



Washington, D.C. 20505

29 February 2012

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

Reference: F-2010-01440

Dear Mr. McClanahan:

On 6 July 2010, the office of the Information and Privacy Coordinator received your 5 July 2010 Freedom of Information Act (FOIA) request for "copies of a record that would indicate the ten individuals responsible for the most FOIA requests submitted (each) in Fiscal Years 2008, 2009, and 2010." Specifically you requested either (1) an index including only the ten most prolific requesters for each year; (2) an index including all requesters for each year; (3) FOIA request letters from the ten most prolific requesters for each year or (4) all FOIA request letters submitted directly to the CIA for Fiscal Years 2008, 2009 and 2010.

We have reconsidered your request. We are unable to process options 1-3 because our record systems are not configured in a way that would allow us to perform a search reasonably calculated to lead to responsive records without an unreasonable effort. The FOIA does not require federal agencies to perform research, *create records* or conduct unreasonable searches through a body of material to see if any of it is related to a particular request.

As you know, the FOIA authorizes federal agencies to collect fees for records services. You will note on the enclosed fee schedule that we charge copying costs for releasable documents. Based on the information provided in your letter, we determined that your request falls into the "all other" fee category, which requires you to pay charges to cover the cost of searching for and reproducing responsive records beyond the first 100 pages of reproduction and the first two hours of search time, which are free. Copies are ten cents per page. You will not be charged for the cost of searching because we estimate that the search will require less than two hours of search time. However, our analysts have advised me that their preliminary search reveals a large amount of documents that are

potentially responsive, encompassing thousands of pages. Our best cost estimate for your request is that the duplication fees could exceed \$950. Accordingly, we require an advance payment of \$250 and your commitment to pay all fees *prior* to the processing of your request. Please forward a check or money order in the amount of \$250, made payable to the *Treasurer of the United States* and cite your case number F-2010-01440. We will hold your request in abeyance for 45 days from the date of this letter pending your response. If we do not receive the fee commitment and the advance payment within 45 days, we will administratively close this request.

Sincerely,

A handwritten signature in black ink, appearing to be "Scott Koch", with a long horizontal stroke extending to the right.

Scott Koch
Acting Information and Privacy Coordinator

Enclosure