

ATTACHMENT 11

Ms. Meredith Fuchs
General Counsel

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8 February 2006

concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.

- F-2006-00098 20051548CIA196: request for "any and all documents related in whole or in part to the January 8th, 1993 meeting between President Clinton and Mexican President Carlos Salinas de Gortari in Austin Texas in which NAFTA was discussed." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it does not concern a current event.
- F-2006-00099 20051551CIA197: request for "any and all documents related in whole or in part to the visit of President George H. Bush to the state of Nuevo Leon, Mexico in November, 1990 where he met with Mexican President Carlos Salinas." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it does not concern a current event.
- F-2006-00100 20051559CIA198: request for "all documents issued between February 1 and April 30, 1978, relating in whole or in part to the session of Indonesia's MPR (Majelis Permusyawaratan Rakyat; People's Consultative Assembly) in March 1978." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00106 20051573CIA202: request for "all documents issued between November 1, 1980 and January 31, 1981 relating in part or in whole to the anti-Chinese riots in Indonesia which started in November 1980 and the actions taken by the Indonesian government in response to them." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00107 20051568CIA201: request for "all documents pertaining in whole or in part to March 5, 1979 action memorandum sent from the CIA to the SCC regarding Afghanistan referenced in the attached page from Robert M. Gates, *From the Shadows*, New York: Simon & Schuster Inc., 1996, p. 144." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it does not concern a current event.
- F-2006-00118 20051586CIA208: request for "all documents pertaining in whole or in part to September 14, 1979 and December 19, 1979 'Alert' memoranda authored by CIA Director Admiral Stansfield Turner relating to Afghanistan

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General Counsel

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referenced in the attached pages from Robert M. Gates, *From the Shadows*, New York: Simon & Schuster Inc., 1996, pp. 132-133." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it does not concern a current event.

- F-2006-00129 20051601CIA213: request for "all documents issued between April 1 and August 31, 1982, relating in part or in whole to the visit of Indonesian Defense Minister Mohammed Jusuf (also spelled as Yusuf) to the United States in July 1982 and any official meetings or appearances made by him during the visit, including but not limited to his meeting with President Reagan and Secretary of Defense Weinberger." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it does not concern a current event.
- F-2006-00173 20051612CIA214: request for "copies of the Central Intelligence Agency, 'Daily Summary,' as prepared for President Harry Truman, for the following days: February 22-26, 1948; June 21-25, 1948; January 3-7, 1949; August 29-September 4, 1949; June 22-26, 1950; October 22-26, 1950." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it does not concern a current event.
- F-2006-00186 20051619CIA215: request for all documents issued between August 1, 1983, and March 31, 1985, relating in part or in whole to the Indonesian government's policy to make Pancasila the sole ideological basis of political parties and social organizations in the country." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00187 20051622CIA216: request for "all documents issued between June 1 and November 30, 1983, relating in part or in whole to the planned visit of President Ronald Reagan to Indonesia, which was canceled in October 1983." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it does not concern a current event.
- F-2006-00190 20051645CIA220: request for "all documents issued between August 1 and December 31, 1984, relating in whole or in part to the 'Petition of 50' group in Indonesia and its members including but not limited to Ali Sadikin, A. M. Fatwa, H. M. Sanusi, and H.R. Dharsono." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency

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General Counsel

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regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.

- F-2006-00191 20051637CIA219: request for "all documents issued between February 1 and May 31, 1984, relating in part or in whole to the visit of U.S. Vice President George H.W. Bush to Indonesia in May 1984 and any official meetings or appearances made by him during the visit, including but not limited to his meeting with Indonesian President Suharto (also spelled as Soeharto)." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it does not concern a current event.

I therefore place these requests in the "all other" category, which means that the Archive will be responsible for charges associated with searching for and reproducing responsive records (if any) beyond the first 100 pages of reproduction. Copies beyond the first 100 pages are ten cents per page. The first two hours of search time for each request will be free. In accordance with Section (a) of the fee schedule enclosed, search fees are assessable even if we find no records or, if we find any, we determine that they are not releasable. This means we will charge you even if our search results are negative or if we determine that we cannot release any information under the FOIA.

In accordance with the provisions of the Administrative Procedures Act, you have the right to seek judicial review of these decisions in a United States district court. Agency regulations do not provide a right of administrative appeal for a fee categorization decision. The applicable provision of 32 C.F.R. § 1900.42 (a) limits administrative appeals to three circumstances: denial of access to records or any portion thereof; searches that locate no records; and denial of requests for fee *waivers*.

Because we estimate fees to exceed \$100, our regulations require that we receive the Archive's commitment to pay fees incurred before our office can begin processing these requests. The search fees for each item in a request are usually about \$150. We will hold these requests in abeyance for 45 days pending our receipt of the Archive's commitment to pay fees. Upon our receipt of the Archive's fee commitment, we will place these thirteen requests in the processing queue using the date of the initial request letter.

Agency regulations require us to make fee category decisions on a request-by-request basis. Therefore, we will determine your fee category for future requests based on the facts of each case and the criteria outlined in Agency regulations. A detailed initial explanation why each request meets the criteria of a particular fee category may

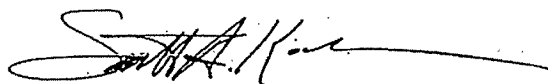
Ms. Meredith Fuchs
General Counsel

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8 February 2006

eliminate our need to ask for further clarification and will help make processing as efficient as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott A. Koch", with a long horizontal flourish extending to the right.

Scott A. Koch, Ph.D.
CIA Information and Privacy Coordinator

ATTACHMENT 12

Central Intelligence Agency



Washington, D. C. 20505

8 February 2006

Ms. Barbara Elias
The National Security Archive
Gelman Library, Suite 701
2130 H Street, N.W.
Washington, D.C. 20037

Re: National Security Archive Freedom of Information Act Requests

F-2006-00051 20051502CIA190
F-2006-00058 20051505CIA191
F-2006-00083 20051545CIA195
F-2006-00084 20051541CIA194
F-2006-00087 20051562CIA199
F-2006-00088 20051564CIA200
F-2006-00104 20051576CIA204
F-2006-00105 20051574CIA203
F-2006-00114 20051582CIA207
F-2006-00116 20051580CIA206
F-2006-00121 20051593CIA210
F-2006-00122 20051591CIA209
F-2006-00126 20051595CIA211
F-2006-00127 20051598CIA212
F-2006-00194 20051632CIA218
F-2006-00195 20051629CIA217
F-2006-00198 20051655CIA223
F-2006-00199 20051658CIA224
F-2006-00202 20051652CIA222
F-2006-00286 20051686CIA225
F-2006-00293 20051693CIA226
F-2006-00296 20051700CIA227

Dear Ms. Elias:

We have received via facsimile your letter of 27 January 2006 and supporting documentation explaining why you believe the Agency should place the National Security Archive in the "representative of the news media" fee category for purposes of the Freedom of Information Act requests referenced above. Using the standards for

20051502CIA190 CIA
RECNO:32189 SEQCOR:119155
2/13/2006 FOISG: Martinez, Emilene
Assassination of Francisco Ruiz Massieu

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defining "news" the CIA makes publicly available at 32 C.F.R § 1900.02 (h)(3), and after fully considering the facts and comprehensive arguments you set forth in your letter, I have made the following determinations in my capacity as CIA Information and Privacy Coordinator.

- F-2006-00051 20051502CIA190: request for "any and all documents related in whole or in part to the assassination of Jose Francisco Ruiz Massieu, secretary-general of the Institutional Revolutionary Party (PRI), on September 28, 1994 in downtown Mexico City." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00058 20051505CIA191: request for "any and all documents related in whole or in part to the assassination of Mexican presidential candidate from the ruling Institutional Revolutionary Party (PRI), Luis Donaldo Colosio Murrieta, on March 23rd 1994 at a campaign rally in Lomas Taurinas, a poor neighborhood in Tijuana." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00083 20051545CIA195: request for "any and all documents related in whole or in part to the joint police-military operation in the municipality of El Bosque in the Mexican state of Chiapas on June 10, 1998. The purpose of this operation was to recover a building controlled by independent Zapatista authorities which housed the offices of the autonomous municipal council of San Juan de la Libertad and serve 15 arrest warrants." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00084 20051541CIA194: request for "Any and all documents related in whole or in part to the massacre by paramilitary forces of 45 people (including a baby, children and women) in the village of Acteal (part of the municipality of Chenalho) in the Mexican state of Chiapas on December 22, 1997." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00087 20051562CIA199: request for "any and all documents related in whole or in part to the Ecologist Green Part of Mexico or Partido Verde Ecologista de Mexico (PVEM) and the Martinez Torres family that controls it. [I]

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am also interested in any documents that discuss the corruption scandals that the PVEM has faced included [sic]” I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public’s understanding of the operations or activities of the U.S. Government.

- F-2006-00088 20051564CIA200: request for “the reaction to the July 1997 mid-term elections in Mexico” I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public’s understanding of the operations or activities of the U.S. Government.
- F-2006-00104 20051576CIA204: request for “any and all documents related in whole or in part to the announcement of the candidacy of Ernesto Zedillo as Mexico’s Institutional Revolutionary Part (PRI) candidate after the assassination of Luis Donaldo Colosio in March 1994, including the US assessment on why Zedillo was selected by President Carlos Salinas as the PRI presidential candidate.” I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public’s understanding of the operations or activities of the U.S. Government.
- F-2006-00105 20051574CIA203: request for “any and all documents related in whole or in part to the 1995 unsuccessful candidacy of former Mexican President Carlos Salinas de Gortari to head the World Trade Organization and US support to his candidacy.” I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public’s understanding of the operations or activities of the U.S. Government.
- F-2006-00114 20051582CIA207: request for “any and all documents related in whole or in part to the June 7th, 1998 shooting of 11 persons by members of the Mexican army in an incident which occurred in and around the ‘Caritino Maldonado Perez’ school in the village of El Charco in the State of Guerrero.” I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public’s understanding of the operations or activities of the U.S. Government.
- F-2006-00116 20051580CIA206: request for “any and all documents related in whole or in part to the May 1984 visit of Mexican President Miguel de la Madrid to Washington. During this visit de la Madrid met with President Reagan, among topics discussed were the Contadora negotiation process in Central America and Mexico’s economic crisis.” I deny your request for news media status in this case

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because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.

- F-2006-00121 20051593CIA210: request for "any and all documents related in whole or in part to the tenure of Joaquin Hernandez Galicia ('La Quina') as head of the Mexican Oil Workers' Union." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00122 20051591CIA209: request for "any and all documents related in whole or in part to the 36-hour hunger strike that former Mexican President Carlos Salinas began on February 28, 1995 to protest the arrest of his brother Raul Salinas in connection with the assassination of Jose Francisco Ruiz Massieu, rumors that his administration was involved with the assassination of presidential candidate Luis Donaldo Colosio, and accusations that he was directly responsible for the 1994 peso crisis." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00126 20051595CIA211: request for "any and all documents related in whole or in part to Mario Villaneuva Madrid's tenure as governor of the Mexican State of Quintana Roo (1993-1999)." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00127 20051598CIA212: request for "any and all documents related in whole or in part to the Popular Revolutionary Army or Ejercito Popular Revolucionario (EPR), a leftist guerrilla movement that operates in the Mexican states of Guerrero and Oaxaca." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00194 20051632CIA218: request for "any and all documents related in whole or in part to police and military harassment of indigenous communities in the state of Chiapas in 1993, including the May 24, 1993 occupation of the village of Patate Viejo, municipio of Ocosingo, state of Chiapas, by hundreds of soldiers, who searched residents' houses and accused them of harboring guerrillas [and] the Spring 1993 repeated harassment of residents of San Isidro el Ocotal after the presumed murder of two soldiers in the area." I deny your request for news media

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status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.

- F-2006-00195 20051629CIA217: request for "any and all documents related in whole or in part to the killing of 17 peasants at the Aguas Blancas ford in the Mexican state of Guerrero on June 28, 1995." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00198 20051655CIA223: request for "any and all documents related in whole or in part to accusations that the Mexican ruling Institutional Revolutionary Party (PRI) committed electoral fraud in November 1990 municipal elections in the state of Mexico, and responses by both civil society and government in both Mexico and the United States to these charges." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00199 20051658CIA224: request for "any and all documents related in whole or in part to reforms to Mexico's electoral system made by Mexican President Carlos Salinas de Gortari in August 1990." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00202 20051652CIA222: request for "any and all documents related in whole or in part to the crackdown on the Zapatista National Liberation Army (EZLN) ordered by Mexican president Ernesto Zedillo Ponce de Leon on 9 February 1995." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.
- F-2006-00286 20051686CIA225: request for "all documents issued between June 1, 1974, and May 31, 1976, relating in whole or in part to Pertamina, Indonesia's state-owned oil company, and/or Ibnu Sutowo, Pertamina's president-director from 1967 to 1976. I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.

Ms. Barbara Elias

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- F-2006-00293 20051693CIA226: request for "all documents issued between February 1 and May 31, 1986, relating in part or in whole to the visit of US President Ronald Reagan and Secretary of State Shultz to Indonesia in April and May 1986 and any official meetings or appearances made by them and other American officials accompanying them during the visit, including but not limited to Reagan's meeting with Indonesian President Suharto (also spelled as Soeharto)." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it does not concern a current event.
- F-2006-00296 20051700CIA227: request for "all documents issued between November 1, 1987, and March 31, 1988, relating in part or in whole to the riot in Ujung Pandang, Sulawesi, Indonesia in November 1987." I deny your request for news media status in this case because it does not meet the criteria outlined in Agency regulations. For example, it neither concerns a current event nor enhances the public's understanding of the operations or activities of the U.S. Government.

I therefore place these requests in the "all other" category, which means that the Archive will be responsible for charges associated with searching for and reproducing responsive records (if any) beyond the first 100 pages of reproduction. Copies beyond the first 100 pages are ten cents per page. The first two hours of search time for each request will be free. In accordance with Section (a) of the fee schedule enclosed, search fees are assessable even if we find no records or, if we find any, we determine that they are not releasable. This means we will charge you even if our search results are negative or if we determine that we cannot release any information under the FOIA.

In accordance with the provisions of the Administrative Procedures Act, you have the right to seek judicial review of these decisions in a United States district court. Agency regulations do not provide a right of administrative appeal for a fee categorization decision. The applicable provision of 32 C.F.R. § 1900.42 (a) limits administrative appeals to three circumstances: denial of access to records or any portion thereof; searches that locate no records; and denial of requests for fee *waivers*.

Because we estimate fees to exceed \$100, our regulations require that we receive the Archive's commitment to pay fees incurred before our office can begin processing these requests. The search fees for each item in a request are usually about \$150. We will hold these requests in abeyance for 45 days pending our receipt of the Archive's commitment to pay fees. Upon our receipt of the Archive's fee commitment, we will place these twenty-two requests in the processing queue using the date of the initial request letter.

Agency regulations require us to make fee category decisions on a request-by-request basis. Therefore, we will determine your fee category for future requests based

Ms. Barbara Elias

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on the facts of each case and the criteria outlined in Agency regulations. A detailed initial explanation why each request meets the criteria of a particular fee category may eliminate our need to ask for further clarification and will help make processing as efficient as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott A. Koch". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Scott A. Koch, Ph.D.
CIA Information and Privacy Coordinator

ATTACHMENT 13

Central Intelligence Agency



Washington, DC 20505

31 May 2006

Mr. Michael Evans
The National Security Archive
Gelman Library, Suite 701
2130 H Street, NW
Washington, DC 20037

Reference: F-2006-00623 / Archive # 20060132CIA011

Dear Mr. Evans:

This responds to Ms. Fuchs' 8 May 2006 letter concerning your 3 February 2006 Freedom of Information Act (FOIA) request for records pertaining to:

1. **The agreement between President Alvaro Uribe of Colombia and President Hugo Chavez of Venezuela authorizing the construction of a 215-kilometer gas pipeline between the Paraguana Refinery Complex in Venezuela and Punta Ballenas in Colombia, signed on or about November 24, 2005;**
2. **Further discussions concerning a possible extension of the pipeline to other Andean countries; and**
3. **The agreement to create a Binational Border Development Fund to improve living conditions along the Colombian-Venezuelan border.**

In our 5 April 2006 letter we asked that you explain how the request satisfies the criteria required to be placed into the fee category of "news media," particularly with regard to "enhancing the public understanding of the operations or activities of the U.S. Government." We have considered carefully the reasons you gave on pages 2 and 3. I have determined that this request does not meet the criteria.

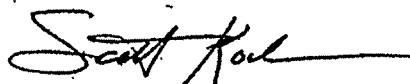
Your request therefore falls into the "all other" fee category, which means that you will be required to pay charges which recover the cost of searching for and reproducing responsive records (if any) beyond the first 100 pages of reproduction and the first two hours of search time, which will be furnished without charge. Copying costs will be assessed at the rate of ten cents per page.

20060132CIA011
RECNO:32634
6/6/2006
CIA
SFOCOR:121486
FOISG: Evans, Michael
Colombia-Venezuela pipeline construction

Before we can begin processing your request, we must receive your commitment to pay fees incurred under the conditions stated above. The search fees for each item in a request could amount to as much as \$150.

We will hold your request in abeyance for 45 days pending receipt of your commitment to pay the fees associated with your request. If, however, we do not hear from you within 45 days from the date of this letter, we will assume that you are no longer interested in receiving the information requested, and we will close your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Koch", with a long horizontal flourish extending to the right.

Scott Koch
Information and Privacy Coordinator

ATTACHMENT 14

Central Intelligence Agency



Washington, DC 20505

31 May 2006

Mr. Michael Evans
The National Security Archive
Gelman Library, Suite 701
2130 H Street, N.W.
Washington, DC 20037

Reference: F-2006-00622 / Archive # 20060134CIA012

Dear Mr. Evans:

This responds to Ms. Fuchs' 8 May 2006 letter concerning your 3 February 2006 Freedom of Information Act (FOIA) request for records pertaining to:

**The recent peace negotiations on or about
December 2005 between the government of
Colombia and the Ejercito de Liberacion Nacional
(National Liberation Army, or ELN).**

In our 5 April 2006 letter we asked that you explain how the request satisfies the criteria required to be placed into the fee category of "news media," particularly with regard to "enhancing the public understanding of the operations or activities of the U.S. Government." We have considered carefully the reasons you gave on pages 1 and 2. I have determined that this request does not meet the criteria.

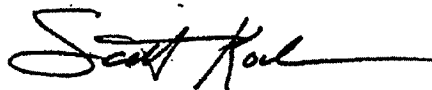
Your request therefore falls into the "all other" fee category, which means that you will be required to pay charges which recover the cost of searching for and reproducing responsive records (if any) beyond the first 100 pages of reproduction and the first two hours of search time, which will be furnished without charge. 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. The search fees for each item in a request could amount to as much as \$150.

20060134CIA012
RECNO:32636
6/6/2006
CIA
SEQCOR:121485
FOISG: Evans, Michael
Demobilization Peace Talks in Cuba

We will hold your request in abeyance for 45 days pending receipt of your commitment to pay the fees associated with your request. If, however, we do not hear from you within 45 days from the date of this letter, we will assume that you are no longer interested in receiving the information requested, and we will close your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Koch", with a long horizontal flourish extending to the right.

Scott Koch
Information and Privacy Coordinator