

F-2010-00580

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21 January 2010

Ms. Delores M. Nelson
Information and Privacy Coordinator
Central Intelligence Agency
Washington, DC 20505

APPROVED FOR RELEASE DATE:
03-01-2011

Reference: F-2009-00621

Ms. Nelson:

This is a very belated response – for which I apologize profusely - to your letter of August 20, 2009 [which I attach] concerning my FOIA request re Joaquin Sanjenis.

I received, and had intended to respond to the letter, when some serious personal matters intervened and, as a result, I forgot about the issue until I recently came across your letter again in going through some files. In it, I see I already owed you \$13.50, for which you will find a check enclosed.

You note that 45 days from the date of your letter you will terminate the processing of my request, but I now wish to ask that my original request be re-activated and, in addition to the check enclosed, as a “commercial” requester, I agree to pay a further \$250.00, or \$200 above the original \$50 I had agreed to. [the request is for a book which I am researching]

Per your letter of August 20, 2009, suggesting that I might want to write the National Archives and Records Administration – which I will do shortly – and suggest I look on the internet website, <http://foia.cia.gov>, which I have done, but found nothing regarding Joaquin Sanjenis and AMOT, the Cuban exile intelligence unit which he headed in Miami in the 1960s.

Sincerely



Don Bohning



JAN 29 2010

DONALD D. BOHNING

3442

DATE

1/20/2010

PAY TO THE ORDER OF

TREASURER OF THE UNITED STATES \$ 13,50/100

Thirteen and 50/100

DOLLARS



Security Features
Included
Details on Back

MEMO

F-2010-00580
DOCUMENT SEARCH

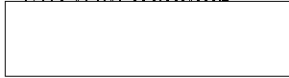
Central Intelligence Agency



Washington, D.C. 20505

20 August 2009

Mr. Don Bohning



Reference: F-2009-00621

Dear Mr. Bohning:

This acknowledges receipt of your 6 May 2009 letter wherein you provided us with additional information regarding Joaquin Sanjenis Perdomo that we had requested on 24 April 2009 concerning your 2 February 2009 Freedom of Information Act (FOIA) request for **documents/records pertaining to, Joaquin Sanjenis, Joaquin Sanjenis Perdomo and Operation 40.**

For your information, the CIA maintains a database of previously released documents which contains copies of documents released over the years to thousands of other FOIA requesters. We have conducted a search of that system and have enclosed 11 documents consisting of 135 pages which mention the subjects of your request. The documents were originally located and released as a result of searches conducted on behalf of other requesters on various subjects and as part of other release programs.

Please be advised that this Agency has instituted a program of systematic review and release of historically valuable records pertaining to intelligence activities under the provisions of Executive Order 12958. The Bay of Pigs episode is currently the subject of such a review. In fact, the first group of records consisting of more than 3,000 pages of material was recently declassified and made available to the public through the National Archives and Records Administration (NARA) and also placed on the Internet. The Internet site also includes previously released records.

This process will continue with more incremental releases in the future. You may also wish to write to National Archives and Records Administration at the following address:

**Mr. David J. Mengel, Chief
Special Access/FOIA Staff
Room 6350
The National Archives at College Park
8601 Adelphi Road
College Park, MD 20740-6001**

Alternatively, these records may be viewed at our World Wide Web site on the Internet. If you do not have access through a personal computer, access to the Internet is available at many public libraries. Our Internet Website may be found at <http://www.foia.cia.gov>.

With regard to other records on the Bay of Pigs episode, please be advised that such records reside in operational files that are exempt from the Freedom of Information Act by the provisions of the CIA Information Act, 50 U.S.C. § 431. The pertinent section of the CIA Information Act defines "operational files" as *inter alia*,

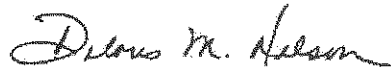
"files of the Directorate of Operations which document the conduct of foreign intelligence or counterintelligence operations of intelligence or security liaison arrangements or information exchanges with foreign governments or their intelligence or security services."

This statute means that such files are not subject to the search, review, and disclosure provision of the FOIA. Stated differently, requests that seek records contained in such files most often receive a "no records" response because, in point of fact, there are no records subject to the FOIA.

As we advised in our letter dated 24 April 2009, we can search for records responsive to your request but we will require your agreement to pay fees as a "commercial" requester as outlined in that letter. Since you initially agreed to pay \$50.00, we have enclosed the material referred to above for a total cost to you of \$13.50. The cost of these documents will be taken into consideration once the processing of your request has been completed. At that time, we will ask you to make your check payable to the Treasurer of the United States. Should you choose not to proceed with the processing of your request, please send a check or money order citing reference number F-2009-00621 to ensure proper credit to your account.

We will hold your request in abeyance for 45 days from the date of this letter pending receipt of your agreement to pay all fees in the processing of your request. If we do not hear from you within that timeframe, we will close your request.

Sincerely,



Delores M. Nelson
Information and Privacy Coordinator

Enclosures

