

Central Intelligence Agency



Washington, D.C. 20505

February 19, 2010

Ms. Catherine R. Warnock



(b)(6)

Reference: F-2010-00540

Dear Ms. Warnock:

On 29 January 2010, the office of the Information and Privacy Coordinator received your Freedom of Information Act (FOIA) request dated 25 January 2010 for information and records pertaining to **Fred A. Miller**. We assigned your request the reference number above; please use this number when corresponding about this request.

We need as much identifying information as possible before we can effectively search our files for information on an individual. Please provide us your subject's full name, specific date and place of birth, and citizenship status. If Mr. Miller is a legal permanent resident (LPR) or a naturalized U.S. citizen, we must ask you to provide the LPR or naturalization number and date he acquired that 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 press statement.

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.

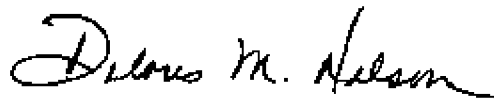
FOIA exemption (b)(6), a copy of which I have enclosed for your reference and retention, requires us to protect information "the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." In reaching this determination, we use the test our enclosed regulations outline at 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.

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 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 falls into the "all other" fee category. This 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 are free. Copies are ten cents per page. We note your agreement to pay fees up to \$50.00.

Before we can accept your request we must receive the biographic information, citizenship status, privacy waiver or proof of death, and your commitment to pay fees as described above. Meanwhile, we will hold your request in abeyance for 45 days from the date of this letter pending receipt of your response.

Sincerely,

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

Delores M. Nelson
Information and Privacy Coordinator

Enclosures

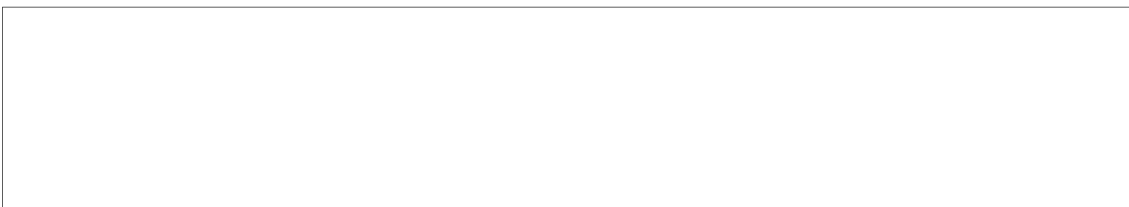
IMS/IRRG/PIPD 2 February 2010

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(b)(6)

Distribution:

Orig - Adse

1 – PAB/F-2010-00540 SPR 45 days (bio; citiz; priv. waiver or proof of death; fee commitment)



(b)(5)