

Central Intelligence Agency



Washington, D.C. 20505

January 8, 2010



(b)(6)

Reference: F-2010-00435

Dear



(b)(6)

On 29 December 2009 the office of the Information and Privacy Coordinator received your Freedom of Information Act (FOIA) request dated 17 December 2009 for records concerning yourself and various individuals who you believe have taken actions against you and your family. Your request for information about yourself will be addressed in separate correspondence under reference number P-2010-00240.

Please note, the mission of the Central Intelligence Agency is primarily concerned with foreign intelligence -- not domestic -- matters. Section 103 (d)(1) of the National Security Act, as amended, specifically provides that "the Agency shall have no police, subpoena, law-enforcement powers, or internal security functions." Executive Order 12333, which regulates the conduct of intelligence activities in the United States and elsewhere, provides that the responsibility for domestic intelligence collection is generally within the province of the Federal Bureau of Investigation. A very limited exception to the Order is provided that permits other agencies within the Intelligence Community to collect significant foreign intelligence and counterintelligence, provided that no such effort shall be undertaken for the purpose of acquiring information about the domestic activities of United States persons. Based on the above, it is highly unlikely that we would have any records responsive to your request.

If you insist, however, we can search our records systems on the names you mention in your letter: **Glenda Titus, Jerry Kohena, Dave Cheplick, and Tracy Mace**. However, we need as much identifying information as possible before we can effectively search our files for information on an individual. Please provide us with each person's full name, date and place of birth, and citizenship status. Without this data, we may be unable to distinguish between individuals with the same or similar names. If the person is deceased, we require some evidence of death, such as a death certificate, an obituary, or a press statement to ensure there are no privacy considerations.

Agency regulations encourage requesters seeking information on living third parties

to provide a signed affidavit or declaration from the third parties waiving all or some of their privacy rights. We can search without this authorization, but if we locate responsive records, privacy concerns may require us to protect the information from release.

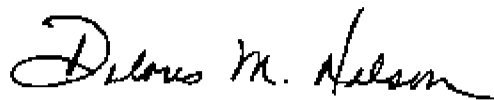
FOIA exemption (b)(6), a copy of which I have enclosed for your reference and retention, requires us to protect information “the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” In reaching this determination, we use the test our enclosed regulations outline at 32 CFR §1900.32(b): “the Agency will balance the privacy interests that would be compromised by disclosure against the public interest in release of the requested information.” Therefore, the waiver will assist us with this determination.

Further, for your information, the FOIA authorizes federal agencies to collect fees for records services. You will note on the enclosed fee schedule that we charge search fees, including computer time where indices are computerized, and copying costs for releasable documents. Search fees are assessable, and you will be charged, even if our search results are negative or if we determine that no information is releasable under the FOIA.

Based on the information provided in your letter, we determined that your request would fall into the “all other” fee category, which means that you would be required to pay charges that recover the cost of searching for and reproducing responsive records (if any) beyond the first 100 pages of reproduction and the first two hours of search time, which are free. Copies are ten cents per page.

We cannot process your request at this time and have cancelled your request. We will be happy to open a new request when you provide your fee commitment and the full name, date and place of birth, and privacy waiver or proof of death, as appropriate, for each individual in whose name you wish us to search.

Sincerely,

A handwritten signature in black ink that reads "Delores M. Nelson". The signature is fluid and cursive, with the first name "Delores" being more prominent.

Delores M. Nelson
Information and Privacy Coordinator

Enclosures

IMS/IRRG/PIPD [REDACTED] 7 January 2010

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(b)(6)

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Since it is extremely unlikely that the requester can provide the biographic information, we are cancelling this request.