



Washington, D.C. 20505

July 29, 2011

Martin G. Weinberg, P.C.
Attorney at Law
20 Park Plaza, Suite 1000
Boston, MA 02116

Reference: P-2011-00673

Dear Mr. Weinberg:

On 25 July 2011, the office of the Information and Privacy Coordinator received your letter dated 19 July 2011 providing additional information pertaining to your client, Jeffrey Epstein's Privacy Act request referenced above.

Since you have provided the necessary information, we processed Mr. Epstein's request in accordance with the Freedom of Information Act and the Privacy Act. We searched for CIA-originated responsive records that might reflect an open or otherwise acknowledged Agency affiliation existing from 5 November 1999, the date of our previous acceptance letter (P-1999-02450) to 25 July 2011, the date we accepted Mr. Epstein's current request. We were unable to locate any information or records.

With respect to responsive records that would reveal a classified connection to the CIA, in accordance with section 3.6(a) of Executive Order 13526, as amended, the CIA can neither confirm nor deny the existence or nonexistence of records responsive to your request. The fact of the existence or nonexistence of requested records is currently and properly classified and is intelligence sources and methods information that is protected from disclosure by section 6 of the CIA Act of 1949, as amended and section 102A(i)(1) of the National Security Act of 1947, as amended. Therefore, you may consider this portion of the response a denial of your request pursuant to FOIA exemptions (b)(1) and (b)(3), and PA exemptions (j)(1) and (k)(1). I have enclosed an explanation of these exemptions for your reference and retention.

Although our searches were thorough and diligent, and it is highly unlikely that repeating those searches would change the result, you nevertheless have the legal right to appeal the decisions above. As the CIA Information and Privacy Coordinator, I am the CIA official responsible for this determination. You have the right to appeal this response within 45 days of the date of this letter. You may address your appeal to the Agency Release Panel, in my care. Please explain the basis of your appeal.

Sincerely,

A handwritten signature in black ink, appearing to be "J. [redacted]", written over a black rectangular redaction box.

Information and Privacy Coordinator

Enclosure

Explanation of Exemptions Under the Freedom of Information Act

(b)(1) exempts from disclosure information currently and properly classified, pursuant to an Executive Order;

(b)(2) exempts from disclosure information, which pertains solely to the internal personnel rules and practices of the Agency;

(b)(3) exempts from disclosure information that another federal statute protects, provided that the other federal statute either requires that the matters be withheld, or establishes particular criteria for withholding or refers to particular types of matters to be withheld. The (b)(3) statutes upon which the CIA relies include, but are not limited to, the CIA Act of 1949;

(b)(4) exempts from disclosure trade secrets and commercial or financial information that is obtained from a person and that is privileged or confidential;

(b)(5) exempts from disclosure inter-and intra-agency memoranda or letters that would not be available by law to a party other than an agency in litigation with the agency;

(b)(6) exempts from disclosure information from personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy;

(b)(7) exempts from disclosure information compiled for law enforcement purposes to the extent that the production of the information (A) could reasonably be expected to interfere with enforcement proceedings; (B) would deprive a person of a right to a fair trial or an impartial adjudication; (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy; (D) could reasonably be expected to disclose the identity of a confidential source or, in the case of information compiled by a criminal law enforcement authority in the course of a criminal investigation or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source ; (E) would disclose techniques and procedures for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; or (F) could reasonably be expected to endanger any individual's life or physical safety;

(b)(8) exempts from disclosure information contained in reports or related to examination, operating, or condition reports prepared by, or on behalf of, or for use of an agency responsible for regulating or supervising financial institutions; and

(b)(9) exempts from disclosure geological and geophysical information and data, including maps, concerning wells.

[Central Intelligence Agency, Jan 2007]

Exemptions Under the Privacy Act

- (d)(5) exempts from disclosure information compiled in reasonable anticipation of a civil action or proceeding;
- (j)(1) exempts from disclosure certain information maintained by the Central Intelligence Agency;
- (j)(2) exempts from disclosure certain information maintained by law enforcement agencies;
- (k)(1) exempts from disclosure information properly classified, pursuant to an Executive Order;
- (k)(2) exempts from disclosure material compiled for criminal investigative law enforcement purposes, by nonprincipal function criminal law enforcement entities and material compiled for other investigative law enforcement purposes, by any agency;
- (k)(3) exempts from disclosure information pertaining to the protective services afforded the President of the United States and others;
- (k)(4) exempts from disclosure information that statutes require to be maintained and used solely as statistical records;
- (k)(5) exempts from disclosure investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for federal civilian employment, or access to classified information, but only to the extent the disclosure of which would reveal the identity of a confidential source who furnished information after the government's express promise to keep that source's identity confidential;
- (k)(6) exempts from disclosure testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service, the disclosure of which would compromise the objectivity or fairness of the testing or examination process; and
- (k)(7) exempts from disclosure evaluation material the armed forces use to determine an individual's potential for promotion, but only if disclosure would reveal the identity of a source who furnished information after the government's express promise to keep that source's identity confidential.

[Central Intelligence Agency, 2007]