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DEFENSE INTELLIGENCE AGENCY

WASHINGTON, D.C. 20340-5100



JUN 06 2019

U-19-0201/FAC-2

Mr. John Greenewald
The Black Vault
27305 West Live Oak Road, Suite 1203
Castaic, CA 91384

Dear Mr. Greenewald:

This responds to your Freedom of Information Act (FOIA) appeal dated July 3, 2018, identified as case number APP-0035-2018. I apologize for the amount of time it has taken to process your appeal. In your letter, you are appealing the Defense Intelligence Agency's (DIA) decision to withhold five document(s) pursuant to Exemptions 3, 5, and 6 of the FOIA, 5 U.S.C. §§ 552 (b)(3), (b)(5), and (b)(6) pursuant to your FOIA request, identified as case number FOIA 0462-2016.

Based on a careful review of the document(s) in question, I have determined that portions of the documents may be released. Portions not released are being withheld pursuant to Exemptions 3, 5 and 6. Exemption 3 protects information specifically exempted by a statute establishing particular criteria for withholding. The applicable statutes, in this instance, are 10 U.S.C. § 424, which protects the identity of DIA employees, the organizational structure of the agency. Exemption 5 protects advice, analysis, and recommendations and opinions that are part of the decision making process. Exemption 6 protects information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. All releasable portions of the document are being forwarded to you with this letter.

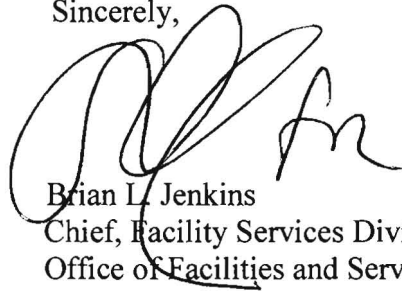
If you are not satisfied with my response to your appeal, you may contact the DIA FOIA Requester Service Center, as well as our FOIA Public Liaison at 301-394-5587.

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

You may also seek judicial review in accordance with 5 U.S.C. § 552 (a)(4)(B) before a United States District Court.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian L. Jenkins", is written over the typed name and title.

Brian L. Jenkins
Chief, Facility Services Division
Office of Facilities and Services

Enclosure(s): a/s

(b)(3):10
USC 424;(b)
(6)

From: (b)(3):10 USC 424;(b)(6)
To:
Cc:
Subject: FW: [Non-DoD Source] Google Alert - defense intelligence agency
Date: Sunday, September 04, 2016 9:51:03 AM

I've exchanged emails with the WH staff and OSD. Main concern is that this won't happen again.

Second concern is those who will point to a continuing rift between WH and OSD.

The forwarded WSJ story below explains the inadvertent nature of the original tweet.

WH says we should handle any follow on queries, highlighting our error.

They prefer not to address it at their level.

Although the WSJ has written, I will call to make sure they understand context.

V/r,

(b)(3):10 USC 424

From: Google Alerts
Sent: Sunday, September 04, 2016 9:43:21 AM
To: (b)(3):10 USC 424
Subject: [Non-DoD Source] Google Alert - defense intelligence agency

?

defense intelligence agency

NLWS

US Spy Agency Tweets, Deletes, Then Apologizes

Wall Street Journal

The **Defense Intelligence Agency** is one of the government's most-secretive ... Late Saturday night the **DIA** issued another tweet, a cyber mea culpa.

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From: (b)(3):10 USC 424;(b)(6)
To: (b)(6)
Subject: FW: [Non-DoD Source] Re: Draft Tweet
Date: Sunday, September 04, 2016 12:16:31 AM

(b)(6) here is the last tweet (b)(6) sent. I was thinking maybe we should let USDI and ODNI know about this. Thoughts?

Thanks, (b)(3):10 USC 424

(b)(6)

From: (b)(6)
Sent: Saturday, September 03, 2016 11:52:33 PM
To: (b)(3):10 USC 424;(b)(6)
Cc: (b)(6)
Subject: [Non-DoD Source] Re: Draft Tweet

I have sent the following tweet. Again, I am extremely sorry and remorseful for this mistake. Thank you for the quick coordination. I hope this wasn't too much of a bother tonight.

"Earlier today, a tweet regarding a news article was mistakenly posted from this account & does not represent the views of DIA. We apologize."

On Saturday, September 3, 2016, (b)(6) wrote:

Yes

(b)(6)

----- Original message -----

From: (b)(6)
Date: 9/3/16 11:43 PM (GMT-05:00)
To: (b)(3):10 USC 424;(b)(6)
Cc: (b)(6)
Subject: Re: Draft Tweet

I can fit "news" - this is exactly 140 characters. Are we ok with referencing the tweet as a whole instead of the article and comment separately?

"Earlier today, a tweet regarding a news article was mistakenly posted from this account & does not represent the views of DIA. We apologize."

On Saturday, September 3, 2016, (b)(3):10 USC 424 wrote:

You could keep it generic -- newspaper article.

(b)(6)

From: (b)(6)
Sent: Saturday, September 03, 2016 11:35:23 PM
To: (b)(3):10 USC 424;(b)(6)
Cc:
Subject: [Non-DoD Source] Draft Tweet

I can't seem to fit the bit about "the included comment" because it's a lot of characters. I'd have to remove another portion of the message. If we reference the tweet itself instead of the article, that might serve the same purpose. How's the below?

"Earlier today, a tweet regarding a NYT article was mistakenly posted from this account & does not represent the views of DIA. We apologize."

Also, I'm hesitant about referencing the NYT's as it could send questions their way or draw their specific attention. Is there a way we can still reference the tweet more specifically without referencing the NYT?

On Saturday, September 3, 2016, (b)(3):10 USC 424 wrote:

How about adding "mistakenly" before "posted" in the second version?

(b)(6)

From: (b)(6)
Sent: Saturday, September 03, 2016 11:08:52 PM
To: (b)(3):10 USC 424;(b)(6)
Cc:
Subject: [Non-DoD Source] Re: Draft Tweet

(b)(3):10 USC 424

I agree with [redacted] I think it would be best not to repeat the specific topic and cause curiosity. I'm working with the character count and this currently fits. It still calls it a "mistake" but we could leave that part out if you want. We can fit "Earlier this evening" in stead of "today" that way if that's what we want to do.

"Earlier today, a retweet of a NYT article was posted from this account & does not represent the views of DIA. We apologize for this mistake."

Or

"Earlier this evening, a retweet of a NYT article was posted from this account & does not represent

the views of DIA. We apologize."

On Saturday, September 3, 2016, (b)(3):10 USC 424 wrote:

That good, but recommend even shorter version.

Earlier this evening a retweet of a NYT article was posted from this account and doesn't represent.... We apologize.

It won't cause curiosity about china with those who haven't seen it.

(b)(6)

From: (b)(6)
Sent: Saturday, September 03, 2016 10:53:59 PM
To: (b)(3):10 USC 424;(b)(6)
Cc:
Subject: RE: [Non-DoD Source] Re: Draft Tweet

Maybe you should say something like:

Earlier this evening a tweet responding to a NYT article regarding the President's trip to China was inadvertently posted from this account and does not represent the...We apologize for the tweet.

Feedback

(b)(6)

----- Original message -----
From: (b)(3):10 USC 424
Date: 9/3/16 10:41 PM (GMT-05:00)
To: (b)(6)
Cc:
Subject: RE: [Non-DoD Source] Re: Draft Tweet

Could you address it without repeating it?

(b)(6)

From: (b)(6)
Sent: Saturday, September 03, 2016 10:38:58 PM
To: (b)(3):10 USC 424;(b)(6)
Cc:

Subject: [Non-DoD Source] Re: Draft Tweet

That was my question. There is not context for it, so it will only be relevant to those that saw the earlier tweet, which was deleted. It could draw extra attention, but it also will be better than letting the Internet make up their own explanation.

(b)(6)

On Saturday, September 3, 2016, (b)(6) wrote:

Is this a stand alone tweet. Will people know what we're apologizing for?

(b)(6)

----- Original message -----

From: (b)(6)

Date: 9/3/16 10:26 PM (GMT-05:00)

To: (b)(3); 10 USC 424; (b)(6)

Subject: Draft Tweet

Good evening all, please see the draft tweet:

"The prior tweet from this account was sent in error & does not represent the views of DIA.
We apologize for any offense it may have caused."

I am sorry and I appreciate the quick responses on this.

(b)(6)

--

Best Regards,

(b)(6)

From: (b)(3):10 USC 424;(b)(6)
To:
Cc:
Subject: RE: DIA Tweet re: China
Date: Sunday, September 04, 2016 9:42:24 AM

First remedial step is that we will take a very deep breath before resuming any tweets, however innocuous.

Second step is to review oversight.

Again, pass deep apologies to leadership. This was not in character for this great agency.

(b)(3):10 USC 424

From: (b)(3):10 USC 424
Sent: Sunday, September 04, 2016 9:38:14 AM
To:
Cc: (b)(3):10 USC 424;(b)(6)
Subject: Re: DIA Tweet re: China

I'm ok if DIA wants to handle the query. Think you should just tell them this individual thought he was posting to his personal acct and the error was quickly rectified.

(b)(5)

On Sep 4, 2016, at 9:07 PM, (b)(3):10 USC 424 > wrote:

(b)(6) — first, apologies for not responding sooner. I'm out of town celebrating my daughter's wedding. I had my phones holstered last night during the ceremony and reception and didn't see your message until now.

DIA staff took action last night. A person with access to our official Twitter account thought he was commenting via his personal account and quickly realized his error. He reported it to his boss and worked to have it removed, just not before it had been retweeted.

We tweeted an apology, I believe. This is a very unfortunate situation will will work with you to ameliorate it as appropriate.

Our agency leadership has been apprised and we will address the matter fully.

I'm in touch with my PA leadership. I'm back in town tomorrow and in the office early Tuesday.

☐ while, as I write this the WSJ is in with a query. Would you and OSD like to handle or do you prefer we answer for ourselves?

V/R,

(b)(3):10 USC 424;(b)(6)

From: (b)(6)

Sent: Saturday, September 03, 2016 9:56:25 PM

To:

(b)(3):10 USC 424;(b)(6)

Cc:

Subject: DIA Tweet re: China

(b)(3):10 USC 424;(b)(6) team:

Greetings from China, where this highly unfortunate Tweet was brought to our attention.

(b)(5)

(b)(3):10 USC 424;(b)(6)

From: (b)(3):10 USC 424;(b)(6)
To:
Cc:
Subject: RE: DIA Twitter feed
Date: Sunday, September 04, 2016 4:28:51 AM

Got it.

Let's discuss further when I return.

(b)(3):10
USC 424

(b)(6)

From: (b)(3):10 USC 424
Sent: Sunday, September 04, 2016 12:08:22 AM
To:
Cc: (b)(3):10 USC 424;(b)(6)
Subject: DIA Twitter feed

Sir, apologize for the intrusion but wanted to alert you to an issue. One of my employees accidentally tweeted a personal tweet from the DIA Twitter account in response to China's treatment of the president as noted in the NYT article (link below). He tweeted the article with the comment "Classy as always China.". The tweet was immediately removed; however, nothing is ever truly deleted from the Internet. We do know that the tweet was screen captured and retweeted, but we're not sure if the media picked up the tweet. We are posting the following tweet in response to the error:

"Earlier today, a tweet responding to a news article was mistakenly posted from this account and does not represent the views of DIA. We apologize."

We'll continue to monitor the Twitter feed and the news.

<https://www.google.com/amp/mobile.nytimes.com/2016/09/04/world/asia/obama-xi-staff-shouting-match.amp.html?client=safari>

V/R

(b)(3):10 USC 424

From: (b)(3):10 USC 424;(b)(6)
To:
Cc:
Subject: Twitter Feed
Date: Saturday, September 03, 2016 10:23:33 PM

(b)(3):10 USC 424;(b)(6)

(b)(3):10 USC 424;(b)(6)

sorry to bother you. We've had an unfortunate incident on Twitter. mistakenly released a personal tweet from our official account. It has been removed but it was retweeted a number of times and few folks did a screen capture of the tweet. Don't know if or how many news outlets may have picked this up. mentioned that it looked like Politico may have picked it up.

(b)(3):10 USC 424;(b)(6)

The plan is to address the mistake with a short statement. is working it now and we looped in since you are unavailable.

(b)(3):10 USC 424;(b)(6)

If you see this note tonight feel free to comment or contact me.

(b)(3):10 USC 424

(b)(3):10 USC 424;(b)(6)