## Obtained by Judicial Watch, Inc. via Foliated States Department of State



Washington, D.C. 20520

March 17, 2016

Case No. F-2015-05028

Kate Bailey Judicial Watch 425 Third Street, SW, Suite 800 Washington, DC 20024

Dear Ms. Bailey:

I refer to our letter dated February 5, 2016, regarding the release of certain Department of State records under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552.

The review of the records retrieved from the Bureau of Diplomatic Security has been completed. After consulting with other U.S. Government agencies, we have determined that five may be released in part and one must be withheld in full.

The search of the records of the Office of the Executive Secretariat ("S/ES") has been completed and has resulted in the retrieval of one document responsive to your request. After reviewing this document, we have determined that it may be released in part.

Where we have made excisions, the applicable exemptions are marked on the document. All non-exempt material that is reasonably segregable from the exempt material has been released. The document withheld in full was withheld under FOIA Exemptions 1 and 3, 5 U.S.C. § 552(b)(1) and (b)(3). All released material is enclosed. An enclosure explains the FOIA exemptions and other grounds for withholding material.

If you have any questions, your attorney may contact Marsha Edney, Trial Attorney, at (202) 514-4520 or Marsha. Edney@usdoj.gov. Please refer to the case number, F-2015-05028, and the civil action number, 15-cv-00646, in all correspondence about this case.

Sincerely,

John F. Hackett, Director

Office of Information Programs and Services

Susay C Wellow for

Enclosures: As stated

### The Freedom of Information Act (5 USC 552)

#### **FOIA Exemptions**

- (b)(1) Withholding specifically authorized under an Executive Order in the interest of national defense or foreign policy, and properly classified. E.O. 12958, as amended, includes the following classification categories:
  - 1.4(a) Military plans, systems, or operations
  - 1.4(b) Foreign government information
  - 1.4(c) Intelligence activities, sources or methods, or cryptology
  - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
  - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
  - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
  - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
  - 1.4(h) Information on weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:

ARMEX Arms Export Control Act, 22 USC 2778(e)

CIA Central Intelligence Agency Act of 1949, 50 USC 403(g)

EXPORT Export Administration Act of 1979, 50 App. USC 2411(c)(1)

FSA Foreign Service Act of 1980, 22 USC 4003 & 4004

INA Immigration and Nationality Act, 8 USC 1202(f)

IRAN Iran Claims Settlement Act, Sec 505, 50 USC 1701, note

- (b)(4) Privileged/confidential trade secrets, commercial or financial information from a person
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Information that would constitute a clearly unwarranted invasion of personal privacy
- (b)(7) Information compiled for law enforcement purposes that would:
  - (A) interfere with enforcement proceedings
  - (B) deprive a person of a fair trial
  - (C) constitute an unwarranted invasion of personal privacy
  - (D) disclose confidential sources
  - (E) disclose investigation techniques
  - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

#### Other Grounds for Withholding

NR Material not responsive to a FOIA request, excised with the agreement of the requester

UNCLASSII	FIED U.S. Department of State Case No. F-2015-05028 Doc No. C	05921210 Date: 03/17/2016
	Obtained by Judicial Watch, Inc. via FOIA	*
From:	H <hdr22@clintonemail.com></hdr22@clintonemail.com>	-
Sent:	Friday, February 13, 2009 12:33 PM RELEASE IN PART B3	NATL
To:	Mills, Cheryl D <millscd@state.gov> SEC AGENCY</millscd@state.gov>	
Subject:	Re: Update	
That's good ne	ews.	F
	Feb 2009 11:42:37 -0500 clintonemail.com>	
HRC:		
See below.	36. ·	
Remind me to	discuss with you, particularly should they pull this off.	B3 NATL SEC AGENCY
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	th the NSA person today ( NSA's rep to DOS) – she indicated they c the sciff and be secure based upon some modifications that could be done to each	
cdm		*
	February 13, 2009 11:08 AM	B3 NATL SEC AGENC
To: Mills, Che		B3 NATL SEC AGENC
Cc: McLean, L Subject: Upd		B3 NATE SEC AGENC
Cheryl,		ŝ
-Debbie Plun	kett, D/Chief of our Information Assurance Directorate, is personally assembling a k	nowledgeable team to work with
	r members of your staff to move forward on your Blackberry requirement. She will e	The state of the s
	to ensure everyone is aware of the art of the possible. She asked me to provide date	
can get to YES	[2] - [2] -	ke this happen. I am confident we B3 NATL SEC AGENCY
can get to 120	011 1113:	BS NATE SEC AGENCY
	we discussed are at a higher level than can be forwarded on the high side, so we will staff is retrieving them now).	Il deliver them to your office today
Thank you so	much for making the time for Dick and me today. All the best	B3 NATL SEC AGENC
mank you so	mach for making the time for bick and the today. All the best	DO NATE OLO AGENO
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UNCLASSIFIED U.S. Department of State Case No. F-2015-05028 Doc No. C05921210 Date: 03/17/2016

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ubject:	RE: Mtg w/NSA			
abject.	Ac. Mig W/NSA		1.4(G)	
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	349		B7(E)	
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-				В
	1	**		
From: Sent: Wednesday, March 1	8, 2009 1:18 PM			В
o:				В
ic: Subject: RE: Mtg w/NSA	÷			
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? Thar		1.4(G)		
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doject. RE. Pitg W/NSA	*			
ISA responded		It:	is available at 2:00	
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or you but you'll need to se	ind a designee. Thanks,			
rom:				В
sent: Monday, March 16, 2	009 10:14 AM			
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UNCLASSIFIED U.S. Department of State Case No. F-2015-05028 Doc No. C05891103 Date: 03/17/2016

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	of NSA	has sched	iled a meating	s water see s	for navi	Thursday	- fines no n	- 1:20 DAA	ka alla a c	00- (		
Secretary.	I've tentat	ively sched	uled a meeting	rerice ro	om, SA-	20, 13 <sup>th</sup> flo	or, for th	n, 1:30 PM, le meeting b	ut aske	d him if	was E	37(E)
- necessary	If so, I'll fi	ind one. If	this date/time	cannot w	ork for	ou or your	designe	e piease ac	lvise. T	hanks.		
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UNCLASSIFIED U.S. Department of State Case No. F-2015-05028 Doc No. C05891103 Date: 03/17/2016

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To:	Wednesday, March 18, 2009, 12:34 PM	P7/
Cc:		B3 NATL SEC AGENC
Subject:	FW: Mtg w/NSA	BO WATE GEO AGENO
		B7(E) B1
Good afternoon all: The r	meeting is scheduled for Thursday at 2:00	1.4(G)
From:	,	P7/
Sent: Monday, March 16, 20	009 6:09 PM	B7(
To: Cc:		B7(
Subject: RE: Mtg w/NSA		B7(E)_
NSA responded	The same to the sa	It is available at 2:00 B1
PM. I'll know tomorrow if that for you but you'll need to sen	at time is agreeable with NS and I'll confirm with everyone.  I'll confirm with everyone.	I know that's a conflic1.4(G)
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To: Cc:		B7(t
Subject: Mtg w/NSA Importance: High	e de la companya della companya de la companya de la companya della companya dell	B7(C)
Secretary. I've tentatively so	heduled a meeting with us for next Thursday afternoon, 1:30 PN sheduled my conference room, SA-20, 13 <sup>st</sup> floor, for the meeting. If this date/time cannot work for you or your designee please	but asked him if was
	(b)(3) P.L. 86-36	B7(C)
	. *	
		Release in Part (b)7(e), (b)7(c),
		(b)(3)-P.L.86-36
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UNCLASSIFIED U.S. Department of State Case No. F-2015-05028 Doc No. C05891112 Date: 03/17/2016

email that the Secretary returns Sunday from her trip, that Pat Donovan tasked us with a memo that

he wanted by today and that we finished last night and that it outlines the vulnerabilities and risks of BB use inside and outside a SCIF (because they're essentially the same) and concludes with our collaboration with NSA to seek an acceptable solution for their desired BB use. I also asked if the forthcoming paper is going to include an estimated timeline and cost for modification of devices. So I'll let you know what I get back. I don't think there's anything here that

needs to be included in our current draft memo, but please review and see what you trink. Thanks.

responded to

Release in Part (b)(5), (b)7(c), (b)(3)  RE: Draft Memo: from DS to S - Mills  RE: Draft Memo: from DS to S - Mills  RE: Draft Memo: from DS to S - Mills  RE: Draft Memo: from DS to S - Mills  B3 NATL SEC AGENC  hanks I've received a paper (Secret) from plot of the plant of clearance. He indicated it will cover most of what he's provided I asked if cost is going to be addressed and he obesn't know. Anyway, I'll have what I've received so far to you shortly.  RE: Draft Memo from DS to S - Mills  B6 NATL SEC AGENC  B7 NATL SEC AGENC  B7 NATL SEC AGENC  B8 NATL SEC AGENC  B8 NATL SEC AGENC  B9 NATL		Obtaine	d by Judicial Watch, Inc	. VIA FOIA	В
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UNCLASSIFIED U.S. Department of State Case No. F-2015-05028 Doc No. C05891136 Date: 03/17/2016

Friday, February 13, 2009 4:04 PM  To: Cc: Subject: FW. URGENT: Meeting with Cheryl Mills Tuesday  Release in Part, (b)7(c), (b)(3)-P.L. 86-36  REVIEW AUTHORITY: Barbara  B7( B7( B7( B7) B8( B87) B87) B87) B87) B87)		Obtain	ned by Judicial Watch, Inc. via FOIA	4		,	D7//
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Release in Part, (b)T(c), (b)(3)-P.L. 86-36  Bay better PW. URGENT: Meeting with Cheryl Mills Tuesday  New something prepared and stand by to hear from if your participation is required.  Barbarra Nielsen, Senior Reviewer  B7(Director Countemmeasures Programs Division  DS/STYCMP  B3 NATL SEC AGENCY  B7(ESSATT, Greg; Donovan, Patrick D. Cc:  Subject: PW. URGENT: Meeting with Cheryl Mills Tuesday  Arnazing  B3 NATL SEC AGENCY  B7(C)	From:	-11					B7(
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Director Countermeasures Programs Division DS/ST/CMP  B3 NATL SEC AGENC  B5 NATL SEC AGENC  B7 Sentir Friday, February 13, 2009 3:56 PM To: Starr, Greq: Donovan, Patrick D Cc: Subject: FW: URGENT: Meeting with Cheryl Mills Tuesday  Amazing  B3 NATL SEC AGENC  B7 Subject: B8 NATL SEC AGENC  B7 Subject: Red. Donald R: Cc: Subject: URGENT: Meeting with Cheryl Mills Tuesday  B7 To: Boswell. Eric 1: Reid. Donald R: Cc: Subject: URGENT: Meeting with Cheryl Mills Tuesday  B7 (C)  B3 NATL SEC AGENCY  Good afternoon  B8 UJF: NSA/IAD seniors will be meeting with Ms. Mills Tuesday on Blackberry vulnerabilities and the range of mitigation options based on a request she made of me this morning. I want to ensure that you have the opportunity to attend, or to send your experts, to join the discussion and hear firsthand what the options are:  Date: Tuesday, 27 February 2009  Firm: 1400  Place: The Secretary's Conference Room  Procs: Lori McLean (for Chief of Staff); for NCR State/NSA)  B3 NATL SEC AGENC  B3 NATL SEC AGENC  B3 NATL SEC AGENC  B4 NATL SEC AGENC  B5 NATL SEC AGENC  B5 NATL SEC AGENC  B6 NATL SEC AGENC  B7 (C)  B7 (C							B7
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B7.  From: Sent: Friday, February 13, 2009 3:56 PM To: Starr, Greq: Donovan, Patrick D Co: Subject: FW: URGENT: Meeting with Cheryl Mills Tuesday  Amazing  From: Sent: Friday, February 13, 2009 3:29 PM To: Boswell. Eric 1: Reid, Donald R; Co: Subject: URGENT: Meeting with Cheryl Mills Tuesday  Classification: SECRET  B3 NATL SEC AGENCY  Good afternoon —  BLUF: NSA/IAD seniors will be meeting with Ms. Mills Tuesday on Blackberry vulnerabilities and the range of mitigation options based on a request she made of me this morning, I want to ensure that you have the opportunity to attend, or to send your experts, to join the discussion and hear firsthand what the options are:  Date: Tuesday, 27 February 2009  Time: 1400  Place: The Secretary's Conference Room  POCS: Lori McLean (for Chief of Staff):  B3 NATL SEC AGENCY  B3 NATL SEC AGENCY  B5 NATL SEC AGENCY  B6 NATL SEC AGENCY  B7 NATL SEC AGENCY  B7 NATL SEC AGENCY  B8 NATL SEC AGENCY  B9 NATL SEC AGENCY  B9 NATL SEC AGENCY  B1 NATL SEC AGENCY  B2 NATL SEC AGENCY  B3 NATL SEC AGENCY  B4 NATL SEC AGENCY  B5 NATL SEC AGENCY  B6 NATL SEC AGENCY  B7 NATL SEC AGENC		ms Division	÷				
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UNCLASSIFIED U.S. Department of State Case No. F-2015-05028 Doc No. C05891159 Date: 03/17/2016

# UNCLASSIFIED U.S. Department of State Case No. F-2015-05028 Doc No. C05891159 Date: 03/17/2016 Obtained by Judicial Watch, Inc. via FOIA

Blackberries in the Secretary's Suite at the unclassified level for schedul	ing/emailing etc. and possibly also for voice); and
to discuss/offer mitigations that would enable resolution of the require	ment. B3 NATL SEC AGENCY
and have been charged by 3	Debbie Plunkett (D/IAD) to lead the briefing
team. Please do not hesitate to contact them, or me, to help shape the	agenda, ask questions, etc. Their phone numbers
are	B3 NATL SEC AGENCY
I would greatly appreciate your letting (cc'ed on th	is note) know who will attend from the CIO and
DS offices so that she can advise Lori McLean prior to the session.	
Thank you for working with me on this.	B3 NATL SEC AGENCY
*	B3 NATL SEC AGENCY
Senior NSA Liaison Representative, U.S. State Department commercial	B3 NATL SEC AGENCY
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