

ARRB
Analysis and Review Briefing Handout No. 2
All Agencies
March 20, 2017

Preliminary Analysis of Restrictions¹

When reviewing records, analyze the agencies' asserted restrictions by focusing particularly on the issues identified below. **Answer each question as thoroughly as necessary on the Review Form and be sure to describe the additional information that you believe the agency should provide to satisfy its burden of proof. DO NOT DISCLOSE ANY CLASSIFIED OR SENSITIVE INFORMATION ON THE REVIEW FORM.**

1a [RC 1] Agent

1a.1 Record reveals an intelligence agent currently requiring protection

1a.2 AND disclosure of the record **threatens**: (i) national defense; (ii) intelligence operations; or (iii) the foreign relations of the United States

¹This analysis is preliminary and is offered pending guidance from the Review Board.

1a.3 AND the threat to national security is sufficiently grave so as to outweigh the public interest in disclosure.

1b [RC 2] Sources or Methods

1b.1 Record discloses a source or method that is or could be utilized by the U.S. government

1b.2 AND the source or method has not been officially disclosed

1b.3 AND the disclosure of the source or method would threaten:
(i) national defense; (ii) intelligence operations; OR (iii) foreign relations

1b.4 AND the threat to national security is sufficiently grave so as to outweigh the public interest in disclosure.

1c [RC 3] Other National Security

1c.1 Disclosure of the record would reveal any other matter that would demonstrably impair national security (including the national defense, intelligence operations, or foreign relations)

1c.2 AND the threat to national security is sufficiently grave to outweigh the public interest in disclosure.

2. [RC 4] Confidential Informant

2.1 Record discloses the name or identity of a living person

2.2 AND the person provided confidential information to the United States

2.3 AND disclosure of the information poses a substantial risk of harm

2.4 AND the substantial risk of harm would be inflicted on the person who disclosed the information.

3. [RC 5] Invasion of Privacy

3.1 Disclosure of the record would constitute an unwarranted

invasion of privacy

3.2 *AND the invasion of privacy is so substantial that it outweighs the public interest .*

4. [RC 6] *Understanding of Confidentiality*

- 4.1 *Disclosure would compromise an understanding of confidentiality*
- 4.2 *AND that understanding currently requires protection*
- 4.3 *AND that understanding is between a government agent AND a cooperating individual OR a foreign government*
- 4.4 *AND public disclosure would be so harmful that it outweighs the public interest in disclosure.*

5. [RC 7] *Protection of Government Officials*

- 5.1 *Disclosure of the record would reveal a protective procedure that is currently used OR that reasonably could be expected to be used by the Secret Service or another government agency responsible for protecting government officials*
- 5.2 *AND the disclosure would be so harmful that it outweighs the public interest.*