



Washington, D.C. 20505

9 December 2009

APPROVED FOR RELEASE □ DATE: 06-16-2010
---

Kel McClanahan, Esq.  
Executive Director  
National Security Counselors  
1200 South Courthouse Road  
Suite 124  
Arlington, VA 22204

Reference: F-2010-00075

Dear Mr. McClanahan:

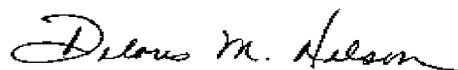
This acknowledges receipt of your 9 November 2009 letter concerning your 8 October 2009 Freedom of Information Act (FOIA) request for copies of **“all Central Intelligence Agency (‘CIA’) records, including cross-references, pertaining to regulations, policies, and guidelines governing the assertion of the State Secrets Privilege by the Director of CIA (or his designee) in ongoing federal cases, including but not limited to:**

- 1) Regulations, policies, or guidelines addressing the question of when and when not to assert this privilege;**
- 2) Regulations, policies, or guidelines addressing what information to include in declarations or affidavits submitted to the court in support of the assertion of this privilege; and**
- 3) Correspondence, emails, meeting minutes, and records of any discussions regarding these regulations, policies, or guidelines.”**

In our 4 November 2009 acceptance letter, we stated that we are currently processing a request for the same records from another requester and would provide you the same CIA-originated records from that request, if released. You have asked that we not limit our search to CIA-originated records. Please be advised that we are not limiting our search to CIA-originated records in the original request. Since we are not authorized to release other agency documents, if other agency documents are located, we will be required to forward the documents to the appropriate agency(ies) for their review and determination as to their release. However, we will forward to you the same releasable CIA-originated records, if any exist.

We have accepted your request and will process it in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act. Our updated search will be for all records, regardless of origin, existing from 12 August 2008 through the date of this acceptance letter. The previous request covers a search through 11 August 2008.

Sincerely,

A handwritten signature in cursive script that reads "Delores M. Nelson".

Delores M. Nelson  
Information and Privacy Coordinator

