

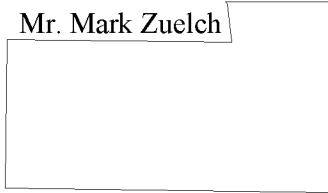
Central Intelligence Agency



Washington, D.C. 20505

28 September 2012

Mr. Mark Zuelch



(b)(6)

Reference: F-2012-02044

Dear Mr. Zuelch:

On 28 August 2012, the office of the Information and Privacy Coordinator received your 9 August 2012 Freedom of Information Act (FOIA) request for records on **Rose Cheramie**. We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

Although you have provided some of the identifying information required before we can effectively search our files on an individual, we still need additional data before we can begin processing your request. Specifically, we require the individual's *date and place of birth, date and place of death, and citizenship status*. Without this information, we may be unable to distinguish between individuals with the same or similar names. If the individual is deceased, we also 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 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.

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, review fees, and copying costs for releasable documents. Search fees are assessable, and you will be charged them, 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, which may require you to pay charges to cover 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.

I must consider your request for a fee waiver under the standards the Agency FOIA regulations outline, which you 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 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.

We will hold your request in abeyance for 45 days from the date of this letter pending receipt of the individual's **date and place of birth, date and place of death, citizenship status, and evidence of death or a privacy waiver and your commitment to pay all fees** as outlined above.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michele Meeks".

Michele Meeks
Information and Privacy Coordinator

Enclosures

IMS/IRRG/PIPD [redacted] 26 September 2012

(b)(3)
(b)(6)

Distribution:

Orig - Adse

1 - PIPD/F-2012-02044 SPR 45 days (dpob, dpod, citizenship, proof of death or privacy release, fee commitment)

[redacted]

(b)(5)

FOIA [redacted] 02044 Zuelch SPR

(b)(3)
(b)(6)

Enclosures: **Fee Schedule**
Explanation of Exemptions