

1 of 2

June 28, 2015

Michael Lavergne
Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505

JUN 28 2015

Re: FOIA Request F-2015-01753

Dear Mr. Lavergne,

Please consider this a formal appeal under the Freedom of Information Act to your June 16 2015 denial of my request for the following records:

1. ...a copy of all correspondence (emails, letters, related documents and attachments) relating to Keyhole Inc. This part of the request should include all correspondence between the CIA and representatives of Keyhole Inc (e.g. John Hanke). Date range: from 1/1/2000 through 12/31/2006.
2. ... copy of all correspondence (emails, letters, related documents and attachments) referring to or discussing Google's purchase of Keyhole Inc. This part of the request should include all correspondence between the CIA and representatives of Google regarding Keyhole, including Keyhole software and services. Date range: 1/1/2003 through 12/31/2014.

The denial letter claims that information responsive to my request is exempt from disclosure under FOIA exemptions (b)(1) and (b)(3). But the letter did not explain why (b)(1) and b(3) were relevant to the decision to withhold the requested information, and I see no reason why these exemptions are applicable to my request.

The CIA had in the past announced In-Q-Tel's investment in Keyhole Inc and has publicly discussed the agency's close involvement with its new investment "to tailor Keyhole's systems" for use by the Intelligence Community. The CIA has likewise publicly discussed Google's purchase of Keyhole and the impact that this "CIA-assisted technology" has had on Google's product line. It is also public knowledge that Google has continued to provide the same services to the Intelligence Community after acquiring Keyhole. So the existence of CIA's

2 of 2

June 28, 2015

relationship with Google/Keyhole is well known and is not a secret. (See attached news articles.)

To reiterate: I believe that the information which I have requested is clearly releasable under FOIA and that the blanket denial of my request is not justified by any of the Act's exemptions. In particular, it is my opinion that FOIA exemptions (b)(1) and (b)(3) that you cite for justification may not be so broadly invoked as to justify the withholding of the entirety of information contained in my request. Even if some portions of the requested documents do fall under these exemptions, they need to be assessed on a case by case basis. These documents represent a vital public interest and need to be released — either in full or in part.

I trust that upon re-consideration, you will reverse the decision denying me access to this material and grant my original request. However, if you deny this appeal, I intend to pursue further avenues to compel disclosure.

As I have made this request in the capacity of a journalist, and this information is of timely value, I would appreciate your expediting the consideration of my appeal in every way possible. In any case, I will expect to receive your decision within 20 business days, as required by the statute.

Thank you

(b)(6)

Mr. Yasha Levine

(b)(6)

PS: Copies of my initial request and your denial are enclosed.

Wednesday, May 27, 2015

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505


REFERENCE DOCUMENT #1


Re: Freedom of Information Act Request

Dear FOIA Officer:

This is a request under the Freedom of Information Act.

This is a multipart request.

- 1) I request a copy of all correspondence (emails, letters, related documents and attachments) relating to Keyhole Inc. This part of the request should include all correspondence between the CIA and representatives of Keyhole Inc (e.g. John Hanke). Date range: from 1/1/2000 through 12/31/2006.
- 2) I request a copy of all correspondence (emails, letters, related documents and attachments) referring to or discussing Google's purchase of Keyhole Inc. This part of the request should include all correspondence between the CIA and representatives of Google regarding Keyhole, including Keyhole software and services. Date range: 1/1/2003 through 12/31/2014.

In order to help to determine my status to assess fees, you should know that I am a representative of the news media seeking information as part of a news gathering effort and not for commercial use. I represent print and online news publication Pando Daily (<http://pando.com>).

I request a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest. In particular: This request will help the public understand the relationship between the Central Intelligence Agency and Google's mapping service.

If you have any questions about handling this request, you may telephone me at 



Thank you for your help.

(b)(6)
(b)(6)

(b)(6)

Wednesday, May 27, 2015

Sincere

Mr. Yasha Levine

(b)(6)

(b)(6)

Central Intelligence Agency



Washington, D.C. 20505

REFERENCE DOCUMENT #2

16 June 2015

Mr. Yasha Levine

(b)(6)

Reference: F-2015-01753

Dear Mr. Levine:

This is a final response to your 27 May 2015 Freedom of Information Act (FOIA) request, received in the office of the Information and Privacy Coordinator on 27 May 2015, for the following records:

1. [You] request a copy of all correspondence (emails, letters, related documents and attachments) related to Keyhole Inc. This part of the request should include all correspondence between the CIA and representatives of Keyhole Inc., date range from 1/1/2000 through 12/31/2006.
2. [You] request copy of all correspondence (emails, letters, related documents and attachments) referring to or discussing Google's purchase of Keyhole Inc. This part of the request should include all correspondence between the CIA and representatives of Google regarding Keyhole, including Keyhole software and services. Date range 1/1/2003 through 12/31/2014.

We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

In accordance with section 3.6(a) of Executive Order 13526, the CIA can neither confirm nor deny the existence or nonexistence of records responsive to your request. The fact of the existence or nonexistence of requested records is currently and properly classified and is intelligence sources and methods information that is protected from disclosure by section 6 of the CIA Act of 1949, as amended, and section 102A(i)(1) of the National Security Act of 1947, as amended. Therefore, your request is denied pursuant to FOIA exemptions (b)(1) and (b)(3). I have enclosed an explanation of these exemptions for your reference and retention. As the CIA Information and Privacy Coordinator, I am the CIA official responsible for this determination. You have the right to appeal this response to the Agency Release Panel, in my care, within 45 days from the date of this letter. Please include the basis of your appeal.

Sincerely,

Michael Lavergne
Information and Privacy Coordinator

Enclosure

Explanation of Exemptions

Freedom of Information Act:

- (b)(1) exempts from disclosure information currently and properly classified, pursuant to an Executive Order;
- (b)(2) exempts from disclosure information which pertains solely to the internal personnel rules and practices of the Agency;
- (b)(3) exempts from disclosure information that another federal statute protects, provided that the other federal statute either requires that the matters be withheld, or establishes particular criteria for withholding or refers to particular types of matters to be withheld. The (b)(3) statutes upon which the CIA relies include, but are not limited to, the CIA Act of 1949;
- (b)(4) exempts from disclosure trade secrets and commercial or financial information that is obtained from a person and that is privileged or confidential;
- (b)(5) exempts from disclosure inter-and intra-agency memoranda or letters that would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) exempts from disclosure information from personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy;
- (b)(7) exempts from disclosure information compiled for law enforcement purposes to the extent that the production of the information (A) could reasonably be expected to interfere with enforcement proceedings; (B) would deprive a person of a right to a fair trial or an impartial adjudication; (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy; (D) could reasonably be expected to disclose the identity of a confidential source or, in the case of 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 ; (E) would disclose techniques and procedures for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; or (F) could reasonably be expected to endanger any individual's life or physical safety;
- (b)(8) exempts from disclosure information contained in reports or related to examination, operating, or condition reports prepared by, or on behalf of, or for use of an agency responsible for regulating or supervising financial institutions; and
- (b)(9) exempts from disclosure geological and geophysical information and data, including maps, concerning wells.

April 2012



CENTRAL INTELLIGENCE AGENCY

REFERENCE DOCUMENT #3

out CIA

[A \(/about-cia\)](#)
[CIA \(/about-cia/todays-cia\)](#)
[ip \(/about-cia/leadership\)](#)
[n, Mission, Ethos & Challenges \(/about-cia/cia-vision-mission-values\)](#)
[rters Tour \(/about-cia/headquarters-tour\)](#)
[um \(/about-cia/cia-museum\)](#)
[ce the Collection \(/about-cia/cia-museum/experience-the-collection\)](#)
[f the CIA \(/about-cia/history-of-the-cia\)](#)
[out-cia/faqs\)](#)
[Act \(/about-cia/no-fear-act\)](#)
[ies \(/about-cia/site-policies\)](#)

's Impact on Technology

any job you can imagine is available at the CIA. In addition to the more well-known jobs of analyst or core collector, the Agency adical professionals, IT specialists, graphic artists, and other skilled personnel—even sometimes hair stylists, carpenters, and sses—to accomplish its mission of protecting the national security of the United States. Because of the need to work in it of an independent environment, the CIA must sometimes develop technologies to meet the unique requirements of its With this in mind, you might not be surprised to learn that, after a declassification process, publicly released technologies d by CIA have gone on to impact the world in positive ways.

IA's best examples of such technology may hit closer to home than you'd think—the lithium-ion battery. Developed in the CIA to solve the problems of varying reliability and short lifespan of batteries, the lithium-ion battery improved the performance lance equipment and prolonged the operation of reconnaissance satellites. In the modern sense, the benefits of this ed technology can be felt all the way from professional arenas such as, the medical community's use of it in pacemakers, to al arenas like powering your cell phone or digital camera.

ical community often benefits from research and development performed by the CIA and other Intelligence Community ions. For example, to assist radiologists in detecting breast cancer, CIA provided technology originally developed for the of satellite imagery. Specifically, the technique involved aligning and comparing digital x-ray images taken over time to identify ges. These results were particularly helpful in diagnosing breast cancer in women under 50, where diagnosis is particularly The use of these methods is believed to have considerably reduced the number of deaths from breast cancer.

loped the Identi-Kit to assist in sketching the face of a person of interest based upon witness recollections. The kit breaks a mage into component parts—hair, brows, eyes, nose, lips, chin-line with ears, and age lines, plus beard, hat, and glasses, if ntains several dozen transparent slides picturing each of these components with different types of contours, 500 slides in all, notches on the side for different placements of each feature. From the kit's catalog of slides, a witness selects those that best ie subject person's facial characteristics. The resulting image is not a finished portrait but a reasonably good line-drawing of a physical contours. A key benefit of the kit is the ease with which it permits a sketch to be sent quickly via telephone using codes that enable reconstruction of the sketch with another kit. The kit also provides a standardized set of facial descriptors be used in identifying a wide spectrum of individuals. After intelligence officers thoroughly proved Identi-Kit's utility in many perations over recent years, CIA released it to police forces for use in apprehending criminals.

ditional way that CIA has helped make a significant impact on the world is through one of its former employees. Robert Barron, y certified clinical anaplastologist, honed much of his natural artistic talents during his work as a CIA disguise specialist. stired from CIA in 1993, Barron now works with medically disfigured patients to improve their confidence and restore their

identity by designing prosthetics tailored specifically for each patient. Barron credits his time at the CIA as the foundation for his career, stating, "my work with disguises is what led me to where I am now." He further explained that each operational piece he created at CIA was "unique and demanded creativity," much like the prosthetics he currently designs. If you are interested in reading more about Barron, click here to access a previously featured article about him.

One CIA-assisted technology probably most familiar to you is one many of us use on a regular basis: Google Earth. In February 2004, CIA-funded venture capitalist firm In-Q-Tel made a strategic investment in Keyhole, Inc., a pioneer of interactive 3-D earth visualization and creator of the groundbreaking rich-mapping EarthViewer 3D system. CIA worked closely with other intelligence community organizations to tailor Keyhole's systems to meet their needs. The finished product transformed the way intelligence officers interact with geographic information and earth imagery. Users could now easily combine complicated sets of data and imagery into realistic visual representations. Users could "fly" from space to street level seamlessly while interactively exploring layers of information including roads, schools, businesses, and demographics. In the private sector, this flyover capability was so compelling that TV networks used EarthViewer 3D to fly over Iraqi cities and landscapes in news broadcasts using publicly available satellite imagery. All of this acclaim eventually caught the attention of Google Inc., a multinational cyber-focused corporation, which acquired Keyhole in 2004, thereby laying the groundwork for the development of Google Earth.

Next time you are exploring a new land from the comfort of your laptop or snapping pictures with your lithium-battery-powered camera, take a moment to think about some other ways CIA technology may have improved life outside its walls.

Updated: Jul 23, 2012 09:08 AM
Last updated: Feb 18, 2014 01:09 PM

GALLERIES

[Afghan Gallery \(/about-cia/cia-museum/galleries.html#afghan-gallery\)](#)

[Office of Strategic Service \(/about-cia/cia-museum/galleries.html#office-of-strategic-service\)](#)

[Cold War \(/about-cia/cia-museum/galleries.html#cold-war-gallery\)](#)

[Directorate of Intelligence \(/about-cia/cia-museum/galleries.html#directorate-of-intelligence-gallery\)](#)

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News & Press

6/27/15, 10:38 AM

REFERENCE DOCUMENT #4



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In-Q-Tel Announces Strategic Investment in Keyhole

NIMA uses technology to support the conflict in Iraq

June 25, 2003

Arlington, VA and Mountain View, CA

In-Q-Tel, a private nonprofit venture funded by the Central Intelligence Agency, today announced a strategic investment in Keyhole Corp., a pioneer of interactive 3D earth visualization. The investment, made in February 2003, was In-Q-Tel's first engagement with a company on behalf of the National Imagery and Mapping Agency (NIMA).

Immediately demonstrating the value of Keyhole's technology to the national security community, NIMA used the technology to support United States troops in Iraq. "Within two weeks of In-Q-Tel's engagement with Keyhole, we implemented the technology to support our mission within the Pentagon," said Rob Zitz, Director of NIMA's InnoVision directorate. "Introducing technologies like Keyhole is part of NIMA's effort to transform the intelligence business, and the way we serve our customers."

Keyhole's EarthViewer 3D client application uses videogame-like 3D graphics and access to massive databases of network-hosted earth information, including satellite imagery and aerial photography, to produce an interactive digital model of the earth. Keyhole's EarthSystem™ combines a tradition of 3D graphics technology for flight simulators with innovative network-streaming technology to deliver enterprise software solutions for large business and government customers, as well as an Application Service Provider solution for professional and consumer users. The result is a virtual flyover experience—so compelling that multiple TV media networks recently used EarthViewer 3D to 'fly' over Iraqi cities and landscapes in news broadcasts using publicly available satellite images. In addition to media customers, Keyhole solutions serve a broad range of markets including real estate, transportation, insurance, consumer and government.

"In-Q-Tel invested in Keyhole because it offers government and commercial users a new capability to radically enhance critical decision making. Through its ability to stream very large geospatial datasets over the Internet and private networks, Keyhole has created an entirely new way to interact with earth imagery and feature data," said Gilman Louie, CEO of In-Q-Tel. "With Keyhole's technology, individuals can see and manipulate their world in 3D, meeting their business and operational challenges in powerful geographic context."

Media Resources

Corporate Information

Fact Sheet

Investment Portfolio

Team Biographies

Please contact our [outreach team](#) if you require more information.

NOTE: To view the above documents you will need the Acrobat Reader, available [free here](#).



News & Press

6/27/15, 10:36 AM

"Keyhole's strategic relationship with In-Q-Tel means that the Intelligence Community can now benefit from the massive scalability and high performance of the Keyhole enterprise solution," said John Hanke, CEO of Keyhole. "By capitalizing on trends in commercial markets, In-Q-Tel is supporting an ever-higher standard of advanced technology adoption in government. Keyhole is pleased to help set that standard for large-scale 3D geospatial visualization."

NIMA's success with Keyhole highlights the significant overlap between technology needs across the agencies of the Intelligence Community. "By investing in Keyhole, In-Q-Tel is helping CIA and NIMA leverage limited resources and gain access to a technology of high potential value to both organizations," said Louie. Working through CIA, NIMA became a limited partner with In-Q-Tel in the summer of 2002. In addition to an equity investment, In-Q-Tel is partnering with Keyhole to further enhance Keyhole EarthSystem's compatibility with a variety of government datasets through adoption of advanced GIS data standards.

About In-Q-Tel

In-Q-Tel is a private, independent, enterprise funded by the CIA. Launched in 1999, In-Q-Tel's mission is to identify and invest in companies developing cutting-edge information technologies that serve United States national security interests. Working from an evolving strategic blueprint that defines the CIA's critical information technology needs, In-Q-Tel engages with entrepreneurs, established companies, researchers and venture capitalists to deliver technologies that pay out in superior intelligence capabilities for the CIA and the larger Intelligence Community.

About Keyhole Corporation

Based in Mountain View, CA, Keyhole, Inc., is the pioneer of interactive 3D earth visualization and creator of the groundbreaking rich-mapping EarthViewer 3D system that transforms the way users interact with geographic information and earth imagery. Keyhole's EarthViewer 3D accelerates and enhances decisions for business and government by enabling fast, fluid interaction with massive network-resident databases of earth imagery and geospatial information. Users can 'fly' from space to street level seamlessly while interactively exploring layers of information including roads, schools, businesses, and demographics. Further information about Keyhole is available at <http://www.earthviewer.com>.

About NIMA

NIMA (<http://www.nima.mil>) is a member of the National Intelligence Community and a DoD Combat Support Agency. NIMA's mission is to provide timely, relevant and accurate Geospatial Intelligence in support of national security. Geospatial Intelligence is the analysis and visual representation of security-related activities on the Earth. Headquartered in Bethesda, Md., NIMA operates major facilities in the northern Virginia, Washington, D.C., and St. Louis, Mo. areas. NIMA Support Teams serve customers around the nation and the world.

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http://archive.org/web/20050407181747/http://www.in-q-tel.com/news/releases/06_25_03.html

Page 2 of 3

FAX COVER SHEET

TO	Information and Privacy Coordinator
COMPANY	Central Intelligence Agency
FAXNUMBER	17036133007
FROM	Yasha Levine
DATE	2015-06-28 18:48:42 GMT
RE	Re: Freedom of Information Act Request (F-2015-01753) — C/O Michael Lavergne

COVER MESSAGE

This fax contains a formal appeal to your June 16 2015 reply. Please direct it to Michael Lavergne, Information and Privacy Coordinator.

If you have any questions don't hesitate to contact me at [redacted]

(b)(6)
(b)(6)

Thank you,

Yasha Levine

Reporter, Pando.com

WWW.EFAX.COM