

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

THE JAMES MADISON PROJECT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:07cv01382 (RMU)
	)	
CENTRAL INTELLIGENCE AGENCY,	)	
	)	
Defendant.	)	
_____	)	

DECLARATION OF JOSEPH W. LAMBERT,  
DIRECTOR, INFORMATION MANAGEMENT SERVICES,  
OFFICE OF THE CHIEF INFORMATION OFFICER,  
CENTRAL INTELLIGENCE AGENCY

I. INTRODUCTION

I, JOSEPH W. LAMBERT, hereby declare and say:

1. I am the Director of Information Management Services ("IMS") within the Office of the Chief Information Officer of the Central Intelligence Agency ("CIA"). I was selected for this position on 7 December 2007. I have held several senior, operational, and administrative positions in the U.S. Government since 1984.

2. IMS administers the CIA's information management program, which includes information and records management, classification management, declassification review and, when authorized and appropriate, the release of CIA information to the public. The Regulatory Services Branch, a component of IMS,

is responsible for publishing and maintaining all Agency-wide regulatory issuances.

3. As Director of IMS, I am the exclusive release authority for the disclosure outside of the CIA of any Agency-wide regulatory issuance.

4. Through the exercise of my official duties, I am familiar with this civil action. I make the following statements based upon my personal knowledge and information made available to me in my official capacity.

5. In connection with Plaintiff's Freedom of Information Act ("FOIA") request, reference number F-2007-01553, and with this litigation, I have reviewed thirteen Agency-wide regulatory issuances. I have determined that six of these documents can be released in their entirety to Plaintiff. Those documents are identified with the following document numbers: 1531047, 1531048, 1531049, 1531050, 1531051, and 1531052.

6. I have determined that the seven remaining documents, identified by document numbers 1512158, 1531061, 1531062, 1531063, 1531064, 1531065, and 1531066, can be released in segregable form to Plaintiff. I have determined that the information withheld from these seven documents is information

about the organization and functions of the CIA and must be protected from public disclosure under Section 6 of the CIA Act.<sup>1</sup>

7. The CIA, an independent federal agency, was created by the National Security Act of 1947 to support national policymakers through collection of foreign intelligence information by clandestine means. Congress was so concerned to protect the ability of the CIA to conduct effective clandestine intelligence activities that it enacted, in 1949, a specific legislative provision to shield the CIA's organization and functions from public disclosure. Section 6 of the Central Intelligence Agency Act of 1949 ("CIA Act") provides that the CIA "shall be exempted" from the provisions of any laws which require "publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency." The Section 6 exemption has been substantively unchanged since it was enacted in 1949.

8. Section 6 of the CIA Act specifically states that the exemption of CIA's organization and functions from public disclosure is enacted to serve the interest of the foreign intelligence activities of the United States. Since 1949, Section 6 has represented a clear and consistent expression of Congressional intent to protect the CIA's ability to fulfill its foreign intelligence mission by shielding its organization and

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<sup>1</sup> 50 U.S.C. § 403g (Supp. V 2005).

functions from any laws requiring public disclosure. For over fifty years, Congress has maintained this essential protection for the CIA.

9. The Section 6 protection for CIA organization and functions has such enduring importance to our nation's security that when Congress enacted the Freedom of Information Act to provide for public access to official agency records, Congress ensured that Section 6 of the CIA Act would override any obligation to release CIA information to FOIA requesters. FOIA exemption (b)(3) provides that FOIA does not require the release of information:

specifically exempted from disclosure by statute (other than section 552b of this title) provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld.<sup>2</sup>

The legislative history of the FOIA specifies, and the courts have consistently determined, that Section 6 exempts information disclosing CIA organization or functions from public release, through the incorporation of the CIA Act as a withholding statute under Exemption (b)(3). Further, courts have recognized that the Section 6 protection is absolute, and therefore that the CIA is not required to make any showing of harm in order to

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<sup>2</sup> 5 U.S.C. § 552(b)(3).

withhold information protected by Section 6 from public disclosure.

10. I determined that the following information withheld from document number 1512158 and from document number 1531061 requires continued protection and is exempt from disclosure under Section 6 of the CIA Act: internal regulation numbers, internal organizational units, abbreviations for internal organizational units, official titles, CIA facility names and locations, employee room numbers, employee fax numbers, employee phone numbers, e-mail addresses identifying specific CIA organizational units, procedures and functions of CIA organizational units, and an internal CIA form number.

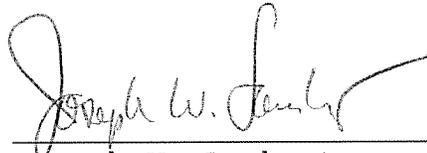
11. Further, I determined that the following information withheld from document number 1531062 requires continued protection and is exempt from disclosure under Section 6 of the CIA Act: internal regulation numbers, internal organizational units, abbreviations for internal organizational units, official titles, CIA facility names and locations, employee room numbers, employee fax numbers, employee phone numbers, e-mail addresses identifying specific CIA organizational units, procedures and functions of CIA organizational units, an internal CIA form number, and the name of a CIA database used in connection with a CIA form.

12. Further, I determined that the following information withheld from document numbers 1531063, 1531064, 1531065, and 1531066 requires continued protection and is exempt from disclosure under Section 6 of the CIA Act: internal CIA regulation numbers and internal CIA organizational data, units, and functions.

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I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 27<sup>th</sup> day of May, 2008.



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Joseph W. Lambert  
Director  
Information Management Services  
Office of the  
Chief Information Officer  
Central Intelligence Agency