

Central Intelligence Agency



Washington, D.C. 20505

May 13, 2009

Melissa Goodman, Esquire  
Staff Attorney, National Security Project  
American Civil Liberties Union Foundation  
125 Broad Street, 18<sup>th</sup> Floor  
New York, NY 10004

Reference: F-2009-00990

Dear Ms. Goodman:

This is a final response to your 23 April 2009 Freedom of Information Act (FOIA) request, received in the office of the Information and Privacy Coordinator on 27 April 2009, for **“records pertaining to the detention and treatment of prisoners held at the Bagram Theater Internment Facility at Bagram Airfield in Afghanistan (‘Bagram’), including records concerning the process afforded these prisoners to challenge their detention and designation as ‘enemy combatants.’”** 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 12958, 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. Therefore, your request has been denied pursuant to FOIA exemptions (b)(1) and (b)(3). You may appeal my decision 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 cursive script that reads "Delores M. Nelson".

Delores M. Nelson  
Information and Privacy Coordinator