

Exhibit List

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Exhibit 8: ODNI FOIA administrative process

Exhibit 1

IRmep
Calvert Station
P.O. Box 32041
Washington, DC 20007

<http://www.irmep.org>
info@irmep.org
Phone: 202-342-7325
Fax: 202-318-8009



03/19/2015

Delores M. Nelson Information and Privacy Coordinator
Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505

Institute for Research: Middle Eastern Policy

RE: US Intelligence Support to Israel Budget 1990-2015

Dear Delores M. Nelson,

This is a request under the Freedom of Information Act. I request a copy of the intelligence budget that pertains to line items supporting Israel. In 1996 Congressional testimony by then-Director of Central Intelligence John Deutch that "the President is persuaded that disclosure of the annual amount appropriated for intelligence purposes will inform the public and not, in itself, harm intelligence activities." U.S. provides more foreign assistance to Israel than any other country, and this assistance is publicly disclosed in reports to Congress and U.S. taxpayers.¹ Elected officials claims the amount of aid the U.S. provides Israel in terms of intelligence services is enormous, however taxpayers have never seen the dollar amounts over time. Taxpayers also cannot assess if such assistance is affected by Israel's active ongoing penetration of the United States for defense, economic, diplomatic and political intelligence.

In order to help to determine my status as a requester please understand that I am affiliated with an educational, noncommercial research institution, and this request is made for a scholarly and news reporting purpose.

We do not, however, request waiver of duplication fees for this request even though disclosure of the requested information to IRmep is in the public interest and it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest. We will pay up to \$50 for any duplication fees involved in the processing of this request.

Thank you for your consideration of this request.

Sincerely,

Grant F. Smith
Director of Research

¹ <http://fas.org/sgp/crs/mideast/RL33222.pdf> US Foreign Aid to Israel, Congressional Research Service, Jeremy M. Sharp 4/11/2014

Exhibit 2

Central Intelligence Agency



Washington, D.C. 20505

15 April 2015

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

Reference: F-2015-01330

Dear Mr. Smith:

This is a final response to your 19 March 2015 Freedom of Information Act (FOIA) request, received in the office of the Information and Privacy Coordinator on 26 March 2015, for *a copy of the intelligence budget that pertains to line items supporting Israel for the years 1990 – 2015*. We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

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

Sincerely,

A handwritten signature in cursive script that reads "Michael Lavergne".

Michael Lavergne
Information and Privacy Coordinator

Explanation of Exemptions

Freedom of Information Act:

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

April 2012

Exhibit 3

IRmep
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Washington, DC 20007

<http://www.irmep.org>
info@irmep.org
Phone: 202-342-7325



Tuesday, May 5, 2015

Michael Lavergne
CIA Information and Policy Coordinator
Washington, DC 20505

RE: Appeal F-2015-01330 Intelligence support for Israel 1990-2015

Dear Michael Lavergne,

This is an appeal of CIA's denial of our public-interest FOIA request for the above-referenced data.

Director of Central Intelligence John Deutch in 1996 gave Congressional testimony stating that "the President is persuaded that disclosure of the annual amount appropriated for intelligence purposes will inform the public and not, in itself, harm intelligence activities." CIA, under this principle, has been compelled in federal court to release the types of records we seek.

Israel is the largest recipient of U.S. foreign aid, but the intelligence component is hidden from public view. Therefore, Americans, who in polls oppose U.S. aid to Israel¹, have no idea how much it actually is.

The CIA is no longer allowed to hide its budget within the Department of Defense budget. This has improved public visibility into how much value the agency provides for the billions of dollars allocated each year. The answer is usually "not much" as anyone familiar with the agency's record on covert action in Indonesia, the Bay of Pigs, non-prediction of the collapse of the Soviet Union, failure to prevent 9/11 and Iraq "slam dunk" weapons of mass destruction NIE can attest.

Americans have an equal right to measure how little intelligence aid sent to Israel provides in terms of U.S. national security and insight. As a nuclear weapons state, under the Symington and Glenn Amendments to the Foreign Aid Act of 1961, Israel is not even entitled to receive U.S. aid. Keeping the budget secret adds insult to their injury.

I therefore demand that you release this data under FOIA as required by law.

Sincerely,

Grant F. Smith, Director of Research

Cc: Barak Obama, President

Enclosure.

¹ Most Americans Say US Gives Too Much Aid to Israel

<http://original.antiwar.com/smith-grant/2014/09/29/most-americans-say-us-gives-too-much-aid-to-israel/>

Exhibit 4

Central Intelligence Agency



Washington, D.C. 20505

15 May 2015

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

Reference: F-2015-01330

Dear Mr. Smith:

On 12 May 2015, the office of the Information and Privacy Coordinator received your 5 May 2015 administrative appeal under the Freedom of Information Act (FOIA) for *a copy of the intelligence budget that pertains to line items supporting Israel for the years 1990-2015*. Please continue to use this case reference number so that we can more easily identify your FOIA administrative appeal.

You are appealing our initial-level determination to neither confirm nor deny you material responsive to your request. ***Your appeal has been accepted and arrangements are being made for its consideration by the Agency Release Panel.***

You will be advised of the panel's determination. In order to afford requesters the most equitable treatment possible, we have adopted the policy of handling appeals on a first-received, first-out basis. Despite our best efforts, however, the large number of public access requests CIA receives creates processing delays making it unlikely that we can respond to you within 20 working days. In view of this, some delay in our reply must be expected, but every reasonable effort will be made to respond as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Michael Lavergne".

Michael Lavergne
Information and Privacy Coordinator

Exhibit 5

IRmep
Calvert Station
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May 17, 2017

Office of Naval Intelligence
Staff Judge Advocate, Code: ONI-22
4251 Suitland Road, Room 4A116
Washington, DC 20395-5720

Email: jwatson@nmic.navy.mil

RE: US Intelligence Support to Israel Budget 1990-2015

Dear FOIA Officer,

This is a request under the Freedom of Information Act.

This is a request under the Freedom of Information Act. I request a copy of the intelligence budget that pertains to line items supporting Israel. In 1996 Congressional testimony by then-Director of Central Intelligence John Deutch that "the President is persuaded that disclosure of the annual amount appropriated for intelligence purposes will inform the public and not, in itself, harm intelligence activities."¹ U.S. provides more foreign assistance to Israel than any other country, and this assistance is publicly disclosed in reports to Congress and U.S. taxpayers.¹ Elected officials claims the amount of aid the U.S. provides Israel in terms of intelligence services is enormous, however taxpayers have never seen the dollar amounts over time. Taxpayers also cannot assess if such assistance is affected by Israel's active ongoing penetration of the United States for defense, economic, diplomatic and political intelligence.

In order to help to determine my status as a requester please understand that I am affiliated with an educational, noncommercial research institution, and this request is made for a scholarly and news reporting purpose.² We do not, however, request waiver of duplication fees for this request even though disclosure of the requested information to IRmep is in the public interest and it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest. We will pay up to \$50 for any duplication fees involved in the processing of this request. Thank you for your consideration of this request.

Sincerely,



Grant F. Smith, Director of Research

¹ <http://fas.org/sgp/crs/mideast/RL33222.pdf> US Foreign Aid to Israel, Congressional Research Service, Jeremy M. Sharp 4/11/2014

² To evaluate this claim, simply google "Grant F. Smith" and search terms "Israel nuclear weapons," "Foreign aid" or "Middle Eastern Policy."

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May 17, 2017

US Army Intelligence - FOIA
Commander, INSCOM 2600 Ernie Pyle Rd.
Fort Meade, MD 20755-5995

Email: usarmy.meade.902-mi-grp.mbx.inscom-foia-service-center@mail.

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Grant F. Smith, Director of Research

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May 17, 2017

Drug Enforcement Administration
Freedom of Information & Privacy Act Unit
8701 Morrisette Drive
Springfield, VA 22152

Email: DEA.FOIA@usdoj.gov

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May 17, 2017

Headquarters, U.S. Marine Corps
FOIA/PA Section (ARSF)
3000 Marine Corps Pentagon
Washington, DC 20350-3000

Email:

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May 17, 2017

Headquarters Air Force/AAll (FOIA)
1000 Air Force Pentagon
Washington, DC 20330-1000

Email: usaf.pentagon.saf-aa.mbx.haf-foia-workflow@mail.mil

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May 17, 2017

I&A FOIA Requester Service Center
Under Secretary, Office of Intelligence
U.S. Department of Homeland Security
Washington, DC 20528

Email: I&AFOIA@hq.dhs.gov

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Washington, DC 20007

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May 17, 2017

National Geospatial-Intelligence Agency
FOIA/PA Requester Service Center
7500 GEOINT Drive, MS N22-SISM
Springfield, VA 22150-7500

Email: FOIANGA@nga.mil

RE: US Intelligence Support to Israel Budget 1990-2015

Dear FOIA Officer,

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Washington, DC 20007

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May 17, 2017

National Reconnaissance Office
Attn: OCIO/Information Review and Release
14675 Lee Road
Chantilly, VA 20151-1715

RE: US Intelligence Support to Israel Budget 1990-2015

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Washington, DC 20007

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Phone: 202-342-7325



May 17, 2017

National Security Agency
Attn: FOIA/PA Office (DJP4)
9800 Savage Road, Suite 6248
Ft. George G. Meade, MD 20755-6248

RE: US Intelligence Support to Israel Budget 1990-2015

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May 17, 2017

FOIA Officer
ATTN: FOIA Coordinator
Commandant (CG-611)
2703 Martin Luther King Jr. Ave.
Washington, DC 20593-7710

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May 17, 2017

Hugh Gilmore FOIA Public Liaison
Department of the Treasury – Office of Intel & Analysis
FOIA Request
Washington, DC 20220

RE: US Intelligence Support to Israel Budget 1990-2015

Dear FOIA Officer, Hugh Gilmore,

This is a request under the Freedom of Information Act.

This is a request under the Freedom of Information Act. I request a copy of the intelligence budget that pertains to line items supporting Israel. In 1996 Congressional testimony by then-Director of Central Intelligence John Deutch that "the President is persuaded that disclosure of the annual amount appropriated for intelligence purposes will inform the public and not, in itself, harm intelligence activities."²¹ U.S. provides more foreign assistance to Israel than any other country, and this assistance is publicly disclosed in reports to Congress and U.S. taxpayers.¹ Elected officials claims the amount of aid the U.S. provides Israel in terms of intelligence services is enormous, however taxpayers have never seen the dollar amounts over time. Taxpayers also cannot assess if such assistance is affected by Israel's active ongoing penetration of the United States for defense, economic, diplomatic and political intelligence.

In order to help to determine my status as a requester please understand that I am affiliated with an educational, noncommercial research institution, and this request is made for a scholarly and news reporting purpose.²² We do not, however, request waiver of duplication fees for this request even though disclosure of the requested information to IRmep is in the public interest and it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest. We will pay up to \$50 for any duplication fees involved in the processing of this request. Thank you for your consideration of this request.

Sincerely,



Grant F. Smith, Director of Research

²¹ 1 <http://fas.org/sgp/crs/mideast/RL33222.pdf> US Foreign Aid to Israel, Congressional Research Service, Jeremy M. Sharp 4/11/2014

²² To evaluate this claim, simply google "Grant F. Smith" and search terms "Israel nuclear weapons," "Foreign aid" or "Middle Eastern Policy."

IRmep
Calvert Station
P.O. Box 32041
Washington, DC 20007

<http://www.irmep.org>
info@irmep.org
Phone: 202-342-7325



May 17, 2017

David M. Hardy Section Chief
Federal Bureau of Investigation - Records Division
170 Marcel Drive
Winchester, VA 22602-4843

Email: foiparequest@ic.fbi.gov

RE: US Intelligence Support to Israel Budget 1990-2015

Dear FOIA Officer, David M. Hardy,

This is a request under the Freedom of Information Act.

This is a request under the Freedom of Information Act. I request a copy of the intelligence budget that pertains to line items supporting Israel. In 1996 Congressional testimony by then-Director of Central Intelligence John Deutch that "the President is persuaded that disclosure of the annual amount appropriated for intelligence purposes will inform the public and not, in itself, harm intelligence activities."²³ U.S. provides more foreign assistance to Israel than any other country, and this assistance is publicly disclosed in reports to Congress and U.S. taxpayers.¹ Elected officials claims the amount of aid the U.S. provides Israel in terms of intelligence services is enormous, however taxpayers have never seen the dollar amounts over time. Taxpayers also cannot assess if such assistance is affected by Israel's active ongoing penetration of the United States for defense, economic, diplomatic and political intelligence.

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Sincerely,

A handwritten signature in black ink, appearing to read 'Grant F. Smith', with a long horizontal line extending to the right.

Grant F. Smith, Director of Research

²³ 1 <http://fas.org/sgp/crs/mideast/RL33222.pdf> US Foreign Aid to Israel, Congressional Research Service, Jeremy M. Sharp 4/11/2014

²⁴ To evaluate this claim, simply google "Grant F. Smith" and search terms "Israel nuclear weapons," "Foreign aid" or "Middle Eastern Policy."

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P.O. Box 32041
Washington, DC 20007

<http://www.irmep.org>
info@irmep.org
Phone: 202-342-7325



May 17, 2017

Sally A. Nicholson Chief, FOIA Branch
Office of the Director of National Intelligence
Information Management Division
Washington, DC 20511

Email: dni-foia@dni.gov

RE: US Intelligence Support to Israel Budget 1990-2015

Dear FOIA Officer, Sally A. Nicholson,

This is a request under the Freedom of Information Act.

This is a request under the Freedom of Information Act. I request a copy of the intelligence budget that pertains to line items supporting Israel. In 1996 Congressional testimony by then-Director of Central Intelligence John Deutch that "the President is persuaded that disclosure of the annual amount appropriated for intelligence purposes will inform the public and not, in itself, harm intelligence activities."²⁵ U.S. provides more foreign assistance to Israel than any other country, and this assistance is publicly disclosed in reports to Congress and U.S. taxpayers.¹ Elected officials claims the amount of aid the U.S. provides Israel in terms of intelligence services is enormous, however taxpayers have never seen the dollar amounts over time. Taxpayers also cannot assess if such assistance is affected by Israel's active ongoing penetration of the United States for defense, economic, diplomatic and political intelligence.

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Grant F. Smith, Director of Research

²⁵ 1 <http://fas.org/sgp/crs/mideast/RL33222.pdf> US Foreign Aid to Israel, Congressional Research Service, Jeremy M. Sharp 4/11/2014

²⁶ To evaluate this claim, simply google "Grant F. Smith" and search terms "Israel nuclear weapons," "Foreign aid" or "Middle Eastern Policy."

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Calvert Station
P.O. Box 32041
Washington, DC 20007

<http://www.irmep.org>
info@irmep.org
Phone: 202-342-7325



May 17, 2017

General Counsel's Office, GCP
National Geospatial-Intelligence Agency
Mail Stop D-10 4600 Sangamore Road
Bethesda, MD 20816-5003

RE: US Intelligence Support to Israel Budget 1990-2015

Dear FOIA Officer, General Counsel's Office, GCP,

This is a request under the Freedom of Information Act.

This is a request under the Freedom of Information Act. I request a copy of the intelligence budget that pertains to line items supporting Israel. In 1996 Congressional testimony by then-Director of Central Intelligence John Deutch that "the President is persuaded that disclosure of the annual amount appropriated for intelligence purposes will inform the public and not, in itself, harm intelligence activities."²⁷ U.S. provides more foreign assistance to Israel than any other country, and this assistance is publicly disclosed in reports to Congress and U.S. taxpayers.¹ Elected officials claims the amount of aid the U.S. provides Israel in terms of intelligence services is enormous, however taxpayers have never seen the dollar amounts over time. Taxpayers also cannot assess if such assistance is affected by Israel's active ongoing penetration of the United States for defense, economic, diplomatic and political intelligence.

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Grant F. Smith, Director of Research

²⁷ 1 <http://fas.org/sgp/crs/mideast/RL33222.pdf> US Foreign Aid to Israel, Congressional Research Service, Jeremy M. Sharp 4/11/2014

²⁸ To evaluate this claim, simply google "Grant F. Smith" and search terms "Israel nuclear weapons," "Foreign aid" or "Middle Eastern Policy."

IRmep
Calvert Station
P.O. Box 32041
Washington, DC 20007

<http://www.irmep.org>
info@irmep.org
Phone: 202-342-7325



May 17, 2017

FOIA Officer
U. S. Department of State
Bureau of Intelligence and Research
A/ISS/IPS/RL Office of Information Programs and Serv
Washington, DC 20522-8100

RE: US Intelligence Support to Israel Budget 1990-2015

Dear FOIA Officer, FOIA Officer,

This is a request under the Freedom of Information Act.

This is a request under the Freedom of Information Act. I request a copy of the intelligence budget that pertains to line items supporting Israel. In 1996 Congressional testimony by then-Director of Central Intelligence John Deutch that "the President is persuaded that disclosure of the annual amount appropriated for intelligence purposes will inform the public and not, in itself, harm intelligence activities."²⁹ U.S. provides more foreign assistance to Israel than any other country, and this assistance is publicly disclosed in reports to Congress and U.S. taxpayers.¹ Elected officials claims the amount of aid the U.S. provides Israel in terms of intelligence services is enormous, however taxpayers have never seen the dollar amounts over time. Taxpayers also cannot assess if such assistance is affected by Israel's active ongoing penetration of the United States for defense, economic, diplomatic and political intelligence.

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Sincerely,

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Grant F. Smith, Director of Research

²⁹ 1 <http://fas.org/sgp/crs/mideast/RL33222.pdf> US Foreign Aid to Israel, Congressional Research Service, Jeremy M. Sharp 4/11/2014

³⁰ To evaluate this claim, simply google "Grant F. Smith" and search terms "Israel nuclear weapons," "Foreign aid" or "Middle Eastern Policy."

IRmep
Calvert Station
P.O. Box 32041
Washington, DC 20007

<http://www.irmep.org>
info@irmep.org
Phone: 202-342-7325



May 17, 2017

Alesia Y. Williams Chief - FOIA Staff
Defense Intelligence Agency
ATTN: DAN-1A (FOIA) 200 MacDill Blvd
Washington, DC 20340-5100

Email: FOIA@dia.mil

RE: US Intelligence Support to Israel Budget 1990-2015

Dear FOIA Officer, Alesia Y. Williams,

This is a request under the Freedom of Information Act.

This is a request under the Freedom of Information Act. I request a copy of the intelligence budget that pertains to line items supporting Israel. In 1996 Congressional testimony by then-Director of Central Intelligence John Deutch that "the President is persuaded that disclosure of the annual amount appropriated for intelligence purposes will inform the public and not, in itself, harm intelligence activities."³¹ U.S. provides more foreign assistance to Israel than any other country, and this assistance is publicly disclosed in reports to Congress and U.S. taxpayers.¹ Elected officials claims the amount of aid the U.S. provides Israel in terms of intelligence services is enormous, however taxpayers have never seen the dollar amounts over time. Taxpayers also cannot assess if such assistance is affected by Israel's active ongoing penetration of the United States for defense, economic, diplomatic and political intelligence.

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Grant F. Smith, Director of Research

³¹ 1 <http://fas.org/sgp/crs/mideast/RL33222.pdf> US Foreign Aid to Israel, Congressional Research Service, Jeremy M. Sharp 4/11/2014

³² To evaluate this claim, simply google "Grant F. Smith" and search terms "Israel nuclear weapons," "Foreign aid" or "Middle Eastern Policy."

Exhibit 6

IRmep
Calvert Station
P.O. Box 32041
Washington, DC 20007

<http://www.irmep.org>
info@irmep.org
Phone: 202-342-7325



Monday, June 12, 2017

NSA/CSS FOIA /PA Appeal Authority (P132)
9800 Savage Road STE 6932
Fort George G. Meade, MD 20755-6932

RE: 101759

Dear FOIA Official

This is an appeal of the above-referenced FOIA denial. (attached) We believe denial of a proper administrative search, review and release is unwarranted because:

1. The President of the United States has already publicly released the parameters of US intelligence support for Israel. <https://obamawhitehouse.archives.gov/the-press-office/2015/08/05/remarks-president-iran-nuclear-deal>
2. Topline intelligence line item numbers are routinely released, and do not present any risk to US national security.
3. To the extent that the US does provide intelligence aid to Israel, having never issued required waivers under the Arms Export Control Act required for aid to non-NnPT signatories with nuclear weapons programs, the aid is unlawful. Under EO 13526, information may not be classified as secret to, "...conceal violations of law, inefficiency, or administrative error;"

Please acknowledge this appeal.

Thank you.

Sincerely,



Grant F. Smith, Director of Research

PS: If you're not already receiving periodic email about lawsuits and other major IRmep initiatives, please sign up at <http://IRmep.org/email.html>

● *Research* ● *Awareness* ● *Accountability*

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IRmep is an IRS recognized tax-exempt organization via ruling 13470 of May
27, 2003. Taxpayer ID number 81-0586523.

DEPARTMENT OF DEFENSE

NATIONAL SECURITY AGENCY

PORT GEORGE G. MEADE, MARYLAND 20755-6000

SUITE NUMBER: 695

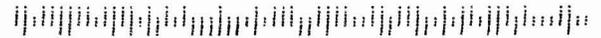
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OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE, \$300



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NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

Case: 101759/Appeal: 5106
21 June 2017

Mr. Grant F. Smith
IRmep
Calvert Station
P.O. Box 32041
Washington, DC 20007

Dear Mr. Smith:

This acknowledges receipt of your correspondence, dated 12 June 2017, appealing the response from the National Security Agency (NSA) to your 17 May 2017 request under the Freedom of Information Act (FOIA) for "US Intelligence Support to Israel Budget 1990-2015...a copy of the intelligence budget that pertains to line items supporting Israel." Your appeal was received by the NSA FOIA/Privacy Act (PA) Appeal Authority Staff on 19 June 2017 and has been assigned Appeal Number 5106.

Please be advised that appeals are processed in the order in which they are received, on a first-in, first-out basis. At this time, there are a large number of appeals ahead of yours in our queue. We will begin to process your appeal and will respond to you again as soon as we are able. We appreciate your understanding in this matter.

Correspondence related to your request should include the case and appeal number assigned to your request and be addressed to the National Security Agency, Office of Information Management, FOIA/PA Appeals, 9800 Savage Road, Suite 6932, Fort George G. Meade, MD 20755-6932; or it may be sent via facsimile to 443-479-3612. If sent by fax, it should be marked for the attention of "FOIA Appeals." **For inquiries regarding the status of your appeal, please contact this office via email at FOIA_Appeal_Status@nsa.gov.**

Sincerely,

NSA/CSS FOIA/PA Appeal Authority Staff
Office of Information Management



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

Case: 101759/Appeal: 5106
12 September 2017

Mr. Grant F. Smith
IRmep
Calvert Station
P.O. Box 32041
Washington, DC 20007

Thank you for your 12 June 2017 letter appealing the response from the National Security Agency (NSA or Agency) to your request under the Freedom of Information Act (FOIA). You had requested "a copy of the intelligence budget that pertains to line items supporting Israel."

I have reviewed your initial request, the Agency's 5 June 2017 response to you, and your letter of appeal. I have determined the Agency's response was correct. Therefore, I am denying your appeal for the reasons explained below.

The appropriate response in this case is to neither confirm, nor deny, the existence or nonexistence of any material pertaining to any NSA intelligence programs or activities. To do otherwise would result in the exposure of intelligence information, sources, methods or activities which could harm our national security and severely undermine the NSA mission. For example, if NSA denied having information in cases where none exists, but remained silent in cases where information did exist, it would identify activities in which NSA was or was not engaged. Moreover, whether or not a particular activity or program exists, as well as any Agency involvement, may be classified or protected information and must remain so. Any acknowledgement may be deemed to be an improper disclosure of information. Your appeal is therefore denied because the FOIA exempts the release of classified¹ and/or protected² information.

¹ The first exemption under the FOIA indicates that the FOIA does not apply to matters that are authorized by Executive Order to be kept secret and are properly classified in the interest of national defense or foreign relations. The fact of the existence or non-existence of any records responsive to your request is an appropriately classified matter. Paragraph 3.6(a) of Executive Order 13526 ("Classified National Security Information") specifically authorizes this type of response, also known as a Glomar response, to such requests made under the FOIA.

² The third exemption under the FOIA authorizes the withholding of information specifically protected from disclosure by statute. The fact of the existence or non-existence of any records responsive to your request is currently exempted from disclosure by the following statutes: Title 18 U.S. Code 798; Title 50 U.S. Code 3024(i); and Section 6, Public Law 86-36 (50 U.S. Code 3605).

Case: 101759/Appeal: 5106

You are hereby advised of your right pursuant to 5 U.S.C. § 552(a)(4)(B) to seek judicial review of my decision in the United States District Court in the district in which you reside, in which you have your principal place of business, in which the Agency records are situated (U.S. District Court of Maryland), or in the District of Columbia.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Rd - OGIS
College Park, MD 20740
ogis@nara.gov / (877) 684-6448 / (202) 741-5770 / Fax (202) 741-5769

Sincerely,



DAVID J. SHERMAN
Chief, Strategy, Plans and Policy
Freedom of Information/Privacy Act Appeal Authority



DEPARTMENT OF DEFENSE
NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755-6000

SUITE NUMBER: _____

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PENALTY FOR PRIVATE USE, \$300

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Exhibit 7

DEPARTMENT OF DEFENSE
DEFENSE INTELLIGENCE AGENCY
WASHINGTON, D.C. 20340

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DEPARTM

JUL 25 2017

Mr. Grant Smith
P.O. Box 32041
Washington, D.C. 20007

20007-034141





JUL 20 2017

U-17-4500/FAC-2A1 (FOIA)

Mr. Grant Smith
P.O. Box 32041
Washington, D.C. 20007

Dear Smith:

This is an interim response to your, Freedom of Information Act (FOIA) request dated May 17, 2017, requesting ***a copy of the intelligence budget that pertains to line items supporting Israel.*** We received your request on July 20, 2017 and assigned it case number FOIA-0454-2017. Please use this number in all future correspondence with us about this matter.

We will be unable to respond to your request within the FOIA's 20 day statutory time period due to unusual circumstances. These unusual circumstances could be: (a) the need to search for and collect records from a facility geographically separated from this office; (b) the potential volume of records responsive to your request; and (c) the need for consultation with one or more other agencies which have substantial interest in either the determination or the subject matter of the records. For these reasons, your request has been placed in our queue and will be worked in the order the request was received. Our current administrative workload is in excess of 1,139 requests.

We regret that there is currently a substantial delay in processing requests and solicit your patience and understanding. We assure you that we will process your request as soon as possible. If you have any questions, you may contact the DIA FOIA Requester Service Center, as well as our FOIA Public Liaison at 301-394-5587.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. You may contact OGIS by email at ogis@nara.gov; telephone at 202-741-5770, toll free at 1-877-684-6448 or facsimile at 202-741-5769; or you may mail them at the following address:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740-6001

Sincerely,

A handwritten signature in black ink, appearing to read "Alesia Y. Williams" with a stylized flourish at the end.

Alesia Y. Williams
Chief, FOIA and Declassification Services Office

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

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Grant Smith
P.O. Box 32041
Washington, DC 20007

20007-034141





DEFENSE INTELLIGENCE AGENCY

WASHINGTON, D.C. 20340-5100



U-17-4500/FAC-2A1 (FOIA)

Grant Smith
P.O. Box 32041
Washington, DC 20007

Dear Mr. Smith:

This is a status update on your Freedom of Information Act (FOIA) requests (enclosure) received by this office. Your requests were determined to fall within our Complex Track for FOIA processing. This simply means that your requests involved a large amount of records, or that the records requested require significant review within this agency or consultations with other government agencies. Please be assured that our office is committed to processing your requests as soon as possible as DIA continues its efforts to eliminate the large backlog of pending FOIA requests.

Because your requests falls within the Complex Track and has been pending for a period of time greater than the statutory allowance, this office has determined that it may be helpful for us to provide greater explanation concerning the status of your requests. This office sorts backlogged requests into three functional queues for management purposes. These three queues are explained further below:

Awaiting Tasking Queue: includes requests that must be tasked within the agency for subject matter experts (SME) search and/or review of the responsive records.

Awaiting Response Queue: includes requests that have been tasked and are awaiting response or requests which have been referred to other government agencies for review of their equities.

Ready for Work Queue: includes requests, which all responses have been received and awaiting processing of final response to the requester.

We solicit your patience and understanding and assure you, we will process your requests as soon as possible. If you have any questions, please contact the FOIA Requester Service Center, at (301) 394-5587 and reference your case number.

Sincerely,

A handwritten signature in black ink, appearing to read "Alesia Y. Williams".

Alesia Y. Williams
Chief, FOIA and Declassification Services Office

Enclosure
List of FOIA Requests

List of Freedom of Information Act Requests

Our current administrative workload is 1,086 open FOIA requests.

Case Number	Category	Number in Queue
FOIA-0059-2011	Ready For Work	75 of 405
FOIA-0454-2017	Ready For Work	363 of 405

Exhibit 8

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

Grant F. Smith
IRmep
Calvert Station
P.O. Box 32041
Washington, DC 20007

Reference: ODNI Case DF-2017-00287

Dear Mr. Smith:

This is in response to your request dated 17 May 2017 (Enclosure), received in the Information Management Division of the Office of the Director of National Intelligence (ODNI) on 24 May 2017. Pursuant to the FOIA, 5 U.S.C. § 552, as amended, you requested "a copy of the intelligence budget that pertains to line items supporting Israel."

Your request was processed under the FOIA, 5 U.S.C. § 552, as amended. In accordance with Section 3.6(a) of Executive Order 13526, the ODNI can neither confirm nor deny the existence or nonexistence of requested records responsive to your request. The fact of the existence or nonexistence of requested records is currently and properly classified and is intelligence sources and methods information that is protected from disclosure pursuant to Section 102A(i)(1) of the National Security Act of 1947, as amended, 50 U.S.C. § 3024(i)(1). Therefore your request is denied pursuant to FOIA exemptions (b)(1) and (b)(3). By this statement, the ODNI neither confirms nor denies that such records may or may not exist.

If you wish to appeal our determination on this request, please explain the basis of your appeal and forward to: Office of the Director of National Intelligence, Information Management Division, Washington, DC 20511, within 90 days of the date of this letter.

However, you may find it helpful to contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you have any questions, feel free to email our Requester Service Center at DNI-FOIA@dni.gov or call us at (301) 243-1499. You can also contact ODNI's FOIA Liaison at DNI-FOIA-Liaison@dni.gov.

Sincerely,



Sally A. Nicholson
Chief, FOIA Branch
Information Management Division

Enclosure

DF-2017-00287

IRmep
Calvert Station
P.O. Box 32041
Washington, DC 20007

<http://www.irmep.org>
info@irmep.org
Phone: 202-342-7325



Institute for Research: Middle Eastern Policy

May 17, 2017

Sally A. Nicholson Chief, FOIA Branch
Office of the Director of National Intelligence
Information Management Division
Washington, DC 20511

Email: dni-foia@dni.gov

MAY 17 2017

RE: US Intelligence Support to Israel Budget 1990-2015

Dear FOIA Officer, Sally A. Nicholson,

This is a request under the Freedom of Information Act.

This is a request under the Freedom of Information Act. I request a copy of the intelligence budget that pertains to line items supporting Israel. In 1996 Congressional testimony by then-Director of Central Intelligence John Deutch that "the President is persuaded that disclosure of the annual amount appropriated for intelligence purposes will inform the public and not, in itself, harm intelligence activities."²⁵ U.S. provides more foreign assistance to Israel than any other country, and this assistance is publicly disclosed in reports to Congress and U.S. taxpayers.¹ Elected officials claims the amount of aid the U.S. provides Israel in terms of intelligence services is enormous, however taxpayers have never seen the dollar amounts over time. Taxpayers also cannot assess if such assistance is affected by Israel's active ongoing penetration of the United States for defense, economic, diplomatic and political intelligence.

In order to help to determine my status as a requester please understand that I am affiliated with an educational, noncommercial research institution, and this request is made for a scholarly and news reporting purpose.²⁶ We do not, however, request waiver of duplication fees for this request even though disclosure of the requested information to IRmep is in the public interest and it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest. We will pay up to \$50 for any duplication fees involved in the processing of this request. Thank you for your consideration of this request.

Sincerely,

Grant F. Smith, Director of Research

²⁵ 1 <http://fas.org/sgp/crs/mideast/RL33222.pdf> US Foreign Aid to Israel, Congressional Research Service, Jeremy M. Sharp 4/11/2014

²⁶ To evaluate this claim, simply google "Grant F. Smith" and search terms "Israel nuclear weapons," "Foreign aid" or "Middle Eastern Policy."

IRmep
Calvert Station
P.O. Box 32041
Washington, DC 20007

<http://www.irmep.org>
info@irmep.org
Phone: 202-342-7325



July 29, 2017

Office of the Director of National Intelligence
Information Management Division
Washington, DC 20511

RE: FOIA Appeal ODNI Case DF-2017-00287

Dear FOIA Officer,

This is an appeal of the above referenced FOIA denial.

1. ODNI's reference to Section 3.6(a) of Executive Order 13526 is superseded by President Obama's confirmation that such an intelligence budget exists, and provision of enough data to roughly estimate it's size in terms of US dollars.
2. Furthermore, ODNI cannot deny under Section 3.6(a) of Executive Order 13526. The EO specifically exempts information classified to "conceal violations of the law..." US aid to Israel is illegal under the Symington & Glenn Amendments to the Arms Export Control Act.

Thank you for your consideration of this appeal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Grant F. Smith', with a long horizontal stroke extending to the right.

Grant F. Smith, Director of Research