

UNITED STATES OF AMERICA

v.

Manning, Bradley E.
PFC, US Army,
HHC, US Army Garrison,
Joint Base Myer-Henderson Hall
Fort Myer, Virginia 22211

STIPULATION OF
EXPECTED TESTIMONY

Mr. Nicholas M. Murphy

27 June 2013

It is hereby agreed by the Accused, Defense Counsel, and Trial Counsel, that if Senior Advisor for the Office of Information Programs and Services Mr. Nicholas M. Murphy were present to testify during the merits and pre-sentencing phases of this court-martial, he would testify substantially as follows.

1. I am currently a Senior Advisor with the Office of Information Programs and Services (IPS), Bureau of Administration, Department of State (DoS). In this capacity, I advise on information access with focuses on the classification and declassification of information. Since 1996, I have served as the DoS Liaison to the Interagency Security Classification Appeals Panel (ISCAP) and, since 2005, I have served as the alternate Department of State Representative to the ISCAP. The ISCAP is the panel established by Executive Order 12958 to, among other functions, adjudicate the denial of access to classified information requested under the mandatory review provisions of the E.O. Prior to this, I served as a Foreign Service Officer with service in Turkey, Lebanon, Saudi Arabia, France, and Senegal, as well as multiple postings in Washington, D.C. I have been an employee of IPS or its predecessor organizations for twenty-four years, and have over forty-five years of experience in management of access to national security information, security, and intelligence, including serving as the State Department representative on the drafting committees for the Executive Orders (E.O.) on classified national security information (E.O. 12958 and E.O. 13526), and their implementing directives. I have been involved in the implementation of the Freedom of Information Act policies in the Department and have been working with classification and declassification issues since 1990.

2. I am also an Original Classification Authority (OCA) and have been an OCA for approximately twenty-three years. My responsibilities in that position include the review of Department State information for classification purposes pursuant to E.O. 13526. Per E.O. 13526, Section 1.3, the authority to classify information originally may be exercised only by an OCA, and must be delegated by the President, the Vice President, or an agency head or designated official.

3. Information which requires protection in the interest of the national security of the United States is designated classified national security information per E.O. 13526, Classified National Security Information, signed by President Obama on 29 December 2009, and for information classified prior to June 27, 2010, according to E.O. 12958 signed by President Clinton on April 17, 1995, as amended by President George W. Bush on March 25, 2003. Information is classified in levels commensurate with the assessment that unauthorized disclosure could cause the following expected damage to national security: for exceptionally grave damage to national

security – Top Secret; for serious damage to national security – Secret; and for damage to national security – Confidential.

4. Within the Department of State, classified information is handled and protected in accordance with:

- a. E.O. 13526 (and predecessor orders) on Classified National Security Information;
- b. Information Security Oversight Office (ISOO) Implementing Directive, Classified National Security Information, 32 CFR Parts 2001 and 2003; and
- c. The 12th volume of the Foreign Affairs Manual (FAM), section 500, titled Information Security.

5. In total, five categories of classified information, as identified in E.O. 13526 and its predecessor E.O.'s, were included in the documents I reviewed. Because the mission of the Department of State encompasses the conduct of foreign relations of the United States, the Department relies primarily upon two classification categories when protecting national security information, which are identified in Section 1.4 of E.O. 13526 as 1.4(b) (foreign government information) and 1.4(d) (foreign relations or foreign activities of the United States, including confidential sources). Additionally, a small number of specific documents described below also require protection under classification categories 1.4(a) (military plans, weapons systems or operations), 1.4(e) (scientific, technological or economic matters) and 1.4(g), (vulnerabilities and capabilities of systems and installations). These classification categories apply to the documents in cases where the subject of the diplomatic discourse or communication also included a discussion of information related to these categories. The reason for classification of each cable is identified below.

6. Classified information should be handled and examined only under such conditions as are adequate to prevent unauthorized persons from gaining access. Classified material may not be removed from designated work areas or moved from information systems, e.g., classified databases, computer networks, servers, or computers, except in the performance of official duties and under special conditions which provide protection for the classified material.

7. I reviewed the 117 charged Department of State cables, or telegrams, related to this case. Specifically, I reviewed all of the cables contained in **Appellate Exhibit 501** and with the BATES numbers: 00376954-00376959, 00376964-00377030, 00377033-00377044, 00377049-00377098, 00377104-00377136, 00377141-00377185, 00377188-00377365, 00377370-00377391, 00377395-00377424, 00377499-00377572, 00377638-00377653, and 00377660-00377671.

Prosecution Exhibit (PE) 1169c, 170c, 171c, 172c, 173c, 174c, 175c, 176c, 177c
for Identification contains all of these documents. In consultation with the subject matter experts in each of the relevant geographic and functional bureaus, as an OCA, I determine the following for each charged cable:

a. The 10REYKJAVIK13 telegram is an official telegram from Embassy Reykjavik, dated January 13, 2010 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) at the time it was generated and remained classified in the first half of 2010.

b. The 99ISLAMABAD495 telegram is an official telegram from Embassy Islamabad, dated January 25, 1999 to the Department of State. This telegram is six pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

c. The 05ALGIERS1836 telegram is an official telegram from Embassy Algiers, dated August 29, 2005 to the Department of State. This telegram is six pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

d. The 06ALGIERS1961 telegram is an official telegram from Embassy Algiers, dated November 12, 2006 to the Department of State. This telegram is six pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

e. The 06 BAGHDAD2646 telegram is an official telegram from Embassy Baghdad, dated July 24, 2006 to the Department of State. This telegram is three pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram remained classified SECRET under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

f. The 06BAGHDAD4205 telegram is an official telegram from Embassy Baghdad, dated November 10, 2006 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

g. The 06BEIRUT3603 telegram is an official telegram from Embassy Beirut, dated November 11, 2006 to the Department of State. His telegram is six pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

h. The 06BEIRUT3604 telegram is an official telegram from Embassy Beirut, dated November 12, 2006 to the Department of State. This telegram is four pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram remained SECRET under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

i. The 06BEIRUT3703 telegram is an official telegram from Embassy Beirut, dated November 27, 2006 to the Department of State. This telegram is four pages. Portions of the

telegram were properly classified SECRET under E.O. 12958 at the time it was generated and portions of the telegram remained classified SECRET under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

j. The 06BELGRADE1681 telegram is an official telegram from Embassy Belgrade, dated October 17, 2006 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

k. The 06COLOMB01889 telegram is an official telegram from Embassy Colombo, dated November 10, 2006 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

l. The 06KABUL5420 telegram is an official telegram from Embassy Kabul, dated November 10, 2006 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

m. The 06KABUL5421 telegram is an official telegram from Embassy Kabul, dated November 10, 2006 to the Department of State. This telegram is seven pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

n. The 06KABUL5435 telegram is an official telegram from Embassy Kabul, dated November 12, 2006 to the Department of State. This telegram is six pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

o. The 06KATHMANDU3023 telegram is an official telegram from Embassy Kathmandu, dated November 10, 2006 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

p. The 06KATHMANDU3024 telegram is an official telegram from Embassy Kathmandu, dated November 10, 2006 to the Department of State. This telegram is seven pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

q. The 06KUWAIT4430 telegram is an official telegram from Embassy Kuwait, dated November 10, 2006 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

r. The 06KUWAIT4438 telegram is an official telegram from Embassy Kuwait, dated November 12, 2006 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4(d) in the first half of 2010.

s. The 06MADRID2955 telegram is an official telegram from Embassy Madrid, dated November 27, 2006 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

t. The 06MADRID2956 telegram is an official telegram from Embassy Madrid, dated November 27, 2006 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

u. The 06PRISTINA947 telegram is an official telegram from US Office Pristina, dated November 11, 2006 to the Department of State. This telegram is six pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

v. The 06PRISTINA948 telegram is an official telegram from US Office Pristina, dated November 11, 2006 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

w. The 06RIYADH8811 telegram is an official telegram from Embassy Riyadh, dated November 11, 2006 to the Department of State. This telegram is six pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram remained classified SECRET under E.O. 13526 under Sections 1.4 (a), (b) and (d) in the first half of 2010.

x. The 06SEOUL3882 telegram is an official telegram from Embassy Seoul, dated November 10, 2006 to the Department of State. This telegram is three pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated and portions of the telegram remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

y. The 06SEOUL3885 telegram is an official telegram from Embassy Seoul, dated November 12, 2006 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections (b) and (d) in the first half of 2010.

z. The 06SUVA489 telegram is an official telegram from Embassy Suva, dated November 12, 2006 to the Department of State. This telegram is six pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

aa. The 06TAIPEI3830 telegram is a telegram from the American Institute Taiwan (AIT), Taipei, dated November 12, 2006 to the Department of State. This telegram is two pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated and portions of the telegram remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

bb. The 06TRIPOLI645 telegram is an official telegram from Embassy Tripoli, dated November 10, 2006 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

cc. The 06TRIPOLI648 telegram is an official telegram from Embassy Tripoli, dated November 10, 2006 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4(d) in the first half of 2010.

dd. The 07ADDISABABA2197 telegram is an official telegram from Embassy Addis Ababa, dated July 13, 2007 to the Department of State. This telegram is seven pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4(d) in the first half of 2010.

ee. The 07ANKARA23 telegram is an official telegram from Embassy Ankara, dated January 8, 2007 to the Department of State. This telegram is three pages. The telegram was classified CONFIDENTIAL under E.O. 12958 at the time it was generated and a portion of the telegram remained CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010 in the first half of 2010.

ff. The 07ANKARA2468 telegram is an official telegram from Embassy Ankara, dated October 4, 2007 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and

portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

gg. The 07ASHGABAT1359 telegram is an official telegram from Embassy Ashgabat, dated December 14, 2007 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

hh. The 07BAGHDAD35 telegram is an official telegram from Embassy Baghdad, dated January 5, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram remained classified SECRET under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

ii. The 07BAGHDAD36 telegram is an official telegram from Embassy Baghdad, dated January 5, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

jj. The 07BAGHDAD37 telegram is an official telegram from Embassy Baghdad, dated January 5, 2007 to the Department of State. This telegram is seven pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

kk. The 07BAGHDAD42 telegram is an official telegram from Embassy Baghdad, dated January 7, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

ll. The 07BAGHDAD53 telegraph is an official telegram from Embassy Baghdad, dated January 7, 2007 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

mm. The 07BAGHDAD56 telegraph is an official telegram from Embassy Baghdad, dated January 7, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

nn. The 07BAGHDAD63 telegram is an official telegram from Embassy Baghdad, dated January 7, 2007 to the Department of State. This telegram is six pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram

remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

oo. The 07BAGHDAD64 telegram is an official telegram from Embassy Baghdad, dated January 7, 2007 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and remained classified in the first half of 2010.

pp. 07BAGHDAD70 is an official telegram from Embassy Baghdad, dated January 8, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

qq. The 07BANGKOK111 telegraph is an official telegram from the Embassy in Bangkok, dated January 8, 2007 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

rr. The 07BASRAH3 telegram is an official telegram from Embassy Office Basrah, dated January 5, 2007 to the Department of State. This telegram is three pages. The telegram was properly classified SECRET in part under E.O. 12958 at the time it was generated and portions remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

ss. The 07BEIJING152 telegram is an official telegram from Embassy Beijing, dated January 8, 2007 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

tt. 07BEIRUT1958 is an official telegram from Embassy Beirut, dated December 14, 2007 to the Department of State. This telegram is six pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4(d) in the first half of 2010.

uu. The 07BOGOTA101 telegram is an official telegram from Embassy Bogota, dated January 5, 2007 to the Department of State. This telegram is seven pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4(d) in the first half of 2010.

vv. The 07BOGOTA5118 telegram is an official telegram from Embassy Bogota, dated July 13, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of

the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

ww. The 07BRATISLAVA665 telegram is an official telegram from Embassy Bratislava, dated December 14, 2007 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL in part under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

xx. The 07BRIDGETOWN23 telegram is an official telegram from Embassy Bridgetown, dated January 5, 2007 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

yy. The 07BUENOSAIRES1341 telegram is an official telegram from Embassy Buenos Aires, dated July 13, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

zz. The 07CARACAS2346 telegram is an official telegram from Embassy Caracas, dated December 14, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4(d) in the first half of 2010.

aaa. The 07CARACAS35 telegram is an official telegram from Embassy Caracas, dated January 5, 2007 to the Department of State. This telegram is six pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4(d) in the first half of 2010.

bbb. The 07DHAKA24 telegram is an official telegram from Embassy Dhaka, dated January 7, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4(b) and (d) in the first half of 2010.

ccc. The 07KABUL68 telegram is an official telegram from Embassy Kabul, dated January 7, 2007. This telegram is four pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

ddd. The 07KINGSTON25 telegram is an official telegram from Embassy Kingston, dated January 5, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and

portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

eee. The 07KUALALUMPUR40 telegram is an official telegram from Embassy Kuala Lumpur, dated January 8, 2007 to the Department of State. This telegram is two pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

fff. The 07LAGOS719 telegram is an official telegram from Embassy Lagos, dated November 1, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of it remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

ggg. The 07LAPAZ1949 telegram is an official telegram from Embassy La Paz, dated July 13, 2007 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

hhh. The 07LIMA2400 telegram is an official telegram from Embassy Lima, dated July 13, 2007 to the National Security Council and to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

iii. The 07MINSK1024 telegraph is an official telegram from Embassy Minsk, dated December 14, 2007 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

jjj. The 07MOSCOW5824 telegram is an official telegram from Embassy Moscow, dated December 14, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

kkk. The 07MOSCOW5825 telegram is an official telegram from Embassy Moscow, dated December 14, 2007 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

lll. The 07NEWDELHI80 telegram is an official telegram from Embassy New Delhi, dated January 8, 2007 to the Department of State. This telegram is three pages. The telegram was

properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

mmm. The 07PANAMA1197 telegram is an official telegram from Embassy Panama, dated July 13, 2007 to the Department of State. This telegram is seven pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

nnn. The 07PANAMA1198 telegram is an official telegram from Embassy Panama, dated July 13, 2007 to the Department of State. This telegram is two pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

ooo. The 07PARIS4722 telegram is an official telegram from Embassy Paris, dated December 14, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

ppp. The 07PARIS4723 telegram is an official telegram from Embassy Paris, dated December 14, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d)(e) in the first half of 2010.

qqq. The 07RANGOON22 is an official telegram from Embassy Rangoon, dated January 8, 2007 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

rrr. The 07REYKJAVIK203 telegram is an official telegram from Embassy Reykjavik, dated July 13, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remain CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

sss. The 07RIYADH21 telegram is an official telegram from Embassy Riyadh, dated January 8, 2007 to the Department of State. This telegram is two pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

ttt. The 07RIYADH22 is an official telegram from Embassy Riyadh, dated January 8, 2007 to the Department of State. This telegram is two pages. The telegram was properly classified

CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

uuu. The 07RIYADH23 telegram is an official telegram from Embassy Riyadh, dated January 8, 2007 to the Department of State. This telegram is two pages. The telegram was properly classified SECRET under E.O. 12958 at the time it was generated. The telegram remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

vvv. The 07SANSALVADOR1375 telegram is an official telegram from Embassy San Salvador, dated July 13, 2007 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (a)(d)(g) in the first half of 2010.

www. The 07SANTODOMINGO28 telegram is an official telegram from Embassy Santo Domingo, dated January 8, 2007 to the Department of State. This telegram is nine pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

xxx. The 07SUVA18 telegram is an official telegram from Embassy Suva, dated January 7, 2007 to the Department of State. This telegram is seven pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

yyy. The 07TUNIS47 telegram is an official telegram from Embassy Tunis, dated January 5, 2007 to the Department of State. This telegram is five pages. The telegram was properly classified SECRET in part under E.O. 12958 at the time it was generated and portions remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

zzz. The 07USUNNEWYORK573 telegram is an official telegram from the United States UN Mission, dated July 13, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

aaaa. The 07USUNNEWYORK575 telegram is an official telegram from the US Mission to the United Nations, dated July 13, 2007 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

bbbb. The 07USUNNEWYORK578 telegram is an official telegram from the US Mission to the United Nations, dated July 13, 2007 to the Department of State. This telegram is four

pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

cccc. The 07VIENTIANE12 is an official telegram from the American Embassy Vientiane, dated January 8, 2007 to the Department of State. This telegram is nine pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

dddd. The 07VILNIUS13 telegram is an official telegram from Embassy Vilnius, dated January 8, 2007 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

eeee. The 08AMMAN535 telegram is an official telegram from Embassy Amman, dated February 20, 2008 to the Department of State. This telegram is ten pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

ffff. The 08CAIRO569 telegram is an official telegram from Embassy Cairo, dated March 23, 2008 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

gggg. The 08DARESSALAAM206 telegram is an official telegram from Embassy Dares Salaam, dated April 1, 2008 to the Department of State. This telegram is six pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

hhhh. The 08KHARTOUM246 telegram is an official telegram from Embassy Khartoum, dated February 20, 2008 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of it remained CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

iiii. The 08KHARTOUM428 telegram is an official telegram from Embassy Khartoum, dated March 23, 2008 to the Department of State. This telegram is nine pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

jjjj. The 09ADDISABABA1063 telegram is an official telegram from Embassy Addis Ababa, dated May 7, 2009 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of it remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

kkkk. The 09BAGHDAD2390 telegram is an official telegram from Embassy Baghdad, dated September 5, 2009 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

llll. The 09BAMAKO85 telegram is an official telegram from Embassy Bamako, dated February 12, 2009 to the Department of State. This telegram is seven pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

mmmm. The 09BOGOTA2873 telegram is an official telegram from Embassy Bogota, dated September 4, 2009 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

nnnn. The 09BRASILIA1112 telegram is an official telegram from Embassy Brasilia, dated September 4, 2009 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

oooo. The 09BRASILIA1113 telegram is an official telegram from Embassy Brasilia, dated September 4, 2009 to the Department of State. This telegram is eight pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b Xd) in the first half of 2010.

pppp. The 09CARACAS1168 telegram is an official telegram from Embassy Caracas, dated September 4, 2009 to the Department of State. This telegram is six pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

qqqq. The 09LIMA1309 telegram is an official telegram from Embassy Lima, dated September 4, 2009 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

rrrr. The 09MEXICO2658 telegram is an official telegram from Embassy Mexico City, dated September 4, 2009 to the Department of State. This telegram is two pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

ssss. The 09NEWDELHI267 telegram is an official telegram from Embassy New Delhi, dated February 12, 2009 to the Department of State. This telegram is six pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

tttt. The 09PARIS217 telegram is an official telegram from Embassy Paris, dated February 12, 2009 to the Department of State. This telegram is two pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

uuuu. The 09PRAGUE88 telegram is an official telegram from Embassy Prague, dated February 12, 2009 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

vvvv. The 09PRISTINA58 telegram is an official telegram from Embassy Pristina dated February 12, 2009 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

www. The 09RIYADH1156 is an official telegram from Embassy Riyadh, dated September 5, 2009 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

xxxx. The 09SANTIAGO831 telegram is an official telegram from Embassy Santiago, dated September 4, 2009 to the Department of State. This telegram is three pages. The telegram was properly classified CONFIDENTIAL E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

yyyy. The 09SANTIAGO833 telegram is an official telegram from Embassy Santiago, dated September 4, 2009 to the Department of State. This telegram is seven pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated

and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

zzzz. The 09SANTIAGO835 telegram is an official telegram from Embassy Santiago, dated September 4, 2009 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (b) in the first half of 2010.

aaaaa. The 09SANTODOMINGO1017 telegram is an official telegram from Embassy Santo Domingo, dated September 4, 2009 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

bbbbb. The 09STATE92632 telegram is an official telegram from the Department, dated September 4, 2009 to the Embassy in Moscow. This telegram is four pages. The telegram was properly classified SECRET in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified SECRET under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

ccccc. The 09STATE92641 telegram is an official telegram from the Department, dated September 4, 2009 to Embassy Colombo and a number of other posts. This telegram is six pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

ddddd. The 09STATE92655 is an official telegram from the Department of State, dated September 4, 2009 to Embassy Tegucigalpa. This telegram is five pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

eeeee. The 09STATE92657 telegram is an official telegram from the Department of State, dated September 4, 2009 to the Embassies in Moscow, Kyiv, and Astana. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (a)(b) and (d)(e) in the first half of 2010.

fffff. The 09TEGUCIGALPA891 telegram is an official telegram from Embassy Tegucigalpa, dated September 4, 2009 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

ggggg. The 09TEGUCIGALPA892 telegram is an official telegram from Embassy Tegucigalpa, dated September 4, 2009 to the Department of State. This telegram is two pages.

The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

hhhhh. The 10BRUSSELS382 telegram is an official telegram from the US Mission to the European Union in Brussels, dated March 30, 2010 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

iiii. The 10GENEVA347 telegram is an official telegram from the US Mission in Geneva, dated March 30, 2010 to the Defense Intelligence Agency (DIA) and other addressees. This telegram is thirteen pages. The telegram was properly classified SECRET in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified SECRET under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

jjjj. The 10LIMA333 telegram is an official telegram from Embassy Lima, dated March 29, 2010 to the Department of State. This telegram is six pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first year of 2010.

kkkk. The 10PRETORIA636 telegram is an official telegram from Embassy Pretoria, dated March 30, 2010 to the Department of State. This telegram is five pages. The telegram was properly classified CONFIDENTIAL under E.O. 12958 at the time it was generated. The telegram remained classified CONFIDENTIAL under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

llll. The 10RABAT294 telegram is an official telegram from Embassy Rabat, dated March 30, 2010 to the Department of State. This telegram is twelve pages. The telegram was properly classified SECRET in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified SECRET under E.O. 13526 under Section 1.4 (d) in the first half of 2010.

mmmm. The 10TOKYO627 telegram is an official telegram from Embassy Tokyo, dated March 29, 2010 to the Department of State. This telegram is four pages. The telegram was properly classified CONFIDENTIAL in part under E.O. 12958 at the time it was generated and portions of the telegram remained classified CONFIDENTIAL under E.O. 13526 under Sections 1.4 (b) and (d) in the first half of 2010.

8. For each of those 96 cables listed above and classified as CONFIDENTIAL the following is true:

- a. First, all 96 cables were properly marked at the CONFIDENTIAL classification level.
- b. Second, disclosure of the information identified in the 96 cables reasonably could be expected to cause damage to the national security of the United States. In making this

statement regarding the classification of information in this case, I rely upon my personal knowledge and experience, the information made available to me in my official capacity, and the advice and recommendations received from experts within the geographic and functional bureaus.

c. Third, the 96 cables and the information contained in them were classified at the CONFIDENTIAL level at the time of their creation, and remained classified at the CONFIDENTIAL level in the first half of 2010 and at the time of their disclosure. These cables were classified pursuant to Section 1.4 of E.O. 13526, or its predecessor E.O.s, because they contained information that, if released, could cause damage to national security.


9. For each of those 21 cables listed above and classified as SECRET the following is true:

a. First, all 21 cables were properly marked at the SECRET classification level.

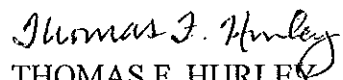
b. Second, disclosure of the information identified in the 21 cables reasonably could be expected to cause serious damage to the national security of the United States. In making this statement regarding the classification of information in this case, I relied upon my personal knowledge and experience, the information made available to me in my official capacity, and the advice and recommendations received from experts within the geographic and functional bureaus.

c. Third, the 21 cables and the information contained in them were classified at the SECRET level at the time of their creation, and remained classified at the SECRET level in the first half of 2010 and at the time of their disclosure. These cables were classified pursuant to Section 1.4 of E.O. 13526, or its predecessor E.O.s, because they contained information that, if released, could cause serious damage to national security.


10. Of the cables I reviewed in the Net Centric Diplomacy database, a portion of them were found to be technically deficient in terms of marking. That is, they contained no declassification date, were missing authority, or improperly cited the E.O.s. However, the presence of technical marking deficiencies does not mean that the cables were not classified. Moreover, I found that portions of some of the cables I reviewed were no longer sensitive.



ANGEL M. OVERGAARD
CPT, JA
Assistant Trial Counsel



THOMAS F. HURLEY
MAJ, JA
Military Defense Counsel



BRADLEY E. MANNING
PFC, USA
Accused