



United States Department of State

Washington, D.C. 20520

April 5, 2019

Case No.: F-2019-00752

Segment: INR/OPS-0001

Ramya Krishnam
Knight First Amendment
Institute at Columbia University
475 Riverside Drive, Suite 302
New York, NY 10115

Dear Ms. Krishnam and Ms. Carroll:

In response to your requests dated October 19, 2018 and November 20, 2018, under the Freedom of Information Act (the "FOIA"), 5 U.S.C. §552, the Department has completed its searches and processing of responsive records subject to FOIA.

With respect to part 1 of your requests, the Department located four responsive documents. We have determined one document may be released in full and three documents may be released in part. In addition, the Department identified two documents responsive to part 1 that originated with the Central Intelligence Agency. We have referred those documents to the CIA for direct reply to you. With respect to parts 2 and 3 of your requests, the Department's searches returned no responsive records.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made excisions, the applicable FOIA exemptions are marked on each document. In some instances, two or more exemptions may apply to the same document. All non-exempt material that is reasonably segregable from the exempt material has been released and is enclosed.

This concludes the processing of your request. If you have any questions, you may contact Trial Attorney Antonia Konkoly at (202)514-2395 or Antonia.Konkoly@usdoj.gov. Please refer to the request case number, F-2019-00752, and the civil action number, 18-cv-02709, in all correspondence about this request.

Sincerely,

A handwritten signature in black ink that reads "Susan C. Weetman" followed by a stylized flourish.

Susan C. Weetman
Chief, Programs and Policies Division
Office of Information Programs and Service

Enclosures: As stated

The Freedom of Information Act (5 USC 552)

FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
 - 1.4(b) Foreign government information
 - 1.4(c) Intelligence activities, sources or methods, or cryptology
 - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
 - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
 - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
 - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
 - 1.4(h) Weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- | | |
|----------------|---|
| ARMSEXP | Arms Export Control Act, 50a USC 2411(c) |
| CIA PERS/ORG | Central Intelligence Agency Act of 1949, 50 USC 403(g) |
| EXPORT CONTROL | Export Administration Act of 1979, 50 USC App. Sec. 2411(c) |
| FS ACT | Foreign Service Act of 1980, 22 USC 4004 |
| INA | Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f) |
| IRAN | Iran Claims Settlement Act, Public Law 99-99, Sec. 505 |
- (b)(4) Trade secrets and confidential commercial or financial information
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Personal privacy information
- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
 - (B) deprive a person of a fair trial
 - (C) constitute an unwarranted invasion of personal privacy
 - (D) disclose confidential sources
 - (E) disclose investigation techniques
 - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

- NR Material not responsive to a FOIA request excised with the agreement of the requester

RELEASE IN PART B1 1.4 (c). 1.4(d), B3
3024(i)

SharePoint

Aguilera Patricia DoS INR USA GOV-IC  

The highest classification level for this system is ~~TOP~~

Wiki ~~SECRET//HCS-P//SI-G//TK//FGL//RSEN//ORCON//IMCON//NOFORN//PROPIN//FISA~~
INR Watch INR Directory Links eBB

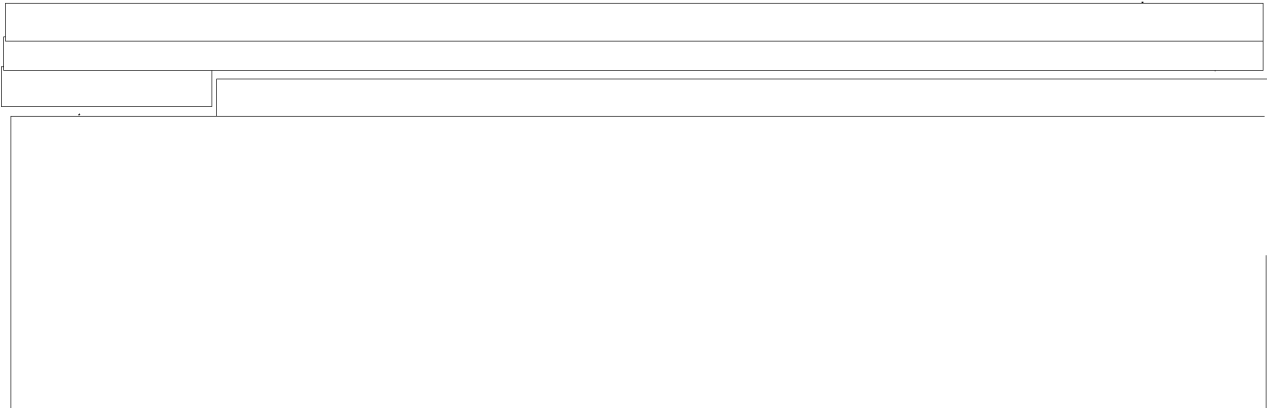
Watch

UPDATED: August 28, 2018

Classified by DAS, A/GIS, DoS on 04/04/2019 ~ Class: SECRET ~ Reason:
1.4(B), 1.4(D), B1 ~ Declassify on: 50X6

DUTY TO WARN (DTW)

(U//~~FOUO~~) Duty to warn policy is covered under Intelligence Community Directive (ICD) 191 and individual IC element internal implementing directives. ICD 191's key requirement is that an IC element that collects or acquires credible and specific information indicating an impending threat directed at a person or group has a duty to warn the intended victim(s) or those responsible for protecting the intended victim(s). The term *intended victim* includes both U.S. persons and foreign nationals. The covered threats are those of *intentional killing, serious bodily injury, and kidnapping*. The ICD also sets out situations in which the duty to warn may be waived.



B3

1.4(C)
1.4(D)
B1
B3

WO ACTION: E-mail the DTW report to the appropriate regional INR office for situational awareness, with a cc to the DSCC. If the reporting is specific or the sourcing seems credible, flag for the SWO. Use your judgment if you believe this should also be flagged for Mahogany Row.

****If the report indicates a *credible, imminent threat* and/or other IC Operation Centers are tracking the threat, call the INR Watch Director to receive additional guidance.**

WOs should document all the actions taken when informing on DTW. Do not hesitate to call the INR Watch Director, regardless of time, if unsure how to proceed.

Like this site? Send us your **feedback** !

The highest classification level for this system is ~~TOP~~

~~SECRET//HCS-P//SI-G//TK//FGL//RSEN//ORCON//IMCON//NOFORN//PROPIN//FISA~~

RELEASE IN FULL

Foster Shari M DoS INR USA GOV-IC

From: Aguilera Patricia DoS INR USA GOV-IC
Sent: Tuesday, August 28, 2018 7:01 AM
To: Dom WATCH Users
Subject: FW: DUTY TO WARN GUIDANCE --- UNCLASSIFIED//~~FOUO~~
Attachments: 180827 DUTY TO WARN.docx

Classification: UNCLASSIFIED//FOUO
=====

Team Wildcats,

FYSA- Please find the latest version of the DTW guidance as cleared by the FO. It has been updated in the wiki.

Many thanks,
Patty

~~U//FOUO~~

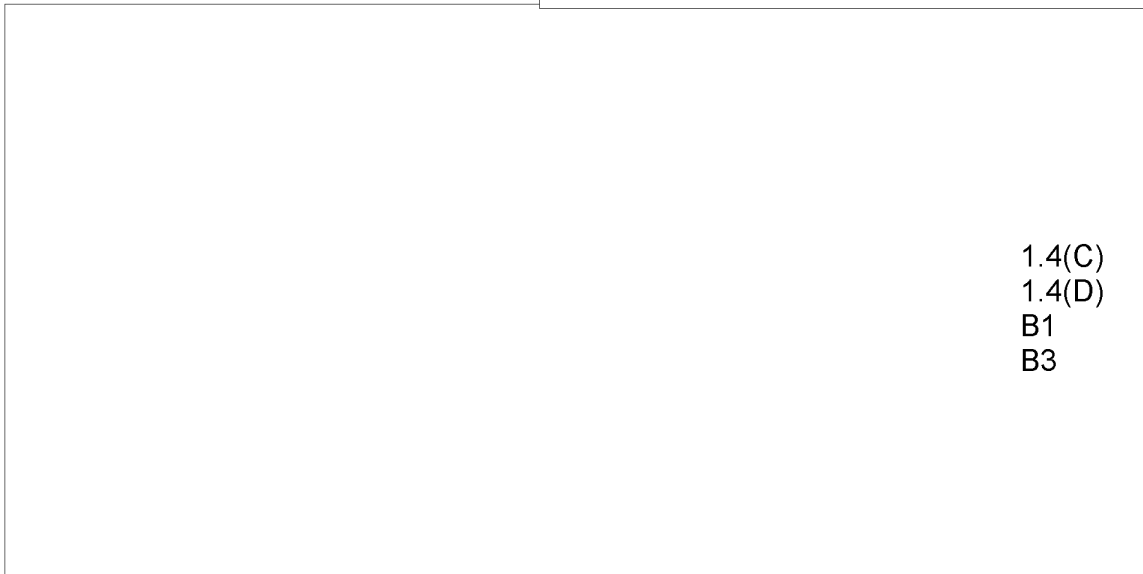
RELEASE IN PART B1 1.4 (c). 1.4(d), B3 3024(i)

DUTY TO WARN (DTW)

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B3



1.4(C)
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Classified by DAS, A/GIS, DoS on 04/04/2019 ~ Class: SECRET ~ Reason: 1.4(B), 1.4(D), B1 ~ Declassify on: 50X6

~~U//FOUO~~

~~U//FOUO~~

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~~U//FOUO~~

RELEASE IN PART B1,1.4(D),1.4(C),B3

Foster Shari M DoS INR USA GOV-IC

From: INR WATCH
Sent: Thursday, August 23, 2018 12:14 PM
To: Aguilera Patricia DoS INR USA GOV-IC
Subject: RE: Updated: DUTY TO WARN GUIDANCE --- UNCLASSIFIED//~~FOUO~~

Classification: UNCLASSIFIED//~~FOUO~~
=====

Patty,

I have updated the Wiki. You can see it here: <http://watch.state.ic.gov/Distribution%20Guide/Duty%20to%20Warn.aspx>

VR,
David

Classified by DAS, A/GIS, DoS on 04/04/2019 ~ Class: SECRET ~ Reason: 1.4(B), 1.4(D), B1 ~
Declassify on: 50X6

From: Aguilera Patricia DoS INR USA GOV-IC
Sent: Thursday, August 23, 2018 8:48 AM
To: INR WATCH
Subject: Updated: DUTY TO WARN GUIDANCE --- UNCLASSIFIED//~~FOUO~~

Classification: UNCLASSIFIED//~~FOUO~~
=====

Team Mamba,

Please see updated information on DTW. David will post this new guidance to Wiki. While I am still waiting for clearance from the FO, the basics of what actions we should take still apply. On a slow shift, please read ICD 191. Pertinent passages are also included in the guidance.



Please let me know if you have any questions.
Many thanks,

Patty

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Classification: UNCLASSIFIED//~~FOUO~~
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Classification: UNCLASSIFIED//~~FOUO~~
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1.4(C)
1.4(D)
B1
B3