



Washington, D.C. 20505

29 November 2011

Mr. Jeffrey T. Richelson
[REDACTED]

Reference: F-2012-00320

Dear Mr. Richelson:

This is a final response to your 18 November 2011 Freedom of Information Act (FOIA) request, received in the office of the Information and Privacy Coordinator on 18 November 2011, for **The directive establishing Open Source Works and the OSW charter (if different from the requested directive)**. We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

In accordance with section 3.6(a) of Executive Order 13526, 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, your request is denied pursuant to FOIA exemptions (b)(1) and (b)(3). I have enclosed an explanation of these exemptions for your reference and retention. As the CIA Information and Privacy Coordinator, I am the CIA official responsible for this determination. You have the right to appeal this response to the Agency Release Panel, in my care, within 45 days from the date of this letter. Please include the basis of your appeal.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Viscuso", written in a cursive style.

Susan Viscuso
Information and Privacy Coordinator

Enclosure



Washington, D.C. 20506

16 December 2011

Mr. Jeffrey T. Richelson
[REDACTED]

Reference: F-2012-00448 (Formerly F-2012-00320)

Dear Mr. Richelson:

This is further to our letter dated 29 November 2011 which concerns your 18 November 2011 Freedom of Information Act (FOIA) request for "**The directive establishing Open Source Works and the OSW charter (if different from the requested directive)**". Due to an administrative error, your FOIA request (F-2012-00320) was closed. We now have assigned a new FOIA number to your request. Please use this number when corresponding so that we can identify it easily.

The CIA Information Act, 50 U.S.C. § 431, as amended, exempts CIA operational files from the search, review, publication, and disclosure requirements of the FOIA. To the extent your request seeks information that is subject to the FOIA, we accept your request and will process it in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act. Unless you object, we will limit our search to CIA-originated records existing through the date of this acceptance letter. As a matter of administrative discretion, and in accordance with our regulations, the Agency has waived the fees for this request.

The large number of FOIA requests CIA receives has created unavoidable delays making it unlikely that we can respond within the 20 working days the FOIA requires. You have the right to consider our honest appraisal as a denial of your request and you may appeal to the Agency Release Panel. A more practical approach would permit us to continue processing your request and respond to you as soon as we can. You will retain your appeal rights and, once you receive the results of our search, can appeal at that time if you wish. We will proceed on that basis unless you object.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Viscuso".

Susan Viscuso
Information and Privacy Coordinator