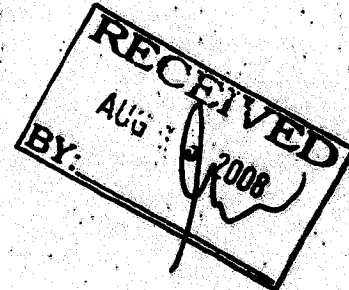


Aug. 4, 2008



National Reconnaissance Office Appeal Authority
14675 Lee Road
Chantilly, Va. 20151-1715

FOI ACT APPEAL

Dear Administrator,

This is an appeal under the Freedom of Information Act, 5 U.S.C. § 552.

On April 7, 2008, I made an FOI Act request to your agency seeking copies of all information involving Satellite USA 193 and its eventual downing by a Navy missile. On July 1, 2008, you denied my request on the grounds that exemption (b) (3) exempts operational of the NRO from search and disclosure. I am appealing the denial of my request for records relating to Satellite USA 193, case number F08-0068.

The information which I have requested is clearly releasable under the FOI Act and, in my opinion, may not validly be protected by any of the Act's exemptions.

In reading your denial and comparing it to the referenced law, 50 USC 432a, I believe you are overextending the statute. The pertinent section of the law is (2)(A) "Subject to subparagraph (B), for the purposes of this section, the term 'operational files' means files of the National Reconnaissance Office (hereafter in this section referred to as "NRO") that document the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems."

As you will recall, Satellite USA 193 began having difficulty shortly after it reached earth orbit and its orbit began to decline to the point where it would eventually re-enter the earth's atmosphere. The information I seek would not be operational files because it would not discuss "...the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems." Rather, what I am seeking is information on what caused the machine, the satellite, to fail and the discussions about what harm that might cause and what the United States should do about the crippled satellite. In broad terms, high administration officials talked publicly about just those issues. What I am requesting is the more detailed discussion of those issues.

Indeed (2)(B) states "Files which are the sole repository of disseminated intelligence are not operational files." Since some of this information was publicly disseminated by President George W. Bush and his top intelligence and military officials, I submit that by definition, these are not operational files and therefore must be disclosed.

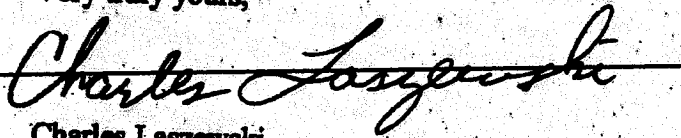
Finally, 3(B) states "any special activity the existence of which is not exempt from disclosure under the provisions of section 552 of title 5; " must be disclosed. The concern over a crippled satellite, its potential hazards to people living on earth and the eventual use of a missile to shoot down the satellite would qualify as a "special activity" and therefore not exempt from disclosure.

I trust that upon re-consideration, you will reverse the decision denying me access to this material and grant my original request.

As I have made this request in the capacity of a journalist and this information is of timely value, I would appreciate your expediting the consideration of my appeal in every way possible. In any case, I will expect to receive your decision within 20 business days, as required by the statute.

Thank you for your assistance.

Very truly yours,

A handwritten signature in cursive script, reading "Charles Laszewski". The signature is written in dark ink and is positioned above the printed name.

Charles Laszewski

Charles L. [unclear]

NRO APPROVED FOR RELEASE
27 April 2012

*National Reconnaissance Office
Appeal Authority
14675 Lee Road
Chantilly, Va. 20151-1715*

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27 April 2012

Page 1 of 1

b3, b6

From:

b3, b6

Sent:

Monday, October 19, 2009 1:20 PM

To:

b3, b6

Cc:

FOIA (IART)

Subject:

F08-0068_Appeal - correction page — UNCLASSIFIED//~~FOUO~~

Importance:

High

Attachments: F08-0068_Appeal_ b3, b6 ltr_corrected_1st_page.pdf

Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

b3, b6

(U//~~FOUO~~) Here's the corrected 1st page of the b3, b6 letter. I'll research the question on the briefing slide, and be back in touch soon.

Thanks!

b3, b6

UNCLASSIFIED//~~FOUO~~

12/17/2009

b3 b6

From: [REDACTED]
Sent: Wednesday, August 12, 2009 7:08 AM
To: [REDACTED]
Cc: FOIA (IART)
Subject: Case distribution -- UNCLASSIFIED//~~FOUO~~
Importance: High
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

b3 b6

I've gone through cases that you have open as of this AM, and I'd like to reassign them as indicated below. Please change the case officer in CASTT, and make a note that the case was transferred as of today's date. Please change the CA name on the case files - I don't see any need to create completely new labels as long as we can hand-write changes that are legible.... see how that works before we start making new labels. For now, just keep your files where they sit; as long as they're re-marked, we can divide them up later.

F08-0062 - [REDACTED]
F09-0102 - [REDACTED]
F09-0105 - [REDACTED]
F09-0106 - [REDACTED]
F09-0113 - [REDACTED]
F09-0079 - [REDACTED]
F09-0089 - [REDACTED]
S09-0283 - [REDACTED]

F08-0004 - [REDACTED]
F09-0110 - [REDACTED]
F09-0025 - [REDACTED]
F09-0093 - [REDACTED]
F09-0096 - [REDACTED]
F09-0086 - [REDACTED]
S09-0288 - [REDACTED]

P09-0050 - [REDACTED]

Thanks!

b3 b6

8/12/2009

NRO APPROVED FOR RELEASE
27 April 2012

Page 2 of 2

~~UNCLASSIFIED//FOUO~~

8/12/2009

27 April 2012

Page 1 of 3

b3, b6

From: [REDACTED]
Sent: Wednesday, October 15, 2008 5:46 AM
To: [REDACTED]
Subject: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Hi [REDACTED]

Did you want to add anything to this before I send out the tasking?

Thanks lady,

b3, b6

"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

TELL US HOW WE'RE DOING...
Click Here to take the
ASG/IMSC CUSTOMER SURVEY
WE LOOK FORWARD TO HEARING FROM YOU!

From: [REDACTED]
Sent: Thursday, October 09, 2008 8:49 AM
To: [REDACTED]
Subject: RE: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal — UNCLASSIFIED

classification: UNCLASSIFIED

See below.... I've suggested a couple changes, to further explain why this request looks a little different

From: [REDACTED]
Sent: Thursday, October 09, 2008 8:27 AM
To: [REDACTED]
Cc: [REDACTED]

10/15/2008

27 April 2012

Page 2 of 3

Subject: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal -- UNCLASSIFIED
classification: UNCLASSIFIED

Hi,

Please let me know what you think about the below email. I thought it would be best NOT to attach the appeal letter from Mr. Chuck in fear that it would only confuse the directorates. What you do you think?

DRAFT

(U) Good morning all,

(U) This is a FOIA request for records.

(U) The IART is in receipt of a FOIA request for information involving the Satellite USA 193 shoot down. Due to the complexity of correspondence regarding this request, copies of the original request letter, the requester's appeal letter, and other related correspondence to/from the requester are not included with this request package. The IART has established with the requester that we will conduct a search/review based on the specific criteria outlined below. **We ask that each directorate tasked limit their search to the following criteria:**

1. Information that explains /discusses:
 - a. what caused the satellite to fail;
 - b. the harm that failure of the satellite might cause; and
 - c. what the United States should do about the crippled satellite.

2. NRO-originated documents **ONLY**.

(U) **Please confine your response to records that meet these criteria. Records beyond this scope should be considered non-responsive.** If responsive documents are found please review, and return your release recommendations and search time to the IART. Should you have any questions please feel free to contact me and refer to case # F08-0068.

(U//FOUO) Case Officer: b3,b6

(U) Case #: F08-0068

(U) From: Charles Laszewski

(U) Offices Tasked: AS&T, DDMS, DSS, and OGC

27 April 2012

Page 3 of 3

(U) Due Date: 31 October 2008

(U) Case Package:

1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

(U) Thank you and have a wonderful day,

b3, b6



"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

TELL US HOW WE'RE DOING...

Click Here to take the

ASG/MSR CUSTOMER SURVEY

WE LOOK FORWARD TO HEARING FROM YOU!

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

10/15/2008

b3, b6

From: b3, b6
Sent: Wednesday, July 29, 2009 9:26 AM
To: b3, b6
Cc: FOIA (IART); b3, b6
Subject: RE: STATUS: F08-0068- APPEAL — UNCLASSIFIED//FOUO
Classification: UNCLASSIFIED//FOUO

classification: UNCLASSIFIED//FOUO

b3, b6

DDMS concurs with the treatment as stated in the binder. The only other group that might need to look at it is the NROC. The NROC has moved and is no longer under DDMS. They come under COO/SO.

Do you want the binder back? If so, it will be sitting on my desk in b3, b6

Thank you,

b3, b6

From: b3, b6
Sent: Wednesday, July 29, 2009 6:28 AM
To: b3, b6
Cc: FOIA (IART); b3, b6
Subject: STATUS: F08-0068- APPEAL — UNCLASSIFIED//FOUO

classification: UNCLASSIFIED//FOUO

Good morning b3, b6

I was hoping I could receive a status on the binder dropped off to DDMS, in hardcopy, on 14 July 2009. The binder consisted of 5 responsive documents that answered Charlie Laszewski's request on the shoot down of satellite USA 193, now on appeal. These 5 documents were in their final form before going to the Final Review process.

Please note that all other tasked directorates (i.e. BPO and IMINT) have completed their review and concurred with the treatment. DDMS always has the option of deferring to another directorate. If you have any questions/concerns please feel free to contact me.

Thank you and I look forward to hearing from you,

b3, b6

7/29/2009

b3.b6



~~UNCLASSIFIED//FOUO~~

~~UNCLASSIFIED//FOUO~~

27 April 2012

Page 1 of 2

b3, b6

From: [REDACTED]
Sent: Wednesday, July 29, 2009 6:38 AM
To: [REDACTED]
Cc: FOIA (IART); [REDACTED]
Subject: RE: STATUS: F08-0068- APPEAL -- UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

b3, b6

I'll check into it.

b3, b6

From: [REDACTED]
Sent: Wednesday, July 29, 2009 6:28 AM
To: [REDACTED]
Cc: FOIA (IART); [REDACTED]
Subject: STATUS: F08-0068- APPEAL -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Good morning [REDACTED]

I was hoping I could receive a status on the binder dropped off to DDMS, in hardcopy, on 14 July 2009. The binder consisted of 5 responsive documents that answered Charlie Laszewski's request on the shoot down of satellite USA 193, now on appeal. These 5 documents were in their final form before going to the Final Review process.

Please note that all other tasked directorates (i.e. BPO and IMINT) have completed their review and concurred with the treatment. DDMS always has the option of deferring to another directorate. If you have any questions/concerns please feel free to contact me.

Thank you and I look forward to hearing from you,

b3, b6

UNCLASSIFIED//~~FOUO~~

7/29/2009

NRO APPROVED FOR RELEASE
27 April 2012

Page 2 of 2

~~UNCLASSIFIED//FOUO~~

7/29/2009

b3,b6

From: b3,b6
Sent: Monday, July 27, 2009 4:45 PM
To: b3,b6
Subject: F08-0068 binder -- UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Hello b3,b6

IMINT concurs with treatment of documents as provided by IART. Total time for review and handling: 2 hours.

Binder should be ready for pick up tomorrow, Tuesday 28 July.

Thank you,

b3,b6

UNCLASSIFIED

7/28/2009

b3,b6

From: b3,b6
Sent: Tuesday, July 21, 2009 10:55 AM
To: b3,b6
Cc:
Subject: RE: FOIA F08-0068 -- UNCLASSIFIED
Signed By: b3,b6
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Hi b3,b6
Forgot to mention that b3,b6 spent 1 hour reviewing F08-0068.
Thanks!

From: b3,b6
Sent: Tuesday, July 21, 2009 10:53 AM
To: b3,b6
Cc:
Subject: FW: FOIA F08-0068 -- UNCLASSIFIED

classification: UNCLASSIFIED

Hi b3,b6
b3,b6 has reviewed F08-0068. I have the binder on my desk which has a handwritten note attached from b3,b6. Below is what the note says:

b3,b6
I reviewed the attached FOIA on USA193. It has been reviewed by GC & OS&CI already. I found no issues that need to be protected due to policy. Recommend we respond w/ "No changes".
b3,b6

b3,b6 response:
Looks good - also looks very responsive. (a good thing.)
b3,b6

I will leave the binder on my desk in case you want to stop by and pick it up.

Thanks!!!!

From: b3,b6
Sent: Thursday, July 16, 2009 6:22 AM
To: b3,b6
Cc:
Subject: RE: FOIA F08-0068 -- UNCLASSIFIED

classification: UNCLASSIFIED

I'm here today.

7/21/2009

27 April 2012

Page 2 of 2

b3, b6

From: b3, b6

Sent: Wednesday, July 15, 2009 2:42 PM

To: b3, b6

Cc:

Subject: FOIA PUG-0068 -- UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6

b3, b6 and I stopped by your offices a few minutes ago and you both were out. I'm not sure if either of you are around this week, but we have a FOIA Appeal in need of review. This is the same FOIA that we held a meeting about (with b3, b6 of the FOIA office) in April and afterwards b3, b6 performed the review. In the case that we receive an out of office reply from both of you, we will ask b3, b6 to delegate this review to another person.

If either of you are around tomorrow, please let us know and we will get the binder to you right away.

Thank you!!!

b3, b6

UNCLASSIFIED

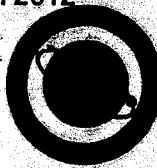
UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

7/21/2009

27 April 2012



NATIONAL RECONNAISSANCE OFFICE

14875 Lee Road
Chantilly, VA 20151-1715

7/20

b3 b6

I reviewed the attached FOIA on USA193.
It has been reviewed by GC + OSBCI
already. I found no issues that
need to be protected due to policy.
Recco we respond w/ "No changes."

b3 b6

Note: Due 28 Jul

Looks good - also looks very responsive. (a good
thing.)

b3 b6

"One Team, Revolutionizing Global Reconnaissance"

b3, b6

From: b3, b6
Sent: Tuesday, July 21, 2009 6:20 AM
To: b3, b6
Cc:
Subject: FOIA on USA 193 -- UNCLASSIFIED//~~FOUO~~
Signed By: b3, b6
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

b3, b6

Reviewed subject FOIA book (and ate the Hershey bar...thanks!) We had no comments/changes to what was already redacted by the other reviewers. The book is on my chair next to the door in my office. Spent @ 1 hour in review.

b3, b6

UNCLASSIFIED//~~FOUO~~

7/21/2009

b3,b6

From: b3,b6
Sent: Tuesday, July 21, 2009 10:53 AM
To: b3,b6
Cc:
Subject: FW: FOIA F08-0068 -- UNCLASSIFIED
Signed By: b3,b6
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Hi b3,b6

b3,b6 has reviewed F08-0068. I have the binder on my desk which has a handwritten note attached from b3,b6. Below is what the note says:

b3,b6
I reviewed the attached FOIA on USA193. It has been reviewed by GC & OS&CI already. I found no issues that need to be protected due to policy. Recommend we respond w/ "No changes".

b3,b6 response:
"Looks good - also looks very responsive. (a good thing.)"

I will leave the binder on my desk in case you want to stop by and pick it up.

Thanks!!!!

From: b3,b6
Sent: Thursday, July 16, 2009 6:28 AM
To: b3,b6
Cc: b3,b6
Subject: RE: FOIA F08-0068 -- UNCLASSIFIED

classification: UNCLASSIFIED

I'm here today.

b3,b6

From: b3,b6
Sent: Wednesday, July 15, 2009 3:43 PM
To: b3,b6
Cc:
Subject: FOIA F08-0068 -- UNCLASSIFIED

7/21/2009

27 April 2012

Page 2 of 2

classification: UNCLASSIFIED

b3 b6

b3 b6

and I stopped by your offices a few minutes ago and you both were out. I'm not sure if either of you are around this week, but we have a FOIA Annual in need of review. This is the same FOIA that we held a meeting about (with [REDACTED] of the FOIA office) in April and afterwards, [REDACTED] performed the review. In the case that we receive an out of office reply from both of you, we will ask [REDACTED] to delegate this review to another person.

If either of you are around tomorrow, please let us know and we will get the binder to you right away.

Thank you!!!

b3 b6

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

7/21/2009

b3, b6

From: klaszewski b6
Sent: Friday, July 17, 2009 11:41 AM
To: b3, b6
Subject: RE: Update on FOIA Appeal

Hey b3 b6

Thanks so much for the update. It's encouraging to hear that progress is being made and some records could be coming my way relatively soon. Keep up your good work.

Chuck

From: b3, b6
Sent: Friday, July 17, 2009 8:37 AM
To: klaszewski
Subject: Update on FOIA Appeal

Good Morning! Checking in with you with the monthly status report on the progress in your case.

I participated in a meeting earlier this month that leads me to believe that there is significant progress being made in this case, Mr. Laszewski.

If all goes according to plan, I am optimistic that we will have some records ready for release to you within the next couple of months. Those that require outside coordination or referral will, of course, take longer.

As always, we appreciate your patience and assure you that we are moving forward.

Thank you,

b3 b6

7/17/2009

b3,b6

From: b3,b6
Sent: Thursday, July 16, 2009 6:28 AM
To: b3,b6
Cc: b3,b6
Subject: RE: FOIA F08-0068 -- UNCLASSIFIED
Signed By: b3,b6
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

I'm here today.

b3,b6

From: b3,b6
Sent: Wednesday, July 15, 2009 3:43 PM
To: b3,b6
Cc: b3,b6
Subject: FOIA F08-0068 -- UNCLASSIFIED

classification: UNCLASSIFIED

b3,b6
b3,b6 and I stopped by your offices a few minutes ago and you both were out. I'm not sure if either of you are around this week, but we have a FOIA Appeal in need of review. This is the same FOIA that we held a meeting about (with b3,b6 of the FOIA office) in April and afterwards b3,b6 performed the review. In the case that we receive an out of office reply from both of you, we will ask b3,b6 to delegate this review to another person.

If either of you are around tomorrow, please let us know and we will get the binder to you right away.

Thank you!!!

b3,b6

7/16/2009

UNCLASSIFIED

UNCLASSIFIED

7/16/2009

27 April 2012

SE. ~~BT//TALENT-KEYHOLE//NOFORN~~

(U) Hello all,

(U) The IART is processing a *Freedom of Information Act (FOIA) APPEAL* for review of responsive documents involving the shoot down of Satellite USA 193.

(U) Background:

(U) The IART received a FOIA request from Charles Laszewski on 21 April 2008. After discussions with General Counsel (GC), the NRO declined to process this request citing the NRO's Operational File Exemption (OFE). We subsequently received an APPEAL from Mr. Laszewski challenging the use of the OFE.

(U) Through the NRO's established appeal process, GC and NRO CIO (Appellate Authority) determined that the original OFE determination should be overturned. As a result, the NRO was required to search for and treat responsive documents under the FOIA.

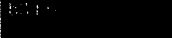
(U) We searched ONLY for records that met the following criteria:

(U) NRO-originated documents that contain information regarding

1. what caused the satellite to fail;
2. the harm that failure of the satellite might cause; and
3. what the United States should do about the crippled satellite.

(U) There were a total of 29 responsive documents found. IMINT has determined that 5 of the 29 documents should be treated for release as they answer the requester's questions.

(U) All five documents have been reviewed by IMINT and OS&CI. The IART is asking for each tasked directorate to review the "final version" of these documents before sending it to the Final Review Process. Upon your review if you find information that requires continued protection, please bracket the information and cite the appropriate exemption that corresponds with the withholding of that information. Should you have any questions please feel free to contact me and refer to case # F08-0068.

(U//FOUO) Case Officer: 

(U) Case #: F08-0068

(U) From: Charles Laszewski

(U) Offices Tasked: BPO, DDMS, and IMINT

(U) Due Date: 28 July 2009

(U) Case Package:

~~(S//TK)~~ Responsive documents: 5 total (TAGS- 1-5).

*Note- Tabs 4-5 needed no redaction.

(U) Thank you and have a wonderful day,



~~SECRET//TALENT-KEYHOLE//NOFORN~~

Memorandum for File
F08-0068- APPEAL

02 July 2009
10:00AM

Attendees: [REDACTED] b3 b6

- ◆ Per IMINT- Out of the 29 documents they find only 5 that were truly responsive (listed below).

The following documents have been selected by IMINT as responsive:

TAB B- Delete coordination sheet (NOT RESPONSIVE)
-Coordinate with: NASA and DOS

TAB C- Check with [REDACTED] (concerns with being associated with [REDACTED])
-Coordinated with: DOS, DHS/FEMA, DOD

TAB D- Coordination sheet- not responsive
-TAB Y- Email is not responsive to request; letter is a duplicate

TAB J- Nothing needing to be withheld. Mark as: "DRAFT."

TAB CC- Suggested referral to: STRATCOM once NRO review is complete.

12/17/09-

In meeting among IMINT,
OS, & IACT, # of
responsive documents was
reduced from 29 to 5

[REDACTED] b3 b6

b3, b6

From: b3, b6
Sent: Friday, June 19, 2009 10:49 AM
To: b3, b6
Subject: RE: F08-0068- Redaction Meeting -- UNCLASSIFIED//~~FOUO~~
Signed By: b3, b6
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Good Morning b3, b6

(U) I am the Team Lead for the Classification Management Team and asked b3, b6 to add me to the below email. Could you please add my name to all future scheduled meetings and email traffic that relate to the F08-0068 case. When available I will sit in on the meetings. Thank you!

b3, b6

From: b3, b6
Sent: Friday, June 19, 2009 10:23 AM
To: b3, b6
Cc: b3, b6
Subject: Accepted: F08-0068- Redaction Meeting -- UNCLASSIFIED//~~FOUO~~
When: Occurs every Thursday effective 7/2/2009 until 7/23/2009 from 12:30 PM to 2:30 PM (GMT-05:00) Eastern Time (US & Canada).

Where: E33

classification: UNCLASSIFIED//~~FOUO~~

b3, b6

(U//~~FOUO~~) Discussed with Linda Sue and recommend the following. Add b3, b6 as an attendee. He was with this program all the way through the USA-193 operation. Advised him this morning and he agreed to participate.

6/22/2009

(U) Time: Recommend start time of 1PM vice 12:30PM. This will allow more time in the AM for us to get things done over here in AM before coming to your location at SG.

b3, b6



UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

6/22/2009

NRO APPROVED FOR RELEASE
27 April 2012

b3.b6

Subject: F08-0068- Redaction Meeting
Location: E33
Start: Thu 7/2/2009 12:30 PM
End: Thu 7/2/2009 2:30 PM
Recurrence: Weekly
Recurrence Pattern: every Thursday from 12:30 PM to 2:30 PM
Meeting Status: Accepted
Required Attendees: Hathaway Linda sue hathaway S NRO USA CIV-13 E3
b3.b6

Good morning all,

This is regards to our first meeting on case # F08-0068. We will be meeting weekly at the same time. If the time does not fit your schedule please let me know as soon as possible.

Look forward to meeting with you,

b3.b6

b3,b6

From: Hathaway Linda sue hathaway S NRO USA CIV

Sent: Friday, June 19, 2009 8:18 AM

To: b3,b6

Cc: b3,b6

Subject: RE: Treatment of Records F-08-0068 -- UNCLASSIFIED//~~FOUO~~

Signed By: hathawil@nro.ic.gov

Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Great!. We will begin setting up dates.

LS

LINDA HATHAWAY, C/IART

Information Management Services Center

b3 | 703.227.9128

Please take our Customer Satisfaction Survey

From: b3,b6

Sent: Thursday, June 18, 2009 5:46 PM

To: Hathaway Linda sue hathaway S NRO USA CIV

Cc: b3,b6

USA

Subject: RE: Treatment of Records F-08-0068 -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Linda Sue,

(U) Discussed the approach below with b3,b6 and we agree that due to the volume of information and data involved this is the best way to reach an agreement on the response to this case.

(U//~~FOUO~~) As to your question on other organizations within or outside that NRO that have equity within NRO affairs and OGC. As to this, we

b3,b6

6/19/2009

(U) Recommend start scheduling meetings per your suggestion.

Regards,

b3, b6

From: Hathaway Linda sue hathaway S NRO USA CIV
Sent: Thursday, June 18, 2009 4:36 PM

To: imint-class; b3 b6

CIV; FOIA (IART)

Subject: Treatment of Records F-08-0068 — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Hi there

(U) This FOIA Appeal (records on the shutdown of USA 193) is certainly one of the most difficult cases that the NRO has had to deal with to date. It is imperative from a national security perspective, as well as a legal perspective, that we protect the information that is sensitive while complying with the requirements of the law.

(U) The IART has reviewed through Tab I of the documents that were re-reviewed by IMINT. We have some general questions about the case, and have found some inconsistencies that need to be resolved.

(U) We also need IMINT to indicate to the IART what other organizations (either within the NRO or outside) have equity in these documents so that we can properly coordinate with them on any release.

(U//~~FOUO~~) Rather than keep passing this case back and forth, and in an effort to move this case forward more rapidly, I think it is time that we sit down together and go over the case together as a team. We have done that in the past with tough cases like this, and it worked well. I would like to ask that b3, b6 from IMINT-Classification, b3, b6 from OS&C/Policy, b3, b6 (case analyst) and I meet once a week for two hours at a time, to go through the records and resolve any issues. Redaction can be done real time in these meetings.

(U) I know you all have expended a great deal of time and effort on this case and most sincerely want to thank you.

(U//~~FOUO~~) Let me know what you think of this idea and I will ask b3, b6 to set up a series of meetings that work for all of us.

(U) Many thanks!

6/19/2009

(U) Linda Sue

LINDA HATHAWAY, C/IART

Information Management Services Center

63 [REDACTED] 703.227.9128

Please take our Customer Satisfaction Survey

~~UNCLASSIFIED//FOUO~~

~~UNCLASSIFIED//FOUO~~

~~UNCLASSIFIED//FOUO~~

b3, b6

From: b3, b6
Sent: Thursday, June 18, 2009 5:46 PM
To: Hathaway Linda sue hathaway S NRO USA CIV
Cc: b3, b6

Subject: RE: Treatment of Records F-08-0068 — UNCLASSIFIED//~~FOUO~~

Signed By: b3, b6

Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Linda Sue,

(U) Discussed the approach below with b3, b6 and we agree that due to the volume of information and data involved this is the best way to reach an agreement on the response to this case.

(U//~~FOUO~~) As to your question on other organizations within or outside that NRO that have equity. Within NRO recommend DDMS since this includes a briefing.

b3, b6

(U) Recommend start scheduling meetings per your suggestion.

Regards,

b3, b6

From: Hathaway Linda sue hathaway S NRO USA CIV
Sent: Thursday, June 18, 2009 4:36 PM
To: Int-CLASS; b3, b6
CIV; FOIA (IART)
Subject: Treatment of Records F-08-0068 — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Hi there

(U) This FOIA Appeal (records on the shutdown of USA 193) is certainly one of the most difficult cases that the NRO has had to deal with to date. It is imperative from a national security perspective, as well as a legal perspective, that we protect the information that is

6/19/2009

27 April 2012

Page 2 of 2

sensitive while complying with the requirements of the law.

(U) The IART has reviewed through Tab I of the documents that were re-reviewed by IMINT. We have some general questions about the case, and have found some inconsistencies that need to be resolved.

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(U//FOUO) Rather than keep passing this case back and forth, and in an effort to move this case forward more rapidly, I think it is time that we sit down together and go over the case together as a team. We have done that in the past with tough cases like this, and it worked well. I would like to ask that [REDACTED] from IMINT-Classification, [REDACTED] from OS&CI/Policy, [REDACTED] (case analyst) and I meet once a week for two hours at a time, to go through the records and resolve any issues. Redaction can be done real time in these meetings.

(U) I know you all have expended a great deal of time and effort on this case and most sincerely want to thank you.

(U//FOUO) Let me know what you think of this idea and I will ask [REDACTED] to set up a series of meetings that work for all of us.

(U) Many thanks!

(U) Linda Sue

LINDA HATHAWAY, C/IART

Information Management Services Center

b3

| 703.227.9128

Please take our Customer Satisfaction Survey

~~UNCLASSIFIED//FOUO~~

~~UNCLASSIFIED//FOUO~~

6/19/2009

b3, b6

From: b3, b6
Sent: Monday, June 15, 2009 5:24 PM
To: b3, b6
Cc: FOIA (IART)
Subject: RE: FOIA Appeal F08-0068 —TOP SECRET//TALENT KEYHOLE//NOFORN//25XT
20590015 RRG dated July 2005
Signed By: b3, b6
Classification: TOP SECRET//TALENT KEYHOLE//NOFORN//25XT 20590015 RRG dated July 2005

classification: TOP SECRET//TALENT KEYHOLE//NOFORN//25XT 20590015 RRG
dated July 2005

Hello b3, b6

IMINT has completed the rereview of FOIA Appeal F08-0068 responsive documents involving the shutdown of Satellite USA 193.

(U) IMINT Security has completed a line by line, chart by chart, review of all items classified and unclassified.

(U) Redactions as noted in this review reflect both those of IMINT and OS&CI..

(S//TK/NF) b1, b3, b5

b1, b3, b5

(U) Exemption designations:

"(b)(1)" is applicable to redactions of technical, operational details in documents and charts.

"(b)(3)" is applicable to redactions of names below senior management level and phone numbers.

The redactions in the binder are in red brackets or squares for redactions of words and charts.

(U) Review/Response time: 9 hours.

The newly redacted binder and the old binder are here on my desk b3 ready for pick up.

Please let me know if any questions.

Thank you very much,

b3, b6

6/16/2009

27 April 2012

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From: [REDACTED] b3, b6

Sent: Friday, May 29, 2009 11:35 AM

To: [REDACTED] b3, b6

Cc: Imint-class: [REDACTED] b3, b6

b3, b6

Subject: FOIA Appeal F08-0068 --- TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529-RRG
dated July 2005

classification: TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529-RRG
dated July 2005

(U) The IART is returning *Freedom of Information Act (FOIA) APPEAL (F08-0068)* for rereview and treatment of responsive documents per General Counsel.

(U) **All documents must be rereviewed. IMINT should:**

1. conduct a line-by-line review;
2. bracket/highlight specific information that should be withheld; AND
3. provide a brief explanation/rationale for each redaction of unclassified information so that the appropriate FOIA exemption can be placed at the site of the redaction in accordance with legislated requirements passed in 2008.

(U) *Please note that redacting entire paragraphs due to portion marking is not appropriate treatment under FOIA. *The specific words that make the paragraph classified must be segregated from the unclassified/releasable words.*

(U) Also, if information is being released in the unclassified documents, that same information in the classified documents must be released as well.

(U) If IMINT believes that any of these documents should be denied in full, please explain the rationale in detail.

(U) A new hardcopy of the responsive documents will be provided to IMINT's Information Access Officer, [REDACTED] b3, b6, today. A Table of Contents (TS//TK//NOFORN) of responsive documents and a summary of the timeline are attached. **These attachments are not responsive documents and do not require review/treatment.**

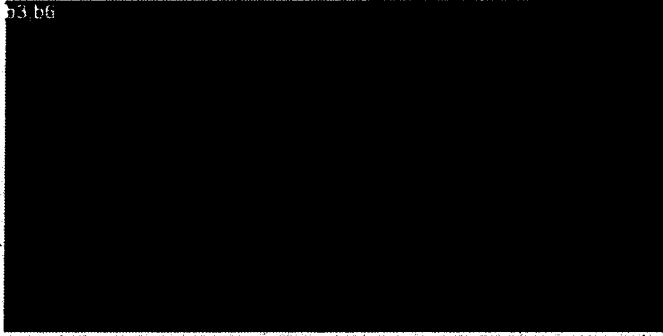
(U) If you have any questions or concerns, please contact me. The IART is available to assist with any aspect of this FOIA appeal. If you would prefer to have the records softcopy for treatment, please advise.

(U) We sincerely appreciate your support and request that this rereview be completed by 15 June.

(U) Thank you,

6/16/2009

b3 b6



Warning: This document may not be used as a source of derivative classification.
DECL ON: 25X1 20590529 RRG dated July 2005
Derived From: NCG 6.0, 21 May 2005
~~TOP SECRET//TALENT KEYHOLE//NOFORN//25X1 20590529 RRG dated July 2005~~

Warning: This document may not be used as a source of derivative classification.
DECL ON: 25X1 20590615 RRG dated July 2005
Derived From: NCG 6.0, 21 May 2005
~~TOP SECRET//TALENT KEYHOLE//NOFORN//25X1 20590615 RRG dated July 2005~~

b3, b6

From: b3, b6
Sent: Monday, June 15, 2009 3:36 PM
To: b3, b6
Subject: Update for F08-0068 — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

I spoke with the requester. I indicated that we had received the records but were not satisfied with the response and asked for a rereview. Told him that the rereview was to be completed by the end of this week (19 June). I also told him that I would probably have additional information once we received this. I will call him once we get this initial review back.

b3, b6

UNCLASSIFIED

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b3, b6

From: b3, b6
Sent: Monday, June 15, 2009 3:11 PM
To: b3, b6
Cc: FOIA (IART)
Subject: RE: Update on F08-0068 — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Thank you, b3, b6 ... I will contact the requester today and provide this information.

L

From: b3, b6
Sent: Monday, June 15, 2009 12:59 PM
To: b3, b6
Cc: FOIA (IART)
Subject: Update on F08-0068 — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Hello b3, b6

I spoke with IMINT/SEC this morning and they are still working the binder (case #F08-0068) and they hope to have something ready by the end of the day or early this week. Let me know if any questions or concerns.

Thank you,

b3, b6

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

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Page 1 of 3

b3 b6

From: [REDACTED]
Sent: Tuesday, June 09, 2009 2:20 PM
To: [REDACTED]
Cc: FOIA (IART)
Subject: RE: status update on F08-0068 — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Oh yeah, IMINT-class, IMINT-SEC, they are all the same thing, just their internal name is usually referred to as review team.

sorry for any confusion!

thanks,

b3 b6

From: [REDACTED]
Sent: Tuesday, June 09, 2009 2:17 PM
To: [REDACTED]
Cc: FOIA (IART)
Subject: RE: status update on F08-0068 — UNCLASSIFIED

classification: UNCLASSIFIED

Thanks, [REDACTED] . . . do all of our cases automatically go to the IMINT review team? Are they security?

From: [REDACTED]
Sent: Tuesday, June 09, 2009 2:16 PM
To: [REDACTED]
Cc: FOIA (IART)
Subject: RE: status update on F08-0068 — UNCLASSIFIED

classification: UNCLASSIFIED

Hi [REDACTED]

I will check with the review team to get an estimated date and a better timeframe.

Cases, just sent by me, to IMINT review team, that I am aware of:

F09-0076
F09-0079

6/10/2009

S09-0223
F09-0028
S09-0213
F08-0068

Please let me know if any questions on these cases. I am hoping to have something for the IART very soon on the F09-0028 case.

Thank you,

b3, b6



From: b3, b6
Sent: Tuesday, June 09, 2009 1:53 PM
To: b3, b6
Cc: FOIA (IART)
Subject: RE: status update on F08-0068 — UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6 in this particular case, since it is an Appeal, and GC is monitoring our progress, I am required to provide monthly status reports to the requester. I am to contact him on Friday.

I would appreciate if the reviewers could give us a timeframe to work with . . . as estimated completion date, please.

Do you know how many FOIA cases they are working right now?

b3, b6



From: b3, b6
Sent: Tuesday, June 09, 2009 1:35 PM
To: b3, b6
Cc: FOIA (IART)
Subject: status update on F08-0068 — UNCLASSIFIED

classification: UNCLASSIFIED

Hello b3, b6 and IART,

6/10/2009

27 April 2012

Page 3 of 3

I spoke with the IMINT/SEC team who is reviewing the binder (Case #F08-0068) and it is definitely being worked. I am not sure when there will the binder review will be finalized as they are also busy with other FOIA cases. Please let me know if any concerns.

Thank you very much,

b3, b6



UNCLASSIFIED

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UNCLASSIFIED

UNCLASSIFIED

6/10/2009

b3 b6

From: [REDACTED]
Sent: Tuesday, June 09, 2009 2:16 PM
To: [REDACTED]
Cc: FOIA (IART)
Subject: RE: status update on F08-0068 -- UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Hi [REDACTED]

I will check with the review team to get an estimated date and a better timeframe.

Cases, just sent by me, to IMINT review team, that I am aware of:

F09-0076
F09-0079
S09-0223
F09-0028
S09-0213
F08-0068

Please let me know if any questions on these cases. I am hoping to have something for the IART very soon on the F09-0028 case.

Thank you,

b3 b6

From: [REDACTED]
Sent: Tuesday, June 09, 2009 1:53 PM
To: [REDACTED]
Cc: FOIA (IART)
Subject: RE: status update on F08-0068 -- UNCLASSIFIED

classification: UNCLASSIFIED

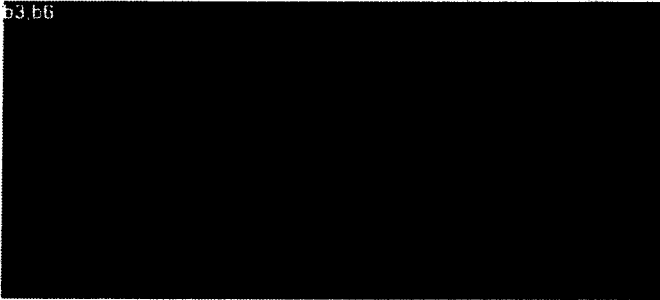
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6/10/2009

b3, b6



From: b3, b6
Sent: Tuesday, June 09, 2009 1:35 PM
To: b3, b6
Cc: FOIA (IART)
Subject: status update on F08-0068 — UNCLASSIFIED

classification: UNCLASSIFIED

Hello b3, b6 and IART,

I spoke with the IMINT/SEC team who is reviewing the binder (Case #F08-0068) and it is definitely being worked. I am not sure when there will be the binder review will be finalized as they are also busy with other FOIA cases. Please let me know if any concerns.

Thank you very much,

b3, b6



UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

6/10/2009

b3 b6

From: b3 b6
Sent: Tuesday, June 09, 2009 1:35 PM
To: b3 b6
Cc: FOIA (IART)
Subject: status update on F08-0068 -- UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Hello b3 b6 and IART,

I spoke with the IMINT/SEC team who is reviewing the binder (Case #F08-0068) and it is definitely being worked. I am not sure when there will the binder review will be finalized as they are also busy with other FOIA cases. Please let me know if any concerns.

Thank you very much,

b3 b6

UNCLASSIFIED

6/10/2009

b3,b6

From: b3,b6
Sent: Tuesday, June 09, 2009 11:43 AM
To: b3,b6
Subject: RE: F08-0068 status — UNCLASSIFIED
Signed By: b3,b6
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Thanks b3,b6 . . . please be sure to include a copy of all communications (including the communicator) about the case in the official file.

From: b3,b6
Sent: Tuesday, June 09, 2009 11:36 AM
To: b3,b6
Subject: RE: F08-0068 status — UNCLASSIFIED

classification: UNCLASSIFIED

As it stands right now IMINT received their 2nd review package on 29 May 2009 with a requested response date of 15 June 2009. We're waiting on them; with hopes of a proper redaction this time. :-). Not too much of a difference from the prior weeks, but it is moving in the right direction. I'm hoping to receive IMINT's response next week. I just spoke with b3,b6 on the communicator about this case and he said they're working it and haven't run into any problems/questions quite yet. He also said that he was going to get a status from their SEC group tomorrow, 10 June 2009. I hope this helps. Let me know if you need more information.

Thanks,

From: b3,b6
Sent: Tuesday, June 09, 2009 9:32 AM
To: b3,b6
Subject: F08-0068 status — UNCLASSIFIED

classification: UNCLASSIFIED

I need to contact Chuck on Thursday . . . can I please get a status?

b3,b6

6/10/2009

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

b3 b6

From: b3 b6
Sent: Tuesday, June 09, 2009 11:36 AM
To: b3 b6
Subject: RE: F08-0068 status -- UNCLASSIFIED
Signed By: b3 b6
Classification: UNCLASSIFIED
Tracking:

Recipient	Read
b3 b6	Read: 6/9/2009 11:42 AM

classification: UNCLASSIFIED

As it stands right now IMINT received their 2nd review package on 29 May 2009 with a requested response date of 15 June 2009. We're waiting on them; with hopes of a proper redaction this time. :-\ Not too much of a difference from the prior weeks, but it is moving in the right direction. I'm hoping to receive IMINT's response next week. I just spoke with b3 b6 on the communicator about this case and he said they're working it and haven't run into any problems/questions quite yet. He also said that he was going to get a status from their SEC group tomorrow, 10 June 2009. I hope this helps. Let me know if you need more information.

Thanks,

From: b3 b6
Sent: Tuesday, June 09, 2009 9:32 AM
To: b3 b6
Subject: F08-0068 status -- UNCLASSIFIED

classification: UNCLASSIFIED

I need to contact Chuck on Thursday . . . can I please get a status?

b3 b6

UNCLASSIFIED

UNCLASSIFIED

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b3 b6 [REDACTED]

From: b3 b6 [REDACTED]
Sent: Friday, May 29, 2009 1:28 PM
To: b3 b6 [REDACTED]
Cc: ~~mint-class:~~ b3 b6 [REDACTED]
b3 b6 [REDACTED]
FOIA (IART)
NRO USA C [REDACTED]
Subject: RE: FOIA Appeal F08-0068 -- TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529 RRG dated July 2005
Signed By: b3 b6 [REDACTED]
Classification: TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529 RRG dated July 2005

classification: TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529 RRG dated July 2005

(U) You are correct, b3 b6 [REDACTED]. The previous treatment was not acceptable. A line-by-line review was not conducted initially. All of the paragraphs that were portion marked were redacted rather than declassifying the paragraphs by removing the specific words that made them classified.

(U) The unclassified documents did not appear to be treated and we were unable to determine if they were releasable. Unclassified information has to be reviewed for releasability as well. Not all unclassified information is suitable for release.

(U) It was also noted that there was information in the unclassified documents that was also in the classified. It was being withheld in the classified but not in the unclassified. We need to be consistent. Were the unclassified documents not properly classified, or was the unclassified information in the classified actually releasable?

(U) We will provide the previous treated version on Monday, but highly recommend that a clean version be used this time so that it is clear to us what needs to be withheld and what the reason is. The treatment that appears in blue on the copy we are returning was provided by OS&CI/Policy.

(U) As I mentioned, we are available to assist in any way that we can. Please let me know how we can help.

(U) Thanks!

L

From: b3 b6 [REDACTED]
Sent: Friday, May 29, 2009 1:05 PM
To: b3 b6 [REDACTED]
Cc: ~~mint-class:~~ b3 b6 [REDACTED] b3 b6 [REDACTED]
b3 b6 [REDACTED] b3 b6 [REDACTED]
FOIA (IART): b3 b6 [REDACTED]
b3 b6 [REDACTED]
Subject: RE: FOIA Appeal F08-0068 -- TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529 RRG dated July 2005

classification: TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529 RRG

6/1/2009

dated July 2005

b3, b6

Does this action imply that our previous work on the FOIA Appeal was unacceptable? If so, I think we need to understand why before moving forward so that we understand the expectations of this most recent action. Also, we would like, in addition to the new hardcopy of responsive documents, the documents that were previously reviewed, redacted, and forwarded to the IART.

Thank you,

b3, b6

From: b3, b6

Sent: Friday, May 29, 2009 11:35 AM

To: b3, b6

Cc: IMINT-class; b3, b6

b3, b6

Subject: FOIA Appeal F08-0068 -- TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529-RRG dated July 2005

classification: TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529-RRG dated July 2005

(U) The IART is returning *Freedom of Information Act (FOIA) APPEAL (F08-0068)* for rereview and treatment of responsive documents per General Counsel.

(U) **All documents must be rereviewed.** IMINT should:

1. conduct a **line-by-line** review;
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(U) *Please note that redacting entire paragraphs due to portion marking is not appropriate treatment under FOIA. **The specific words that make the paragraph classified must be segregated from the unclassified/releasable words.**

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(U) If IMINT believes that any of these documents should be denied in full, please explain the rationale in detail.

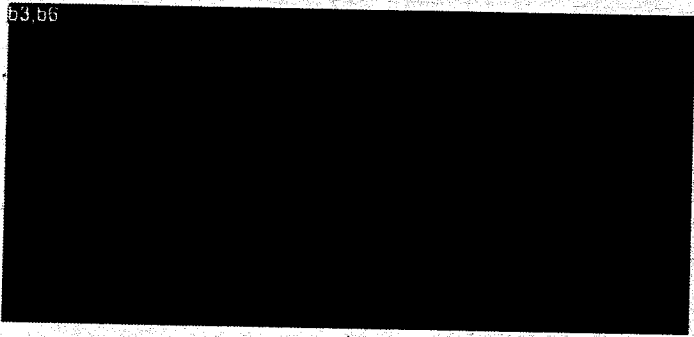
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(U) If you have any questions or concerns, please contact me. The IART is available to assist with any aspect of this FOIA appeal. If you would prefer to have the records softcopy for treatment, please advise.

(U) We sincerely appreciate your support and request that this rereview be completed by 15 June.

(U) Thank you,

b3,b6



Warning: This document may not be used as a source of derivative classification.
DECL ON: 25X1 20590529 RRG dated July 2005
Derived From: NCG 6.0, 21 May 2005

~~TOP SECRET//TALENT KEYHOLE//NOFORN//25X1 20590529 RRG dated July 2005~~

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Derived From: NCG 6.0, 21 May 2005

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b3, b6

From: [REDACTED]
Sent: Friday, May 29, 2009 1:05 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: FOIA Appeal F08-0068 — TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529 RRG dated July 2005
Signed By: [REDACTED]
Classification: TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529 RRG dated July 2005

classification: TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529 RRG dated July 2005

b3, b6

Does this action imply that our previous work on the FOIA Appeal was unacceptable? If so, I think we need to understand why before moving forward so that we understand the expectations of this most recent action. Also, we would like, in addition to the new hardcopy of responsive documents, the documents that were previously reviewed, redacted, and forwarded to the IART.

Thank you.

b3, b6

From: [REDACTED]
Sent: Friday, May 29, 2009 11:35 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: FOIA Appeal F08-0068 — TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529 RRG dated July 2005
classification: TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529 RRG dated July 2005

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6/1/2009

redaction in accordance with legislated requirements passed in 2008.

(U) *Please note that redacting entire paragraphs due to portion marking is not appropriate treatment under FOIA. **The specific words that make the paragraph classified must be segregated from the unclassified/releasable words.**

(U) Also, if information is being released in the unclassified documents, that same information in the classified documents must be released as well.

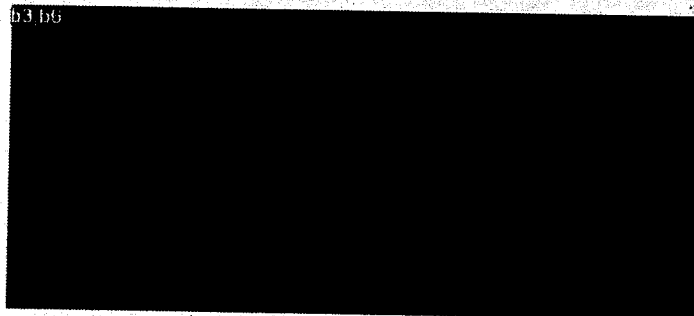
(U) If IMINT believes that any of these documents should be denied in full, please explain the rationale in detail.

(U) A new hardcopy of the responsive documents will be provided to IMINT's Information Access Officer, [REDACTED] today. A Table of Contents (TS//TK//NOFORN) of responsive documents and a summary of the timeline are attached. **These attachments are not responsive documents and do not require review/treatment.**

(U) If you have any questions or concerns, please contact me. The IART is available to assist with any aspect of this FOIA appeal. If you would prefer to have the records softcopy for treatment, please advise.

(U) We sincerely appreciate your support and request that this rereview be completed by 15 June.

(U) Thank you,



Warning: This document may not be used as a source of derivative classification.
DECL ON: 25X1 20590529 RRG dated July 2005
Derived From: NCG 6.0, 21 May 2005
~~TOP SECRET//TALENT KEYHOLE//NOFORN/25X1 20590529 RRG dated July 2005~~

Warning: This document may not be used as a source of derivative classification.
DECL ON: 25X1 20590529 RRG dated July 2005
Derived From: NCG 6.0, 21 May 2005

~~TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590520 RRG dated July
2005~~

6/1/2009

b3, b6

From: Hall Linda H NRO USA CIV
Sent: Friday, May 29, 2009 11:35 AM
To: b3, b6
Cc: b3, b6
Subject: FOIA Appeal F08-0068 — TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529-RRG dated July 2005
Signed By: b3, b6
Attachments: Table of Contents.doc; F08-0068.doc
Classification: TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529-RRG dated July 2005

classification: TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529-RRG dated July 2005

(U) The IART is returning *Freedom of Information Act (FOIA) APPEAL (F08-0068)* for rereview and treatment of responsive documents per General Counsel.

(U) All documents must be rereviewed. IMINT should:

1. conduct a line-by-line review;
2. bracket/highlight specific information that should be withheld; AND
3. provide a brief explanation/rationale for each redaction of unclassified information so that the appropriate FOIA exemption can be placed at the site of the redaction in accordance with legislated requirements passed in 2008.

(U) *Please note that redacting entire paragraphs due to portion marking is not appropriate treatment under FOIA. *The specific words that make the paragraph classified must be segregated from the unclassified/releasable words.*

(U) Also, if information is being released in the unclassified documents, that same information in the classified documents must be released as well.

(U) If IMINT believes that any of these documents should be denied in full, please explain the rationale in detail.

(U) A new hardcopy of the responsive documents will be provided to IMINT's Information Access Officer, b3, b6 today. A Table of Contents (TS//TK//NOFORN) of responsive documents and a summary of the timeline are attached. These attachments are not responsive documents and do not require review/treatment.

(U) If you have any questions or concerns, please contact me. The IART is available to assist with any aspect of this FOIA appeal. If you would prefer to have the records softcopy for treatment, please advise.

6/1/2009

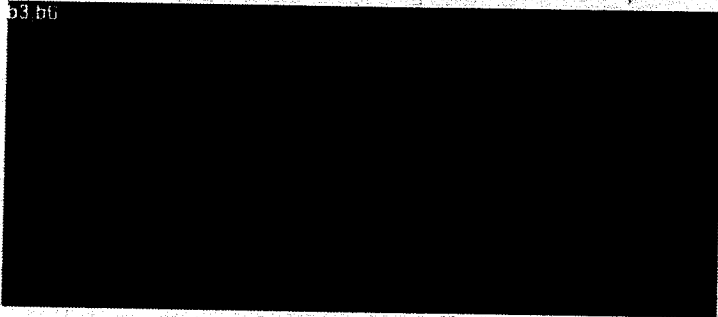
27 April 2012

Page 2 of 2

(U) We sincerely appreciate your support and request that this rereview be completed by 15 June.

(U) Thank you,

b3 b6



Warning: This document may not be used as a source of derivative classification.
DECL ON: 25X1 20590529 RRG dated July 2005
Derived From: NCG 6.0, 21 May 2005
~~TOP SECRET//TALENT KEYHOLE//NOFORN//25X1-20590529 RRG dated July 2005~~

6/1/2009

03 b6

From: 03 b6
Sent: Thursday, May 28, 2009 2:10 PM
To: FOIA (IART)
Subject: FOIA Appeal F08-0068 -- UNCLASSIFIED
Signed By: 03 b6
Attachments: Table of Contents.doc; F08-0068.doc; F08-0068.doc
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

What do you think? What are we missing? Does it sound rude?

The IART is returning *Freedom of Information Act (FOIA) APPEAL (F08-0068)* for rereview and treatment of responsive documents per General Counsel.

All documents must be rereviewed. IMINT should:

1. conduct a **line-by-line** review;
2. bracket/highlight specific information that should be withheld; **AND**
3. provide a brief explanation/rationale for each redaction of **unclassified** information so that the appropriate FOIA exemption can be placed at the site of the redaction in accordance with legislated requirements passed in 2008.

***Please note that redacting entire paragraphs due to portion marking is not appropriate treatment under FOIA. The specific words that make the paragraph classified must be segregated from the unclassified/releasable words.**

Also, if information is being released in the unclassified documents, that same information in the classified documents must be released as well.

If IMINT believes that any of these documents should be denied in full, please explain the rationale in detail.

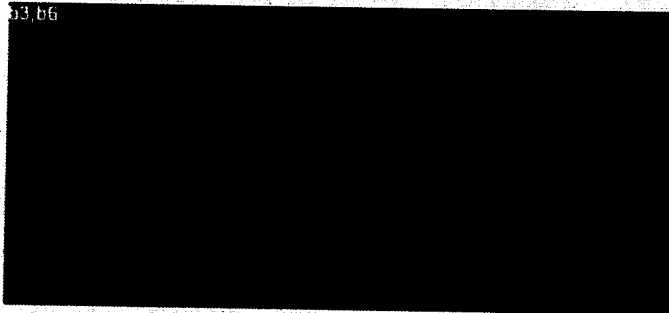
A hardcopy of the responsive documents has been provided to IMINT's Information Access Officer, 03 b6. A Table of Contents of responsive documents and a summary of the timeline are attached. **These attachments are not responsive documents and do not require review/treatment.**

If you have any questions or concerns, please contact me. The IART is available to assist with any aspect of this FOIA appeal. If you would prefer to have the records softcopy for treatment, please advise.

We sincerely appreciate your support and request that this rereview be completed by 15 June.

5/29/2009

Thank you,



UNCLASSIFIED

b3 b6

From: b3 b6
Sent: Thursday, May 28, 2009 12:12 PM
To: b3 b6
Cc: Hathaway Linda sue hathaway S NRO USA CIV; b3 b6
b3 b6
Harney Bob A NRO USA CIV; FOIA (IART);
Subject: RE: Request a meeting w/you on a FOIA case -- SECRET//TALENT KEYHOLE//25X1
20590528 RRG dated July 2005

Classification: SECRET//TALENT KEYHOLE//25X1 20590528 RRG dated July 2005

classification: SECRET//TALENT KEYHOLE//25X1 20590528 RRG dated July 2005

(U) b3 b6 on advice of GC, the IART is going to be sending this Freedom of Information Act (FOIA) Appeal back to IMINT by way of IMINT's Information Access Officers for rereview and retreatment.

(U) The IART is in the process of preparing additional guidance for the reviewers with regard to redaction and withholding under FOIA. We will also be providing a Table of Contents of the responsive documents and a point paper with the timeline to date.

(U) We will have this package back to the IAOs early next week. We will let you know when it is being brought over.

(U) GC has also asked that we include you and Mr. Harney in all communications as we move forward with this rereview process.

(U) Thank you!

b3 b6

From: b3 b6
Sent: Thursday, May 21, 2009 9:15 AM
To: b3 b6
Cc: Hathaway Linda sue hathaway S NRO USA CIV; b3 b6
b3 b6
b3 b6
Subject: RE: Request a meeting w/you on a FOIA case -- UNCLASSIFIED

classification: UNCLASSIFIED

5/28/2009

27 April 2012

Page 2 of 3

(S/TK) [b3, b6] after looking at this FOIA appeal again, which involves the [b1, b3] we feel that it needs to be vetted by GC before we take up your time and anymore of your staff's time.

From: [b3, b6]

Sent: Wednesday, May 20, 2009 4:28 PM

To: [b3, b6]

Cc: Hathaway Linda sue hathaway S NRO USA CIV; [b3, b6]

Imint-class; [b3, b6]

Subject: RE: Request a meeting w/you on a FOIA case — UNCLASSIFIED

classification: UNCLASSIFIED

[b3, b6]

I'll get back to you tomorrow once I have a good idea how my calendar looks on Tuesday. I'll also need our classification management folks to attend so I need to check on their availability.

From: [b3, b6]

Sent: Wednesday, May 20, 2009 9:34 AM

To: [b3, b6]

Cc: Hathaway Linda sue hathaway S NRO USA CIV; [b3, b6]

Subject: Request a meeting w/you on a FOIA case — UNCLASSIFIED

classification: UNCLASSIFIED

Welcome back, [b3, b6] I promise I'm not taking advantage of having worked for you . . . the NRO has a FOIA case that's been giving us fits and it has been suggested by OS&CI/Policy that we enlist your support.

It has to do with the treatment of records on the shutdown of USA 193, which was originally AS&T's program, but turned over to IMINT. We've been working this case for quite some time (way beyond what is legal and it is an appeal of our initial determination to use the NRO's Operational File Exemption to preclude processing under FOIA, which was overturned by GC on appeal).

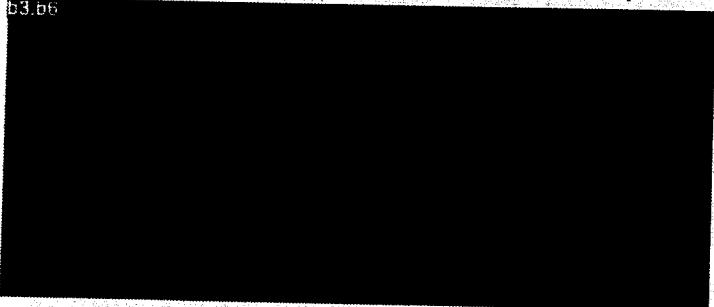
We've worked closely with the requester and with GC. We have finally gathered a set of documents that we believe are responsive to the request and are now trying to get them treated for possible release.

Linda Hathaway is the Chief of the Information Access and Release Team. She and I would like to meet with you to discuss what has been done so far and what needs to be done as we move forward.

Are you available anytime on Tuesday, the 26th?

5/28/2009

b3.b6



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Warning: This document may not be used as a source of derivative classification.

DECL ON: 25X1 20590528 RRG dated July 2005

Derived From: NCG 6.0, 21 May 2005

~~SECRET//TALENT KEYHOLE/25X1-20590528 RRG dated July 2005~~

5/28/2009

b3,b6

From: b3,b6
Sent: Friday, May 22, 2009 1:03 PM
To: Hathaway Linda sue hathaway S NRO USA CIV; b3,b6
Cc: FOIA (IART)
Subject: FW: FOIA Appeal for Shootdown records -- UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Let's get together on Tuesday afternoon to decide how we're going to proceed now that we have some guidance from GC . . . I plan to be in Tuesday morning briefly, but I need to go to Mom's for a 10am appt.

L

From: Moffett Page P NRO USA CIV
Sent: Friday, May 22, 2009 11:04 AM
To: b3,b6
Cc: Hathaway Linda sue hathaway S NRO USA CIV; b3,b6
Subject: RE: FOIA Appeal for Shootdown records -- UNCLASSIFIED

classification: UNCLASSIFIED

I think you need to raise these concerns with IMINT/Security, cc. to Bob Harney, emphasizing that we have to get this right from the outset. If that does not work, give me a buzz and I will try to work directly with Bob Harney.

From: b3,b6
Sent: Friday, May 22, 2009 9:00 AM
To: Moffett Page P NRO USA CIV
Cc: Hathaway Linda sue hathaway S NRO USA CIV; b3,b6
Subject: FOIA Appeal for Shootdown records -- UNCLASSIFIED

classification: UNCLASSIFIED

Sir, your assistance is needed in determining a way forward in this FOIA Appeal.

BACKGROUND: You may recall the FOIA Appeal that we are working on with regard to the records on the satellite that was shot down by the Navy last year. The original three requests were OFE'd. One requester appealed the use of the OFE. You decided that we needed to process under FOIA. We were able to get the requester to narrow his search and have gathered a set of records that we consider responsive to the narrowed request (some from your office).

We tasked IMINT, as the primary Program Office (AS&T turned to program over to them when the satellite failed). DDMS provided their treatment. The Director's Security Staff provided their treatment. BPO asked to delay their "policy" review until all program treatments were completed. We agreed.

ISSUE: IMINT, apparently working from a classification guide that was developed at the beginning of the

5/26/2009

27 April 2012

Page 2 of 2

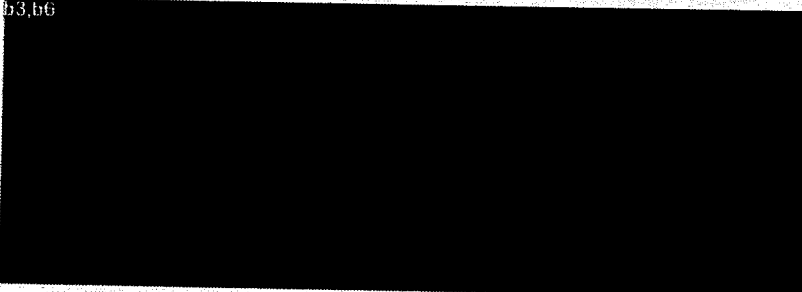
program, has blacked out all paragraphs that were portion-marked as classified in all documents reviewed. They did not do a line-by-line review and did not treat any of the unclassified documents which contain the same information that appears in some of the classified documents that they want withheld.

IART believes that these records have not been treated properly. We feel that there is information that is no longer classified and is releasable now.

We are requesting your advice and guidance on how we should proceed. If we were to prepare the case for final review as it is now, we feel that we would be wasting considerable resources (yours included) on a review of a release package that is not appropriate, let alone defensible.

Your thoughts, please . . .

b3,b6



UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

5/26/2009

b3,b6

From: Moffett Page P NRO USA CIV
Sent: Friday, May 22, 2009 11:04 AM
To: [REDACTED]
Cc: Hathaway Linda sue hathaway S NRO USA CIV; [REDACTED]
Subject: RE: FOIA Appeal for Shootdown records — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

I think you need to raise these concerns with IMINT/Security, cc. to Bob Harney, emphasizing that we have to get this right from the outset. If that does not work, give me a buzz and I will try to work directly with Bob Harney.
Page

From: [REDACTED]
Sent: Friday, May 22, 2009 9:00 AM
To: Moffett Page P NRO USA CIV
Cc: Hathaway Linda sue hathaway S NRO USA CIV; [REDACTED]
Subject: FOIA Appeal for Shootdown records — UNCLASSIFIED

classification: UNCLASSIFIED

Sir, your assistance is needed in determining a way forward in this FOIA Appeal.

BACKGROUND: You may recall the FOIA Appeal that we are working on with regard to the records on the satellite that was shot down by the Navy last year. The original three requests were OFE'd. One requester appealed the use of the OFE. You decided that we needed to process under FOIA. We were able to get the requester to narrow his search and have gathered a set of records that we consider responsive to the narrowed request (some from your office).

We tasked IMINT, as the primary Program Office (AS&T turned to program over to them when the satellite failed). DDMS provided their treatment. The Director's Security Staff provided their treatment. BPO asked to delay their "policy" review until all program treatments were completed. We agreed.

ISSUE: IMINT, apparently working from a classification guide that was developed at the beginning of the program, has blacked out all paragraphs that were portion-marked as classified in all documents reviewed. They did not do a line-by-line review and did not treat any of the unclassified documents which contain the same information that appears in some of the classified documents that they want withheld.

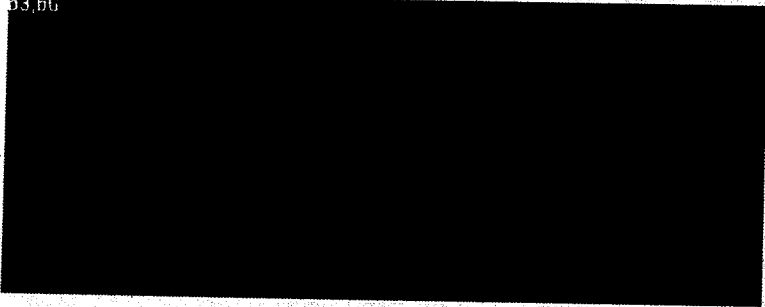
IART believes that these records have not been treated properly. We feel that there is information that is no longer classified and is releasable now.

We are requesting your advice and guidance on how we should proceed. If we were to prepare the case for final review as it is now, we feel that we would be wasting considerable resources (yours included) on a review of a release package that is not appropriate, let alone defensible.

Your thoughts, please . . .

5/26/2009

b3,b6



UNCLASSIFIED

UNCLASSIFIED

5/26/2009

b3, b6

From: b3, b6
Sent: Thursday, May 21, 2009 10:43 AM
To: Hall Linda H NRO USA CIV
Subject: CORRECT ONE! F08-0068- Case History -- UNCLASSIFIED
Signed By: b3, b6
Attachments: F08-0068- Case History.doc
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

HAHA! Ummm, I sent you the wrong version....sorry! :-P

This one is the right one...I'll try to recall the prior email so there's less confusion.

Thanks!

b3, b6

"Don't be afraid your life will end; be afraid that it will never begin." ~ Grace Hansen

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

"Your only obligation in any lifetime is to be true to yourself." ~ Richard Bach

UNCLASSIFIED

5/21/2009

F08-0068 APPEAL

HISTORY:

- 21 April 2008 – IART received request from Charles Laszewski for "... copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008 ..." The request includes "all emails, memos, discussions, craft descriptions, after action reports or any other pertinent data about this satellite which was launched in December 2006."
- NOTE: IART received two other similar requests at about the same time.
- 24 April 2008 – IART sent acceptance letter.
- IART requested permission to use the Operational File Exemption on all three requests from General Counsel (GC). IART was advised by GC that CSNR [REDACTED] had been tasked by D/NRO to do a comprehensive lessons learned. GC further advised IART to task CSNR with the intent of providing a "package" of releasable documents to the requesters.
- IART tasked CSNR to search for and review responsive records. CSNR reported that they did not have any records responsive to these FOIA requests.
- 30 June 2008, IART again requested guidance from GC. GC advised IART to invoke the Operational File Exemption in all three cases. IART letter to requesters dated 1 July 2008.
- Mr. Laszewski's appeal was received in the IART on 13 August 2008. The other two requesters did not appeal. Mr. Laszewski's appeal was based on the improper use of the NRO's Operational File Exemption citing that the documents in questions do not "document the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems."
- 13 August 2008 – IART sent letter to requester accepting his appeal.
- 18 August 2008 – GC reviewed the appeal package and stated that the initial denial should be reversed and we must search for and review documents responsive to the request. GC requested meeting with Appellate Authority and all concerned to discuss plan of action.
- 02 October 2008- IART met with GC to discuss further processing of case. As a result, Charlie Barlow signed IART letter, sent Mr. Laszewski on said date, overturning our initial response, while stating we were going to limit our search to, "...NRO-originated records..."

- 08 October 2008- Per GC guidance, [REDACTED] was tasked to contact the requester and see if she might be able to narrow his search (via phone). To confirm conversation, IART sent a letter to Mr. Laszewski outlining the specific agreed upon request modifications. i.e.:
 - o "The NRO will confine our search to records originated by the NRO that contain information about 1) what caused the satellite to fail, 2) the harm that might cause, and 3) what the United States should do about the crippled satellite."
- 20 October 2008- IART tasking was sent out to: AS&T, DDMS, DSS, IMINT, and OGC. Tasking was extremely detailed, which included background case information, GC backing, and the above search requirements.
- Responsive documents were found from the following directorates: DDMS, DSS, IMINT, and OGC. (Total documents: 29)
- 09 April 2009- IART hand-delivered hardcopies of responsive documents for REVIEW to BPO, DDMS, DSS, and IMINT; with a requested deadline date of 01 May 2009.
- 23 April 2009- [REDACTED] met with BPO personnel to discuss REVIEW requirements. As a result, it was decided that BPO's review would be put on hold until after all other directorates have reviewed and redacted their equities.
- 29 April 2009- IMINT review was completed and picked up.
 - o NOTE: The IART was very displeased with finished documents. IMINT's redactors/subject matter experts were redacting full paragraphs and anything marked above the classification of UNCLASSIFIED.
- 01 May 2009- DDMS review was completed and picked up.
- 04 May 2009- DSS review was completed and picked up.
- 07 May 2009- As a result of the product received, the IART consulted with OS&CI's [REDACTED] for a review of responsive documents.
- 18 May 2009- IART received [REDACTED] suggested redactions.

b3 b6

From: b3 b6
Sent: Thursday, May 21, 2009 9:15 AM
To: b3 b6
Cc: Hathaway Linda sue hathaway S NRO USA CIV; b3 b6
Subject: RE: Request a meeting w/you on a FOIA case -- UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

(S//TK) b3 b6 after looking at this FOIA appeal again, which involves the b3 b6 we feel that it needs to be vetted by GC before we take up your time and anymore of your staff's time.

From: b3 b6
Sent: Wednesday, May 20, 2009 4:28 PM
To: b3 b6
Cc: Hathaway Linda sue hathaway S NRO USA CIV; b3 b6
Subject: RE: Request a meeting w/you on a FOIA case -- UNCLASSIFIED

classification: UNCLASSIFIED

b3 b6

I'll get back to you tomorrow once I have a good idea how my calendar looks on Tuesday. I'll also need our classification management folks to attend so I need to check on their availability.

From: b3 b6
Sent: Wednesday, May 20, 2009 9:34 AM
To: b3 b6
Cc: Hathaway Linda sue hathaway S NRO USA CIV; b3 b6
Subject: Request a meeting w/you on a FOIA case -- UNCLASSIFIED

classification: UNCLASSIFIED

Welcome back b3 b6 I promise I'm not taking advantage of having worked for you . . . the NRO has a FOIA case that's been giving us fits and it has been suggested by OS&CI/Policy that we enlist your support.

It has to do with the treatment of records on the shutdown of USA 193, which was originally AS&T's program, but turned over to IMINT. We've been working this case for quite some time (way beyond what is legal and it is an appeal of our initial determination to use the NRO's Operational File Exemption to preclude processing under FOIA, which was overturned by GC on appeal).

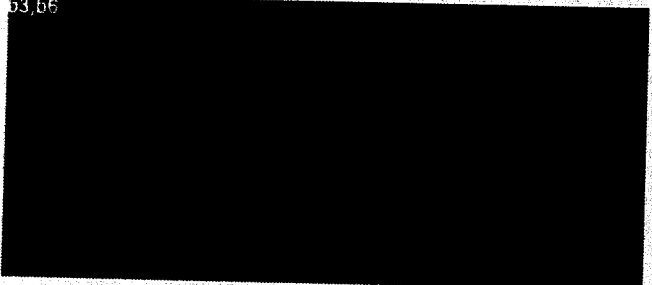
We've worked closely with the requester and with GC. We have finally gathered a set of documents that we believe are responsive to the request and are now trying to get them treated for possible release.

5/21/2009

Linda Hathaway is the Chief of the Information Access and Release Team. She and I would like to meet with you to discuss what has been done so far and what needs to be done as we move forward.

Are you available anytime on Tuesday, the 26th?

b3,b6



UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

b3 b6

From:

Sent:

Monday, May 18, 2009 9:16 AM

To:

Hall Linda H NRO USA CIV.

Cc:

Subject:

F08-0068 -- SECRET//NOFORN//25X1-26590518 RRG dated July 2005.

Classification: ~~SECRET//NOFORN//25X1-26590518 RRG dated July 2005~~

classification: ~~SECRET//NOFORN//25X1-26590518 RRG dated July 2005~~

(U) As you requested, I have completed my review of this case and it is ready for pickup. Here are some pertinent comments.

- (S//NF)

b3 b6

- (S//NF)

b3 b6

(U) - b3 b6

has voiced some concern that there is still sensitivity to the views. You may want to let him look at the Burnt Frost briefing to get his

(U) - Many of these documents have USSTRATCOM and other equities and should be referred for review.

(U) So what is the best way forward for this case? I would recommend that you meet with (IMINT Security Director) and explain what has happened so far. Use my redactions as an example of why the original treatment is not adequate. Request he task his reviewers with rereviewing using the principles of openness and transparency.

(U) When some agreement is reached, and the redactions are taken, it might be a good idea to let me review it as redacted to be certain all the redactions are correctly taken. As always, call if you have questions.

(U) - 590 pages

b3 b6

5/18/2009

27 April 2012

Warning: This document may not be used as a source of derivative classification.

DECL ON: 25X1 20590518 RRG dated July 2005

Derived From: NCG 6.0, 21 May 2005

~~SECRET//NOFORN//25X1 20590518 RRG dated July 2005~~

b3, b6



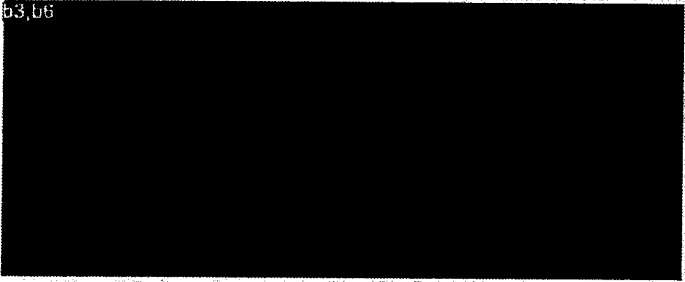
From: b3 b6
Sent: Friday, May 08, 2009 10:43 AM
To: b3 b6
Subject: Monthly status report to requester -- UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Spoke with Mr. Laszewski this morning at 10:30. I told him that the documents had made it through the initial review but had to be returned for further clarification. I assured him that this case was receiving consideration at the highest levels of the organization and that work was proceeding as a decent pace.

He thanked me and we agree to talk again next month.

b3, b6



UNCLASSIFIED

5/8/2009

b3, b6

From: Hathaway Linda sue hathaway S NRO USA CIV
Sent: Tuesday, May 05, 2009 9:05 AM
To: b3, b6
Cc: [REDACTED]
Subject: RE: F08-0068- Shoot Down Satellite -- UNCLASSIFIED//~~FOUO~~
Signed By: hathawli@nro.ic.gov
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

I have added some thoughts - very rough at this point. What is bugging me is that there has to be a "key" here to somehow get these folks to understand and do their job.

We still need to sit down and hammer this out. This is a big YUCK!

LS

LINDA HATHAWAY, C/IART

Information Management Services Center
b3 703.227.9128

Please take our Customer Satisfaction Survey

From: b3, b6
Sent: Tuesday, May 05, 2009 6:04 AM
To: Hathaway Linda sue hathaway S NRO USA CIV
Cc: b3, b6
Subject: F08-0068- Shoot Down Satellite -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Good morning Linda,

Here are the main points we discussed in yesterday's get-together:

1. b3, b6 and I were able to find an instance when b3, b6 had been previously released (per OGC guidance): Case # F04-0019 (case file is on my desk if you'd like to review it).
2. The documents were not reviewed for proper classification (i.e. TABS "J" and "W").
3. We need to go back to IMINT and ask the following questions:

5/5/2009

27 April 2012

(a) "Are you asking that these records be Denied in Full (DIF) ?"

Is this because there does not appear to be a classification guide for [REDACTED] b1, b3, b5

The questions are based on the redactions made (i.e. appears they have redacted every paragraph marked S//TK in full. Examples include: TABS- A, D, E, F, G, etc..)

Please be advised that

Per OIP FOIA Guidelines: agencies should always be mindful that the FOIA requires them to take reasonable steps to segregate and release nonexempt information . . . review records to see if portions are reasonably segregable.

In other words all paragraphs marked classified need a line-by-line review with only those portions of the paragraph that are classified redacted.

Paragraphs marked Unclassified or Unclassified FOUO need to be reviewed for classified information to be redacted. Records without marking as to classification should also be reviewed on a line by line basis for classified information to be redacted.

Please see the link below for additional information.

(b) "Why redact the classification markings?" We need to know what exemption would be used and what harm would there be in releasing them. What exemption would apply to the classification markings that have been redacted throughout the case?

4. For redaction instruction we should to provide IMINT with our link:
file:\\S:\Organizations\WSO\Shared\FOIA\FOIA for Review\Softcopy_treatment

5. Is there a classification guide for [REDACTED] b1, b3, b5

6. The [REDACTED] b1, b3, b5 has been released.

If you need anything else let me know.

Thanks,

[REDACTED] b3, b6

"Don't be afraid your life will end; be afraid that it will never begin." ~ Grace Hansen

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

5/5/2009

"Your only obligation in any lifetime is to be true to yourself." ~ Richard Bach

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

27 April 2012

b3, b6

From: [REDACTED]
Sent: Tuesday, May 05, 2009 8:04 AM
To: Hathaway Linda sue hathaway S NRO USA CIV
Cc: [REDACTED]
Subject: F08-0068- Shoot Down Satellite -- UNCLASSIFIED//~~FOUO~~
Signed By: [REDACTED]
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Good morning Linda,

Here are the main points we discussed in yesterday's get-together:

1. [REDACTED] and I were able to find an instance where [REDACTED] had been previously released (per OGC guidance): Case # F04-0019 (case file is on my desk if you'd like to review it).
2. The documents were not reviewed for proper classification (i.e. TABS "J" and "W").
3. We need to go back to IMINT and ask the following questions:
 - (a) "Are you asking that these records be Denied in Full (DIF)?" The question is based on the redactions made (i.e. appears they have redacted every paragraph marked S/TK in full. Examples include: TABS- A, D, E, F, G, etc..)
 - (b) "Why redact the classification markings?" We need to know what exemption would be used and what harm would there be in releasing them.
4. For redaction instruction we should to provide IMINT with our link:
file:\\S:\Organizations\MSO\Shared\FOIA\FOIA for Review\Softcopy treatment

If you need anything else let me know.

Thanks,

b3, b6

"Don't be afraid your life will end; be afraid that it will never begin." ~ Grace Hansen

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

5/5/2009

"Your only obligation in any lifetime is to be true to yourself." ~ Richard Bach

UNCLASSIFIED//~~FOUO~~

b3, b6

From: b3, b6
Sent: Friday, May 01, 2009 10:30 AM
To: b3, b6
Cc: FOIA (IART)
Subject: F08-0068 -- UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6

This case is ready for pickup in my office - b6, b3

Thank you,

b3, b6

UNCLASSIFIED

5/1/2009

b3,b6

From: b3,b6
Sent: Wednesday, April 29, 2009 6:03 PM
To: b3,b6
Subject: RE: *FOIA FOR REVIEW* F08-0068- Laszewski Request -- UNCLASSIFIED//~~FOUO~~
Signed By: b3,b6
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Hello b3,b6

I have the binder ready with recommended redactions from IMINT. There are pencil markings and red markings on the pages indicating each redaction, they just came from two different people, all markings indicate redactions by IMINT. Response from IMINT review team:

(U//~~FOUO~~) Reference the attached FOIA appeal of the NRO Operational File Exemption (OFE) on Case F08-0068 involving the shutdown of Satellite USA 193.

(U//~~FOUO~~) Per direction in tasking letter the GC and NRO CIO determined the original OFE should be overturned. Accordingly both IMINT security and b3,b6 have reviewed and treated the 29 documents provided in the binder (Tabs: A-Z,AA,BB,CC- 590 pages) b3,b6 reviewed as he was assigned to IMINT Security at the time of the USA 193 activity. He was the primary action officer on the activity and submitted many of the responsive documents

FOIA exemption: (b)(1).

Approx. 32 hours review time

Please let me know when you can pick up or if I can help in getting it to you so I can go over the details inside the binder.

Thank you b3,b6

b3,b6

From: b3,b6
Sent: Friday, April 10, 2009 5:14 AM
To: b3,b6
Cc: FOIA (IART)
Subject: *FOIA FOR REVIEW* F08-0068- Laszewski Request -- UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

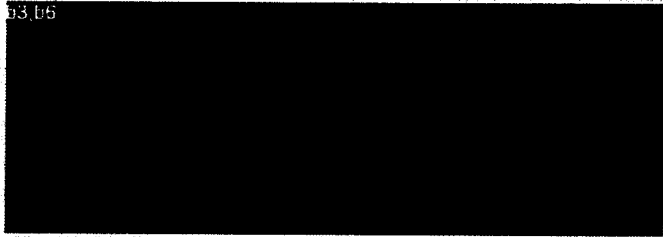
4/30/2009

Attached you will find the list of exemptions that we may use legally to redact information from the hardcopy documents you received yesterday. Again, please bracket the information your directorate finds needing continued protection and cite the appropriate exemption by each bracketed section.

Thank you and as always if you have any questions feel free to contact me.

Have a great day,

b3, b5



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"Your only obligation in any lifetime is to be true to yourself." ~ Richard Bach

UNCLASSIFIED

UNCLASSIFIED//~~FOUO~~

27 April 2012

Page 1 of 6

b3 b6

From: b3 b6
Sent: Thursday, April 23, 2009 6:34 AM
To: b3 b6
Subject: FW: "FOIA FOR REVIEW" F08-0068- Laszewski Request -- UNCLASSIFIED//FOUO
Classification: UNCLASSIFIED//FOUO

classification: UNCLASSIFIED//FOUO

(U//FOUO) b3 b6 and I met with b3 b6 and several folks from OP&A yesterday regarding treatment of the "shoot-down" documents. We discussed the OP&A concerns, and the difficulties they were having in treating the documents for release. It seemed clear that the OP&A reviewers were finding it difficult to place limits on what might constitute a legitimate policy concern. As a result, the preliminary "suggestions" b3 b6 and I observed in the OP&A review product thus far were rather broad and poorly defined. After some discussion of the review process, and the roles of individual reviewing elements, b3 b6 suggested, and we agreed, that OP&A might be more successful in focusing on policy equities after the other offices involved in the initial review phase had treated for their specific concerns; with deletion of the programmatic equities, etc., OP&A can focus on the policy implications of release of "what's left." We felt that providing OP&A with a partially-treated document from the other initial reviewers' perspectives would assist in defining the scope of the information that truly might have policy implications.

(U//FOUO) b3 b6 supported b3 b6 idea, and suggested that, as a matter of course in those cases that require OP&A review, it might be helpful to them to allow those offices with more direct, concrete equities to take a first cut before OP&A becomes involved. This seems to be a reasonable approach, provided that OP&A can be responsive once the cases get to them. Obviously, completely concurrent initial reviews would, in theory, seem to be a more expedient processing approach. However, if we can eliminate some of the "back-and-forth" by doing this sort of tiered approach in the relatively few cases where OP&A is involved, we might, in the end, achieve a better initial product with negligible loss of time.

b3 b6

From: b3 b6
Sent: Wednesday, April 22, 2009 1:50 PM
To: b3 b6
US: b3 b6
Cc: b3 b6
Subject: RE: "FOIA FOR REVIEW" F08-0068- Laszewski Request -- UNCLASSIFIED

classification: UNCLASSIFIED

All,

4/23/2009

27 April 2012

Page 2 of 6

Thank you for taking time today to meet with [REDACTED] from the IART.

Per our meeting, the IART will forward of copy of this FOIA, F08-0068- Laszewski Request, once the other NRO organizations have reviewed and made recommendations to redact information from the documents, which are applicable to their respective organizations. Once OP&A receives the final review of this FOIA, the documents will need to be reviewed from a policy prospective and decide if the information can be released to the requester.

Any questions, please let me know.

Again, thanks for your time.

b3 b5
[REDACTED]

From: [REDACTED]
Sent: Wednesday, April 22, 2009 10:30 AM
To: [REDACTED]
Subject: FW: *FOIA FOR REVIEW* F08-0068- Laszewski Request --- UNCLASSIFIED

classification: UNCLASSIFIED

Does 12:45 work for everyone?

From: [REDACTED]
Sent: Wednesday, April 22, 2009 10:28 AM
To: [REDACTED]
Subject: RE: *FOIA FOR REVIEW* F08-0068- Laszewski Request --- UNCLASSIFIED

classification: UNCLASSIFIED

Hi [REDACTED]

Can we do 12:45pm? If so, consider us there. Just let me know.

Thanks so much!

4/23/2009

27 April 2012

Page 3 of 6

b3, b6

"Don't be afraid your life will end; be afraid that it will never begin." ~ Grace Hansen

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

"Your only obligation in any lifetime is to be true to yourself." ~ Richard Bach

From: b3, b6

Sent: Wednesday, April 22, 2009 10:24 AM

To: b3, b6

b3, b6

Subject: RE: *FOIA FOR REVIEW* F08-0068- Laszewski Request -- UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6

It works for me, but I don't know if it will work for b3, b6 stated that I don't know how long it is scheduled for, I check and get back to everyone.

b3, b6

Would 12:00 or 12:30 work?

Thanks,

b3, b6

From: b3, b6

Sent: Wednesday, April 22, 2009 9:52 AM

To: b3, b6

USA

Subject: RE: *FOIA FOR REVIEW* F08-0068- Laszewski Request -- UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6

Would 12:00 or 12:30 work?

4/23/2009

27 April 2012

Page 4 of 6

Thanks,

b3, b6

From:

b3, b6

Sent: Wednesday, April 22, 2009 9:36 AM

To:

NRO

Subject: FW: *FOIA FOR REVIEW* F08-0068- Laszewski Request -- UNCLASSIFIED

classification: UNCLASSIFIED

What is your availability look like today? I'm open until 1:30 today.

From:

b3, b6

Sent: Wednesday, April 22, 2009 8:31 AM

To:

Cc:

b3, b6

Subject: RE: *FOIA FOR REVIEW* F08-0068- Laszewski Request -- UNCLASSIFIED

classification: UNCLASSIFIED

H:

b3, b6

b3, b6 and I will be more than happy to come over this AM to help answer any questions your reviewers may have. We're free after 9AM, but do have appointments at 11:30am which will take us into the afternoon. Let me know when you'd like us to come over.

Talk to you soon,

b3, b6

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"If you want to have what most people never have, then you have to do what most people never do." ~ Bill Phillips

"Your only obligation in any lifetime is to be true to yourself." ~ Richard Bach

From:

b3, b6

Sent: Tuesday, April 21, 2009 3:39 PM

4/23/2009

27 April 2012

Page 5 of 6

To: b3, b6

Cc: b3, b6

b3, b6

Subject: RE: *FOIA FOR REVIEW* F08-0068- Laszewski Request --- UNCLASSIFIED
Importance: High

classification: UNCLASSIFIED

b3, b6

Hello, hope all is going well with you. I was hoping you and or b3, b6 could be of assistance. I am working with b3, b6 BPO/OP&A, on this FOIA request, F08-0068, but need some additional training, which is being requested by the Deputy Director, b3, b6 and I have given direction on what needs to be done, but it appears to be in conflict with what the OP&A SMEs believe to be the "correct" way of bracketing data and providing an exemptions per your request.

If available, I would like to know if someone from your office is available for 30 minutes tomorrow or the next day to help resolve some questions within OP&A so that we can ensure you get the correct information to process this FOIA.

As always, thanks for your help.

b3, b6

From: b3, b6**Sent:** Friday, April 10, 2009 5:14 AM**To:** b3, b6

b3, b6

Cc: FOIA (IART)**Subject:** *FOIA FOR REVIEW* F08-0068- Laszewski Request --- UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

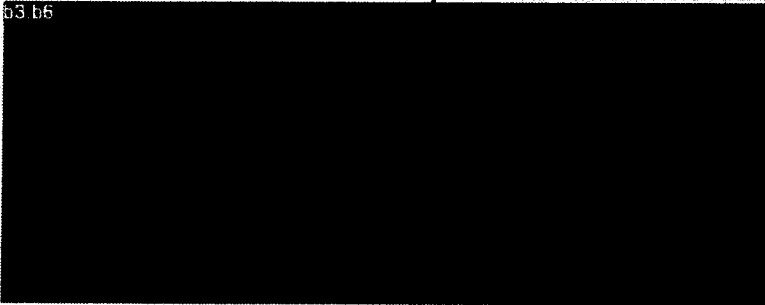
Attached you will find the list of exemptions that we may use legally to redact information from the hardcopy documents you received yesterday. Again, please bracket the information your directorate finds needing continued protection and cite the appropriate exemption by each bracketed section.

Thank you and as always if you have any questions feel free to contact me.

Have a great day,

4/23/2009

b3 b6



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UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED//~~FOUO~~

27 April 2012

b3, b6

From: [REDACTED]
Sent: Wednesday, April 22, 2009 1:50 PM
To: [REDACTED]
Co: [REDACTED]
Subject: RE: "FOIA FOR REVIEW" F08-0068- Laszewski Request -- UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

All,

Thank you for taking time today to meet with [REDACTED] from the IART.

Per our meeting, the IART will forward of copy of this FOIA, F08-0068- Laszewski Request, once the other NRO organizations have reviewed and made recommendations to redact information from the documents, which are applicable to their respective organizations. Once OP&A receives the final review of this FOIA, the documents will need to be reviewed from a policy prospective and decide if the information can be released to the requester.

Any questions, please let me know.

Again, thanks for your time.

b3, b6

From: [REDACTED]
Sent: Wednesday, April 22, 2009 10:30 AM
To: [REDACTED]
Subject: FW: "FOIA FOR REVIEW" F08-0068- Laszewski Request -- UNCLASSIFIED

classification: UNCLASSIFIED

Does 12:45 work for everyone?

4/23/2009

b3, b6

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Sent: Tuesday, April 21, 2009 3:39 PM
To: b3, b6
Cc: b3, b6
Subject: RE: *FOIA FOR REVIEW* F08-0068- Laszewski Request -- UNCLASSIFIED
Importance: High

classification: UNCLASSIFIED

b3, b6

Hello, hope all is going well with you. I was hoping you and or b3, b6 could be of assistance. I am working with b3, b6 BPO/OP&A, on this FOIA request, F08-0068, but need some additional training, which is being requested by the Deputy Director, b3, b6 and I have given direction on what needs to be done, but it appears to be in conflict with what the OP&A SMEs believe to be the "correct" way of bracketing data and providing an exemptions per your request.

If available, I would like to know if someone from your office is available for 30 minutes tomorrow or the next day to help resolve some questions within OP&A so that we can ensure you get the correct information to process this FOIA.

As always, thanks for your help.

b3, b6

From: [REDACTED]
Sent: Friday, April 10, 2009 5:14 AM
To: [REDACTED]

b3, b6

Cc: FOIA (IART)
Subject: *FOIA FOR REVIEW* F08-0068- Laszewski Request --- UNCLASSIFIED

classification: UNCLASSIFIED

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Thank you and as always if you have any questions feel free to contact me.

Have a great day,

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UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

4/23/2009

b3,b6

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Sent: Wednesday, April 22, 2009 8:31 AM
To: b3,b6
Cc: b3,b6
Subject: RE: "FOIA FOR REVIEW" F08-0068- Laszewski Request --- UNCLASSIFIED
Signed By: b3,b6
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Hi b3,b6

b3,b6 and I will be more than happy to come over this AM to help answer any questions your reviewers may have. We're free after 9AM, but do have appointments at 11:30am which will take us into the afternoon. Let me know when you'd like us to come over.

Talk to you soon,

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To: b3,b6
Cc: b3,b6
Subject: RE: "FOIA FOR REVIEW" F08-0068- Laszewski Request --- UNCLASSIFIED
Importance: High

classification: UNCLASSIFIED

b3,b6

4/22/2009

27 April 2012

Page 2 of 3

Hello, hope all is going well with you. I was hoping you and or [REDACTED] could be of assistance. I am working with [REDACTED] BPO/OP&A, on this FOIA request, F08-0068, but need some additional training, which is being requested by the Deputy Director, [REDACTED] and I have given direction on what needs to be done, but it appears to be in conflict with what the OP&A SMEs believe to be the "correct" way of bracketing data and providing an exemptions per your request.

If available, I would like to know if someone from your office is available for 30 minutes tomorrow or the next day to help resolve some questions within OP&A so that we can ensure you get the correct information to process this FOIA.

As always, thanks for your help.

[REDACTED]

From: [REDACTED]

Sent: Friday, April 10, 2009 5:14 AM

To: [REDACTED]

[REDACTED]

CC: FOIA (IART)

Subject: *FOIA FOR REVIEW* F08-0068- Laszewski Request --- UNCLASSIFIED

classification: UNCLASSIFIED

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Attached you will find the list of exemptions that we may use legally to redact information from the hardcopy documents you received yesterday. Again, please bracket the information your directorate finds needing continued protection and cite the appropriate exemption by each bracketed section.

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Have a great day,

[REDACTED]

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4/22/2009

27 April 2012

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UNCLASSIFIED

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b3, b6

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Sent: Tuesday, April 21, 2009 3:39 PM
To: b3, b6
Cc:
Subject: RE: "FOIA FOR REVIEW" F08-0068- Laszewski Request -- UNCLASSIFIED
Signed By: b3, b6
Importance: High
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

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Cc: FOIA (IART)
Subject: "FOIA FOR REVIEW" F08-0068- Laszewski Request -- UNCLASSIFIED

classification: UNCLASSIFIED

4/22/2009

27 April 2012

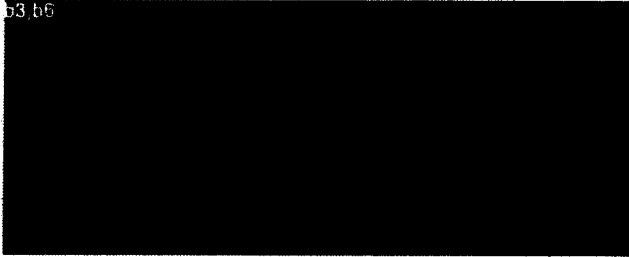
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Have a great day.

b3,b6



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UNCLASSIFIED

UNCLASSIFIED

b3, b6

From: b3, b6
Sent: Monday, April 13, 2009 10:13 AM
To: b3, b6
Subject: F08-0068 -- UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Spoke with Mr. Laszewski this morning . . . told him that the responsive documents had been tasked out for review and an expected response date in early May. Told him that there is a possibility of maybe doing an interim release.

He indicated that he had received some responsive documents from other government agencies.

I will contact him with the next status in one month.

b3, b6

UNCLASSIFIED

4/13/2009

b3,b6

From: b3,b6
Sent: Friday, April 10, 2009 5:14 AM
To: b3,b6
Cc: FOIA (IART)
Subject: "FOIA FOR REVIEW" F08-0068- Laszewski Request — UNCLASSIFIED
Signed By: There are problems with the signature. Click the signature button for details.
Attachments: Explanation of Exemptions.pdf
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

Attached you will find the list of exemptions that we may use legally to redact information from the hardcopy documents you received yesterday. Again, please bracket the information your directorate finds needing continued protection and cite the appropriate exemption by each bracketed section.

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UNCLASSIFIED

12/17/2009

27 April 2012

UNCLASSIFIED

Classify Appropriately When Filled In

CASE WORKSHEET (Continued)

EXPLANATION OF EXEMPTIONS

The designation "(b)(1)" applies to information which is currently and properly classified pursuant to an Executive Order in the interest of national defense or foreign policy (EO 12958 and DoD Reg 5200.1-R).

Sec 1.5 Classification Categories:

Information may NOT be considered for classification unless it concerns:

- a) military plans, weapons systems, or operations;
- b) foreign government information;
- c) intelligence activities (including special activities), intelligence sources or methods, or cryptology;
- d) foreign relations or foreign activities of the United States including confidential sources;
- e) scientific, technological, or economic matters relating to the national security;
- f) United States Government programs for safeguarding nuclear materials or facilities;
- g) vulnerabilities or capabilities of systems, installations, projects or plans relating to national security.

The designation "(b)(2)" applies to information which pertains solely to the internal rules and practices of an agency; this exemption has two profiles, "high" and "low". The "high" profile permits withholding of a document which, if released, would allow circumvention of an organization rule, policy, or statute, thereby impeding the agency in the conduct of its mission. The "low" profile permits withholding if there is no public interest in the document, and it would be an administrative burden to process the request.

The designation "(b)(3)" applies to information specifically exempted by a statute establishing a particular criteria for withholding. The language of the statute must clearly state that the information will not be disclosed.

The designation "(b)(4)" applies to information such as trade secrets and commercial or financial information obtained from a company on a privileged or confidential basis which, if released, would result in competitive harm to the company.

The designation "(b)(5)" applies to inter-agency and intra-agency memoranda which are deliberative in nature; this exemption is appropriate for internal documents which are part of the decision-making process and contain subjective evaluations, opinions, and recommendations.

The designation "(b)(6)" applies to information release of which could reasonably be expected to constitute a clearly unwarranted invasion of the personal privacy of individuals.

The designation "(b)(7)" applies to records or information compiled for law enforcement purposes and that (a) could reasonably be expected to interfere with law enforcement proceedings; (b) would deprive a person of a right to a fair trial or impartial adjudication; (c) could reasonably be expected to constitute an unwarranted invasion of the personal privacy of others; (d) could disclose the identity of a confidential source; (e) could disclose investigative techniques and procedures; or (f) could reasonably be expected to endanger the life or physical safety of an individual.

The designation "(b)(8)" applies to matters that are "contained in or related to examination, operating, or condition reports prepared by on behalf of or for use of any agency responsible for the regulation or supervision of financial institutions. (Not used by the NRO.)

The designation "(b)(9)" applies to geological information and data, including maps, concerning wells. (Not used by the NRO.)

UNCLASSIFIED

Classify Appropriately When Filled In

27 April 2012

~~TOP SECRET//TALENT-KEYHOLE//NOFOR~~

(U) Hello all,

(U) The IART is processing a *Freedom of Information Act (FOIA) APPEAL* for review of responsive documents involving the shoot down of Satellite USA 193.

(U) Background:

(U) The IART received a FOIA request from Charles Laszewski on 21 April 2008. After discussions with General Counsel (GC), the NRO declined to process this request citing the NRO's Operational File Exemption (OFE). We subsequently received an APPEAL from Mr. Laszewski challenging the use of the OFE.

(U) Through the NRO's established appeal process, GC and NRO CIO (Appellate Authority) determined that the original OFE determination should be overturned. As a result, the NRO was required to search for and treat responsive documents under the FOIA.

(U) We searched ONLY for records that met the following criteria:

(U) NRO-originated documents that contain information regarding

1. what caused the satellite to fail;
2. the harm that failure of the satellite might cause; and
3. what the United States should do about the crippled satellite.

(U) Responsive documents are found in the attached binder (29 documents (a-cc)). All documents should be reviewed and returned to the IART, please bracket the information your directorate determines to need continued protection and cite the appropriate exemption that corresponds with withholding that information. Should you have any questions please feel free to contact me and refer to case # F08-0068.

(U) This request will undoubtedly generate concerns from the record owners. Please assure them that, as always, the NRO will conduct a very thorough review before any records are approved for release.

(U//EQUO) Case Officer: 

(U) Case #: F08-0068

(U) From: Charles Laszewski

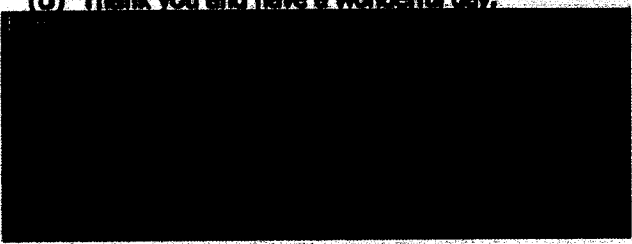
(U) Offices Tasked: BPO/Policy, DDMS, DSS, and IMINT

(U) Due Date: 01 May 2009

(U) Case Package:

(TS//TK) Responsive documents found by: DDMS, DSS, IMINT, and OGC
(29 documents total (a-cc)). (Upon request softcopy is available.)

(U) Thank you and have a wonderful day.



~~TOP SECRET//TALENT-KEYHOLE//NOFORN~~

4/9/09

b3, b6

From: [REDACTED]
Sent: Friday, April 10, 2009 5:14 AM
To: [REDACTED]
Cc: FOIA (IART)
Subject: *FOIA FOR REVIEW* F08-0068- Laszewski Request -- UNCLASSIFIED
Signed By: Verifying the signature. Click the icon for details.
Attachments: Explanation of Exemptions.pdf
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

Attached you will find the list of exemptions that we may use legally to redact information from the hardcopy documents you received yesterday. Again, please bracket the information your directorate finds needing continued protection and cite the appropriate exemption by each bracketed section.

Thank you and as always if you have any questions feel free to contact me.

Have a great day,

b3, b6

"Don't be afraid your life will end; be afraid that it will never begin." ~ Grace Hansen

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

"Your only obligation in any lifetime is to be true to yourself." ~ Richard Bach

UNCLASSIFIED

4/10/2009

NRO APPROVED FOR RELEASE
27 April 2012

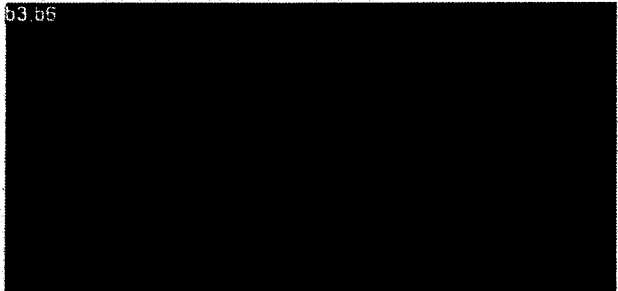
b3, b6

A small rectangular black redaction box covering a few lines of text.

13 March 2009 - provided status to requester. Documents in IART. Will review for duplication and SME determination. Expect to task out for review next week. Will give reviewers two weeks, but will likely take longer. They will determine if other agencies will need to review.

Will contact him on 10 April for next update.

b3, b6

A large rectangular black redaction box covering a significant portion of the page.

b3, b6

From: b3, b6
Sent: Wednesday, February 25, 2009 12:28 PM
To: b3, b6
Cc: Moffett Edward P NRO USA CIV; gc-admin
Subject: FW: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED
Attachments: F08-0068- Case Worksheet.xfdl
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6

Per my phone call today, the responsive documents from GC are ready for pick-up.

b3, b6

From: Moffett Page
Sent: Monday, October 20, 2008 2:22 PM
To: b3, b6
Cc: gc-admin
Subject: FW: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6 please take the lead for us in pulling together responsive documents. I know I have a bunch. I

From: b3, b6
Sent: Monday, October 20, 2008 12:11 PM
To: b3, b6, Moffett Page
Cc: FOIA (IART); mint-class; b3, b6 gc-admin; b3, b6
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

The IART is processing a *Freedom of Information Act (FOIA) APPEAL* for information involving the shoot down of Satellite USA 193.

Background:

The IART received a FOIA request from Charles Laszewski on 21 April 2008. After discussions with General Counsel (GC), the NRO declined to process this

2/25/2009

request citing the NRO's Operational File Exemption (OFE). We subsequently received an APPEAL from Mr. Laszewski challenging the use of the OFE.

Through the NRO's established appeal process, GC and NRO CIO (Appellate Authority) determined that the original OFE determination should be overturned. As a result, the NRO is now required to search for and treat responsive documents under the FOIA.

We are searching ONLY for records that meet the following criteria:

NRO-originated documents that contain information regarding

- 1 . what caused the satellite to fail;
- 2 . the harm that failure of the satellite might cause; and
3. what the United States should do about the crippled satellite.

Responsive documents should be copied, reviewed and returned to the IART, regardless of their classification, with your subject matter experts' treatment and/or release recommendations. Should you have any questions please feel free to contact me and refer to case # F08-0068.

This request will undoubtedly generate concerns from the record owners. Please assure them that, as always, the NRO will conduct a very thorough review before any records are approved for release.

Case Officer: b3 b6

Case #: F08-0068

From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

Due Date: 14 November 2008

Case Package:

- 1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

If your directorate is interested in the correspondence relating to the case please advise and I'll be more than willing to provide you a copy.

(U) Thank you and have a wonderful day,

b3 b6

b3, b6



"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

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WE LOOK FORWARD TO HEARING FROM YOU!

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UNCLASSIFIED

UNCLASSIFIED

b3,b6

From: [REDACTED]
Sent: Wednesday, February 25, 2009 8:03 AM
To: go-admin; [REDACTED]
Cc: FOIA (IART)
Subject: Outstanding cases as of 25 February 2009 — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

Below are the cases that are currently outstanding from the Office of General Counsel. If you have any questions please feel free to contact me.

FOIA

1. F06-0072- Aftergood request; Final Review; Case Analyst: [REDACTED] Delivered: 11 September 2008
2. F07-0036- Kodger request; Final Review- FASTMAX Contract; Case Analyst: [REDACTED] Delivered: 13 January 2009
3. F07-0107- Stachewicz request; Final Review- Darkstar Contract; Case Analyst: [REDACTED] Delivered: 13 January 2009
4. F08-0053- Aftergood request; CBJB FY 2009; Case Analyst: [REDACTED] Delivered: 20 February 2009

2008

6. F09-0010- Richelson request; Final Review- AF Memorandum; Case Analyst: [REDACTED] Delivered: 13 February 2009

MDR

1. E08-0037- Ravnitzky request; NRO DPC Master Video Tapes; Case Analyst: [REDACTED] Delivered: 12 February 2009

Privacy

1. P09-0023- [REDACTED] request; Case Analyst: [REDACTED] Delivered: 13 February 2009

b3,b6

"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most

2/25/2009

people never do." - Bill Phillips

UNCLASSIFIED

b3, b6
[REDACTED]

From: [REDACTED]
Sent: Thursday, February 19, 2009 1:01 PM
To: [REDACTED]
Subject: FW: Outstanding cases as of 11 February 2009 — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

From: [REDACTED]
Sent: Thursday, February 19, 2009 10:13 AM
To: [REDACTED]
Cc: Moffett Page
Subject: FW: Outstanding cases as of 11 February 2009 — UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6
[REDACTED]

Status update re: Mr. Laszewski (F08-0068)

I have identified the responsive documents, however, Page and I still must meet and go over them. He is TDY the remainder of this week. I am hoping to meet with him on Tuesday.

b3, b6
[REDACTED]

From: [REDACTED]
Sent: Thursday, February 12, 2009 11:07 AM
To: [REDACTED]
Subject: RE: Outstanding cases as of 11 February 2009 — UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6
[REDACTED]

Funny that you should ask. I am currently combing thru Page's documents. I hope to be finished today or Wednesday at the latest!

b3 b6

From: [REDACTED]
Sent: Thursday, February 12, 2009 10:25 AM
To: [REDACTED]
Subject: FW: Outstanding cases as of 11 February 2009 — UNCLASSIFIED

classification: UNCLASSIFIED

b3 b6 Mr. Laszewski (F08-0068) has contacted the FOIA Requester Service Center here at the NRO asking for a status on his request. We have received responsive documents from the other groups tasked in this case. I was hoping that you might be able to give me a timeframe for your response that I can share with him. He understands that this is going to be a lengthy process, but he also understands that, by Executive Order, we are obligated to provide him with a status and an estimated time of completion.

I would also like to offer my assistance. In this particular case, we don't expect GC to do the review. We will task that out to the subject matter experts. We just need to get copies of the responsive documents so that we can move forward. Please let me know if I can help . . . I'm more than willing to come do the copying. The case will come back to OGC for final review and approval later on down the road.

Thanks, [REDACTED] . . .

L

From: [REDACTED]
Sent: Wednesday, February 11, 2009 11:56 AM
To: [REDACTED] gc-admin
Cc: FOIA (IART)
Subject: Outstanding cases as of 11 February 2009 — UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

Below are the cases that are currently outstanding from the Office of General Council. If you have any questions please feel free to contact me.

FOIA

1. F06-0072- Aftergood request; Final Review; Case Analyst: [REDACTED] Delivered: 11 September 2008
2. F07-0036- Kodger request; Final Review; Case Analyst: [REDACTED] Delivered: 13 January 2009
3. F07-0107- Stachewicz request; Final Review; Case Analyst: [REDACTED] Delivered: 13 January 2009
4. F08-0068- Laszewski request; Search for responsive documents- reference the shot down satellite; Case Analyst: [REDACTED] Tasked: 20 October 2008
5. F08-0092- Steponkus request; Final Review; Case Analyst: [REDACTED] Delivered: 09

2/19/2009

27 April 2012

Page 3 of 3

February 2009

Thank you and have a great day,

b3, b6



"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

2/19/2009

27 April 2012

Page 1 of 2

b3, b6

From: [REDACTED]
Sent: Wednesday, February 18, 2009 5:38 AM
To: [REDACTED] gc-admin
Cc: FOIA (IART)
Subject: Outstanding cases as of 18 February 2009 — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

Below are the cases that are currently outstanding from the Office of General Counsel. If you have any questions please feel free to contact me.

FOIA

1. F06-0072- Aftergood request; Final Review; Case Analyst: [REDACTED] Delivered: 11 September 2008
2. F07-0036- Kodger request; Final Review- FASTMAX Contract; Case Analyst: [REDACTED] Delivered: 13 January 2009
3. F07-0107- Stachewicz request; Final Review- Darkstar Contract; Case Analyst: [REDACTED] Delivered: 13 January 2009
4. F08-0068- Laszewski request; Search for responsive documents- reference the shot down satellite; Case Analyst: [REDACTED] Tasked: 20 October 2008
5. F08-0092- Steponkus request; Final Review; Case Analyst: [REDACTED] Delivered: 09 February 2009
6. F09-0010- Richelson request; Final Review- AF Memorandum; Case Analyst: [REDACTED] Delivered: 13 February 2009

MDR

1. E07-0038- State Department request; Appeal; Case Analyst: [REDACTED] Delivered: 28 January 2009
2. E08-0037- Ravnitzky request; NRO DPC Master Video Tapes; Case Analyst: [REDACTED] Delivered: 12 February 2009

Privacy

1. P09-0023- [REDACTED] request; Case Analyst: [REDACTED] Delivered: 13 February 2009

b3, b6

"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

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27 April 2012

Page 2 of 2

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

UNCLASSIFIED

2/18/2009

b3,b6

From: [REDACTED]
Sent: Friday, February 13, 2009 10:38 AM
To: [REDACTED]
Subject: Memo for the File — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

I spoke with Mr. Laszewski at 10:30 on 13 February. I informed him that we expect the last of the responsive documents to be provided to us next week and that we would be in a position to begin the review process then.

I also told him that I would call him on 13 March with an update.

b3,b6

UNCLASSIFIED

2/13/2009

27 April 2012

b3, b6

From: [REDACTED]
Sent: Thursday, February 12, 2009 11:07 AM
To: [REDACTED]
Subject: RE: Outstanding cases as of 11 February 2009 — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6

Funny that you should ask. I am currently combing thru Page's documents. I hope to be finished today or Wednesday at the latest!

b3, b6

From: [REDACTED]
Sent: Thursday, February 12, 2009 10:25 AM
To: [REDACTED]
Subject: FW: Outstanding cases as of 11 February 2009 — UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6 Mr. Laszewski (F08-0068) has contacted the FOIA Requester Service Center here at the NRO asking for a status on his request. We have received responsive documents from the other groups tasked in this case. I was hoping that you might be able to give me a timeframe for your response that I can share with him. He understands that this is going to be a lengthy process, but he also understands that, by Executive Order, we are obligated to provide him with a status and an estimated time of completion.

I would also like to offer my assistance. In this particular case, we don't expect GC to do the review. We will task that out to the subject matter experts. We just need to get copies of the responsive documents so that we can move forward. Please let me know if I can help ... I'm more than willing to come do the copying. The case will come back to OGC for final review and approval later on down the road.

Thanks, [REDACTED] ...

L

From: [REDACTED]
Sent: Wednesday, February 11, 2009 11:56 AM
To: [REDACTED] gc-admin
Cc: FOIA (IART)
Subject: Outstanding cases as of 11 February 2009 — UNCLASSIFIED

classification: UNCLASSIFIED

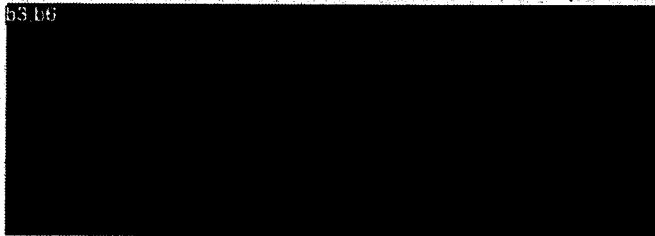
Good morning all,

Below are the cases that are currently outstanding from the Office of General Council. If you have any questions please feel free to contact me.

FOIA

1. F06-0072- Aftergood request; **Final Review**; Case Analyst: [REDACTED] Delivered: 11 September 2008
2. F07-0036- Kodger request; **Final Review**; Case Analyst: [REDACTED] Delivered: 13 January 2009
3. F07-0107- Stachewicz request; **Final Review**; Case Analyst: [REDACTED] Delivered: 13 January 2009
4. F08-0068- Laszewski request; **Search for responsive documents- reference the shot down satellite**; Case Analyst: [REDACTED] Tasked: 20 October 2008
5. F08-0092- Steponkus request; **Final Review**; Case Analyst: [REDACTED] Delivered: 09 February 2009

Thank you and have a great day,



"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

27 April 2012

Page 1 of 1

b3 b6

From: [REDACTED]
Sent: Wednesday, February 11, 2009 11:56 AM
To: [REDACTED] go-admin
Cc: FOIA (IART)
Subject: Outstanding cases as of 11 February 2009 — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

Below are the cases that are currently outstanding from the Office of General Council. If you have any questions please feel free to contact me.

FOIA

1. F06-0072- Aftergood request; Final Review; Case Analyst: [REDACTED] Delivered: 11 September 2008
2. F07-0036- Kodger request; Final Review; Case Analyst: [REDACTED] Delivered: 13 January 2009
3. F07-0107- Stachewicz request; Final Review; Case Analyst: [REDACTED] Delivered: 13 January 2009
4. F08-0068- Laszewski request; Search for responsive documents- reference the shot down satellite; Case Analyst: [REDACTED] Tasked: 20 October 2008
5. F08-0092- Steponkus request; Final Review; Case Analyst: [REDACTED] Delivered: 09 February 2009

Thank you and have a great day,

b3 b6

"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

UNCLASSIFIED

2/11/2009

27 April 2012

Page 1 of 1

b3,b6

To: b3,b6 gc-admin

Cc: FOIA (IART)

Subject: Outstanding cases as of 04 February 2009

Good morning all,

Below are the cases that are currently outstanding from the Office of General Council. If you have any questions please feel free to contact me.

FOIA

1. F08-0072- Aftergood request; Final Review; Case Analyst: b3,b6 Delivered: 11 September 2008
2. F07-0036- Kodger request; Final Review; Case Analyst: b3,b6 Delivered: 13 January 2009
3. F07-0107- Stachewicz request; Final Review; Case Analyst: b3,b6 Delivered: 13 January 2009
4. F08-0068- Laszewski request; Search for responsive documents- reference the shot down satellite; Case Analyst: b3,b6 Tasked: 20 October 2008

PRIVACY

1. P08-0080 and P09-0010- b3,b6 Request; Case Analyst: b3,b6 Delivered on: 28 January 2009

Thank you and have a great day,

b3,b6

"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

2/4/2009

b3, b6

From: [REDACTED]
Sent: Tuesday, January 13, 2009 1:04 PM
To: [REDACTED]
Subject: FW: *FOIA APPEAL* Case # F08-0068- Laszewski — ~~SECRET//NOFORN//25X1-20590413~~
RRG dated July 2005
Attachments: Satellite%20Reentry%20SECRET%20080124_rev2[1].ppt; S08-0166 US193 Shootdown.ppt
Classification: ~~SECRET//NOFORN//25X1-20590413-RRG dated July 2005~~

classification: ~~SECRET//NOFORN//25X1-20590413-RRG dated July 2005~~

Hello [REDACTED]

Below is the original response for this FOIA. Attached is what IMINT has found for FOIA F08-0068. This is all that IMINT has to submit.

Please let me know if any questions.

Thank you [REDACTED]

b3, b6

From: [REDACTED]
Sent: Tuesday, December 02, 2008 11:28 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski — ~~SECRET//NOFORN//25X1-20581202~~
RRG dated July 2005

classification: ~~SECRET//NOFORN//25X1-20581202-RRG dated July 2005~~

Hello [REDACTED]

Thank you for your patience with this one, sorry for the delay. IMINT has searched/reviewed for this FOIA and has attached 2 PowerPoint presentations regarding the requested information. Also some comments from IMINT listed below on the presentations and additional information:

~~(S//NF)~~ Known Satellite Re-entry presentation: Powerpoint presentation that was sent around April of 2007 that describes the re-entry and the HazMat concerns. attached for review.

~~(U//FOUO)~~ The Shootdown of US193 presentation:

~~(U//FOUO)~~ At time of the Satellite USA 193 shootdown the primary IMINT Security POC was [REDACTED]. He is now assigned elsewhere in IMINT but have discussed this action with him. Understand that he has provided his holdings on the case to IART. Those records would represent the IMINT Security records.

~~(U//FOUO)~~ In the event it was not included in the records attached is soft copy of a briefing on the

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Page 2 of 4

shootdown of USA 193 processed as IART case SO8-0165 in early April 08. This was review of a briefing to be presented on 10 April 2008 to the National Space Symposium at the Broadmoor Hotel in Colo Springs, Colorado by BG. Jeffrey Home, Dir NRO/DDMS.

(U) Recommendation: No changes to briefing but FOUO must be removed from slides prior to any external release in response to this action.

The IMINT RM Team processed and sent to the NRC 11 boxes (job # 200800167) of records on the requested program. We are currently processing an additional 11 boxes of documents (job# 200800291), which should be sent to the NRC shortly.

The last bit of information was what we received from our Records Management team on this FOIA, wasn't sure if IART had gotten this information already??

Please let me know if any questions or concerns.

Thank you [REDACTED]

b3 b6

From: [REDACTED]

Sent: Monday, October 20, 2008 12:11 PM

To: [REDACTED]

Cc: FOIA (IART); imint-class; [REDACTED] gc-admin; [REDACTED] Moffett Page

Subject: *FOIA APPEAL* Case # F08-0068- Laszewski -- UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

The IART is processing a ***Freedom of Information Act (FOIA) APPEAL*** for information involving the shoot down of Satellite USA 193.

Background:

The IART received a FOIA request from Charles Laszewski on 21 April 2008. After discussions with General Counsel (GC), the NRO declined to process this request citing the NRO's Operational File Exemption (OFE). We subsequently received an APPEAL from Mr. Laszewski challenging the use of the OFE.

Through the NRO's established appeal process, GC and NRO CIO (Appellate Authority) determined that the original OFE determination should be overturned. As a result, the NRO is now required to search for and treat responsive documents under the FOIA.

We are searching ONLY for records that meet the following criteria:

1/29/2009

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Page 3 of 4

NRO-originated documents that contain information regarding

1. what caused the satellite to fail;
2. the harm that failure of the satellite might cause; and
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Responsive documents should be copied, reviewed and returned to the IART, regardless of their classification, with your subject matter experts' treatment and/or release recommendations. Should you have any questions please feel free to contact me and refer to case # F08-0068.

This request will undoubtedly generate concerns from the record owners. Please assure them that, as always, the NRO will conduct a very thorough review before any records are approved for release.

Case Officer: b3, b6

Case #: F08-0068

From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

Due Date: 14 November 2008

Case Package:

- 1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

If your directorate is interested in the correspondence relating to the case please advise and I'll be more than willing to provide you a copy.

(U) Thank you and have a wonderful day,

b3, b6

"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

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WE LOOK FORWARD TO HEARING FROM YOU!

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Warning: This document may not be used as a source of derivative classification.

DECL ON: 25X1 20581202 RRG dated July 2005

Derived From: NCG 6.0, 21 May 2005

~~SECRET//NOFORN//25X1 20581202 RRG dated July 2005~~

Warning: This document may not be used as a source of derivative classification.

DECL ON: 25X1 20590113 RRG dated July 2005

Derived From: NCG 6.0, 21 May 2005

~~SECRET//NOFORN//25X1 20590113 RRG dated July 2005~~

b3 b6

From: [REDACTED]
Sent: Wednesday, January 14, 2009 9:41 AM
To: [REDACTED]
Cc: Moffett Page
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

b3 b6

Still working on this effort.

b3 b6

From: [REDACTED]
Sent: Tuesday, January 13, 2009 9:29 AM
To: [REDACTED]
Cc: Moffett Page
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

classification: UNCLASSIFIED

Hi [REDACTED]

Any word on this?

Hope you're having a great day,

b3 b6

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"If you want to have what most people never have, then you have to do what most

people never do." - Bill Phillips

From: [REDACTED]
Sent: Wednesday, November 05, 2008 8:52 AM
To: [REDACTED]
Cc: Moffett Page
Subject: FW: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED
classification: UNCLASSIFIED

[REDACTED]

I just wanted to give you a status on subject tasking. Page has been TDY and will return tomorrow. I hope to have a response back to you sometime next week.

[REDACTED]

From: Moffett Page
Sent: Monday, October 20, 2008 2:22 PM
To: [REDACTED]
Cc: [REDACTED] gc-admin
Subject: FW: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED
classification: UNCLASSIFIED

[REDACTED] please take the lead for us in pulling together responsive documents. I know I have a bunch. I

From: [REDACTED]
Sent: Monday, October 20, 2008 12:11 PM
To: [REDACTED]
Cc: FOIA (IART); lmint-class; [REDACTED] gc-admin; [REDACTED] Moffett Page
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

The IART is processing a *Freedom of Information Act (FOIA) APPEAL* for information involving the shoot down of Satellite USA 193.

Background:

The IART received a FOIA request from Charles Laszewski on 21 April 2008. After

27 April 2012

Page 3 of 4

discussions with General Counsel (GC), the NRO declined to process this request citing the NRO's Operational File Exemption (OFE). We subsequently received an APPEAL from Mr. Laszewski challenging the use of the OFE.

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2. the harm that failure of the satellite might cause; and
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This request will undoubtedly generate concerns from the record owners. Please assure them that, as always, the NRO will conduct a very thorough review before any records are approved for release.

Case Officer: b3 b6

Case #: F08-0068

From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

Due Date: **14 November 2008**

Case Package:

- 1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

If your directorate is interested in the correspondence relating to the case please advise and I'll be more than willing to provide you a copy.

(U) Thank you and have a wonderful day,

b3 b6

1/15/2009

b3, b6



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b3, b6

From: b3, b6
Sent: Tuesday, January 13, 2009 11:08 AM
To: b3, b6
Subject: RE: "FOIA APPEAL" Case # F08-0068- Laszewski -- SECRET//NOFORN//25X1 20590113
RRG dated July 2005
Classification: SECRET//NOFORN//25X1 20590113 RRG dated July 2005

classification: SECRET//NOFORN//25X1 20590113 RRG dated July 2005

Hi b3, b6

Ok, just to clarify and for recording purposes, I am to take IMINT's response to this FOIA as the 7 documents from b3, b6 and that there are no more records, correct?

b3, b6

"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

From: b3, b6
Sent: Tuesday, January 13, 2009 9:48 AM
To: b3, b6
Subject: RE: "FOIA APPEAL" Case # F08-0068- Laszewski -- SECRET//NOFORN//25X1 20590113
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1/13/2009

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[REDACTED]

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To: b3, b6
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classification: SECRET//NOFORN//25X1 20590113 RRG dated July 2005

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1/13/2009

RRG dated July 2005

classification: ~~SECRET//NOFORN//25X1-20584202~~ RRG dated July 2005

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[REDACTED]

From: [REDACTED]

Sent: Monday, October 20, 2008 12:11 PM

To: [REDACTED]

Cc: FOIA (IART); imint-class; [REDACTED]

gc-admin [REDACTED]

Moffett Page

Subject: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

1/13/2009

27 April 2012

Page 5 of 7

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Case Officer: b3 b6

Case #: F08-0068

From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

Due Date: 14 November 2008

Case Package:

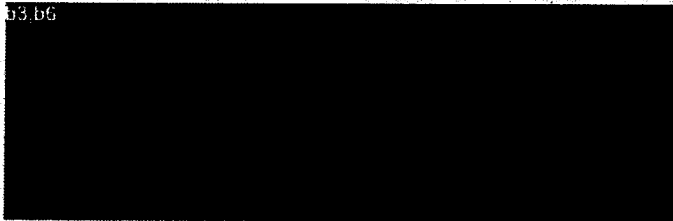
- 1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

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03 b6

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Cc: [REDACTED]
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classification: ~~SECRET//NOFORN//25X1 20581202 RRG dated July 2005~~

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Cc: FOIA (IART); lmint-class; [REDACTED] gc-admin; [REDACTED] Moffett Page
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

classification: UNCLASSIFIED

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Case Officer: 03,05 

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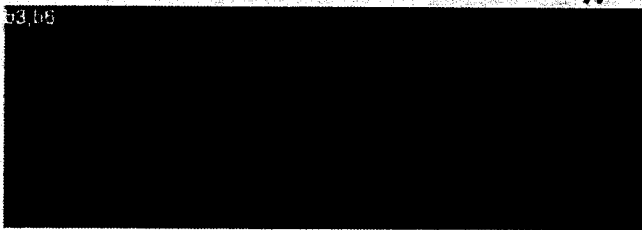
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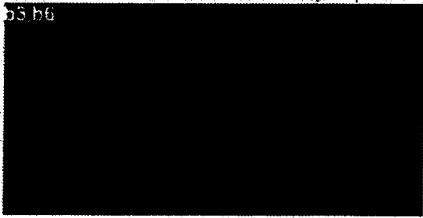
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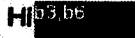
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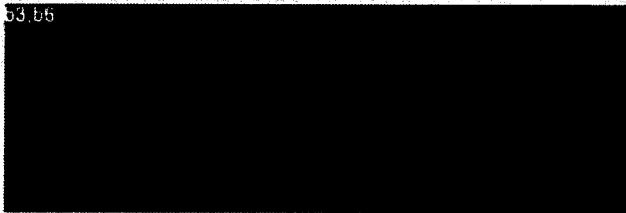
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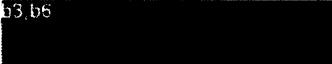
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Moffett Page

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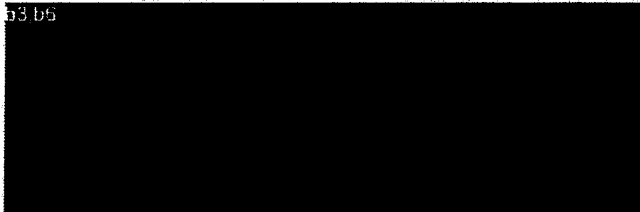
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If your directorate is interested in the correspondence relating to the case please

advise and I'll be more than willing to provide you a copy.

(U) Thank you and have a wonderful day,

b3 b5



"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

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DECL ON: 25X1 20581202 RRG dated July 2005

Derived From: NCG 6.0, 21 May 2005

~~SECRET//NOFORN//25X1 20581202 RRG dated July 2005~~

Warning: This document may not be used as a source of derivative classification.

DECL ON: 25X1 20581203 RRG dated July 2005

Derived From: NCG 6.0, 21 May 2005

~~SECRET//NOFORN//25X1 20581203 RRG dated July 2005~~

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DECL ON: 25X1 20581203 RRG dated July 2005

Derived From: NCG 6.0, 21 May 2005

~~SECRET//NOFORN//25X1 20581203 RRG dated July 2005~~

Warning: This document may not be used as a source of derivative classification.

DECL ON: 25X1 20590113 RRG dated July 2005

Derived From: NCG 6.0, 21 May 2005

~~SECRET//NOFORN//25X1 20590113 RRG dated July 2005~~

b3, b6

From: b3, b6
Sent: Tuesday, January 13, 2009 9:29 AM
To: b3, b6
Cc: Moffett Page
Subject: RE: "FOIA APPEAL" Case # F08-0068- Laszewski — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Hi b3, b6

Any word on this?

Hope you're having a great day,

b3, b6

"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

From: b3, b6
Sent: Wednesday, November 05, 2008 8:52 AM
To: b3, b6
Cc: Moffett Page
Subject: FW: "FOIA APPEAL" Case # F08-0068- Laszewski — UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6

I just wanted to give you a status on subject tasking. Page has been TDY and will return tomorrow. I hope to have a response back to you sometime next week.

b3, b6

1/13/2009

b3, b6

From: Moffett Page
Sent: Monday, October 20, 2008 2:22 PM
To: b3, b6
Cc: gc-admin
Subject: FW: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6 please take the lead for us in pulling together responsive documents. I know I have a bunch. I

From: b3, b6
Sent: Monday, October 20, 2008 12:11 PM
To: b3, b6
Cc: FOIA (IART); Imint-class; b3, b6 gc-admin; b3, b6 Moffett Page
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

The IART is processing a ***Freedom of Information Act (FOIA) APPEAL*** for information involving the shoot down of Satellite USA 193.

Background:

The IART received a FOIA request from Charles Laszewski on 21 April 2008. After discussions with General Counsel (GC), the NRO declined to process this request citing the NRO's Operational File Exemption (OFE). We subsequently received an APPEAL from Mr. Laszewski challenging the use of the OFE.

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1. what caused the satellite to fail;
2. the harm that failure of the satellite might cause; and
3. what the United States should do about the crippled satellite.

Responsive documents should be copied, reviewed and returned to the IART, regardless of their classification, with your subject matter experts' treatment and/or release recommendations. Should you have any questions please feel free to

contact me and refer to case # F08-0068.

This request will undoubtedly generate concerns from the record owners. Please assure them that, as always, the NRO will conduct a very thorough review before any records are approved for release.

Case Officer: b3 b6

Case #: F08-0068

From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

Due Date: 14 November 2008

Case Package:

1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

If your directorate is interested in the correspondence relating to the case please advise and I'll be more than willing to provide you a copy.

(U) Thank you and have a wonderful day,

b3 b6

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UNCLASSIFIED

1/13/2009

UNCLASSIFIED

UNCLASSIFIED

Memorandum for File

**13 January 2009
9:20 AM**

b3, b6 [REDACTED] spoke with requester on the requester's services line and gave Mr. Laszewski a status update on the case. (Waiting for responsive documents from OGC and IMINT.)

Per the phone conversation b3, b6 [REDACTED] agreed to call Mr. Laszewski in 4 weeks with another status update....she wrote herself a note on her desk calendar.

b5, b6 [REDACTED]

b3, b6

From: b3, b6
Sent: Wednesday, December 03, 2008 9:01 AM
To: b3, b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski -- SECRET//NOFORN//25X1-20581203
RRG dated July 2005
Classification: SECRET//NOFORN//25X1-20581203 RRG dated July 2005

classification: SECRET//NOFORN//25X1-20581203 RRG dated July 2005

Good Morning b3, b6

I wasn't really sure of the relevance of those records to this case. That comment had been sent to me awhile back and never got any information back. I figured since all of our groups finally searched for records for this case it could be closed. I will look into those 11 boxes with Records Management but since I haven't received anything recently then there is probably nothing regarding this FOIA. I will definitely get back to you especially if something is found. Sorry for any confusion on this one. Let me know if this sounds good and I will be in touch shortly.

Thank you very much,

b3, b6

From: b3, b6
Sent: Wednesday, December 03, 2008 8:46 AM
To: b3, b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski -- SECRET//NOFORN//25X1-20581203
RRG dated July 2005

classification: SECRET//NOFORN//25X1-20581203 RRG dated July 2005

Hi b3, b6

In regards to the 11 boxes that IMINT is retiring to the NRC are there documents within those boxes that are responsive to the request? If so, that is IMINT's responsibility to search for the documents, review them, and forward them to the IART.

Sorry, b3, b6

Have a great day,

b3, b6

12/4/2008

27 April 2012

Page 2 of 5

b3, b6
[REDACTED]

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From: [REDACTED]
Sent: Tuesday, December 02, 2008 11:28 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski --- SECRET//NOFORN//25X1-20581202-
RRG dated July 2005

classification: SECRET//NOFORN//25X1-20581202 RRG dated July 2005

Hello [REDACTED]

Thank you for your patience with this one, sorry for the delay. IMINT has searched/reviewed for this FOIA and has attached 2 PowerPoint presentations regarding the requested information. Also some comments from IMINT listed below on the presentations and additional information:

~~(S//NF)~~ Known Satellite Re-entry presentation: Powerpoint presentation that was sent around April of 2007 that describes the re-entry and the HazMat concerns. attached for review.

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~~(U//FOUO)~~ At time of the Satellite USA 193 shootdown the primary IMINT Security POC was [REDACTED]. He is now assigned elsewhere in IMINT but have discussed this action with him. Understand that he has provided his holdings on the case to IART. Those records would represent the IMINT Security records.

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(U) Recommendation: No changes to briefing but FOUO must be removed from slides prior to any external release in response to this action.

The IMINT RM Team processed and sent to the NRC 11 boxes (job # 200800167) of records on the requested program. We are currently processing an additional 11 boxes of documents (job# 200800291), which should be sent to the NRC shortly.

The last bit of information was what we received from our Records Management team on this FOIA, wasn't sure if IART had gotten this information already??

12/4/2008

Thank you 05/05

b3 b6

12/4/2008

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Case Officer: 

Case #: F08-0068

From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

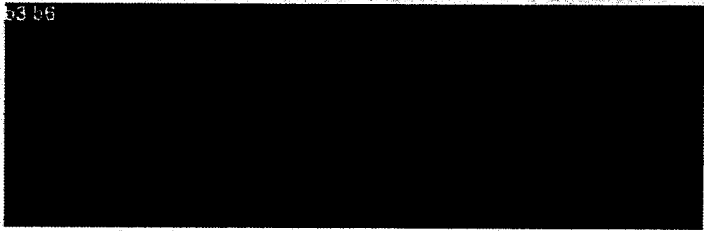
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27 April 2012

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Sent: Wednesday, December 03, 2008 8:46 AM
To: b3, b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski — ~~SECRET//NOFORN//25X1-20581203~~
~~RRG dated July 2005~~
Attachments: Ivy.gif
Classification: ~~SECRET//NOFORN//25X1-20581203 RRG dated July 2005~~

~~classification: SECRET//NOFORN//25X1-20581203 RRG dated July 2005~~

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Sorry, b3, b6

Have a great day,

b3, b6

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From: b3, b6
Sent: Tuesday, December 02, 2008 11:28 AM
To: b3, b6
Cc: b3, b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski — ~~SECRET//NOFORN//25X1-20581202~~
~~RRG dated July 2005~~

~~classification: SECRET//NOFORN//25X1-20581202 RRG dated July 2005~~

12/3/2008

27 April 2012

Page 2 of 4

Hello [REDACTED]

Thank you for your patience with this one, sorry for the delay. IMINT has searched/reviewed for this FOIA and has attached 2 PowerPoint presentations regarding the requested information. Also some comments from IMINT listed below on the presentations and additional information:

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The last bit of information was what we received from our Records Management team on this FOIA, wasn't sure if IART had gotten this information already??

Please let me know if any questions or concerns.

Thank you [REDACTED]

[REDACTED]

From: [REDACTED]

Sent: Monday, October 20, 2008 12:11 PM

To: [REDACTED]

Cc: FOIA (IART); imint-class; [REDACTED] gc-admin; [REDACTED]

Subject: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

Moffett Page

classification: UNCLASSIFIED

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12/3/2008

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Case #: F08-0068

From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

Due Date: 14 November 2008

Case Package:

- 1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

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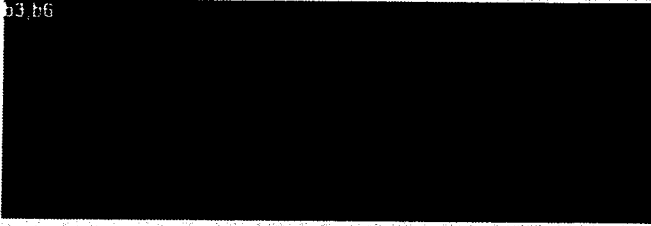
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12/3/2008

27 April 2012

Page 4 of 4

b3, b6



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12/3/2008

27 April 2012

Page 1 of 3

b3,b6

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Sent: Tuesday, December 02, 2008 11:28 AM
To: b3,b6
Cc:
Subject: RE: "FOIA APPEAL" Case # F08-0068- Laszewski — SECRET//NOFORN//25X1-20561202 RRG dated July 2005
Attachments: Satellite%20Reentry%20SECRET%20080124_rev2[1].ppt; S08-0165 US193 Shootdown.ppt
Classification: SECRET//NOFORN//25X1-20561202 RRG dated July 2005

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b3,b6

12/3/2008

27 April 2012

Page 2 of 3

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Sent: Monday, October 20, 2008 12:11 PM
To: [REDACTED]
Cc: FOIA (IART); imint-class; [REDACTED] gc-admin; [REDACTED] Moffett Page
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

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Case #: F08-0068

From: Charles Laszewski

12/3/2008

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

Due Date: **14 November 2008**

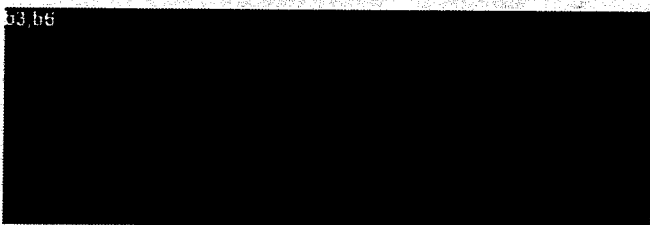
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b3, b6



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Derived From: NCG 6.0, 21 May 2005

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12/3/2008

b3 b6

From: [REDACTED]
Sent: Friday, November 21, 2008 1:15 PM
To: [REDACTED]
Cc: FOIA (IART)
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

b3 b6

This case is ready for pickup in my office - 32F18J.

Thank you,

b3 b6

From: [REDACTED]
Sent: Monday, October 20, 2008 12:11 PM
To: [REDACTED]
Cc: FOIA (IART); [REDACTED]; [REDACTED] gc-admin; [REDACTED] Moffett Page
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

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11/24/2008

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From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

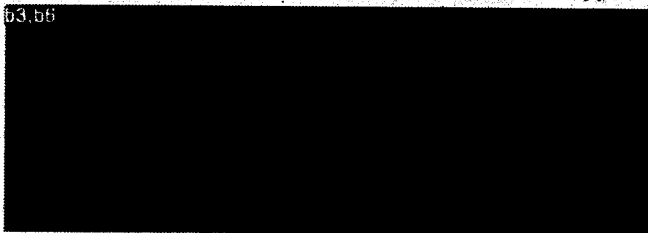
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(U) Thank you and have a wonderful day,



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11/24/2008

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UNCLASSIFIED

b3 b6

From: b3 b6
Sent: Monday, November 17, 2008 1:33 PM
To: b3 b6
Cc:
Subject: TASKER 2008-155: FOIA Request F08-08 - Satellite USA 193 — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

This^{b3} response is sent on behalf of^{b3 b6} Director.

^{b3} concurs with the position of^{b3 b6}

Thanks,

b3 b6

UNCLASSIFIED//~~FOUO~~

11/18/2008

b3 b6

From: b3 b6
Sent: Wednesday, November 12, 2008 8:21 AM
To: b3 b6
Cc: FOIA (IART)
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Yes, ma'am you sure can. Thank you for letting us know you needed an extension. It is very much appreciated.

Have a great day,

b3 b6

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From: b3 b6
Sent: Wednesday, November 12, 2008 8:20 AM
To: b3 b6
Cc: FOIA (IART)
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

classification: UNCLASSIFIED

b3 b6

DDMS would like to ask for an extension on the 14 Nov due date. Can we have another week - Friday 21 Nov instead?

Thank you,

11/12/2008

27 April 2012

Page 2 of 3

b3 b6

From: b3 b6

Sent: Monday, October 20, 2008 12:11 PM

To: b3 b6

Cc: FOIA (IART); Imint-class; b3 b6 gc-admin; b3 b6

Moffett Page

Subject: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

The IART is processing a ***Freedom of Information Act (FOIA) APPEAL*** for information involving the shoot down of Satellite USA 193.

Background:

The IART received a FOIA request from Charles Laszewski on 21 April 2008. After discussions with General Counsel (GC), the NRO declined to process this request citing the NRO's Operational File Exemption (OFE). We subsequently received an APPEAL from Mr. Laszewski challenging the use of the OFE.

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1. what caused the satellite to fail;
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3. what the United States should do about the crippled satellite.

Responsive documents should be copied, reviewed and returned to the IART, regardless of their classification, with your subject matter experts' treatment and/or release recommendations. Should you have any questions please feel free to contact me and refer to case # F08-0068.

This request will undoubtedly generate concerns from the record owners. Please assure them that, as always, the NRO will conduct a very thorough review before any records are approved for release.

Case Officer: b3 b6

11/12/2008

Case #: F08-0068

From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

Due Date: 14 November 2008

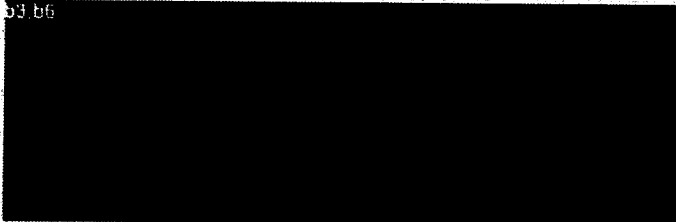
Case Package:

1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

If your directorate is interested in the correspondence relating to the case please advise and I'll be more than willing to provide you a copy.

(U) Thank you and have a wonderful day,

b3 b6



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UNCLASSIFIED

11/12/2008

UNCLASSIFIED

Classify Appropriately When Filled In

CASE WORKSHEET

1. CASE NUMBER: F08-0068

2. CASE OFFICER: 03 66

3. SUSPENSE DATE: 31 Oct 2008

4. TYPE OF REVIEW:

- ☒ FREEDOM OF INFORMATION ACT
☐ PRIVACY ACT
☐ MANDATORY DECLASSIFICATION

5. TYPE OF REQUEST:

- ☐ INITIAL
☒ APPEAL
☐ COORDINATION
☐ REFERRAL

6. TASK THE FOLLOWING OFFICES:

- | | | | | |
|--|--|---|--|---|
| ☒ AS&T | ☒ DDMS | ☐ MS&O | ☐ OS&CI/Counterintelligence | ☐ S&E |
| ☐ BPO | ☐ EEO | ☐ MS&O/IART | ☐ OS&CI/Policy | ☐ SIGINT |
| ☐ BPO/Contracts | ☐ IG | ☒ OGC | ☐ OS&CIPSD | ☒ OTHER: <u>DSS</u> |
| ☐ COMM | ☐ IMNT | ☐ OSC/OCC | ☐ OSL | |

7. FEE CATEGORY: ☐ COMMERCIAL ☐ NEWS MEDIA/EDUCATIONAL/SCIENTIFIC ☒ OTHER

Please review for release any document(s) found in response to a Freedom of Information Act request. Mark either your concurrence with the proposed release or non-concurrence with reasoning or justification. Reasoning or justification must be supported by one of the nine FOIA exemptions. See Exemptions page.

1. RECORDS FOUND: ☐ YES ☒ NO

	<u>SEARCH HOURS</u>	<u>REVIEW HOURS</u>	<u>SEARCH METHOD</u>
2. IS 2-4; GS 03-08; E1-E9	_____	_____	☐ ELECTRONIC DATABASES
GS/M 09-15; 01-08	_____	_____	☐ LIBRARIES/ARCHIVES (FILE PLAN)
GS/M 16 & Above; 07-010	_____	_____	☒ TASKED TECHNICAL EXPERTS
			☒ SURVEYED ALL EMPLOYEES
			☐ OTHER: (Specify) _____

3. ACTION RECOMMENDED: ☐ GRANT IN FULL ☐ GRANT IN PART ☐ DENY ☐ GLOMAR

4. REMARKS/COMMENTS: (If additional space is needed, attach separate page.)
AS&T found no records for this request.

1. NAME: 03 66
(Type or print full name)

2. DATE: 10 Nov 2008

3. SIGNATURE: 03 66

DECL ON:
DRV FROM:

OPR: MS&O/ASGIMSCHIART

27 April 2012

Page 1 of 7

b3, b6


From: b3, b6
Sent: Monday, November 10, 2008 12:33 PM
To: b3, b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED
Attachments: F08-0068.xml
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Here you go ... let me know if I didn't fill it out right.

FYI on S09-0027 and -0028, I'm still waiting to hear back from SME.

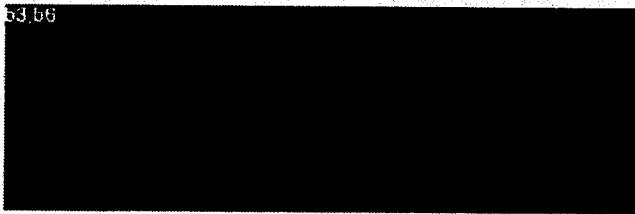
Thanks!

b3, b6


From: b3, b6
Sent: Monday, November 10, 2008 12:31 PM
To: Upchurch Erin
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

classification: UNCLASSIFIED

Yes, but make sure you check the box which indicates that you have no records.

b3, b6


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ASG/MSR CUSTOMER SURVEY
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From: b3, b6
Sent: Monday, November 10, 2008 12:30 PM
To: b3, b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

Do I "sign" the approval section if I'm not actually approving?

Thanks!

b3, b6



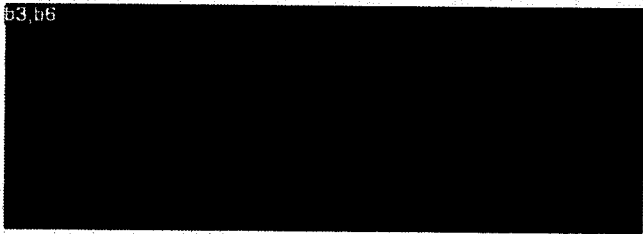
From: b3, b6
Sent: Monday, November 10, 2008 12:28 PM
To: b3, b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

hahaha! Only if the Queen's willing.

Thank you! ;)

b3, b6



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11/10/2008

ASG/IMSC CUSTOMER SURVEY
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From: b3 b6
Sent: Monday, November 10, 2008 12:27 PM
To: b3 b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

Gosh! You ARE a pain!
Would it be easier for you, princess, if I fill it out and email it back to you?

Thanks!

b3 b6

From: b3 b6
Sent: Monday, November 10, 2008 10:44 AM
To: b3 b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

Just to clarify even more...hahaha! This is so funny. I'm not trying to be a pain, but is AS&T's response a "No records." If so, could I please get you to fill out the attached case worksheet, sign, and I'll come by and pick it up?

Thanks b3 b6 you're the best!!

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From: b3, b6
Sent: Monday, November 10, 2008 10:37 AM
To: b3, b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

H b3, b6

After going through all the documents we have, I didn't find anything that fell under the three questions. Hopefully you'll find better information in IMINT.

1. what caused the satellite to fail;
2. the harm that failure of the satellite might cause; and
3. what the United states should do about the crippled satellite.

Thanks!

b3, b6

From: b3, b6
Sent: Friday, October 31, 2008 5:10 AM
To: b3, b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

Yes ma'am, I'll need all those.

Thanks!

b3, b6

11/10/2008

27 April 2012

Page 5 of 7

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From: [REDACTED]
Sent: Thursday, October 30, 2008 5:16 PM
To: [REDACTED]
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

Hello [REDACTED]
I discussed this case with the rest of my security team. They told me the best office to get information on this is IMINT. The only documents we have are the bulletins and guidance distributed when it was shot down. Is this the kind of information you need for this request?

Thanks!

[REDACTED]

From: [REDACTED]
Sent: Monday, October 20, 2008 12:11 PM
To: [REDACTED]
Cc: FOIA (IART); imint-class; [REDACTED] gc-admin; [REDACTED] Moffett Page
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

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11/10/2008

27 April 2012

Page 6 of 7

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Case Officer: b3,b6

Case #: F08-0068

From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

Due Date: 14 November 2008

Case Package:

- 1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

If your directorate is interested in the correspondence relating to the case please advise and I'll be more than willing to provide you a copy.

(U) Thank you and have a wonderful day,

b3,b6

11/10/2008

b3 b6



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Attachments: F08-0068- Case Worksheet.xfdl
Classification: UNCLASSIFIED

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11/10/2008

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11/10/2008

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Cc: FOIA (IART); imint-class; [REDACTED] gc-admin; [REDACTED] Moffett Page
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

classification: UNCLASSIFIED

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Case #: F08-0068

From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

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Attachments: Ivy.gif
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Sent: Monday, October 20, 2009 12:11 PM
To: [REDACTED]
Cc: FOIA (IART); Imint-class; [REDACTED] gc-admin; [REDACTED] Moffett Page
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

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27 April 2012

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b3, b6

From: [REDACTED]
Sent: Wednesday, November 05, 2008 8:52 AM
To: [REDACTED]
Cc: Moffett Page
Subject: FW: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED
Attachments: F08-0068- Case Worksheet.xfdl
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6

I just wanted to give you a status on subject tasking. Page has been TDY and will return tomorrow. I hope to have a response back to you sometime next week.

b3, b6

From: Moffett Page
Sent: Monday, October 20, 2008 2:22 PM
To: [REDACTED]
Cc: [REDACTED] gc-admin
Subject: FW: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6

[REDACTED] please take the lead for us in pulling together responsive documents. I know I have a bunch. I

From: [REDACTED]
Sent: Monday, October 20, 2008 12:11 PM
To: [REDACTED] [REDACTED] [REDACTED] Moffett Page
Cc: FOIA (IART); imint-class; [REDACTED] gc-admin; [REDACTED]
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

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11/5/2008

27 April 2012

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Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

Due Date: 14 November 2008

Case Package:

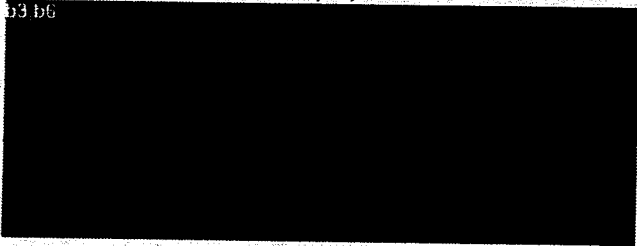
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Classification: UNCLASSIFIED

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From: b3,b6
Sent: Thursday, October 30, 2008 5:16 PM
To: b3,b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

classification: UNCLASSIFIED

Hello b3,b6

I discussed this case with the rest of my security team. They told me the best office to get information on this is IMINT. The only documents we have are the bulletins and guidance distributed when it was shot down. Is this the kind of information you need for this request?

Thanks!

10/31/2008

b3, b6

From: b3, b6
Sent: Monday, October 20, 2008 12:11 PM
To: b3, b6
Cc: FOIA (IART); imint-class; b3, b6; gc-admin; b3, b6; Moffett Page
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

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Case Officer: b3, b6

Case #: F08-0068

From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

Due Date: 14 November 2008

Case Package:

1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

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10/31/2008

27 April 2012

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b3.b6

From: [REDACTED]
Sent: Tuesday, October 21, 2008 11:40 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

[REDACTED] we are tasking the offices that we were directed to task based on GC's instructions. The satellite in question is USA 193 as mentioned in the tasking. IMINT is included. Those involved will most likely understand what is being sought . . . we worked real hard with GC and the requester to narrow the scope of the original request. If you need any additional clarification, please give [REDACTED] or me a call and we'll do our best!

L

From: [REDACTED]
Sent: Monday, October 20, 2008 2:18 PM
To: [REDACTED] action-das
Cc: [REDACTED]
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED

classification: UNCLASSIFIED

This should also be sent to COO (SI&E on the sheet, which is out-of-date), IMINT, and OSL if it is the satellite I think you are referencing. However, the search request is a little vague - which satellite or what time frame is the request referencing?

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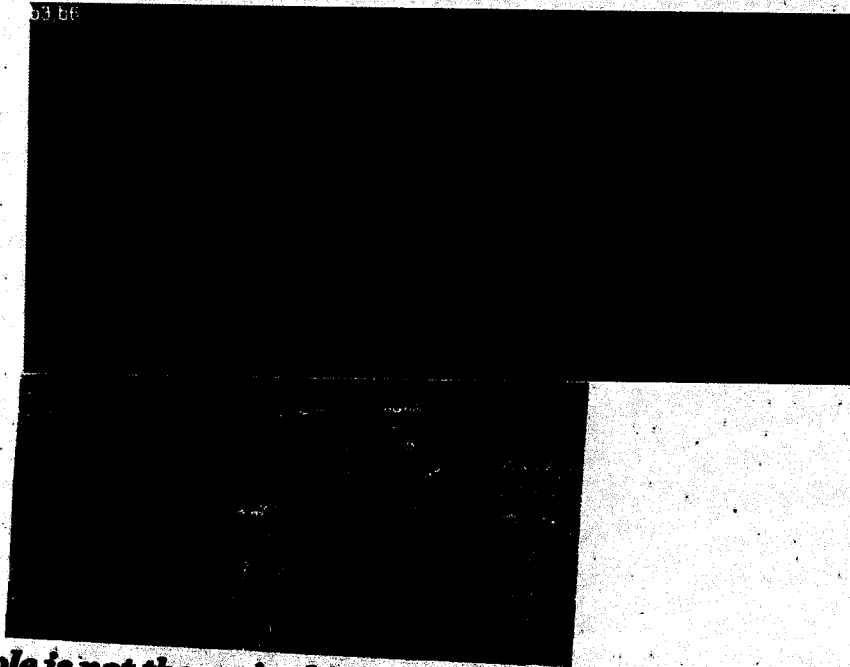
10/21/2008

27 April 2012

Page 2 of 5

From: [REDACTED] b3 b6
Sent: Monday, October 20, 2008 2:02 PM
To: action-das
Cc: [REDACTED] b3 b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED
classification: UNCLASSIFIED

Sorry here's the work sheet.



*"Example is not the main thing in influencing others. It's the only thing."
Albert Schweitzer ●*

From: [REDACTED] b3 b6
Sent: Monday, October 20, 2008 2:01 PM
To: action-das
Cc: FOIA (IART); gc-admin; [REDACTED] b3 b6
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski --- UNCLASSIFIED
classification: UNCLASSIFIED

DAS,

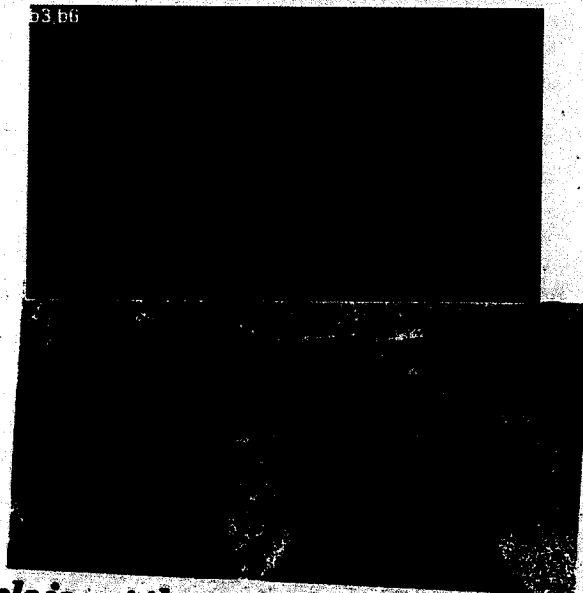
A FOIA APPEAL, please see below for instructions.



10/21/2008

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Page 3 of 5



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To: [REDACTED]
Cc: FOIA (IART); imint-class; [REDACTED] gc-admin; [REDACTED] Moffett Page
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

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10/21/2008

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Page 4 of 5

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From: Charles Laszewski

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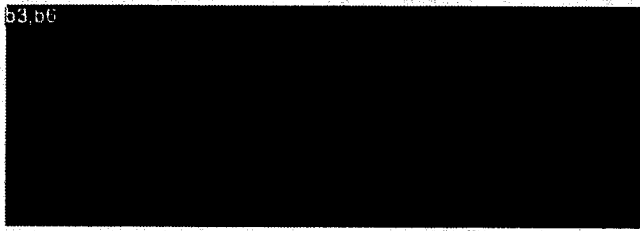
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27 April 2012

Page 1 of 3

b3, b6

From: Moffett Page
Sent: Monday, October 20, 2008 2:22 PM
To: b3, b6
Cc: b3, b6; gc-admin
Subject: FW: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED
Attachments: F08-0068- Case Worksheet.xfdl
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

b3, b6 please take the lead for us in pulling together responsive documents. I know I have a bunch. I

From: b3, b6
Sent: Monday, October 20, 2008 12:11 PM
To: b3, b6; b3, b6
Cc: FOIA (IART); Imint-class; b3, b6; gc-admin; b3, b6; Moffett Page
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED

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27 April 2012

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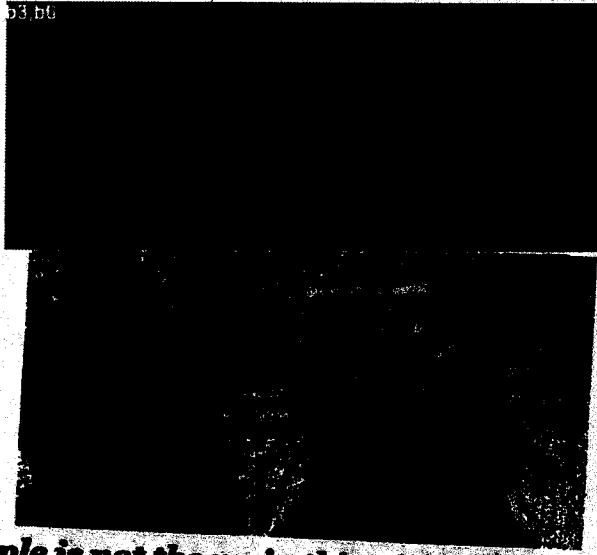
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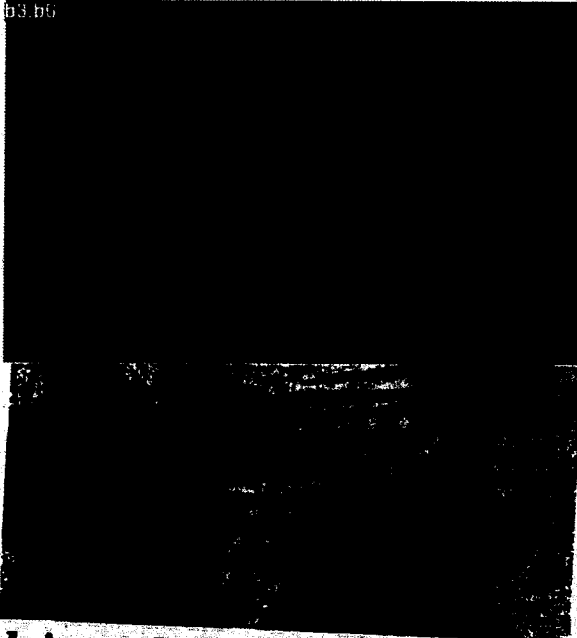
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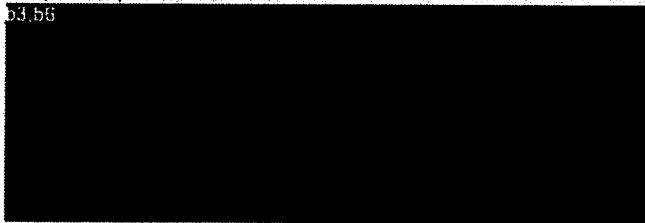
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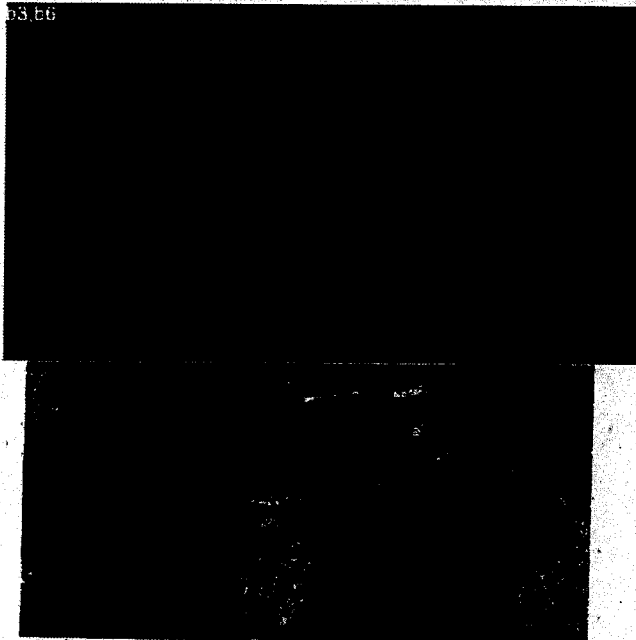
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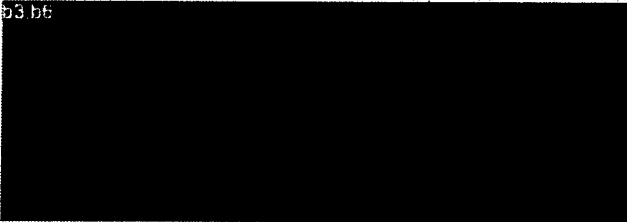
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To: b3, b6; b3, b6; Moffett
Cc: FOIA (IART); imint-class; b3, b6; go-admin; b3, b6
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED
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[REDACTED]

From: [REDACTED]
Sent: Wednesday, October 15, 2008 1:02 PM
To: [REDACTED]
Subject: RE: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Butchered !!! Let me see how it looks before it goes out . . . I'll probably change my mind yet again :-)

From: [REDACTED]
Sent: Wednesday, October 15, 2008 12:35 PM
To: [REDACTED]
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

updated draft....

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(U) The IART is processing a **FOIA APPEAL** for information involving the shoot down of Satellite USA 193.

(U) Background:

The IART received a FOIA request from Charles Laszewski on 21 April 2008. We declined to process this request citing the NRO's Operational File Exemption (OFE) after discussions with GC. We subsequently received an APPEAL Mr. Laszewski challenging our use of the OFE.

Through the appeal process, GC and NRO CIO (Appellate Authority) determined that the original OFE determination should be overturned. As a result, the NRO is now required to search for and treat responsive documents under the FOIA.

We are searching ONLY for records that meet the following criteria :

NRO-originated documents that contain information regarding

1. what caused the satellite to fail;
2. the harm that failure of the satellite might cause; and
3. what the United States should do about the crippled satellite.

(U) Responsive documents should be copied, reviewed and returned to the IART, regardless of their classification, with YOUR subject matter expert's treatment and/or release

10/16/2008

27 April 2012

Page 2 of 2

recommendations. Should you have any questions please feel free to contact me and refer to case # F08-0068.

(U//FOUO) Case Officer: 

(U) Case #: F08-0068

(U) From: Charles Laszewski

(U) Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

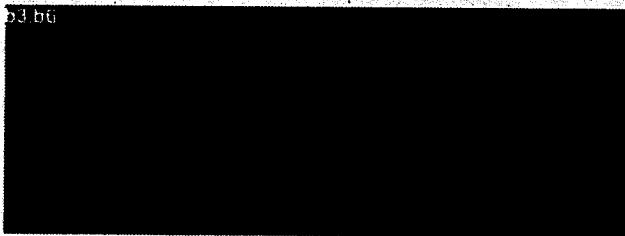
(U) Due Date: 11 November 2008

(U) Case Package:

1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

(U) If your directorate is interested in the correspondence relating to the case please advise and I'll be more than willing to provide you a copy.

(U) Thank you and have a wonderful day,



"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

TELL US HOW WE'RE DOING...
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WE LOOK FORWARD TO HEARING FROM YOU!

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

10/16/2008

b3, b6

From: [REDACTED]
Sent: Wednesday, October 15, 2008 12:52 PM
To: [REDACTED]
Subject: RE: "FOIA APPEAL" Case # F08-0068- Laszewski — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Because I just can't help myself.....

From: [REDACTED]
Sent: Wednesday, October 15, 2008 12:35 PM
To: [REDACTED]
Subject: "FOIA APPEAL" Case # F08-0068- Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

updated draft....

(U) Good morning all,

(U) This is a FOIA request for records.

(U) The IART is in receipt of a **FOIA APPEAL** requesting information involving the Satellite USA 193 shoot down.

(U) Case Background:

1. IART received FOIA request from Charles Laszewski on 21 April 2008;
2. Per General Counsel guidance, the IART responded to the requester on 01 July 2008, citing the Operational File Exemption (OFE):
"FOIA exemption (b)(3), by virtue of 50 USC § 432a, exempts operational files of the NRO from the publication, disclosure, search, and review provisions of the FOIA. As such, the files that would contain responsive records, should any exist, are not subject to search in response to your request."
3. IART received APPEAL letter from Mr. Laszewski on 13 August 2008, appealing our OFE response.
4. General Counsel and the NRO FOIA Appellate Authority, Charles Barlow, overturned the initial determination on 2 October 2008, and directed that appropriate directorates and offices are to conduct a search for responsive records.

10/16/2008

(U) **We ask that each directorate tasked limit their search to the following criteria:**

1. NRO-originated documents **ONLY**.
2. Information regarding:
 - a. what caused the satellite to fail;
 - b. the harm that failure of the satellite might cause; and
 - c. what the United States should do about the crippled satellite.

(U) **Please confine your response to records that meet these criteria.** If responsive documents are found, please review and return your release recommendations and search/review time to the IART.

(U//FOUO) Should you have any questions please feel free to contact me and refer to case # F08-0068.

(U//FOUO) Case Officer: b3 b6

(U) Case #: F08-0068

(U) From: Charles Laszewski

(U) Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

(U) Due Date: **11 November 2008**

(U) Case Package:

- 1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

(U) Thank you and have a wonderful day,

b3 b6

"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

NRO APPROVED FOR RELEASE

27 April 2012

Page 3 of 3

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~~UNCLASSIFIED//FOUO~~

~~UNCLASSIFIED//FOUO~~

10/16/2008

03.b6

From: 03.b6
Sent: Wednesday, October 15, 2008 8:56 AM
To: 03.b6
Subject: RE: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal -- UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Since you leave just when things get hoppin' ... let's shoot for tomorrow. I'll be in meetings until 1 today.

From: 03.b6
Sent: Wednesday, October 15, 2008 8:55 AM
To: 03.b6
Subject: RE: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal -- UNCLASSIFIED

classification: UNCLASSIFIED

Ok great! Just let me know when you're available.

03.b6

"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

TELL US HOW WE'RE DOING...
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From: 03.b6
Sent: Wednesday, October 15, 2008 8:53 AM
To: 03.b6
Subject: RE: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal -- UNCLASSIFIED

classification: UNCLASSIFIED

10/15/2008

27 April 2012

Page 2 of 4

YES - let's get together - I think I want them to know more ... but I need to talk it out.

From: [REDACTED]
Sent: Wednesday, October 15, 2008 5:46 AM
To: [REDACTED]
Subject: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal --- UNCLASSIFIED
classification: UNCLASSIFIED

Hi [REDACTED]

Did you want to add anything to this before I send out the tasking?

Thanks lady,

[REDACTED]

"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

TELL US HOW WE'RE DOING...
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From: [REDACTED]
Sent: Thursday, October 09, 2008 8:49 AM
To: [REDACTED]
Subject: RE: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal --- UNCLASSIFIED
classification: UNCLASSIFIED

See below.... I've suggested a couple changes, to further explain why this request looks a little different

From: [REDACTED]
Sent: Thursday, October 09, 2008 8:27 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal --- UNCLASSIFIED

10/15/2008

classification: UNCLASSIFIED

Hi,

Please let me know what you think about the below email. I thought it would be best NOT to attach the appeal letter from Mr. Chuck in fear that it would only confuse the directorates. What you do you think?

DRAFT

(U) Good morning all,

(U) This is a FOIA request for records.

(U) The IART is in receipt of a FOIA request for information involving the Satellite USA 193 shoot down. Due to the complexity of correspondence regarding this request, copies of the original request letter, the requester's appeal letter, and other related correspondence to/from the requester are not included with this request package. The IART has established with the requester that we will conduct a search/review based on the specific criteria outlined below. **We ask that each directorate tasked limit their search to the following criteria:**

1. Information that explains /discusses:
 - a. what caused the satellite to fail;
 - b. the harm that failure of the satellite might cause; and
 - c. what the United States should do about the crippled satellite.

2. NRO-originated documents **ONLY**.

(U) **Please confine your response to records that meet these criteria. Records beyond this scope should be considered non-responsive.** If responsive documents are found please review, and return your release recommendations and search time to the IART. Should you have any questions please feel free to contact me and refer to case # F08-0068.

(U//FOUO) Case Officer: [REDACTED]

(U) Case #: F08-0068

(U) From: Charles Laszewski

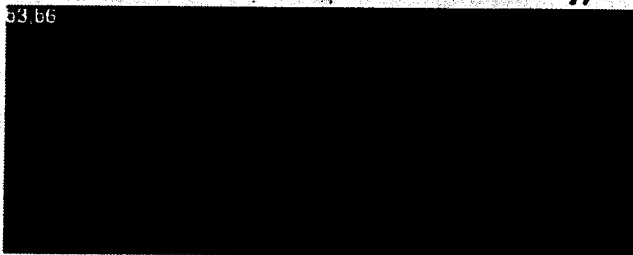
(U) Offices Tasked: AS&T, DDMS, DSS, and OGC, /MINT

(U) Due Date: 31 October 2008

(U) Case Package:

1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

(U) Thank you and have a wonderful day,



"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

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UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

b3,b6

From: b3,b6
Sent: Wednesday, October 15, 2008 8:53 AM
To: b3,b6
Subject: RE: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

YES - let's get together - I think I want them to know more . . . but I need to talk it out.

From: b3,b6
Sent: Wednesday, October 15, 2008 5:46 AM
To: b3,b6
Subject: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal — UNCLASSIFIED

classification: UNCLASSIFIED

Hi b3,b6

Did you want to add anything to this before I send out the tasking?

Thanks lady,

b3,b6

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ASG/IMSC CUSTOMER SURVEY
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From: b3,b6
Sent: Thursday, October 09, 2008 8:49 AM
To: b3,b6
Subject: RE: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal — UNCLASSIFIED

10/15/2008

27 April 2012

Page 2 of 3

classification: UNCLASSIFIED

See below.... I've suggested a couple changes, to further explain why this request looks a little different

From: 53 55

Sent: Thursday, October 09, 2008 8:27 AM

To: 53 55

Cc:

Subject: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal --- UNCLASSIFIED

classification: UNCLASSIFIED

Hi,

Please let me know what you think about the below email. I thought it would be best NOT to attach the appeal letter from Mr. Chuck in fear that it would only confuse the directorates. What you do you think?

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 - c. what the United states should do about the crippled satellite.

2. NRO-originated documents **ONLY**.

(U) **Please confine your response to records that meet these criteria. Records beyond this scope should be considered non-responsive.** If responsive documents are found please review, and return your release recommendations and search time to the IART. Should you have any questions please feel free to contact me and refer to case # F08-0068.

(U//FOUO) Case Officer: 53 55

10/15/2008

(U) Case #: F08-0068

(U) From: Charles Laszewski

(U) Offices Tasked: AS&T, DDMS, DSS, and OGC

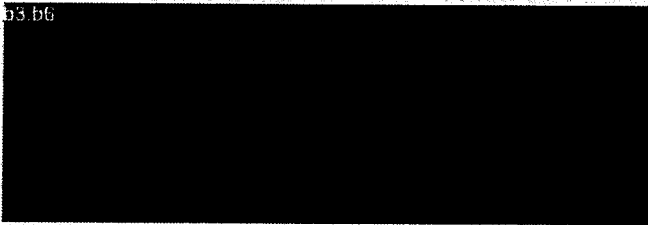
(U) Due Date: 31 October 2008

(U) Case Package:

1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

(U) Thank you and have a wonderful day,

b3.b6



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UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

b3,b6

From: b3,b6
Sent: Thursday, October 09, 2008 8:49 AM
To: b3,b6
Subject: RE: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

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Sent: Thursday, October 09, 2008 8:27 AM
To: b3,b6
Cc: b3,b6
Subject: DRAFT~ *FOIA REQUEST* Case # F08-0068- Laszewski Appeal — UNCLASSIFIED

classification: UNCLASSIFIED

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1. Information that explains /discusses:
 - a. what caused the satellite to fail;
 - b. the harm that failure of the satellite might cause; and
 - c. what the United states should do about the crippled satellite.
2. NRO-originated documents **ONLY**.

27 April 2012

Page 2 of 2

(U) Please confine your response to records that meet these criteria. Records beyond this scope should be considered non-responsive. If responsive documents are found please review, and return your release recommendations and search time to the IART. Should you have any questions please feel free to contact me and refer to case # F08-0068.

(U//FOUO) Case Officer: 

(U) Case #: F08-0068

(U) From: Charles Laszewski

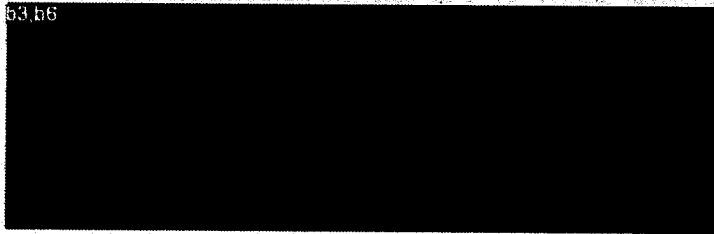
(U) Offices Tasked: AS&T, DDMS, DSS, and OGC

(U) Due Date: **31 October 2008**

(U) Case Package:

1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

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TELL US HOW WE'RE DOING...
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ASG/INSC CUSTOMER SURVEY
WE LOOK FORWARD TO HEARING FROM YOU!

UNCLASSIFIED

UNCLASSIFIED

10/9/2008

b3,b6

From: b3,b6
Sent: Thursday, October 09, 2008 8:27 AM
To: b3,b6
Cc:
Subject: DRAFT- "FOIA REQUEST" Case # F08-0068- Laszewski Appeal — UNCLASSIFIED
Attachments: F08-0068- Case Worksheet.xfdl
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Hi,

Please let me know what you think about the below email. I thought it would be best NOT to attach the appeal letter from Mr. Chuck in fear that it would only confuse the directorates. What you do you think?

DRAFT

(U) Good morning all,

(U) This is a FOIA request for records.

(U) The IART is in receipt of a FOIA request for information involving the Satellite USA 193 shoot down. **We ask that each directorate tasked limit their search to the following criteria:**

1. NRO originated documents **ONLY**;
2. Information that explains what caused the satellite to fail;
3. the harm that failure of the satellite might cause; and
4. what the United States should do about the crippled satellite.

(U) **Please confine your search for records to the above 4-points.** If responsive documents are found please review, and return your release recommendations and search time to the IART. Should you have any questions please feel free to contact me and refer to case # F08-0068.

(U//FOUO) Case Officer: b3,b6

(U) Case #: F08-0068

(U) From: Charles Laszewski

10/9/2008

27 April 2012

Page 2 of 2

(U) Offices Tasked: AS&T, DDMS, DSS, and OGC

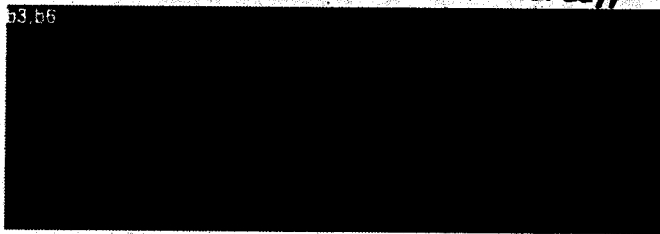
(U) Due Date: **31 October 2008**

(U) Case Package:

1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

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10/9/2008

NRO APPROVED FOR RELEASE

27 April 2012

UNCLASSIFIED

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

MATERIEL TRANSPORTATION REQUEST

1. CLASSIFICATION: ☒ U ☐ C ☐ S ☐ TS 2. CONTROL CHANNEL: ☐ SI ☐ TK ☐ RV
3. DATE AVAILABLE: 9 Oct 2008 4. REQUIRED DELIVERY DATE: N/A ☒ 5. ASSOCIATED ☐ 6. NON-ASSOCIATED
7. REQUESTOR'S NAME: [REDACTED]
8. SECURE PHONE: [REDACTED] 10. DATE OF REQUEST: 9 Oct 2008
11. SIGNATURE: [REDACTED]
12. PROGRAM AND DIRECTORATE: MSO/ASG/TMSC
13. GOVERNMENT VALIDATOR: [REDACTED]
15. SECURE PHONE: [REDACTED] 16. OFFICE: MSO/ASG/TMSC
17. REMARKS: F08-0068- Appeal

1. COMPANY: 2. ADDRESS:
3. CITY: 4. STATE: 5. ZIP: 6. STOP NUMBER:
7. PRIMARY CONTACT: (Type or print full name)
8. SSN: (Last 4 digits only - not required for MPT) 9. SECURE PHONE: 10. NON-SECURE PHONE:
11. ALTERNATE CONTACT: (Type or print full name)
12. SSN: (Last 4 digits only - not required for MPT) 13. SECURE PHONE: 14. NON-SECURE PHONE:

1. COMPANY: 2. ADDRESS: [REDACTED]
3. CITY: [REDACTED] 4. STATE: [REDACTED] 5. STOP NUMBER:
7. PRIMARY CONTACT: Charles Leszewski (Type or print full name)
8. SSN: (Last 4 digits only - not required for MPT) 9. SECURE PHONE: 10. NON-SECURE PHONE:
11. ALTERNATE CONTACT: (Type or print full name)
12. SSN: (Last 4 digits only - not required for MPT) 13. SECURE PHONE: 14. NON-SECURE PHONE:

1. TON #: 2. MISSION #: 3. TMC CONTROL #:
4. TRACKING NUMBER: ☐ FED EX ☒ USPS ☐ COURIER ☐ HAND CARRY
5. MPT INITIALS: DATE: TIME: 6. DISPATCHER INITIALS: DATE: TIME:
7. PACKAGE PREP INITIALS: DATE: TIME: 8. OPS INITIALS: DATE: TIME:

DECL ON:
DRV FROM:

NP11-08, MAY 07 (IMT-EF)

UNCLASSIFIED

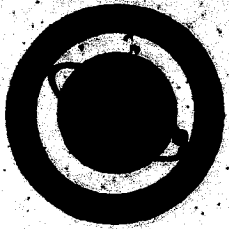
Classify Appropriately When Filled In

OPR: MSO/ASG/TMSC

PAGE OF

PREVIOUS EDITIONS ARE OBSOLETE

RCS: 408-2



NRO APPROVED FOR RELEASE
27 April 2012

NATIONAL RECONNAISSANCE OFFICE
14875 Lee Road
Chantilly, VA 20151-1715

8 October 2008

Charles Laszewski
[REDACTED]

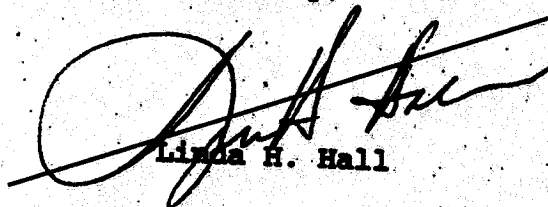
Dear Mr. Laszewski:

Following up on our phone conversation of 6 October 2008, regarding your Freedom of Information Act (FOIA) request, F08-0068, the National Reconnaissance Office (NRO) will begin processing your request pursuant to the FOIA laws.

The NRO will confine our search to records originated by the NRO that contain information about 1) what caused the satellite to fail, 2) the harm that might cause, and 3) what the United States should do about the crippled satellite.

Please feel free to contact me if you have any questions. You can call the Requester Service Center at (703) 227-9326, and reference case number F08-0068.

Sincerely,


Linda H. Hall

27 April 2012

b3,b6

From: Moffett Page
Sent: Wednesday, October 08, 2008 8:32 AM
To: b3,b6
Cc: gc-admin; FOIA (IART); b3,b6
Subject: RE: FOIA request for "shootdown" records — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Well done, b3,b6. Sounds like you have gotten this limited to NRO originated docs which is a big help. FYI, I mentioned this request to one of my friends who is an attorney for the NSC. Since there are so many NSC and other agency docs on this matter, limiting it to NRO records is a fantastic step forward. DDMS, AS&T, the Front Office and GC should all have records on this. b3,b6 will respond for our office. Once again, well done. Page

From: b3,b6
Sent: Tuesday, October 07, 2008 11:32 AM
To: Moffett Page
Cc: gc-admin; FOIA (IART)
Subject: FOIA request for "shootdown" records — UNCLASSIFIED

classification: UNCLASSIFIED

I spoke with the requester, "Chuck" Laszewski, yesterday . . . as a confirmation of our phone conversation, I have drafted the attached letter to him. I believe that I've gotten him to sufficiently narrow the request to allow us to conduct a search and review, albeit a lengthy one.

Please review and comment.

Thank you!

b3,b6

UNCLASSIFIED

UNCLASSIFIED

10/8/2008

7 October 2008

Charles Laszewski
[REDACTED]

Dear Mr. Laszewski:

Following up on our phone conversation of 6 October 2008 regarding your Freedom of Information Act (FOIA) request, F08-0068, the National Reconnaissance Office (NRO) will begin processing your request pursuant to the FOIA laws.

The NRO will confine our search to records originated by the NRO that contain information about 1) what caused the satellite to fail, 2) the harm that might cause, and 3) what the United States should do about the crippled satellite.

Please feel free to contact me if you have any questions. You can call the Requester Service Center at (703) 227-9326, and reference case number F08-0068.

Sincerely,

Linda H. Hall

UNCLASSIFIED

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

MATERIEL TRANSPORTATION REQUEST

I certify that this request is for the transportation of materiel and is not for the transportation of personnel or other items. This request is for the transportation of materiel and is not for the transportation of personnel or other items. This request is for the transportation of materiel and is not for the transportation of personnel or other items.

1. CLASSIFICATION: ☒ U ☐ C ☐ S ☐ TS 2. CONTROL CHANNEL: ☐ SI ☐ TK ☐ RSV
3. DATE AVAILABLE: 6 Oct 2008 4. REQUIRED DELIVERY DATE: N/A ☒ 5. ASSOCIATED ☐ 6. NON-ASSOCIATED
7. REQUESTOR'S NAME: [REDACTED] (Type or print full name)
8. SECURE PHONE: [REDACTED] 10. DATE OF REQUEST: 6 Oct 2008
11. SIGNATURE: [REDACTED]
12. PROGRAM/PROJECT/ACTIVITY: MSO/ASG/IMSC
13. GOVERNMENT VALIDATOR: [REDACTED] (Type or print full name) 14. BADGE #: _____
15. SECURE PHONE: [REDACTED] 16. OFFICE: MSO/ASG/IMSC
17. REMARKS: APPEAL- F08-0068

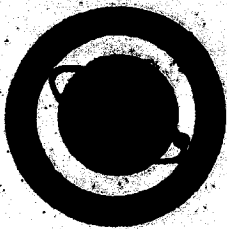
1. COMPANY: _____ 2. ADDRESS: _____
3. CITY: _____ 4. STATE: _____ 5. ZIP: _____ 6. STOP NUMBER: _____
7. PRIMARY CONTACT: _____ (Type or print full name)
8. SSN: (Last 4 digits only - not required for MPT) _____ 9. SECURE PHONE: _____ 10. NON-SECURE PHONE: _____
11. ALTERNATE CONTACT: _____ (Type or print full name)
12. SSN: (Last 4 digits only - not required for MPT) _____ 13. SECURE PHONE: _____ 14. NON-SECURE PHONE: _____

1. COMPANY: _____ 2. ADDRESS: [REDACTED]
3. CITY: [REDACTED] 4. STATE: [REDACTED] 5. ZIP: [REDACTED] 6. STOP NUMBER: _____
7. PRIMARY CONTACT: Charles Lasowski (Type or print full name)
8. SSN: (Last 4 digits only - not required for MPT) _____ 9. SECURE PHONE: _____ 10. NON-SECURE PHONE: _____
11. ALTERNATE CONTACT: _____ (Type or print full name)
12. SSN: (Last 4 digits only - not required for MPT) _____ 13. SECURE PHONE: _____ 14. NON-SECURE PHONE: _____

1. TCN #: _____ 2. MISSION #: _____ 3. TMC CONTROL #: _____
4. TRACKING NUMBER: _____ ☐ FED EX ☒ USPS ☐ COURIER ☐ HAND CARRY
5. MPT INITIALS: _____ DATE: _____ TIME: _____ 6. DISPATCHER INITIALS: _____ DATE: _____ TIME: _____
7. PACKAGE PREP INITIALS: _____ DATE: _____ TIME: _____ 8. OPS INITIALS: _____ DATE: _____ TIME: _____

DECL ON:
DRV FROM:

OPR: MSO/ASG/IMC
PAGE OF
PREVIOUS EDITIONS ARE OBSOLETE
RCS: 403-2



NRO APPROVED FOR RELEASE

27 April 2012

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

02 October 2008

Charles Laszewski

b3, b7

Dear Mr. Laszewski:

This is in response to your letter dated 08 August 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 13 August 2008. Pursuant to the Freedom of Information Act (FOIA), you are appealing the NRO's response to your request for "...records relating to Satellite USA 193..."

As the Appellate Authority, and after a complete review, I have determined that application of the (b)(3) exemption for NRO operational files, pursuant to 50 USC § 432a, is not appropriate in this case. Our initial determination has been overturned. Should any records exist, they will be processed in accordance with the FOIA, 5 U.S.C. § 552, as amended. Unless you object, we will limit our search to NRO-originated records.

If you have any questions, please call the Requester Service Center at (703) 227-9326, and reference case number F08-0068.

Sincerely,

Charles Barlow

NRO APPROVED FOR RELEASE

27 April 2012

UNCLASSIFIED

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

MATERIEL TRANSPORTATION REQUEST

1. CLASSIFICATION: ☒ U ☐ C ☐ S ☐ TS
2. CONTROL CHANNEL: ☐ SI ☐ TK ☐ RSV
3. DATE AVAILABLE: 13 APR 2008
4. REQUIRED DELIVERY DATE: N/A
5. ASSOCIATED ☒ 6. NON-ASSOCIATED ☐
7. REQUESTOR'S NAME: [REDACTED]
8. SECURE PHONE: [REDACTED] (Type or print full name)
9. NON-SECURE PHONE: [REDACTED]
10. DATE OF REQUEST: 13 APR 2008
11. SIGNATURE: [REDACTED]
12. PROGRAM AND DIRECTORATE: MSO/ASG/IMSC
13. GOVERNMENT VALIDATOR: [REDACTED]
14. BADGE #: [REDACTED]
15. SECURE PHONE: [REDACTED] (Type or print full name)
16. OFFICE: MSO/ASG/IMSC
17. REMARKS: F08-0068

1. COMPANY: [REDACTED]
2. ADDRESS: [REDACTED]
3. CITY: [REDACTED]
4. STATE: [REDACTED]
5. ZIP: [REDACTED]
6. STOP NUMBER: [REDACTED]
7. PRIMARY CONTACT: [REDACTED]
(Type or print full name)
8. SSN: (Last 4 digits only - not required for MPT) [REDACTED]
9. SECURE PHONE: [REDACTED]
10. NON-SECURE PHONE: [REDACTED]
11. ALTERNATE CONTACT: [REDACTED]
(Type or print full name)
12. SSN: (Last 4 digits only - not required for MPT) [REDACTED]
13. SECURE PHONE: [REDACTED]
14. NON-SECURE PHONE: [REDACTED]

1. COMPANY: [REDACTED]
2. ADDRESS: [REDACTED]
3. CITY: [REDACTED]
4. STATE: [REDACTED]
5. ZIP: [REDACTED]
6. STOP NUMBER: [REDACTED]
7. PRIMARY CONTACT: Charles Laszewski
(Type or print full name)
8. SSN: (Last 4 digits only - not required for MPT) [REDACTED]
9. SECURE PHONE: [REDACTED]
10. NON-SECURE PHONE: [REDACTED]
11. ALTERNATE CONTACT: [REDACTED]
(Type or print full name)
12. SSN: (Last 4 digits only - not required for MPT) [REDACTED]
13. SECURE PHONE: [REDACTED]
14. NON-SECURE PHONE: [REDACTED]

1. TCN #: [REDACTED]
2. MISSION #: [REDACTED]
3. TMC CONTROL #: [REDACTED]
4. TRACKING NUMBER: [REDACTED]
5. MPT INITIALS: [REDACTED] DATE: [REDACTED] TIME: [REDACTED]
6. DISPATCHER INITIALS: [REDACTED] DATE: [REDACTED] TIME: [REDACTED]
7. PACKAGE PREP INITIALS: [REDACTED] DATE: [REDACTED] TIME: [REDACTED]
8. OPS INITIALS: [REDACTED] DATE: [REDACTED] TIME: [REDACTED]

DECL ON:
DRV FROM:

NP11-08, MAY 07 (INT-EF)

UNCLASSIFIED

Classify Appropriately When Filled In

OPR: MSO/ASG/IMSC
PAGE OF
PREVIOUS EDITIONS ARE OBSOLETE
RCS: 403-2



NRO APPROVED FOR RELEASE

27 April 2012

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

13 August 2008

Charles Laszewski

05

Dear Mr. Laszewski:

This is in response to your letter dated 08 August 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 13 August 2008. Pursuant to the Freedom of Information Act (FOIA), you are appealing the NRO's response to your request for "...records relating to Satellite USA 193..."

Your appeal has been accepted. We will advise you when a determination by the NRO Appeal Board has been made.

If you have any questions, please call the Requester Service Center at (703) 227-9326, and reference case number F08-0068.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda S. Hathaway".

Linda S. Hathaway
Chief, Information Access
and Release Team

F08-0068 APPEAL

HISTORY:

- 21 April 2008 – IART received request from Charles Laszewski for "... copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008 ..." The request includes "all emails, memos, discussions, craft descriptions, after action reports or any other pertinent data about this satellite which was launched in December 2006."
- NOTE: IART received two other similar requests at about the same time.
- 24 April 2008 – IART sent acceptance letter.
- IART requested permission to use the Operational File Exemption on all three requests from General Counsel (GC). IART was advised by GC that CSNR [REDACTED] had been tasked by D/NRO to do a comprehensive lessons learned. GC further advised IART to task CSNR with the intent of providing a "package" of releasable documents to the requesters.
- IART tasked CSNR to search for and review responsive records. CSNR reported that they did not have any records responsive to these FOIA requests.
- 30 June 2008, IART again requested guidance from GC. GC advised IART to invoke the Operational File Exemption in all three cases. IART letter to requesters dated 1 July 2008.
- Mr. Laszewski's appeal was received in the IART on 1 August 2008. The other two requesters did not appeal. Mr. Laszewski's appeal was based on the improper use of the NRO's Operational File Exemption citing that the documents in questions do not "document the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems."
- 13 August 2008 – IART sent letter to requester accepting his appeal.
- 18 August 2008 – GC reviewed the appeal package and stated that the initial denial should be reversed and we must search for and review documents responsive to the request. GC requested meeting with Appellate Authority and all concerned to discuss plan of action.

27 April 2012

PLAN OF ACTION OPTIONS:

If we are to search and review, we could:

1. Try to limit the scope by
 - a. Searching for only NRO-originated records
 - b. Asking the requester if he would be willing to specify a date range – perhaps launch (Dec 2006) to date of request (21 April 2008)
 - c. Asking the requester if we could search for and review an "After Action Report" (or something similar) only in order to produce releasable information quickly
2. Get an estimate of the number of pages/documents – searching OGC, NROC, IMINT, AS&T and DDMS (any others?)
3. Have top management put out a call for all records on this subject to be retired to the NRO Records Center (they may still be using some), get a page count – IMINT has started retiring their records
4. Prepare an index for treatment and release under FOIA and allow the requester to select the documents for further review/treatment.
5. Consider a task force (Declass/CSNR/IMINT/AS&T, etc.) to:
 - Prepare declass guide
 - Review records for release

NOTE: CSNR has currently been asked to do a lessons learned. In order for anything to be declassified, CSNR would also need to originate the process, do a risk assessment, write a paper for the D/NRO and DNI to concur. Since the material is not 25 years old, IART would need additional funding if the declass staff is asked to do the declassification.

27 April 2012

Page 1 of 9

b3, b6

From: b3, b6
Sent: Tuesday, September 30, 2008 9:57 AM
To: b3, b6
Cc:
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Will do, b3, b6 ... thanks!

From: b3, b6
Sent: Tuesday, September 30, 2008 9:25 AM
To: b3, b6
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

b3, b6

Per Page's note below, no meeting to discuss subj. appeal prior to 2 Oct. is necessary. Please confirm that you will be bringing the proposed appeal letter to our meeting with Mr. Barlow.

Thanks!

b3, b6

From: Moffett Page
Sent: Tuesday, September 30, 2008 8:42 AM
To: b3, b6
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

b3, b6 as we discussed, no meeting is necessary. Please make sure b3, b6 brings the proposed appeal letter to our meeting with Charlie. Thanks. Page

From: b3, b6
Sent: Tuesday, September 30, 2008 7:07 AM
To: Moffett Page

9/30/2008

27 April 2012

Page 2 of 9

Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

Page,

Do you still want to meeting with [REDACTED] - tomorrow 3:30?

[REDACTED]

From: [REDACTED]
Sent: Thursday, September 25, 2008 3:34 PM
To: [REDACTED] Hathaway Linda (MSO)
Cc: Moffett Page; [REDACTED]
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

I can meet with Mr. Moffett late on the 1st (3:30 or 4). Linda Sue will not be available. Please let me know if this is suitable. I have prepared a talking paper for the meeting with Mr. Barlow. It is attached for read-ahead.

[REDACTED]

From: [REDACTED]
Sent: Thursday, September 25, 2008 2:48 PM
To: Hathaway Linda (MSO); [REDACTED]
Cc: Moffett Page
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

Just to confirm, we are meeting to inform Mr. Barlow of the proposed course of action (that the subject appeal should be sustained and that the initial denial should be reversed)- per Page's 18 Aug. 07 e-mail at bottom of this note.

Page would like to have a quick meeting to discuss and review the subject appeal file prior to the meeting on 2 Oct. Page is available the afternoon of 1 Oct if that works, otherwise, please give me some dates and times that you will be available.

Thanks for your assistance.

[REDACTED]

9/30/2008

From: [REDACTED]
Sent: Thursday, September 25, 2008 2:20 PM
To: [REDACTED]
Cc: Moffett Page; [REDACTED] Hathaway Linda (MSO)
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

I've entered this on Page's calendar.

[REDACTED]

From: [REDACTED]
Sent: Thursday, September 25, 2008 2:16 PM
To: [REDACTED]
Cc: [REDACTED] Moffett Page; [REDACTED] Hathaway Linda (MSO)
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

[REDACTED]

Thanks for getting back to me. Looks like 2 Oct. 1030 - 1130 will work. Let's meet in Page's office, 15B20L.

[REDACTED]

From: [REDACTED]
Sent: Thursday, September 25, 2008 1:57 PM
To: [REDACTED]
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

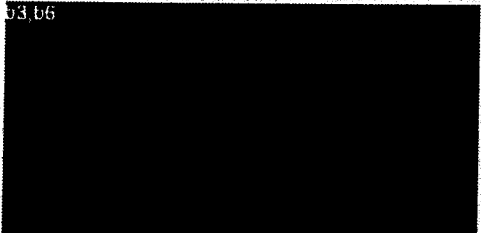
These are available times for Mr. Barlow:

1 Oct 11, 11:30
2 Oct 9:00-12:00 available
2 Oct 1:30-3:00 available

Pls. let me know a convenient time.

9/30/2008

b3, b6



From: b3, b6
Sent: Thursday, September 25, 2008 10:13 AM
To: b3, b6
Cc: b3, b6; Moffett Page; b3, b6; Hathaway Linda (MSO)
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

b3, b6



Let's try again to get this scheduled.

Thanks much!

b3, b6



From: b3, b6
Sent: Wednesday, September 10, 2008 11:23 AM
To: b3, b6; Moffett Page
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

Sorry, but someone else will have to take over scheduling this meeting.

b3, b6



9/30/2008

From: b3,b6
Sent: Tuesday, September 09, 2008 4:05 PM
To: b3,b6
Cc: Moffett Page
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

Oops, sorry Mr. Barlow was just informed that he has to go DNI-LX2 on 16th from 2-3.

Would 22 Sep from 10:00-11:00 work?

b3,b6



From: b3,b6
Sent: Tuesday, September 09, 2008 7:07 AM
To: b3,b6
Cc: Moffett Page
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

b3,b6 please hold the 16th from 2-3pm since this is the only time Page will be able to make. May we do this in Page's office or would you prefer Charlie's?

b3,b6 please note date and time.

b3,b6



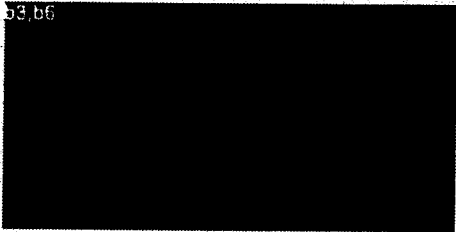
From: b3,b6
Sent: Monday, September 08, 2008 5:49 PM
To: b3,b6

9/30/2008

Cc: b3, b6; Moffett Page
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

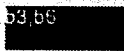
10 Sep 2:30-3:30 is open
16 Sep 2:00-3:00 is open
22 Sep 10:00-12:00 is open

b3, b6



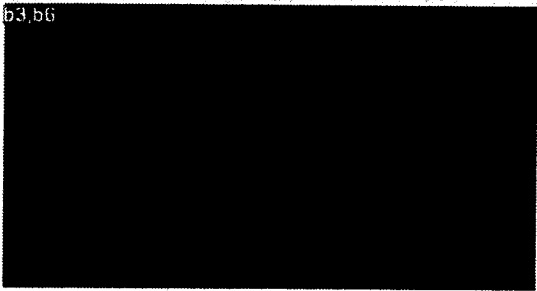
From: b3, b6
Sent: Monday, September 08, 2008 7:27 AM
To: b3, b6
Cc: b3, b6; Moffett Page; gc-admin
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

b3, b6



Need to get times of availability on Charlie's calendar for this meeting. Mondays are not good, but if you could give some dates and times, I will coordinate with the others. Thank you.

b3, b6



From: b3, b6
Sent: Thursday, September 04, 2008 1:51 PM
To: gc-admin
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

9/30/2008

Thank should be fine. Thanks!

b3 b6

From: b3 b6
Sent: Thursday, September 04, 2008 12:08 PM
To: b3 b6 gc-admin
Cc: b3 b6 Moffett Page
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Unless the meeting needs to be scheduled for this Friday, I'd like to defer this to Vicky to schedule.

b3, b6

From: b3 b6
Sent: Thursday, September 04, 2008 7:34 AM
To: gc-admin
Cc: b3 b6 Moffett Page
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

b3 b6

Would you please schedule the subject meeting below and let me know when it is all set up.

Thanks much!

b3, b6

From: Hathaway Linda (MSO)
Sent: Wednesday, September 03, 2008 11:12 AM
To: b3 b6
Cc: b3 b6 Moffett Page
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Hi b3 b6 and welcome back! I was wondering if you can get this meeting set up between Page and Charlie and b3 b6 We need to talk to Charlie regarding this case (it is a request for information on the satellite shoot down).

Thanks,

Linda Sue

9/30/2008

27 April 2012

Page 8 of 9

From: Hathaway Linda (MSO)
Sent: Monday, August 18, 2008 3:02 PM
To: Moffett Page; [REDACTED]
Cc: [REDACTED]
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Page, if it would be OK with you - I would appreciate your office setting up the meeting with Charlie.

We have made several attempts to brief Mr. Barlow on "Privacy" (per his personal request to me) but it has been over 6 months now -- CIO POC we were told to work through has not been successful in setting anything up.

I am on a re-compete and will be out of the loop until the end of Sept.

Suggest [REDACTED] work something out for your all of your calendars.

Many thanks,

Linda Sue

From: Moffett Page
Sent: Monday, August 18, 2008 1:57 PM
To: [REDACTED] Hathaway Linda (MSO)
Cc: [REDACTED]
Subject: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

I have reviewed the subject appeal package. It is my legal opinion that the appeal should be sustained and that the initial denial should be reversed. In other words, we must search for and review documents responsive to the request. I know that I originally opined that the OFE was applicable, but I have changed my mind.

Recommend we brief the new NRO Appellate Authority, Charlie Barlow, on our proposed course of action. Can IART set up the meeting with Mr. Barlow? After that meeting, we can discuss the strategy for processing the request. Page

UNCLASSIFIED//~~FOUO~~
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UNCLASSIFIED//~~FOUO~~

9/30/2008

UNCLASSIFIED//FOUO
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UNCLASSIFIED//FOUO
UNCLASSIFIED//FOUO

b3, b6

From: [REDACTED]
Sent: Thursday, September 25, 2008 2:29 PM
To: [REDACTED] Hathaway Linda (MSO)
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

From: [REDACTED]
Sent: Thursday, September 25, 2008 2:20 PM
To: [REDACTED]
Cc: Moffett Page; [REDACTED] Hathaway Linda (MSO)
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

I've entered this on Page's calendar.

b3, b6

From: [REDACTED]
Sent: Thursday, September 25, 2008 2:16 PM
To: [REDACTED]
Cc: [REDACTED] Moffett Page; [REDACTED] Hathaway Linda (MSO)
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

b3, b6

Thanks for getting back to me. Looks like 2 Oct. 1030 - 1130 will work. Let's meet in Page's office, 15B20L.

b3, b6

From: [REDACTED]
Sent: Thursday, September 25, 2008 1:57 PM

9/26/2008

To: [REDACTED]
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

These are available times for Mr. Barlow:

1 Oct 11, 11:30
2 Oct 9:00-12:00 available
2 Oct 1:30-3:00 available

Pls. let me know a convenient time.

[REDACTED]

From: [REDACTED]
Sent: Thursday, September 25, 2008 10:13 AM
To: [REDACTED]
Cc: [REDACTED] Moffett Page; [REDACTED] Hathaway Linda (MSO)
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

[REDACTED]

Let's try again to get this scheduled.

Thanks much!

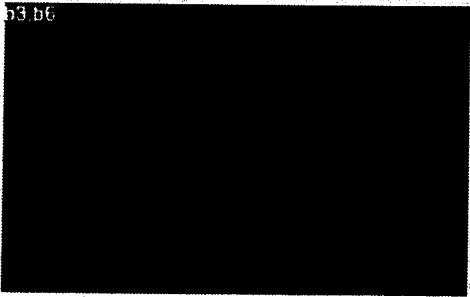
[REDACTED]

From: [REDACTED]
Sent: Wednesday, September 10, 2008 11:23 AM
To: [REDACTED] Moffett Page
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

Sorry, but someone else will have to take over scheduling this meeting.

9/26/2008

b3 b6



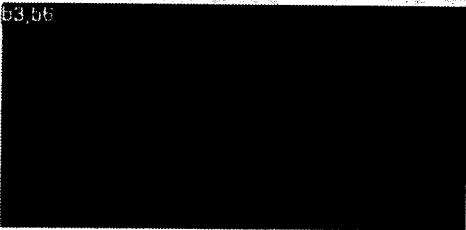
From: b3 b6
Sent: Tuesday, September 09, 2008 4:05 PM
To: b3 b6
Cc: b3 b6; Moffett Page
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Oops, sorry Mr. Barlow was just informed that he has to go DNI-LX2 on 16th from 2-3.

Would 22 Sep from 10:00-11:00 work?

b3 b6



From: b3 b6
Sent: Tuesday, September 09, 2008 7:07 AM
To: b3 b6
Cc: b3 b6; Moffett Page
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

b3 b6 please hold the 16th from 2-3pm since this is the only time Page will be able to make. May we do this in Page's office or would you prefer Charlie's?

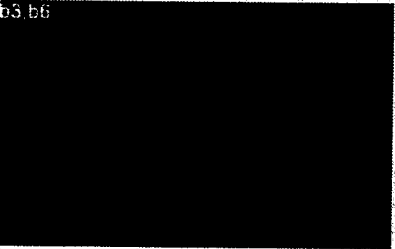
b3 b6 please note date and time.

b3 b6



9/26/2008

b3 b6

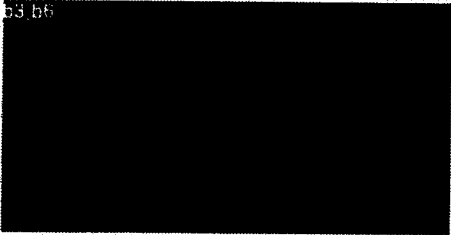


From: b3 b6
Sent: Monday, September 08, 2008 5:49 PM
To: b3 b6
Cc: b3 b6; Moffett Page
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

10 Sep 2:30-3:30 is open
16 Sep 2:00-3:00 is open
22 Sep 10:00-12:00 is open

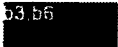
b3 b6



From: b3 b6
Sent: Monday, September 08, 2008 7:27 AM
To: b3 b6
Cc: b3 b6; Moffett Page; gc-admin
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

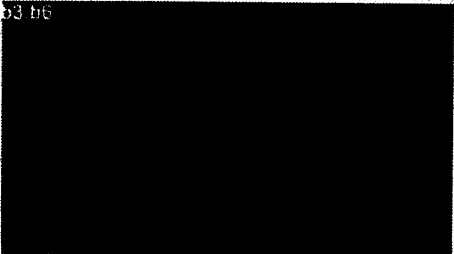
classification: UNCLASSIFIED//~~FOUO~~

b3 b6



Need to get times of availability on Charlie's calendar for this meeting. Mondays are not good, but if you could give some dates and times, I will coordinate with the others. Thank you.

b3 b6



9/26/2008

b3, b6

From: b3, b6
Sent: Thursday, September 04, 2008 1:51 PM
To: gc-admin
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

Thank should be fine. Thanks!

b3, b6

From: b3, b6
Sent: Thursday, September 04, 2008 12:08 PM
To: b3, b6, gc-admin
Cc: b3, b6, Moffett Page
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

Unless the meeting needs to be scheduled for this Friday, I'd like to defer this to Vicky to schedule.

b3, b6

From: b3, b6
Sent: Thursday, September 04, 2008 7:34 AM
To: gc-admin
Cc: b3, b6, Moffett Page
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

b3, b6

Would you please schedule the subject meeting below and let me know when it is all set up.

Thanks much!

b3, b6

From: Hathaway Linda (MSO)
Sent: Wednesday, September 03, 2008 11:12 AM
To: b3, b6
Cc: b3, b6, Moffett Page
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

9/26/2008

classification: UNCLASSIFIED//~~FOUO~~

Hi [b3, b6] and welcome back! I was wondering if you can get this meeting set up between Page and Charlie and [b3, b6]. We need to talk to Charlie regarding this case (it is a request for information on the satellite shoot down).

Thanks,

Linda Sue

From: Hathaway Linda (MSO)
Sent: Monday, August 18, 2008 3:02 PM
To: Moffett Page [b3, b6]
Cc: [b3, b6]
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Page, If it would be OK with you - I would appreciate your office setting up the meeting with Charlie.

We have made several attempts to brief Mr. Barlow on "Privacy" (per his personal request to me) but it has been over 6 months now -- CIO POC we were told to work through has not been successful in setting anything up.

I am on a re-compete and will be out of the loop until the end of Sept.

Suggest [b3, b6] work something out for your all of your calendars.

Many thanks,

Linda Sue

From: Moffett Page
Sent: Monday, August 18, 2008 1:57 PM
To: [b3, b6] Hathaway Linda (MSO)
Cc: [b3, b6]
Subject: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

I have reviewed the subject appeal package. It is my legal opinion that the appeal should be sustained and that the initial denial should be reversed. In other words, we must search for and review documents responsive to the request. I know that I originally opined that the OFE was applicable, but I have changed my mind.

Recommend we brief the new NRO Appellate Authority, Charlie Barlow, on our proposed course of action. Can IART set up the meeting with Mr. Barlow? After that meeting, we can discuss the strategy for processing the request. Page

UNCLASSIFIED//~~FOUO~~

9/26/2008

UNCLASSIFIED//FOUO
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UNCLASSIFIED//FOUO
UNCLASSIFIED//FOUO

Memo for File

09 September 2008
12:13 PM

Called ^{b6} [REDACTED] from Navy FOIA to ask her if they have received the same FOIA request from Charles Laszewski and if so, how they planned on proceeding. She was not in, so I left a message and asked her to call me back at her earliest convenience at ^{b3, b6} [REDACTED]

^{b3, b6} [REDACTED]

27 April 2012

Page 1 of 5

b3 b6

From: b3 b6
Sent: Tuesday, September 09, 2008 8:21 AM
To: Hathaway Linda (MSO); b3 b6
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

b3 b6 can you please bring me this case again so I can make some notes about the strategy that we will be presenting to Mr. Moffett and Mr. Barlow at this meeting.

THINKs

From: b3 b6
Sent: Tuesday, September 09, 2008 7:07 AM
To: b3 b6
Cc: b3 b6; Moffett Page
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

[REDACTED]

b3 b6 please note date and time.

b3 b6

From: b3 b6
Sent: Monday, September 08, 2008 5:49 PM
To: b3 b6
Cc: b3 b6; Moffett Page
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

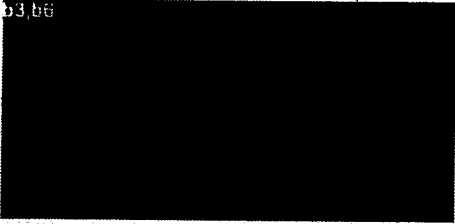
10 Sep 2:30-3:30 is open

9/9/2008

27 April 2012

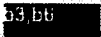
Page 2 of 5

16 Sep 2:00-3:00 is open
22 Sep 10:00-12:00 is open

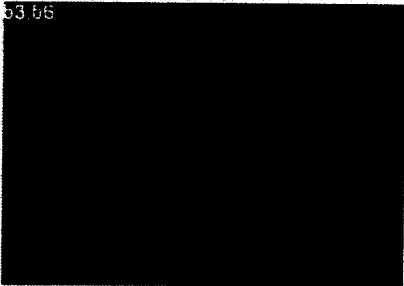
b3,b6


From: b3,b6
Sent: Monday, September 08, 2008 7:27 AM
To: b3,b6
CC: ; Moffett Page; gc-admin
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

b3,b6


Need to get times of availability on Charlie's calendar for this meeting. Mondays are not good, but if you could give some dates and times, I will coordinate with the others. Thank you.

b3,b6


From: b3,b6
Sent: Thursday, September 04, 2008 1:51 PM
To: gc-admin
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Thank should be fine. Thanks!

b3,b6


From: b3,b6


9/9/2008

Sent: Thursday, September 04, 2008 12:08 PM
To: [REDACTED] gc-admin
Cc: [REDACTED] Moffett Page
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Unless the meeting needs to be scheduled for this Friday, I'd like to defer this to [REDACTED] to schedule.

[REDACTED]

From: [REDACTED]
Sent: Thursday, September 04, 2008 7:34 AM
To: gc-admin
Cc: [REDACTED] Moffett Page
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

[REDACTED]

Would you please schedule the subject meeting below and let me know when it is all set up.

Thanks much!

[REDACTED]

From: Hathaway Linda (MSO)
Sent: Wednesday, September 03, 2008 11:12 AM
To: [REDACTED]
Cc: [REDACTED] Moffett Page
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Hi [REDACTED] and welcome back! I was wondering if you can get this meeting set up between Page and Charlie and [REDACTED]. We need to talk to Charlie regarding this case (It is a request for information on the satellite shoot down).

Thanks,

Linda Sue

From: Hathaway Linda (MSO)
Sent: Monday, August 18, 2008 3:02 PM
To: Moffett Page, [REDACTED]

9/9/2008

27 April 2012

Page 4 of 5

Cc: b3, b6

Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~classification: UNCLASSIFIED//~~FOUO~~

Page, if it would be OK with you - I would appreciate your office setting up the meeting with Charlie.

We have made several attempts to brief Mr. Barlow on "Privacy" (per his personal request to me) but it has been over 6 months now -- CIO POC we were told to work through has not been successful in setting anything up.

I am on a re-compete and will be out of the loop until the end of Sept.

Suggest ^{b3, b6} [redacted] work something out for your all of your calendars.

Many thanks,

Linda Sue

From: Moffett Page

Sent: Monday, August 18, 2008 1:57 PM

To: b3, b6 [redacted] Hathaway Linda (MSO)

Cc: b3, b6 [redacted]

Subject: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

I have reviewed the subject appeal package. It is my legal opinion that the appeal should be sustained and that the initial denial should be reversed. In other words, we must search for and review documents responsive to the request. I know that I originally opined that the OFE was applicable, but I have changed my mind.

Recommend we brief the new NRO Appellate Authority, Charlie Barlow, on our proposed course of action. Can IART set up the meeting with Mr. Barlow? After that meeting, we can discuss the strategy for processing the request. Page

UNCLASSIFIED//~~FOUO~~UNCLASSIFIED//~~FOUO~~UNCLASSIFIED//~~FOUO~~UNCLASSIFIED//~~FOUO~~UNCLASSIFIED//~~FOUO~~UNCLASSIFIED//~~FOUO~~UNCLASSIFIED//~~FOUO~~UNCLASSIFIED//~~FOUO~~UNCLASSIFIED//~~FOUO~~

9/9/2008

~~UNCLASSIFIED//FOUO~~

~~UNCLASSIFIED//FOUO~~

b3 b6

From: [REDACTED]
Sent: Wednesday, September 03, 2008 11:36 AM
To: [REDACTED]
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

for the file

From: Hathaway Linda (MSO)
Sent: Wednesday, September 03, 2008 11:12 AM
To: [REDACTED]
Cc: [REDACTED] Moffett Page
Subject: FW: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Hi [REDACTED] and welcome back! I was wondering if you can get this meeting set up between Page and Charlie and [REDACTED]. We need to talk to Charlie regarding this case (it is a request for information on the satellite shoot down).

Thanks,

Linda Sue

From: Hathaway Linda (MSO)
Sent: Monday, August 18, 2008 3:02 PM
To: Moffett Page [REDACTED]
Cc: [REDACTED]
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Page, if it would be OK with you - I would appreciate your office setting up the meeting with Charlie.

We have made several attempts to brief Mr. Barlow on "Privacy" (per his personal request to me) but it has been over 6 months now -- CIO POC we were told to work through has not been successful in setting anything up.

I am on a re-compete and will be out of the loop until the end of Sept.

Suggest [REDACTED] work something out for your all of your calendars.

9/3/2008

27 April 2012

Page 2 of 2

Many thanks,

Linda Sue

From: Moffett Page

Sent: Monday, August 18, 2008 1:57 PM

To: [REDACTED] Hathaway Linda (MSO)

Cc: [REDACTED]

Subject: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

I have reviewed the subject appeal package. It is my legal opinion that the appeal should be sustained and that the initial denial should be reversed. In other words, we must search for and review documents responsive to the request. I know that I originally opined that the OFE was applicable, but I have changed my mind.

Recommend we brief the new NRO Appellate Authority, Charlie Barlow, on our proposed course of action. Can IART set up the meeting with Mr. Barlow? After that meeting, we can discuss the strategy for processing the request. Page

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

b3,b6

From: [REDACTED]
Sent: Friday, August 22, 2008 3:45 PM
To: [REDACTED]
Subject: F08-0068 - Appeal — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

I spoke with Mr. Laszewski at 3:15 today. I told him that it appears as though the Appeal Panel is going to overturn our initial determination and that we would be processing his request under FOIA.

I also told him that we would be meeting the GC and the Appellate Authority in an effort to develop a plan of action since this will most likely be quite voluminous.

I suggested that we might be able to process his request more expeditiously if he were to narrow his search and asked him to think about how he might be able to do that.

I have a couple of ideas that I will put forward to GC and Mr. Barlow. Perhaps once we have all of the documents that are responsive, we could prepare an index, treat the index and ask him to select the documents that he would like treated for release. Another option might be to specify a date range. Either way, we should probably let him know that we will be searching for only NRO-originated records.

We'll know more after our meeting with GC and Mr. Barlow. I will call him again after that meeting.

b3,b6

UNCLASSIFIED

8/25/2008

27 April 2012

Memo for File

19 August 2008

11:40 AM

b3 b6 [REDACTED] tried calling Mr. Laszewski in regards to his appeal, but found in his voice message that we could be out until 25 August 2008. b3 b6 [REDACTED] did not leave a voice/message, but will call back after the 25th.

b3 b6 [REDACTED]

NRO APPROVED FOR RELEASE

27 April 2012

UNCLASSIFIED

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

COORDINATION SHEET

NRO NUMBER: _____

1	DOS&CI	APPROVE		11		
2		APPROVE	<i>E. [Signature]</i> 8/15/08	12		
3				13		
4				14		
5				15		
6				16		
7				17		
8				18		
9				19		
10				20		

1. SURNAME OF ACTION OFFICER: 03 06	2. SYMBOL:	3. PHONE: 03 06	4. TYPIST:	5. SUSPENSE DATE:
--	------------	--------------------	------------	-------------------

6. SUBJECT: APPEAL- F08-0068- Charles Laszewski	7. DATE: 14 Aug 2008
--	-------------------------

8. SUMMARY:

a. OBJECTIVE: To obtain concurrence on upholding the initial denial pursuant to the Operational Files Exemption (OFE) upon appeal.

b. BACKGROUND:

- On 21 April 2008 the IART received a request from Charles Laszewski for, "...copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008..." (TAB 1)
- IART acceptance letter dated 24 April 2008. (TAB 2)
- Email trail with guidance from OGC on how to handle request (suggested OFE). (TAB 3)
- OFE response letter sent by the IART dated 01 July 2008. (TAB 4)
- Letter from Laszewski appealing the OFE response dated 07 April 2008. (TAB 5)
- IART appeal acceptance letter dated 13 August 2008. (TAB 6)
- IART propose response letter to Laszewski upholding our initial response. (TAB 7)

**Appeal should be upheld and initial denial reversed. See e-mail of this date.*
[Signature]

1. D&O SA SIGNATURE: _____	2. D&O ACTION NUMBER: _____
3. COS SIGNATURE: _____	4. D&O SECURITY REVIEW: _____

DECL ON:
DRV FROM:

OPR: ESP

PAGE OF

PREVIOUS EDITIONS ARE OBSOLETE

NP11-21, APR 08 (INT-EF)

UNCLASSIFIED
Classify Appropriately When Filled In

RCS: 1801-5

27 April 2012

Case Number: F08-0068
Final Review

Date: 14 August 2008

Suspense Date

APPEAL

OGC

Handle this material as a package. DO NOT allow it to become separated from this cover.

Please read the attached tasking sheet. If you have any questions, call the Information Access & Release Team.

IART Officer

Extension

Comments: Please see case summary for complete case details.

b3, b6

From: Moffett Page
Sent: Monday, August 18, 2008 1:57 PM
To: b3, b6 Hathaway Linda (MSO)
Cc: b3, b6
Subject: FOIA Appeal F08-0088 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

I have reviewed the subject appeal package. It is my legal opinion that the appeal should be sustained and that the initial denial should be reversed. In other words, we must search for and review documents responsive to the request. I know that I originally opined that the OFE was applicable, but I have changed my mind.

Recommend we brief the new NRO Appellate Authority, Charlie Barlow, on our proposed course of action. Can IART set up the meeting with Mr. Barlow? After that meeting, we can discuss the strategy for processing the request. Page

UNCLASSIFIED//~~FOUO~~

b3, b6

From: - Hathaway Linda (MSO)
Sent: Monday, August 18, 2008 3:02 PM
To: Moffett Page; b3, b6
Cc: b3, b6
Subject: RE: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

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We have made several attempts to brief Mr. Barlow on "Privacy" (per his personal request to me) but it has been over 6 months now -- CIO POC we were told to work through has not been successful in setting anything up.

I am on a re-compete and will be out of the loop until the end of Sept.

Suggest b3, b6 work something out for your all of your calendars.

Many thanks,

Linda Sue

From: Moffett Page
Sent: Monday, August 18, 2008 1:57 PM
To: b3, b6 Hathaway Linda (MSO)
Cc: b3, b6
Subject: FOIA Appeal F08-0068 - Charles Laszewski -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

I have reviewed the subject appeal package. It is my legal opinion that the appeal should be sustained and that the initial denial should be reversed. In other words, we must search for and review documents responsive to the request. I know that I originally opined that the OFE was applicable, but I have changed my mind.

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UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

8/19/2008

Memo for File

**18 August 2008
11:20 AM**

b3, b6 [REDACTED] called stating that Mary-Rose McCaffrey will not be in for another 3 weeks (expected date of return is September 4, 2008). Case will be on hold until her return for her signature.

b3 b6 [REDACTED]

NRO APPROVED FOR RELEASE

27 April 2012

UNCLASSIFIED

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

COORDINATION SHEET

NRO NUMBER: _____

1	APPROVE		11		
2	APPROVE		12		
3			13	Package delivered on 8/15/08	
4			14		
5			15		
6			16		
7			17		
8			18		
9			19		
10			20		

1. SURNAME OF ACTION OFFICER:

DEB

2. SYMBOL:

3. PHONE:

3115

4. TYPIST:

5. SUSPENSE DATE:

6. SUBJECT:

APPEAL- F08-0068- Charles Laszewski

7. DATE:

14 Aug 2008

8. SUMMARY:

a. OBJECTIVE: To obtain concurrence on upholding the initial denied in part determination upon appeal.

b. BACKGROUND:

- On 21 April 2008 the IART received a request from Charles Laszewski for copies of, "...copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008..." (TAB 1)

- IART acceptance letter dated 24 April 2008. (TAB 2)
- Email trail with guidance from OGC on how to handle request (suggested OFE). (TAB 3)
- OFE response letter sent by the IART dated 01 July 2008. (TAB 4)
- Letter from Laszewski appealing the OFE response dated 07 April 2008. (TAB 5)
- IART appeal acceptance letter dated 13 August 2008. (TAB 6)
- IART propose response letter to Laszewski upholding our initial response. (TAB 7)

1. D&O SA SIGNATURE: _____

2. D&O ACTION NUMBER: _____

3. COS SIGNATURE: _____

4. D&O SECURITY REVIEW: _____

DECL ON:

DRV FROM:

Sent to
OGC
and
OS+CI

UNCLASSIFIED

Classify Appropriately When Filled In

OPR: ESP

PAGE OF

PREVIOUS EDITIONS ARE OBSOLETE

RCS: 1801-5

NP11-21, APR 08 (IMT-EF)

27 April 2012

APPEAL

**F08-0068 Final Review
Case Summary**

(OS&CI, GC)

- On 21 April 2008 the IART received a request from Charles Laszewski for copies of, "...copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008..." (TAB 1)
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- Letter from Laszewski appealing the OFE response dated 07 April 2008. (TAB 5)
- IART appeal acceptance letter dated 13 August 2008. (TAB 6)
- IART propose response letter to Laszewski upholding our initial response. (TAB 7)

The IART requests concurrence to uphold initial determination and approval of the proposed response letter to Laszewski (TAB 7).

b3.b6

From: b3.b6
Sent: Monday, August 11, 2008 10:44 AM
To: b3.b6 FOIA (IART)
Subject: RE: FOIA appeal letter — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Hi b3.b6 Thanks for catching the this. We'll pick it up when we make our rounds at WF.

b3.b6

From: b3.b6
Sent: Monday, August 11, 2008 10:40 AM
To: FOIA (IART)
Subject: FOIA appeal letter — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Dear IART,

The mail room sent us a piece of mail today addressed to "National Reconnaissance Office, Appeal Authority." The mail room was unsure who to give it to, so they called me since PSD handles appeals of our security decisions. Now that I have opened it, it appears to be an appeal of a previous FOIA request. Do you want to pick this up, or should I send it over through MSO/Couriers?

b3.b6

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

8/18/2008

Case Number F08-0068
Final Review

Date 02 October 2007 *G?*

Suspense Date

APPEAL

OGC

Handle this material as a package. DO NOT allow it to become separated from this cover.

Please read the attached tasking sheet. If you have any questions, call the Information Access & Release Team.

IART Officer

b3 b6

Extension

b3 b6

Comments: Please see case summary for complete case details.

APPEAL

**F08-0068 Final Review
Case Summary**

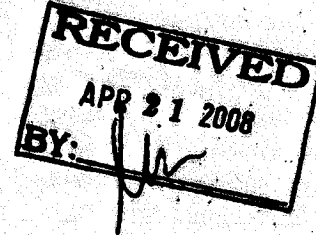
(OS&CI, GC)

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- IART acceptance letter dated 24 April 2008. (TAB 2)
- Email trail with guidance from OGC on how to handle request (suggested Operational Files Exemption (OFE)). (TAB 3)
- OFE response letter sent by the IART dated 01 July 2008. (TAB 4)
- Letter from Laszewski appealing the OFE response dated 04 August 2008. (TAB 5)
- IART appeal acceptance letter dated 13 August 2008. (TAB 6)
- OGC response after review: Nonconcur. (TAB 7)

****The IART requests guidance on how to proceed.****

April 7, 2008

National Reconnaissance Office
Information Access and Release Center
14675 Lee Road
Chantilly, Va. 20151-1715



To whom it may concern,

Pursuant to the federal Freedom of Information Act, 5 U.S.C. 552, I am requesting copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008. I am particularly interested in all emails, memos, discussions, craft descriptions, after action reports or any other pertinent data about this satellite which was launched in December 2006.

I agree to pay reasonable duplication fees for the processing of this request in an amount not to exceed \$50. However, please notify me prior to your incurring any expenses in excess of this amount.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities.

If you decline my request for a fee waiver, as a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on the decision and result of shooting down this satellite that is of current interest to the public because of the potential health and international relations ramifications. I am currently a free lance reporter after being a reporter for the St. Paul Pioneer Press newspaper for 25 years. I still maintain close contacts with that publication, having contributed freelance pieces to them, as well as other publications in Minnesota. I am also a published book author. I would expect little difficulty in placing a story about this issue.

If my request for the documents is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by telephone or email, rather than U.S. mail if you have questions regarding this request. I can be reached at [redacted] or at [redacted]

I look forward to your reply within 20 business days, as the statute requires.
Thank you for your assistance

Sincerely,

Charles Laszewski



NRO APPROVED FOR RELEASE

27 April 2012

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

24 April 2008

Mr. Charles Laszewski

b6

Dear Mr. Laszewski:

This is in response to your letter dated 7 April 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 21 April 2008. Pursuant to the Freedom of Information Act (FOIA), you are requesting a copy of "...copies of all information involving Satellite USA 193..."

We have accepted your request. It will be processed in accordance with the FOIA, as amended, Title 5 U.S.C. § 552.

Since we may not respond within the 20 working days stipulated by the Act, you have the right to consider this as a denial and may appeal to the NRO Appeal Review Panel. It would seem more reasonable, however, to have us continue processing your request and respond as soon as we can. You may appeal any denial of records at that time. Unless we hear from you otherwise, we will assume that you agree, and will proceed on this basis.

The FOIA authorizes federal agencies to assess fees for record services. Based upon the information provided, you have been placed in the "other" category of requesters, which means you are responsible for the cost of search time exceeding two hours (\$44.00/hour) and reproduction fees (.15 per page) exceeding 100 pages.

In your request you expressed a willingness to pay fees up to the amount of \$50.00. We will notify you if it appears this threshold will be exceeded in processing your request.

Regarding your request for a fee waiver please be advised that fee waivers or reductions are granted when there is a public interest in disclosure of information, which will contribute significantly to the public's understanding of the

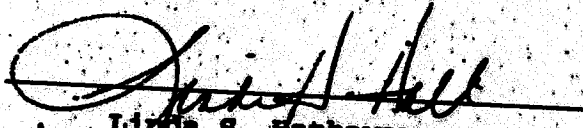
27 April 2012

operations or activities of the NRO. A decision to waive or reduce fees cannot be made until after any responsive documents to be disclosed have been reviewed for "public interest".

You have the right to appeal this determination by addressing your appeal to the NRO Appeal Authority, 14675 Lee Road, Chantilly, VA 20151-1715 within 60 days of the above date. Should you decide to do this, please explain the basis of your appeal.

If you have any questions, please call the Requester Service Center at (703) 227-9326 and reference case number F08-0068.

Sincerely,


Linda S. Hathaway
for Chief, Information Access
and Release Team

b3 b6
From: b3 b6
Sent: Monday, June 30, 2008 2:40 PM
To: FOIA (IART)
Subject: FW: Need assistance with next step ... — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

That's F08-0040, F08-0041 and F08-0068

From: Moffett Page
Sent: Monday, June 30, 2008 2:34 PM
To: Hall Linda
Cc: gc-admin; FOIA (IART)
Subject: RE: Need assistance with next step ... — UNCLASSIFIED

classification: UNCLASSIFIED

From: Hall Linda
Sent: Monday, June 30, 2008 11:19 AM
To: Moffett Page
Cc: gc-admin; FOIA (IART)
Subject: Need assistance with next step ... — UNCLASSIFIED

classification: UNCLASSIFIED

Sir, you may recall back in February/April, the IART received three FOIA requests as follows:

1. "... copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008. I am particularly interested in all emails, memos, discussions, craft descriptions, after action reports or any other pertinent data about this satellite which was launched in December 2006." - Charles Laszewski, b6
2. "... 1) Any declassified photos, artist models, or drawings of the exterior or reconnaissance satellite NROL 21 (or USA 193). 2) Any drawings which label in a general way the major components of the satellite (gas tank, solar arrays etc) and any other general and declassified information about the satellite." - Marilyn A. Odello, b6
3. "... a copy of all documents related to the satellite that will hit earth, approximately by March 6, 2008. Please include all documents related to the attempted shoot down, the repercussions of a successful shoot down, a failure to a shoot down, analyses of the satellite hitting earth, and all related documents." - John Greenwald, b6

At the time, we requested your guidance and you responded:

" These are going to be difficult to handle. Mr. Large has asked b3 b6 to do a comprehensive lessons

7/1/2008

27 April 2012

Page 2 of 2

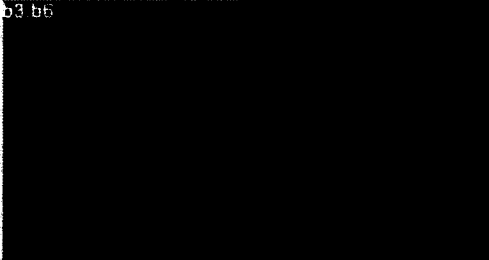
learned about this and to be the focal point. If we try to treat all the documents generated as a result of this, we will never get done. My hunch is that it would be preferable to offer a package of releasable documents to requesters in hopes that would satisfy their curiosity. What that package would look like, I don't know. [REDACTED] any ideas?"

As a result the IART sent three tasking packages to CSNR. We have now received a "no records response" to all three. CSNR added that they were "prepared to coordinate, review, and maintain documents related to the satellite shoot down, but, as of yet has not acquired anything, and certainly not any items that meet the description of the requests."

We request your assistance in determining our next step. We do not believe that a "no records" response to these requesters is an option.

As always, thank you!

b3 b6

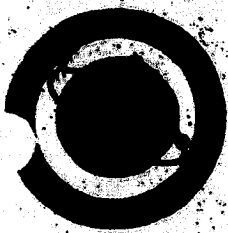


UNCLASSIFIED

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UNCLASSIFIED

7/1/2008



NRO APPROVED FOR RELEASE

27 April 2012

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

01 July 2008

Charles Laszewski
[REDACTED]

Dear Mr. Laszewski:

This is in response to your letter dated 07 April 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 21 April 2008. Pursuant to the Freedom of Information Act (FOIA), you are requesting a copy of "...copies of all information involving Satellite USA 193..."

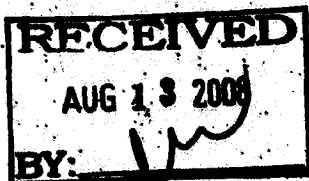
Your request was processed in accordance with the FOIA, 5 U.S.C. § 552, as amended. Responsive records, should any exist, would be contained in operational files. Please note that FOIA exemption (b)(3), by virtue of 50 USC § 432a, exempts operational files of the NRO from the publication, disclosure, search, and review provisions of the FOIA. As such, the files that would contain responsive records, should any exist, are not subject to search in response to your request.

You have the right to appeal this determination by addressing your appeal to the NRO Appeal Authority, 14675 Lee Road, Chantilly, VA 20151-1715 within 60 days of the above date. Should you decide to do this, please explain the basis of your appeal.

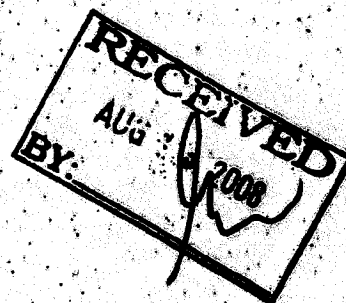
If you have any questions, please call the Requester Service Center at (703) 227-9326 and reference case number F08-0068.

Sincerely,

Linda S. Hathaway
Chief, Information Access
and Release Team



Aug. 4, 2008



National Reconnaissance Office Appeal Authority
14675 Lee Road
Chantilly, Va. 20151-1715

FOI ACT APPEAL

Dear Administrator,

This is an appeal under the Freedom of Information Act, 5 U.S.C. § 552.

On April 7, 2008, I made an FOI Act request to your agency seeking copies of all information involving Satellite USA 193 and its eventual downing by a Navy missile. On July 1, 2008, you denied my request on the grounds that exemption (b) (3) exempts operational of the NRO from search and disclosure. I am appealing the denial of my request for records relating to Satellite USA 193, case number F08-0068.

The information which I have requested is clearly releasable under the FOI Act and, in my opinion, may not validly be protected by any of the Act's exemptions.

In reading your denial and comparing it to the referenced law, 50 USC 432a, I believe you are overextending the statute. The pertinent section of the law is (2)(A) "Subject to subparagraph (B), for the purposes of this section, the term 'operational files' means files of the National Reconnaissance Office (hereafter in this section referred to as "NRO") that document the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems."

As you will recall, Satellite USA 193 began having difficulty shortly after it reached earth orbit and its orbit began to decline to the point where it would eventually re-enter the earth's atmosphere. The information I seek would not be operational files because it would not discuss "...the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems." Rather, what I am seeking is information on what caused the machine, the satellite, to fail and the discussions about what harm that might cause and what the United States should do about the crippled satellite. In broad terms, high administration officials talked publicly about just those issues. What I am requesting is the more detailed discussion of those issues.

Indeed (2)(B) states "Files which are the sole repository of disseminated intelligence are not operational files." Since some of this information was publicly disseminated by President George W. Bush and his top intelligence and military officials, I submit that by definition, these are not operational files and therefore must be disclosed.

27 April 2012

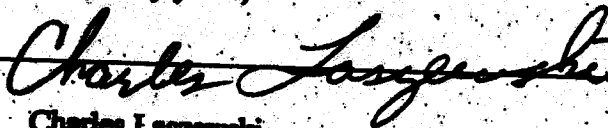
Finally, 3(B) states "any special activity the existence of which is not exempt from disclosure under the provisions of section 552 of title 5; " must be disclosed. The concern over a crippled satellite, its potential hazards to people living on earth and the eventual use of a missile to shoot down the satellite would qualify as a "special activity" and therefore not exempt from disclosure.

I trust that upon re-consideration, you will reverse the decision denying me access to this material and grant my original request.

As I have made this request in the capacity of a journalist and this information is of timely value, I would appreciate your expediting the consideration of my appeal in every way possible. In any case, I will expect to receive your decision within 20 business days, as required by the statute.

Thank you for your assistance.

Very truly yours,



Charles Laszewski

NRO APPROVED FOR RELEASE
27 April 2012
NATIONAL RECONNAISSANCE OFFICE
14675 Lee Road
Chantilly, VA 20151-1715

13 August 2008

Charles Laszewski

b3 b5

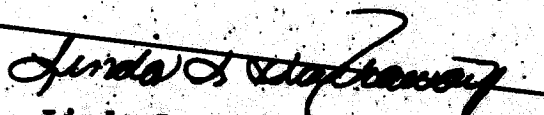
Dear Mr. Laszewski:

This is in response to your letter dated 08 August 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 13 August 2008. Pursuant to the Freedom of Information Act (FOIA), you are appealing the NRO's response to your request for "...records relating to Satellite USA 193..."

Your appeal has been accepted. We will advise you when a determination by the NRO Appeal Board has been made.

If you have any questions, please call the Requester Service Center at (703) 227-9326, and reference case number F08-0068.

Sincerely,



Linda S. Hathaway
Chief, Information Access
and Release Team

27 April 2012

UNCLASSIFIED

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

COORDINATION SHEET

NRO NUMBER: _____

1	D/O S&CI	APPROVE		11		
2		APPROVE	<i>E. [Signature]</i> 8/15/08	12		
3				13		
4				14		
5				15		
6				16		
7				17		
8				18		
9				19		
10				20		

NAME OF ACTION OFFICER: _____

2. SYMBOL: _____

3. PHONE: _____

4. TYPIST: _____

5. SUSPENSE DATE: _____

6. SUBJECT:

APPEAL- F08-0068- Charles Laszewski

7. DATE:

14 Aug 2008

8. SUMMARY:

a. OBJECTIVE: To obtain concurrence on upholding the initial denial pursuant to the Operational Files Exemption (OFE) upon appeal.

b. BACKGROUND:

On 21 April 2008 the IART received a request from Charles Laszewski for, "...copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008..." (TAB 1)

IART acceptance letter dated 24 April 2008. (TAB 2)

Email trail with guidance from OGC on how to handle request (suggested OFE). (TAB 3)

OFE response letter sent by the IART dated 01 July 2008. (TAB 4)

Letter from Laszewski appealing the OFE response dated 07 April 2008. (TAB 5)

IART appeal acceptance letter dated 13 August 2008. (TAB 6)

IART propose response letter to Laszewski upholding our initial response. (TAB 7)

**Appeal should be upheld and initial denial reversed. See e-mail of the date.*
[Signature]

1. D/O SA SIGNATURE: _____

2. D/O ACTION NUMBER: _____

3. SIGNATURE: _____

4. D/O SECURITY REVIEW: _____

DECL ON: _____
DRV FROM: _____

OPR: EDP

PAGE OF

PREVIOUS EDITIONS ARE OBSOLETE

RCS: 1801-5

UNCLASSIFIED

Classify Appropriately When Filled In

NP11-21, APR 08 (INT-EF)

27 April 2012

Page 1 of 1

b3 b6

From: Moffett Page
Sent: Monday, August 18, 2008 1:57 PM
To: b3 b6 Hathaway Linda (MSO)
Cc: b3 b6
Subject: FOIA Appeal F08-0088 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

I have reviewed the subject appeal package. It is my legal opinion that the appeal should be sustained and that the initial denial should be reversed. In other words, we must search for and review documents responsive to the request. I know that I originally opined that the OFE was applicable, but I have changed my mind. Recommend we brief the new NRO Appellate Authority, Charles Barlow, on our proposed course of action. Can IART set up the meeting with Mr. Barlow? After that meeting, we can discuss the strategy for processing the request. Page

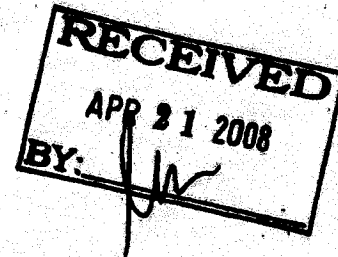
UNCLASSIFIED//~~FOUO~~

8/19/2008

b3 b6

April 7, 2008

National Reconnaissance Office
Information Access and Release Center
14675 Lee Road
Chantilly, Va. 20151-1715



To whom it may concern,

Pursuant to the federal Freedom of Information Act, 5 U.S.C. 552, I am requesting copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008. I am particularly interested in all emails, memos, discussions, craft descriptions, after action reports or any other pertinent data about this satellite which was launched in December 2006.

I agree to pay reasonable duplication fees for the processing of this request in an amount not to exceed \$50. However, please notify me prior to your incurring any expenses in excess of this amount.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities.

If you decline my request for a fee waiver, as a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on the decision and result of shooting down this satellite that is of current interest to the public because of the potential health and international relations ramifications. I am currently a free lance reporter after being a reporter for the St. Paul Pioneer Press newspaper for 25 years. I still maintain close contacts with that publication, having contributed freelance pieces to them, as well as other publications in Minnesota. I am also a published book author. I would expect little difficulty in placing a story about this issue.

If my request for the documents is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by telephone or email, rather than U.S. mail if you have questions regarding this request. I can be reached at [redacted] or at [redacted]

I look forward to your reply within 20 business days, as the statute requires.

Thank you for your assistance

Sincerely,

A handwritten signature in cursive script that reads "Charles Laszewski".

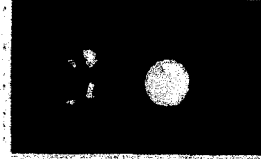
Charles Laszewski

Charles Thompson



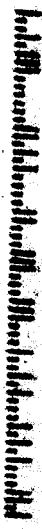
(SA)

07 APR 2008 PM 6 L



*National Reconnaissance Office
Information Ocean and Release Center
14675 Lee Road
Chantilly, Va. 20151-1715*

2015111704



NRO APPROVED FOR RELEASE

27 April 2012
UNCLASSIFIED

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

MATERIEL TRANSPORTATION REQUEST

1. CLASSIFICATION: ☒ U ☐ C ☐ S ☐ TS 2. CONTROL CHANNEL: ☐ SI ☐ TK ☐ RSV
3. DATE AVAILABLE: 1 Jul 2008 4. REQUIRED DELIVERY DATE: N/A ☒ 5. ASSOCIATED ☐ 6. NON-ASSOCIATED
7. REQUESTOR'S NAME: b3 b6
8. SECURE PHONE: b3 b6 (Type or print full name) 9. NON-SECURE PHONE: b3 b6
10. DATE OF REQUEST: 1 Jul 2008
11. SIGNATURE: [Redacted]
12. PROGRAM AND DIRECTORATE: MSO/ASG/TMSC
13. GOVERNMENT VALIDATOR: b3 b6
14. BADGE #: _____
15. SECURE PHONE: b3 b6 (Type or print full name) 16. OFFICE: MSO/ASG/TMSC
17. REMARKS: F08-0068

1. COMPANY: _____ 2. ADDRESS: _____
3. CITY: _____ 4. STATE: _____ 5. ZIP: _____ 6. STOP NUMBER: _____
7. PRIMARY CONTACT: _____ (Type or print full name)
8. SSN: (Last 4 digits only - not required for MPT) _____ 9. SECURE PHONE: _____ 10. NON-SECURE PHONE: _____
11. ALTERNATE CONTACT: _____ (Type or print full name)
12. SSN: (Last 4 digits only - not required for MPT) _____ 13. SECURE PHONE: _____ 14. NON-SECURE PHONE: _____

1. COMPANY: _____ 2. ADDRESS: b6
3. CITY: b6 4. STATE: b6 5. ZIP: b6 6. STOP NUMBER: _____
7. PRIMARY CONTACT: Charles Lasowski (Type or print full name)
8. SSN: (Last 4 digits only - not required for MPT) _____ 9. SECURE PHONE: _____ 10. NON-SECURE PHONE: _____
11. ALTERNATE CONTACT: _____ (Type or print full name)
12. SSN: (Last 4 digits only - not required for MPT) _____ 13. SECURE PHONE: _____ 14. NON-SECURE PHONE: _____

1. TCN #: _____ 2. MISSION #: _____ 3. TMC CONTROL #: _____
4. TRACKING NUMBER: _____ ☐ FED EX ☒ USPS ☐ COURIER ☐ HAND CARRY
5. MPT INITIALS: _____ DATE: _____ TIME: _____ 6. DISPATCHER INITIALS: _____ DATE: _____ TIME: _____
7. PACKAGE PREP INITIALS: _____ DATE: _____ TIME: _____ 8. OPS INITIALS: _____ DATE: _____ TIME: _____

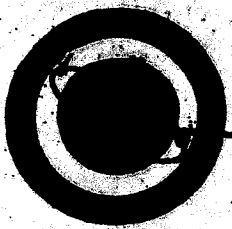
DECL ON:
DRV FROM:

UNCLASSIFIED

Classify Appropriately When Filled In

OPR: MSO/ASG/TMSC
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RCS: 403-2

NP11-08, MAY 07 (INT-EF)



NRO APPROVED FOR RELEASE

27 April 2012

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

01 July 2008

Charles Laszewski

b6

Dear Mr. Laszewski:

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Your request was processed in accordance with the FOIA, 5 U.S.C. § 552, as amended. Responsive records, should any exist, would be contained in operational files. Please note that FOIA exemption (b)(3), by virtue of 50 USC § 432a, exempts operational files of the NRO from the publication, disclosure, search, and review provisions of the FOIA. As such, the files that would contain responsive records, should any exist, are not subject to search in response to your request.

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Sincerely,

Linda S. Hathaway
Chief, Information Access
and Release Team

b3, b6

From: [REDACTED]
Sent: Monday, June 30, 2008 2:40 PM
To: [REDACTED] Moffett Page
Cc: go-admin; FOIA (IART)
Subject: RE: Need assistance with next step ... — UNCLASSIFIED
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Thank you, Sir ... will do ... and once again, I apologize for the phones.

From: [REDACTED]
Sent: Monday, June 30, 2008 11:19 AM
To: Moffett Page
Cc: go-admin; FOIA (IART)
Subject: Need assistance with next step ... — UNCLASSIFIED

classification: UNCLASSIFIED

Sir, you may recall back in February/April, the IART received three FOIA requests as follows:

1. "... copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008. I am particularly interested in all emails, memos, discussions, craft descriptions, after action reports or any other pertinent data about this satellite which was launched in December 2006." - Charles Laszewski, St. Paul, MN
2. "... 1) Any declassified photos, artist models, or drawings of the exterior or reconnaissance satellite NROL 21 (or USA 193). 2) Any drawings which label in a general way the major components of the satellite (gas tank, solar arrays etc) and any other general and declassified information about the satellite." - Marilyn A. Odello, Riverside, CA
3. "... a copy of all documents related to the satellite that will hit earth, approximately by March 6, 2008. Please include all documents related to the attempted shoot down, the repercussions of a successful shoot down, a failure to a shoot down, analyses of the satellite hitting earth, and all related documents." - John Greenwald, Northridge, CA

At the time, we requested your guidance and you responded:

" These are going to be difficult to handle. Mr. Large has asked [REDACTED] to do a comprehensive lessons learned about this and to be the focal point. If we try to treat all the documents generated as a result of this, we will never get done. My hunch is that it would be preferable to offer a package of releasable documents to requesters in hopes that would satisfy their curiosity. What that package would look like, I don't know. [REDACTED] any ideas?"

As a result the IART sent three tasking packages to CSNR. We have now received a "no records response" to all three. CSNR added that they were "prepared to coordinate, review, and maintain documents related to the satellite shoot down, but, as of yet has not acquired anything, and certainly not any items that meet the description of the requests."

7/1/2008

b3, b6

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Sent: Monday, June 30, 2008 2:34 PM
To: [REDACTED]
Cc: gc-admin; FOIA (IART)
Subject: RE: Need assistance with next step . . . — UNCLASSIFIED

classification: UNCLASSIFIED

Per our discussion, let's go with the Operational Files Exemption for these requests. Page

From: [REDACTED]
Sent: Monday, June 30, 2008 11:19 AM
To: Moffett Page
Cc: gc-admin; FOIA (IART)
Subject: Need assistance with next step . . . — UNCLASSIFIED

classification: UNCLASSIFIED

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2. "... 1) Any declassified photos, artist models, or drawings of the exterior or reconnaissance satellite NROL-21 (or USA 193). 2) Any drawings which label in a general way the major components of the satellite (gas tank, solar arrays etc) and any other general and declassified information about the satellite." - Marilyn A. Odello, [REDACTED]
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7/1/2008

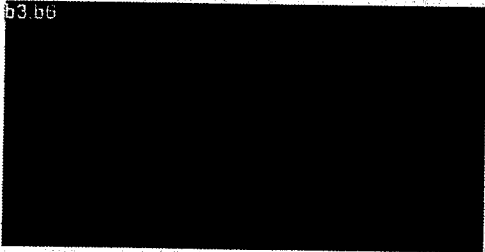
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We request your assistance in determining our next step. We do not believe that a "no records" response to these requesters is an option.

As always, thank you!

b3,b6



UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

7/1/2008

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From: Moffett Page
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3. "... a copy of all documents related to the satellite that will hit earth, approximately by March 6, 2008. Please include all documents related to the attempted shoot down, the repercussions of a successful shoot down, a failure to a shoot down, analyses of the satellite hitting earth, and all related documents." - John Greenwald, b6

At the time, we requested your guidance and you responded:

" These are going to be difficult to handle. Mr. Large has asked b3, b6 to do a comprehensive lessons learned about this and to be the focal point. If we try to treat all the documents generated as a result of this, we will never get done. My hunch is that it would be preferable to offer a package of releasable documents to requesters in hopes that would satisfy their curiosity. What that package would look like, I don't know. b3, b6 any ideas?"

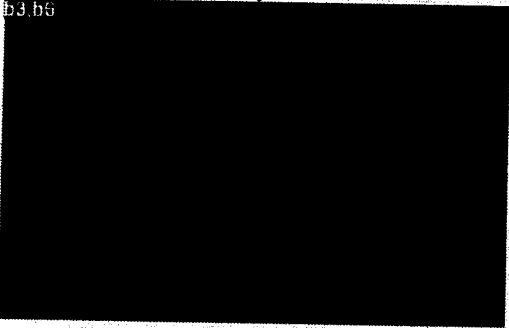
As a result the IART sent three tasking packages to CSNR. We have now received a "no records response" to all three. CSNR added that they were "prepared to coordinate, review, and maintain documents related to the satellite shoot down, but, as of yet has not acquired anything, and certainly not any items that meet the description of the requests."

7/1/2008

We request your assistance in determining our next step. We do not believe that a "no records" response to these requesters is an option.

As always, thank you!

b3, b6



UNCLASSIFIED

UNCLASSIFIED

7/1/2008

27 April 2012

b3,b6

From:

b3,b6

Sent:

Monday, June 02, 2008 10:15 AM

To:

b3,b6

Subject:

FW: FOIA Requests — UNCLASSIFIED//~~FOUO~~Classification: UNCLASSIFIED//~~FOUO~~classification: UNCLASSIFIED//~~FOUO~~

Wanted to make sure that you have this for the "three" case files before I delete ... thanks!

From: Moffett Page

Sent: Wednesday, March 12, 2008 3:20 PM

To:

b3,b6 gc-admin

Cc: FOIA (IART); b3,b6

Subject: RE: FOIA Requests — UNCLASSIFIED//~~FOUO~~classification: UNCLASSIFIED//~~FOUO~~

These are going to be difficult to handle. Mr. Large has asked b3,b6 to do a comprehensive lesson to be the focal point. If we try to treat all the documents generated as a result of this, we will never get done. My hunch is that it would be preferable to offer a package of releasable documents to both requesters in hopes that would satisfy their curiosity. What that package would look like, I don't know. b3,b6 any ideas?

From: b3,b6

Sent: Wednesday, March 12, 2008 12:48 PM

To: Moffett Page; gc-admin

Cc: FOIA (IART)

Subject: RE: FOIA Requests — UNCLASSIFIED//~~FOUO~~classification: UNCLASSIFIED//~~FOUO~~

(U) Sir, don't want to be a pain, but wanted to remind you that we are holding these two FOIA requests pending further instructions from you. We accepted the requests on 20 February 2008.

From: Moffett Page

Sent: Tuesday, February 19, 2008 1:24 PM

To: b3,b6

gc-admin

Cc: FOIA (IART)

Subject: RE: FOIA Requests — UNCLASSIFIED//~~FOUO~~classification: UNCLASSIFIED//~~FOUO~~

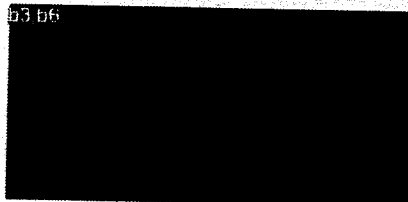
Well.....I never saw these coming, although I should have! Once this whole event is over, we are going to have to make a corporate decision how to handle all these documents. Some will be covered by OFE but others will not. Right now, we simply cannot handle these requests with everything going on. Recommend you accept the requests and we will get to them when we get to them. Not a great answer, but the right one. Page

From: [REDACTED] b3,b6
Sent: Tuesday, February 19, 2008 1:00 PM
To: Moffett Page; gc-admin
Cc: FOIA (IART)
Subject: FW: FOIA Requests — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Mr. Moffet, Sir . . . would you consider either of these new FOIA requests to be worthy of the Operational File

b3,b6



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ASG/MSC CUSTOMER SURVEY
WE LOOK FORWARD TO HEARING FROM YOU!

UNCLASSIFIED//~~FOUO~~
UNCLASSIFIED//~~FOUO~~
UNCLASSIFIED//~~FOUO~~
UNCLASSIFIED//~~FOUO~~
UNCLASSIFIED//~~FOUO~~

27 April 2012

UNCLASSIFIED//~~FOUO~~

Classify Appropriately When Filled In

CASE WORKSHEET

1. CASE NUMBER: F08-00682. CASE OFFICER: 33 013. SUSPENSE DATE: 6 May 2008

4. TYPE OF REVIEW:

- ☒ FREEDOM OF INFORMATION ACT
☐ PRIVACY ACT
☐ MANDATORY DECLASSIFICATION

5. TYPE OF REQUEST:

- ☒ INITIAL
☐ APPEAL
☐ COORDINATION
☐ REFERRAL

6. TASK THE FOLLOWING OFFICER:

- | | | | | |
|---|--------------------------------|---|---|---------------------------------------|
| ☐ AS&T | ☐ DDMS | ☐ MS&O | ☐ OS&C/Counterintelligence | ☐ S&IE |
| ☒ BPO | ☐ EEO | ☐ MS&O/ART | ☐ OS&C/Policy | ☐ SIGINT |
| ☐ BPO/Contracts | ☐ IG | ☐ OGC | ☐ OS&C/PSD | ☐ OTHER: _____ |
| ☐ COMM | ☐ IMINT | ☒ OSC/OCC | ☐ OSL | |

7. FEE CATEGORY: ☐ COMMERCIAL ☐ NEWS MEDIA/EDUCATIONAL/SCIENTIFIC ☒ OTHER

Please review for release any document(s) found in response to a Freedom of Information Act request. Mark either your concurrence with the proposed release or non-concurrence with reasoning or justification. Reasoning or justification must be supported by one of the nine FOIA exemptions. See Exemptions page.

1. RECORDS FOUND: ☐ YES ☒ NO

2. IS 2-4; GS 03-06; E1-E9

GS/M 06-15; 01-06

GS/M 16 & Above; 07-010

SEARCH HOURS

REVIEW HOURS

SEARCH METHOD

- ☐ ELECTRONIC DATABASES
☐ LIBRARIES/ARCHIVES (FILE PLAN)
☐ TASKED TECHNICAL EXPERTS
☐ SURVEYED ALL EMPLOYEES
☐ OTHER: (Specify) _____

3. ACTION RECOMMENDED: ☐ GRANT IN FULL ☐ GRANT IN PART ☐ DENY ☐ GLOMAR

4. REMARKS/COMMENTS: (If additional space is needed, attach separate page.)

Re 33 01 BPO/OSNR, No documents were found pertaining to FOIA request.

1. NAME: 33 012. DATE: 5/13/183. SIGNATURE: 33 01DECL ONE
DRV FROM:

OPR: MS&O/ASG/MS&O/ART

UNCLASSIFIED//~~FOUO~~

Classify Appropriately When Filled In

NP11-31, NOV 07 (DS-EF)

PREVIOUS EDITIONS ARE OBSOLETE

RCS: Refer to Item 205

27 April 2012

~~UNCLASSIFIED//FOUO~~

Classify Appropriately When Filled In

CASE WORKSHEET (Continued)

EXPLANATION OF EXEMPTIONS

The designation "(b)(1)" applies to information which is currently and properly classified pursuant to an Executive Order in the interest of national defense or foreign policy (EO 12958 and DoD Reg 5200.1-F).

Sec 1.4 Classification Categories:

Information may NOT be considered for classification unless it concerns:

- a) military plans, weapons systems, or operations;
- b) foreign government information;
- c) intelligence activities (including special activities), intelligence sources or methods, or cryptology;
- d) foreign relations or foreign activities of the United States including confidential sources;
- e) scientific, technological, or economic matters relating to the national security;
- f) United States Government programs for safeguarding nuclear materials or facilities;
- g) vulnerabilities or capabilities of systems, installations, projects or plans relating to national security;
- h) weapons of mass destruction.

The designation "(b)(2)" applies to information which pertains solely to the internal rules and practices of an agency; this exemption has two profiles, "high" and "low". The "high" profile permits withholding of a document which, if released, would allow circumvention of an organization rule, policy, or statute, thereby impeding the agency in the conduct of its mission. The "low" profile permits withholding if there is no public interest in the document, and it would be an administrative burden to process the request.

The designation "(b)(3)" applies to information specifically exempted by a statute establishing a particular criteria for withholding. The language of the statute must clearly state that the information will not be disclosed.

The designation "(b)(4)" applies to information such as trade secrets and commercial or financial information obtained from a company on a privileged or confidential basis which, if released, would result in competitive harm to the company.

The designation "(b)(5)" applies to inter-agency and intra-agency memoranda which are deliberative in nature; this exemption is appropriate for internal documents which are part of the decisionmaking process and contain subjective evaluations, opinions, and recommendations.

The designation "(b)(6)" applies to information release of which could reasonably be expected to constitute a clearly unwarranted invasion of the personal privacy of individuals.

The designation "(b)(7)" applies to records or information compiled for law enforcement purposes and that (a) could reasonably be expected to interfere with law enforcement proceedings; (b) would deprive a person of a right to a fair trial or impartial adjudication; (c) could reasonably be expected to constitute an unwarranted invasion of the personal privacy of others; (d) could disclose the identity of a confidential source; (e) could disclose investigative techniques and procedures; or (f) could reasonably be expected to endanger the life or physical safety of an individual.

The designation "(b)(8)" applies to matters that are "contained in or related to examination, operating, or condition reports prepared by on behalf of or for use of any agency responsible for the regulation or supervision of financial institutions. (Not used by the NRO.)

The designation "(b)(9)" applies to geological information and data, including maps, concerning wells. (Not used by the NRO.)

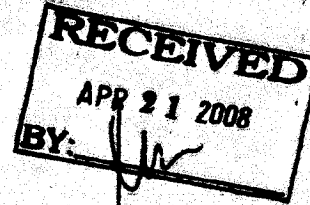
~~UNCLASSIFIED//FOUO~~

Classify Appropriately When Filled In

27 April 2012

[REDACTED]
April 7, 2008

National Reconnaissance Office
Information Access and Release Center
14675 Lee Road
Chantilly, Va. 20151-1715



To whom it may concern,

Pursuant to the federal Freedom of Information Act, 5 U.S.C. 552, I am requesting copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008. I am particularly interested in all emails, memos, discussions, craft descriptions, after action reports or any other pertinent data about this satellite which was launched in December 2006.

I agree to pay reasonable duplication fees for the processing of this request in an amount not to exceed \$50. However, please notify me prior to your incurring any expenses in excess of this amount.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities.

If you decline my request for a fee waiver, as a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on the decision and result of shooting down this satellite that is of current interest to the public because of the potential health and international relations ramifications. I am currently a free lance reporter after being a reporter for the St. Paul Pioneer Press newspaper for 25 years. I still maintain close contacts with that publication, having contributed freelance pieces to them, as well as other publications in Minnesota. I am also a published book author. I would expect little difficulty in placing a story about this issue.

If my request for the documents is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by telephone or email, rather than U.S. mail if you have questions regarding this request. I can be reached at [REDACTED] or at [REDACTED]

I look forward to your reply within 20 business days, as the statute requires.

Thank you for your assistance

Sincerely,

Charles Laszewski

b3 b6

From: [REDACTED]
Sent: Friday, May 02, 2008 9:08 AM
To: [REDACTED]
Cc: [REDACTED] Hathaway Linda (MSO); [REDACTED]
Subject: FW: Case F08-0068 - FOIA Request for Records -- UNCLASSIFIED//~~FOUO~~
Importance: High
Attachments: enclform.xfd; F08-0068- Request.pdf
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

b3 b6

1. In response to your phone call on this FOIA case, yes [REDACTED] did send an email stating that CSNR does not have any documentation relevant to this FOIA request. [REDACTED] CSNR is authorized to respond, on behalf of CSR, to routine FOIA requests. [REDACTED] typically cc's me on his responses or informs me at CSNR management team meetings.

When there are appeals, or particularly sensitive requests, I would need to respond for CSNR.

2. Regarding this particular case, we require copies of all documentation related to the shoot down. This is in support of lessons learned and history projects we will be doing on this subject. Would you be able to help us get this documentation? Because all NRO components need to identify this material in response to the FOIA request, it is an opportunity to obtain copies without having to do a separate each.

b3 b6

From: [REDACTED]
Sent: Friday, May 02, 2008 7:48 AM
To: [REDACTED]
Subject: FW: Case F08-0068 - FOIA Request for Records -- UNCLASSIFIED//~~FOUO~~
Importance: High
classification: UNCLASSIFIED//~~FOUO~~

b3 b6 The FOIA that you requested.

b3 b6

From: [REDACTED]
Sent: Wednesday, April 30, 2008 9:08 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Case F08-0068 - FOIA Request for Records -- UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

CSNR does not have any documentation on the subject shutdown. Total time 1.5 hours.

5/13/2008

27 April 2012

Page 2 of 4

b3 b6

From: [REDACTED]
Sent: Wednesday, April 30, 2008 8:46 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~
Importance: High
classification: UNCLASSIFIED//~~FOUO~~

b3 b6

Looking for an update on FOIA, F08-0068, which is due on May 6th. Please advise if you need me to contact [REDACTED] from the IART and ask for an extension date for this FOIA request. Thank you.

b3 b6

From: [REDACTED]
Sent: Wednesday, April 23, 2008 10:58 AM
To: [REDACTED]
Subject: FW: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~
Importance: High
classification: UNCLASSIFIED//~~FOUO~~

b3 b6

(u) Here is another FOIA request for processing. The IART is directly tasking [REDACTED] but I believe these should all go through you and [REDACTED]. Please advise on how to proceed. Thanks.

(U) THIS IS IS A FOIA REQUEST FOR RECORDS.

(U) The IART is in receipt of a FOIA request for records. The attachments comprise the entire case package.

(U//FOUO) Case Summary: This is a request from Mr. Charles Laszewski, asking for "...all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb 20, 2008."

Click on the file path for Information Access Officer Case Processing Instructions
file:\\S:\\Organizations\\MSO\\Shared\\FOIA\\ELECTRONIC FOIA TEMPLATES\\IAO INSTRUCTIONS

5/13/2008

27 April 2012

Page 3 of 4

(U) If you have any questions, please give me a call.

(U) Case # F08-0068

(U) Suspense: 6 May 2008

(U//FOUO) Case Officer: [REDACTED]

b3, b6

From: [REDACTED]

Sent: Tuesday, April 22, 2008 10:59 AM

To: [REDACTED]

Cc: FOIA (IART)

Subject: FW: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~

Importance: High

classification: UNCLASSIFIED//~~FOUO~~

Please task this FOIA request to [REDACTED] as we have others in-house that he is processing. I have cancelled this request to OSC as well as we have been directed by OGC to forward all requests regarding this satellite to BPO-CSNR. Any questions, give me a call...

Thanks,

[REDACTED]

From: [REDACTED]

Sent: Tuesday, April 22, 2008 9:44 AM

To: [REDACTED]

Cc: BPO-OSC; [REDACTED] FOIA (IART)

Subject: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Good Morning!

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(U) Suspense: 6 May 2008

(U//FOUO) Case Officer: [REDACTED]

b3, b6

5/13/2008

b3, b6



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WE LOOK FORWARD TO HEARING FROM YOU!

UNCLASSIFIED//~~FOUO~~

5/13/2008

b3 b6

From: b3 b6
Sent: Wednesday, May 14, 2008 1:55 PM
To: b3 b6
Cc: b3 b6; Hathaway Linda (MSO); FOIA (IART); b3 b6
Subject: RE: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//FOUO
Importance: High
Classification: UNCLASSIFIED//FOUO

classification: UNCLASSIFIED//FOUO

b3 b6

Per my conversation with b3 b6 he will have a conversation with b3 b6 to clarify the process on collecting this data. Once b3 b6 is informed, he will send you an email to advise the IART of CSNR's involvement in gathering this information. Thanks.

b3 b6

From: b3 b6
Sent: Wednesday, May 14, 2008 8:27 AM
To: b3 b6
Cc: b3 b6; Hathaway Linda (MSO); FOIA (IART); b3 b6
Subject: RE: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//FOUO
Importance: High

classification: UNCLASSIFIED//FOUO

I think maybe I didn't ask the question very clearly, so let me try again. . . It appears to me as though b3 b6 is asking you to help them gather all of the records for the effort that he has been asked to lead. . . "Would you be able to help us get this documentation? Because all NRO components need to identify this material in response to the FOIA request, it is an opportunity to obtain copies without having to do a separate each."

If you will not be assisting in that effort for CSNR, please advise us as soon as possible so that we can let GC know that they need to come up with another option to respond to three FOIA requests. Meanwhile, we will have to accept the "no records" response from CSNR.

Thank you,

5/14/2008

b3, b6

TELL US HOW WE'RE DOING...
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From: b3, b6
Sent: Tuesday, May 13, 2008 5:35 PM
To: b3, b6
Cc:
Subject: RE: Case F08-0068 - FOIA Request for Records -- UNCLASSIFIED//~~FOUO~~
Importance: High

classification: UNCLASSIFIED//~~FOUO~~

b3, b6

Here is the comment provided from b3, b6 dated April 30, 2008. b3, b6 is coming by my office on Tuesday, May 14th to pick up the FOIA worksheet. Hope this answers your question.

From: b3, b6
Sent: Wednesday, April 30, 2008 9:08 AM
To: b3, b6
Cc:
Subject: RE: Case F08-0068 - FOIA Request for Records -- UNCLASSIFIED//~~FOUO~~

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b3, b6

CSNR does not have any documentation on the subject shutdown. Total time 1.5 hours.

b3, b6

b3, b6

From: b3, b6
Sent: Tuesday, May 13, 2008 3:36 PM
To: b3, b6

5/14/2008

27 April 2012

Page 3 of 6

Cc: FOIA (IART)**Subject:** FW: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~**Importance:** High**classification:** UNCLASSIFIED//~~FOUO~~

WRT item number 2 in [b3, b6] email, can you please tell us if this search for records is being conducted?

Thanks,

[b3, b6]

From: [b3, b6]**Sent:** Friday, May 02, 2008 9:08 AM**To:** [b3, b6]**Cc:** [b3, b6] Hathaway Linda (MSO); [b1, b3, b6]**Subject:** FW: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~**Importance:** High**classification:** UNCLASSIFIED//~~FOUO~~

[b3, b6]

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From: [b3, b6]**Sent:** Friday, May 02, 2008 7:48 AM**To:** [b3, b6]**Subject:** FW: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~**Importance:** High**classification:** UNCLASSIFIED//~~FOUO~~

[b3, b6] The FOIA that you requested.

[b3, b6]

From: [b3, b6]**Sent:** Wednesday, April 30, 2008 9:08 AM**To:** [b3, b6]**Cc:** [b3, b6]

5/14/2008

27 April 2012

Page 4 of 6

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Page 5 of 6

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(U//FOUO) Case Officer: b3,b6

b3,b6

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5/14/2008

(U) Case # F08-0068
(U) Suspense: 6 May 2008
(U//FOUO) Case Officer: b3 b6

b3 b6

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~~UNCLASSIFIED//FOUO~~
~~UNCLASSIFIED//FOUO~~
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5/14/2008

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b3,b6

b3,b6

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Importance: High

5/14/2008

27 April 2012

Page 2 of 5

classification: UNCLASSIFIED//~~FOUO~~

WRT item number 2 in [b3,b6] email, can you please tell us if this search for records is being conducted?

Thanks,

[b3,b6]

From: [b3,b6]

Sent: Friday, May 02, 2008 9:08 AM

To: [b3,b6]

Cc: [b3,b6] Hathaway Linda (MSO); [b1,b3,b6]

Subject: FW: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~

Importance: High

classification: UNCLASSIFIED//~~FOUO~~

[b3,b6]

1. In response to your phone call on this FOIA case, yes [b3,b6] did send an email stating that CSNR does not have any documentation relevant to this FOIA request [b3,b6] as the [b3,b6] CSNR is authorized to respond, on behalf of CSR, to routine FOIA requests. [b3,b6] typically cc's me on his responses or informs me at CSNR management team meetings.

When there are appeals, or particularly sensitive requests, I would need to respond for CSNR.

2. Regarding this particular case, we require copies of all documentation related to the shoot down. This is in support of lessons learned and history projects we will be doing on this subject. Would you be able to help us get this documentation? Because all NRO components need to identify this material in response to the FOIA request, it is an opportunity to obtain copies without having to do a separate each.

[b3,b6]

From: [b3,b6]

Sent: Friday, May 02, 2008 7:48 AM

To: [b3,b6]

Subject: FW: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~

Importance: High

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[b3,b6] The FOIA that you requested.

[b3,b6]

From: [b3,b6]

Sent: Wednesday, April 30, 2008 9:08 AM

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Subject: RE: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~

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[b3,b6]

5/14/2008

27 April 2012

Page 3 of 5

CSNR does not have any documentation on the subject shutdown. Total time 1.5 hours.

b3, b6

From: b3, b6

Sent: Wednesday, April 30, 2008 8:46 AM

To: b3, b6

Cc:

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Importance: High

classification: UNCLASSIFIED//~~FOUO~~

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Looking for an update on FOIA, F08-0068, which is due on May 6th. Please advise if you need me to contact b3, b6 from the IART and ask for an extension date for this FOIA request. Thank you.

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From: b3, b6

Sent: Wednesday, April 23, 2008 10:58 AM

To: b3, b6

Subject: FW: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~

Importance: High

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Click on the file path for Information Access Officer Case Processing Instructions

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27 April 2012

Page 4 of 5

file:\\S:\Organizations\MSO\Shared\FOIA\ELECTRONIC_FOIA_TEMPLATES\IAO_INSTRUCTIONS

(U) If you have any questions, please give me a call.

(U) Case # F08-0068

(U) Suspense: 6 May 2008

(U//FOUO) Case Officer: b3 b6

b3, b6

From: b3 b6

Sent: Tuesday, April 22, 2008 10:59 AM

To: b3 b6

Cc: FOIA (IART)

Subject: FW: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~

Importance: High

Classification: UNCLASSIFIED//~~FOUO~~

b3, b6

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b3, b6

From: b3 b6

Sent: Tuesday, April 22, 2008 9:44 AM

To: b3 b6

Cc: BPO-USC; b3 b6 FOIA (IART)

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b3 b6



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~~UNCLASSIFIED//FOUO~~

~~UNCLASSIFIED//FOUO~~

~~UNCLASSIFIED//FOUO~~

5/14/2008

27 April 2012

Page 1 of 4

b3, b6

From: b3, b6
Sent: Tuesday, May 13, 2008 3:36 PM
To: b3, b6
Cc: FOIA (IART)
Subject: FW: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~
Importance: High
Attachments: encform.xfdl; F08-0068- Request.pdf
Classification: UNCLASSIFIED//~~FOUO~~

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(U) Suspense: 6 May 2008

(U//FOUO) Case Officer: [b3, b6]

[b3, b6]

From: [b3, b6]

Sent: Tuesday, April 22, 2008 10:59 AM

To: [b3, b6]

Cc: FOIA (IART)

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(U) Suspense: 6 May 2008

(U//FOUO) Case Officer: b3 b6

b3, b6

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~~UNCLASSIFIED//FOUO~~

~~UNCLASSIFIED//FOUO~~

5/13/2008

27 April 2012

b3 b6

From: Hathaway Linda (MSO)
Sent: Tuesday, May 13, 2008 12:49 PM
To: b3 b6
Cc: FOIA (IART)
Subject: RE: Outstanding Reviews From BPO/Contracts, CSNR, SIGINT, and SE — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

My 2 cents - follow procedure. Get responses on all 3 requests. If they are all "no records" - then so be it. This method will insure we have completed an appropriate and legal search for records.

LSue

From: b3 b6
Sent: Tuesday, May 13, 2008 12:38 PM
To: b3 b6 Hathaway Linda (MSO)
Cc: FOIA (IART)
Subject: FW: Outstanding Reviews From BPO/Contracts, CSNR, SIGINT, and SE — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

b3 b6 Linda Sue,

(U//~~FOUO~~) Regarding the taskings to b3 b6 re: FOIA requests for information on the NROL 21 satellite, b3 b6 has received a "no records" response from b3 b6 for F08-0068. It appears to me that a "no records" response on one of these should be a "no records" response for all, based on the similarity of the requests. Should we wait for CSNR to respond on the other two cases, or go back to him and ask if this response applies to all three? Am I correct in recalling that we were instructed on where to task these requests, and that's why they were sent only to CSNR?

b3 b6

CSNR: b3 b6 also CCing Page Moffett)
FOIA:
F08-0040- Requests a copy of "...all documents related to the satellite that will hit earth, approximately by March 6, 2008." - b3 b6
F08-0041- "1. Any declassified photos, artist models, or drawings of the exterior of reconnaissance satellite NROL 21. ...drawings which label. ...major components. ..." - b3 b6
F08-0068- Requesting, "...copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008. I am particularly interested in all emails, memos, discussions, craft descriptions, after action reports..." - b3 b6

From: b3 b6
Sent: Tuesday, May 13, 2008 12:27 PM
To: b3 b6

5/13/2008

27 April 2012

Subject: FW: Outstanding Reviews From BPO/Contracts, CSNR, SIGINT, and SE — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

FYI.

b3 b5

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From: b3 b5**Sent:** Wednesday, April 30, 2008 1:14 PM**To:** Hathaway Linda (MSO)**Cc:** FOIA (IART)**Subject:** Outstanding Reviews From BPO/Contracts, CSNR, SIGINT, and SE — UNCLASSIFIED//~~FOUO~~**classification:** UNCLASSIFIED//~~FOUO~~

Linda,

Below are the outstanding cases from the following D's and O's:

BPO/Contracts: b3 b5**FOIA:****F08-0004-04-R-0010-** b3 b5**F08-0020- DCAA Audits-** b3 b5**F08-0038- RFP Awarded to VAXCOM Services-** b3 b5 (Need actual contract)**F07-0043 - Air Force Contract F04701-91-C-0054 - Original Tasking 21 Feb 07.**

This was one of many concurrent requests for contract information from Donald Kodger.

There are some special circumstances that I want to look into before we bug Contracts about this one. - b3 b5

F08-0064 - expecting a "deny in full" response (for the record) once document is retrieved - b3 b5**F08-0067 -** "clearly releasable portions of documents regarding contract awarded under the MARS requirement"

Tasked 24 April 08. At Contracts request, we've gone back to requester on specificity issues. b3 b5

F08-0070- Erinye- b3 b5**PrePub:****S08-0158- Mission Assurance Guide-** b3 b5**S08-0182- Counterfeit Parts Study Report-** b3 b5**CSNR:** b3 b5

also CCing Page Moffett)

FOIA:**F08-0040- Shot down satellite-** b3 b5**F08-0041- Shot down satellite-****F08-0068- Shot down satellite-**

5/13/2008

27 April 2012

SIGINT: [REDACTED]

FOIA: [REDACTED]

F08-0005- [REDACTED] presentation dated 05 May 2004- [REDACTED]

F08-0053 - 2009 CBJB- [REDACTED]

PrePub: [REDACTED]

S08-0176- [REDACTED] Resume- [REDACTED]

SE: [REDACTED]

FOIA: [REDACTED] person of BIG help has been [REDACTED]

F07-0107 - Request for NRO000-05-F-0114 for DSI&E/Darkstar 15 April 2008 - requested verification that SOW (marked FOUO) actually contains no FOUO information. - [REDACTED]

F08-0034 - Space Vehicle Systems Engineering Handbook, 30 Nov 2005. Original tasking 8 Feb 2008 - Received response 3 April - "Security has concurred that the document is unclassified.... If there are not any other issues, I don't see how it can be held back." - On 10 April, I asked for verification that this was the final SE response, and that SE sees nothing....that would be exempt from release under FOIA." - No response as of today. - [REDACTED]

F08-0053 - 2009 CBJB- [REDACTED]

PrePub: [REDACTED]

S08-0120- Manuscript from DNI- [REDACTED]

S08-0130- Aerospace Annual Report- [REDACTED]

S08-0136- [REDACTED] Dissertation- [REDACTED]

S08-0142- [REDACTED] Resume- [REDACTED]

S08-0182- Counterfeit Parts Study Report- [REDACTED]

If you have any questions please let us know and we'll get an answer right away. Thank!

[REDACTED]

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UNCLASSIFIED//FOUO

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b3,b6

From: b3,b6
Sent: Tuesday, May 13, 2008 11:59 AM
To: b3,b6
Subject: FW: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~
Importance: High
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classification: UNCLASSIFIED//~~FOUO~~

b3,b6

I would like to pick up the NP11-31 case worksheet for this case. Is it ready? I will be by this afternoon...

Thanks,

b3,b6

From: b3,b6
Sent: Wednesday, April 30, 2008 9:08 AM
To: b3,b6
Cc: b3,b6
Subject: RE: Case F08-0068 - FOIA Request for Records — UNCLASSIFIED//~~FOUO~~

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NRO APPROVED FOR RELEASE

27 April 2012

UNCLASSIFIED

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

MATERIEL TRANSPORTATION REQUEST

1. CLASSIFICATION: ☒ U ☐ C ☐ S ☐ TS 2. CONTROL CHANNEL: ☐ S ☐ TK ☐ RSV
3. DATE AVAILABLE: 24 Apr 2008 4. REQUIRED DELIVERY DATE: N/A ☒ 5. ASSOCIATED ☐ 6. NON-ASSOCIATED
7. REQUESTOR'S NAME: [REDACTED]
8. SECURE PHONE: [REDACTED] (Type or print full name) [REDACTED]
11. SIGNATURE: [REDACTED] 10. DATE OF REQUEST: 24 Apr 2008
12. PROGRAM AND DIRECTORATE: MSO/ASG/IMSC
13. GOVERNMENT VALIDATOR: [REDACTED] (Type or print full name) 14. BADGE #: _____
15. SECURE PHONE: [REDACTED] 16. OFFICE: MSO/ASG/IMSC
17. REMARKS: P08-0068

1. COMPANY: _____ 2. ADDRESS: _____
3. CITY: _____ 4. STATE: _____ 5. ZIP: _____ 6. STOP NUMBER: _____
7. PRIMARY CONTACT: _____ (Type or print full name)
8. SSN: (Last 4 digits only - not required for MPT) _____ 9. SECURE PHONE: _____ 10. NON-SECURE PHONE: _____
11. ALTERNATE CONTACT: _____ (Type or print full name)
12. SSN: (Last 4 digits only - not required for MPT) _____ 13. SECURE PHONE: _____ 14. NON-SECURE PHONE: _____

1. COMPANY: _____ 2. ADDRESS: [REDACTED]
3. CITY: [REDACTED] 4. STATE: [REDACTED] 5. ZIP: [REDACTED] 6. STOP NUMBER: _____
7. PRIMARY CONTACT: Charles Laszewski (Type or print full name)
8. SSN: (Last 4 digits only - not required for MPT) _____ 9. SECURE PHONE: _____ 10. NON-SECURE PHONE: _____
11. ALTERNATE CONTACT: _____ (Type or print full name)
12. SSN: (Last 4 digits only - not required for MPT) _____ 13. SECURE PHONE: _____ 14. NON-SECURE PHONE: _____

1. TON #: _____ 2. MISSION #: _____ 3. TMC CONTROL #: _____
4. TRACKING NUMBER: _____ ☐ FED EX ☒ USPS ☐ COURIER ☐ HAND CARRY
5. MPT INITIALS: _____ DATE: _____ TIME: _____ 6. DISPATCHER INITIALS: _____ DATE: _____ TIME: _____
7. PACKAGE PREP INITIALS: _____ DATE: _____ TIME: _____ 8. OPS INITIALS: _____ DATE: _____ TIME: _____

DECL ON
DRV FROM:

NP11-08, MAY 07 (IMT-EF)

UNCLASSIFIED
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OPR: MSO/ASG/TMC
PAGE OF
PREVIOUS EDITIONS ARE OBSOLETE
RCS: 403-2

27 April 2012

Page 1 of 2

b3,b6

From: b3,b6
Sent: Tuesday, April 22, 2008 10:57 AM
To: b3,b6
Cc: BPO-OSC; b3,b6 FOIA (IART)
Subject: ** CANCEL ** - RE: Case F08-0068 - FOIA Request for Records -- UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

b3,b6

Please CANCEL this FOIA request. We have been directed by OGC to task CSNR regarding this satellite as we have others in-house already in process.

Thanks,

b3,b6

From: b3,b6
Sent: Tuesday, April 22, 2008 9:44 AM
To: b3,b6
Cc: BPO-OSC; Oborn Richard; FOIA (IART)
Subject: Case F08-0068 - FOIA Request for Records -- UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Good Morning!

(U) THIS IS IS A FOIA REQUEST FOR RECORDS.

(U) The IART is in receipt of a FOIA request for records. The attachments comprise the entire case package.

(U//~~FOUO~~) Case Summary: This is a request from Mr. Charles Laszewski, asking for "...all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb 20, 2008."

Click on the file path for Information Access Officer Case Processing Instructions
file: \\S:\Organizations\MSO\Shared\FOIA\ELECTRONIC_FOIA_TEMPLATES\IAO_INSTRUCTIONS.doc

(U) If you have any questions, please give me a call.

(U) Case # F08-0068

(U) Suspense: 6 May 2008

(U//~~FOUO~~) Case Officer: b3,b6

b3,b6

TELL US HOW WE'RE DOING...
Click Here to take the

4/22/2008

NRO APPROVED FOR RELEASE

27 April 2012

Page 2 of 2

ASG/IMSC CUSTOMER SURVEY
WE LOOK FORWARD TO HEARING FROM YOU!

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

4/22/2008

27 April 2012

UNCLASSIFIED//FOUO

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MATERIEL TRANSPORTATION REQUEST

I certify that this shipment is for the official movement of classified matter and/or materials in support of government programs and does not contain personal items, unclassified office supplies, or items for personal use. This form is to be completed for all materiel transportation requests. To the best of my knowledge, the information listed is accurate and complete.

1. CLASSIFICATION: ☒ U ☐ C ☐ S ☐ TS 2. CONTROL CHANNEL: ☐ SI ☐ TK ☐ RSV
 3. DATE AVAILABLE: 6 Jan 2011 4. REQUIRED DELIVERY DATE: ☒ 5. ASSOCIATED ☐ 6. NON-ASSOCIATED
 7. REQUESTOR'S NAME: [REDACTED] (Type or print full name)
 8. SECURE PHONE: [REDACTED] 9. NON-SECURE PHONE: [REDACTED]
 10. DATE OF REQUEST: 5 Jan 2011
 11. SIGNATURE: _____
 12. PROGRAM AND DIRECTORATE: MSAO/IMSC
 13. GOVERNMENT VALIDATOR: [REDACTED] (Type or print full name)
 14. BADGE #: _____
 15. SECURE PHONE: [REDACTED] 16. OFFICE: [REDACTED]
 17. REMARKS: F08-0068 Appeal Final

1. COMPANY: _____ 2. ADDRESS: _____
 3. CITY: _____ 4. STATE: _____ 5. ZIP: _____ 6. STOP NUMBER: _____
 7. PRIMARY CONTACT: _____ (Type or print full name)
 8. SSN: (Last 4 digits only - not required for MPT) _____ 9. SECURE PHONE: _____ 10. NON-SECURE PHONE: _____
 11. ALTERNATE CONTACT: _____ (Type or print full name)
 12. SSN: (Last 4 digits only - not required for MPT) _____ 13. SECURE PHONE: _____ 14. NON-SECURE PHONE: _____

1. COMPANY: [REDACTED] 2. ADDRESS: [REDACTED]
 3. CITY: [REDACTED] 4. STATE: [REDACTED] 5. ZIP: [REDACTED] 6. STOP NUMBER: _____
 7. PRIMARY CONTACT: Charles Laszewski (Type or print full name)
 8. SSN: (Last 4 digits only - not required for MPT) _____ 9. SECURE PHONE: _____ 10. NON-SECURE PHONE: _____
 11. ALTERNATE CONTACT: _____ (Type or print full name)
 12. SSN: (Last 4 digits only - not required for MPT) _____ 13. SECURE PHONE: _____ 14. NON-SECURE PHONE: _____

1. TCN #: _____ 2. MISSION #: _____ 3. TMC CONTROL #: _____
 4. TRACKING NUMBER: _____ ☐ FED EX ☒ USPS ☐ COURIER ☐ HAND CARRY
 5. MPT INITIALS: _____ DATE: _____ TIME: _____ 6. DISPATCHER INITIALS: _____ DATE: _____ TIME: _____
 7. PACKAGE PREP INITIALS: _____ DATE: _____ TIME: _____ 8. OPS INITIALS: _____ DATE: _____ TIME: _____

DECL ON
DRY FROM

UNCLASSIFIED//FOUO

Classify Appropriately When Filled In

OPR: MSAO/IMSC/TMC

PAGE 1 OF 1

PREVIOUS EDITIONS ARE OBSOLETE

RCS: 403-2

NP11-08, MAR 08 (MT-EF)



NRO APPROVED FOR RELEASE

27 April 2012

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

04 January 2011

Charles Laszewski

b6
[REDACTED]

Dear Mr. Laszewski,

This is in response to your letter dated 08 August 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 13 August 2008. Pursuant to the Freedom of Information Act (FOIA), you are appealing the NRO's response to your request for "...records relating to Satellite USA 193...."

In our letter to you dated 8 October 2008, pursuant to a phone conversation with you on 6 October 2008, we confirmed that the NRO's search for records would be confined to records originated by the NRO that contain information about 1) what caused the satellite to fail, 2) the harm that might cause, and 3) what the United States should do about the crippled satellite.

Your request was processed in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the NRO Operational File Exemption, 50 U.S.C. § 432a. A thorough search of our records and databases located eighteen documents, totaling sixty-two pages that are responsive to your request. An interim release to you in February 2010 consisted of one two-page document that was released in full and fourteen documents comprising twenty-eight pages that were released in part.

With the interim release we informed you that one eleven-page document had been forwarded to other agencies for review and treatment of their equities and return to the NRO for our final release determination, and that two documents had been referred to other agencies for their direct responses to you. One of the agencies to which a three-page document had been referred for their direct response to you, instead returned the document to the NRO after their review.

As the Appellate Authority, and after a complete review, I have determined that the aforementioned eleven-page document and the three-page document that was returned to us can be released.

27 April 2012

to you in part. Material withheld from release is denied pursuant to FOIA exemptions:

(b) (1) as properly classified information under Executive Order 13526, Sections 1.4(c), and (g);

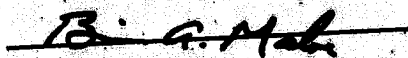
(b) (3) which applies to information specifically exempt by statutes, specifically 50 U.S.C. § 403-1, which protects intelligence sources and methods from unauthorized disclosure, and 10 U.S.C. § 424 which states: "Except as required by the President or as provided in subsection (c), no provision of law shall be construed to require the disclosure of (1) The organization or any function . . . (2) . . . number of persons employed by or assigned or detailed to any such organization or the name, official title, occupational series, grade, or salary of any such person . . . (b) Covered Organizations . . . the National Reconnaissance Office"; and

(b) (6) which applies to records which, if released, would constitute a clearly unwarranted invasion of the personal privacy of individuals.

This constitutes the NRO's final release in response to your request. Based on correspondence to you from another agency, a copy of which was provided to the NRO, we believe you have received a response from another agency with regard to the single responsive document which has not been included in the two NRO releases.

You are advised that you are entitled to a judicial review of this determination in a United States District Court in accordance with 5 U.S.C. § 522, as amended.

Sincerely,



Brian A. Malone

Enclosures:

- 1) Burnt Frost Information Brief w/ Information Paper, 11 pages
- 2) Information Paper - Analysis of USA 193 Data..., 3 pages

b3,b6

From: [REDACTED]
Sent: Tuesday, January 04, 2011 9:16 AM
To: Malone Brian A NRO USA CIV
Cc: FOIA (IART) [REDACTED]
Subject: FOIA Appeal - F08-0068 — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Brian,

Good Morning and Happy New Year! I am requesting your approval of FOIA Appeal F08-0068.

This case reflects an interim release to requester February 2010, which consisted of one two-page document that was released in full and fourteen documents comprising twenty-eight pages that were released in part. At that time one eleven-page document had been forwarded to other agencies for review and treatment of their equities and return to the NRO for our final release determination and two documents had been referred to other agencies for their direct response to the requester. One of the agencies to which a three-page document has been referred for their direct response to the requester, instead returned the document to the NRO after their review.

The General Counsel and the Director, OS&CI concurred on this final release. I am requesting Appellate Authority signature to release the aforementioned eleven-page document and the three-page document that was returned to NRO. This constitutes the NRO's final release in response to F08-0068.

b3,b6

Happy New Year! Please let me know when Brian has a few minutes to review/approve this appeal.

Thanks so much!

b3,b6

NRO APPROVED FOR RELEASE
27 April 2012

~~UNCLASSIFIED//FOUO~~

27 April 2012

b3, b6

From: [REDACTED]
Sent: Monday, January 03, 2011 1:22 PM
To: [REDACTED]
Cc: FOIA (IART)
Subject: F08-0068 Appeal — UNCLASSIFIED//~~FOUO~~
Attachments: OS&CI_Appeal_CONCUR.PDF
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Happy New Year, [REDACTED]

(U) It's a new year, but we still have the same old stuff to deal with. Just as an update on this appeal case, OS&CI/Policy has signed off with their concurrence on the proposed response to the requester (see attached.) Any questions about this one, please let me know!

Thanks.

b3, b6

UNCLASSIFIED//~~FOUO~~

NRO APPROVED FOR RELEASE

~~UNCLASSIFIED//FOUO~~

Classify Appropriately When Filled In - Lowest Acceptable Classification is U//FOUO

NRO COORDINATION SHEET

NRO NUMBER: _____

1	AS&T			13	OIG	
2	BPO			14	OP&S	
3	CIO			15	OS&CI	APPROVE
4	COMM			16	OSL	
5	GED			17	OSHC	
6	HMNT			18	SIGINT	
7	MS&O			19	SCO	
8	MOD			20	SED	
9	MSD			21	ES	
10	OC			22	DDNRO	
11	OEEODM			23	PDDNRO	
12	OGC	APPROVE		24	DNRO	

[Handwritten Signature] 12/30/10

1. Surname of Action Officer: <u>DS/EG</u>		2. SYMBOL: <u>IMSC/IART</u>	3. PHONE: <u>53 55</u>	4. TYPIST: <u>52 50</u>	5. SUSPENSE DATE: _____
6. SUBJECT: <u>F08-0068 - APPEAL - Final Release to requester Laszewski</u>					7. DATE: <u>1 Dec 2010</u>

8. SUMMARY: (See instructions page for items that must be included in this section; use Continuation page for additional text, if necessary)

PURPOSE:
Obtain NRO Appeals Panel approval for proposed final release and NRO Appellate Authority signature on response letter to accompany final release of documents.

BACKGROUND:
Please see the Case Summary included in the review package.

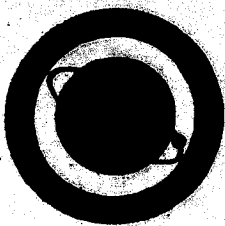
VIEW FROM OTHERS: _____

RECOMMENDATION:
Approve proposed final release.

D&O SA SIGNATURE: _____	2. D&O ACTION NUMBER: _____
COS SIGNATURE: _____	4. D&O SECURITY REVIEW: _____

DECL ON: _____
REV FROM: _____

OPR: ODIR/DES
PAGE 1 OF _____
PREVIOUS EDITIONS ARE OBSOLETE
RCS: 101-1



NRO APPROVED FOR RELEASE
27 April 2012
NATIONAL RECONNAISSANCE OFFICE
14675 Lee Road
Chantilly, VA 20151-1715

xx December 2010

Charles Laszewski

b3, b6

Dear Mr. Laszewski,

This is in response to your letter dated 08 August 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 13 August 2008. Pursuant to the Freedom of Information Act (FOIA), you are appealing the NRO's response to your request for "...records relating to Satellite USA 193...."

In our letter to you dated 8 October 2008, pursuant to a phone conversation with you on 6 October 2008, we confirmed that the NRO's search for records would be confined to records originated by the NRO that contain information about 1) what caused the satellite to fail, 2) the harm that might cause, and 3) what the United States should do about the crippled satellite.

Your request was processed in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the NRO Operational File Exemption, 50 U.S.C. § 432a. A thorough search of our records and databases located eighteen documents, totaling sixty-two pages that are responsive to your request. An interim release to you in February 2010 consisted of one two-page document that was released in full and fourteen documents comprising twenty-eight pages that were released in part.

With the interim release we informed you that one eleven-page document had been forwarded to other agencies for review and treatment of their equities and return to the NRO for our final release determination, and that two documents had been referred to other agencies for their direct responses to you. One of the agencies to which a three-page document had been referred for their direct response to you, instead returned the document to the NRO after their review.

As the Appellate Authority, and after a complete review, I have determined that the aforementioned eleven-page document and the three-page document that was returned to us can be released

to you in part. Material withheld from release is denied pursuant to FOIA exemptions:

(b) (1) as properly classified information under Executive Order 13526, Sections 1.4(c), and (g);

(b) (3) which applies to information specifically exempt by statutes, specifically 50 U.S.C. § 403-1, which protects intelligence sources and methods from unauthorized disclosure, and 10 U.S.C. § 424 which states: "Except as required by the President or as provided in subsection (c), no provision of law shall be construed to require the disclosure of (1) The organization or any function . . . (2) . . . number of persons employed by or assigned or detailed to any such organization or the name, official title, occupational series, grade, or salary of any such person . . . (b) Covered Organizations . . . the National Reconnaissance Office"; and

(b) (6) which applies to records which, if released, would constitute a clearly unwarranted invasion of the personal privacy of individuals.

This constitutes the NRO's final release in response to your request. Based on correspondence to you from another agency, a copy of which was provided to the NRO, we believe you have received a response from another agency with regard to the single responsive document which has not been included in the two NRO releases.

You are advised that you are entitled to a judicial review of this determination in a United States District Court in accordance with 5 U.S.C. § 522, as amended.

Sincerely,

Brian A. Malone

Enclosures:

- 1) Burnt Frost Information Brief w/ Information Paper, 11 pages
- 2) Information Paper - Analysis of USA 193 Data..., 3 pages

NRO APPROVED FOR RELEASE
27 April 2012

b3,b6

From: [REDACTED]
Sent: Wednesday, December 01, 2010 12:33 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: F08-0068 Appeal Final Release package for NRO APPEALS PANEL review —
UNCLASSIFIED//~~FOUO~~

Importance: High

Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Good afternoon!

(U) This is a review package for the NRO Appeals Panel for a final release in FOIA Appeal case F08-0068. The complete review package is available at:

File:\\S:\Organizations\MSO\Shared\FOIA\FOIA for Review\F08-0068 Appeal

(U) The review package includes a case summary that provides a synopsis of the case history to date. We have previously done an interim release in this case. The two documents and the proposed letter for NRO Appellate Authority signature included in this package represent the NRO's final release in this case. The IART requests Appeals Panel approval on the proposed final release to the requester.

(U) The final document included in the review package is an NRO Coordination Sheet for recording Appeals Panel responses for the IART record.

(U) If you have any questions regarding this request, please contact me and reference case # F08-0068.

Thanks.

b3,b6

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

b3 b6

From: [REDACTED]
Sent: Wednesday, December 01, 2010 11:16 AM
To: [REDACTED]
Subject: RE: F08-0068 Appeal, Final Release package for NRO APPEALS PANEL review — UNCLASSIFIED//~~FOUO~~

Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Go!

From: [REDACTED]
Sent: Wednesday, December 01, 2010 7:38 AM
To: [REDACTED]
Cc: FOIA (IART)
Subject: F08-0068 Appeal, Final Release package for NRO APPEALS PANEL review — UNCLASSIFIED//~~FOUO~~
classification: UNCLASSIFIED//~~FOUO~~

b3 b6

Please take a look and see if you approve for forwarding to OS&CI & OGC.

Good morning!

(U) This is a review package for the NRO Appeals Panel for a final release in FOIA Appeal case F08-0068. The complete review package is available at:
File:\\S:\Organizations\MSO\Shared\FOIA\FOIA for Review\F08-0068 Appeal

(U) The review package includes a case summary that provides a synopsis of the case history to date. We have previously done an interim release in this case. The two documents and the proposed letter for NRO Appellate Authority signature included in this package represent the NRO's final release in this case. The IART requests Appeals Panel approval on the proposed final release to the requester.

(U) The final document included in the review package is an NRO Coordination Sheet for recording Appeals Panel responses for the IART record.

(U) If you have any questions regarding this request, please contact me and reference case # F08-0068.

Thanks.

b3 b6

NRO APPROVED FOR RELEASE
27 April 2012

~~UNCLASSIFIED//FOUO~~

~~UNCLASSIFIED//FOUO~~

27 April 2012
UNCLASSIFIED

**F08-0068 - Appeal
Final NRO Release
CASE SUMMARY
FOR
APPEALS PANEL**

- Request from Charles Laszewski for, "...copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008....," rec'd in the IART on 21 April 2008 **TAB 1**
- IART acceptance letter dated 24 April 2008 **TAB 2**
- 1 July 2008 NRO response to requester, citing the operational file exemption, 50 USC S 432a **TAB 3**
- Appeal letter from requester, dated 4 August 2008 **TAB 4**
- NRO appeal acceptance letter dated 13 August 2008 **TAB 5**
- 18 August 2008 NRO General Counsel email reversing original "OFF" determination and directing records search and review **TAB 6**
- After document search and review, an interim release was approved by the NRO Appeals Panel and sent to the requester, dated 10 December 2009 **TAB 7**

In conjunction with the interim release, three additional documents were forwarded to other agencies for their reviews. One of these documents was released directly by the reviewing agency. Two documents, the Burnt Frost Information Brief and an Information Paper on Analysis of USA 193 Data (subject of this release) were reviewed and returned to the NRO for our release to the requester.

UNCLASSIFIED

27 April 2012
UNCLASSIFIED

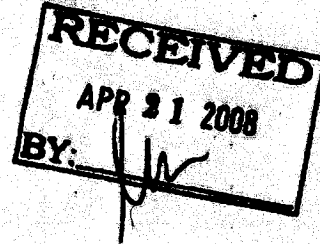
- Clean copies of Burnt Frost Information Brief and Information Paper **TAB 8**
- Burnt Frost Information Brief and Information Paper, treated for release by NRO, Department of Defense, Department of State and ODNI **TAB 9**
- Proposed Final NRO Appeal response to requester **TAB 10**

The IART requests NRO Appeals Panel concurrence on the proposed final release and NRO Appellate Authority signature on the proposed release letter at TAB 10.

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36
April 7, 2008

National Reconnaissance Office
Information Access and Release Center
14675 Lee Road
Chantilly, Va. 20151-1715



To whom it may concern,

Pursuant to the federal Freedom of Information Act, 5 U.S.C. 552, I am requesting copies of all information involving Satellite USA 193 which was shot down by the USS Lake Erie on Feb. 20, 2008. I am particularly interested in all emails, memos, discussions, craft descriptions, after action reports or any other pertinent data about this satellite which was launched in December 2006.

I agree to pay reasonable duplication fees for the processing of this request in an amount not to exceed \$50. However, please notify me prior to your incurring any expenses in excess of this amount.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities.

If you decline my request for a fee waiver, as a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on the decision and result of shooting down this satellite that is of current interest to the public because of the potential health and international relations ramifications. I am currently a free lance reporter after being a reporter for the St. Paul Pioneer Press newspaper for 25 years. I still maintain close contacts with that publication, having contributed freelance pieces to them, as well as other publications in Minnesota. I am also a published book author. I would expect little difficulty in placing a story about this issue.

If my request for the documents is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by telephone or email, rather than U.S. mail if you have questions regarding this request. I can be reached at 800-368-5868 or at 56

I look forward to your reply within 20 business days, as the statute requires.

Thank you for your assistance

Sincerely,

A handwritten signature in cursive script that reads "Charles Laszewski".

Charles Laszewski

NATIONAL RECONNAISSANCE OFFICE
14675 Lee Road
Chantilly, VA 20151-1715

24 April 2008

Mr. Charles Laszewski
b6 [REDACTED]

Dear Mr. Laszewski:

This is in response to your letter dated 7 April 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 21 April 2008. Pursuant to the Freedom of Information Act (FOIA), you are requesting a copy of "...copies of all information involving Satellite USA 193..."

We have accepted your request. It will be processed in accordance with the FOIA, as amended, Title 5 U.S.C. § 552.

Since we may not respond within the 20 working days stipulated by the Act, you have the right to consider this as a denial and may appeal to the NRO Appeal Review Panel. It would seem more reasonable, however, to have us continue processing your request and respond as soon as we can. You may appeal any denial of records at that time. Unless we hear from you otherwise, we will assume that you agree, and will proceed on this basis.

The FOIA authorizes federal agencies to assess fees for record services. Based upon the information provided, you have been placed in the "other" category of requesters, which means you are responsible for the cost of search time exceeding two hours (\$44.00/hour) and reproduction fees (.15 per page) exceeding 100 pages.

In your request you expressed a willingness to pay fees up to the amount of \$50.00. We will notify you if it appears this threshold will be exceeded in processing your request.

Regarding your request for a fee waiver please be advised that fee waivers or reductions are granted when there is a public interest in disclosure of information, which will contribute significantly to the public's understanding of the

NRO APPROVED FOR RELEASE

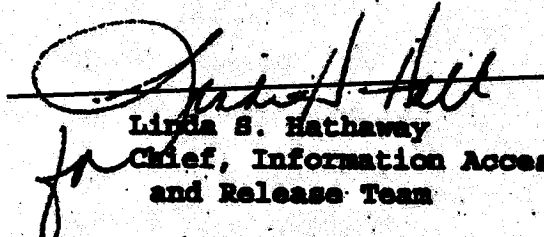
27 April 2012

operations or activities of the NRO. A decision to waive or reduce fees cannot be made until after any responsive documents to be disclosed have been reviewed for "public interest".

You have the right to appeal this determination by addressing your appeal to the NRO Appeal Authority, 14675 Lee Road, Chantilly, VA 20151-1715 within 60 days of the above date. Should you decide to do this, please explain the basis of your appeal.

If you have any questions, please call the Requester Service Center at (703) 227-9326 and reference case number F08-0068.

Sincerely,



Linda S. Hathaway
Chief, Information Access
and Release Team

NATIONAL RECONNAISSANCE OFFICE
14675 Lee Road
Chantilly, VA 20151-1715

01 July 2008

Charles Laszewski

Dear Mr. Laszewski:

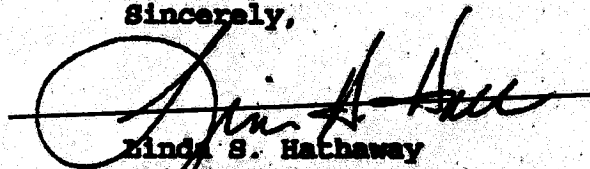
This is in response to your letter dated 07 April 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 21 April 2008. Pursuant to the Freedom of Information Act (FOIA), you are requesting a copy of "...copies of all information involving Satellite USA 193..."

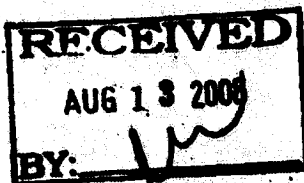
Your request was processed in accordance with the FOIA, 5 U.S.C. § 552, as amended. Responsive records, should any exist, would be contained in operational files. Please note that FOIA exemption (b)(3), by virtue of 50 USC § 432a, exempts operational files of the NRO from the publication, disclosure, search, and review provisions of the FOIA. As such, the files that would contain responsive records, should any exist, are not subject to search in response to your request.

You have the right to appeal this determination by addressing your appeal to the NRO Appeal Authority, 14675 Lee Road, Chantilly, VA 20151-1715 within 60 days of the above date. Should you decide to do this, please explain the basis of your appeal.

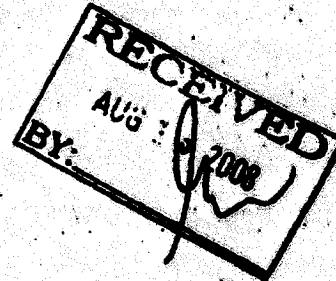
If you have any questions, please call the Requester Service Center at (703) 227-9326 and reference case number F08-0068.

Sincerely,


Linda S. Hathaway
Chief, Information Access
and Release Team



Aug. 4, 2008



National Reconnaissance Office Appeal Authority
14675 Lee Road
Chantilly, Va. 20151-1715

FOI ACT APPEAL

Dear Administrator,

This is an appeal under the Freedom of Information Act, 5 U.S.C. § 552.

On April 7, 2008, I made an FOI Act request to your agency seeking copies of all information involving Satellite USA 193 and its eventual downing by a Navy missile. On July 1, 2008, you denied my request on the grounds that exemption (b) (3) exempts operational of the NRO from search and disclosure. I am appealing the denial of my request for records relating to Satellite USA 193, case number F08-0068.

The information which I have requested is clearly releasable under the FOI Act and, in my opinion, may not validly be protected by any of the Act's exemptions.

In reading your denial and comparing it to the referenced law, 50 USC 432a, I believe you are overextending the statute. The pertinent section of the law is (2)(A) "Subject to subparagraph (B), for the purposes of this section, the term 'operational files' means files of the National Reconnaissance Office (hereafter in this section referred to as "NRO") that document the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems."

As you will recall, Satellite USA 193 began having difficulty shortly after it reached earth orbit and its orbit began to decline to the point where it would eventually re-enter the earth's atmosphere. The information I seek would not be operational files because it would not discuss "...the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems." Rather, what I am seeking is information on what caused the machine, the satellite, to fail and the discussions about what harm that might cause and what the United States should do about the crippled satellite. In broad terms, high administration officials talked publicly about just those issues. What I am requesting is the more detailed discussion of those issues.

Indeed (2)(B) states "Files which are the sole repository of disseminated intelligence are not operational files." Since some of this information was publicly disseminated by President George W. Bush and his top intelligence and military officials, I submit that by definition, these are not operational files and therefore must be disclosed.

27 April 2012

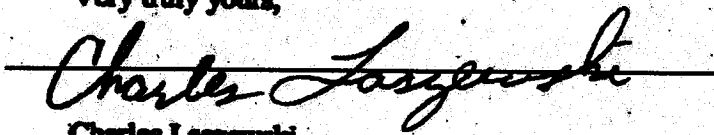
Finally, 3(B) states "any special activity the existence of which is not exempt from disclosure under the provisions of section 552 of title 5;" must be disclosed. The concern over a crippled satellite, its potential hazards to people living on earth and the eventual use of a missile to shoot down the satellite would qualify as a "special activity" and therefore not exempt from disclosure.

I trust that upon re-consideration, you will reverse the decision denying me access to this material and grant my original request.

As I have made this request in the capacity of a journalist and this information is of timely value, I would appreciate your expediting the consideration of my appeal in every way possible. In any case, I will expect to receive your decision within 20 business days, as required by the statute.

Thank you for your assistance.

Very truly yours,

A handwritten signature in cursive script, reading "Charles Laszewski", written over a horizontal line.

Charles Laszewski

NRO APPROVED FOR RELEASE
27 April 2012



NATIONAL RECONNAISSANCE OFFICE
14575 Lee Road
Chantilly, VA 20151-1715

13 August 2008

Charles Laszewski

[REDACTED]

Dear Mr. Laszewski:

This is in response to your letter dated 08 August 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 13 August 2008. Pursuant to the Freedom of Information Act (FOIA), you are appealing the NRO's response to your request for "...records relating to Satellite USA 193..."

Your appeal has been accepted. We will advise you when a determination by the NRO Appeal Board has been made.

If you have any questions, please call the Requester Service Center at (703) 227-9326, and reference case number F08-0068.

Sincerely,

Linda S. Hathaway
Chief, Information Access
and Release Team

b3, b6

From: Moffett Page
Sent: Monday, August 18, 2008 1:57 PM
To: b3, b6 Hathaway Linda (MSO)
Cc: b3, b6
Subject: FOIA Appeal F08-0068 - Charles Laszewski — UNCLASSIFIED//~~FOUO~~
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

I have reviewed the subject appeal package. It is my legal opinion that the appeal should be sustained and that the initial denial should be reversed. In other words, we must search for and review documents responsive to the request. I know that I originally opined that the OFE was applicable, but I have changed my mind.

Recommend we brief the new NRO Appellate Authority, Charlie Barlow, on our proposed course of action. Can IART set up the meeting with Mr. Barlow? After that meeting, we can discuss the strategy for processing the request. Page

UNCLASSIFIED//~~FOUO~~

NATIONAL RECONNAISSANCE OFFICE
14675 Lee Road
Chantilly, VA 20151-1715

10 December 2009

Charles Laszewski
[REDACTED]

Dear Mr. Laszewski:

This is in response to your letter dated 08 August 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 13 August 2008. Pursuant to the Freedom of Information Act (FOIA), you are appealing the NRO's response to your request for "...records relating to Satellite USA 193..."

In our letter to you dated 8 October 2008, pursuant to a phone conversation with you on 6 October 2008, we confirmed that the NRO's search for records would be confined to records originated by the NRO that contain information about 1) what caused the satellite to fail, 2) the harm that might cause, and 3) what the United States should do about the crippled satellite.

Your request is being processed in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the NRO Operational File Exemption, 50 U.S.C. § 432a. A thorough search of our records and databases located eighteen documents, totaling sixty-two pages, that are responsive to your request. As the Appellate Authority, and after a complete review, I have determined that, as an interim release, one document consisting of two pages can be released to you in full, and fourteen documents consisting of twenty-eight pages can be released to you in part. Material denied from release is withheld pursuant to FOIA exemption (b) (1) as properly classified information under Executive Order 12958, Section 1.4(c).

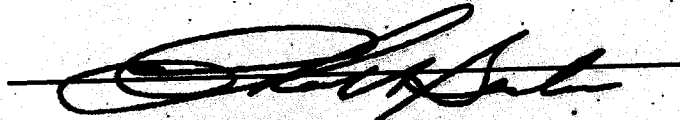
In addition to the interim release documents, one document, consisting of eleven pages has been forwarded to other agencies for their reviews, treatments for their equities, and return to the NRO for our final release determination. We will provide a final determination for that document as soon as possible.

27 April 2012

Finally, two documents, totaling twenty-one pages, have been treated for NRO equities and forwarded to other agencies for their reviews, treatments for their equities, and their direct responses to you.

You are advised that you are entitled to a judicial review of this determination in a United States District Court in accordance with 5 U.S.C. § 522, as amended.

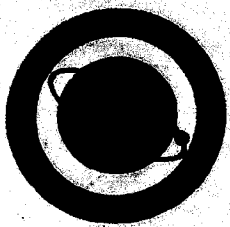
Sincerely,

A handwritten signature in dark ink, appearing to read 'Charles Barlow', written over a horizontal line.

Charles Barlow

Attachments:

- 1) Director, NRO letters to members of Congress, 14 documents, 28 pages
- 2) Guidance to U.S. and Foreign Emergency Managers and First Responders to the Crash Site..., 2 pages



NRO APPROVED FOR RELEASE
27 April 2012

NATIONAL RECONNAISSANCE OFFICE
14675 Lee Road
Chantilly, VA 20151-1715

xx December 2010

Charles Laszewski

of
[REDACTED]

Dear Mr. Laszewski,

This is in response to your letter dated 08 August 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 13 August 2008. Pursuant to the Freedom of Information Act (FOIA), you are appealing the NRO's response to your request for "...records relating to Satellite USA 193...."

In our letter to you dated 8 October 2008, pursuant to a phone conversation with you on 6 October 2008, we confirmed that the NRO's search for records would be confined to records originated by the NRO that contain information about 1) what caused the satellite to fail, 2) the harm that might cause, and 3) what the United States should do about the crippled satellite.

Your request was processed in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the NRO Operational File Exemption, 50 U.S.C. § 432a. A thorough search of our records and databases located eighteen documents, totaling sixty-two pages that are responsive to your request. An interim release to you in February 2010 consisted of one two-page document that was released in full and fourteen documents comprising twenty-eight pages that were released in part.

With the interim release we informed you that one eleven-page document had been forwarded to other agencies for review and treatment of their equities and return to the NRO for our final release determination, and that two documents had been referred to other agencies for their direct responses to you. One of the agencies to which a three-page document had been referred for their direct response to you, instead returned the document to the NRO after their review.

As the Appellate Authority, and after a complete review, I have determined that the aforementioned eleven-page document and the three-page document that was returned to us can be released

NRO APPROVED FOR RELEASE
27 April 2012

to you in part. Material withheld from release is denied pursuant to FOIA exemptions:

(b) (1) as properly classified information under Executive Order 13526, Sections 1.4(c), and (g);

(b) (3) which applies to information specifically exempt by statutes, specifically 50 U.S.C. § 403-1, which protects intelligence sources and methods from unauthorized disclosure, and 10 U.S.C. § 424 which states: "Except as required by the President or as provided in subsection (c), no provision of law shall be construed to require the disclosure of (1) The organization or any function . . . (2) . . . number of persons employed by or assigned or detailed to any such organization or the name, official title, occupational series, grade, or salary of any such person . . . (b) Covered Organizations . . . the National Reconnaissance Office"; and

(b) (6) which applies to records which, if released, would constitute a clearly unwarranted invasion of the personal privacy of individuals.

This constitutes the NRO's final release in response to your request. Based on correspondence to you from another agency, a copy of which was provided to the NRO, we believe you have received a response from another agency with regard to the single responsive document which has not been included in the two NRO releases.

You are advised that you are entitled to a judicial review of this determination in a United States District Court in accordance with 5 U.S.C. § 522, as amended.

Sincerely,

Brian A. Malone

Enclosures:

- 1) Burnt Frost Information Brief w/ Information Paper, 11 pages
- 2) Information Paper - Analysis of USA 193 Data..., 3 pages

~~UNCLASSIFIED//FOUO~~

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

NRO COORDINATION SHEET

NRO NUMBER:

1. NAME OF ACTION OFFICER: b3 b6		2. SYMBOL: IMSC/IART	3. PHONE: b3 b6	4. TYPIST: [redacted]	5. SUBMITTAL DATE: [redacted]
6. SUBJECT: F08-0068 - APPEAL - Final Release to requester Laszewski					7. DATE: 1 Dec 2010
8. SUMMARY: (See instructions page for items that must be included in this section; use Continuation page for additional items.) [redacted]					

PURPOSE:
Obtain NRO Appeals Panel approval for proposed final release and NRO Appellate Authority signature on response letter to accompany final release of documents.

BACKGROUND:
Please see the Case Summary included in the review package.

VIEW FROM OTHERS:

RECOMMENDATION:

Approve proposed final release.

D&O SA SIGNATURE:

2. DIO ACTION NUMBER:

COS SIGNATURE:

4. DAO SECURITY REVIEW:

RECL ON
RV FRONT

OPR: ODIWDEJ

PAGE 1 OF

PREVIOUS EDITIONS ARE OBSOLETE

RCS: 101-1

IP11-21A, JUN 10 (INT-EF)

UNCLASSIFIED//FOUO

Closely Appropriately When Filled In

NRO APPROVED FOR RELEASE

27 April 2012

~~UNCLASSIFIED//FOUO~~

Classify Appropriately When Filled In

NRO COORDINATION SHEET (Continued)

NRO NUMBER: _____

8. SUMMARY CONTINUED:

PURPOSE:

BACKGROUND:

VIEW FROM OTHERS:

RECOMMENDATION:

~~UNCLASSIFIED//FOUO~~

Classify Appropriately When Filled In

PAGE 2 OF 2

27 April 2012

UNCLASSIFIED//~~FOUO~~

Classify Appropriately When Filled In

NRO COORDINATION SHEET (Instructions)

The following items must be included in the Summary:

1. PURPOSE:

Statement identifies early, and in one precise sentence or bullet, who is the decisionmaker and what the decisionmaker is being asked to do. If your paper provides "information only," state that so the decisionmaker knows no decision is sought.

2. BACKGROUND:

Remember who your customer is and write to that level. Time is the enemy of senior leadership—the action officer who is brief, concise, and precise is their ally. Provide the decisionmaker relevant "who/what/when/where/why" and impact information needed to make an informed decision.

If responding to a request or query, summarize what the requestor seeks. If backup information is required, include that as a Tab and identify it to the decisionmaker. The best COORDINATION SHEET will contain all information the decisionmaker requires without referring to the Tabs. If the decisionmaker is asked to sign an implementing memorandum or letter, it should be the first Tab. A copy of the requestor's correspondence should appear early in the tabbing sequence with backup information placed at subsequent Tabs. A sample Background Paper and Point Paper are provided for your information in the Reference Section of the NRO Correspondence Handbook.

3. RECOMMENDATION:

State in precise terms what you want the decisionmaker to do, then ask yourself—if the decisionmaker approves my recommendations, can I implement? If the answer is not clear to you, it won't be to the decisionmaker.

UNCLASSIFIED//~~FOUO~~

Classify Appropriately When Filled In

NRO APPROVED FOR RELEASE

UNCLASSIFIED//FOUO

Classify Appropriately When Filled In - Control Acceptable Classification is Un. JUD

MATERIEL TRANSPORTATION REQUEST

I certify that this shipment is for the official movement of classified and/or sensitive materials in support of government programs and does not contain personal items, unclassified office supplies, or items to circumvent weight limitations applicable to unaccompanied air freight or household effects. To the best of my knowledge, the information listed is accurate and complete.

1. CLASSIFICATION: ☒ U ☐ TS
 2. CONTROL CHANNEL: ☐ SI ☐ TK ☐ RSV
 3. DATE AVAILABLE: 1 Feb 2010
 4. REQUIRED DELIVERY DATE: _____
 5. ASSOCIATED: ☒ 5. ASSOCIATED ☐ 6. NON-ASSOCIATED
 7. REQUESTOR'S NAME: [REDACTED]
 8. SECURE PHONE: [REDACTED] (Type or print full name)
 9. NON-SECURE PHONE: [REDACTED]
 10. DATE OF REQUEST: 1 Feb 2010
 11. SIGNATURE: [REDACTED]
 12. PROGRAM AND DIRECTORATE: MS&O/MSO
 13. GOVERNMENT VALIDATOR: [REDACTED]
 14. BADGE #: _____
 15. SECURE PHONE: [REDACTED] (Type or print full name)
 16. OFFICE: [REDACTED]
 17. REMARKS: P08-0068 Appeal - DOS coordination & coord.

1. COMPANY: _____
 2. ADDRESS: _____
 3. CITY: _____
 4. STATE: _____
 5. ZIP: _____
 6. STOP NUMBER: _____
 7. PRIMARY CONTACT: _____
 8. SSN: (Last 4 digits only - not required for MPT) _____
 9. SECURE PHONE: _____
 10. NON-SECURE PHONE: _____
 11. ALTERNATE CONTACT: _____
 12. SSN: (Last 4 digits only - not required for MPT) _____
 13. SECURE PHONE: _____
 14. NON-SECURE PHONE: _____

1. COMPANY: Office of Information Programs & Services
 2. ADDRESS: A/RPS/IPS, SA-2 2201 C St., Room 6001
 3. CITY: Dept. of State, Washington
 4. STATE: DC
 5. ZIP: _____
 6. STOP NUMBER: 101705
 7. PRIMARY CONTACT: [REDACTED]
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 10. NON-SECURE PHONE: [REDACTED]
 11. ALTERNATE CONTACT: _____
 12. SSN: (Last 4 digits only - not required for MPT) _____
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 14. NON-SECURE PHONE: _____

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 7. PACKAGING INITIALS: _____ DATE: _____ TIME: _____
 8. OPS INITIALS: _____ DATE: _____ TIME: _____

DECL ON:
 DRV FROM:

UNCLASSIFIED//FOUO

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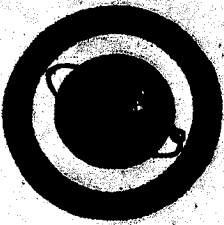
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PAGE 1 OF 1

PREVIOUS EDITIONS ARE OBSOLETE

RCS: 403-2

NP11-08, MAR 06 (MT-EF)



~~SECRET//REL TO USA, AUS, CAN, GBR~~
~~NRO APPROVED FOR RELEASE~~

27 April 2012

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

1 February 2010

MEMORANDUM FOR THE DIRECTOR, OFFICE OF IRM PROGRAMS AND SERVICES,
DEPARTMENT OF STATE

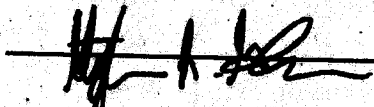
SUBJECT: (U) FREEDOM OF INFORMATION ACT REQUEST APPEAL, CHARLES
LASZEWSKI

REFERENCE: (U) National Reconnaissance Office
Case Number F08-0068 (APPEAL)

(U//FOUO) In our search for records in response to an appeal of the National Reconnaissance Office (NRO) initial release determination for a Freedom of Information Act request from Mr. Charles Laszewski, dated 7 April 2008, the NRO has identified one record responsive to his request that contains Department of State (DOS) equities. This document, consisting of eleven pages, has been reviewed and treated for NRO equities. It is being provided to you for DOS review, treatment, and return to the NRO.

(U) Per Department of Justice guidance, agencies are encouraged to place referrals in their queue based on the date of the initial request, in this instance, 7 April 2008.

(U) If you have any questions, please call 5356 and reference case number F08-0068. on 5356


Stephen R. Glenn
Chief, Information Access and
Release Team

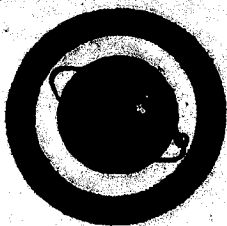
Attachments:

- 1) (U) Laszewski request for records, dtd. 7 April 2008
- 2) (U) NRO initial release determination, dtd. 1 July 2008
- 3) (U) Laszewski appeal letter, dtd. 4 August 2008
- 4) (U) NRO letter to requester overturning initial release determination
- 5) ~~(SECRET//REL TO USA, AUS, CAN, GBR)~~ BURNT FROST INFORMATION BRIEF

UNCLASSIFIED when separated from attachment

DECL ON: 20330215
DRV FROM: NRO SCG 6.0
21 May 2005

~~SECRET//REL TO USA, AUS, CAN, GBR~~



UNCLASSIFIED//FOR OFFICIAL USE ONLY
27 April 2012

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

1 February 2010

MEMORANDUM FOR THE DIRECTOR, OFFICE OF IRM PROGRAMS AND SERVICES,
DEPARTMENT OF STATE

SUBJECT: (U) FREEDOM OF INFORMATION ACT REQUEST APPEAL, CHARLES
LASZEWSKI

REFERENCE: (U) National Reconnaissance Office
Case Number F08-0068 (APPEAL)

(U//~~FOUO~~) In our search for records in response to an appeal of the National Reconnaissance Office (NRO) initial release determination for a Freedom of Information Act request from Mr. Charles Laszewski, dated 7 April 2008, the NRO has identified one record responsive to his request that contains Department of State (DOS) equities. This document, consisting of three pages, has been reviewed and treated for NRO equities. It is being provided to you for DOS review, treatment, and release directly to the requester. The requester will be informed that the NRO has referred this document to another agency for a final release determination.

(U) NRO information that has been denied from release is withheld pursuant to FOIA exemptions:

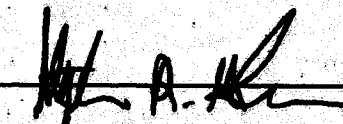
(b) (3) which allows the withholding of information prohibited from disclosure by statute, 10 U.S.C. § 424 which states: "Except as required by the President or as provided in subsection (c), no provision of law shall be construed to require the disclosure of (1) The organization or any function . . . (2) . . . number of persons employed by or assigned or detailed to any such organization or the name, official title, occupational series, grade, or salary of any such person . . . (b) Covered Organizations . . . the National Reconnaissance Office" and

(b) (6) which applies to records which, if released, would constitute a clearly unwarranted invasion of the personal privacy of individuals.

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(U) Per Department of Justice guidance, agencies are encouraged to place referrals in their queue based on the date of the initial request, in this instance, 7 April 2008.

(U) If you have any questions, please call me on 703-227-9128 and reference case number F08-0068.



Stephen R. Glenn
Chief, Information Access and
Release Team

Attachments:

- 1) (U) Laszewski request for records, dtd. 7 April 2008
- 2) (U) NRO initial release determination, dtd. 1 July 2008
- 3) (U) Laszewski appeal letter, dtd. 4 August 2008
- 4) (U) NRO letter to requester overturning initial release determination
- 5) (U//FOUO) Information Paper on ANALYSIS OF USA 193 DATA TO BE PROVIDED TO INTER-AGENCY SPACE DEBRIS COORDINATION COMMITTEE MEMBERS

NRO APPROVED FOR RELEASE

UNCLASSIFIED//FOUO

27 April 2012

MATERIEL TRANSPORTATION REQUEST

I certify that this shipment is for the official movement of classified and/or sensitive materials in support of government programs and does not contain personal items, unclassified office supplies, or items to circumvent weight limitations applicable to unaccompanied air freight or household effects. To the best of my knowledge, the information listed is accurate and complete.

1. CLASSIFICATION: ☐ U ☐ C ☐ S ☐ TS
 2. CONTROL CHANNEL: ☐ SI ☐ TK ☐ RSV
 3. DATE AVAILABLE: 1 Feb 2010
 4. REQUIRED DELIVERY DATE: ☒ 5. ASSOCIATED ☐ 6. NON-ASSOCIATED
 7. REQUESTOR'S NAME: [REDACTED]
 8. SECURE PHONE: [REDACTED] (Type or print full name)
 9. NON-SECURE PHONE: [REDACTED]
 10. DATE OF REQUEST: 1 Feb 2010
 11. SIGNATURE: [REDACTED]
 12. PROGRAM AND DIRECTORATE: MSEC/IMSC
 13. GOVERNMENT VALIDATOR: [REDACTED]
 14. BADGE #:
 15. SECURE PHONE: [REDACTED] (Type or print full name)
 16. OFFICE: [REDACTED]
 17. REMARKS: F08-0068 Appeal - DFOISR coordination

1. COMPANY:
 2. ADDRESS:
 3. CITY:
 4. STATE:
 5. ZIP:
 6. STOP NUMBER:
 7. PRIMARY CONTACT:
 8. SSN: (Last 4 digits only - not required for MPT)
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 10. NON-SECURE PHONE:
 11. ALTERNATE CONTACT:
 12. SSN: (Last 4 digits only - not required for MPT)
 13. SECURE PHONE:
 14. NON-SECURE PHONE:

1. COMPANY: Pass to [REDACTED] Office of FOIA & Security Review
 2. ADDRESS: DIA/SVD1(SS0) Room 2C230 Pentagon
 3. CITY:
 4. STATE:
 5. ZIP:
 6. STOP NUMBER:
 7. PRIMARY CONTACT: Charles Lasowski
 8. SSN: (Last 4 digits only - not required for MPT)
 9. SECURE PHONE:
 10. NON-SECURE PHONE: [REDACTED]
 11. ALTERNATE CONTACT:
 12. SSN: (Last 4 digits only - not required for MPT)
 13. SECURE PHONE:
 14. NON-SECURE PHONE:

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 10. FED EX ☐ USPS ☐ COURIER ☒ HAND CARRY ☐
 DECL ON:
 DRV FROM:
 52264

UNCLASSIFIED//FOUO

Classify Appropriately When Filled In

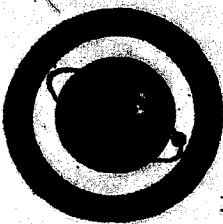
OPR: MSEC/IASG/TMC

PAGE 1 OF 1

PREVIOUS EDITIONS ARE OBSOLETE

RCS: 403-2

NP11-08, MAR 06 (INT-EF)



~~SECRET//REL TO USA, AUS, CAN, GBR~~

27 April 2012

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

1 February 2010

**MEMORANDUM FOR THE CHIEF, DEFENSE OFFICE OF FREEDOM OF INFORMATION AND
SECURITY REVIEW**

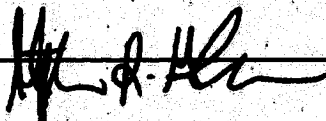
**SUBJECT: (U) FREEDOM OF INFORMATION ACT REQUEST APPEAL, CHARLES
LASZEWSKI**

**REFERENCE: (U) National Reconnaissance Office
Case Number F08-0068 (APPEAL)**

(U//FOUO) In our search for records in response to an appeal of the National Reconnaissance Office (NRO) initial release determination for a Freedom of Information Act request from Mr. Charles Laszewski, dated 7 April 2008, the NRO has identified one record responsive to his request that contains Department of Defense equities. This document, consisting of eleven pages, has been reviewed and treated for NRO equities. It is being provided to you for your review, treatment, and return to the NRO.

(U) Per Department of Justice guidance, agencies are encouraged to place referrals in their queue based on the date of the initial request, in this instance, 7 April 2008.

(U) If you have any questions, please call [REDACTED] on [REDACTED] and reference case number F08-0068.


Stephen R. Glenn
Chief, Information Access and
Release Team

Attachments:

- 1) (U) Laszewski request for records, dtd. 7 April 2008
- 2) (U) NRO initial release determination, dtd. 1 July 2008
- 3) (U) Laszewski appeal letter, dtd. 4 August 2008
- 4) (U) NRO letter to requester overturning initial release determination
- 5) ~~(SECRET//REL TO USA, AUS, CAN, GBR)~~ BURNT FROST INFORMATION BRIEF

UNCLASSIFIED when separated from attachment

DECL ON: 20330215
DRV FROM: NRO SCG 6.0
21 May 2005

~~SECRET//REL TO USA, AUS, CAN, GBR~~

UNCLASSIFIED//FOUO

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

MATERIEL TRANSPORTATION REQUEST

I certify that this shipment is for the official movement of classified and/or sensitive materials in support of government programs and does not contain personal items, unclassified office supplies, or items to circumvent weight limitations applicable to unaccompanied air freight or household effects. To the best of my knowledge, the information listed is accurate and complete.

1. CLASSIFICATION: ☐ U ☐ C ☐ TS
2. CONTROL CHANNEL: ☐ SI ☐ TK ☐ RSV
3. DATE AVAILABLE: 1 Feb 2010
4. REQUIRED DELIVERY DATE: _____
5. ASSOCIATED ☒ 6. NON-ASSOCIATED ☐
7. REQUESTOR'S NAME: 53 b6 (Type or print full name)
8. SECURE PHONE: 53 b6
9. NON-SECURE PHONE: 53 b6
10. DATE OF REQUEST: 1 Feb 2010
11. SIGNATURE: 53 b6
12. PROGRAM AND DIRECTORATE: MS&O/IMSC
13. GOVERNMENT VALIDATOR: 53 b6 (Type or print full name)
14. BADGE #: _____
15. SECURE PHONE: 53 b6
16. OFFICE: 53
17. REMARKS: F08-0068 Appeal - ODNI coordination

1. COMPANY: _____ 2. ADDRESS: _____
3. CITY: _____ 4. STATE: _____ 5. ZIP: _____ 6. STOP NUMBER: _____
7. PRIMARY CONTACT: _____ (Type or print full name)
8. SSN: (Last 4 digits only - not required for MPT) _____ 9. SECURE PHONE: _____ 10. NON-SECURE PHONE: _____
11. ALTERNATE CONTACT: _____ (Type or print full name)
12. SSN: (Last 4 digits only - not required for MPT) _____ 13. SECURE PHONE: _____ 14. NON-SECURE PHONE: _____

1. COMPANY: Director Information Management Office 2. ADDRESS: ODNI LX2 1A-147, Attn: FOIA
3. CITY: _____ 4. STATE: _____ 5. ZIP: _____ 6. STOP NUMBER: _____
7. PRIMARY CONTACT: 53 b6 (Type or print full name)
8. SSN: (Last 4 digits only - not required for MPT) _____ 9. SECURE PHONE: 53 b6 10. NON-SECURE PHONE: _____
11. ALTERNATE CONTACT: _____ (Type or print full name)
12. SSN: (Last 4 digits only - not required for MPT) _____ 13. SECURE PHONE: _____ 14. NON-SECURE PHONE: _____

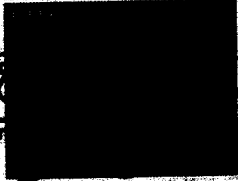
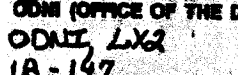
1. TCN #: _____ 2. MISSION #: _____ 3. TMC CONTROL #: _____
MATERIAL/PACKAGE PROCESSING (Office use only) 52238
4. 53 b6
5. 2-1-10 TIME: 1:50 6. DISPATCHER INITIALS: _____ DATE: _____ TIME: _____
DATE: 2-1-10 TIME: 3:00 8. OPS INITIALS: _____ DATE: _____ TIME: _____
DECL. _____
DRY FROM: _____
☐ FED EX ☐ USPS ☒ COURIER ☐ HAND CARRY

OPR: MS&O/ASG/TMC

PAGE 1 OF 1

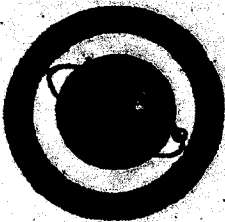
PREVIOUS EDITIONS ARE OBSOLETE

RCS: 403-2

MILITARY SHIPMENT LABEL CONTENTS	
1. TRANSPORTATION CONTROL NUMBER  HL00060032X884XXX	
2. FROM  CHANTELY VA	3. POSTAGE DATA
4. TYPE SERVICE	5. TRANS PRIORITY 1
6. SHIP TO POB 	7. PROJECT 202
8. U/LT 	9. WT 1
10. CUBS 1	11. PEO 999
12. DATE 03MAR2010	13. CHANGES
14. PMS CASE NO.	15. PMS CASE NO.
16. PMS CASE NO.	17. TOTAL PIECES 1 of 1

Request: 52238
Delivery: 80116215

TO 



~~SECRET//REL TO USA, AUS, CAN, GBR, S~~

27 April 2012

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

1 February 2010

MEMORANDUM FOR THE CHIEF, INFORMATION MANAGEMENT OFFICE, OFFICE OF THE
DIRECTOR OF NATIONAL INTELLIGENCE

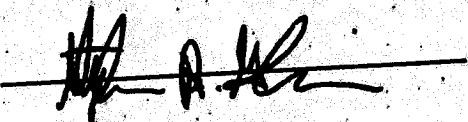
SUBJECT: (U) FREEDOM OF INFORMATION ACT REQUEST APPEAL, CHARLES
LASZEWSKI

REFERENCE: (U) National Reconnaissance Office
Case Number F08-0068 (APPEAL)

(U//FOUO) In our search for records in response to an appeal of
the National Reconnaissance Office (NRO) initial release determination
for a Freedom of Information Act request from Mr. Charles Laszewski,
dated 7 April 2008, the NRO has identified one record responsive to his
request that contains Director of National Intelligence (DNI) equities.
This document, consisting of eleven pages, has been reviewed and
treated for NRO equities. It is being provided to you for DNI review,
treatment, and return to the NRO.

(U) Per Department of Justice guidance, agencies are encouraged
to place referrals in their queue based on the date of the initial
request, in this instance, 7 April 2008.

(U) If you have any questions, please call 53.56 on 53.56
and reference case number F08-0068.


Stephen R. Glenn
Chief, Information Access and
Release Team

Attachments:

- 1) (U) Laszewski request for records, dtd. 7 April 2008
- 2) (U) NRO initial release determination, dtd. 1 July 2008
- 3) (U) Laszewski appeal letter, dtd. 4 August 2008
- 4) (U) NRO letter to requester overturning initial release
determination
- 5) ~~(SECRET//REL TO USA, AUS, CAN, GBR)~~ BURNT PROST INFORMATION
BRIEF

UNCLASSIFIED when separated from attachment

DECL ON: 20330215
DRV FROM: NRO SCG 6.0
21 May 2005

~~SECRET//REL TO USA, AUS, CAN, GBR~~

NRO APPROVED FOR RELEASE

UNCLASSIFIED//FOUO

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

MATERIEL TRANSPORTATION REQUEST

4

I certify that this shipment is for the official movement of classified and/or sensitive materials in support of government programs and does not contain personal items, unclassified office supplies, or items to circumvent weight limitations applicable to unaccompanied air freight or household effects. To the best of my knowledge, the information listed is accurate and complete.

1. CLASSIFICATION: ☒ U ☐ C ☐ S ☐ TS
 2. CONTROL CHANNEL: ☐ SI ☐ TK ☐ RSV
 3. DATE AVAILABLE: 1 Feb 2010
 4. REQUIRED DELIVERY DATE: _____
 5. ASSOCIATED ☒ 6. NON-ASSOCIATED ☐
 7. REQUESTOR'S NAME: [REDACTED] (Type or print full name)
 8. SECURE PHONE: [REDACTED]
 9. NON-SECURE PHONE: [REDACTED]
 10. DATE OF REQUEST: 1 Feb 2010
 11. SIGNATURE: _____
 12. PROGRAM AND DIRECTORATE: MS&O/IMSC
 13. GOVERNMENT VALIDATOR: [REDACTED] (Type or print full name)
 14. BADGE #: _____
 15. SECURE PHONE: [REDACTED]
 16. OFFICE: [REDACTED]
 17. REMARKS: P08-0068 Appeal - USSTRATCOM referral

1. COMPANY: _____ 2. ADDRESS: _____
 3. CITY: _____ 4. STATE: _____ 5. ZIP: _____ 6. STOP NUMBER: _____
 7. PRIMARY CONTACT: _____ (Type or print full name)
 8. SSN: (Last 4 digits only - not required for MPT) _____ 9. SECURE PHONE: _____ 10. NON-SECURE PHONE: _____
 11. ALTERNATE CONTACT: _____ (Type or print full name)
 12. SSN: (Last 4 digits only - not required for MPT) _____ 13. SECURE PHONE: _____ 14. NON-SECURE PHONE: _____

1. COMPANY: USSTRATCOM 2. ADDRESS: 106 Pensacola Drive, Ste. 2N3
 3. CITY: Offutt AFB 4. STATE: NE 5. ZIP: 68113-4025 6. STOP NUMBER: 55CS/SCBR
 7. PRIMARY CONTACT: FOIA Officer (Type or print full name)
 8. SSN: (Last 4 digits only - not required for MPT) _____ 9. SECURE PHONE: _____ 10. NON-SECURE PHONE: 402-294-9994
 11. ALTERNATE CONTACT: _____ (Type or print full name)
 12. SSN: (Last 4 digits only - not required for MPT) _____ 13. SECURE PHONE: _____ 14. NON-SECURE PHONE: _____

1. TCN #: _____ 2. MISSION #: _____ 3. TMC CONTROL #: _____
 MATERIAL/PACKAGE PROCESSING (Office use only)
 4. TRACKING NUMBER: _____
 5. MPT INITIALS: _____ DATE: _____ TIME: _____ 6. DISPATCHER INITIALS: _____ DATE: _____ TIME: _____
 7. PACKAGE PREP INITIALS: _____ DATE: _____ TIME: _____ 8. OPS INITIALS: _____ DATE: _____ TIME: _____



DECL ONE
 DRV FROM:

UNCLASSIFIED//FOUO

Classify Appropriately When Filled In

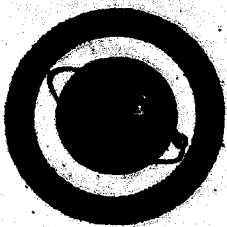
OPR: MS&O/ASG/TMC

PAGE 1 OF 1

PREVIOUS EDITIONS ARE OBSOLETE

RCS: 403-2

NP11-06, MAR 06 (INT-EF)



UNCLASSIFIED//FOR OFFICIAL USE ONLY

27 April 2012

NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

1 February 2010

MEMORANDUM FOR FOIA OFFICER, UNITED STATES STRATEGIC COMMAND

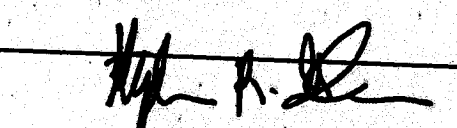
SUBJECT: (U) FREEDOM OF INFORMATION ACT REQUEST APPEAL, CHARLES LASZEWSKI

REFERENCE: (U) National Reconnaissance Office
Case Number F08-0068 (APPEAL)

(U//FOUO) In our search for records in response to an appeal of the National Reconnaissance Office (NRO) initial release determination for a Freedom of Information Act request from Mr. Charles Laszewski, dated 7 April 2008, the NRO has identified one responsive record, consisting of eighteen pages, that is a joint NRO/United States Strategic Command (USSTRATCOM) document. The NRO has reviewed this document, and determined that it contains no NRO equities that would preclude release. It is being provided to you for USSTRATCOM review, treatment, and release directly to the requester. The requester will be informed that the NRO has referred this document to another agency for a final release determination.

(U) Per Department of Justice guidance, agencies are encouraged to place referrals in their queue based on the date of the initial request, in this instance, 7 April 2008.

(U) If you have any questions, please call me on 703-227-9128 and reference case number F08-0068.


Stephen R. Glenn
Chief, Information Access and
Release Team

UNCLASSIFIED//FOR OFFICIAL USE ONLY

NRO APPROVED FOR RELEASE

27 April 2012

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Attachments:

- 1) (U) Laszewski request for records, dtd. 7 April 2008
- 2) (U) NRO initial release determination, dtd. 1 July 2008
- 3) (U) Laszewski appeal letter, dtd. 4 August 2008
- 4) (U) NRO letter to requester overturning initial release determination
- 5) (U//~~FOUO~~) The Shootdown of US193

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

b3, b6

From: claszewski
Sent: Tuesday, February 02, 2010 10:36 AM
To: [REDACTED]
Subject: RE: FOIA Status

Thanks [REDACTED] I look forward to getting the package.
Chuck

From: [REDACTED]
Sent: Tuesday, February 02, 2010 7:59 AM
To: claszewski
Subject: FOIA Status

Chuck, you should be receiving a Fedex package any moment with an interim release. We have coordinations out to a couple of other agencies and will likely be able to send more when they approve. We also have referred some records to other agencies who should be responding directly to you. There will be a letter with the package that explains thoroughly, but let me know if you have any questions.

b3, b6

NRO FOIA

MATERIEL TRANSPORTATION REQUEST

certify that this shipment is for the official movement of classified and/or sensitive materials in support of government programs and does not contain personal items, unclassified office supplies, or items to circumvent weight limitations applicable to unaccompanied air freight or household effects. To the best of my knowledge, the information listed is accurate and complete.

1. CLASSIFICATION: ☒ U ☐ C ☐ S ☐ TS
2. CONTROL CHANNEL: ☐ S ☐ TK ☐ RSV
3. DATE AVAILABLE: 29 Jan 2010
4. REQUIRED DELIVERY DATE: _____
5. ASSOCIATED: ☒ 6. NON-ASSOCIATED: ☐
7. REQUESTOR'S NAME: 03 b6
8. SECURE PHONE: 03 b6 (Type or print full name)
9. NON-SECURE PHONE: 03 b6
10. DATE OF REQUEST: 29 Jan 2010
11. SIGNATURE: 03 b6
12. PROGRAM AND DIRECTORATE: MS&O/MSO
13. GOVERNMENT VALIDATOR: 03 b6
14. BADGE #: _____
15. SECURE PHONE: 03 b6 (Type or print full name)
16. OFFICE: _____
17. REMARKS: F08-0068 Appeal - In case of emergency

Fedex for tracking purposes

1. COMPANY: _____
2. ADDRESS: _____
3. CITY: _____
4. STATE: _____
5. ZIP: _____
6. STOP NUMBER: _____
7. PRIMARY CONTACT: _____
8. SSN: (Last 4 digits only - not required for MPT) _____
9. SECURE PHONE: _____
10. NON-SECURE PHONE: _____
11. ALTERNATE CONTACT: _____
12. SSN: (Last 4 digits only - not required for MPT) _____
13. SECURE PHONE: _____
14. NON-SECURE PHONE: _____

1. COMPANY: _____
2. ADDRESS: 03 b6
3. CITY: 03 b6
4. STATE: 03 b6
5. ZIP: 03 b6
6. STOP NUMBER: _____
7. PRIMARY CONTACT: Charles Lasowski
8. SSN: (Last 4 digits only - not required for MPT) _____
9. SECURE PHONE: _____
10. NON-SECURE PHONE: 03 b6
11. ALTERNATE CONTACT: _____
12. SSN: (Last 4 digits only - not required for MPT) _____
13. SECURE PHONE: _____
14. NON-SECURE PHONE: _____

1. TCN #: _____
2. MISSION #: _____
3. TMC CONTROL #: _____

MATERIAL/PACKAGE PROCESSING (Office use only)

4. TRACKING NUMBER: 90115189 522/4
5. MPT INITIAL: 03 b6 DATE: 1/29/10 TIME: 1550
6. DISPATCHER INITIALS: _____ DATE: _____ TIME: _____
7. PACKAGE PREP INITIALS: 03 b6 DATE: 2/1/10 TIME: 1045
8. OPS INITIALS: MG DATE: 2/1/10 TIME: 9:25 am

DECL OR
DRY FROM:

Ref: _____
Dep: INBC

Date: 02Feb10
Wgt: 1.0 LBS

DV: _____

SHIPPING: _____
SPECIAL: _____
HANDLING: _____
TOTAL: _____

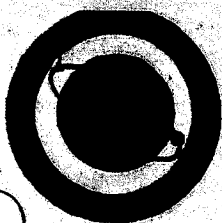
OPR: MS&O/ASG/TMC

3.00
0.00 OF 1
0.00
3.00

EDITIONS ARE OBSOLETE

Svos: EXPRESS SAVER
TRCK: 9010 8883 4252

NP11-08, MAR 06 (MT-EF)



NRO APPROVED FOR RELEASE
27 April 2012
NATIONAL RECONNAISSANCE OFFICE
14675 Lee Road
Chantilly, VA 20151-1715

10 December 2009

Charles Laszewski

b6

Dear Mr. Laszewski:

This is in response to your letter dated 08 August 2008, received in the Information Management Services Center of the National Reconnaissance Office (NRO) on 13 August 2008. Pursuant to the Freedom of Information Act (FOIA), you are appealing the NRO's response to your request for "...records relating to Satellite USA 193..."

In our letter to you dated 8 October 2008, pursuant to a phone conversation with you on 6 October 2008, we confirmed that the NRO's search for records would be confined to records originated by the NRO that contain information about 1) what caused the satellite to fail, 2) the harm that might cause, and 3) what the United States should do about the crippled satellite.

Your request is being processed in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the NRO Operational File Exemption, 50 U.S.C. § 432a. A thorough search of our records and databases located eighteen documents, totaling sixty-two pages, that are responsive to your request. As the Appellate Authority, and after a complete review, I have determined that, as an interim release, one document consisting of two pages can be released to you in full, and fourteen documents consisting of twenty-eight pages can be released to you in part. Material denied from release is withheld pursuant to FOIA exemption (b)(1) as properly classified information under Executive Order 12958, Section 1.4(c).

In addition to the interim release documents, one document, consisting of eleven pages has been forwarded to other agencies for their reviews, treatments for their equities, and return to the NRO for our final release determination. We will provide a final determination for that document as soon as possible.

27 April 2012

Finally, two documents, totaling twenty-one pages, have been treated for NRO equities and forwarded to other agencies for their reviews, treatments for their equities, and their direct responses to you.

You are advised that you are entitled to a judicial review of this determination in a United States District Court in accordance with 5 U.S.C. § 522, as amended.

Sincerely,



Charles Barlow

Attachments:

- 1) Director, NRO letters to members of Congress, 14 documents, 28 pages
- 2) Guidance to U.S. and Foreign Emergency Managers and First Responders to the Crash Site..., 2 pages

27 April 2012

~~SECRET//REL TO USA, AUS, CAN, GBR~~

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

NRO COORDINATION SHEET

NRO NUMBER: _____

1	AS&T			13	OIG		
2	BPO			14	OS&CI		
3	COMM			15	OSL		
4	GED			16	SIGINT		
5	IMINT			17	SCO		
6	MS&O			18	SED		
7	MOD			19			
8	MSD			20			
9	OCIO		<i>[Signature]</i> 12/11/09	21	ES		
10	OEEODM			22	DDNRO		
11	OGC	APPROVE	<i>[Signature]</i> 12/9/09	23	PDDNRO		
12	OHR			24	DNRO		

1. SURNAMES OF ACTION OFFICER: _____

2. SYMBOL: IMSC/IART

3. PHONE: _____

4. TYPIST: _____

5. SUSPENSE DATE: _____

6. SUBJECT: F08-0068 APPEAL

7. DATE: 2 Dec 2009

8. SUMMARY (See Instructions Page for items that must be included in this section):

PURPOSE:
(U//FOUO) Obtain NRO General Counsel concurrence on proposed disposition/coordination of responsive documents, and to obtain NRO Appeal Authority signature on proposed interim release letter.

BACKGROUND: (Use continuation page, if necessary)
(U) Please refer to enclosed case summary.

GC Comment: please ensure that BPO/LL and [redacted] know of the release.

RECOMMENDATION:
(U//FOUO) The IART recommends: 1) Referral of documents at TABs 11A & 11B to Department of State (DoS) and USSTRATCOM, respectively; 2) review by DoS, Department of Homeland Security, and Department of Defense of document at TAB 11C prior to final release determination by the NRO; 3) Interim release to requester of sanitized documents at TAB 11D.

1. D&O SA SIGNATURE: _____

2. D&O ACTION NUMBER: _____

3. COS SIGNATURE: _____

4. D&O SECURITY REVIEW: _____

DECL ON:
DRV FROM:

OPR: ESP

PAGE OF

PREVIOUS EDITIONS ARE OBSOLETE

~~SECRET//REL TO USA, AUS, CAN, GBR~~

December 2, 2009

**F08-0068 Appeal
Case Summary for OS&CI**

- (U) Request letter, dtd. April 7 2008 TAB 1
- (U) Acceptance letter, dtd. April 24 2008 TAB 2
- (U) NRO response letter to requester, dtd. July 1 2008, citing the NRO Operational File Exemption (OFE) TAB 3
- (U) Appeal letter from requester, dtd. 4 August 2008 TAB 4
- (U) NRO Appeal acceptance letter to requester, dtd. 13 August 2008 TAB 5
- (U//FOUO) NRO General Counsel email, August 18 2008, advising that initial OFE denial should be reversed TAB 6
- (U) NRO letter to requester, dtd. October 2 2008, informing requester that the initial OFE denial determination has been reversed, and that his request will be processed under the FOIA TAB 7
- (U) NRO letter to requester, dtd. October 8 2008, regarding parameters for records search TAB 8
- (U) Initial tasking for search/review for responsive documents, dtd. 20 October 2008, to AS&T, DDMS, DSS, IMINT, and OGC TAB 9
- ~~(S//REL TO USA, AUS, CAN, GBR)~~ Clean copy of five responsive documents, as determined in consultations between the IART, IMINT, and OS&CI TAB 10
 - Information Paper on Analysis of USA 193 Data..... A
 - Burnt Frost Information brief, 30 Jan 08 B
 - Congressional letters from DNRO C
 - Guidance to U.S. and Foreign Emergency Managers..... D
 - The Shootdown of US193 Brief E

~~SECRET//REL TO USA, AUS, CAN, GBR~~

~~SECRET//REL TO USA, AUS, CAN, GBR~~

- (U//FOUO) Proposed disposition of responsive documents, resulting from reviews by IMINT, DDMS, and BPO/P&A TAB 11
 - Referral Package for Department of State (DoS) for DoS direct response to the requester regarding Information Paper on Analysis of USA 193 Data..... A
 - Referral Package for USSTRATCOM for their direct response to the requester regarding The Shootdown of US 193 Brief B
 - Burnt Frost Information Brief, 30 Jan 08, for coordination with DOS, DHS, and DoD prior to NRO release determination C
 - Proposed Interim Response to Requester: NRO Interim Response letter, w/ documents for release (Congressional letters from DNRO and Guidance to U.S. and Foreign Emergency Managers) D
- (U//FOUO) Signed OS&CI Coordination Sheet concurring on proposed treatment/ further disposition as outlined at TAB 11. TAB 12

(U//FOUO) The IART requests NRO General Counsel concurrence of the proposed interim release, referrals, and coordination of responsive records, included at TABs 11A, 11B, 11C and 11D, and NRO Appeal Authority signature on the interim release letter included with at TAB 11D.

~~SECRET//REL TO USA, AUS, CAN, GBR~~

27 April 2012

Page 1 of 2

b3, b6

From: b3, b6
Sent: Monday, October 20, 2008 12:11 PM
To: b3, b6; b3, b6; b3, b6; Moffett
Cc: FOIA (IART); imint-class; b3, b6; go-admin; b3, b6
Subject: *FOIA APPEAL* Case # F08-0068- Laszewski — UNCLASSIFIED
Attachments: F08-0068- Case Worksheet.xlsx
Classification: UNCLASSIFIED

classification: UNCLASSIFIED

Good morning all,

The IART is processing a *Freedom of Information Act (FOIA) APPEAL* for information involving the shoot down of Satellite USA 193.

Background:

The IART received a FOIA request from Charles Laszewski on 21 April 2008. After discussions with General Counsel (GC), the NRO declined to process this request citing the NRO's Operational File Exemption (OFE). We subsequently received an APPEAL from Mr. Laszewski challenging the use of the OFE.

Through the NRO's established appeal process, GC and NRO CIO (Appellate Authority) determined that the original OFE determination should be overturned. As a result, the NRO is now required to search for and treat responsive documents under the FOIA.

We are searching ONLY for records that meet the following criteria:

NRO-originated documents that contain information regarding

1. what caused the satellite to fail;
2. the harm that failure of the satellite might cause; and
3. what the United States should do about the crippled satellite.

Responsive documents should be copied, reviewed and returned to the IART, regardless of their classification, with your subject matter experts' treatment and/or release recommendations. Should you have any questions please feel free to contact me and refer to case # F08-0068.

This request will undoubtedly generate concerns from the record owners. Please assure them that, as always, the NRO will conduct a very thorough review before any records are approved for release.

Case Officer: b3, b6

10/20/2008

Case #: F08-0068

From: Charles Laszewski

Offices Tasked: AS&T, DDMS, DSS, IMINT, and OGC

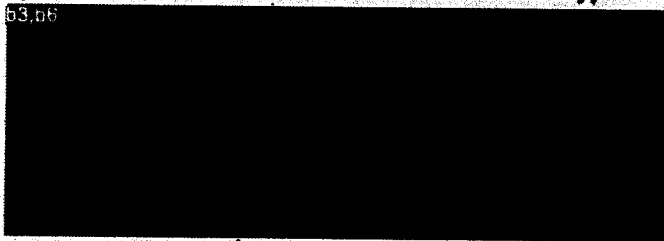
Due Date: 14 November 2008

Case Package:

1) Case Worksheet ("F08-0068- Case Worksheet.xfd(24 KB)")

If your directorate is interested in the correspondence relating to the case please advise and I'll be more than willing to provide you a copy.

(U) Thank you and have a wonderful day,



"The difference between good and great is just a little extra effort." ~ Duffy Daugherty

"If you want to have what most people never have, then you have to do what most people never do." - Bill Phillips

TELL US HOW WE'RE DOING...
Click Here to take the
ARGONIC CUSTOMER SURVEY
WE LOOK FORWARD TO HEARING FROM YOU!

UNCLASSIFIED

~~SECRET//REL TO USA, AUS, CAN, GBR~~

Classify Appropriately When Filled In - Lowest Acceptable Classification is UNFOUO

NRO COORDINATION SHEET

NRO NUMBER: _____

1	AS&T		13	IG	
2	BPO		14	IMINT	
3	CIO		15	MS&O	
4	COMM		16	OHR	
5	COO		17	OSI	APPROVED <i>[Signature]</i>
6	COO/PC		18	OSL	
7	COO/SE		19	SIGINT	
8	DDMS		20	SO	
9	EEO/DM		21	DES	
10	GC		22	DDNRO	
11	GED		23	PDDNRO	
			24	DNRO	

1. SURNAME OF ACTION OFFICER: *[Redacted]*2. SYMBOL:
IMSCI/ART3. PHONE: *[Redacted]*4. TYPIST: *[Redacted]*

5. SUSPENSE DATE:

6. SUBJECT:

F08-0068 APPEAL

7. DATE:
2 Oct 2009

8. SUMMARY (See Instructions Page for items that must be included in this section):

PURPOSE:

Obtain Director, OS&CI approval on proposed FOIA release, coordinations with other agencies, and referrals to other agencies for their response to the requester.

BACKGROUND: (Use continuation page, if necessary)

See enclosed Case Summary.

It would be for release of 1st bullet on Pg 13 of document F

USSTRATCOM has final call on this document

RECOMMENDATION:

The IART recommends referral, coordination, and interim release as specified in the Case Summary, TAB 11.

anyway

[Signature]

1. DSO SA SIGNATURE: _____

2. DSO ACTION NUMBER: _____

SIGNATURE: _____

4. DSO SECURITY REVIEW: _____

DECL ON:
DRY FROM:

OFF: ESP

PAGE OF

PREVIOUS EDITIONS ARE OBSOLETE

RCS: 101-1

~~SECRET//REL TO USA, AUS, CAN, GBR~~

Classify Appropriately When Filled In

b3, b6

From: b3, b6
Sent: Thursday, December 10, 2009 12:49 PM
To: b3, b6
Cc: b3, b6 FOIA (IART)
Subject: FOIA Appeal Case F08-0068 - Request for information on USA 193 and shutdown — UNCLASSIFIED//~~FOUO~~
Importance: High
Attachments: F08-0068_APPEAL_Interim.pdf
Classification: UNCLASSIFIED//~~FOUO~~

classification: UNCLASSIFIED//~~FOUO~~

Good afternoon, all.

(U//~~FOUO~~) Pursuant to a request under the Freedom of Information Act (FOIA) for information regarding USA 193 and its shutdown, the IART has been coordinating a response to an appeal of the NRO's original "Operational File Exemption" (OFE) response to the requester on 1 July 2008. Upon review of the appeal, NRO General Counsel advised that the "OFE" response should be overturned. A search for records was performed, and requisite reviews by NRO equity owners were completed. At this point in time, the NRO is preparing an interim release package for the requester. The interim release package has been approved by NRO Security, in their capacity as part of the NRO Appeals Panel, and NRO Office of General Counsel has delivered the interim release package to Mr. Barlow for his signature as the NRO Appeal Authority.

(U//~~FOUO~~) Before finalizing the interim release, the Office of General Counsel wants BPO/OSC/LL and BPO/OSC management to be aware of this release, so that you might be prepared in the event of additional inquiries or other repercussions resulting from this release. A copy of the complete interim release package is attached for your information and review.

(U//~~FOUO~~) If you have questions about this release, please contact me, or b3, b6

b3, b6

UNCLASSIFIED//~~FOUO~~

12/10/2009

~~SECRET//REL TO USA, AUS, CAN, GBR~~

Classify Appropriately When Filled In - Lowest Applicable Classification is UNFOUO

NRO COORDINATION SHEET

NRO NUMBER: _____

1	AS&T		13	IG	
2	BPO		14	IMINT	
3	CIO		15	MS&O	
4	COMM		16	OHR	
5	COO		17	OS&CI	APPROVED <i>[Signature]</i>
6	COO/PC		18	OSL	
7	COO/SE		19	SI&NT	
8	DDMS		20	SO	
9	EEO/DM		21	DES	
10	GC		22	DDNRO	
11	GED		23	PDDNRO	
12			24	DNRO	

1. NAME OF ACTION OFFICER:

b3, b6

2. SYMBOL:
IMSC/IART

3. PHONE:

4. TYPIST:

5. SUSPENSE DATE:

6. SUBJECT:

FOI-0068 APPEAL

7. DATE:
2 Oct 2009

8. SUMMARY (See Instructions Page for items that must be included in this section):

PURPOSE:

Obtain Director, OS&CI approval on proposed FOIA release, coordinations with other agencies, and referrals to other agencies for their responses to the requester.

BACKGROUND: (Use continuation page, if necessary)

See enclosed Case Summary.

On 9 would be for release of 1st bullet on Pg 13 of document F

USSTRATCOM has final call on this document

RECOMMENDATION:

The IART recommends referral, coordination, and interim release as specified in the Case Summary, TAB 11.

[Signature]

1. D&G SA SIGNATURE: _____

2. D&G ACTION NUMBER: _____

3. COS SIGNATURE: _____

4. D&G SECURITY REVIEW: _____

DECLON:
DRY FROM:

OFF: RSP

PAGE OF

PREVIOUS EDITIONS ARE OBSOLETE

RCE 101-1

~~SECRET//REL TO USA, AUS, CAN, GBR~~

Classify Appropriately When Filled In

~~SECRET//REL TO USA, AUS, CAN, GBR~~

October 1, 2009

**F08-0068 Appeal
Case Summary for OS&CI**

- (U) Request letter, dtd. April 7 2008 TAB 1
- (U) Acceptance letter, dtd. April 24 2008 TAB 2
- (U) NRO response letter to requester, dtd. July 1 2008, citing the NRO Operational File Exemption (OFE) TAB 3
- (U) Appeal letter from requester, dtd. 4 August 2008 TAB 4
- (U) NRO Appeal acceptance letter to requester, dtd. 13 August 2008 TAB 5
- (U//FOUO) NRO General Counsel email, August 18 2008, advising that initial OFE denial should be reversed TAB 6
- (U) NRO letter to requester, dtd. October 2 2008, informing requester that the initial OFE denial determination has been reversed, and that his request will be processed under the FOIA TAB 7
- (U) NRO letter to requester, dtd. October 8 2008, regarding parameters for records search TAB 8
- (U) Initial tasking for search/review for responsive documents, dtd. 20 October 2008, to AS&T, DDMS, DSS, IMINT, and OGC TAB 9
- ~~(S//REL TO USA, AUS, CAN, GBR)~~ Clean copy of five responsive documents, as determined in consultations between the IART, IMINT, and OS&CI TAB 10
 - Information Paper on Analysis of USA 193 Data..... A
 - Burnt Frost Information Brief, 30 Jan 08 B
 - Congressional letters from DNRO C
 - Guidance to U.S. and Foreign Emergency Managers..... D
 - The Shootdown of US193 E
- (U//FOUO) Treated documents, resulting from reviews by IMINT, DDMS, and BPO/P&A TAB 11
 - Information Paper on Analysis of USA 193 Data..... A
 - Burnt Frost Information Brief, 30 Jan 08 B

~~SECRET//REL TO USA, AUS, CAN, GBR~~

- (U//FOUO) Treated documents, resulting from reviews by IMINT, DDMS, and BPO/P&A TAB 11
 - Information Paper on Analysis of USA 193 Data..... (to be referred to Department of State for their direct response to the requester) A
 - Burnt Frost Information Brief, 30 Jan 93 (to be coordinated with DOS, DHS, and DoD prior to NRO release determination) B
 - Congressional letters from DNRO (to be referred to requester) C
 - Guidance to U.S. and Foreign Emergency Managers..... D
 - The Shootdown of US193 brief (to be referred to USSTRATCOM for their direct response to the requester) E

(U) The IART requests OS&CI concurrence on treatment of the documents at TABs 11A-E, and the proposed disposition of those documents as indicated.

*Referred -
Analysis USA 193 Doc 11A.
Refer to DOS
Shootdown Brief Ref to STRATCOM*

~~SECRET//REL TO USA, AUS, CAN, GBR~~

~~SECRET//REL TO USA, AUS, CAN, GBR~~

November 3, 2009

**F08-0068 Appeal
Case Summary for OS&CI**

- (U) Request letter, dtd. April 7 2008 TAB 1
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 - Information Paper on Analysis of USA 193 Data..... A
 - Barret Frost Information brief, 30 Jan 08 B
 - Congressional letters from DNRO C
 - Guidance to U.S. and Foreign Emergency Managers..... D
 - The Shootdown of US193 Brief E

~~SECRET//REL TO USA, AUS, CAN, GBR~~

~~SECRET//REL TO USA, AUS, CAN, GBR~~

- (U//~~FOUO~~) Proposed disposition of responsive documents, resulting from reviews by IMINT, DDMS, and BPO/P&A TAB 11
 - Congressional letters from DNRO and Guidance to U.S. and Foreign Emergency Managers (for NRO interim release to requester) A
 - Information Paper on Analysis of USA 193 Data....
(to be referred to Department of State for their direct response to the requester) B
 - The Shootdown of US193 brief (to be referred to USSTRATCOM for their direct response to the requester) C
 - Burnt Frost Information Brief, 30 Jan 08 (to be coordinated with DOS, DHS, and DoD prior to NRO release determination) D
- (U//~~FOUO~~) Signed OS&CI Coordination Sheet concurring on proposed treatment/ further disposition as outlined at TAB 11. TAB 12

(U//~~FOUO~~) The IART requests NRO General Counsel approval of the proposed release & referrals included at TABs 11A, 11B, and 11C, and NRO Appeal Authority signature on the release/referral letters included with these packages.

~~SECRET//REL TO USA, AUS, CAN, GBR~~