

# **EXHIBIT B**

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Defense Intelligence Agency  
ATTN: DAN-1A (FOIA)  
200 MacDill Blvd  
Washington, DC 20340-5100

Re: Freedom of Information Act Request: Information Review Task Force

This is an Expedited Freedom of Information Act (FOIA) request for the following items:

- 1) Any documents relevant to the creation, scope, structure, and responsibilities of the Information Review Task Force (IRTF, formerly TF 725). The IRTF was created on or about 29 July 2010, to conduct damage assessments of US materials provided to, or suspected to have been provided to, WikiLeaks;
- 2) Any conclusions, reports, or assessments (provisional and/or final) that have been generated by the IRTF.
- 3) Records of all previous FOIA requests for information pertinent to the IRTF.

The IRTF is not a secret organization. Shortly after its creation, its existence was discussed openly by multiple Department of Defense (DoD) Components—in official documentation and by chief public affairs officer Col. David Lapan.<sup>1</sup> The Wall Street Journal reported that “Brig. Gen. Robert Carr of the Defense Intelligence Agency” was tasked with leading the IRTF.<sup>2</sup> Basic information about the IRTF’s structure—

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<sup>1</sup> <http://www.thedailybeast.com/articles/2010/09/12/pentagons-wikileaks-war-room-readies-for-new-document-dump.html>,

<sup>2</sup> [http://online.wsj.com/article/SB10001424052702304741404575564613428879600.html?mod=rss\\_whats\\_news\\_us](http://online.wsj.com/article/SB10001424052702304741404575564613428879600.html?mod=rss_whats_news_us),



the amount of people working for the task force, its base—have also been released. On 16 August 2010, Defense Secretary Robert Gates wrote to the Senate Armed Services describing his decision to establish the IRTF, and he summarized the conclusions of its “initial review.” That letter is in the public domain.

The documents that we are requesting are historical in nature. (The task force was established to anticipate leaks, which have since been released.) Some of the documents are administrative. And much of the material at issue is not classified. The primary focus of the IRTF was US government material that PFC Bradley Manning allegedly turned over to WikiLeaks. Recently, during PFC Manning’s Article 32 hearing (16 December 2011, Forte Meade), Special Agent Tony Graham indicated that the so-called “Collateral Murder” video was not classified. More than ten thousand files in the so-called “Iraq War Logs” were also not classified, and over 130,000 State Department cables in the so-called “Cablegate” leak were labeled unclassified. That Secretary Gates was able to publicly summarize an IRTF “initial review” indicates that the review contains material of an unclassified nature.

In the event that access to any of the requested records is denied, please note: The FOIA provides that even when portions of a requested file are exempted from release the remainder must still be released. As a 2008 DoD instruction notes, “A classified document containing unclassified information may not be denied in total under Exemption 1.”<sup>3</sup> We therefore request that we be provided with all non-exempt portions that are reasonably segregable. We further request that you describe the deleted material in detail and specify the statutory basis for the denial, as well as your reasons for believing that the alleged statutory justification applies in this instance. Please separately state your reasons for not invoking your discretionary powers to release the requested documents in the public interest. Such statements will be helpful in deciding whether to appeal an adverse determination, and in formulating arguments in case an appeal is taken.

Please provide expedited processing of this request, which concerns a matter of urgency. The public has a need for this information, which describes how the military took steps to anticipate unauthorized disclosures on an unprecedented scale, and will contribute significantly to public understanding of the function and efficacy of the government. The material will help the public to understand the current military proceeding now being brought against PFC Bradley Manning.

This request is not meant to be exclusive of records that, though not specifically requested, have a reasonable relationship to the subject matter of this request.

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<sup>3</sup> Also, see DoD FOIA Program (DoD 5400.7-R), which states: “Although portions of some records may be denied, the remaining reasonably segregable portions must be released to the requester when it reasonably can be assumed that a skillful and knowledgeable person could not reconstruct the excised information.”