



Washington, D.C. 20505

28 August 2013

Mr. Grant F. Smith  
Director of Research  
Institute for Research: Middle Eastern Policy  
Calvert Station  
P.O. Box 32041  
Washington, DC 20007

Reference: F-2010-01210

Dear Mr. Smith:

This is a final response to your 13 May 2010 Freedom of Information Act (FOIA) request for records "relating to uranium diversion from the Nuclear Materials and Equipment Corporation (NUMEC) to Israel." We processed your request in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 431, as amended. Our processing included a search for records as described in our 10 September 2010 acceptance letter.

We completed a thorough search for records responsive to your request and located material that we determined is currently and properly classified and must be denied in its entirety on the basis of FOIA exemptions (b)(1) and (b)(3). An explanation of exemptions is enclosed. Exemption (b)(3) pertains to information exempt from disclosure by statute. The relevant statute is the Central Intelligence Agency Act of 1949, 50 U.S.C. § 403g, as amended, Section 6, which exempts from the disclosure requirement information pertaining to the organization and functions, including those related to the protection of intelligence sources and methods. As the CIA Information and Privacy Coordinator, I am the CIA official responsible for this determination. You have the right to appeal this response to the Agency Release Panel, in my care, within 45 days from the date of this letter. Please include the basis of your appeal.

We conducted a search of our previously released database and located the enclosed four documents, totaling 11 pages, which we believe may be responsive to your request. Please be advised that these documents were released as part of another release program.

Sincerely,

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

Michele Meeks  
Information and Privacy Coordinator

Enclosures

## Explanation of Exemptions

### Freedom of Information Act:

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

April 2012

DD/O 78-5538/2

S E C R E T

OIC #78-1667/7

5 OCT 1978

GAO

MEMORANDUM FOR: Director of Central Intelligence

VIA : Deputy Director of Central Intelligence

FROM : John H. Stein  
Acting Deputy Director for Operations

SUBJECT : GAO Report on Alleged Nuclear Diversion

REFERENCE : Our memorandum on the same subject,  
dated 30 August 1978

1. Action Requested. Review options outlined in paragraph 3 and note recommendations.

2. Background. Since forwarding Reference to GAO, there has been no response to our letter. We assume the report, as previously drafted, will stand. GAO has asked us to declassify our contributions to this report. We have worked on sanitization of the report, and this version is attached. The FBI also has been asked to sanitize their contribution and is taking the position that they will not declassify. The Department of Energy's position also is that they do not want to declassify their portion.

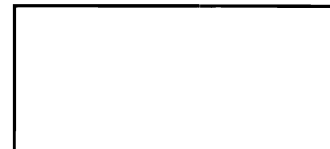
3. Staff Position. This leaves us with two options:

a. Clear the sanitized report for passage to GAO:

(1) Pro - This is responsive to GAO's request.

25X1

S E C R E T



MOR/CDF

S E C R E T

-2-

(2) Con - In our sanitized report, every effort was made to protect intelligence sources and methods [redacted]

25X1

[redacted] however, the sanitized report still would reveal sensitive information when considered together with the unclassified collateral material [redacted] which has appeared in the press and which the House Committee on Interior and Insular Affairs has published in a booklet. [redacted]

25X1

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b. Advise GAO that we cannot declassify our report because of the need to have a coordinated Executive Branch position and our desire to protect a sensitive and valuable liaison equity.

(1) Pro - (Our reasons are identical to those stated in paragraph 3a(2) above.)

(2) Con - This is unresponsive to GAO's desires.

4. Coordination. This has been coordinated with OLC, OGC, NE Division and CTS.

5. Recommendation. Option B. If you concur, GAO will be advised orally by OLC.

John H. Stein

John H. Stein

Attachments:

- A. GAO report  
B. Booklet, [redacted]

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S E C R E T

**Page Denied**

25X1

25X1

25X1

OLC 78-1667/7 78-5538/2

S E C R E T

78-1819/3

6 OCT 1978

SAO

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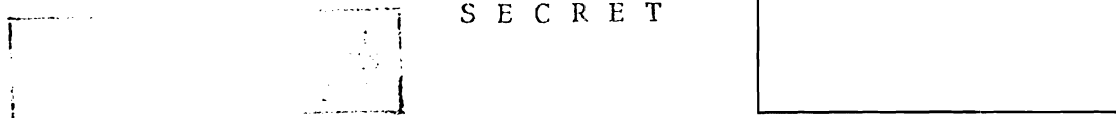
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[redacted]

DCI comment

RECOMMENDED

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[redacted]

25X

John H. Stein

DCI COMMENT

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A. GAO report

B. Booklet, [redacted]

X1

S E C R E T

DDO 78-5538/2

S E C R E T

78-1467/7

6 OCT 1978

*Rpts*

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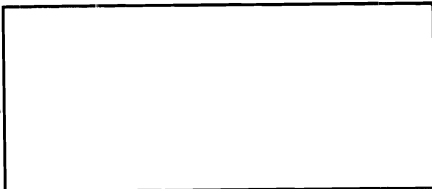
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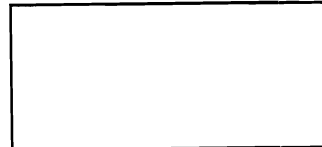
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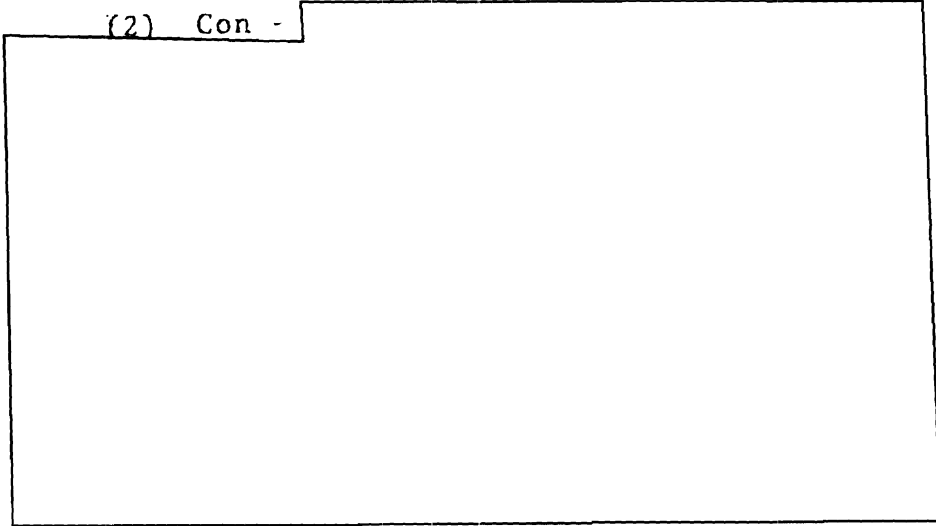


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B. 

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S E C R E T

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- 3 -

Distribution:

- Orig - Addressee w/atts
- 1 - DDCI w/atts
- 2 - Executive Registry w/o atts
- 1 - ADDO w/atts
- 2 - DDO Registry w/o atts
- 1 - C/NE w/o atts
- 1 - C/NE hold w/o atts
- 1 - OLC w/o atts
- 1 - OGC w/atts
- 1 - CTS w/o atts
- 1 - NE/ISR w/atts
- 1 - NE/ISR w/o atts
- 1 - NE/ISR hold w/o atts

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Orig: [redacted] C/NE/[redacted]:rmw:6C18 [redacted] 3 Oct 78

25X1

78-5538/2

S E C R E T

REC #78-1667/7

9 OCT 1978  
DD

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-3-

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