreements written by DOJ Office of Legal Counsel was exempt from disclosure under FOIA.	Jan. 18, 2017	Case		1 4 7 S.Ct.
Cited by	366. United States v. Hausa ¶ 232 F.Supp.3d 257, 262 , E.D.N.Y. CRIMINAL JUSTICE — Discovery. Order barring defendant's access to classified material did not violate right to counsel, in prosecution for conspiracy to bomb government facility.	Jan. 12, 2017	Case		2 S.Ct.
Cited by	367. Intellectual Property Watch v. U.S. Trade Representative 134 F.Supp.3d 726, 739 , S.D.N.Y. GOVERNMENT - Records. Release of decision memoranda regarding U.S.'s negotiating position for international trade agreement could have resulted in damage to national security.	Sep. 25, 2015	Case		1 4 S.Ct.
Cited by	368. Human Rights Watch v. Department of Justice Federal Bureau of Prisons 2015 WL 5459713, *3 , S.D.N.Y. In August 2012, Human Rights Watch submitted fifteen Freedom of Information Act (FOIA) requests to the United States Department of Justice (DOJ) and Federal Bureau of Prisons (BOP)...	Sep. 16, 2015	Case		—















Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 369. American Civil Liberties Union v. Department of Justice 2015 WL 4470192, *2, S.D.N.Y. The United States Court of Appeals for the Second Circuit, in its opinion dated June 23, 2014, rejected the use by the Central Intelligence Agency (CIA) and the Department of...	July 16, 2015	Case		—
Cited by	370. American Civil Liberties Union v. F.B.I. 2015 WL 1566775, *1, S.D.N.Y. Plaintiffs American Civil Liberties Union and American Civil Liberties Union Foundation (together, "ACLU"), commenced this Freedom of Information Act ("FOIA") action seeking the...	Mar. 31, 2015	Case		—
Cited by	371. United States v. al Fawwaz 2015 WL 13514090, *2, S.D.N.Y. The Classified Information Procedures Act ("CIPA") "establishes procedures for handling classified information in criminal cases." Section 6 of CIPA provides that the "United...	Feb. 09, 2015	Case		—
Cited by	372. American Civil Liberties Union v. F.B.I. 59 F.Supp.3d 584, 588, S.D.N.Y. GOVERNMENT - Records. DOJ properly gave Glomar response in FOIA case neither confirming nor denying existence of government's bulk collection of information other than telephony...	Oct. 06, 2014	Case		4 S.Ct.
Cited by	 373. American Civil Liberties Union v. Department of Defense 40 F.Supp.3d 377, 382+, S.D.N.Y. GOVERNMENT - Records. Secretary of Defense had to conduct individual review of photographs before certifying them as exempt.	Aug. 27, 2014	Case		1 S.Ct.
Cited by	374. Conti v. U.S. Dept. of Homeland Sec. 2014 WL 1274517, *10, S.D.N.Y. In this action, Plaintiff, Adam Conti, asserts claims against Defendant, United States Department of Homeland Security ("DHS"), under the Freedom of Information Act ("FOIA"), 5...	Mar. 24, 2014	Case		1 S.Ct.
Cited by	375. U.S. v. Smith ¶ 985 F.Supp.2d 506, 546, S.D.N.Y. CRIMINAL JUSTICE - Protection Orders. Ongoing criminal investigation was good cause to issue protective order in public corruption trial.	Dec. 04, 2013	Case		7 S.Ct.
Cited by	376. Center for Constitutional Rights v. Department of Defense ¶ 968 F.Supp.2d 623, 631, S.D.N.Y. GOVERNMENT - Records. Images of detainee held at Guantánamo Bay were exempt from disclosure under FOIA as classified material.	Sep. 12, 2013	Case		1 6 S.Ct.
Cited by	 377. New York Times Co. v. U.S. Dept. of Homeland Sec. 959 F.Supp.2d 449, 452, S.D.N.Y. GOVERNMENT - Records. Freedom of Information Act did not exempt names of convicted aliens released from DHS custody pursuant to Zadvydas.	June 13, 2013	Case		—













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Cited by	378. Roman v. C.I.A. 2012 WL 6138487, *5+ , E.D.N.Y. Pro se plaintiff Gilbert Roman ("plaintiff" or "Roman") brought this action against the Central Intelligence Agency ("defendant" or "CIA") seeking that it produce records...	Dec. 11, 2012	Case		1 S.Ct.
Cited by	379. Immigration Justice Clinic of Benjamin N. Cardozo School of Law v. U.S. Dept. of State 2012 WL 5177410, *1 , S.D.N.Y. Plaintiff Immigration Justice Clinic brings this action for injunctive relief to compel the U.S. Department of State to respond to its request under the Freedom of Information Act...	Oct. 18, 2012	Case		1 S.Ct.
Cited by	380. New York Times Co. v. U.S. Dept. of Justice ¶ 872 F.Supp.2d 309, 317+ , S.D.N.Y. GOVERNMENT - Records. Report to Congress regarding foreign intelligence collection authorized by the PATRIOT Act was exempt under FOIA.	May 17, 2012	Case		2 3 7 S.Ct.
Cited by	381. Long v. United States Department of Justice 2012 WL 13028918, *6+ , N.D.N.Y. Plaintiffs Susan B. Long and David Burnham brought this action pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, to challenge the response by defendant, the...	Mar. 31, 2012	Case		1 S.Ct.
Cited by	382. American Civil Liberties Union v. Office of the Director of Nat. Intelligence ¶ 2011 WL 5563520, *3+ , S.D.N.Y. In this Freedom of Information Act ("FOIA") suit, Plaintiffs American Civil Liberties Union ("ACLU") and American Civil Liberties Union Foundation seek disclosure and expedited...	Nov. 15, 2011	Case		1 2 7 S.Ct.
Cited by	383. American Civil Liberties Union v. Department of Defense ¶ 752 F.Supp.2d 361, 371 , S.D.N.Y. GOVERNMENT - Records. CIA properly declined to confirm or deny existence or nonexistence of records as to Afghan detainees.	Oct. 25, 2010	Case		—
Cited by	384. Doe v. Holder ¶ 703 F.Supp.2d 313, 317+ , S.D.N.Y. ENERGY AND UTILITIES - Telecommunications. Disclosure of information sought by FBI in national security letter to internet service provider posed risk to national security.	Mar. 18, 2010	Case		—
Cited by	385. Adamowicz v. I.R.S. 672 F.Supp.2d 454, 466 , S.D.N.Y. GOVERNMENT - Records. Government could not waive protection of FOIA exemption for documents that could disclose confidential source.	Nov. 24, 2009	Case		1 S.Ct.

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Cited by	 386. Doe v. Holder ¶ 665 F.Supp.2d 426, 432 , S.D.N.Y. CIVIL RIGHTS - Free Speech. Continued compliance with nondisclosure order regarding national security letter was justified.	Oct. 20, 2009	Case		9 S.Ct.
Cited by	387. Wilner v. National Sec. Agency 2008 WL 2567765, *4+ , S.D.N.Y. This Opinion addresses the partial motion for summary judgment filed by the defendant United States government agencies in this Freedom of Information Act ("FOIA") case....	June 25, 2008	Case		1 S.Ct.
Cited by	 388. Adamowicz v. I.R.S. 552 F.Supp.2d 355, 366 , S.D.N.Y. GOVERNMENT - Records. Third-party taxpayer information was exempt from disclosure under Freedom of Information Act.	Mar. 31, 2008	Case		1 S.Ct.
Cited by	 389. Associated Press v. U.S. Dept. of Defense 2006 WL 2707395, *9 , S.D.N.Y. This is the second chapter in the ongoing attempts of the Associated Press ("AP") to obtain from the U.S. Department of Defense ("DOD") basic information about the people...	Sep. 20, 2006	Case		1 S.Ct.
Cited by	390. American Civil Liberties Union v. Department of Defense ¶ 406 F.Supp.2d 330, 332 , S.D.N.Y. GOVERNMENT - Records. Newly discovered evidence as to CIA interrogations would not effect change in original FOIA ruling.	Dec. 19, 2005	Case		3 S.Ct.
Cited by	 391. American Civil Liberties Union v. Department of Defense ¶ 351 F.Supp.2d 265, 271 , S.D.N.Y. GOVERNMENT - Records. CIA was required to release information concerning detainees in United States custody.	Feb. 02, 2005	Case		9 S.Ct.
Cited by	 392. Doe v. Ashcroft 334 F.Supp.2d 471, 523 , S.D.N.Y. CRIMINAL JUSTICE - Searches and Seizures. Patriot Act's administrative subpoena provision was unconstitutional.	Sep. 28, 2004	Case		—
Cited by	 393. Williams v. Reilly ¶ 743 F.Supp. 168, 171 , S.D.N.Y. Civilian employee of Defense Logistics Agency filed action against individual representatives of his employer for alleged deprivation of his constitutional rights and violations of...	May 17, 1990	Case		—
Cited by	394. Katz v. Webster 1985 WL 1390, *2 , S.D.N.Y. Plaintiff, Nathan Katz, instituted this action pursuant to the provisions of the Freedom of Information Act (FOIA), 5 U.S.C. § 552, to compel disclosure of records compiled in the...	May 20, 1985	Case		—

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Cited by	395. U.S. v. Mohamud 🟢 2012 WL 5208173, *7+ , D.Or. Defendant Mohamed Osman Mohamud is charged with attempting to use a weapon of mass destruction, specifically a destructive device or explosive bomb, against a person or property...	Oct. 22, 2012	Case		6 S.Ct.
Cited by	396. Scott v. F.B.I. 2021 WL 3578318, *1 , M.D.Pa. This civil action commenced on June 16, 2021, when the plaintiff lodged his pro se complaint, together with a motion for leave to proceed in forma pauperis. (Doc. 1; see also Doc....	July 15, 2021	Case		9 S.Ct.
Cited by	397. Cozen O'Connor v. U.S. Dept. of Treasury 570 F.Supp.2d 749, 773+ , E.D.Pa. GOVERNMENT - Records. Agency properly invoked Freedom of Information Act's national security exemption in withholding documents.	Aug. 07, 2008	Case		1 7 S.Ct.
Cited by	398. Herring v. U.S. 2004 WL 2040272, *5+ , E.D.Pa. Presently before this Court is the Motion to Dismiss filed by the United States of America ("Government") on January 23, 2004 (Doc. No. 6, "D's Mot."), the Memorandum in...	Sep. 10, 2004	Case		—
Cited by	399. United States v. State of Rhode Island 2016 WL 4742265, *1 , D.R.I. Before the Court is the State of Rhode Island and the Rhode Island Department of Corrections' (collectively "RIDOC") appeal of Magistrate Judge Lincoln D. Almond's order denying...	Sep. 12, 2016	Case		—
Cited by	400. Grey v. Cuccinelli 🟢 2021 WL 914245, *4+ , D.S.C. The following matter is before the court on defendants Ken Cuccinelli ("Cuccinelli") and United States Citizenship and Immigration Services's ("USCIS") (collectively, "defendants")...	Mar. 10, 2021	Case		1 S.Ct.
Cited by	401. Craftco Hardwood Floors, Inc. v. Custom Kilns, Inc. 2007 WL 9710105, *2+ , W.D.Tenn. Before the Court is Manufacturing Ventures, LLC's (d/b/a "Craftco Hardwood Floors, Inc.") ("Craftco") Motion for Leave to Amend, filed August 31, 2007 (Doc. 161)....	Nov. 14, 2007	Case		—
Cited by	402. Targeted Justice, Inc. v. Garland 🟢 🗑️ 2023 WL 4471553, *9+ , S.D.Tex. The plaintiffs allege that a massive government surveillance and security program has inflicted grave physical and psychological injury on them. Targeted Justice, Inc., describes...	July 11, 2023	Case		9 S.Ct.

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Cited by	403. Rutila v. United States Department of Transportation 2020 WL 2552944, *2 , N.D.Tex. On April 27, 2020, United States Magistrate Judge Renée Harris Toliver made findings, conclusions and a recommendation in this case. Doc. 89. Judge Toliver recommended that...	May 20, 2020	Case		—
Cited by	404. Riser v. U.S. Dept. of State ¶¶ 2010 WL 4284925, *4+ , S.D.Tex. Pending before the Court are the Amended Motion for Summary Judgment (Doc. No. 42) filed by pro se Plaintiff Darryl W. Riser ("Plaintiff"), and the Cross Motion for Summary...	Oct. 22, 2010	Case		5 7 9 S.Ct.
Cited by	405. U.S. v. Holy Land Foundation for Relief and Development 2007 WL 2011319, *4+ , N.D.Tex. Before the court are the motions of the defendants, the Holy Land Foundation for Relief and Development ("the HLF"), Shukri Abu Baker ("Baker"), Mohammad El-Mezain...	July 11, 2007	Case		3 S.Ct.
Cited by	406. Trentadue v. F.B.I. ¶¶ 2015 WL 3606068, *2+ , D.Utah This matter is before the court on Defendant Federal Bureau of Investigation's ("FBI") Motion for Summary Judgment. A hearing on the motion was held on November 5, 2014. At the...	June 08, 2015	Case		6 S.Ct.
Cited by	407. United States v. Kokayi ¶¶ 2019 WL 1186846, *3 , E.D.Va. Defendant Seitu Sulayman Kokayi ("Kokayi") was charged with two counts of coercion and enticement of a juvenile to engage in unlawful sexual activity in violation of 18 U.S.C....	Mar. 13, 2019	Case		2 3 S.Ct.
Cited by	408. Withey v. Federal Bureau of Investigation ¶¶ 477 F.Supp.3d 1167, 1171 , W.D.Wash. GOVERNMENT — Records. Government's Glomar response to FOIA request to FBI focused on role that alleged FBI informant may have played in two murders was appropriate.	Aug. 06, 2020	Case		2 S.Ct.
Cited by	409. Nikaj v. United States Department of State 2019 WL 2602520, *2 , W.D.Wash. This matter comes before the Court on the parties' cross motions for summary judgment (Dkt. Nos. 18, 20). Having thoroughly considered the parties' briefing and the relevant...	June 25, 2019	Case		1 S.Ct.
Cited by	 410. Yakima Valley Memorial Hosp. v. Washington State Dept. of Health 717 F.Supp.2d 1159, 1169 , E.D.Wash. HEALTH - Hospitals. State's certificate of need regulations did not violate dormant Commerce Clause.	May 25, 2010	Case		—

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Cited by	 411. U.S. v. Santiago 846 F.Supp. 1486, 1493 , D.Wyo. In prosecution for driving while under the influence of alcohol on Air Force base, defendant moved to suppress evidence. The District Court, Brimmer, J., held that: (1) actions...	Mar. 07, 1994	Case		4 S.Ct.
Cited by	 412. Sikorsky Aircraft Corp. v. U.S. 106 Fed.Cl. 571, 576 , Fed.Cl. LITIGATION - Privileges. Lack of diligence in asserting deliberative process privilege to claw back previously disclosed documents resulted in waiver of privilege.	Sep. 13, 2012	Case		—
Cited by	 413. Carr v. U.S. ¶¶ 15 Cl.Ct. 82, 92 , Cl.Ct. Employee sought review of his suspension and discharge by the Nuclear Regulatory Commission. The Claims Court, Bruggink, J., held that: (1) Claims Court had jurisdiction to...	June 16, 1988	Case		—
Cited by	414. Foster v. U.S. ¶¶ 12 Cl.Ct. 492, 494 , Cl.Ct. In action to recover compensation based on Government's use of patentable invention disclosed in patent application under secrecy order, the Claims Court, Mayer, J., held that...	June 10, 1987	Case		—
Cited by	415. In re Opinions & Orders of this Court Addressing Bulk Collection of Data Under Foreign Intelligence Surveillance Act ¶¶ 2020 WL 897659, *15 , Foreign Intel.Surv.Ct. Before the Court is the Motion of the American Civil Liberties Union, the American Civil Liberties Union of the Nation's Capital, and the Media Freedom and Information Access...	Feb. 11, 2020	Case		2 3 S.Ct.
Cited by	 416. In re Opinions & Orders of this Court Addressing Bulk Collection of Data under the Foreign Intelligence Surveillance Act 2017 WL 427591, *14 , Foreign Intel.Surv.Ct. Pending before the Court is the Motion of the American Civil Liberties Union, the American Civil Liberties Union of the Nation's Capital, and the Media Freedom and Information...	Jan. 25, 2017	Case		—
Cited by	 417. Schmidt v. Boone ¶¶ 59 M.J. 841, 844 , A.F.Ct.Crim.App. MILITARY LAW - Counsel. Civilian defense counsel was not entitled to security clearance for purposes of discovery.	Mar. 31, 2004	Case		—
Cited by	 418. U.S. v. Lonetree 35 M.J. 396, 408 , CMA Accused was convicted by general court-martial, Philip F. Roberts, J., of conspiracy to commit espionage, disobeying Navy security regulations, disclosing identities of covert...	Sep. 28, 1992	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 419. Cheshire v. C.I.R. 115 T.C. 183, 196 , U.S.Tax Ct. TAXATION - Additions to Tax. Taxpayer was not subject to accuracy-related penalty.	Aug. 30, 2000	Case		—
Cited by	420. Rittiman v. Public Utilities Com. 295 Cal.Rptr.3d 285, 307 , Cal.App. 1 Dist. ENERGY AND UTILITIES — Writ. Public Utilities Commission's denial of requester's appeal of denial of records request did not moot issues in his petition for writ of mandamus.	June 17, 2022	Case		1 S.Ct.
Cited by	 421. Hamlett v. State  753 S.E.2d 118, 124 , Ga.App. CRIMINAL JUSTICE - Electronic Surveillance. Affidavit for installation of global positioning system did not present sufficient facts from which judge could find existence of...	July 16, 2013	Case		—
Cited by	 422. Report and Order IN THE MATTER OF PROTECTING THE PRIVACY OF CUSTOMERS OF BROADBAND AND OTHER TELECOMMUNICATIONS SERVICES 31 FCC Rcd. 13,911, 14079 , F.C.C. I. INTRODUCTION II. EXECUTIVE SUMMARY III. ESTABLISHING BASELINE PRIVACY PROTECTIONS FOR CUSTOMERS OF TELECOMMUNICATIONS SERVICES A. Background and Need for the Rules B. Scope of...	Nov. 02, 2016	Administrative Decision		—
Cited by	423. Memorandum Opinion and Order IN THE MATTER OF MATTHEW KEYS SHAWN MUSGRAVE 31 FCC Rcd. 11,398, 11403 , F.C.C. 1. This Memorandum Opinion and Order grants in part and denies in part two applications for review (AFR), one by Matthew Keys (Keys) and the other by Shawn Musgrave (Musgrave)....	Sep. 30, 2016	Administrative Decision		—
Cited by	424. AT&T Inc. 2015 WL 8291792 (S.E.C. No - Action Letter), *34 Dear Mr. Wirtz: This is in response to your letters dated December 7, 2015, January 14, 2016 and January 29, 2016 concerning the shareholder proposal submitted to AT&T by Arjuna...	Feb. 05, 2016	Administrative Decision		—
Cited by	425. AT&T Inc. 2013 WL 6513871 (S.E.C. No - Action Letter), *26 Dear Mr. Wirtz: This is in regard to your letter dated February 20, 2014 concerning the shareholder proposal submitted by the New York State Common Retirement Fund; Trillium Asset...	Feb. 20, 2014	Administrative Decision		—
Cited by	426. Verizon Communications Inc. 2007 WL 581902 (S.E.C. No - Action Letter), *18 Dear Ms. Weber: This is in response to your letters dated December 27, 2006, February 5, 2007 and February 12, 2007 concerning the shareholder proposal submitted to Verizon by...	Feb. 22, 2007	Administrative Decision		3 S.Ct.











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Cited by	427. TEMPORARY CERTIFICATION UNDER THE PRESIDENT JOHN F. KENNEDY ASSASSINATION RECORDS COLLECTION ACT OF 1992 ¶ 2017 WL 9868940 (O.L.C.), *11 Under the President John F. Kennedy Assassination Records Collection Act of 1992, Pub. L. No. 102-526, 106 Stat. 3443 (codified as amended at 44 U.S.C. § 2107 note) ("JFK Act" or...	Oct. 26, 2017	Administrative Decision		2 3 S.Ct.
Cited by	428. LEGAL AUTHORITIES SUPPORTING THE ACTIVITIES OF THE NATIONAL SECURITY AGENCY DESCRIBED BY THE PRESIDENT 2006 WL 6179901 (O.L.C.), *15+ As the President recently described, in response to the attacks of September 11th, he has authorized the National Security Agency ("NSA") to intercept international...	Jan. 19, 2006	Administrative Decision		—
Cited by	429. Mr. Mike Gordon 1995 WL 497667 (Hawaii A.G. OIP), *2+ This is in response to your letter dated April 11, 1995, requesting an advisory opinion regarding the disclosure of the above-referenced government records that are maintained by...	July 28, 1995	Administrative Decision		1 S.Ct.
Cited by	430. Applications of Bank Midwest of Kansas and Bank Midwest 1995 WL 170344 (O.C.C.), *62 These Applications involve a proposal in which two banks owned by the same holding company, one in Kansas and the other in Missouri, will merge into one national bank. The...	Feb. 16, 1995	Administrative Decision		—
Cited by	431. Confidential Business Information ¶ 68 FR 44209-02 This document amends the regulation on Confidential Business Information to simplify and update the regulation to reflect developments in the law and to address the application of...	July 28, 2003	Federal Register		—
—	432. Person A v Commonwealth 2019 WL 2598688, *1+ , NSWSC This matter came before me on 31 May 2019 from the duty list on an application (by notice of motion dated 30 May 2019) by the Attorney-General of the Commonwealth of Australia (the...	May 31, 2019	Case	—	—
Mentioned by	433. American Civil Liberties Union v. United States Department of Defense 901 F.3d 125, 133 , 2nd Cir. GOVERNMENT — Records. Government provided sufficient information to justify withholding detainee photographs taken by U.S. Army personnel at military detention facilities.	Aug. 21, 2018	Case		—
Mentioned by	434. Central Platte Natural Resources Dist. v. U.S. Dept. of Agriculture 643 F.3d 1142, 1146 , 8th Cir.(Neb.) GOVERNMENT - Records. USDA's geospatial data for farmlands was exempt from disclosure, under FOIA, as protected by Farm Bill.	June 27, 2011	Case		1 S.Ct.














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Mentioned by	435. Center for Investigative Reporting v. United States Department of Justice ¶ 14 F.4th 916, 927+ , 9th Cir.(Cal.) GOVERNMENT — Records. Data sought by news organization from ATF's firearms tracing database did not fall within FOIA exemption.	Sep. 23, 2021	Case		1 4 6 S.Ct.
Mentioned by	436. Center for Investigative Reporting v. United States Department of Justice ¶ 982 F.3d 668, 679+ , 9th Cir.(Cal.) GOVERNMENT — Records. Data sought by news organization from ATF's firearms tracing database did not fall within FOIA exemption.	Dec. 03, 2020	Case		1 4 6 S.Ct.
Mentioned by	437. Electronic Frontier Foundation v. Office of the Director of Nat. Intelligence ¶ 639 F.3d 876, 883 , 9th Cir.(Cal.) GOVERNMENT - Records. Agencies were not entitled to withhold names of telecommunications lobbyists from Freedom of Information Act (FOIA) request.	Apr. 09, 2010	Case		1 S.Ct.
Mentioned by	438. Electronic Frontier Foundation v. Office of Director of National Intelligence ¶ 595 F.3d 949, 956 , 9th Cir.(Cal.) GOVERNMENT - Records. Agencies were not entitled to withhold names of telecommunications lobbyists from Freedom of Information Act (FOIA) request.	Feb. 09, 2010	Case		1 S.Ct.
Mentioned by	439. Taylor v. National Sec. Agency 618 Fed.Appx. 478, 481 , 11th Cir.(Ga.) GOVERNMENT - Records. National security FOIA exemption could serve as means to issue Glomar response to Privacy Act request.	June 29, 2015	Case		—
Mentioned by	440. Judicial Watch, Inc. v. United States Department of Defense 913 F.3d 1106, 1108 , D.C.Cir. GOVERNMENT — Records. Memoranda were exempt from disclosure under Freedom of Information Act exemption for inter- or intra-agency memoranda or letters.	Jan. 25, 2019	Case		1 7 S.Ct.
Mentioned by	441. Blackwell v. F.B.I. 646 F.3d 37, 40 , D.C.Cir. GOVERNMENT - Records. Methods of data collection contained in contractor's reports for FBI fell within scope of FOIA exemption.	July 01, 2011	Case		—
Mentioned by	442. Natural Resources Defense Council, Inc. v. U.S. E.P.A. 822 F.2d 104, 129 , D.C.Cir. Both industry and Natural Resources Defense Council petitioned for review of Environmental Protection Agency regulations pertaining to National Pollution Discharge Elimination...	June 30, 1987	Case		9 S.Ct.

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Mentioned by	443. American Small Business League v. Department of Defense 372 F.Supp.3d 1018, 1025 , N.D.Cal. GOVERNMENT — Records. Information about defense contractor's past performance was not protected by the Procurement Integrity Act and thus not exempt from FOIA disclosure.	Mar. 08, 2019	Case		1 4 6 S.Ct.
Mentioned by	444. Estevez v. United States Attorney's Office for Southern District of California 2018 WL 500967, *3 , S.D.Cal. Pending before the Court are both Petitioner Jesus Estevez ("Estevez") and Respondents the United States Attorney's Office for the Southern District of California ("USAO"), the...	Jan. 22, 2018	Case		—
Mentioned by	445. Ireland v. Internal Revenue Service 2017 WL 1731679, *6 , C.D.Cal. On April 26, 2016, plaintiff Mike L. Ireland filed this action under the Freedom of Information Act ("FOIA") seeking to compel the Internal Revenue Service ("IRS") to release...	May 01, 2017	Case		1 S.Ct.
Mentioned by	446. Turner v. United States Department of the Treasury 2017 WL 1106030, *4 , E.D.Cal. This action is before the court on defendant's motion for summary judgment (Doc. No. 23), and plaintiff's motion for a protective order (Doc. No. 24). Both motions were submitted...	Mar. 23, 2017	Case		1 S.Ct.
Mentioned by	 447. Electronic Frontier Foundation v. Department of Commerce 58 F.Supp.3d 1008, 1011 , N.D.Cal. This case is before the Court on cross-motions for summary judgment. The Plaintiff, Electronic Frontier Foundation ("EFF"), asks the Court to compel the United States Department...	July 12, 2013	Case		1 S.Ct.
Mentioned by	448. McGinley v. U.S. Dept. of Treasury 2002 WL 1058115, *3 , C.D.Cal. Ronald L. McGinley ("Plaintiff"), a staff economist with the Internal Revenue Service ("IRS"), submitted a FOIA request to the IRS October 2, 2000 seeking documents relating to...	Apr. 15, 2002	Case		1 S.Ct.
Mentioned by	449. Accuracy in Media v. U.S. Department of Defense  2022 WL 17250196, *9 , D.D.C. Plaintiffs Accuracy in Media, Inc.; Roger L. Aronoff; Captain Larry W. Bailey, USN (Ret.); Lieutenant Colonel Kenneth Benway, USA (Ret.); Colonel Richard F. Brauer, Jr., USA...	Nov. 28, 2022	Case		1 4 6 S.Ct.
Mentioned by	 450. Project for Privacy and Surveillance Accountability, Inc. v. United States Department of Justice 2022 WL 4365745, *11 , D.D.C. Plaintiff Project for Privacy and Surveillance Accountability, Inc. filed this lawsuit against five federal agencies—namely, the U.S. Department of Justice ("DOJ"), Office of the...	Sep. 19, 2022	Case		7 S.Ct.

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Mentioned by	451. Reporters Committee for Freedom of the Press v. Federal Bureau of Investigation 548 F.Supp.3d 185, 199 , D.D.C. GOVERNMENT — Records. FBI justifiably withheld records relating to sending agents undercover as documentary filmmakers and journalists in response to FOIA request.	July 12, 2021	Case		1 S.Ct.
Mentioned by	452. Protect Democracy Project, Inc. v. U.S. Department of Justice 2021 WL 1167094, *2 , D.D.C. The Protect Democracy Project, a watchdog organization, seeks a memorandum describing legal advice that government lawyers gave the President's advisors about an airstrike against...	Mar. 26, 2021	Case		4 S.Ct.
Mentioned by	453. Telematch, Inc. v. United States Department of Agriculture 2020 WL 7014206, *4 , D.D.C. Telematch, Inc. (d/b/a Farm Marked iD) ("FMID"), collects, maintains, and analyzes agricultural data from various sources, including the federal government. It has regularly...	Nov. 27, 2020	Case		1 4 S.Ct.
Mentioned by	454. Judicial Watch, Inc. v. U.S. Department of Justice 2020 WL 6939763, *2 , D.D.C. In this Freedom of Information Act (FOIA) suit, Plaintiff Judicial Watch, Inc. seeks summaries of interviews the Federal Bureau of Investigation (FBI) conducted with Bruce Ohr,...	Nov. 25, 2020	Case		1 3 7 S.Ct.
Mentioned by	455. Burks v. Islamic Republic of Iran 2020 WL 13303322, *9 , D.D.C. Plaintiffs are U.S. servicemembers and their families who seek to hold Iran responsible for the role it allegedly played in terrorist attacks in Iraq. They have sued the Islamic...	Aug. 21, 2020	Case		2 S.Ct.
Mentioned by	456. Schaerr v. United States Department of Justice 435 F.Supp.3d 99, 114 , D.D.C. GOVERNMENT — Records. Department of Justice and its agencies were not required to confirm or deny existence of documents in response to Freedom of Information Act request.	Jan. 28, 2020	Case		1 S.Ct.
Mentioned by	457. Shapiro v. Department of Justice 393 F.Supp.3d 111, 121 , D.D.C. GOVERNMENT — Records. Sections of redacted document revealing name of FBI unit were exempt from disclosure, under Freedom of Information Act (FOIA).	July 24, 2019	Case		1 S.Ct.
Mentioned by	458. National Security Counselors v. Central Intelligence Agency 320 F.Supp.3d 200, 215 , D.D.C. GOVERNMENT — Records. CIA's search in response to FOIA request for records pertaining to search tools and indices used in conduct FOIA searches was adequate.	Aug. 20, 2018	Case		1 2 7 S.Ct.

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Mentioned by	459. Canning v. U.S. Department of Justice 263 F.Supp.3d 303, 310 , D.D.C. GOVERNMENT — Records. Documents int he public record duplicated material withheld by the FBI, and thus, such withheld information was subject to disclosure under FOIA.	July 13, 2017	Case		1 4 S.Ct.
Mentioned by	460. In re Nichter 253 F.Supp.3d 160, 165 , D.D.C. GOVERNMENT — Records. Court declined to reconsider its order denying professor's request to unseal grand jury information related to the Watergate scandal.	May 23, 2017	Case		—
Mentioned by	461. National Security Counselors v. Central Intelligence Agency 2016 WL 6684182, *22+ , D.D.C. The plaintiffs, a Virginia-based non-profit organization called National Security Counselors ("NSC") and three individuals (collectively, the "plaintiffs"), brought this action...	Nov. 14, 2016	Case		1 2 S.Ct.
Mentioned by	462. Duncan v. Johnson 213 F.Supp.3d 161, 180 , D.D.C. LABOR AND EMPLOYMENT — Public Employment. Supervisor's alleged retaliatory intent against federal employee was not cause of his suspension, for purposes of Title VII retaliation...	Sep. 30, 2016	Case		—
Mentioned by	463. National Security Counselors v. Central Intelligence Agency 206 F.Supp.3d 241, 263+ , D.D.C. GOVERNMENT — Records. Terms used by CIA personnel to conduct preliminary searches in response to FOIA requests were protected by deliberative process privilege.	Sep. 06, 2016	Case		1 2 S.Ct.
Mentioned by	464. Looks Filmproduktionen GmbH v. Central Intelligence Agency 199 F.Supp.3d 153, 173 , D.D.C. GOVERNMENT — Records. Exemption invoked under FOIA was properly asserted where requested documents contained intelligence sources and methods protected by the National Security...	Aug. 05, 2016	Case		2 3 7 S.Ct.
Mentioned by	465. Klayman v. Central Intelligence Agency 170 F.Supp.3d 114, 122 , D.D.C. GOVERNMENT — Records. CIA properly made a Glomar response to FOIA request for records relating to a putative agent, neither confirming nor denying their existence.	Mar. 22, 2016	Case		1 4 S.Ct.
Mentioned by	466. Electronic Privacy Information Center v. United States Department of Homeland Security 117 F.Supp.3d 46, 61 , D.D.C. GOVERNMENT — Records. DHS's search for records under FOIA was not rendered inadequate by existence of cross referenced documents.	Aug. 04, 2015	Case		1 4 S.Ct.

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Mentioned by	 467. Maniilaq Association v. Burwell 72 F.Supp.3d 227, 232 , D.D.C. NATIVE AMERICANS — Health. Tribe's letter to IHS constituted "final offer" under ISDEAA.	Nov. 03, 2014	Case		—
Mentioned by	 468. Shapiro v. U.S. Dept. of Justice 969 F.Supp.2d 18, 30 , D.D.C. GOVERNMENT - Records. Government attorney's compiling of FOIA litigation documents into database did not warrant attorney work product protection.	Sep. 18, 2013	Case		—
Mentioned by	469. Augustus v. McHugh 870 F.Supp.2d 167, 172 , D.D.C. GOVERNMENT - Records. Secretary's proffered justifications for having redacted requested report would be treated as conceded.	July 02, 2012	Case		4 S.Ct.
Mentioned by	470. Beattie v. Astrue 845 F.Supp.2d 184, 195 , D.D.C. SOCIAL SECURITY - Disability Benefits. ALJ did not violate due process rights of claimant during hearing on whether he had been overpaid disability benefits.	Feb. 28, 2012	Case		—
Mentioned by	471. Augustus v. McHugh 825 F.Supp.2d 245, 254 , D.D.C. GOVERNMENT - Records. Army report about female officer's discrimination complaint was not maintained within system of records under Privacy Act.	Nov. 22, 2011	Case		—
Mentioned by	472. International Counsel Bureau v. U.S.C.I.A. 774 F.Supp.2d 262, 273+ , D.D.C. GOVERNMENT - Records. "Glomar" response to FOIA request for records of Guantanamo Bay detainees was proper.	Mar. 31, 2011	Case		1 3 7 S.Ct.
Mentioned by	 473. American Postal Workers Union, AFL-CIO v. U.S. Postal Service 742 F.Supp.2d 76, 80 , D.D.C. GOVERNMENT - Records. Information concerning Postal Service's performance pay program was of a "commercial nature" and exempt from disclosure.	Sep. 30, 2010	Case		1 S.Ct.
Mentioned by	474. Oryszak v. Sullivan 565 F.Supp.2d 14, 19 , D.D.C. ADMINISTRATIVE PRACTICE - Judicial Review. Secret Service's decision to revoke top security clearance of special agent was not subject to judicial review.	July 08, 2008	Case		—
Mentioned by	475. Electronic Privacy Information Center v. Department of Justice 511 F.Supp.2d 56, 66 , D.D.C. GOVERNMENT - Records. Department of Justice would be required to justify assertion that withheld records did not contain segregable information.	Sep. 05, 2007	Case		1 S.Ct.

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Mentioned by	 476. Bigwood v. U.S. Agency for Intern. Development 484 F.Supp.2d 68, 76 , D.D.C. GOVERNMENT - Records. Request for names of small Venezuelan USAID grantee organizations was properly denied.	Apr. 10, 2007	Case		9 S.Ct.
Mentioned by	 477. Tooley v. Bush 2006 WL 3783142, *20 , D.D.C. Plaintiff Scott Tooley has brought a somewhat opaque four-count Complaint before this Court. As initially brought, Plaintiff's Complaint appeared to assert three claims, Count I...	Dec. 21, 2006	Case		1 S.Ct.
Mentioned by	 478. American Civil Liberties Union v. U.S. Dept. of Justice 321 F.Supp.2d 24, 35+ , D.D.C. GOVERNMENT - Records. National security FOIA exemption protected Patriot Act administration information.	May 10, 2004	Case		7 S.Ct.
Mentioned by	479. Grove v. Department of Justice 802 F.Supp. 506, 514 , D.D.C. Requester brought action under Freedom of Information Act (FOIA) against various government agencies, alleging they had not complied with FOIA request for documents relating to...	Sep. 25, 1992	Case		—
Mentioned by	 480. Holland v. C.I.A. 1992 WL 233820, *11 , D.D.C. Plaintiff Holland is a biographer of John J. McCloy, the banker, lawyer, and presidential advisor who died in 1989. In 1983, Mr. Holland initiated a Freedom of Information Act...	Aug. 31, 1992	Case		—
Mentioned by	 481. Washington Post v. U.S. Dept. of Defense 766 F.Supp. 1, 11 , D.D.C. Action was brought under the Freedom of Information Act. The District Court, Oberdorfer, J., held that: (1) with respect to working files for planning and review of failed...	May 30, 1991	Case		—
Mentioned by	482. Grove v. C.I.A. 752 F.Supp. 28, 30 , D.D.C. Former police officer who was defendant in a criminal proceeding arising out of his service as an undercover police officer assigned to narcotics enforcement brought suit under the...	Dec. 14, 1990	Case		3 S.Ct.
Mentioned by	 483. Pfeiffer v. C.I.A. 721 F.Supp. 337, 342 , D.D.C. Former CIA employee brought action under the Freedom of Information Act (FOIA) seeking release from CIA of the documents which he authored as an agency employee, and information...	Sep. 13, 1989	Case		1 S.Ct.

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Mentioned by	484. National Federation of Federal Employees v. U.S. 695 F.Supp. 1196, 1199 , D.D.C. Federal employees union brought action challenging nondisclosure agreements required of some employees. The District Court, Gasch, Senior District J., held that: (1)...	July 29, 1988	Case		—
Mentioned by	485. Crow v. Internal Revenue Service 2022 WL 1605265, *2 , D.Idaho Pending before the Court is Plaintiff Stanley D. Crow's Motion for Summary Judgment (Dkt. 17) and Defendant Internal Revenue Services' ("IRS") Motion for Summary Judgment (Dkt....	May 20, 2022	Case		1 S.Ct.
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Mentioned by	487. Gahagan v. United States Citizenship and Immigration Services 2015 WL 13048737, *5 , E.D.La. Before the Court is Plaintiff's Motion to Reconsider Judicial Order. (Rec. Doc. No. 11). Also before the Court is Defendant's Fed. R. Civ. P. 56 Motion for Summary Judgment. (Rec....	Aug. 17, 2015	Case		—
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Mentioned by	489. U.S. v. Drake 818 F.Supp.2d 909, 921 , D.Md. CRIMINAL JUSTICE - Espionage and Treason. Classified Information Procedures Act did not violate defendant's constitutional rights.	Apr. 13, 2011	Case		—
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Mentioned by	491. Davis v. U.S. Dept. of Defense 2010 WL 1837925, *8 , W.D.N.C. GOVERNMENT - Records. Genuine issue of material fact regarding whether searches conducted by various groups of a Task Force at Guantanamo Bay were reasonably calculated to uncover...	May 06, 2010	Case		—
Mentioned by	492. Stehney v. Perry 907 F.Supp. 806, 817 , D.N.J. Former employee of nonprofit agency, who refused to take polygraph examination in order to obtain security clearance to work on National Security Agency (NSA) project, brought...	Nov. 06, 1995	Case		7 S.Ct.


































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Mentioned by	 493. American Civil Liberties Union v. Department of Defense 229 F.Supp.3d 193, 205 , S.D.N.Y. GOVERNMENT — Records. Photographs depicting detainees were not exempt from disclosure under FOIA.	Jan. 18, 2017	Case		—
Mentioned by	494. Rozema v. U.S. Department of Health and Human Services 167 F.Supp.3d 324, 339+ , N.D.N.Y. GOVERNMENT — Records. information regarding quantities of menthol contained in cigarettes, submitted by manufacturers to FDA, was protected from disclosure under FOIA exemption for...	Mar. 02, 2016	Case		1 4 S.Ct.
Mentioned by	495. Rodriguez v. I.R.S. 2012 WL 4369841, *3 , E.D.N.Y. The parties in this Freedom of Information Act ("FOIA") action have cross-moved for summary judgment, and Judge Dearie has referred the motions to me for a report and...	Aug. 31, 2012	Case		1 S.Ct.
Mentioned by	 496. Long v. U.S. Dept. of Justice 778 F.Supp.2d 222, 231 , N.D.N.Y. GOVERNMENT - Records. Information regarding vaccine type and date of administration was exempt from disclosure under FOIA.	Mar. 25, 2011	Case		—
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Cited	2. De Laurentiis v. Haig 686 F.2d 192, 3rd Cir.(Pa.), 1982 Italian citizen and his wife, a native born United States citizen, brought suit seeking disclosure of United States Department of State documents pertaining to denial of an...	Case			1887
Superseded by Statute/Rule as Stated in	 3. Environmental Protection Agency v. Mink 93 S.Ct. 827, U.S.Dist.Col., 1973 Suit was brought by members of Congress, in both their official and private capacities, under the Freedom of Information Act to obtain documents pertaining to underground atomic...	Case		”	1887+
Cited	 4. Federal Power Commission v. Tuscarora Indian Nation 80 S.Ct. 543, U.S.Dist.Col., 1960 Proceeding to review order of Federal Power Commission granting license to New York Power Authority to build a dam that would flood lands of the Tuscarora Indians. The United...	Case		”	1891
Cited	 5. Fitzgibbon v. C.I.A. 578 F.Supp. 704, D.D.C., 1983 Plaintiff, an historian researching disappearance and assumed death of Basque government in-exile delegate, brought lawsuit to follow up on request for government records that he...	Case			1891
Cited	 6. Florida Power & Light Co. v. Lorion 105 S.Ct. 1598, U.S.Dist.Col., 1985 The Nuclear Regulatory Commission denied a request that the Commission institute a proceeding to modify, suspend or revoke the license of a nuclear reactor. The requester sought...	Case		”	1897+
Cited	 7. Garcia v. U.S. 105 S.Ct. 479, U.S.Fla., 1984 On certiorari to the United States Court of Appeals for the Eleventh Circuit, 718 F.2d 1528, which sustained defendants' convictions for violating statute proscribing assault and...	Case			1887

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Cited	 9. Haig v. Agee 101 S.Ct. 2766, U.S.Dist.Col., 1981 A passport was revoked on ground that activities of the passport holder in foreign countries had caused serious damage to national security and foreign policy of the United States....	Case			1891
Cited	 10. Halkin v. Helms 598 F.2d 1, D.C.Cir., 1978 Former Vietnam war protestors brought suit against present and former officials of various federal intelligence agencies and three communications corporations alleging violation of...	Case		”	1892
Cited	 11. Halperin v. Central Intelligence Agency 629 F.2d 144, D.C.Cir., 1980 Plaintiff in Freedom of Information Act case appealed from an order of the United States District Court for the District of Columbia, Oliver Gasch, J., which denied him access to...	Case		”	1887+
Cited	12. Miller v. Casey 730 F.2d 773, D.C.Cir., 1984 Author sought information from the CIA concerning alleged covert operations in Albania following World War II. The United States District Court for the District of Columbia, June...	Case			1887
Mentioned	 13. N.L.R.B. v. Robbins Tire & Rubber Co. 98 S.Ct. 2311, U.S.Ala., 1978 The United States District Court for the Northern District of Alabama, ordered the National Labor Relations Board to turn over to employer copies of all written statements of...	Case			1887
Mentioned	 14. National Com'n on Law Enforcement and Social Justice v. C.I.A. 576 F.2d 1373, 9th Cir.(Cal.), 1978 After exhausting its administrative remedies, a commission that was engaged in studying law enforcement and social justice brought suit to compel release by the Central...	Case			1887

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Cited	 15. National Security Information 1978 WL 21922, Pres.Exec.Order, 1978 By the authority vested in me as President by the Constitution and laws of the United States of America, in order to balance the public's interest in access to Government...	Administrative Decision & Guidance			1897
Cited	 16. Salisbury v. U.S. 690 F.2d 966, D.C.Cir., 1982 Individual who claimed that his electromagnetic communications with foreign countries had been intercepted brought Freedom of Information Act and Tort Claims Act action against the...	Case			1894
Judgment Affirmed in Part, Reversed in Part	 17. Sims v. C.I.A. 709 F.2d 95, D.C.Cir., 1983 Freedom of Information Act suit was brought seeking disclosure by Central Intelligence Agency of names of individuals and institutions who conducted secret research for the agency...	Case		”	1883+
Discussed	 18. Sims v. Central Intelligence Agency 479 F.Supp. 84, D.D.C., 1979 Plaintiffs, under the Freedom of Information Act, sought disclosure of names of institutions and researchers receiving funding from Central Intelligence Agency for the so-called...	Case		”	1885+
Cited	 19. Sims v. Central Intelligence Agency 642 F.2d 562, D.C.Cir., 1980 Central Intelligence Agency appealed from a judgment of the United States District Court for the District of Columbia, Louis F. Oberdorfer, J., ordering the CIA to disclose,...	Case		”	1885+
Discussed	 20. Snepp v. U.S. 100 S.Ct. 763, U.S.Va., 1980 United States brought suit seeking declaration that former CIA agent had breached contract, injunction requiring former agent to submit future writings for republication review,...	Case		”	1891+
Mentioned	 21. Steadman v. S. E. C. 101 S.Ct. 999, U.S., 1981 In disciplinary proceedings brought pursuant to Investment Company Act and Investment Advisers Act the Securities and Exchange Commission found that petitioner had violated...	Case			1888

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Cited	 22. U. S. v. Detroit Timber & Lumber Co. 26 S.Ct. 282, U.S.Ark., 1906 CROSS APPEALS from the United States Circuit Court of Appeals for the Eighth Circuit to review a decree of that court which, on appeal from a decree of the Circuit Court for the...	Case			1882
Mentioned	 23. U.S. v. Marchetti 466 F.2d 1309, 4th Cir.(Va.), 1972 Action by United States against former employee of Central Intelligence Agency to enjoin the former employee from publishing a proposed book in violation of secrecy agreement and...	Case			1892
Cited	 24. U.S. v. Weber Aircraft Corp. 104 S.Ct. 1488, U.S.Cal., 1984 Suit was filed under the Freedom of Information Act seeking an injunction requiring the Air Force to disclose statements made during a safety investigation of an aircraft accident....	Case		”	1887+
Cited	 25. United States Intelligence Activities 1981 WL 76054, Pres.Exec.Order, 1981 Timely and accurate information about the activities, capabilities, plans, and intentions of foreign powers, organizations, and persons and their agents, is essential to the...	Administrative Decision & Guidance			1884