



Washington, D.C. 20505

MAY 17 2007

Mr. Brian Gaffney
605 Market Street, Suite 505
San Francisco, CA 94105

Reference: F-2007-01308

Dear Mr. Gaffney:

The office of the Information and Privacy Coordinator received your 9 May 2007 Freedom of Information Act (FOIA) request on behalf of your client, the Institute for Policy Studies, for:

“All records related to the CIA’s FOIA request #F-1999-00924, including the original FOIA request, all records released related thereto, and all other documents related to this FOIA request.”

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

You have requested expedited processing. We handle all requests in the order we receive them: that is, “first-in, first-out.” We make exceptions to this rule only when a requester establishes a compelling need under the standards in our regulations. A “compelling need” exists: 1) when the matter involves an imminent threat to the life or physical safety of an individual, or 2) when a person primarily engaged in disseminating information makes the request and the information is relevant to a subject of public urgency concerning an actual or alleged Federal government activity. Your request does not demonstrate a “compelling need” under these criteria and, therefore, we deny your request for expedited processing.

I must consider your request for a fee waiver under the standards the Agency FOIA regulations outline, which you will find at Part 1900 of Title 32 of the Code of Federal Regulations (CFR). I have reviewed your request under those standards and determined that your petition does not meet them because disclosing the information you seek is not likely to contribute significantly to public understanding of the operations and activities of the United States Government. I therefore deny your request for a fee waiver.

You may appeal this decision, in my care, within 45 days from the date of this letter. Should you choose to appeal the denial of your request for a fee waiver, you are

APPROVED FOR RELEASE
DATE: 02-Mar-2011

encouraged to provide an explanation supporting your appeal. Agency regulations also specify that if the Agency has started to process a request, the Agency may only accept an appeal of a fee waiver denial if the requester agrees to be responsible for the costs in the event of an adverse administrative or judicial decision.

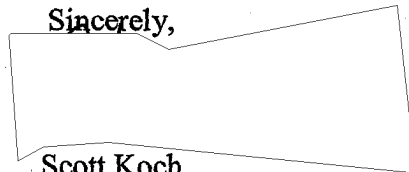
Please be advised that FOIA request F-1999-00924 is presently in litigation. This means that we are unable to make determinations on related records until the litigation is resolved.

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. In accordance with Section (a) of the schedule, search fees are assessable even if no records are found or, if found, we determine that they are not releasable. This means you will be charged even if our search results are negative or if we determine that no information is releasable under the FOIA. The search fees for each item in a request are usually about \$150.

Based upon the information provided in your letter, we determined that your request falls into the "all other" fee category, which means that you will 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 will be furnished free. Copying costs will be assessed at the rate of ten cents per page.

Before we can begin processing your request, we must receive your commitment to pay fees incurred under the conditions stated above. We will hold your request in abeyance for 45 days from the date of this letter pending receipt of your reply.

Sincerely,



Scott Koch

Information and Privacy Coordinator

Enclosure

