

Central Intelligence Agency



Washington, D.C. 20505

12 May 2004

Mr. Tim Brown
Senior Associate
Global Security.org
300 North Washington Street
Suite B-100
Alexandria, VA 22314

Reference: F-2001-01271

Dear Mr. Brown:

This is a final response to your 22 May 2001 Freedom of Information Act (FOIA) request for a copy of "the CD-ROM set of the 2.2 million pages declassified on October 2, 2000." Your request was processed in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 431.

After due consideration, we have determined that the requested material must be denied on the basis of FOIA exemption (b)(1). An explanation of the FOIA exemptions is enclosed.

You have the right to appeal this decision by addressing your appeal to the Agency Release Panel within 45 days from the date of this letter, in my care. Should you choose to do this, please explain the basis of your appeal.

We appreciate your patience while we processed this request.

Sincerely,

A handwritten signature in cursive script that reads "Alan W. Tate".

Alan W. Tate

Acting Information and Privacy Coordinator

Enclosure

Explanation of Exemptions

Freedom of Information Act:

- (b)(1) applies to material which is properly classified pursuant to an Executive order in the interest of national defense or foreign policy;
- (b)(2) applies to information which pertains solely to the internal personnel rules and practices of the Agency;
- (b)(3) applies to information pertaining to the CIA Director's statutory obligations to protect from disclosure intelligence sources and methods, as well as the organization, functions, names, official titles, salaries or numbers of personnel employed by the Agency, in accordance with the National Security Act of 1947 and/or the CIA Act of 1949;
- (b)(4) applies to information such as trade secrets and commercial or financial information obtained from a person on a privileged or confidential basis;
- (b)(5) applies to inter- and intra-agency memoranda or letters which are predecisional and deliberative in nature, or consist of attorney work-product or attorney-client information;
- (b)(6) applies to information, the release of which would constitute an unwarranted invasion of the personal privacy of other individuals; and
- (b)(7) applies to investigatory records, the release of which could: (A) interfere with enforcement proceedings, (C) constitute an unwarranted invasion of the personal privacy of others, (D) disclose the identity of a confidential source, (E) disclose investigative techniques and procedures, or (F) endanger the life or physical safety of an individual.

Privacy Act:

- (d)(5) applies to information compiled in reasonable anticipation of a civil action or proceeding;
- (j)(1) applies to polygraph records; documents or segregable portions of documents, the release of which would disclose intelligence sources and methods, including names of certain Agency employees and organizational components; and documents or information provided by foreign governments;
- (k)(1) applies to material properly classified pursuant to an Executive order in the interest of national defense or foreign policy;
- (k)(2) applies to investigatory material compiled for law enforcement purposes;
- (k)(5) applies to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, or access to classified information, the release of which would disclose a confidential source; and
- (k)(6) applies to testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service, the release of which would compromise the testing or examination process.