



DEPARTMENT OF THE NAVY  
HEADQUARTERS  
NAVAL CRIMINAL INVESTIGATIVE SERVICE  
27130 TELEGRAPH ROAD  
QUANTICO VA 22134-2253

5720 2019-006357  
SER00LJF/22U0568  
May 31, 2022

Mr. Jed Margolin  
1981 Empire Road  
Reno, NV 89521

Dear Mr. Margolin:

This further responds to your June 15, 2018 Freedom of Information/Privacy Act request pertaining to the release of information and records on Zandian. The Defense Intelligence Agency (DIA) referred a 2 documents, DTG290848ZSEP94 (9 pages) and DTG260349ZAUG15 (4 pages) for action deemed appropriate. Reference is made to our August 19, 2020, correspondence.

We have carefully reviewed the documents and determined that DTG290848ZSEP94 is currently and properly classified under criteria established pursuant to Executive Order 13526, Part 1, Section 1.4.(c) and (d), therefore, it is withheld *in total* under FOIA Exemption 1 (see 5 U.S.C. § 552 (b)(1)). Exemption 1 protects from disclosure information about “matters specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy” and which has in fact been “properly classified pursuant to such Executive order.”

Our analysis of DTG260349ZAUG15 revealed it contains information compiled for law enforcement purposes which could reasonably be expected to disclose the identity of a confidential source, and certain law enforcement techniques not readily available to the public. Accordingly, we have *partially* denied this portion of your request pursuant to the FOIA provisions 5 U.S.C. § 552(b)(7)(D) and (b)(7)(E). The DIA has also cited exemptions pursuant to the FOIA provisions 5 U.S.C. § 552(b)(3), specifically statute 10 U.S.C. § 424. All releasable information is contained within enclosure (1). We have also provided an enclosure explaining the various exemptions of the FOIA.

You may appeal our exemptions within 90 days from the date of this letter by writing to the Judge Advocate General of the Navy (Code 14), 1322 Patterson Avenue SE, Suite 3000, Washington Navy Yard, DC 20374-5066. Your letter should state the reasons for your appeal, and include a copy of this letter along with a copy of your original request and must be postmarked (vice received) in the above office within the 90-day appeal limit. The letter of appeal and the envelope must both bear the notation: “FOIA Appeal.”

If you choose not to appeal, you have the right to seek dispute resolution services. You may contact the Department of the Navy's FOIA public liaison, Mr. Chris Julka, at christopher.a.julka@navy.mil or (703) 697-0031 or the Office of Government Information Services (<https://ogis.archives.gov/>).

5720 2019-006357  
SER00LJF/22U0568

There are no assessable fees associated with the processing of your request. If you have any questions regarding this matter, please contact our office at (571) 305-9092 or via electronic mail at [ncis\\_foia@ncis.navy.mil](mailto:ncis_foia@ncis.navy.mil).

Sincerely,

A handwritten signature in black ink, appearing to read "K. Richman". The signature is written in a cursive style with a prominent initial "K" and a long, sweeping underline.

K. RICHMAN  
Senior Associate Counsel  
Head, Government Information Sharing Unit

Enclosure: 1. Documents  
2. Exemption Sheet



## Explanation of the Nine FOIA Exemptions

The following is a list of FOIA exemptions which apply to Government information in accordance with 5 U.S.C. § 552(b):

(b)(1) EXEMPTION – Protects Classified Matters of National Defense or Foreign Policy.

This exemption protects from disclosure national security information concerning the national defense or foreign policy, provided that it has been properly classified in accordance with the substantive and procedural requirements of an executive order.

(b)(2) EXEMPTION – Internal Personnel Rules and Practices.

This exemption exempts from mandatory disclosure records "related solely to the internal personnel rules and practices of an agency." Courts have interpreted the exemption to encompass two distinct categories of information:

- (a) Internal matters of a relatively trivial nature – sometimes referred to as "low2" information: and

(b)(3) EXEMPTION – Information Specifically Exempted by Other Statutes:

This exemption incorporates the disclosure prohibitions that are contained in various other federal statutes. As originally enacted in 1966, Exemption 3 was broadly phrased so as to simply cover information "specifically exempted from disclosure by statute." The new Exemption 3 statute prohibits agencies from releasing under the FOIA proposals, "unless that proposal" is set forth or incorporated by reference in a contract entered into between the agency and the contractor that submitted the proposal."

(b)(4) EXEMPTION – Trade Secrets Commercial or Financial Information.

This exemption protects "trade secrets and commercial or financial information obtained from a person (this is) privileged or confidential." This exemption is intended to protect the interest of both the government and submitter of information.

(b)(5) EXEMPTION – Privileged Interagency or Intra-Agency Memoranda or Letters.

This exemption protects "inter-agency or intra-agency memorandums of letters which would not be available by law to a party... in litigation with the agency." As such, it has been construed to "exempt those documents, and only those documents, normally privileged in the civil discovery context."

(b)(6) EXEMPTION- Personal Information Affecting an Individual's Privacy.

This exemption permits the government to withhold all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." This exemption cannot be invoked to withhold from a requester information pertaining to the requester.

(b)(7) EXEMPTION – Investigatory Records Compiled for Law Enforcement Purposes.

As amended, this exemption protects from disclosure "records or information compiled for law enforcement purposes.

EXEMPTION 7(A) Records of information that could reasonably be expected to interfere with enforcement proceedings. This exemption authorizes the withholding of “records or information compiled for law enforcement purposes, but only to the extent that production of such law enforcement records or information... could reasonably be expected to interfere with enforcement proceedings.”

EXEMPTION 7(B) Disclosure which would deprive a person of a fair trial or an impartial adjudication. Records that would prevent prejudicial pretrial publicity that could impair a proceeding, protect “records of information compiled for law enforcement purposes (the disclosure of which) would deprive a person of the right to a fair trial or an impartial adjudication.”

EXEMPTION 7(C) Personal Information in Law Enforcement Records. This exemption provides protection for personal information in law enforcement records. This exemption is the law enforcement counterpart to Exemption 6, providing protection for law enforcement information the disclosure of which “could reasonably be expected to constitute an unwarranted invasion of personal privacy.”

EXEMPTION 7(D) Identity of a Confidential Source. This exemption provides protection for “records or information compiled for law enforcement purposes (which) could reasonably be expected to disclose the identity of a confidential source – including a State, local or foreign agency or authority or any private institution which furnished information on a confidential basis – and, in the case of a record or 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.”

EXEMPTION 7(E) Circumvention of the Law. This exemption affords protection to all law enforcement information which “would disclose techniques and procedures for law enforcement investigation or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.”

EXEMPTION 7(F) Physical Safety to Protect a wide Range of individuals. This exemption permits the withholding of information necessary to protect the physical safety of a wide range of individuals. Whereas Exemption 7(F) previously protected records that “would... endanger the life or physical safety of law enforcement personnel.” The amended exemption provides protection to “any individual when disclosure of information about him or her “could reasonably be expected to endanger (his/her) life or physical safety.”

(b)(8) EXEMPTION – Records of Financial Institutions.

This exemption covers matters that are “contained in or related to examinations, operating, or condition reported prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions.”

(b)(9) EXEMPTION – Geographical and Geophysical Information Concerning Wells.

This exemption covers “geological and geophysical information and data, including maps concerning wells.”

NCIS INFORMATION DECLASSIFIED BY: NSD  
CODE 22, INFORMATION SECURITY  
SPECIALIST  
SOURCE DOC: NCIS SCG 04-017.3  
SEC.10.C.18  
DECLASSIFIED ON: July 25, 2019  
DOCUMENT IS FOR OFFICIAL USE ONLY

UNCLASSIFIED//~~FOUO~~

~~SECRET//NF~~

**ENVELOPE**

CDSN = LGX449 MCN = 94286/23187 TOR = 942861354  
RTTSZYUW RUEKJCS9038 2861345-SSSS--RUEALGX.  
ZNY SSSSS

**HEADER**

R  
131345Z OCT 94  
FM DIA WASHINGTON DC

INFO RUEADWD/OCSA WASHINGTON DC  
RUENAAA/CNO WASHINGTON DC  
RUEAHQA/CSAF WASHINGTON DC  
RUEACMC/CMC WASHINGTON DC  
RUFQBBA/US SURVEY SHAPE BE  
RUETIAQ/MPC FT GEORGE G MEADE MD  
RUCJACC/USCINCCENT MACDILL AFB FL//CARA//  
RUCQVAB/USCINCSOC INTEL OPS CEN MACDILL AFB FL  
RUEOFAA/COMJSOC FT BRAGG NC//J2//  
RUEHC /SECSTATE WASHINGTON DC  
RUEAIIA/CIA WASHINGTON DC  
RUDMOAN/MARCORINTACT DET QUANTICO VA  
RUEABOA/HQ AFOSI IOC BOLLING AFB DC//DTA//  
RUFGAID/USCINCEUR INTEL VAIHINGEN GE//ECJ2//  
RUFTAKA/UCIRF AUGSBURG GE  
RUFQADA/JAC MCLESWORTH RAF MCLESWORTH UK//CC/DCA//  
RUEALGX/SAFE

(b)(3)10  
USC 424

R  
290848Z SEP 94  
FM NAVCRIMINVSERVRA COLUMBUS OH//03CB//

(b)(3)10  
USC 424

TO RUEKJCS/DIA WASHINGTON DC//DSP-2B//  
INFO RULKNI/DIRNAVCRIMINVSERV WASHINGTON DC//0022A2

//  
RUCKGLZ/NAVCRIMINVSERVFO GREAT LAKES IL//03GL//  
RUFTNKI/NAVCRIMINVSERVRA BAHRAIN//60BJ//  
BT

**CONTROLS**

~~SECRET~~  
~~NOFORN~~  
~~WNINTEL~~

~~SECRET//NF~~

UNCLASSIFIED//~~FOUO~~

UNCLASSIFIED//~~FOUO~~

~~SECRET//NF~~

//

WARNING NOTICE: INTELLIGENCE SOURCES OR METHODS

INVOLVED

SERIAL: (U) [REDACTED] (b)(7)(E)

BODY

COUNTRY: (U) UNITED STATES (US); IRAN (IR); RUSSIA (RS); PAKISTAN (PK); NORTH KOREA (NK).

SUBJ: [REDACTED] (b)(7)(E)

WARNING: THIS IS AN INFORMATION REPORT, NOT FINALLY

EVALUATED INTELLIGENCE. REPORT CLASSIFIED ~~SECRET~~ /

~~NOFORN~~

~~WNINTEL~~

DEPARTMENT OF DEFENSE

DOT: (U) 940929.

REQS: [REDACTED] (b)(7)(D), (b)(7)(E)  
SOURCE

WHO HAS EXTENSIVE BUSINESS ASSOCIATES AND BUSINESS INTERESTS ABROAD WHOSE RELIABILITY IS UNKNOWN.

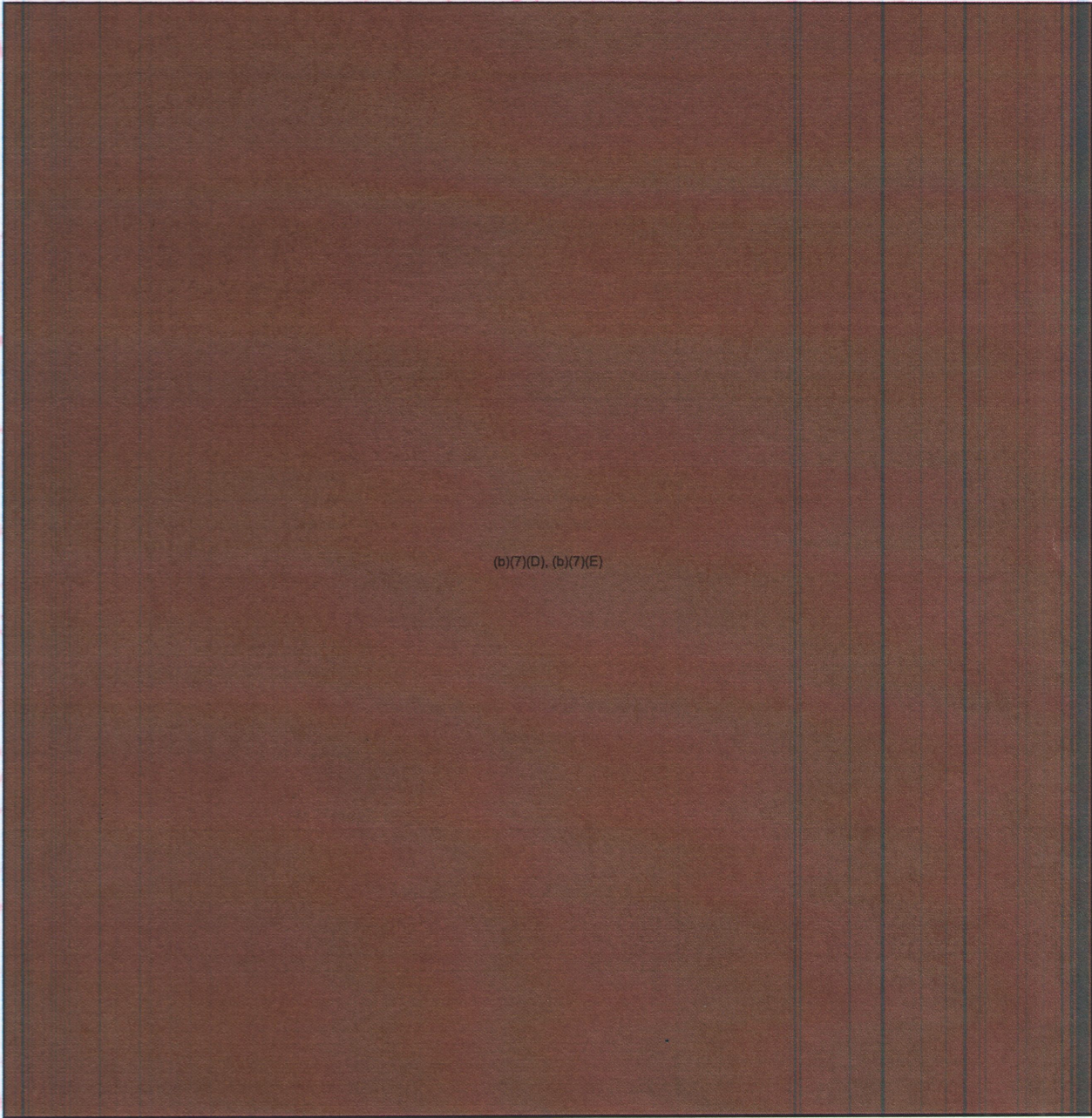
TEXT: 1. ~~(S/NF/WN)~~ A SOURCE OF UNPROVEN RELIABILITY

[REDACTED] (b)(7)(D), (b)(7)(E)

~~SECRET//NF~~

UNCLASSIFIED//~~FOUO~~

~~SECRET//NF~~



(b)(7)(D), (b)(7)(E)

**ADMIN**

PROJ: (U) .  
INSTR: (U) U.S. NO.  
PREP: (U) 5-CB5018

ACQ: (U) COLUMBUS, OH (940929)

~~SECRET//NF~~

UNCLASSIFIED//~~FOUO~~

~~SECRET/NF~~

ENCL: (U) NONE.

DISSEM: (U) FIELD:

NONE; SENT TO: ALL IIR ACTION/INFO

ADDRES.

WARNING: REPORT CLASSIFIED ~~SECRET~~ --WARNING  
NOTICE--INTELLIGENCE SOURCES OR METHODS INVOLVED--  
NOT RELEASABLE  
TO FOREIGN NATIONALS

DECL: OADR.

BT

#9038

NNNN

~~SECRET/NF~~

UNCLASSIFIED//~~FOUO~~