



21 July 2025

John Greenwald Jr.  
27305 West Live Oak Road  
Suite #1203  
Castaic, CA 91384

Reference: F-2021-02420

Dear Requester:

This letter is a final response to your 21 September 2021 Freedom of Information Act (FOIA) request for:

- 1. All records generated during the processing of Civil Action Number 09-0940 (EGS);**
- 2. All records generated during the processing of FOIA case F-2004-01956**

We processed your request in accordance with the FOIA (5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 3141, as amended).

With regard to Item 1, we completed a thorough search for records responsive to your request and located the seven documents enclosed at Tab A, which we determined can be released in segregable form with deletions made on the basis of FOIA exemptions (b)(3), (b)(5), and/or (b)(6). Additional material was located and must be denied in its entirety on the basis of FOIA exemptions (b)(1), (b)(3), (b)(5), and (b)(6).

With regard to Item 2, we completed a thorough search for records responsive to your request and located one document, which can be released in its entirety, and 21 documents, which we determined can be released in segregable form with deletions made on the basis of FOIA exemptions (b)(3), (b)(5), and/or (b)(6). These documents are enclosed at Tab B. Additional material responsive to Item 2 was located and must be denied in its entirety on the basis of FOIA exemptions (b)(3), (b)(5), and (b)(6).

Please note that exemption (b)(3) pertains to information exempt from disclosure by statute. The relevant statutes are Section 6 of the Central Intelligence Agency Act of 1949, as amended, and Section 102A(i)(1) of the National Security Act of 1947, as amended.

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 90 days from the date of this letter. Please explain the basis for your appeal.

Please be advised that you may also seek dispute-resolution services from the CIA FOIA Public Liaison or from the Office of Government Information Services (OGIS) of the National Archives and Records Administration. OGIS offers mediation services to help resolve disputes between FOIA requesters and Federal agencies.

|                                                                                                                                          |                                                                                                                                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| To contact <b>CIA</b> directly with questions or to appeal the CIA's response to the Agency Release Panel:                               | To contact the <b>Office of Government Information Services (OGIS)</b> for mediation or with questions:                                                                                                                                               |
| Information and Privacy Coordinator<br>Central Intelligence Agency<br>Washington, DC 20505<br>TEL: (703) 613-1287<br>FAX: (703) 613-3007 | Office of Government Information Services<br>National Archives and Records Administration<br>8601 Adelphi Road – OGIS<br>College Park, MD 20740-6001<br>TEL: (202) 741-5770<br>FAX: (202) 741-5769 / <a href="mailto:ogis@nara.gov">ogis@nara.gov</a> |

Sincerely,



Stephen Glenn  
Information and Privacy Coordinator

Enclosures

This document is made available through the declassification efforts  
and research of John Greenewald, Jr., creator of:

# The Black Vault

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The Black Vault is the largest online Freedom of Information Act (FOIA)  
document clearinghouse in the world. The research efforts here are  
responsible for the declassification of hundreds of thousands of pages  
released by the U.S. Government & Military.

**Discover the Truth** at: **<http://www.theblackvault.com>**

**TAB A**



(b)(3) CIAAct  
(b)(6)

[Redacted]  

---

**From:** [Redacted]  
**Sent:** Friday, January 22, 2010 5:00 PM  
**To:** [Redacted] (b)(3)  
**Cc:** [Redacted]  
**Subject:** RE: Bryant Declaration (b)(6)

(b)(6)

Thank you!

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**From:** [Redacted]  
**Sent:** Friday, January 22, 2010 4:57 PM  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** Bryant Declaration

(b)(3) CIAAct  
(b)(6)

(b)(3) CIAAct  
(b)(6)

UNDETERMINED

# Assignment File Brief Report

**File Number:** LD-2009-00096**Assignment Name:** Larry Bryant v. CIA; 1:09-CV-00940**Responsible Division:** LD**Date Assigned:** 06/02/2009**Lead Supervisor:** 

(b)(3) CIAAct

(b)(6)

**Plaintiff:****Defendant:****Assignment Type:** FOIAS**Attorney Action:** 

(b)(3) CIAAct

**Paralegal Action****File Status:** Active**Closed:** **DESCRIPTION:**

Plaintiff, Director of the Washington, DC office of Citizens Against UFO Secrecy has filed a complaint challenging the Agency's denial of his request for media status

**STAFF ASSIGNED**

|                      |                      |           |          |               |
|----------------------|----------------------|-----------|----------|---------------|
| <input type="text"/> | <input type="text"/> | Attorney  | 6/2/2009 | (b)(3) CIAAct |
| <input type="text"/> | <input type="text"/> | Paralegal | 6/2/2009 | (b)(6)        |

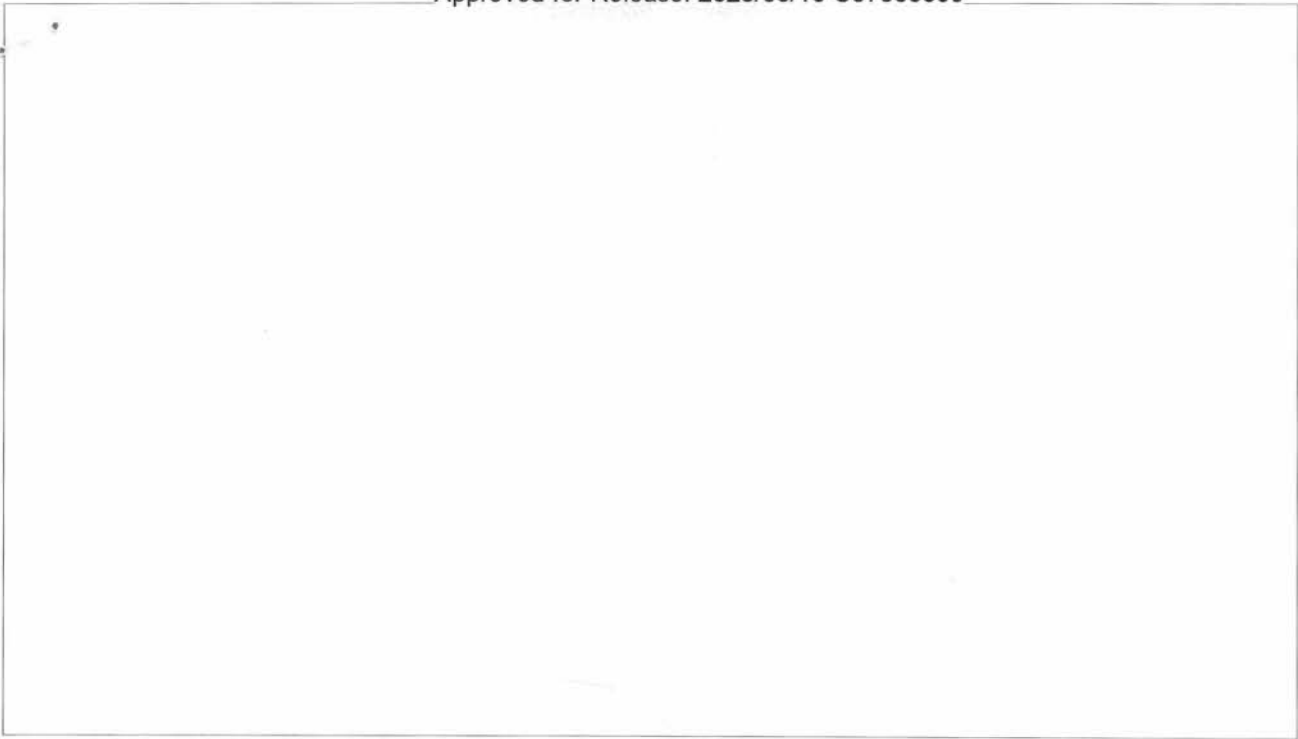




(b)(3)  
CIAAct  
(b)(5)  
(b)(6)

(b)(3)  
CIAAct  
(b)(5)  
(b)(6)

(b)(3)  
CIAAct  
(b)(5)  
(b)(6)



UNCLASSIFIED//AIUO

Central Intelligence Agency



Washington, D.C. 20505

Mr. Larry W. Bryant



(b)(6)

Reference: F-2008-01781

Dear Mr. Bryant:

This is in reference to your 23 August 2008 Freedom of Information Act (FOIA) request, received in the office of the Information and Privacy Coordinator on 18 August 2008, for the following CIA-received and CIA-generated records:

- (1) As pertain to the convening, attendance roster, briefings, minutes, and all other related documentation of the 1987 special meeting at FAA headquarters in Washington, D.C.;
- (2) As pertain to all similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986, to date.

Please note that upon further review, the Agency is reopening the processing of your request; a search will be conducted for records in existence through 15 June 2009. You also requested news media status. Since your request pertains to UFOs and you are a columnist with the newsstand periodical, UFO Magazine, we are placing you in the "news media" fee category for this request. Accordingly, you would be responsible only for the cost of reproducing any records released in response to your request. Copying costs are ten cents per page less the first 100 pages.

Sincerely,

A handwritten signature in cursive script that reads "Delores M. Nelson".

Delores M. Nelson  
Information and Privacy Coordinator



UNDETERMINED

## FILE SUMMARY

File Number: LD-2009-00096

Assignment Name: Larry Bryant v. CIA; 1:09-CV-00940

Responsible Division: LD Date Assigned: 06/02/2009

Lead Supervisor: (b)(3)  
CIAAct  
(b)(6)

Plaintiff:

Defendant:

Assignment Type: FOIA/PA

Attorney Action: 

(b)(3) CIAAct

Paralegal Action:

File Status: Closed

Closed:  08/30/2012

## DESCRIPTION:

Plaintiff, Director of the Washington, DC office of Citizens Against UFO Secrecy has filed a complaint challenging the Agency's denial of his request for media status. The complaint was filed on 20 May 2009, and inspected at the Agency on 27 and 29 May.

## STAFF ASSIGNED

|                      |                      |           |          |
|----------------------|----------------------|-----------|----------|
| <input type="text"/> | <input type="text"/> | Attorney  | 6/2/2009 |
| <input type="text"/> | <input type="text"/> | Paralegal | 6/2/2009 |

(b)(3)  
CIAAct  
(b)(6)

UNDETERMINED

## FILE SUMMARY

File Number: LD-2009-00096

Assignment Name: Larry Bryant v. CIA; 1:09-CV-00940

## RELATED FILES:

## POINTS-OF-CONTACTS and CLIENTS

|                              |       |                    |         |        |  |
|------------------------------|-------|--------------------|---------|--------|--|
| NAME                         |       | TITLE              |         | OFFICE |  |
| STREET                       |       | ROOM               | CITY    | STATE  |  |
| ADDRESS 2:                   |       | CELL PHONE: PAGER: |         |        |  |
| ZIP                          | PHONE | BLKFAX             | DIRECT  | SECFAX |  |
| MISC:                        |       |                    |         |        |  |
| CLASSIFICATION: UNCLASSIFIED |       |                    |         |        |  |
| CLBY:                        |       | CLDRV:             | CLREAS: | DECL:  |  |

|                                       |       |                    |         |        |  |
|---------------------------------------|-------|--------------------|---------|--------|--|
| NAME                                  |       | TITLE              |         | OFFICE |  |
| STREET                                |       | ROOM               | CITY    | STATE  |  |
| ADDRESS 2:                            |       | CELL PHONE: PAGER: |         |        |  |
| ZIP                                   | PHONE | BLKFAX             | DIRECT  | SECFAX |  |
| MISC:                                 |       |                    |         |        |  |
| CLASSIFICATION: FOR OFFICIAL USE ONLY |       |                    |         |        |  |
| CLBY:                                 |       | CLDRV:             | CLREAS: | DECL:  |  |

## FILE NOTES

Date Added by Month June 2009

ADDED CREATOR

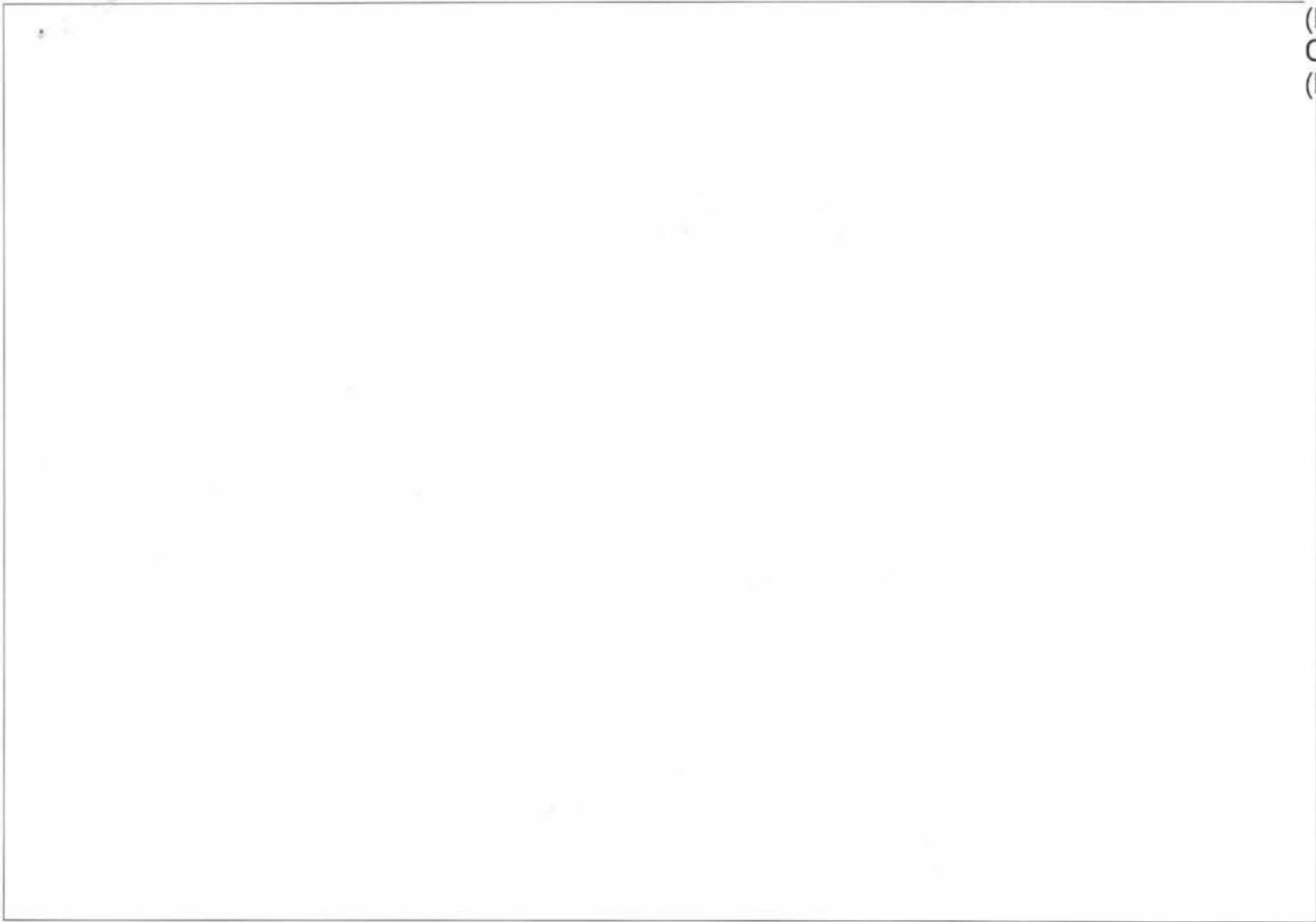
CREATED

NO\_RStrict

UNDETERMINED

**FILE SUMMARY****File Number:** LD-2009-00096**Assignment Name:** Larry Bryant v. CIA; 1:09-CV-00940(b)(3)  
CIAAct  
(b)(6)**FILE HISTORY**

(b)(3)  
CIAAct  
(b)(6)



**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

\_\_\_\_\_  
LARRY W. BRYANT,

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY  
and LEON PANETTA, Director, CIA,

Defendants.  
\_\_\_\_\_

)  
)  
)  
)  
) Civil Action No.: 09-0940 (EGS)  
)  
)  
)  
)  
)  
)

**DECLARATION OF DELORES M. NELSON  
CENTRAL INTELLIGENCE AGENCY**

I, DELORES M. NELSON, hereby declare and say:

1. I am the Chief, Public Information Programs Division, Information Management Services ("IMS"), Office of the Chief Information Officer ("CIO"), Central Intelligence Agency ("CIA"). Since 21 April 2008, I also serve as the CIA Information and Privacy Coordinator ("Coordinator"). I have served with the CIA for approximately thirty-one years, and in addition to my current positions, have held other supervisory positions with the CIA.
2. I make this declaration in support of the CIA's motion for summary judgment in this proceeding.
3. In my current capacities, I am responsible for managing the Freedom of Information Act ("FOIA"), Privacy Act, and Executive Order 12958 Mandatory

Declassification Review programs in the CIA. These responsibilities include directing searches of CIA records systems pursuant to public requests for records under these programs and coordinating the reviews of any records retrieved in such searches. These review processes include undertaking any intra-agency and inter-agency coordination and referrals necessary in light of the information found in responsive records. In addition, my responsibilities include fee category and fee waiver determinations.

4. As part of my official duties I ensure that the CIA administratively processes FOIA and Privacy Act requests including the search, retrieval, analysis, review, redaction and release of documents in accordance with the law and as efficiently as possible with the personnel and resources available.
5. Through the exercise of my official duties, I have become familiar with Plaintiff's FOIA request for information that is the subject of this civil action. I make the following statements based upon my personal knowledge, and information made available to me in the course of performing my official duties.

#### **I. PLAINTIFF'S FOIA REQUEST AND THE CIA's RESPONSE**

6. By "letter"<sup>1</sup> dated August 23, 2008 (received in the office of the Information and Privacy Coordinator on August 28, 2008), Plaintiff submitted a FOIA request to the CIA for the following "CIA-received and CIA-generated" records:

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<sup>1</sup> The "letter" is actually a print-out of email correspondence between the Office of the Director of National Intelligence and Plaintiff with handwritten annotations addressed to "Scott Koch [former CIA Information and Privacy Coordinator], changing date to "23" August, and containing signature of Plaintiff. The text states in part "By snail- mail, I'm sending to you a signed printout of this e-formatted letter."

- a. "As pertain to the convening, attendance roster, briefings, minutes, and all other related documentation" of the "1987 special meeting at FAA headquarters in Washington, D.C., to discuss and evaluate...the intrusive UFO encounter experienced on Nov. 17, 1986, by the Japanese flight crew (No. 1628) of a 747 cargo jet...in Alaskan sky."
- b. "As pertain to all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986, to date."

Plaintiff also stated that since he was submitting his request as "a representative of the news media principally as a columnist for the monthly newsstand periodical 'UFO Magazine'", he asked that "all records-search/review fees" be waived. (A true and correct copy of Plaintiff's initial request is attached hereto as Exhibit A.)

7. By letter dated September 30, 2008, the CIA acknowledged receipt of Plaintiff's request and assigned it reference number F-2008-01781. The letter went on to explain that "there is no organized CIA effort to do research in connection with UFO phenomena, nor has there been an organized effort to collect intelligence on UFOs since the 1950s." The letter also noted that CIA has no current program to actively collect information on UFOs. The letter then discussed the release by CIA of UFO-related documents (2,779 pages) in response to prior FOIA requests and a special search conducted in 1993 at the direction of then CIA Director James Woolsey, which included the search for and review of all Agency files on UFOs. The letter also enclosed a copy of CIA's fee schedule and stated the cost for the UFO package was \$267.90, ten cents per page less the first 100 pages free. That is the cost of duplication. Since this information was previously released

and the charge was for duplication only, it was not affected by fee category.<sup>2</sup> The letter further explained that requests for fee waivers<sup>3</sup> must be considered under the standards that Agency regulations outlined at Part 1900 of Title 32 of the Code of Federal Regulations (C.F.R.). In accordance therewith, the CIA informed Mr. Bryant that because the information he sought was already in the public domain, and "its re-release would not likely contribute significantly to public understanding of the operations and activities of the United States Government," his request for a fee waiver was denied. The September 30, 2008 letter also informed Plaintiff that he could appeal the denial of his request for a fee waiver within 45 days from the date of the letter, but if CIA has started to process a request, the Agency would accept an appeal of a fee waiver denial only "if the requester agrees to be responsible for the costs in the event of an adverse administrative or judicial decision." With this letter, the CIA enclosed a copy of a previously released article published by the Center for the Studies in Intelligence, an Agency journal containing unofficial publications on intelligence topics. (A true and correct copy of CIA's September 30, 2008 letter and enclosures is attached hereto as Exhibit B.)

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<sup>2</sup> The CIA did not formally address Plaintiff's request for status as a new media representative in its September 30, 2008 letter, although after explaining the cost of the UFO package—ten cents per page less the first 100 pages, the letter stated "as a requester in the 'all other' category." Regardless, since the only charge was for duplication, the fee was the same whether his fee category was determined to be news media or all other.

<sup>3</sup> Although Plaintiff used the term "waiver" in his request letter, based on context of his letter (and subsequent appeal and complaint), it appears that there was confusion over fee category (status) and fee waiver and that requester used the latter term to mean his request for news media status. Notwithstanding that it appears Plaintiff did not request a fee waiver, because of his use of the term waiver, the CIA treated it as such.



8. By letter dated October 3, 2008<sup>4</sup>, Plaintiff appealed the CIA's decision "to deny my FOIA request status as a representative of the news media" regarding request F-2008-01781. Plaintiff went on to state "[b]y this appeal, I hereby characterize my records-search-fee-waiver 'request' as a DEMAND" and cited 5 U.S.C. § 522 "a(4)(A)(ii)(II), namely, 'fees shall be limited to reasonable standard charges for document duplication when...the request is made by...a representative of the news media.'" (A true and correct copy of Plaintiff's appeal request is attached hereto as Exhibit C.)
9. By letter dated October 28, 2008, the CIA acknowledged Plaintiff's letter in which he appealed our determination to deny him "status as a representative of the news media" and to deny his "request for a fee waiver."
10. The CIA explained to Plaintiff that since records responsive to his FOIA request had been previously released and no additional searches were conducted, he would be responsible "for copying costs associated with this request regardless of fee category determination." That is, the copying fees would apply even if he were placed into the news media fee category. With respect to his appeal of the denial of a fee waiver, the CIA reiterated that "if processing has been initiated, the requester must agree to be responsible for costs in the event of an adverse administrative or judicial decision." (See 32 C.F.R. § 1900.13(d).) Accordingly, the CIA declined to accept Plaintiff's fee waiver denial appeal. (A true and

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<sup>4</sup> The "letter" composed as email on October 3, 2008, is actually dated "6 Oct 2008" in a handwritten annotation next to Plaintiff's signature. The text states in part: "By snail-mail, I'm sending to you a signed printout of this e-formatted letter." The appeal was received in my office on October 14, 2008 (see date stamp).

correct copy of CIA's response to Plaintiff's appeal request is attached hereto as Exhibit D.)

11. On May 20, 2009, Plaintiff commenced this action, alleging that Defendant "failed to grant Plaintiff news media representative status," "a fee waiver so as only to have to pay photocopying and reproduction fees," (Compl., ¶¶ 9 and 10), and for the first time, alleged that Defendant "did not use the level of diligence and good faith to conduct a search." (*Id.*, ¶ 12).
12. By letter dated June 23, 2009, the CIA informed Plaintiff it would reopen his request, granted him news media representative status for this request, and conduct a search for "CIA-received and CIA-generated" records on the following:
  - a. "the convening, attendance roster, briefings, minutes, and all other related documentation of the 1987 special meeting at FAA headquarters in Washington, D.C.,"
  - b. "all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986, to date." (A true and correct copy of this letter is attached hereto as Exhibit E.)
13. By letter dated October 21, 2009, the CIA informed Plaintiff that no records responsive to item (a) above were located and that with respect to item (b), U.S. Government material (not originated by the CIA) was located and has been referred to the originating agencies for their review and direct response to him. The CIA also informed Plaintiff that "CIA regulations governing administrative appeals provide that no appeal shall be accepted if the information in question is

the subject of pending litigation in the federal courts.” (A true and correct copy of this letter is attached hereto as Exhibit F.)

14. The CIA referred the three potentially responsive documents to the government agencies which originated the documents: Department of State and National Security Agency. As of the date of this declaration, NSA acknowledged mailing a response to the Plaintiff on January 6, 2010.

## **II. CIA'S SEARCH FOR RESPONSIVE DOCUMENTS**

### **A. CIA Records Systems**

15. The CIA's records systems are designed to support CIA's intelligence activities and responsibilities. The CIA's ability to retrieve data from a given records system depends upon the type of information stored in that system and the way the system is designed to retrieve that information. Records systems and indexing systems vary among CIA components because they must reflect and respond to the established responsibilities and needs of those individual components. For example, some CIA records systems are organized to facilitate the collection of foreign intelligence, while others facilitate the analysis of intelligence information, depending upon the missions of the particular CIA component.
16. All CIA records are maintained by one of four directorates or the independent offices and entities that report to the Director of the CIA: the National Clandestine Service (“NCS”), the Directorate of Intelligence (“DI”), the Directorate of Science and Technology (“DS&T”), the Directorate of Support (“DS”) and the Director of CIA Area (“DIR Area”).

17. The DI is the CIA directorate that analyzes, interprets and forecasts foreign intelligence issues and world events of importance to the United States. It is responsible for producing finished intelligence reports for dissemination to policymakers in the United States Government. Appropriately trained personnel regularly conduct FOIA and other searches of the DI records system as part of their normal duties.
18. The DS&T is the CIA directorate that creates and applies technology to fulfill intelligence requirements. The DS&T also maintained records produced by the Foreign Broadcast Information Service, the primary collector of foreign open-source information for the United States Government until the establishment of the DNI Open Source Center in 2005<sup>5</sup>. Open-source information is information that is generally available to the public, such as foreign newspapers, periodical publications, and television and radio broadcasts. Appropriately trained personnel regularly conduct FOIA and other searches of the DS&T records system as part of their normal duties.
19. The NCS is the organization within CIA responsible for the clandestine collection of foreign intelligence information from human sources. The NCS records system contains information on persons or entities that are of foreign intelligence or counterintelligence interest to the CIA and other United States Government agencies. Appropriately trained personnel regularly conduct FOIA and Privacy Act searches of the NCS records system as part of their normal duties. NCS

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<sup>5</sup> The DNI Open Source Center ("OSC") at CIA was established on 1 November 2005. The DNI directed that the center be built on the capabilities and expertise of CIA's FBIS and report directly to the DCIA in implementing DNI strategy and guidance.

operational files are exempt from FOIA search and review pursuant to the CIA Information Act, 50 U.S.C. § 431.

20. The DS provides the CIA with mission-critical services, including the protection of CIA personnel, security matters generally, facilities, communications, logistics, training, medical services, and personnel resources. It maintains records on all current and former CIA employees, whether employed in a contract or staff capacity, as well as other individuals for whom security processing or evaluation has been required. Appropriately trained personnel regularly conduct FOIA searches of the DS records system as part of their normal duties.

21. The DIR Area includes the independent offices that report directly to the Director, and is distinct from the CIA's four main directorates (NCS, DI, DS&T, and DS). The DIR Area includes the Office of General Counsel, Office of Inspector General, Office of Congressional Affairs, Office of Public Affairs, Chief Financial Officer, Chief Information Officer, and other entities such as the Office of Diversity Plans and Programs. The DNI Open Source Center is also within the DIR Area. Appropriately trained personnel regularly conduct FOIA searches of the DIR records system as part of their normal duties.

#### **B. Procedures for Processing FOIA Requests**

22. The CIA has established the following procedures for processing FOIA requests. As previously noted, CIA's Information and Privacy Coordinator, who also serves as Chief, PIPD, is responsible for managing the FOIA, PA, and E.O. 12958 Mandatory Declassification Review programs at the CIA. My office is the initial reception point in the CIA for all FOIA requests. Upon receipt, experienced

FOIA officers in PIPD review the request to ensure that it is perfected, that is, meets applicable legal and administrative requirements. Part of this review entails checking to see if the CIA has previously searched for and released records on the topic identified by the requester. If so, depending upon the volume, the requester is provided with copies of the responsive records or a listing of such records as well as with background on the search which generated the records. (See Exhibit B.) If a request is perfected and a search of CIA component records is necessary, PIPD officers determine which directorates<sup>6</sup> of the CIA reasonably may be expected to possess records responsive to the request and then forward copies of the requester's letter to those directorates with instructions to search for any responsive documents. The tasked directorates then conduct searches among all directorate components and indices and databases that reasonably may be expected to have any information responsive to the request. Directorate personnel responsible for conducting these searches are professionals who regularly and routinely conduct CIA record searches, whether for another component of the CIA, the Director of CIA, Department of Justice, Congress, or a FOIA requester.

23. After a tasked component locates documents in response to a FOIA request, officers must review those documents to determine whether they do, in fact, respond to the request. Because of the nature of a particular records system, or the search tools, indices, or terms employed, a search may locate many documents that are not responsive to the request. In fact, it is quite common for the number of non-responsive documents to exceed the number of responsive documents.

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<sup>6</sup>In the discussion of processing procedures in this Declaration, "directorates" will include the DIR Area.

24. After officers identify and remove any non-responsive documents, they must then review the remaining responsive documents to determine if any FOIA exemptions apply, and whether they can reasonably segregate non-exempt information from exempt information. In the course of reviewing documents for exempt information and segregability, officers frequently identify information that must be coordinated with or referred to another CIA component or another agency because the other component or agency originated the information.<sup>7</sup> This coordination and referral process itself can be quite time-consuming because other components and agencies have their own missions and FOIA priorities.

25. When all of the components and agencies<sup>8</sup> have completed their respective reviews, PIPD professionals incorporate all of the recommendations regarding exemptions, segregation, and release, resolve conflicting recommendations, and ensure that the release or withholding determinations comply with the law and published CIA regulations. Under the direction and supervision of the CIA Information and Privacy Coordinator, a review is then conducted from a corporate perspective on behalf of the entire CIA. A final record copy of each CIA-originated document is produced and a response is provided to the requester. Documents originated by other government agencies are forwarded to those agencies for direct response to the requester.

### **C. CIA's Records Search in Response to Plaintiff's FOIA Request**

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<sup>7</sup> See Exec. Order No. 12958, as amended, § 3.6(b).

<sup>8</sup> "Agencies" in this context refers to one more other agencies having information or equities in CIA documents as opposed to referrals, which are documents located by CIA but originated by another agency. These are forwarded to the originating agency for review and direct response to the requester.



26. The CIA processed Plaintiff's request following the procedures set forth above.
27. As noted above (¶ 9), the CIA has previously searched for and released records relating to UFOs in response to FOIA requests and litigation. In addition, in 1993-94, at the direction of then Director of Central Intelligence (DCI) James Woolsey, the CIA conducted an Agency-wide search for and reviewed all CIA files relating to UFOs. This effort, conducted under the direction of the Executive Assistant to the Director of Central Intelligence ("DCI") resulted in a further release of 1,757 pages, bringing the CIA's release of documents relating to UFOs, that is, the "UFO package" to 2,779 pages. It should be noted that this search was Agency-wide and the intent of the review was to release as much information as possible, without compromising intelligence sources and methods. Thus, the subject of plaintiff's request—"a 1987 special meeting at FAA headquarters...to discuss and evaluate certain official evidence of the intrusive UFO encounter experienced on Nov. 17, 1986...by a Japanese flight crew" over Alaska — falls squarely within the parameters of this search. In reviewing this case, it was the second prong of Plaintiff's request that prompted the CIA to reopen the processing of his request, namely, the request for information "on all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986." As was explained to Plaintiff in CIA's Sept. 30, 2008 letter, there is no CIA program to actively collect information on UFOs. However, the letter also acknowledged that occasionally we may receive reports of sightings of objects in the UFO category. Accordingly, a search was conducted by CIA for records concerning "similar cases of airborne UFO encounters" since November 17, 1986. In



addition, notwithstanding that records relating to the alleged 1987 special meeting at FAA headquarters concerning the November 1986 encounter, if any, should have been located during the special search for UFO related information conducted in 1993-94, a new search was conducted for records specifically relating to the meeting as described by the requester.

28. PIPD personnel experienced in the tasking of records searches tasked those CIA directorates reasonably likely to have responsive records, if any existed. PIPD tasked the Plaintiff's request to the DI, DS&T, DIR Area, and NCS. These components were tasked to search through June 23, 2009, the date of the letter informing requester that the case was being reopened.
29. As noted above, the DI analyzes, interprets, and forecasts foreign-intelligence related issues and world events of importance to the United States. The DI made all reasonable efforts to identify and retrieve any records responsive to Plaintiff's FOIA request. The DI searched its central data base, an all-source data base containing intelligence reports and finished intelligence received and originated by the CIA, for information on "other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986." The following search terms were used: "UFO", "UFOS", and "unidentified flying object or objects."
30. Three responsive documents, all originated by other agencies, were located. Records in the main DI system are disseminated intelligence reports and are not indexed to retrieve information of the nature requested in item 1 of Plaintiff's request. Within the DI, the only component reasonably likely to possess records relating to the meeting described in requester's letter would have been the Office

of Scientific and Weapons Research ("OSWR")<sup>9</sup>, whose records have been archived. Such records are indexed only at the folder level. The DI searched using the following terms "UFO," "U F O," "U.F.O.," as well as "FAA," "F A A," and Federal Aviation Administration. In addition, the search officer looked for folder titles listing meeting, briefing, roster, or minutes for the same time period. No responsive records were located.

31. The DS&T also made all reasonable efforts to identify and retrieve records responsive to plaintiff's request. Given the relevant time period, the DS&T searched archived records of the National Photographic Interpretation Center, Foreign Broadcast Information Service, Office of Imagery Analysis, Office of Technical Services, Office of the Director for S&T, Office of Development and Engineering, Office of Research and Development and Office of Technical Collection. The DS&T employed the following search terms: "FAA," "Federal Aviation Administration," "UFO," "unidentified flying object," and "Callahan." No responsive records were located.

32. The DCIA Area also made all reasonable efforts to identify and retrieve any records responsive to plaintiff's FOIA request. The DCIA Action Center (DAC), Office of Public Affairs, Open Source Center and Center for the Study of Intelligence conducted records searches. All components searched for "unidentified flying objects," "UFO," "UFOs," "FAA," or "Federal Aviation Administration." In addition, the following search terms were used by one or

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<sup>9</sup> OSWR was formed in 1980 when the Offices of Scientific Intelligence and Weapons Intelligence were merged. The name of the office was changed in 1995, and the office was subsequently merged with a number of others during successive reorganizations.

more components: "UFO encounter," "Japanese flight crew 1628," "aviation," "meeting at FAA 1987," "FAA meeting," "1987 FAA meeting," "UFO and Japan," "UFO and 1628," "UFO and CIA," "UFO and 747," "UFO and extraterrestrial," "Callahan." (The term "unidentified flying object" was also used in conjunction with other terms when "UFO" is listed in the preceding examples. In addition, as was noted above, a special search was conducted in 1993-94 regarding UFOs at the request of Director Woolsey. These records are part of the CIA UFO collection which was offered to the plaintiff in CIA's initial response. The search was overseen by the Executive Assistant to the DCI. The DAC searched all of the records retired as part of this effort ("every single page"), and CSI independently reviewed a subset as possibly containing responsive information. All records were manually reviewed as part of this search. No responsive records were located. The DAC found no reference to a meeting or the FAA in 1987 ("or indeed, any other year") or any documentation regarding UFO encounters, extra-terrestrials, or unexplained flying phenomena from 1986 onward. In addition, the individual who oversaw the 1993-94 search and review effort as the Executive Assistant to the DCI searched his email concerning this project for "FAA" and located no responsive documents.

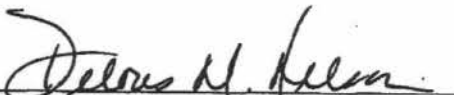
33. As previously noted, the NCS is responsible for the clandestine collection of foreign intelligence information. The NCS records system contains information on persons and entities that are of foreign intelligence or counter-intelligence interest to the CIA and other United States Government agencies. After

reviewing plaintiff's FOIA request, NCS responded that its records system was not set up to search on general subjects or topics such as UFOs.<sup>10,11</sup>

34. In sum, the CIA tasked those components reasonably likely to possess information responsive to Plaintiff's request (if any) to conduct records searches. The searches were conducted by information management professionals who are familiar with the records systems of their respective components and who routinely and regularly conduct searches of these records as part of their professional responsibilities. These individuals were familiar with Plaintiff's request and all such searches were reasonably calculated to locate responsive records, if any. As indicated above, no documents were located in response to item (a) ("1987 special meeting at FAA") of Plaintiff's request and three records originated by other government agencies were located in response to item (b) ("all other similar cases of airborne UFO encounters").

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 22nd day of January, 2010.

  
Delores M. Nelson  
Information & Privacy Coordinator  
Central Intelligence Agency

<sup>10</sup> Intelligence reports disseminated by NCS (formerly the Directorate of Operations) are included in the DI records system where they may be searched by topic (and were searched as part of the DI records search described above.)

<sup>11</sup> The Directorate of Support to conduct searches in this case. Given its functions as CIA's administrative and support arm, PIPD officers reasonably determined that the DS was not likely to have records responsive to plaintiff's request.





**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

LARRY W. BRYANT,

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY  
and LEON PANETTA, Director, CIA,

Defendants.

Civil Action No.: 09-0940 (EGS)

**DECLARATION OF DELORES M. NELSON  
CENTRAL INTELLIGENCE AGENCY**

I, DELORES M. NELSON, hereby declare and say:

1. I am the Chief, Public Information Programs Division, Information Management Services ("IMS"), Office of the Chief Information Officer ("CIO"), Central Intelligence Agency ("CIA"). Since 21 April 2008, I also serve as the CIA Information and Privacy Coordinator ("Coordinator"). I have served with the CIA for approximately twenty-nine years, and in addition to my current positions, have held other supervisory positions with the CIA.
2. I make this declaration in support of the CIA's motion for summary judgment in this proceeding.
3. In my current capacities, I am responsible for managing the Freedom of Information Act ("FOIA"), Privacy Act, and Executive Order 12958 Mandatory

Declassification Review programs in the CIA. These responsibilities include directing searches of CIA records systems pursuant to public requests for records under these programs and coordinating the reviews of any records retrieved in such searches. These review processes include undertaking any intra-agency and inter-agency coordination and referrals necessary in light of the information found in responsive records. In addition, my responsibilities include fee category and fee waiver determinations.

4. As part of my official duties I ensure that the CIA administratively processes FOIA and Privacy Act requests including the search, retrieval, analysis, review, redaction and release of documents in accordance with the law and as efficiently as possible with the personnel and resources available.
5. Through the exercise of my official duties, I have become familiar with Plaintiff's FOIA request for information that is the subject of this civil action. I make the following statements based upon my personal knowledge, and information made available to me in the course of performing my official duties.

#### **I. PLAINTIFF'S FOIA REQUEST AND THE CIA's RESPONSE**

6. By "letter"<sup>1</sup> dated August 23, 2008 (received in the office of the Information and Privacy Coordinator on August 28, 2008), Plaintiff submitted a FOIA request to the CIA for the following "CIA-received and CIA-generated" records:

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<sup>1</sup> The "letter" is actually a print-out of email correspondence between the Office of the Director of National Intelligence and Plaintiff with handwritten annotations addressed to "Scott Koch [former CIA Information and Privacy Coordinator], changing date to "23" August, and containing signature of Plaintiff. The text states in part "By snail- mail, I'm sending to you a signed printout of this e-formatted letter."



- a. "As pertain to the convening, attendance roster, briefings, minutes, and all other related documentation" of the "1987 special meeting at FAA headquarters in Washington, D.C., to discuss and evaluate...the intrusive UFO encounter experienced on Nov. 17, 1986, by the Japanese flight crew (No. 1628) of a 747 cargo jet...in Alaskan sky."
- b. "As pertain to all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986, to date."

Plaintiff also stated that since he was submitting his request as "a representative of the news media principally as a columnist for the monthly newsstand periodical 'UFO Magazine'", he asked that "all records-search/review fees" be waived. (A true and correct copy of Plaintiff's initial request is attached hereto as Exhibit A.)

7. By letter dated September 30, 2008, the CIA acknowledged receipt of Plaintiff's request and assigned it reference number F-2008-01781. The letter went on to explain that "there is no organized effort to do research in connection with UFO phenomena, nor has there been an organized effort to collect intelligence on UFOs since the 1950s." The letter also noted that CIA has no current program to actively collect information on UFOs. The letter then discussed the release by CIA of UFO-related documents (2,779 pages) in response to prior FOIA requests and a special search conducted in 1993 at the direction of then CIA Director James Woolsey, which included the search for and review of all Agency files on UFOs. The letter also enclosed a copy of CIA's fee schedule and stated the cost for the UFO package was \$267.90, ten cents per page less the first 100 pages free. That is the cost of duplication. Since this information was previously released

and the charge was for duplication only, it was not affected by fee category.<sup>2</sup> The letter further explained that requests for fee waivers<sup>3</sup> must be considered under the standards that Agency regulations outlined at Part 1900 of Title 32 of the Code of Federal Regulations (C.F.R.). In accordance therewith, the CIA informed Mr. Bryant that because the information he sought was already in the public domain, and "its re-release would not likely contribute significantly to public understanding of the operations and activities of the United States Government," his request for a fee waiver was denied. The September 30, 2008 letter also informed Plaintiff that he could appeal the denial of his request for a fee waiver within 45 days from the date of the letter, but if CIA has started to process a request, the Agency would accept an appeal of a fee waiver denial only "if the requester agrees to be responsible for the costs in the event of an adverse administrative or judicial decision." In an effort to assist Plaintiff further, CIA also included a copy of an article from the CIA's internal magazine Studies in Intelligence, Summer 1997, entitled "CIA's Role in the Study of UFO's, 1947-90." The item was provided at no cost because it was under 100 pages. (A true

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<sup>2</sup> The CIA did not formally address Plaintiff's request for status as a new media representative in its September 30, 2008 letter, although after explaining the cost of the UFO package—ten cents per page less the first 100 pages, the letter stated "as a requester in the 'all other' category." Regardless, since the only charge was for duplication, the fee was the same whether his fee category was determined to be news media or all other.

<sup>3</sup> Although Plaintiff used the term "waiver" in his request letter, based on context of his letter (and subsequent appeal and complaint), it appears that there was confusion over fee category (status) and fee waiver and that requester used the latter term to mean his request for news media status. Notwithstanding that it appears Plaintiff did not request a fee waiver, because of his use of the term waiver, the CIA treated it as such.

and correct copy of CIA's September 30, 2008 letter and enclosures is attached hereto as Exhibit B.)

8. By letter dated October 3, 2008<sup>4</sup>, Plaintiff appealed the CIA's decision "to deny my FOIA request status as a representative of the news media" regarding request F-2008-01781. Plaintiff went on to state "[b]y this appeal, I hereby characterize my records-search-fee-waiver 'request' as a DEMAND" and cited 5 U.S.C. § 522 "a(4)(A)(ii)(II), namely, 'fees shall be limited to reasonable standard charges for document duplication when...the request is made by...a representative of the news media.'" (A true and correct copy of Plaintiff's appeal request is attached hereto as Exhibit C.)
9. By letter dated October 28, 2008, the CIA acknowledged Plaintiff's letter in which he appealed our determination to deny him "status as a representative of the news media" and to deny his "request for a fee waiver."
10. The CIA explained to Plaintiff that since records responsive to his FOIA request had been previously released and no additional searches were conducted, he would be responsible "for copying costs associated with this request regardless of fee category determination." That is, the copying fees would apply even if he were placed into the news media fee category. With respect to his appeal of the denial of a fee waiver, the CIA reiterated that "if processing has been initiated, the requester must agree to be responsible for costs in the event of an adverse

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<sup>4</sup> The "letter" composed as email on October 3, 2008, is actually dated "6 Oct 2008" in a handwritten annotation next to Plaintiff's signature. The text states in part: "By snail-mail, I'm sending to you a signed printout of this e-formatted letter." The appeal was received in my office on October 14, 2008 (see date stamp).

administrative or judicial decision.” (See 32 C.F.R. § 1900.13(d).) Accordingly, the CIA declined to accept Plaintiff’s fee waiver denial appeal.<sup>5</sup> (A true and correct copy of CIA’s response to Plaintiff’s appeal request is attached hereto as Exhibit D.)

11. On May 20, 2009, Plaintiff commenced this action, alleging that Defendant “failed to grant Plaintiff news media representative status,” “a fee waiver so as only to have to pay photocopying and reproduction fees,” (Compl., ¶¶ 9 and 10), and for the first time, alleged that Defendant “did not use the level of diligence and good faith to conduct a search.” (*Id.*, ¶ 12).
12. By letter dated June 23, 2009, the CIA informed Plaintiff it would reopen his request, granted him news media representative status for this request, and conduct a search for “CIA-received and CIA-generated” records on the following:
  - a. “the convening, attendance roster, briefings, minutes, and all other related documentation of the 1987 special meeting at FAA headquarters in Washington, D.C.,”
  - b. “all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986, to date.” (A true and correct copy of this letter is attached hereto as Exhibit E.)
13. By letter dated October 21, 2009, the CIA informed Plaintiff that no records responsive to item (a) above were located and that with respect to item (b), U.S. Government material (not originated by the CIA) was located and has been

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<sup>5</sup> Although I signed the CIA’s October 28, 2008 letter (as well as the initial response letter), initial FOIA requests and FOIA appeals are processed by two different branches. The appeals letter was signed in my capacity as Executive Secretary of the Agency Release Panel pursuant to 32 C.F.R. 1900.41(c)(2) and should have so indicated.

referred to the originating agencies for their review and direct response to him.

The CIA also informed Plaintiff that "CIA regulations governing administrative appeals provide that no appeal shall be accepted if the information in question is the subject of pending litigation in the federal courts." (A true and correct copy of this letter is attached hereto as Exhibit F.)

14. The CIA referred the three potentially responsive documents to the government agencies which originated the documents: Department of State and National Security Agency.

## **II. CIA'S SEARCH FOR RESPONSIVE DOCUMENTS**

### **A. CIA Records Systems**

15. The CIA's records systems are designed to support CIA's intelligence activities and responsibilities. The CIA's ability to retrieve data from a given records system depends upon the type of information stored in that system and the way the system is designed to retrieve that information. Records systems and indexing systems vary among CIA components because they must reflect and respond to the established responsibilities and needs of those individual components. For example, some CIA records systems are organized to facilitate the collection of foreign intelligence, while others facilitate the analysis of intelligence information, depending upon the missions of the particular CIA component.
16. All CIA records are maintained by one of four directorates or the independent offices and entities that report to the Director of the CIA: the National Clandestine Service ("NCS"), the Directorate of Intelligence ("DI"), the

Directorate of Science and Technology ("DS&T"), the Directorate of Support ("DS") and the Director of CIA Area ("DIR Area").

17. The DI is the CIA directorate that analyzes, interprets and forecasts foreign intelligence issues and world events of importance to the United States. It is responsible for producing finished intelligence reports for dissemination to policymakers in the United States Government. Appropriately trained personnel regularly conduct FOIA and other searches of the DI records system as part of their normal duties.
18. The DS&T is the CIA directorate that creates and applies technology to fulfill intelligence requirements. The DS&T also maintained records produced by the Foreign Broadcast Information Service, the primary collector of foreign open-source information for the United States Government until the establishment of the DNI Open Source Center in 2005<sup>6</sup>. Open-source information is information that is generally available to the public, such as foreign newspapers, periodical publications, and television and radio broadcasts. Appropriately trained personnel regularly conduct FOIA and other searches of the DS&T records system as part of their normal duties.
19. The NCS is the organization within CIA responsible for the clandestine collection of foreign intelligence information from human sources. The NCS records system contains information on persons or entities that are of foreign intelligence or counterintelligence interest to the CIA and other United States Government

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<sup>6</sup> The DNI Open Source Center ("OSC") at CIA was established on 1 November 2005. The DNI directed that the center be built on the capabilities and expertise of CIA's FBIS and report directly to the DCIA in implementing DNI strategy and guidance.

agencies. Appropriately trained personnel regularly conduct FOIA and Privacy Act searches of the NCS records system as part of their normal duties. NCS operational files are exempt from FOIA search and review pursuant to the CIA Information Act, 50 U.S.C. § 431.

20. The DS provides the CIA with mission-critical services, including the protection of CIA personnel, security matters generally, facilities, communications, logistics, training, medical services, and personnel resources. It maintains records on all current and former CIA employees, whether employed in a contract or staff capacity, as well as other individuals for whom security processing or evaluation has been required. Appropriately trained personnel regularly conduct FOIA searches of the DS records system as part of their normal duties.

21. The DIR Area includes the independent offices that report directly to the Director, and is distinct from the CIA's four main directorates (NCS, DI, DS&T, and DS). The DIR Area includes the Office of General Counsel, Office of Inspector General, Office of Congressional Affairs, Office of Public Affairs, Chief Financial Officer, Chief Information Officer, and other entities such as the Office of Diversity Plans and Programs. The DNI Open Source Center is also within the DIR Area. Appropriately trained personnel regularly conduct FOIA searches of the DIR records system as part of their normal duties.

#### **B. Procedures for Processing FOIA Requests**

22. The CIA has established the following procedures for processing FOIA requests. As previously noted, CIA's Information and Privacy Coordinator, who also serves as Chief, PIPD, is responsible for managing the FOIA, PA, and E.O. 12958



Mandatory Declassification Review programs at the CIA. My office is the initial reception point in the CIA for all FOIA requests. Upon receipt, experienced FOIA officers in PIPD review the request to ensure that it is perfected, that is, meets applicable legal and administrative requirements. Part of this review entails checking to see if the CIA has previously searched for and released records on the topic identified by the requester. If so, depending upon the volume, the requester is provided with copies of the responsive records or a listing of such records as well as with background on the search which generated the records. (See Exhibit B.) If a request is perfected and a search of CIA component records is necessary, PIPD officers determine which directorates<sup>7</sup> of the CIA reasonably may be expected to possess records responsive to the request and then forward copies of the requester's letter to those directorates with instructions to search for any responsive documents. The tasked directorates then conduct searches among all directorate components and indices and databases that reasonably may be expected to have any information responsive to the request. Directorate personnel responsible for conducting these searches are professionals who regularly and routinely conduct CIA record searches, whether for another component of the CIA, the Director of CIA, Department of Justice, Congress, or a FOIA requester.

23. After a tasked component locates documents in response to a FOIA request, officers must review those documents to determine whether they do, in fact, respond to the request. Because of the nature of a particular records system, or the search tools, indices, or terms employed, a search may locate many documents

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<sup>7</sup>In the discussion of processing procedures in this Declaration, "directorates" will include the DIR Area.



that are not responsive to the request. In fact, it is quite common for the number of non-responsive documents to exceed the number of responsive documents.

24. After officers identify and remove any non-responsive documents, they must then review the remaining responsive documents to determine if any FOIA exemptions apply, and whether they can reasonably segregate non-exempt information from exempt information. In the course of reviewing documents for exempt information and segregability, officers frequently identify information that must be coordinated with or referred to another CIA component or another agency because the other component or agency originated the information.<sup>8</sup> This coordination and referral process itself can be quite time-consuming because other components and agencies have their own missions and FOIA priorities.
25. When all of the components and agencies<sup>9</sup> have completed their respective reviews, PIPD professionals incorporate all of the recommendations regarding exemptions, segregation, and release, resolve conflicting recommendations, and ensure that the release or withholding determinations comply with the law and published CIA regulations. Under the direction and supervision of the CIA Information and Privacy Coordinator, a review is then conducted from a corporate perspective on behalf of the entire CIA. A final record copy of each CIA-originated document is produced and a response is provided to the requester.

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<sup>8</sup> See Exec. Order No. 12958, as amended, § 3.6(b).

<sup>9</sup>“Agencies” in this context refers to one more other agencies having information or equities in CIA documents as opposed to referrals, which are documents located by CIA but originated by another agency. These are forwarded to the originating agency for review and direct response to the requester.

Documents originated by other government agencies are forwarded to those agencies for direct response to the requester.

**C. CIA's Records Search in Response to Plaintiff's FOIA Request**

26. The CIA processed Plaintiff's request following the procedures set forth above.

27. As noted above (¶ 9), the CIA has previously searched for and released records relating to UFOs in response to FOIA requests and litigation. In addition, in 1993-94, at the direction of then Director of Central Intelligence (DCI) James Woolsey, the CIA conducted an Agency-wide search for and reviewed all CIA files relating to UFOs. This effort, conducted under the direction of the Executive Assistant to the Director of Central Intelligence ("DCI") resulted in a further release of 1,757 pages, bringing the CIA's release of documents relating to UFOs, that is, the "UFO package" to 2,779 pages. It should be noted that this search was Agency-wide and the intent of the review was to release as much information as possible, without compromising intelligence sources and methods. Thus, the subject of plaintiff's request—"a 1987 special meeting at FAA headquarters...to discuss and evaluate certain official evidence of the intrusive UFO encounter experienced on Nov. 17, 1986...by a Japanese flight crew" over Alaska — falls squarely within the parameters of this search. In reviewing this case, it was the second prong of Plaintiff's request that prompted the CIA to reopen the processing of his request, namely, the request for information "on all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986." As was explained to Plaintiff in CIA's Sept. 30, 2008 letter, there is no CIA program to actively collect information on UFOs. However, the letter also acknowledged

that occasionally we may receive reports of sightings of objects in the UFO category. Accordingly, a search was conducted by CIA for records concerning "similar cases of airborne UFO encounters" since November 17, 1986. In addition, notwithstanding that records relating to the alleged 1987 special meeting at FAA headquarters concerning the November 1986 encounter, if any, should have been located during the special search for UFO related information conducted in 1993-94, a new search was conducted for records specifically relating to the meeting as described by the requester.

28. PIPD personnel experienced in the tasking of records searches tasked those CIA directorates reasonably likely to have responsive records, if any existed. PIPD tasked the Plaintiff's request to the DI, DS&T, DIR Area, and NCS. These components were tasked to search through June 15, 2009, the date of the letter informing requester that the case was being reopened.
29. As noted above, the DI analyzes, interprets, and forecasts foreign-intelligence related issues and world events of importance to the United States. The DI made all reasonable efforts to identify and retrieve any records responsive to Plaintiff's FOIA request. The DI searched its central data base, an all-source data base containing intelligence reports and finished intelligence received and originated by the CIA, for information on "other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986." The following search terms were used: "UFO", "UFOS", and "unidentified flying object or objects."
30. Three responsive documents, all originated by other agencies, were located. Records in the main DI system are disseminated intelligence reports and are not

indexed to retrieve information of the nature requested in item 1 of Plaintiff's request. Within the DI, the only component reasonably likely to possess records relating to the meeting described in requester's letter would have been the Office of Scientific and Weapons Research ("OSWR")<sup>10</sup>, whose records have been archived. Such records are indexed only at the folder level. The DI searched using the following terms "UFO," "U F O," "U.F.O.," as well as "FAA," "F A A," and Federal Aviation Administration. In addition, the search officer looked for folder titles listing meeting, briefing, roster, or minutes for the same time period. No responsive records were located.

31. The DS&T also made all reasonable efforts to identify and retrieve records responsive to plaintiff's request. Given the relevant time period, the DS&T searched archived records of the National Photographic Interpretation Center, Foreign Broadcast Information Service, Office of Imagery Analysis, Office of Technical Services, Office of the Director for S&T, Office of Development and Engineering, Office of Research and Development and Office of Technical Collection. The DS&T employed the following search terms: "FAA," "Federal Aviation Administration," "UFO," "unidentified flying object," and "Callahan." No responsive records were located.

32. The DCIA Area also made all reasonable efforts to identify and retrieve any records responsive to plaintiff's FOIA request. The DCIA Action Center (DAC), Office of Public Affairs, Open Source Center and Center for the Study of

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<sup>10</sup> OSWR was formed in 1980 when the Offices of Scientific Intelligence and Weapons Intelligence were merged. The name of the office was changed in 1995, and the office was subsequently merged with a number of others during successive reorganizations.

Intelligence conducted records searches. All components searched for "unidentified flying objects," "UFO," "UFOs," "FAA," or "Federal Aviation Administration." In addition, the following search terms were used by one or more components: "UFO encounter," "Japanese flight crew 1628," "aviation," "meeting at FAA 1987," "FAA meeting," "1987 FAA meeting," "UFO and Japan," "UFO and 1628," "UFO and CIA," "UFO and 747," "UFO and extraterrestrial," "Callahan." (The term "unidentified flying object" was also used in conjunction with other terms when "UFO" is listed in the preceding examples. In addition, as was noted above, a special search was conducted in 1993-94 regarding UFOs at the request of Director Woolsey. These records are part of the CIA UFO collection which was offered to the plaintiff in CIA's initial response. The search was overseen by the Executive Assistant to the DCI. The DAC searched all of the records retired as part of this effort ("every single page"), and CSI independently reviewed a subset as possibly containing responsive information. All records were manually reviewed as part of this search. No responsive records were located. The DAC found no reference to a meeting or the FAA in 1987 ("or indeed, any other year") or any documentation regarding UFO encounters, extra-terrestrials, or unexplained flying phenomena from 1986 onward. In addition, the individual who oversaw the 1993-94 search and review effort as the Executive Assistant to the DCI searched his email concerning this project for "FAA" and located no responsive documents.

33. As previously noted, the NCS is responsible for the clandestine collection of foreign intelligence information. The NCS records system contains information

on persons and entities that are of foreign intelligence or counter-intelligence interest to the CIA and other United States Government agencies. After reviewing plaintiff's FOIA request, NCS responded that its records system was not set up to search on general subjects or topics such as UFOs.<sup>11,12</sup>

34. In sum, the CIA tasked those components reasonably likely to possess information responsive to Plaintiff's request (if any) to conduct records searches. The searches were conducted by information management professionals who are familiar with the records systems of their respective components and who routinely and regularly conduct searches of these records as part of their professional responsibilities. These individuals were familiar with Plaintiff's request and all such searches were reasonably calculated to locate responsive records, if any. As indicated above, no documents were located in response to item (a) ("1987 special meeting at FAA") of Plaintiff's request and three records originated by other government agencies were located in response to item (b) ("all other similar cases of airborne UFO encounters").

I hereby declare under penalty of perjury that the foregoing is true and correct.

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<sup>11</sup> Intelligence reports disseminated by NCS (formerly the Directorate of Operations) are included in the DI records system where they may be searched by topic (and were searched as part of the DI records search described above.)

<sup>12</sup> The Directorate of Support to conduct searches in this case. Given its functions as CIA's administrative and support arm, PIPD officers reasonably determined that the DS was not likely to have records responsive to plaintiff's request.

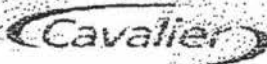
Executed this 21<sup>st</sup> day of January, 2010.

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Delores M. Nelson  
Information & Privacy Coordinator  
Central Intelligence Agency

# EXHIBIT A





F-2008-01781

[Settings](#) | [Help](#) | [Sign out](#) (b)(6)[Search Mail](#) [Search the Web](#) [Show search options](#)[Compose Mail](#)[Send](#) [Save Draft](#) [Discard](#)[Inbox \(217\)](#)[Starred](#) ★[Sent Mail](#)[Drafts \(13\)](#)[All Mail](#)[Spam](#)[Trash](#)[Contacts](#)[Labels](#)[INBOX Sent](#)[Migrated \(1\)](#)

To: Jennifer L Hudson

(b)(3) NatSecAct

(b)(6)

Cc:

Bcc:

Subject: Re: FOIA Request re CIA UFO Cover-up

Attachments:

[Browse...](#)[Attach More Files](#)

THANK YOU, MS. HUDSON, FOR this clarification. Via a signed printout of this e-exchange, I'm sending my below-quoted FOIA request to Scott Koch, FOIA coordinator for the U. S. Central Intelligence Agency -- for him to conduct the necessary records search within all relevant CIA components (to include that compartment in which resides the current version of Majestic-12 records), and thereupon to produce the requested records within the current FOIA response-time limits. -- Larry W. Bryant

(b)(6)

On 8/22/08, Jennifer L Hudson

wrote:

(b)(3) NatSecAct

&gt; Mr. Bryant,

(b)(6)

>  
> Because ODNI was not established until April 2005, it is unlikely we would  
> have records responsive to your request. The exception would be any  
> FBIS-produced documents that were originated after that date, as covered  
> in your request, DF-2008-00036.  
> I suggest you send this directly to the CIA if you haven't already done so

[Send](#) [Save Draft](#) [Discard](#)Get your mail on your mobile phone at <http://mail.google.com/hosted/cavtel.net/> using your phone's web browser.

You are currently using 215 MB (3%) of your 7057 MB

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Approved for Release: 2025/06/11 C07083374

X-Virus-Scanned: Debian amavisd-new at rcmdxobl.cavtel.net  
 Received: from rcmdxobl.cavtel.net ([127.0.0.1])  
 by localhost (rcmdxobl.cavtel.net [127.0.0.1]) (amavisd-new, port 10026)  
 with ESMTTP id GQTR0nBBCpGD; Wed, 13 Aug 2008 21:12:32 -0400 (EDT)  
 Received: from [66.160.90.135] (dynamic-66-160-90-135.dialup.cavtel.net [66.160.90.135])  
 by rcmdxobl.cavtel.net (Postfix) with ESMTTP id 7A77767643;  
 Wed, 13 Aug 2008 21:12:24 -0400 (EDT)  
 Mime-Version: 1.0  
 X-Sender: [redacted] (Unverified)  
 Message-Id: <a05002001c4c91f0a0cbc@[66.160.90.92]>  
 Date: Wed, 13 Aug 2008 21:15:27 -0400  
 To: dni-foia@ugov.gov  
 From: "Larry W. Bryant" [redacted]  
 Subject: FOIA Request re CIA-UFO Cover-up  
 Content-Type: text/plain; charset="us-ascii" ; format="flowed"  
 TO: Freedom of Information Manager  
 Office of the Director of National Intelligence  
 Washington, DC 20511  
 FROM: Larry W. Bryant [redacted] + U.S. CENTRAL INTELLIGENCE AGENCY

(b)(6)

(b)(6)

(b)(6)

DATE: August 23, 2008 *WLB*

John J. Callahan -- a retired U. S. Federal Aviation Administration official (and now also one of several recent UFO-cover-up whistleblowers) -- has publicly revealed his and other FAA employees' participation in a 1987 special meeting at FAA headquarters in Washington, D. C., to discuss and evaluate certain official evidence of the intrusive UFO encounter experienced on Nov. 17, 1986, by the Japanese flight crew (No. 1628) of a 747 cargo jet during that night in Alaskan sky. Also taking part in the 1987 meeting were representatives from President Reagan's scientific staff and three personnel from the U. S. Central Intelligence Agency. At the meeting's conclusion, one of the CIA attenders announced, "This event never happened; we were never here; we're confiscating all this data . . . ."

Accordingly, I hereby request that you furnish me a copy of the following CIA-received and CIA-generated records:

- (1) As pertain to the convening, attendance roster, briefings, minutes, and all other related documentation of the above-identified meeting;
- (2) As pertain to all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986, to date.

Since I submit this request as a representative of the news media (principally as a columnist for the monthly newsstand periodical "UFO Magazine"), I ask that you waive all records-search/review fees incident to your fulfilling this request. For a sampling of my free-lance publication credits, see the author's blog at <http://ufoview.posterous.com>.

By snail-mail, I'm sending to you a signed printout of this e-formatted letter.

(b)(6)

LARRY W. BRYANT [redacted]

Director, Washington, D. C., Office of Citizens Against UFO Secrecy

Copies furnished to:

Editor, UFO Magazine

Chairman, Select Committee on Intelligence, U. S. Senate

Chairman, Committee on Science and Technology, U. S. House of Representatives

# **EXHIBIT B**



Washington, D.C. 20505

September 30, 2008

Mr. Larry W. Bryant



(b)(6)

Reference: F-2008-01781

Dear Mr. Bryant:

This is a final response to your 23 August 2008 Freedom of Information Act (FOIA) request, received in the office of the Information and Privacy Coordinator on 28 August 2008, for the following CIA-received and CIA-generated records:

- (1) As pertain to the convening, attendance roster, briefings, minutes, and all other related documentation of the 1987 special meeting at FAA headquarters in Washington, D.C.;
- (2) As pertain to all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986, to date.

We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

On the general subject of Unidentified Flying Objects (UFOs), there is no organized CIA effort to do research in connection with UFO phenomena, nor has there been an organized effort to collect intelligence on UFOs since the 1950s. At that time, the Air Force, specifically the Air Technical Intelligence Center at Wright Patterson Air Force Base, had the primary responsibility for the investigation of all reports of UFO sightings. The CIA's role was in connection with a Scientific Advisory Panel, established to investigate and evaluate reports of UFOs. The panel was concerned only with any aspect of UFO phenomena which might prove to present a potential threat to the United States national security. The panel later issued a report of its findings, the Report of the Scientific Panel on Unidentified Flying Objects dated 17 January 1953, also known as the Robertson Report. The report was released by the Air Force Office of Public Information on 9 April 1958. The Air Force investigation, called Project Bluebook, was terminated in 1969. We understand that the Air Force turned its records on this subject over to the National Archives and Records Administration where they are currently available for inspection and purchase. There is currently no CIA program to actively collect information on UFOs, although since the time of the Robertson Report there have been sporadic instances of correspondence dealing with the subject, and we occasionally receive various kinds of reports of sightings of objects in the UFO category.

As of this date, however, the Agency has released to numerous previous requesters 1,022 pages of UFO-related documents under the FOIA. Most of this material was located as a result of a previous search for records conducted on behalf of an earlier requester for information regarding UFOs up through 1979, and as a result of a recent updated search for records conducted on behalf of an earlier requester for information regarding UFOs from 1979 through 15 March 1990. Any releasable material as a result of these earlier, thorough searches is included in this package. These documents are not indexed, and most of the material deals with matters related to the report by the Scientific Advisory Panel. We should advise you that most of the reports dealing with the UFO sightings considered by the Panel originated with other government agencies such as the Air Force, and that much of the later CIA-originated reports concern sightings as reported in the foreign news media. In accordance with our enclosed fee schedule, the material referred to above costs ten cents per page less the first 100 pages as a requester in the "all other" category.

Also, as a result of former Director Woolsey's 14 December 1993 radio interview, a recent further release of 1,757 pages has been made bringing the total amount of pages to 2,779. Therefore, should you wish to purchase this package, please send us your check or money order for US\$267.90 to me, made payable to the Treasurer of the United States and cite the reference number above to ensure proper credit to your account.

You also have the option of reviewing the initial release of 991 pages on the CIA's electronic FOIA internet site. The access for this site via homepage URL is:

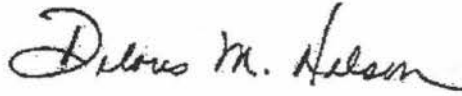
<http://www.foia.ucia.gov>.

I must consider your request for a fee waiver under the standards the Agency FOIA regulations outline, which you will find at Part 1900 of Title 32 of the Code of Federal Regulations (CFR). I have reviewed your request under those standards and determined that your petition does not meet them because disclosing the information you seek is already in the public domain and its re-release would not likely contribute significantly to public understanding of the operations and activities of the United States Government. I therefore deny your request for a fee waiver.

You may appeal this decision, in my care, within 45 days from the date of this letter. Should you choose to appeal the denial of your request for a fee waiver, you are encouraged to provide an explanation supporting your appeal. Agency regulations also specify that if the Agency has started to process a request, the Agency may only accept an appeal of a fee waiver denial if the requester agrees to be responsible for the costs in the event of an adverse administrative or judicial decision.

In an effort to assist you further, enclosed is a copy of an article from the CIA's internal magazine Studies in Intelligence, Summer 1997, entitled "CIA's Role in the Study of UFOs, 1947-90." This item is being provided at no cost since it is under 100 pages. We trust that the information enclosed and that provided above will be helpful.

Sincerely,

A handwritten signature in cursive script that reads "Delores M. Nelson".

Delores M. Nelson  
Information and Privacy Coordinator

Enclosure



*A Die-Hard Issue*

## CIA's Role in the Study of UFOs, 1947-90

Gerald K. Haines

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While Agency concern over UFOs was substantial until the early 1950s, CIA has since paid only limited and peripheral attention to the phenomena.

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An extraordinary 95 percent of all Americans have at least heard or read something about Unidentified Flying Objects (UFOs), and 57 percent believe they are real.<sup>1</sup> Former US Presidents Carter and Reagan claim to have seen a UFO. UFOlogists—a neologism for UFO buffs—and private UFO organizations are found throughout the United States. Many are convinced that the US Government, and particularly CIA, are engaged in a massive conspiracy and coverup of the issue. The idea that CIA has secretly concealed its research into UFOs has been a major theme of UFO buffs since the modern UFO phenomena emerged in the late 1940s.<sup>2</sup>

In late 1993, after being pressured by UFOlogists for the release of additional CIA information on UFOs,<sup>3</sup> DCI R. James Woolsey ordered another review of all Agency files on UFOs. Using CIA records compiled from that review, this study traces CIA interest and involvement in the UFO controversy from the late 1940s to 1990. It chronologically examines the Agency's efforts to solve the mystery of UFOs, its programs that had an impact on UFO sightings, and its attempts to conceal CIA involvement in the entire UFO issue. What emerges from this examination is that, while Agency concern over UFOs was substantial until the early 1950s, CIA has since paid only limited and peripheral attention to the phenomena.

### Background

The emergence in 1947 of the Cold War confrontation between the

United States and the Soviet Union also saw the first wave of UFO sightings. The first report of a "flying saucer" over the United States came on 24 June 1947, when Kenneth Arnold, a private pilot and reputable businessman, while looking for a downed plane sighted nine disk-shaped objects near Mt. Rainier, Washington, traveling at an estimated speed of over 1,000 mph. Arnold's report was followed by a flood of additional sightings, including reports from military and civilian pilots and air traffic controllers all over the United States.<sup>4</sup> In 1948, Air Force Gen. Nathan Twining, head of the Air Technical Service Command, established Project SIGN (initially named Project SAUCER) to collect, collate, evaluate, and distribute within the government all information relating to such sightings, on the premise that UFOs might be real and of national security concern.<sup>5</sup>

The Technical Intelligence Division of the Air Materiel Command (AMC) at Wright Field (later Wright-Patterson Air Force Base) in Dayton, Ohio, assumed control of Project SIGN and began its work on 23 January 1948. Although at first fearful that the objects might be Soviet secret weapons, the Air Force soon concluded that UFOs were real but easily explained and not extraordinary. The Air Force report found that almost all sightings stemmed from one or more of three causes: mass hysteria and hallucination, hoax, or misinterpretation of known objects. Nevertheless, the report recommended continued military intelligence control over the investigation of all sightings and did not

Gerald K. Haines is the National Reconnaissance Office historian.

RELEASED July 1999

## UFOs

rule out the possibility of extraterrestrial phenomena.<sup>6</sup>

Amid mounting UFO sightings, the Air Force continued to collect and evaluate UFO data in the late 1940s under a new project, GRUDGE, which tried to alleviate public anxiety over UFOs via a public relations campaign designed to persuade the public that UFOs constituted nothing unusual or extraordinary. UFO sightings were explained as balloons, conventional aircraft, planets, meteors, optical illusions, solar reflections, or even "large hailstones." GRUDGE officials found no evidence in UFO sightings of advanced foreign weapons design or development, and they concluded that UFOs did not threaten US security. They recommended that the project be reduced in scope because the very existence of Air Force official interest encouraged people to believe in UFOs and contributed to a "war hysteria" atmosphere. On 27 December 1949, the Air Force announced the project's termination.<sup>7</sup>

With increased Cold War tensions, the Korean war, and continued UFO sightings, USAF Director of Intelligence Maj. Gen. Charles P. Cabell ordered a new UFO project in 1952. Project BLUE BOOK became the major Air Force effort to study the UFO phenomenon throughout the 1950s and 1960s.<sup>8</sup> The task of identifying and explaining UFOs continued to fall on the Air Material Command at Wright-Patterson. With a small staff, the Air Technical Intelligence Center (ATIC) tried to persuade the public that UFOs were not extraordinary.<sup>9</sup> Projects SIGN, GRUDGE, and BLUE BOOK set the tone for the official US Government position regarding UFOs for the next 30 years.

## Early CIA Concerns, 1947-52.

CIA closely monitored the Air Force effort, aware of the mounting number of sightings and increasingly concerned that UFOs might pose a potential security threat.<sup>10</sup> Given the distribution of the sightings, CIA officials in 1952 questioned whether they might reflect "midsummer madness."<sup>11</sup> Agency officials accepted the Air Force's conclusions about UFO reports, although they concluded that "since there is a remote possibility that they may be interplanetary aircraft, it is necessary to investigate each sighting."<sup>12</sup>

A massive buildup of sightings over the United States in 1952, especially in July, alarmed the Truman administration. On 19 and 20 July, radar scopes at Washington National Airport and Andrews Air Force Base tracked mysterious blips. On 27 July, the blips reappeared. The Air Force scrambled interceptor aircraft to investigate, but they found nothing. The incidents, however, caused headlines across the country. The White House wanted to know what was happening, and the Air Force quickly offered the explanation that the radar blips might be the result of "temperature inversions." Later, a Civil Aeronautics Administration investigation confirmed that such radar blips were quite common and were caused by temperature inversions.<sup>13</sup>

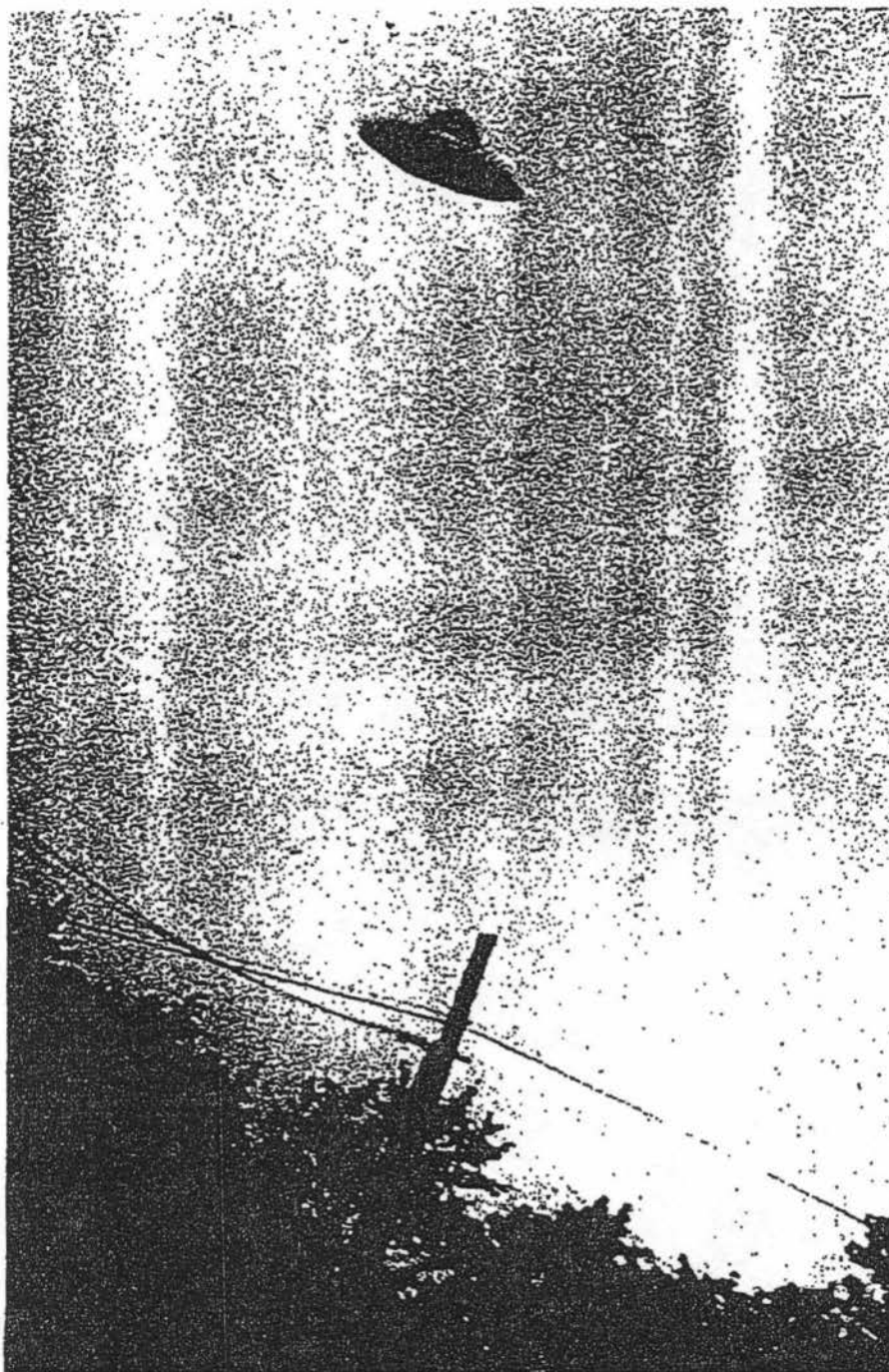
Although it had monitored UFO reports for at least three years, CIA reacted to the new rash of sightings by forming a special study group within the Office of Scientific Intelligence (OSI) and the Office of Current Intelligence (OCI) to review the situation.<sup>14</sup> Edward Tauss, acting chief of OSI's Weapons and Equipment Division, reported for the group

that most UFO sightings could be easily explained. Nevertheless, he recommended that the Agency continue monitoring the problem, in coordination with ATIC. He also urged that CIA conceal its interest from the media and the public, "in view of their probable alarmist tendencies" to accept such interest as confirming the existence of UFOs.<sup>15</sup>

Upon receiving the report, Deputy Director for Intelligence (DDI) Robert Amory, Jr. assigned responsibility for the UFO investigations to OSI's Physics and Electronics Division, with A. Ray Gordon as the officer in charge.<sup>16</sup> Each branch in the division was to contribute to the investigation, and Gordon was to coordinate closely with ATIC. Amory, who asked the group to focus on the national security implications of UFOs, was relaying DCI Walter Bedell Smith's concerns.<sup>17</sup> Smith wanted to know whether or not the Air Force investigation of flying saucers was sufficiently objective and how much more money and manpower would be necessary to determine the cause of the small percentage of unexplained flying saucers. Smith believed "there was only one chance in 10,000 that the phenomenon posed a threat to the security of the country, but even that chance could not be taken." According to Smith, it was CIA's responsibility by statute to coordinate the intelligence effort required to solve the problem. Smith also wanted to know what use could be made of the UFO phenomenon in connection with US psychological warfare efforts.<sup>18</sup>

Led by Gordon, the CIA Study Group met with Air Force officials at Wright-Patterson and reviewed their data and findings. The Air Force claimed that 90 percent of the reported sightings were easily



**BEST COPY  
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Passoria, New Jersey, 31 July 1952

UFOs

**BEST COPY  
AVAILABLE**

Sheffield, England, 4 March 1962



Minneapolis, Minnesota, 20 October 1960

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Because of the tense Cold War situation and increased Soviet capabilities, the CIA Study Group saw serious national security concerns in the flying saucer situation.

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accounted for. The other 10 percent were characterized as “a number of incredible reports from credible observers.” The Air Force rejected the theories that the sightings involved US or Soviet secret weapons development or that they involved “men from Mars”; there was no evidence to support these concepts. The Air Force briefers sought to explain these UFO reports as the misinterpretation of known objects or little understood natural phenomena.<sup>19</sup> Air Force and CIA officials agreed that outside knowledge of Agency interest in UFOs would make the problem more serious.<sup>20</sup> This concealment of CIA interest contributed greatly to later charges of a CIA conspiracy and coverup.

The CIA Study Group also searched the Soviet press for UFO reports, but found none, causing the group to conclude that the absence of reports had to have been the result of deliberate Soviet Government policy. The group also envisioned the USSR's possible use of UFOs as a psychological warfare tool. In addition, they worried that, if the US air warning system should be deliberately overloaded by UFO sightings, the Soviets might gain a surprise advantage in any nuclear attack.<sup>21</sup>

Because of the tense Cold War situation and increased Soviet capabilities, the CIA Study Group saw serious national security concerns in the flying saucer situation. The group believed that the Soviets could use UFO reports to touch off mass hysteria and panic in the United States. The group also believed that the Soviets might use UFO sightings to overload the US air warning system so that it could not distinguish real targets from

phantom UFOs. H. Marshall Chadwell, Assistant Director of OSI, added that he considered the problem of such importance “that it should be brought to the attention of the National Security Council, in order that a communitywide coordinated effort towards its solution may be initiated.”<sup>22</sup>

Chadwell briefed DCI Smith on the subject of UFOs in December 1952. He urged action because he was convinced that “something was going on that must have immediate attention” and that “sightings of unexplained objects at great altitudes and traveling at high speeds in the vicinity of major US defense installations are of such nature that they are not attributable to natural phenomena or known types of aerial vehicles.” He drafted a memorandum from the DCI to the National Security Council (NSC) and a proposed NSC Directive establishing the investigation of UFOs as a priority project throughout the intelligence and the defense research and development community.<sup>23</sup> Chadwell also urged Smith to establish an external research project of top-level scientists to study the problem of UFOs.<sup>24</sup> After this briefing, Smith directed DDI Amory to prepare a NSC Intelligence Directive (NSCID) for submission to the NSC on the need to continue the investigation of UFOs and to coordinate such investigations with the Air Force.<sup>25</sup>

The Robertson Panel, 1952-53

On 4 December 1952, the Intelligence Advisory Committee (IAC) took up the issue of UFOs.<sup>26</sup> Amory, as acting chairman, presented DCI Smith's request to the committee that it informally discuss the subject of UFOs. Chadwell then briefly reviewed the situation and the active program of the ATTIC relating to UFOs. The committee agreed that the DCI should “enlist the services of selected scientists to review and appraise the available evidence in the light of pertinent scientific theories” and draft an NSCID on the subject.<sup>27</sup> Maj. Gen. John A. Samford, Director of Air Force Intelligence, offered full cooperation.<sup>28</sup>

At the same time, Chadwell looked into British efforts in this area. He learned the British also were active in studying the UFO phenomena. An eminent British scientist, R. V. Jones, headed a standing committee created in June 1951 on flying saucers. Jones' and his committee's conclusions on UFOs were similar to those of Agency officials: the sightings were not enemy aircraft but misrepresentations of natural phenomena. The British noted, however, that during a recent air show RAF pilots and senior military officials had observed a “perfect flying saucer.” Given the press response, according to the officer, Jones was having a most difficult time trying to correct public opinion regarding UFOs. The public was convinced they were real.<sup>29</sup>

In January 1953, Chadwell and H. P. Robertson, a noted physicist from the California Institute of Technology, put together a distinguished panel of nonmilitary scientists to study the UFO issue. It included Robertson as



## UFOs

chairman; Samuel A. Goudsmit, a nuclear physicist from the Brookhaven National Laboratories; Luis Alvarez, a high-energy physicist; Thornton Page, the deputy director of the Johns Hopkins Operations Research Office and an expert on radar and electronics; and Lloyd Berkner, a director of the Brookhaven National Laboratories and a specialist in geophysics.<sup>30</sup>

The charge to the panel was to review the available evidence on UFOs and to consider the possible dangers of the phenomena to US national security. The panel met from 14 to 17 January 1953. It reviewed Air Force data on UFO case histories and, after spending 12 hours studying the phenomena, declared that reasonable explanations could be suggested for most, if not all, sightings. For example, after reviewing motion-picture film taken of a UFO sighting near Tremonton, Utah, on 2 July 1952 and one near Great Falls, Montana, on 15 August 1950, the panel concluded that the images on the Tremonton film were caused by sunlight reflecting off seagulls and that the images at Great Falls were sunlight reflecting off the surface of two Air Force interceptors.<sup>31</sup>

The panel concluded unanimously that there was no evidence of a direct threat to national security in UFO sightings. Nor could the panel find any evidence that the objects sighted might be extraterrestrials. It did find that continued emphasis on UFO reporting might threaten "the orderly functioning" of the government by clogging the channels of communication with irrelevant reports and by inducing "hysterical mass behavior" harmful to constituted authority. The panel also worried that potential enemies contemplating an attack on the United States might exploit the

UFO phenomena and use them to disrupt US air defenses.<sup>32</sup>

To meet these problems, the panel recommended that the National Security Council debunk UFO reports and institute a policy of public education to reassure the public of the lack of evidence behind UFOs. It suggested using the mass media, advertising, business clubs, schools, and even the Disney corporation to get the message across. Reporting at the height of McCarthyism, the panel also recommended that such private UFO groups as the Civilian Flying Saucer Investigators in Los Angeles and the Aerial Phenomena Research Organization in Wisconsin be monitored for subversive activities.<sup>33</sup>

The Robertson panel's conclusions were strikingly similar to those of the earlier Air Force project reports on SIGN and GRUDGE and to those of the CIA's own OSI Study Group. All investigative groups found that UFO reports indicated no direct threat to national security and no evidence of visits by extraterrestrials.

Following the Robertson panel findings, the Agency abandoned efforts to draft an NSCID on UFOs.<sup>34</sup> The Scientific Advisory Panel on UFOs (the Robertson panel) submitted its report to the IAC, the Secretary of Defense, the Director of the Federal Civil Defense Administration, and the Chairman of the National Security Resources Board. CIA officials said no further consideration of the subject appeared warranted, although they continued to monitor sightings in the interest of national security. Philip Strong and Fred Durant from OSI also briefed the Office of National Estimates on the findings.<sup>35</sup> CIA officials wanted knowledge of any Agency interest in the subject of

flying saucers carefully restricted, noting not only that the Robertson panel report was classified but also that any mention of CIA sponsorship of the panel was forbidden. This attitude would later cause the Agency major problems relating to its credibility.<sup>36</sup>

### The 1950s: Fading CIA Interest in UFOs

After the report of the Robertson panel, Agency officials put the entire issue of UFOs on the back burner. In May 1953, Chadwell transferred chief responsibility for keeping abreast of UFOs to OSI's Physics and Electronic Division, while the Applied Science Division continued to provide any necessary support.<sup>37</sup> Todos M. Odarenko, chief of the Physics and Electronics Division, did not want to take on the problem, contending that it would require too much of his division's analytic and clerical time. Given the findings of the Robertson panel, he proposed to consider the project "inactive" and to devote only one analyst part-time and a file clerk to maintain a reference file of the activities of the Air Force and other agencies on UFOs. Neither the Navy nor the Army showed much interest in UFOs, according to Odarenko.<sup>38</sup>

A nonbeliever in UFOs, Odarenko sought to have his division relieved of the responsibility for monitoring UFO reports. In 1955, for example, he recommended that the entire project be terminated because no new information concerning UFOs had surfaced. Besides, he argued, his division was facing a serious budget reduction and could not spare the resources.<sup>39</sup> Chadwell and other Agency officials, however, continued to worry about UFOs. Of special concern were overseas reports of UFO sightings and

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## BLUE BOOK investigators were able to attribute many UFO sightings to U-2 flights.

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claims that German engineers held by the Soviets were developing a "flying saucer" as a future weapon of war.<sup>40</sup>

To most US political and military leaders, the Soviet Union by the mid-1950s had become a dangerous opponent. Soviet progress in nuclear weapons and guided missiles was particularly alarming. In the summer of 1949, the USSR had detonated an atomic bomb. In August 1953, only nine months after the United States tested a hydrogen bomb, the Soviets detonated one. In the spring of 1953, a top secret RAND Corporation study also pointed out the vulnerability of SAC bases to a surprise attack by Soviet long-range bombers. Concern over the danger of a Soviet attack on the United States continued to grow, and UFO sightings added to the uneasiness of US policymakers.

Mounting reports of UFOs over eastern Europe and Afghanistan also prompted concern that the Soviets were making rapid progress in this area. CIA officials knew that the British and Canadians were already experimenting with "flying saucers." Project Y was a Canadian-British-US developmental operation to produce a nonconventional flying-saucer-type aircraft, and Agency officials feared the Soviets were testing similar devices.<sup>41</sup>

Adding to the concern was a flying saucer sighting by US Senator Richard Russell and his party while traveling on a train in the USSR in October 1955. After extensive interviews of Russell and his group, however, CIA officials concluded that Russell's sighting did not support the theory that the Soviets had developed saucerlike or unconventional aircraft. Herbert Scoville, Jr.,

the Assistant Director of OSI, wrote that the objects observed probably were normal jet aircraft in a steep climb.<sup>42</sup>

Wilton E. Lexow, head of the CIA's Applied Sciences Division, was also skeptical. He questioned why the Soviets were continuing to develop conventional-type aircraft if they had a "flying saucer."<sup>43</sup> Scoville asked Lexow to assume responsibility for fully assessing the capabilities and limitations of nonconventional aircraft and to maintain the OSI central file on the subject of UFOs.

### CIA's U-2 and OXCART as UFOs

In November 1954, CIA had entered into the world of high technology with its U-2 overhead reconnaissance project. Working with Lockheed's Advanced Development facility in Burbank, California, known as the Skunk Works, and Kelly Johnson, an eminent aeronautical engineer, the Agency by August 1955 was testing a high-altitude experimental aircraft—the U-2. It could fly at 60,000 feet; in the mid-1950s, most commercial airliners flew between 10,000 feet and 20,000 feet. Consequently, once the U-2 started test flights, commercial pilots and air traffic controllers began reporting a large increase in UFO sightings.<sup>44</sup> (U)

The early U-2s were silver (they were later painted black) and reflected the rays from the sun, especially at sun-

rise and sunset. They often appeared as fiery objects to observers below. Air Force BLUE BOOK investigators aware of the secret U-2 flights tried to explain away such sightings by linking them to natural phenomena such as ice crystals and temperature inversions. By checking with the Agency's U-2 Project Staff in Washington, BLUE BOOK investigators were able to attribute many UFO sightings to U-2 flights. They were careful, however, not to reveal the true cause of the sighting to the public.

According to later estimates from CIA officials who worked on the U-2 project and the OXCART (SR-71, or Blackbird) project, over half of all UFO reports from the late 1950s through the 1960s were accounted for by manned reconnaissance flights (namely the U-2) over the United States.<sup>45</sup> This led the Air Force to make misleading and deceptive statements to the public in order to allay public fears and to protect an extraordinarily sensitive national security project. While perhaps justified, this deception added fuel to the later conspiracy theories and the coverup controversy of the 1970s. The percentage of what the Air Force considered unexplained UFO sightings fell to 5.9 percent in 1955 and to 4 percent in 1956.<sup>46</sup>

At the same time, pressure was building for the release of the Robertson panel report on UFOs. In 1956, Edward Ruppelt, former head of the Air Force BLUE BOOK project, publicly revealed the existence of the panel. A best-selling book by UFOlogist Donald Keyhoe, a retired Marine Corps major, advocated release of all government information relating to UFOs. Civilian UFO groups such as the National

UFOs

Investigations Committee on Aerial Phenomena (NICAP) and the Aerial Phenomena Research Organization (APRO) immediately pushed for release of the Robertson panel report.<sup>47</sup> Under pressure, the Air Force approached CIA for permission to declassify and release the report. Despite such pressure, Philip Strong, Deputy Assistant Director of OSI, refused to declassify the report and declined to disclose CIA sponsorship of the panel. As an alternative, the Agency prepared a sanitized version of the report which deleted any reference to CIA and avoided mention of any psychological warfare potential in the UFO controversy.<sup>48</sup>

The demands, however, for more government information about UFOs did not let up. On 8 March 1958, Keyhoe, in an interview with Mike Wallace of CBS, claimed deep CIA involvement with UFOs and Agency sponsorship of the Robertson panel. This prompted a series of letters to the Agency from Keyhoe and Dr. Leon Davidson, a chemical engineer and UFOlogist. They demanded the release of the full Robertson panel report and confirmation of CIA involvement in the UFO issue. Davidson had convinced himself that the Agency, not the Air Force, carried most of the responsibility for UFO analysis and that "the activities of the US Government are responsible for the flying saucer sightings of the last decade." Indeed, because of the undisclosed U-2 and OXCART flights, Davidson was closer to the truth than he suspected. CI, nevertheless held firm to its policy of not revealing its role in UFO investigations and refused to declassify the full Robertson panel report.<sup>49</sup>

In a meeting with Air Force representatives to discuss how to handle future

inquires such as Keyhoe's and Davidson's, Agency officials confirmed their opposition to the declassification of the full report and worried that Keyhoe had the ear of former DCI VAdm. Roscoe Hillenkoetter, who served on the board of governors of NICAP. They debated whether to have CIA General Counsel Lawrence R. Houston show Hillenkoetter the report as a possible way to defuse the situation. CIA officer Frank Chapin also hinted that Davidson might have ulterior motives, "some of them perhaps not in the best interest of this country," and suggested bringing in the FBI to investigate.<sup>50</sup> Although the record is unclear whether the FBI ever instituted an investigation of Davidson or Keyhoe, or whether Houston ever saw Hillenkoetter about the Robertson report, Hillenkoetter did resign from the NICAP in 1962.<sup>51</sup>

The Agency was also involved with Davidson and Keyhoe in two rather famous UFO cases in the 1950s, which helped contribute to a growing sense of public distrust of CIA with regard to UFOs. One focused on what was reported to have been a tape recording of a radio signal from a flying saucer; the other on reported photographs of a flying saucer. The "radio code" incident began innocently enough in 1955, when two elderly sisters in Chicago, Mildred and Marie Maier, reported in the *Journal of Space Flight* their experiences with UFOs, including the recording of a radio program in which an unidentified code was reportedly heard. The sisters taped the program and other ham radio operators also claimed to have heard the "space message." OSI became interested and asked the Scientific Contact Branch to obtain a copy of the recording.<sup>52</sup>

Field officers from the Contact Division (CD), one of whom was Dewelt Walker, made contact with the Maier sisters, who were "drilled that the government was interested," and set up a time to meet with them.<sup>53</sup> In trying to secure the tape recording, the Agency officers reported that they had stumbled upon a scene from *Armenic and Old Lace*. "The only thing lacking was the elderberry wine," Walker cabled Headquarters. After reviewing the sisters' scrapbook of clippings from their days on the stage, the officers secured a copy of the recording.<sup>54</sup> OSI analyzed the tape and found it was nothing more than Morse code from a US radio station.

The matter rested there until UFOlogist Leon Davidson talked with the Maier sisters in 1957. The sisters remembered they had talked with a Mr. Walker who said he was from the US Air Force. Davidson then wrote to a Mr. Walker, believing him to be a US Air Force Intelligence Officer from Wright-Patterson, to ask if the tape had been analyzed at ATIC. Dewelt Walker replied to Davidson that the tape had been forwarded to proper authorities for evaluation, and no information was available concerning the results. Not satisfied, and suspecting that Walker was really a CIA officer, Davidson next wrote DCI Allen Dulles demanding to learn what the coded message revealed and who Mr. Walker was.<sup>55</sup> The Agency, wanting to keep Walker's identity as a CIA employee secret, replied that another agency of the government had analyzed the tape in question and that Davidson would be hearing from the Air Force.<sup>56</sup> On 5 August, the Air Force wrote Davidson saying that Walker "was and is an Air Force Officer" and that the tape "was analyzed by another government organization." The Air Force letter

confirmed that the recording contained only identifiable Morse code which came from a known US-licensed radio station.<sup>57</sup>

Davidson wrote Dulles again. This time he wanted to know the identity of the Morse operator and of the agency that had conducted the analysis. CIA and the Air Force were now in a quandary. The Agency had previously denied that it had actually analyzed the tape. The Air Force had also denied analyzing the tape and claimed that Walker was an Air Force officer. CIA officers, under cover, contacted Davidson in Chicago and promised to get the code translation and the identification of the transmitter, if possible.<sup>58</sup>

In another attempt to pacify Davidson, a CIA officer, again under cover and wearing his Air Force uniform, contacted Davidson in New York City. The CIA officer explained that there was no super agency involved and that Air Force policy was not to disclose who was doing what. While seeming to accept this argument, Davidson nevertheless pressed for disclosure of the recording message and the source. The officer agreed to see what he could do.<sup>59</sup> After checking with Headquarters, the CIA officer phoned Davidson to report that a thorough check had been made and, because the signal was of known US origin, the tape and the notes made at the time had been destroyed to conserve file space.<sup>60</sup>

Incensed over what he perceived was a runaround, Davidson told the CIA officer that "he and his agency, whichever it was, were acting like Jimmy Hoffa and the Teamster

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Agency officials felt the  
need to keep informed on  
UFOs if only to alert the  
DCI to the more  
sensational UFO reports  
and flaps.

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Union in destroying records which  
might indict them.<sup>61</sup> Believing that  
any more contact with Davidson  
would only encourage more speculation,  
the Contact Division washed its  
hands of the issue by reporting to the  
DCI and to ATIC that it would not  
respond to or try to contact Davidson  
again.<sup>62</sup> Thus, a minor, rather  
bizarre incident, handled poorly by  
both CIA and the Air Force, turned  
into a major flap that added fuel to  
the growing mystery surrounding  
UFOs and CIA's role in their  
investigation.

Another minor flap a few months  
later added to the growing questions  
surrounding the Agency's true role  
with regard to flying saucers. CIA's  
concern over secrecy again made mat-  
ters worse. In 1958, Major Keyhoe  
charged that the Agency was deliber-  
ately asking eyewitnesses of UFOs  
not to make their sightings public.<sup>63</sup>

The incident stemmed from a  
November 1957 request from OSI to  
the CD to obtain from Ralph C.  
Mayher, a photographer for KYW-  
TV in Cleveland, Ohio, certain pho-  
tographs he took in 1952 of an  
unidentified flying object. Harry  
Real, a CD officer, contacted May-  
her and obtained copies of the  
photographs for analysis. On 12  
December 1957, John Hazen,  
another CD officer, returned the five  
photographs of the alleged UFO to  
Mayher without comment. Mayher  
asked Hazen for the Agency's evalua-

tion of the photos, explaining that he  
was trying to organize a TV program  
to brief the public on UFOs. He  
wanted to mention on the show that  
a US intelligence organization had  
viewed the photographs and thought  
them of interest. Although he  
advised Mayher not to take this  
approach, Hazen stated that Mayher  
was a US citizen and would have to  
make his own decision as to what to  
do.<sup>64</sup>

Keyhoe later contacted Mayher, who  
told him his story of CIA and the  
photographs. Keyhoe then asked the  
Agency to confirm Hazen's employ-  
ment in writing, in an effort to  
expose CIA's role in UFO investiga-  
tions. The Agency refused, despite  
the fact that CD field representatives  
were normally overt and carried cre-  
dentials identifying their Agency  
association. DCI Dulles's aide, John  
S. Earman, merely sent Keyhoe a  
noncommittal letter noting that,  
because UFOs were of primary con-  
cern to the Department of the Air  
Force, the Agency had referred his  
letter to the Air Force for an appro-  
priate response. Like the response to  
Davidson, the Agency reply to Key-  
hoe only fueled the speculation that  
the Agency was deeply involved in  
UFO sightings. Pressure for release  
of CIA information on UFOs contin-  
ued to grow.<sup>65</sup>

Although CIA had a declining inter-  
est in UFO cases, it continued to  
monitor UFO sightings. Agency offi-  
cials felt the need to keep informed  
on UFOs if only to alert the DCI to  
the more sensational UFO reports  
and flaps.<sup>66</sup>



## UFGs

**The 1960s: Declining CIA Involvement and Mounting Controversy**

In the early 1960s, Keyhoe, Davidson, and other UFOlogists maintained their assault on the Agency for release of UFO information. Davidson now claimed that CIA "was solely responsible for creating the Flying Saucer furor as a tool for cold war psychological warfare since 1951." Despite calls for Congressional hearings and the release of all materials relating to UFOs, little changed.<sup>67</sup>

In 1964, however, following high-level White House discussions on what to do if an alien intelligence was discovered in space and a new outbreak of UFO reports and sightings, DCI John McCone asked for an updated CIA evaluation of UFOs. Responding to McCone's request, OSI asked the CD to obtain various recent samples and reports of UFO sightings from NICAP. With Keyhoe, one of the founders, no longer active in the organization, CIA officers met with Richard H. Hall, the acting director. Hall gave the officers samples from the NICAP database on the most recent sightings.<sup>68</sup>

After OSI officers had reviewed the material, Donald F. Chamberlain, OSI Assistant Director, assured McCone that little had changed since the early 1950s. There was still no evidence that UFOs were a threat to the security of the United States or that they were of "foreign origin." Chamberlain told McCone that OSI still monitored UFO reports, including the official Air Force investigation, Project BLUE BOOK.<sup>69</sup>

At the same time that CIA was conducting this latest internal review of UFOs, public pressure forced the Air

Force to establish a special ad hoc committee to review BLUE BOOK. Chaired by Dr. Brian O'Brien, a member of the Air Force Scientific Advisory Board, the panel included Carl Sagan, the famous astronomer from Cornell University. Its report offered nothing new. It declared that UFOs did not threaten the national security and that it could find "no UFO case which represented technological or scientific advances outside of a terrestrial framework." The committee did recommend that UFOs be studied intensively, with a leading university acting as a coordinator for the project, to settle the issue conclusively.<sup>70</sup>

The House Armed Services Committee also held brief hearings on UFOs in 1966 that produced similar results. Secretary of the Air Force Harold Brown assured the committee that most sightings were easily explained and that there was no evidence that "strangers from outer space" had been visiting Earth. He told the committee members, however, that the Air Force would keep an open mind and continue to investigate all UFO reports.<sup>71</sup>

Following the report of its O'Brien Committee, the House hearings on UFOs, and Dr. Robertson's disclosure on a *CBS Reports* program that CIA indeed had been involved in UFO analysis, the Air Force in July 1966 again approached the Agency for declassification of the entire Robertson panel report of 1953 and the full Durant report on the Robertson panel deliberations and findings. The Agency again refused to budge. Karl H. Weber, Deputy Director of OSI, wrote the Air Force that "We are most anxious that further publicity not be given to the information that the panel was sponsored by the CIA." Weber noted that there was already a

sanitized version available to the public.<sup>72</sup> Weber's response was rather shortsighted and ill considered. It only drew more attention to the 13-year-old Robertson panel report and CIA's role in the investigation of UFOs. The science editor of *The Saturday Review* drew nationwide attention to the CIA's role in investigating UFOs when he published an article criticizing the "sanitized version" of the 1953 Robertson panel report and called for release of the entire document.<sup>73</sup>

Unknown to CIA officials, Dr. James E. McDonald, a noted atmospheric physicist from the University of Arizona, had already seen the Durant report on the Robertson panel proceedings at Wright-Patterson on 6 June 1966. When McDonald returned to Wright-Patterson on 30 June to copy the report, however, the Air Force refused to let him see it again, stating that it was a CIA classified document. Emerging as a UFO authority, McDonald publicly claimed that the CIA was behind the Air Force secrecy policies and coverup. He demanded the release of the full Robertson panel report and the Durant report.<sup>74</sup>

Bowing to public pressure and the recommendation of its own O'Brien Committee, the Air Force announced in August 1966 that it was seeking a contract with a leading university to undertake a program of intensive investigations of UFO sightings. The new program was designed to blunt continuing charges that the US Government had concealed what it knew about UFOs. On 7 October, the University of Colorado accepted a \$325,000 contract with the Air Force for an 18-month study of flying saucers. Dr. Edward U. Condon, a physicist at Colorado and a former



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Additional sightings in the early 1970s also fueled beliefs that the CIA was somehow involved in a vast conspiracy.

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Director of the National Bureau of Standards, agreed to head the program. Pronouncing himself an “agnostic” on the subject of UFOs, Condon observed that he had an open mind on the question and thought that possible extraterrestrial origins were “improbable but not impossible.”<sup>75</sup> Brig. Gen. Edward Giller, USAF, and Dr. Thomas Ratchford from the Air Force Research and Development Office became the Air Force coordinators for the project.

In February 1967, Giller contacted Arthur C. Lundahl, Director of CIA's National Photographic Interpretation Center (NPIC), and proposed an informal liaison through which NPIC could provide the Condon Committee with technical advice and services in examining photographs of alleged UFOs. Lundahl and DDI R. Jack Smith approved the arrangement as a way of “preserving a window” on the new effort. They wanted the CIA and NPIC to maintain a low profile, however, and to take no part in writing any conclusions for the committee. No work done for the committee by NPIC was to be formally acknowledged.<sup>76</sup>

Ratchford next requested that Condon and his committee be allowed to visit NPIC to discuss the technical aspects of the problem and to view the special equipment NPIC had for photoanalysis. On 20 February 1967, Condon and four members of his committee visited NPIC. Lundahl emphasized to the group that any NPIC work to assist the committee must not be identified as CIA work. Moreover, work performed by NPIC would be strictly of a technical nature. After receiving these guidelines, the group heard a series of briefings on the services and equip-

ment not available elsewhere that CIA had used in its analysis of some UFO photography furnished by Ratchford. Condon and his committee were impressed.<sup>77</sup>

Condon and the same group met again in May 1967 at NPIC to hear an analysis of UFO photographs taken at Zanesville, Ohio. The analysis debunked that sighting. The committee was again impressed with the technical work performed, and Condon remarked that for the first time a scientific analysis of a UFO would stand up to investigation.<sup>78</sup> The group also discussed the committee's plans to call on US citizens for additional photographs and to issue guidelines for taking useful UFO photographs. In addition, CIA officials agreed that the Condon Committee could release the full Durant report with only minor deletions.

In April 1969, Condon and his committee released their report on UFOs. The report concluded that little, if anything, had come from the study of UFOs in the past 21 years and that further extensive study of UFO sightings was unwarranted. It also recommended that the Air Force special unit, Project BLUE BOOK, be discontinued. It did not mention CIA participation in the Condon committee's investigation.<sup>79</sup> A special panel established by the National Academy of Sciences reviewed the Condon report and concurred with its conclusion that “no high priority

in UFO investigations is warranted by data of the past two decades.” It concluded its review by declaring, “On the basis of present knowledge, the least likely explanation of UFOs is the hypothesis of extraterrestrial visitations by intelligent beings.” Following the recommendations of the Condon Committee and the National Academy of Sciences, the Secretary of the Air Force, Robert C. Seamans, Jr., announced on 17 December 1969 the termination of BLUE BOOK.<sup>80</sup>

#### The 1970s and 1980s: The UFO Issue Refuses To Die

The Condon report did not satisfy many UFOlogists, who considered it a coverup for CIA activities in UFO research. Additional sightings in the early 1970s fueled beliefs that the CIA was somehow involved in a vast conspiracy. On 7 June 1975, William Spaulding, head of a small UFO group, Ground Saucer Watch (GSW), wrote to CIA requesting a copy of the Robertson panel report and all records relating to UFOs.<sup>81</sup> Spaulding was convinced that the Agency was withholding major files on UFOs. Agency officials provided Spaulding with a copy of the Robertson panel report and of the Durant report.<sup>82</sup>

On 14 July 1975, Spaulding again wrote the Agency questioning the authenticity of the reports he had received and alleging a CIA coverup of its UFO activities. Gene Wilson, CIA's Information and Privacy Coordinator, replied in an attempt to satisfy Spaulding, “At no time prior to the formation of the Robertson Panel and subsequent to the issuance of the panel's report has CIA engaged in the study of the UFO phe-

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phenomena." The Robertson panel report, according to Wilson, was "the summation of Agency interest and involvement in UFOs." Wilson also inferred that there were no additional documents in CIA's possession that related to UFOs. Wilson was ill informed.<sup>83</sup>

In September 1977, Spaulding and GSW, unconvinced by Wilson's response, filed a Freedom of Information Act (FOIA) lawsuit against the Agency that specifically requested all UFO documents in CIA's possession. Deluged by similar FOIA requests for Agency information on UFOs, CIA officials agreed, after much legal maneuvering, to conduct a "reasonable search" of CIA files for UFO materials.<sup>84</sup> Despite an Agency-wide unsympathetic attitude toward the suit, Agency officials, led by Launie Ziebell from the Office of General Counsel, conducted a thorough search for records pertaining to UFOs. Persistent, demanding, and even threatening at times, Ziebell and his group scoured the Agency. They even turned up an old UFO file under a secretary's desk. The search finally produced 355 documents totaling approximately 900 pages. On 14 December 1978, the Agency released all but 57 documents of about 100 pages to GSW. It withheld these 57 documents on national security grounds and to protect sources and methods.<sup>85</sup>

Although the released documents produced no smoking gun and revealed only a low-level Agency interest in the UFO phenomena after the Robertson panel report of 1953, the press treated the release in a sensational manner. *The New York Times*, for example, claimed that the declassified documents confirmed intensive

government concern over UFOs and that the Agency was secretly involved in the surveillance of UFOs.<sup>86</sup> GSW then sued for the release of the withheld documents, claiming that the Agency was still holding out key information.<sup>87</sup> It was much like the John F. Kennedy assassination issue. No matter how much material the Agency released and no matter how dull and prosaic the information, people continued to believe in a Agency coverup and conspiracy.

DCI Stansfield Turner was so upset when he read *The New York Times* article that he asked his senior officers, "Are we in UFOs?" After reviewing the records, Don Wortman, Deputy Director for Administration, reported to Turner that there was "no organized Agency effort to do research in connection with UFO phenomena nor has there been an organized effort to collect intelligence on UFOs since the 1950s." Wortman assured Turner that the Agency records held only "sporadic instances of correspondence dealing with the subject," including various kinds of reports of UFO sightings. There was no Agency program to collect actively information on UFOs, and the material released to GSW had few deletions.<sup>88</sup> Thus assured, Turner had the General Counsel press for a summary judgment against the new lawsuit by GSW. In May 1980, the courts dismissed the lawsuit, finding that the Agency had conducted a thorough and adequate search in good faith.<sup>89</sup>

During the late 1970s and 1980s, the Agency continued its low-key interest in UFOs and UFO sightings. While most scientists now dismissed flying saucers reports as a quaint part of the 1950s and 1960s, some in the Agency and in the Intelligence Com-

munity shifted their interest to studying parapsychology and psychic phenomena associated with UFO sightings. CIA officials also looked at the UFO problem to determine what UFO sightings might tell them about Soviet progress in rockets and missiles and reviewed its counterintelligence aspects. Agency analysts from the Life Science Division of OSI and OSWR officially devoted a small amount of their time to issues relating to UFOs. These included counterintelligence concerns that the Soviets and the KGB were using US citizens and UFO groups to obtain information on sensitive US weapons development programs (such as the Stealth aircraft), the vulnerability of the US air-defense network to penetration by foreign missiles mimicking UFOs, and evidence of Soviet advanced technology associated with UFO sightings.

CIA also maintained Intelligence Community coordination with other agencies regarding their work in parapsychology, psychic phenomena, and "remote viewing" experiments. In general, the Agency took a conservative scientific view of these unconventional scientific issues. There was no formal or official UFO project within the Agency in the 1980s, and Agency officials purposely kept files on UFOs to a minimum to avoid creating records that might mislead the public if released.<sup>90</sup>

The 1980s also produced renewed charges that the Agency was still withholding documents relating to the 1947 Roswell incident, in which a flying saucer supposedly crashed in New Mexico, and the surfacing of documents which purportedly revealed the existence of a top secret US research and development intelligence

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Like the JFK assassination conspiracy theories, the UFO issue probably will not go away soon, no matter what the Agency does or says.

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operation responsible only to the President on UFOs in the late 1940s and early 1950s. UFOlogists had long argued that, following a flying saucer crash in New Mexico in 1947, the government not only recovered debris from the crashed saucer but also four or five alien bodies. According to some UFOlogists, the government clamped tight security around the project and has refused to divulge its investigation results and research ever since.<sup>91</sup> In September 1994, the US Air Force released a new report on the Roswell incident that concluded that the debris found in New Mexico in 1947 probably came from a once top secret balloon operation, Project MOGUL, designed to monitor the atmosphere for evidence of Soviet nuclear tests.<sup>92</sup>

Circa 1984, a series of documents surfaced which some UFOlogists said proved that President Truman created a top secret committee in 1947, Majestic-12, to secure the recovery of UFO wreckage from Roswell and any other UFO crash sight for scientific study and to examine any alien bodies recovered from such sites. Most if not all of these documents have proved to be fabrications. Yet the controversy persists.<sup>93</sup>

Like the JFK assassination conspiracy theories, the UFO issue probably will not go away soon, no matter what the Agency does or says. The belief that we are not alone in the universe is too emotionally appealing and the distrust of our government is too pervasive to make the issue amenable to traditional scientific studies of rational explanation and evidence.

## NOTES

1. See the 1973 Gallup Poll results printed in *The New York Times*, 29 November 1973, p. 45 and Philip J. Klass, *UFOs: The Public Deceived* (New York: Prometheus Books, 1983), p. 3.
2. See Klass, *UFOs*, p. 3; James S. Gordon, "The UFO Experience," *Atlantic Monthly* (August 1991), pp. 82-92; David Michael Jacobs, *The UFO Controversy in America* (Bloomington: Indiana University Press, 1975); Howard Blum, *Out There: The Government's Secret Quest for Extraterrestrials* (New York: Simon and Schuster, 1990); Timothy Good, *Above Top Secret: The Worldwide UFO Cover-Up* (New York: William Morrow, 1987); and Whitley Strieber, *Communion: The True Story* (New York: Morrow, 1987).
3. In September 1993 John Peterson, an acquaintance of Woolsey's, first approached the DCI with a package of heavily sanitized CIA material on UFOs released to UFOlogist Stanton T. Friedman. Peterson and Friedman wanted to know the reasons for the redactions. Woolsey agreed to look into the matter. See Richard J. Warshaw, Executive Assistant, note to author, 1 November 1994; Warshaw, note to John H. Wright, Information and Privacy Coordinator, 31 January 1994; and Wright, memorandum to Executive Secretariat, 2 March 1994. (Except where noted, all citations to CIA records in this article are to the records collected for the 1994 Agency-wide search that are held by the Executive Assistant to the DCI).
4. See Hector Quintanilla, Jr., "The Investigation of UFOs," Vol. 10, No. 4, *Studies in Intelligence* (fall 1966): pp. 95-110 and CIA, unsigned memorandum, "Flying Saucers," 14 August 1952. See also Good, *Above Top Secret*, p. 253. During World War II, US pilots reported "foo fighters" (bright lights trailing US aircraft). Fearing they might be Japanese or German secret weapons, OSS investigated but could find no concrete evidence of enemy weapons and often filed such reports in the "crackpot" category. The OSS also investigated possible sightings of German V-1 and V-2 rockets before their operational use during the war. See Jacobs, *UFO Controversy*, p. 33. The Central Intelligence Group, the predecessor of the CIA, also monitored reports of "ghost rockets" in Sweden in 1946. See CIG, Intelligence Report, 9 April 1947.
5. Jacobs, *The UFO Controversy*, p. 156 and Quintanilla, "The Investigation of UFOs," p. 97.
6. See US Air Force, Air Material Command, "Unidentified Aerial Objects: Project SIGN, no. F-TR 2274, IA, February 1949, Records of the US Air Force Commands, Activities and Organizations, Record Group 341, National Archives, Washington, DC.
7. See US Air Force, *Projects GRUDGE and BLUEBOOK Reports 1-12* (Washington, DC: National Investigations Committee on Aerial Phenomena, 1968) and Jacobs, *The UFO Controversy*, pp. 50-54.
8. See Cabell, memorandum to Commanding General Major Air Commands, "Reporting of Information on Unconventional Aircraft," 8 September 1950 and Jacobs, *The UFO Controversy*, p. 65.
9. See Air Force, *Projects GRUDGE and BLUEBOOK* and Jacobs, *The UFO Controversy*, p. 67.

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10. (S) See Edward Tauss, memorandum for Deputy Assistant Director, SI, "Flying Saucers," 1 August 1952. See also United Kingdom, Report by the "Flying Saucer" Working Party, "Unidentified Flying Objects," no date (approximately 1950).
11. See Dr. Stone, OSI, memorandum to Dr. Willard Machle, OSI, 15 March 1949 and Ralph L. Clark, Acting Assistant Director, OSI, memorandum for DDI, "Recent Sightings of Unexplained Objects," 29 July 1952.
12. Stone, memorandum to Machle. See also Clark, memorandum for DDI, 29 July 1952.
13. See Klass, *UFO's*, p. 15. For a brief review of the Washington sightings see Good, *Above Top Secret*, pp. 269-271.
14. See Ralph L. Clark, Acting Assistant Director, OSI, memorandum to DDI Robert Amory, Jr., 29 July 1952. OSI and OCI were in the Directorate of Intelligence. Established in 1948, OSI served as the CIA's focal point for the analysis of foreign scientific and technological developments. In 1980, OSI was merged into the Office of Science and Weapons Research. The Office of Current Intelligence (OCI), established on 15 January 1951 was to provide all-source current intelligence to the President and the National Security Council.
15. Tauss, memorandum for Deputy Assistant Director, SI (Philip Strong), 1 August 1952.
16. On 2 January 1952, DCI Walter Bedell Smith created a Deputy Directorate for Intelligence (DDI) composed of six overt CIA organizations—OSI, OCI, Office of Collection and Dissemination, Office National Estimates, Office of Research and Reports, and the Office of Intelligence Coordination—to produce intelligence analysis for US policymakers.
17. See Minutes of Branch Chief's Meeting, 11 August 1952.
18. Smith expressed his opinions at a meeting in the DCI Conference Room attended by his top officers. See Deputy Chief, Requirements Staff, FI, memorandum for Deputy Director, Plans, "Flying Saucers," 20 August 1952, Directorate of Operations Records, Information Management Staff, Job 86-00538R, Box 1. (S)
19. See CIA memorandum, unsigned, "Flying Saucers," 11 August 1952.
20. See CIA, memorandum, unsigned, "Flying Saucers," 14 August 1952.
21. See CIA, memorandum, unsigned, "Flying Saucers," 19 August 1952.
22. See Chadwell, memorandum for Smith, 17 September 1952 and 24 September 1952, "Flying Saucers." See also Chadwell, memorandum for DCI Smith, 2 October 1952 and Klass, *UFO's*, pp. 23-26.
23. Chadwell, memorandum for DCI with attachments, 2 December 1952. See also Klass, *UFO's*, pp. 26-27 and Chadwell, memorandum, 25 November 1952.
24. See Chadwell, memorandum, 25 November 1952 and Chadwell, memorandum, "Approval in Principle - External Research Project Concerned with Unidentified Flying Objects," no date. See also Philip G. Strong, OSI, memorandum for the record, "Meeting with Dr. Julius A. Stratton, Executive Vice President and Provost, MIT and Dr. Max Millikan, Director of CENIS." Strong believed that in order to undertake such a review they would need the full backing and support of DCI Smith.
25. See Chadwell, memorandum for DCI, "Unidentified Flying Objects," 2 December 1952. See also Chadwell, memorandum for Amory, DDI, "Approval in Principle - External Research Project Concerned with Unidentified Flying Objects," no date.
26. The IAC was created in 1947 to serve as a coordinating body in establishing intelligence requirements. Chaired by the DCI, the IAC included representatives from the Department of State, the Army, the Air Force, the Joint Chiefs of Staff, the FBI, and the AEC.
27. See Klass, *UFO's*, p. 27.
28. See Richard D. Drain, Acting Secretary, IAC, "Minutes of Meeting held in Director's Conference Room, Administration Building, CIA," 4 December 1952.
29. (S) See Chadwell, memorandum for the record, "British Activity in the Field of UFO's," 18 December 1952.
30. See Chadwell, memorandum for DCI, "Consultants for Advisory Panel on Unidentified Flying Objects," 9 January 1953; Curtis Peebles, *Watch the Skies! A Chronicle of the Flying Saucer Myth* (Washington, DC: Smithsonian Institution Press, 1994), pp. 73-90; and Jacobs, *The UFO Controversy*, pp. 91-92.
31. See Fred C. Durant III, Report on the Robertson Panel Meeting, January 1953. Durant, on contract with OSI and a past president of the American Rocket Society, attended the Robertson panel meetings and wrote a summary of the proceedings.
32. See Report of the Scientific Panel on Unidentified Flying Objects (the Robertson Report), 17 January 1953 and the Durant report on the panel discussions.
33. See Robertson Report and Durant Report. See also Good, *Above Top Secret*, pp. 337-38, Jacobs, *The UFO Controversy*, p. 95, and Klass, *UFO's*, pp. 28-29.
34. See Reber, memorandum to IAC, 18 February 1953.
35. See Chadwell, memorandum for DDI, "Unidentified Flying Objects,"



- 10 February 1953; Chadwell, letter to Robertson, 28 January 1953; and Reber, memorandum for IAC, "Unidentified Flying Objects," 18 February 1953. On briefing the ONE, see Durant, memorandum for the record, "Briefing of ONE Board on Unidentified Flying Objects," 30 January 1953 and CIA Summary disseminated to the field, "Unidentified Flying Objects," 6 February 1953.
36. See Chadwell, letter to Julius A. Stratton, Provost MIT, 27 January 1953.
37. See Chadwell, memorandum for Chief, Physics and Electronics Division/OSI (Todos M. Odarenko), "Unidentified Flying Objects," 27 May 1953.
38. See Odarenko, memorandum to Chadwell, "Unidentified Flying Objects," 3 July 1953. See also Odarenko, memorandum to Chadwell, "Current Status of Unidentified Flying Objects (UFOB) Project," 17 December 1953.
39. See Odarenko, memorandum, "Unidentified Flying Objects," 8 August 1955.
40. See FBIS, report, "Military Unconventional Aircraft," 18 August 1953 and various reports, "Military-Air, Unconventional Aircraft," 1953, 1954, 1955.
41. Developed by the Canadian affiliate of Britain's A. V. Roe, Ltd., Project Y did produce a small-scale model that hovered a few feet off the ground. See Odarenko, memorandum to Chadwell, "Flying Saucer Type of Planes" 25 May 1954; Frederic C. E. Oder, memorandum to Odarenko, "USAF Project Y," 21 May 1954; and Odarenko, T. M. Nordbeck, Ops/SI, and Sidney Graybeal, ASD/SI, memorandum for the record, "Intelligence Responsibilities for Non-Conventional Types of Air Vehicles," 14 June 1954.
42. See Reuben Efron, memorandum, "Observation of Flying Object Near Baku," 13 October 1955; Scoville, memorandum for the record, "Interview with Senator Richard B. Russell," 27 October 1955; and Wilton E. Lexow, memorandum for information, "Reported Sighting of Unconventional Aircraft," 19 October 1955.
43. See Lexow, memorandum for information, "Reported Sighting of Unconventional Aircraft," 19 October 1955. See also Frank C. Bolser, memorandum for George C. Miller, Deputy Chief, SAD/SI, "Possible Soviet Flying Saucers, Check On;" Lexow, memorandum, "Possible Soviet Flying Saucers, Follow Up On," 17 December 1954; Lexow, memorandum, "Possible Soviet Flying Saucers," 1 December 1954; and A. H. Sullivan, Jr., memorandum, "Possible Soviet Flying Saucers," 24 November 1954.
44. See Gregory W. Pedlow and Donald E. Welzenbach, *The Central Intelligence Agency and Overhead Reconnaissance: The U-2 and OXCART Programs, 1954-1974* (Washington, DC: CIA History Staff, 1992), pp. 72-73.
45. See Pedlow and Welzenbach, *Overhead Reconnaissance*, pp. 72-73. This also was confirmed in a telephone interview between the author and John Parongosky, 26 July 1994. Parongosky oversaw the day-to-day affairs of the OXCART program.
46. See Jacobs, *The UFO Controversy*, p. 135.
47. See Peebles, *Watch the Skies*, pp. 128-146; Ruppelt, *The Report on Unidentified Flying Objects* (New York: Doubleday, 1956); Keyhoe, *The Flying Saucer Conspiracy* (New York: Holt, 1955); and Jacobs, *The UFO Controversy*, pp. 347-49.
48. See Strong, letter to Lloyd W. Berkner; Strong, letter to Thornton Page; Strong, letter to Robertson; Strong, letter to Samuel Goudsmit; Strong, letter to Luis Alvarez, 20 December 1957; and Strong, memorandum for Major James F. Byrne, Assistant Chief of Staff, Intelligence Department of the Air Force, "Declassification of the 'Report of the Scientific Panel on Unidentified Flying Objects,'" 20 December 1957. See also Berkner, letter to Strong, 20 November 1957 and Page, letter to Strong, 4 December 1957. The panel members were also reluctant to have their association with the Agency released.
49. See Wilton E. Lexow, memorandum for the record, "Comments on Letters Dealing with Unidentified Flying Objects," 4 April 1958; J. S. Earman, letter to Major Lawrence J. Tacker, Office of the Secretary of the Air Force, Information Service, 4 April 1958; Davidson, letter to Berkner, 8 April 1958; Berkner, letter to Davidson, 18 April 1958; Berkner, letter to Strong, 21 April 1958; Davidson, letter to Tacker, 27 April 1958; Davidson, letter to Allen Dulles, 27 April 1958; Ruppelt, letter to Davidson, 7 May 1958; Strong, letter to Berkner, 8 May 1958; Davidson, letter to Berkner, 8 May 1958; Davidson, letter to Earman, 16 May 1958; Davidson, letter to Goudsmit, 18 May 1958; Davidson, letter to Page, 18 May 1958; and Tacker, letter to Davidson, 20 May 1958.
50. See Lexow, memorandum for Chapin, 28 July 1958.
51. See Good, *Above Top Secret*, pp. 346-47; Lexow, memorandum for the record, "Meeting with the Air Force Personnel Concerning Scientific Advisory Panel Report on Unidentified Flying Objects, dated 17 January 1953 (S)," 16 May 1958. See also La Rae L. Teel, Deputy Division Chief, ASD, memorandum for the record, "Meeting with Mr. Chapin on Replying to Leon Davidson's UFO Letter and Subsequent Telephone Conversation with Major Thacker, [sic]" 22 May 1958.
52. See Edwin M. Ashcraft, Chief, Contact Division (Scientific), memo-

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- randum to Chief, Chicago Office, "Radio Code Recording," 4 March 1955 and Ashcraft, memorandum to Chief, Support Branch, OSI, 17 March 1955.
53. The Contact Division was created to collect foreign intelligence information from sources within the United States. See the Directorate of Intelligence Historical Series, *The Origin and Development of Contact Division, 11 July 1946-1 July 1965* (Washington, DC: CIA Historical Staff, June 1969).
54. See George O. Forrest, Chief, Chicago Office, memorandum to Chief, Contact Division for Science, 11 March 1955.
55. See Support Division (Connell), memorandum to Dewelt E. Walker, 25 April 1957.
56. See J. Arnold Shaw, Assistant to the Director, letter to Davidson, 10 May 1957.
57. See Support (Connell) memorandum to Lt. Col. V. Skakich, 27 August 1957 and Lamountain, memorandum to Support (Connell), 20 December 1957.
58. See Lamountain, cable to Support (Connell), 31 July 1958.
59. See Support (Connell) cable to Skakich, 3 October 1957 and Skakich, cable to Connell, 9 October 1957.
60. See Skakich, cable to Connell, 9 October 1957.
61. See R. P. B. Lohmann, memorandum for Chief, Contact Division, DO, 9 January 1958.
62. See Support, cable to Skakich, 20 February 1958 and Connell (Support) cable to Lamountain, 19 December 1957.
63. See Edwin M. Ashcraft, Chief, Contact Division, Office of Operations, memorandum for Austin Bricker, Jr., Assistant to the Director, "Inquiry by Major Donald E. Keyhoe on John Hazen's Association with the Agency," 22 January 1959.
64. See John T. Hazen, memorandum to Chief, Contact Division, 12 December 1957. See also Ashcraft, memorandum to Cleveland Resident Agent, "Ralph E. Mayher," 20 December 1957. According to this memorandum, the photographs were viewed at "a high level and returned to us without comment." The Air Force held the original negatives. The CIA records were probably destroyed.
65. The issue would resurface in the 1970s with the GSW FOIA court case.
66. See Robert Amory, Jr., DDI, memorandum for Assistant Director/Scientific Intelligence, "Flying Saucers," 26 March 1956. See also Wallace R. Lamphire, Office of the Director, Planning and Coordination Staff, memorandum for Richard M. Bissell, Jr., "Unidentified Flying Saucers (UFO)," 11 June 1957; Philip Strong, memorandum for the Director, NIMC, "Reported Photography of Unidentified Flying Objects," 27 October 1958; Scoville, memorandum to Lawrence Houston, Legislative Counsel, "Reply to Honorable Joseph E. Garth," 12 July 1961; and Houston, letter to Garth, 13 July 1961.
67. See, for example, Davidson, letter to Congressman Joseph Garth, 26 June 1961 and Carl Vinson, Chairman, House Committee on Armed Services, letter to Rep. Robert A. Everett, 2 September 1964.
68. See Maxwell W. Hunter, staff member, National Aeronautics and Space Council, Executive Office of the President, memorandum for Robert F. Parkard, Office of International Scientific Affairs, Department of State, "Thoughts on the Space Alien Race Question," 18 July 1963, File SP 16, Records of the Department of State, Record Group 59, National Archives.
- See also F. J. Sheridan, Chief, Washington Office, memorandum to Chief, Contact Division, "National Investigation Committee on Aerial Phenomena (NICAP)," 25 January 1965.
69. Chamberlain, memorandum for DCI, "Evaluation of UFOs," 26 January 1965.
70. See Jacobs, *The UFO Controversy*, p. 199 and US Air Force, Scientific Advisory Board, Ad Hoc Committee (O'Brien Committee) to Review Project BLUE BOOK, *Special Report* (Washington, DC: 1966). See also *The New York Times*, 14 August 1966, p. 70.
71. See "Congress Reassured on Space Visits," *The New York Times*, 6 April 1966.
72. Weber, letter to Col. Gerald E. Jorgensen, Chief, Community Relations Division, Office of Information, US Air Force, 15 August 1966. The Durant report was a detailed summary of the Robertson panel proceedings.
73. See John Lear, "The Disputed CIA Document on UFOs," *Saturday Review* (September 3, 1966), p. 45. The Lear article was otherwise unsympathetic to UFO sightings and the possibility that extraterrestrials were involved. The Air Force had been eager to provide Lear with the full report. See Walter L. Mackey, Executive Officer, memorandum for DCI, "Air Force Request to Declassify CIA Material on Unidentified Flying Objects (UFO)," 1 September 1966.
74. See Klass, *UFOs*, p. 40, Jacobs, *The UFO Controversy*, p. 214 and Everett Clark, "Physicist Scores 'Saucer Status,'" *The New York Times*, 21 October 1966. See also James E. McDonald, "Statement on Unidentified Flying Objects," submitted to the House Committee on Science and Astronautics, 29 July 1968.

75. Condon is quoted in Walter Sullivan, "3 Aides Selected in Saucer Inquiry," *The New York Times*, 8 October 1966. See also "An Outspoken Scientist, Edward Uhler Condon," *The New York Times*, 8 October 1966. Condon, an outgoing, gruff scientist, had earlier become embroiled in a controversy with the House Un-American Activities Committee that claimed Condon was "one of the weakest links in our atomic security." See also Peebles, *Watch the Skies*, pp. 169-195.
76. See Lundahl, memorandum for DDI, 7 February 1967.
77. See memorandum for the record, "Visit of Dr. Condon to NPIC, 20 February 1967," 23 February 1967. See also the analysis of the photographs in memorandum for Lundahl, "Photo Analysis of UFO Photography," 17 February 1967.
78. See memorandum for the record, "UFO Briefing for Dr. Edward Condon, 5 May 1967," 8 May 1967 and attached "Guidelines to UFO Photographers and UFO Photographic Information Sheet." See also Condon Committee, Press Release, 1 May 1967 and Klass, *UFOs*, p. 41. The Zaneville photographs turned out to be a hoax.
79. See Edward U. Condon, *Scientific Study of Unidentified Flying Objects* (New York: Bantam Books, 1969) and Klass, *UFOs*, p. 41. The report contained the Durant report with only minor deletions.
80. See Office of Assistant Secretary of Defense, News Release, "Air Force to Terminate Project BLUEBOOK," 17 December 1969. The Air Force retired BLUEBOOK records to the USAF Archives at Maxwell Air Force Base in Alabama. In 1976 the Air Force turned over all BLUEBOOK files to the National Archives and Records Administration, which made them available to the public without major restrictions. Some names have been withheld from the documents. See Klass, *UFOs*, p. 6.
81. GSW was a small group of UFO buffs based in Phoenix, Arizona, and headed by William H. Spaulding.
82. See Klass, *UFOs*, p. 8.
83. See Wilson, letter to Spaulding, 26 March 1976 and GSW v. CIA Civil Action Case 78-859.
84. GSW v. CIA Civil Action Case 78-859, p. 2.
85. Author interview with Launie Ziebell, 23 June 1994 and author interview with OSI analyst, 21 July 1994. See also affidavits of George Owens, CIA Information and Privacy Act Coordinator; Karl H. Weber, OSI; Sidney D. Stembbridge, Office of Security; and Rudedge P. Hazzard, DS&T; GSW v. CIA Civil Action Case 78-859 and Sayre Stevens, Deputy Director for National Foreign Assessment, memorandum for Thomas H. White, Assistant for Information, Information Review Committee, "FOIA Litigation Ground Saucer Watch," no date.
86. See "CIA Papers Detail UFO Surveillance," *The New York Times*, 13 January 1979; Patrick Huyghe, "UFO Files: The Untold Story," *The New York Times Magazine*, 14 October 1979, p. 106; and Jerome Clark, "UFO Update," *UFO Report*, August 1979.
87. Jerome Clark, "Latest UFO News Briefs From Around the World," *UFO Update*, August 1979 and GSW v. CIA Civil Action No. 78-859.
88. See Wortman, memorandum for DCI Turner, "Your Question, 'Are we in UFOs?'" Annotated to *The New York Times* News Release Article, 18 January 1979.
89. See GSW v. CIA Civil Action 78-859. See also Klass, *UFOs*, pp. 10-12.
90. (S) See John Brennan, memorandum for Richard Warshaw, Executive Assistant, DCI, "Requested Information on UFOs," 30 September 1993; Author interviews with OSWR analyst, 14 June 1994 and OSI analyst, 21 July 1994. This author found almost no documentation on Agency involvement with UFOs in the 1980s.

There is a DIA Psychic Center and the NSA studies parapsychology, that branch of psychology that deals with the investigation of such psychic phenomena as clairvoyance, extrasensory perception, and telepathy. The CIA reportedly is also a member of an Incident Response Team to investigate UFO landings, if one should occur. This team has never met. The lack of solid CIA documentation on Agency UFO-related activities in the 1980s leaves the entire issue somewhat murky for this period.

Much of the UFO literature presently focuses on contactees and abductees. See John E. Mack, *Abduction, Human Encounters with Aliens* (New York: Charles Scribner's Sons, 1994) and Howard Blum, *Out There* (New York: Simon and Schuster, 1990).

91. See Charles Berlitz and William L. Moore, *The Roswell Incident* (New York: Berkeley Books, 1988); Moore, "The Roswell Incident: New Evidence in the Search for a Crashed UFO," (Burbank, California: Fair Witness Project, 1982). Publication Number 1201; and Klass, *UFOs*, pp. 280-281. In 1994 Congressman Steven H. Schiff (R-NM) called for an official study of the Roswell incident. The GAO is conducting a separate investigation of the incident. The CIA is not involved in the investigation. See Klass, *UFOs*, pp. 279-281; John H. Wright, Information and Privacy Coordinator, letter to Derek Skreen, 20 September 1993; and OSWR analyst interview. See also the made-for-TV film, *Roswell*, which appeared on cable TV on 31 July 1994 and Peebles, *Watch the Skies*, pp. 245-251.

## UFOs

92. See John Diamond, "Air Force Probes 1947 UFO Claim Findings Are Down to Earth," 9 September 1994, Associated Press release; William J. Broad, "Wreckage of a 'Spaceship': Of This Earth (and U.S.)," *The New York Times*, 18 September 1994, p. 1; and USAF Col. Richard L. Weaver and 1st Lt. James McAndrew, *The Roswell Report, Fact Versus Fiction in New Mexico Desert* (Washington, DC: GPO, 1995).

93. See Good, *Above Top Secret*; Moore and S. T. Friedman, "Philip Klass and MJ-12: What are the Facts," (Butbank California: Fair-Witness Project, 1988), Publication Number 1290; Klass, "New Evidence of MJ-12 Hoax," *Skeptical Inquirer*, vol. 14 (Winter 1990); and Moore and Jaime H. Shandera, *The MJ-12 Documents: An Analytical Report* (Butbank, California: Fair-Witness Project, 1990), Publication Number 1500. Walter Bedell Smith supposedly replaced Forrestal on 1 August 1950 following Forrestal's death. All members listed were deceased when the MJ-12 "documents" surfaced in 1984. See Peebles, *Watch the Skies*, pp. 258-268.

Dr. Larry Bland, editor of *The George C. Marshall Papers*, discovered that one of the so-called Majestic-12 documents was a complete fraud. It contained the exact same language as a letter from Marshall to Presidential candidate Thomas Dewey regarding the "Magic" intercepts in 1944. The dates and names had been altered and "Magic" changed to "Majic." Moreover, it was a photocopy, not an original. No original MJ-12 documents have ever surfaced. Telephone conversation between the author and Bland, 29 August 1994.



**CENTRAL INTELLIGENCE AGENCY**

32 CFR Parts 1900, 1901, 1907, 1908, and 1909

Freedom of Information Act; Privacy Act; and Executive Order 12958; Implementation Agency: Central Intelligence Agency.

**ACTION:** Interim rule.

**§1900.02 Definitions**

For purposes of this part, the following terms have the meanings indicated:

(a) *Agency or CIA* means the United States Central Intelligence Agency acting through the CIA Information and Privacy Coordinator;

(b) *Days* means calendar days when the Agency is operating and specifically excludes Saturdays, Sundays, and legal public holidays. Three (3) days may be added to any time limit imposed on a requester by this part if responding by U.S. domestic mail; ten (10) days may be added if responding by international mail;

(c) *Control* means ownership or the authority of the CIA pursuant to federal statute or privilege to regulate official or public access to records;

(d) *Coordinator* means the CIA Information and Privacy Coordinator who serves as the Agency manager of the information review and release program instituted under the Freedom of Information Act;

(e) *Direct costs* means those expenditures which an agency actually incurs in the processing of a FOIA request; it does not include overhead factors such as space, it does include:

(1) *Pages* means paper copies of standard office size or the dollar-value equivalent in other media;

(2) *Reproduction* means generation of a copy of a requested record in a form appropriate for release;

(3) *Review* means all time expended in examining a record to determine whether any portion must be withheld pursuant to law and in effecting any required deletions, but excludes personnel hours expended in resolving general legal or policy issues; it also means personnel hours of professional time;

(4) *Search* means all time expended in looking for and retrieving material that may be responsive to a request utilizing available paper and electronic indices and finding aids; it also means personnel hours of professional time or the dollar-value equivalent in computer searches;

(f) *Expression of interest* means a written communication submitted by a member of the public requesting information on or

concerning the FOIA program and/or the availability of documents from the CIA;

(g) *Federal agency* means any executive department, military department, or other establishment or entity included in the definition of agency in 5 U.S.C 552(f);

(h) *Fees* means those direct costs which may be assessed a requester considering the categories established by the FOIA; requesters should submit information to assist the Agency in determining the proper fee category and the Agency may draw reasonable inferences from the identity and activities of the requester in making such determinations; the fee categories include:

(1) *Commercial* means a request in which the disclosure sought is primarily in the commercial interest of the requester and which furthers such commercial, trade, income, or profit interests;

(2) *Non-commercial educational or scientific institution* means a request from an accredited United States educational institution at any academic level or institution engaged in research concerning the social, biological, or physical sciences or an instructor or researcher or member of such institutions; it also means that the information will be used in a specific scholarly or analytical work, will contribute to the advancement of public knowledge, and will be disseminated to the general public;

(3) *Representative of the news media* means a request from an individual actively gathering news for an entity that is organized and operated to publish and broadcast news to the American public and pursuant to their news dissemination function and not their commercial interests; the term *news* means information which concerns current events, would be of current interest to the general public, would enhance the public understanding of the operations or activities of the U.S. Government, and is in fact disseminated to a significant element of the public at minimal cost; freelance journalists are included in this definition if they can demonstrate a solid basis for expecting publication through such an organization, even though not actually employed by it; a publication contract or prior publication record is relevant to such status;

(4) *All other* means a request from an individual not within paragraph (h)(1), (2), or (3) of this section;

(i) *Freedom of Information Act* or "FOIA" means the statutes as codified at 5 U.S.C 552;

(j) *Interested party* means any official in the executive, military, congressional, or judicial branches of government, United States or foreign, or U.S. Government contractor who, in the sole discretion of the CIA, has a subject matter or physical interest in the documents or information at issue;

(k) *Originator* means the U.S. Government official who originated the document at issue

or successor in office, or such official who has been delegated release or declassification authority pursuant to law;

(l) *Potential requester* means a person, organization, or other entity who submits an expression of interest;

(m) *Reasonably described records* means a description of a document (record) by unique identification number or descriptive terms which permit an Agency employee to locate documents with reasonable effort given existing indices and finding aids;

(n) *Records or agency records* means all documents, irrespective of physical or electronic form, made or received by the CIA in pursuance of federal law or in connection with the transaction of public business and appropriate for preservation by the CIA as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the CIA or because of the informational value of the data contained therein; it does not include:

(1) *Books, newspapers, magazines, journals, magnetic or printed transcripts of electronic broadcasts, or similar public sector materials* acquired generally and/or maintained for library or reference purposes; to the extent that such materials are incorporated into any form of analysis or otherwise distributed or published by the Agency, they are fully subject to the disclosure provisions of the FOIA;

(2) *Index, filing, or museum documents* made or acquired and preserved solely for reference, indexing, filing, or exhibition purposes; and

(3) *Routing and transmittal sheets and notes and filing or destruction notes* which do not also include information, comment, or statements of substance;

(o) *Responsive records* means those documents (i.e., records) which the Agency has determined to be within the scope of a FOIA request.

**§1900.13 Fees for Record Services**

(a) *In general.* Search, review, and reproduction fees will be charged in accordance with the provisions below relating to schedule, limitations, and category of requester. Applicable fees will be due even if our search locates no responsive records or if some or all of the responsive records must be denied under one or more of the exemptions of the Freedom of Information Act.

(b) *Fee waiver requests.* Records will be furnished without charge or at a reduced rate whenever the Agency determines:

(1) That, as a matter of administrative discretion, the interest of the United States Government would be served, or

(2) That it is in the public interest because it is likely to contribute significantly to the public understanding of the operations or activities of the United States Government and

is not primarily in the commercial interest of the requester; the Agency shall consider the following factors when making this determination:

- (i) Whether the subject of the request concerns the operations or activities of the United States Government; and, if so,
- (ii) Whether the disclosure of the requested documents is likely to contribute to an understanding of United States Government operations or activities; and, if so,
- (iii) Whether the disclosure of the requested documents will contribute to public understanding of United States Government operations or activities; and, if so,
- (iv) Whether the disclosure of the requested documents is likely to contribute significantly to public understanding of United States Government operations and activities; and

(v) Whether the requester has a commercial interest that would be furthered by the requested disclosure; and, if so,

(vi) Whether the disclosure is primarily in the commercial interest of the requester.

(c) *Fee waiver appeals.* Denials of requests for fee waivers or reductions may be appealed to the Chair of the Agency Release Panel via the Coordinator. A requester is encouraged to provide any explanation or argument as to how his or her request satisfies the statutory requirement set forth above.

(d) *Time for fee waiver requests and appeals.* It is suggested that such requests and appeals be made and resolved prior to the initiation of processing and the incurring of costs. However, fee waiver requests will be accepted at any time prior to the release of documents or the completion of a case, and fee waiver appeals within forty-five (45) days of our initial decision subject to the following condition: If processing has been initiated, then the requester must agree to be responsible for costs in the event of an adverse administrative or judicial decision.

(e) *Agreement to pay fees.* In order to protect requesters from large and/or unanticipated charges, the Agency will request specific commitment when it estimates that fees will exceed \$100.00. The Agency will hold in abeyance for forty-five (45) days requests requiring such agreement and will thereafter deem the request closed. This action, of course, would not prevent an individual from refiling his or her FOIA request with a fee commitment at a subsequent date.

(f) *Deposits.* The Agency may require an advance deposit of up to 100 percent of the estimated fees when fees may exceed \$250.00 and the requester has no history of payment, or when, for fees of any amount, there is evidence

that the requester may not pay the fees which would be accrued by processing the request. The Agency will hold in abeyance for forty-five (45) days those requests where deposits have been requested.

(g) *Schedule of fees - 1) In general.* The schedule of fees for services performed in responding to requests for records is established as follows:

#### Personnel Search and Review

|                             |              |        |
|-----------------------------|--------------|--------|
| Clerical/Technical          | Quarter hour | \$5.00 |
| Professional /Supervisory   | Quarter hour | 10.00  |
| Manager/Senior Professional | Quarter hour | 18.00  |

#### Computer Search and Production

|                              |            |       |
|------------------------------|------------|-------|
| Search (on-line)             | Flat rate  | 10.00 |
| Search (off-line)            | Flat rate  | 30.00 |
| Other activity               | Per minute | 10.00 |
| Tapes (mainframe cassette)   | Each       | 9.00  |
| Tapes (mainframe cartridge)  | Each       | 9.00  |
| Tapes (mainframe reel)       | Each       | 20.00 |
| Tapes (PC 9mm)               | Each       | 25.00 |
| Diskette (3.5")              | Each       | 4.00  |
| CD (bulk recorded)           | Each       | 10.00 |
| CD (recordable)              | Each       | 20.00 |
| Telecommunications           | Per minute | .50   |
| Paper (mainframe printer)    | Per page   | .10   |
| Paper (PC b/w laser printer) | Per Page   | .10   |
| Paper PC color printer       | Per page   | 1.00  |

#### Paper Production

|                               |               |      |
|-------------------------------|---------------|------|
| Photocopy (standard or legal) | Per page      | .10  |
| Microfiche                    | Per frame     | .20  |
| Pre-printed (if available)    | Per 100 pages | 5.00 |
| Published (if available)      | Per item      | NTIS |

(2) *Application of schedule.* Personnel search time includes time expended in either manual paper records searches, indices searches, review of computer search results for relevance, personal computer system searches, and various reproduction services. In any event where the actual cost to the Agency of a particular item is less than the above schedule (e.g., a large production or run of a document resulted in a cost of less than \$5.00 per hundred pages), then the actual lesser cost will be charged. Items published and available at the National Technical Information Service (NTIS) are also available from CIA pursuant

to this part at the NTIS price as authorized by statute.

(3) *Other services.* For all other types of output, production, or reproduction (e.g., photographs, maps, or published reports), actual cost or amounts authorized by statute. Determinations of actual cost shall include the commercial cost of the media, the personnel time expended in making the item to be released, and an allocated cost of the equipment used in making the item, or, if the production is effected by a commercial service, then that charge shall be deemed the actual cost for purposes of this part.

(h) *Limitations on collection of fees.* --  
(1) *In general.* No fees will be charged if the cost of collecting the fee is equal to or greater than the fee itself. That cost includes the administrative costs to the Agency of billing, receiving, recording, and processing the fee for deposit to the Treasury Department and, as of the date of these regulations, is deemed to be \$10.00.

(2) *Requests for personal information.* No fees will be charged for requesters seeking records about themselves under the FOIA; such requests are processed in accordance with both the FOIA and the Privacy Act in order to ensure the maximum disclosure without charge.

(i) *Fee categories.* There are four categories of FOIA requesters for fee purposes: "Commercial use" requesters, "educational and non-commercial scientific institution" requesters, "representatives of the news media" requesters, and "all other" requesters. The categories are defined in §1900.02, and applicable fees, which are the same in two of the categories, will be assessed as follows:

(1) *"Commercial use" requesters:* Charges which recover the full direct costs of searching for, reviewing, and duplicating responsive records (if any);

(2) *"Educational and non-commercial scientific institution" requesters as well as "representatives of the news media" requesters:* Only charges for reproduction beyond the first 100 pages;

(3) *"All other" requesters:* Charges which recover the full direct cost of searching for and reproducing responsive records (if any) beyond the first 100 pages of reproduction and the first two (2) hours of search time, which will be furnished without charge.

(j) *Associated requests.* A requester or associated requesters may not file a series of multiple requests, which are merely discrete subdivisions of the information actually sought for the purpose of avoiding or reducing applicable fees. In such instances, the Agency may aggregate the requests and charge the applicable fees.

# EXHIBIT C

LARRY W BRYANT [REDACTED]

(b)(6)

## Item 2.9: Appeal Letter re LWB's FOIA Request to CIA

Larry W. Bryant [REDACTED]

Fri, Oct 3, 2008 at  
10:54 PM

(b)(6)

To: [REDACTED]

(b)(6)

✓ TO: Director, U. S. Central Intelligence Agency  
ATTN: Chairman, Agency Records-Release Panel  
Washington, DC 20505

OCT 14 2008

FROM: Larry W. Bryant

(b)(6)

DATE: October 3, 2008

This letter appeals the Sept. 30, 2008, decision of CIA information and privacy coordinator Delores M. Nelson to deny my FOIA-requester status as a representative of the news media as regards my FOIA request of August 23, 2008 (CIA reference F-2008-01781 -- sent originally on August 13th to the Director of National Intelligence).

Ms. Nelson's below-quoted denial invokes warmed-over official UFOlogical history to deflect the crux of my request -- i.e., that any action taken by any CIA personnel to unlawfully suppress/dissuade public exposure of UFO reality (as was done in the case the Alaskan UFO encounter of 1986) has contemporary news value, thus warranting your waiver of all records-search fees.

Ample evidence defining my requester status remains posted upon my blog site of <http://ufoview.posterous.com>. Applicable federal case law (most notably the years-old lawsuit waged against your agency by the Washington, D.C.-based National Security Archive) confirms that no "representative of the news media" need justify his/her FOIA request as seeking records "likely [to] contribute significantly to public understanding of the operations and activities of the United States government." What's more, the package of previously released CIA-maintained UFO-related records would be a most unlikely repository for such agency-incriminating documentation as that pertaining to the 1986 Alaskan case.

By this appeal, I hereby characterize my records-search-fee-waiver "request" as a DEMAND, in light of the current edition of the U. S. Freedom of Information Act's dictum as expressed in subparagraph (a)(4)(A)(ii)(II), namely: "fees shall be limited to reasonable standard charges for document duplication when . . . the request is made by . . . a representative of the news media." Accordingly, I intend to file suit in U. S. District Court to challenge any denial of this appeal.



As you process and grant this appeal, I also ask that you forward a copy of all its related correspondence to the CIA inspector general for him to investigate the circumstances, principals, and activities related to former FAA official John J. Callahan's revelation that one or more CIA personnel have unlawfully applied official pressure upon Callahan's right not to engage in any CIA-directed/supported cover-up of the 1986 Alaskan case. Your complying with this IG-referral request not only would contribute significantly to public understanding of the operations and activities of the U. S. Central Intelligence Agency; it also would help secure accountability for any CIA policy/practice that interferes with the public's stakeholder ship in pursuit of UFOtruth.

By snail-mail, I'm sending to you a signed printout of this e-formatted letter.

LARRY W. BRYANT

(b)(6)

— 6 OCT 2008

Copies furnished to:

Editor, UFO Magazine

Jonathan L. Katz, Esq.

Chairman, Select Committee on Intelligence, U. S. Senate

Director, U. S. Government Accountability Office

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TEXT OF MS. NELSON'S LETTER TO LWB (30 Sep 08):

Reference: F-2008-01781

Dear Mr. Bryant:

This is a final response to your 23 August 2008 Freedom of Information Act (FOIA) request, received in the office of the Information and Privacy Coordinator on 28 August 2008, for the following CIA-received and CIA-generated records:

- (1) As pertain to the convening, attendance roster, briefings, minutes, and all other related documentation of the 1987 special meeting at FAA headquarters in Washington, D.C.;
- (2) As pertain to all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986, to date.

We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

On the general subject of Unidentified Flying Objects (UFOs), there is no organized CIA effort to do research in connection with UFO phenomena, nor has there been an organized effort to collect intelligence on UFOs since the 1950s. At that time, the Air Force, specifically the Air Technical Intelligence Center at Wright Patterson Air Force Base, had the primary responsibility for the investigation of all reports of UFO sightings. The CIA's role was in

connection with a Scientific Advisory Panel, established to investigate and evaluate reports of UFOs. The panel was concerned only with any aspect of UFO phenomena which might prove to present a potential threat to the United States national security. The panel later issued a report of its findings, the Report of the Scientific Panel on Unidentified Flying Objects dated 17 January 1953, also known as the Robertson Report. The report was released by the Air Force Office of Public Information on 9 April 1958. The Air Force investigation, called Project Bluebook [sic], was terminated in 1969. We understand that the Air Force turned its records on this subject over to the National Archives and Records Administration where they are currently available for inspection and purchase. There is currently no CIA program to actively collect information on UFOs, although since the time of the Robertson Report there have been sporadic instances of correspondence dealing with the subject, and we occasionally receive various kinds of reports of sightings of objects in the UFO category.

As of this date, however, the Agency has released to numerous previous requesters 1,022 pages of UFO-related documents under the FOIA. Most of this material was located as a result of a previous search for records conducted on behalf of an earlier requester for information regarding UFOs up through 1979, and as a result of a recent updated search for records conducted on behalf of an earlier requester for information regarding UFOs from 1979 through 15 March 1990. Any releasable material as a result of these earlier, thorough searches is included in this package. These documents are not indexed, and most of the material deals with matters related to the report by the Scientific Advisory Panel. We should advise you that most of the reports dealing with the UFO sightings considered by the Panel originated with other government agencies such as the Air Force, and that much of the later CIA-originated reports concern sightings as reported in the foreign news media. In accordance with our enclosed fee schedule, the material referred to above costs ten cents per page less the first 100 pages as a requester in the "all other" category.

Also, as a result of former Director Woolsey's 14 December 1993 radio interview, a recent further release of 1,757 pages has been made bringing the total amount of pages to 2,779.

Therefore, should you wish to purchase this package, please send us your check or money order for US\$267.90 to me, made payable to the Treasurer of the United States and cite the reference number above to ensure proper credit to your account.

You also have the option of reviewing the initial release of 991 pages on the CIA's electronic FOIA internet site. The access for this site via homepage URL is: <http://www.foia.ucia.gov>.

I must consider your request for a fee waiver under the standards the Agency FOIA regulations outline, which you will find at Part 1900 of Title 32 of the Code of Federal Regulations (CFR). I have reviewed your request under those standards and determined that your petition does not meet them because disclosing the information you seek is already in the public domain and its re-release would not likely contribute significantly to public understanding of the operations and activities of the United States Government. I therefore deny your request for a fee waiver.

You may appeal this decision, in my care, within 45 days from the date of this letter. Should you choose to appeal the denial of your request for a fee waiver, you are encouraged to provide an explanation supporting your appeal. Agency regulations also specify that if the Agency has started to process a request, the Agency may only accept an appeal of a fee waiver denial if the requester agrees to be responsible for the costs in the event of an adverse administrative or judicial decision.

In an effort to assist you further, enclosed is a copy of an article from the CIA's internal magazine Studies in Intelligence, Summer 1997, entitled "CIA's Role in the Study of UFOs, 1947-90." This item is being provided at no cost since it is under 100 pages. We trust that the information enclosed and that provided above will be helpful.

Sincerely,

Delores M. Nelson  
Information and Privacy Coordinator

Enclosure



# EXHIBIT D



Washington, D.C. 20505

October 28, 2008

Mr. Larry W. Bryant

(b)(6)

Reference: F-2008-01781

Dear Mr. Bryant:

We received your 3 October 2008 letter appealing our 30 September 2008 final response to your Freedom of Information Act (FOIA) request for "the following CIA-received and CIA-generated records:

- (1) As pertain to the convening, attendance roster, briefings, minutes, and all other related documentation of the 1987 special meeting at FAA headquarters in Washington, D.C.;
- (2) As pertain to all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986, to date."

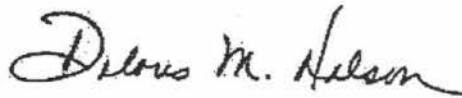
Specifically, you appealed our determination to deny you status as a representative of the news media, and to deny your request for a fee waiver.

Initially, please be advised that FOIA requesters have no appeal rights regarding an agency's fee category determination. Please also be advised that since records responsive to the subject of your request have been previously released, and no additional searches were conducted following receipt of your request, you would be responsible for copying costs associated with this request regardless of fee category determination. As we noted in our final response letter of 30 September 2008, copying costs are ten cents per page less the first 100 pages. These copying fees would apply even if we were to place you into the representative of the news media fee category.

With regard to your request for a fee waiver, Agency regulations are clear that fee waiver appeals will be accepted within forty-five (45) days of our initial decision subject to the following condition: If processing has been initiated, then the requester must agree to be responsible for costs in the event of an adverse administrative or judicial decision. This regulation is codified in 32 C.F.R. § 1900(d). Since you neither agreed to this condition in your initial FOIA request, nor in your appeal letter, we cannot accept your fee waiver denial appeal.

As noted in our final response letter, if you wish to obtain copies of all 2,779 previously released responsive pages, please send me your check or money order for US\$267.90, made payable to the Treasurer of the United States, and cite the reference number above to ensure proper credit to your account.

Sincerely,

A handwritten signature in cursive script that reads "Delores M. Nelson".

Delores M. Nelson  
Information and Privacy Coordinator

# **EXHIBIT E**

Central Intelligence Agency



Washington, D.C. 20505

23 June 2009

Mr. Larry W. Bryant

(b)(6)

Reference: F-2008-01781

Dear Mr. Bryant:

This is in reference to your 23 August 2008 Freedom of Information Act (FOIA) request, received in the office of the Information and Privacy Coordinator on 18 August 2008, for the following CIA-received and CIA-generated records:

- (1) As pertain to the convening, attendance roster, briefings, minutes, and all other related documentation of the 1987 special meeting at FAA headquarters in Washington, D.C.; and
- (2) As pertain to all similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986, to date.

Please note that upon further review, the Agency is reopening the processing of your request; a search will be conducted for records in existence through 15 June 2009. You also requested news media status. Since your request pertains to UFOs and you are a columnist with the newsstand periodical, UFO Magazine, we are placing you in "news media" fee category for this request. Accordingly, you will be responsible only for the cost of reproducing any records released in response to your request. Copying costs are ten cents per page less the first 100 pages.

Sincerely,

A handwritten signature in cursive script that reads "Delores M. Nelson".

Delores M. Nelson  
Information and Privacy Coordinator

# EXHIBIT F

Central Intelligence Agency



Washington, D.C. 20505

21 October 2009

Mr. Larry W. Bryant



(b)(6)

Reference: F-2008-01781

Dear Mr. Bryant:

This is a final response to your 23 August 2008 Freedom of Information Act (FOIA) request, and subsequent litigation, for the following CIA-received and CIA-generated records:

- (1) As pertain to the convening, attendance roster, briefings, minutes, and all other related documentation of the 1987 special meeting at FAA headquarters in Washington, D. C.;
- (2) As pertain to all other similar cases of airborne UFO encounters reportedly occurring since November 17, 1986, to date.

We processed your request in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 431, as amended. Our processing included a search for records as described in our 23 June 2009 letter existing through the date of 15 June 2009.

No records responsive to item 1 were located. With respect to item 2, we have located United States Government material that was not originated by CIA. This material appears to be relevant to your request and has been referred to its originating agency for review and direct response to you. Please note that the CIA regulations governing administrative appeals provide that no appeal shall be accepted if the information in question is the subject of a pending litigation in the federal courts.

Sincerely,

A handwritten signature in cursive script that reads "Delores M. Nelson".

Delores M. Nelson  
Information and Privacy Coordinator



**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

LARRY W. BRYANT,

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY  
and LEON PANETTA, Director, CIA,

Defendants.

Civil Action No.: 09-0940 (EGS)

**DECLARATION OF DELORES M. NELSON  
CENTRAL INTELLIGENCE AGENCY**

I, DELORES M. NELSON, hereby declare and say:

1. I am the Chief, Public Information Programs Division, Information Management Services ("IMS"), Office of the Chief Information Officer ("CIO"), Central Intelligence Agency ("CIA"). Since 21 April 2008, I also serve as the CIA Information and Privacy Coordinator ("Coordinator"). I have served with the CIA for approximately twenty-nine years and, in addition to my current positions, have held other supervisory positions with the CIA.
2. I make this declaration in support of the CIA's motion for summary judgment in this proceeding.
3. In my current capacities, I am responsible for managing the Freedom of Information Act ("FOIA"), Privacy Act, and Executive Order 12958 Mandatory

Declassification Review programs in the CIA. These responsibilities include directing searches of CIA records systems pursuant to public requests for records under these programs and coordinating the reviews of any records retrieved in such searches. These review processes include undertaking any intra-agency and inter-agency coordination and referrals necessary in light of the information found in responsive records. In addition, my responsibilities include fee category and fee waiver determinations.

4. As part of my official duties I ensure that the CIA administratively processes FOIA and Privacy Act requests including the search, retrieval, analysis, review, redaction and release of documents in accordance with the law and as efficiently as possible with the personnel and resources available.
5. Through the exercise of my official duties, I have become familiar with Plaintiff's FOIA request for information that is the subject of this civil action. I make the following statements based upon my personal knowledge, and information made available to me in the course of performing my official duties.

#### **I. PLAINTIFF'S FOIA REQUEST AND THE CIA's RESPONSE**

6. By "letter"<sup>1</sup> dated August 23, 2008 (received in the office of the Information and Privacy Coordinator on August 28, 2008), Plaintiff submitted a FOIA request to the CIA for the following "CIA-received and CIA-generated" records:

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<sup>1</sup> The "letter" is actually a print-out of email correspondence between the Office of the Director of National Intelligence and Plaintiff with handwritten annotations addressed to "Scott Koch [former CIA Information and Privacy Coordinator], changing date to "23" August, and containing signature of Plaintiff. The text states in part "By snail- mail, I'm sending to you a signed printout of this e-formatted letter."

- a. "As pertain to the convening, attendance roster, briefings, minutes, and all other related documentation" of the "1987 special meeting at FAA headquarters in Washington, D.C., to discuss and evaluate...the intrusive UFO encounter experienced on Nov. 17, 1986, by the Japanese flight crew (No. 1628) of a 747 cargo jet...in Alaskan sky."
  - b. "As pertain to all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986, to date."
- Plaintiff also stated that since he was submitting his request as "a representative of the news media principally as a columnist for the monthly newsstand periodical 'UFO Magazine'", he asked that "all records-search/review fees" be waived. (A true and correct copy of Plaintiff's initial request is attached hereto as Exhibit A.)
7. By letter dated September 30, 2008, the CIA acknowledged receipt of Plaintiff's request and assigned it reference number F-2008-01781. The letter went on to explain that "there is no organized effort to do research in connection with UFO phenomena, nor has there been an organized effort to collect intelligence on UFOs since the 1950s." There is currently no CIA program to actively collect information on UFOs. The letter then discussed the release by CIA of UFO-related documents (2,779 pages) in response to prior FOIA requests and a special search conducted in 1993 at the direction of then CIA Director James Woolsey, which included the search for and review of all Agency files on UFOs. The letter also enclosed a copy of CIA's fee schedule and stated the cost for the UFO package was \$267.90, ten cents per page less the first 100 pages free. That is the cost of duplication. Since this information was previously released and the charge

was for duplication only, it was not affected by fee category.<sup>2</sup> The letter further explained that requests for fee waivers<sup>3</sup> must be considered under the standards that Agency regulations outlined at Part 1900 of Title 32 of the Code of Federal Regulations (C.F.R.). In accordance therewith, the CIA informed Mr. Bryant that because the information he sought was already in the public domain, and "its re-release would not likely contribute significantly to public understanding of the operations and activities of the United States Government", his request for a fee waiver was denied. The September 30, 2008 letter also informed Plaintiff that he could appeal the denial of his request for a fee waiver within 45 days from the date of the letter, but if CIA has started to process a request, the Agency may accept an appeal of a fee waiver denial only "if the requester agrees to be responsible for the costs in the event of an adverse administrative or judicial decision". (A true and correct copy of CIA's September 30, 2008 letter and enclosures is attached hereto as Exhibit B.)

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<sup>2</sup> The CIA did not formally address Plaintiff's request for status as a new media representative in its September 30, 2008 letter, although after explaining the cost of the UFO package—ten cents per page less the first 100 pages, the letter stated "as a requester in the 'all other' category." Regardless, since the only charge was for duplication, the fee was the same whether his fee category was determined to be news media or all other.

<sup>3</sup> Although Plaintiff used the term "waiver" in his request letter, based on context of his letter (and subsequent appeal and complaint), it appears that there was confusion over fee category (status) and fee waiver and that requester used the latter term to mean his request for news media status. Notwithstanding that it appears Plaintiff did not request a fee waiver, because of his use of the term waiver, the CIA treated it as such.

8. By letter dated October 3, 2008<sup>4</sup>, Plaintiff appealed the CIA's decision "to deny my FOIA request status as a representative of the news media" as regards request F-2008-01781. Plaintiff went on to state "By this appeal I hereby characterize my records-search-fee-waiver 'request' as a DEMAND" and cited 5 U.S.C. § 522 "a(4)(A)(ii)(II), namely, 'fees shall be limited to reasonable standard charges for document duplication when...the request is made by...a representative of the news media.'" (A true and correct copy of Plaintiff's appeal request is attached hereto as Exhibit C.)
9. By letter dated October 28, 2008, the CIA acknowledged Plaintiff's letter in which he appealed our determination to deny him "status as a representative of the news media" and to deny his "request for a fee waiver."
10. The CIA explained to Plaintiff that since records responsive to his FOIA request had been previously released and no additional searches were conducted, he would be responsible "for copying costs associated with this request regardless of fee category determination." That is, these copying fees would apply even if he were placed into the news media fee category. With respect to his appeal of the denial of a fee waiver, the CIA reiterated that "if processing has been initiated, the requester must agree to be responsible for costs in the event of an adverse administrative or judicial decision." (See 32 C.F.R. § 1900.13(d).) Accordingly,

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<sup>4</sup> The "letter" composed as email on October 3, 2008, is actually dated "6 Oct 2008" in a handwritten annotation next to Plaintiff's signature. The text states in part: "By snail-mail, I'm sending to you a signed printout of this e-formatted letter." The appeal was received in my office on October 14, 2008 (see date stamp).

the CIA declined to accept Plaintiff's fee waiver denial appeal.<sup>5</sup> (A true and correct copy of CIA's response to Plaintiff's appeal request is attached hereto as Exhibit D.)

11. On May 20, 2009, Plaintiff commenced this action, alleging that Defendant "failed to grant Plaintiff news media representative status", "a fee waiver so as only to have to pay photocopying and reproduction fees," (Compl., ¶¶ 9 and 10), and for the first time, Defendant "did not use the level of diligence and good faith to conduct a search." (Id., ¶ 12).
12. By letter dated June 23, 2009, the CIA informed Plaintiff it would reopen his request, granted him news media representative status for this request, and conduct a search for "CIA-received and CIA-generated" records on the following:
  - a. "the convening, attendance roster, briefings, minutes, and all other related documentation of the 1987 special meeting at FAA headquarters in Washington, D.C.",
  - b. "all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986, to date." (A true and correct copy of this letter is attached hereto as Exhibit E.)
13. By letter dated October 21, 2009, the CIA informed Plaintiff that no records responsive to item (a) above were located and that with respect to item (b), U.S. Government material (not originated by the CIA) was located and has been referred to the originating agencies for their review and direct response to him.



(b)(3) CIAAct

The CIA also informed Plaintiff that "CIA regulations governing administrative appeals provide that no appeal shall be accepted if the information in question is the subject of pending litigation in the federal courts." (A true and correct copy of this letter is attached hereto as Exhibit F.)

14. The CIA referred the three potentially responsive documents to the government agencies which originated the documents: Department of State and National Security Agency.

## **II. CIA'S SEARCH FOR RESPONSIVE DOCUMENTS**

### **A. CIA Records Systems**

15. The CIA's records systems are designed to support CIA's intelligence activities and responsibilities. The CIA's ability to retrieve data from a given records systems depends upon the type of information stored in that system and the way the system is designed to retrieve that information. Records systems and indexing systems vary among CIA components because they must reflect and respond to the established responsibilities and needs of those individual components. For example, some CIA records systems are organized to facilitate the collection of foreign intelligence, while others facilitate the analysis of intelligence information, depending upon the missions of the particular CIA component.
16. All CIA records are maintained by one of four directorates or the independent offices and entities that report to the Director of the CIA: the National Clandestine Service ("NCS"), the Directorate of Intelligence ("DI"), the Directorate of Science and Technology ("DS&T"), the Directorate of Support ("DS") and the Director of CIA Area ("DIR Area").



17. The DI is the CIA directorate that analyzes, interprets, and forecasts foreign intelligence issues and world events of importance to the United States. It is responsible for producing finished intelligence reports for dissemination to policymakers in the United States Government. Appropriately trained personnel regularly conduct FOIA and other searches of the DI records system as part of their normal duties.
18. The DS&T is the CIA directorate that creates and applies technology to fulfill intelligence requirements. The DS&T also maintained records produced by the Foreign Broadcast Information Service, the primary collector of foreign open-source information for the United States Government until the establishment of the DNI Open Source Center in 2005<sup>6</sup>. Open-source information is information that is generally available to the public, such as foreign newspapers, periodical publications, and television and radio broadcasts. Appropriately trained personnel regularly conduct FOIA and other searches of the DS&T records system as part of their normal duties.
19. The NCS is the organization within CIA responsible for the clandestine collection of foreign intelligence information from human sources. The NCS records system contains information on persons or entities that are of foreign intelligence or counterintelligence interest to the CIA and other United States Government agencies. Appropriately trained personnel regularly conduct FOIA and Privacy Act searches of the NCS records system as part of their normal duties. NCS

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<sup>6</sup> The DNI Open Source Center ("OSC") at CIA was established on 1 November 2005. The DNI directed that the center be built on the capabilities and expertise of CIA's FBIS and report directly to the DCIA in implementing DNI strategy and guidance.

operational files are exempt from FOIA search and review pursuant to the CIA Information Act, 50 U.S.C. § 431.

20. The DS provides the CIA with mission-critical services, including the protection of CIA personnel, security matters generally, facilities, communications, logistics, training, medical services, and personnel resources. It maintains records on all current and former CIA employees, whether employed in a contract or staff capacity, as well as other individuals for whom security processing or evaluation has been required. Appropriately trained personnel regularly conduct FOIA searches of the DS records system as part of their normal duties.
21. The DIR Area includes the independent offices that report directly to the Director, and is distinct from the CIA's four main directorates (NCS, DI, DS&T, and DS). The DIR Area includes the Office of General Counsel, Office of Inspector General, Office of Congressional Affairs, Office of Public Affairs, Chief Financial Officer, Chief Information Officer, and other entities such as the Office of Diversity Plans and Programs. The DNI Open Source Center is also within the DIR Area. Appropriately trained personnel regularly conduct FOIA searches of the DIR records system as part of their normal duties.

#### **B. Procedures for Processing FOIA Requests**

22. The CIA has established the following procedures for processing FOIA requests. As previously noted, CIA's Information and Privacy Coordinator, who also serves as Chief, PIPD, is responsible for managing the FOIA, PA and E.O. 12958 Mandatory Declassification Review programs at the CIA. My office is the initial reception point in the CIA for all FOIA requests. Upon receipt, experienced

FOIA officers in PIPD review the request to ensure that it is perfected, that is, meets applicable legal and administrative requirements. Part of this review entails checking to see if the CIA has previously searched for and released records on the topic identified by the requester. If so, depending upon the volume, the requester is provided with copies of the responsive records or a listing of such records as well as with background on the search which generated the records. (See Exhibit B.) If a request is perfected and a search of CIA component records is necessary, PIPD officers determine which directorates<sup>7</sup> of the CIA, reasonably may be expected to possess records responsive to the request and then forward copies of the requester's letter to those directorates with instructions to search for any responsive documents. The tasked directorates then conduct searches among all directorate components and indices and databases that reasonably may be expected to have any information responsive to the request. Directorate personnel responsible for conducting these searches are professionals who regularly and routinely conduct CIA record searches, whether for another component of the CIA, the Director of CIA, Department of Justice, Congress or a FOIA requester.

23. After a tasked component locates documents in response to a FOIA request, officers must review those documents to determine whether they, in fact, respond to the request. Because of the nature of a particular records system, or the search tools, indices, or terms employed, a search may locate many documents that are not responsive to the request. In fact, it is quite common for the number of non-responsive documents to exceed the number of responsive documents.

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<sup>7</sup>In the discussion of processing procedures in this Declaration, "directorates" will include the DIR Area.

24. After officers identify and remove any non-responsive documents, they must then review the remaining responsive documents to determine if any FOIA exemptions apply, and whether they can reasonably segregate non-exempt information from exempt information. In the course of reviewing documents for exempt information and segregability, officers frequently identify information that must be coordinated with or referred to another CIA component or another agency because the other component or agency originated the information.<sup>8</sup> This coordination and referral process itself can be quite time-consuming because other components and agencies have their own missions and FOIA priorities.
25. When all of the components and agencies<sup>9</sup> have completed their respective reviews, PIPD professionals incorporate all of the recommendations regarding exemptions, segregation, and release, resolve conflicting recommendations, and ensure that the release or withholding determinations comply with the law and published CIA regulations. Under the direction and supervision of the CIA Information and Privacy Coordinator, a review is then conducted from a corporate perspective on behalf of the entire CIA. A final record copy of each CIA-originated document is produced and a response is provided to the requester. Documents originated by other government agencies are forwarded to those agencies for direct response to the requester.

### **C. CIA's Records Search in Response to Plaintiff's FOIA Request**

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<sup>8</sup> See Exec. Order No. 12958, as amended, § 3.6(b).

<sup>9</sup> "Agencies" in this context refers to one more other agencies having information or equities in CIA documents as opposed to referrals, which are documents located by CIA but originated by another agency. These are forwarded to the originating agency for review and direct response to the requester.

26. The CIA processed Plaintiff's request following the procedures set forth above.
27. As noted above (¶ 9), the CIA has previously searched for and released records relating to UFOs in response to FOIA requests and litigation. In addition, in 1993-94, at the direction of then Director of Central Intelligence (DCI) James Woolsey, the CIA conducted an Agency-wide search for and reviewed all CIA files relating to UFOs. This effort, conducted under the direction of the Executive Assistant to the Director of Central Intelligence ("DCI") resulted in a further release of 1,757 pages, bringing the CIA's release of documents relating to UFOs, that is, the "UFO package" to 2,779 pages. It should be noted that this search was Agency-wide and the intent of the review was to release as much information as possible, without compromising intelligence sources and methods. Thus, the subject of plaintiff's request—"a 1987 special meeting at FAA headquarters...to discuss and evaluate certain official evidence of the intrusive UFO encounter experienced on Nov. 17, 1986...by a Japanese flight crew" over Alaska—falls squarely within the parameters of this search. In reviewing this case, it was the second prong of Plaintiff's request which prompted the CIA to reopen the processing of his request, namely, the request for information "on all other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986." As was explained to Plaintiff in CIA's Sept. 30, 2008 letter, there is no CIA program to actively collect information on UFOs. However, the letter also acknowledged that occasionally we may receive reports of sightings of objects in the UFO category. Accordingly, a search was conducted by CIA for records concerning "similar cases of airborne UFO encounters" since November 17, 1986. And,

notwithstanding that records relating to the alleged 1987 special meeting at FAA headquarters concerning the November 1986 encounter, if any, should have been located during the special search for UFO related information conducted in 1993-94, a new search was conducted for records specifically relating to the meeting as described by the requester.

28. PIPD personnel experienced in the tasking of records searches tasked those CIA directorates reasonably likely to have responsive records, if any existed. PIPD tasked the Plaintiff's request to the DI, DS&T, DCIA Area and NCS. These components were tasked to search through June 15, 2009, the date of the letter informing requester that the case was being reopened.
29. As noted above, the DI analyzes, interprets, and forecasts foreign-intelligence related issues and world events of importance to the United States. The DI made all reasonable efforts to identify and retrieve any records responsive to Plaintiff's FOIA request. The DI searched its central data base, an all-source data base containing intelligence reports and finished intelligence received and originated by the CIA, for information on "other similar cases of airborne UFO encounters reportedly occurring since Nov. 17, 1986." The following search terms were used: "UFO", "UFOS", and "unidentified flying object or objects".
30. Three responsive documents, all originated by other agencies, were located. Records in the main DI system are disseminated intelligence reports and are not indexed to retrieve information of the nature requested in item 1 of Plaintiff's request. Within the DI, the only component reasonably likely to possess records relating to the meeting described in requester's letter, would have been the Office

of Scientific and Weapons Research ("OSWR")<sup>10</sup>, whose records have been archived. Such records are indexed only at the folder level. The DI searched using the following terms "UFO", "U F O", "U.F.O", as well as "FAA", "F A A", and Federal Aviation Administration. In addition, the search officer looked for folder titles listing meeting, briefing, roster, or minutes for the same time period. No responsive records were located.

31. The DS&T also made all reasonable efforts to identify and retrieve records responsive to plaintiff's request. Given the relevant time period, the DS&T searched archived records of the National Photographic Interpretation Center, Foreign Broadcast Information Service, Office of Imagery Analysis, Office of Technical Services, Office of the Director for S&T, Office of Development and Engineering, Office of Research and Development, and Office of Technical Collection. The DS&T employed the following search terms: "FAA", "Federal Aviation Administration", "UFO", "unidentified flying object" and "Callahan". No responsive records were located.

32. The DCIA Area also made all reasonable efforts to identify and retrieve any records responsive to plaintiff's FOIA request. The DCIA Action Center (DAC), Office of Public Affairs, Open Source Center, and Center for the Study of Intelligence conducted records searches. All components searched for "unidentified flying objects", "UFO", "UFOs", "FAA", or "Federal Aviation Administration". In addition, the following search terms were used by one or

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<sup>10</sup> OSWR was formed in 1980 when the Offices of Scientific Intelligence and Weapons Intelligence were merged. The name of the office was changed in 1995, and the office was subsequently merged with a number of others during successive reorganizations.



more components: "UFO encounter", "Japanese flight crew 1628", "aviation", "meeting at FAA 1987", "FAA meeting", "1987 FAA meeting", "UFO and Japan", "UFO and 1628", "UFO and CIA", "UFO and 747", "UFO and extraterrestrial", "Callahan". (The term "unidentified flying object" was also used in conjunction with other terms when "UFO" is listed in the preceding examples. In addition, as was noted above, a special search was conducted in 1993-94 regarding UFOs at the request of Director Woolsey. These records are part of the CIA UFO collection which was offered to the plaintiff in CIA's initial response. The search was overseen by the Executive Assistant to the DCI. The DAC searched all of the records retired as part of this effort ("every single page"), and CSI independently reviewed a subset as possibly containing responsive information being. All records were manually reviewed as part of this search. No responsive records were located. The DAC found no reference to a meeting or the FAA in 1987 ("or indeed, any other year") or any documentation regarding UFO encounters, extra-terrestrials, or unexplained flying phenomena from 1986 onward. In addition, the individual who oversaw the 1993-94 search and review effort as the Executive Assistant to the DCI searched his email concerning this project for "FAA" and located no responsive documents.

33. As previously noted the NCS is responsible for the clandestine collection of foreign intelligence information. The NCS records system contains information on persons and entities that are of foreign intelligence or counter-intelligence interest to the CIA and other United States Government agencies. After

reviewing plaintiff's FOIA request, NCS responded that its records system was not set up to search on general subjects or topics such as UFOs.<sup>11,12</sup>

34. In sum, the CIA tasked those components reasonably likely to possess information responsive to Plaintiff's request (if any) to conduct records searches. The searches were conducted by information management professionals who are familiar with the records systems of their respective components and who routinely and regularly conduct searches of these records as part of their professional responsibilities. These individuals were familiar with Plaintiff's request and all such searches were reasonably calculated to locate responsive records, if any. As indicated above, no documents were located in response to item (a) ("1987 special meeting at FAA") of Plaintiff's request and three records originated by other government agencies were located in response to item (b) ("all other similar cases of airborne UFO encounters").

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 26<sup>th</sup> day of October, 2009.

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Delores M. Nelson  
Information & Privacy Coordinator  
Central Intelligence Agency

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<sup>11</sup> Intelligence reports disseminated by NCS (formerly the Directorate of Operations) are included in the DI records system where they may be searched by topic (and were searched as part of the DI records search described above.)

<sup>12</sup> The Directorate of Support to conduct searches in this case. Given its functions as CIA's administrative and support arm, PIPD officers reasonably determined that the DS was not likely to have records responsive to plaintiff's request.

**TAB B**

Printer Friendly

(b)(3)

(b)(6)

F-2004-01956

(b)(6)

From  
Subject  
Date  
To  
CC

"Larry W. Bryant"  
FOIA Request to CIA, re the McCarthy Saga  
Sun, August 8, 2004 7:33 pm  
[redacted]  
president@whitehouse.gov

AUG19'04 AM10:31 (b)(6)

TO: Director  
U. S. Central Intelligence Agency  
ATTN: Freedom of Information Manager  
Washington, DC 20505

FROM: Larry W. Bryant  
[redacted]

(b)(6)

DATE: August 8, 2004

While certain CIA officials continue to deny the public full access to any government records pertaining to the CIA-created "Project Cherry," there remains at least one victim of that rogue operation who is continuing to seek full vindication and justice as to the "Cherry"-related crimes of omission/commission perpetrated against not just him but also against one or more citizens of the Kingdom of Cambodia.

I refer of course to one former U. S. Army captain John Joseph McCarthy, Jr., who clandestinely had been trained by, and operated as a trainer within, "Project Cherry's" central mission: the fielding of assassination teams throughout key regions of Vietnam-war-era Southeast Asia. For details on his involvement in, and eventual victimization by, that mission, please visit the Internet web site of: <http://www.fromthewilderness.com/free/hall/Mac.html>

With Mr. McCarthy's proxy (i.e., the enclosed copy of his Notice of Authorization), I hereby submit this letter as a formal, written freedom-of-information/Privacy Act request that you send me a copy of all CIA-generated and CIA-received records pertaining to Mr. McCarthy's military career, his CIA-directed activities, his associated communications, his post-"Cherry" litigation history, and his CIA-managed "case file."

Since I make this request as an independent writer focusing on actual and/or potential whistleblower-derived evidence exposing official wrongdoing at the highest levels of government, and since such exposure would significantly educate the general public as to all related government activities/policies/programs, I hereby request that you waive all records-search fees incident to your fulfilling this request.

By snail-mail, I'm sending to you a signed printout of this e-formatted letter.

(b)(6)

LARRY W. BRYANT  
[redacted]

Mr. McCarthy

Mark S. Zaid, Esq. (Washington, D.C.)

Chairman, U. S. Senate Committee on the Judiciary

Cambodian Ambassador to the United States

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## NOTICE OF AUTHORIZATION

TO: Whom It May Concern

FROM: John Joseph McCarthy

DATE: July 22 2004

By this notarized instrument, I hereby authorize writer Larry W. Bryant of [redacted] full access to any and all official government records being maintained on me and my activities by any government agency — including the U. S. Federal Bureau of Investigation, the U. S. Central Intelligence Agency, and the Departments of Defense and Army.

For official records-search purposes only, I hereby provide the following personal identification data:

Social Security No.: [redacted]

Original military service No. [redacted]

Date and place of birth: [redacted]

Dates of military service: [redacted]

SIGNATURE

DATE SIG

July 22 04

## NOTARIZED CERTIFICATION

I, Michael Laurence Covey, a notary public, hereby certify that the foregoing individual, known to me as John Joseph McCarthy, Jr., appeared before me on this the 22nd day of July, 2004, in the city/county of Los Angeles, California, and affixed his signature to this instrument.

As witnessed by my signature

of this date: July 22 2004a notary public in Los Angeles, California

SEAL:



My  
commission expires on: August 30 2007

(b)(6)

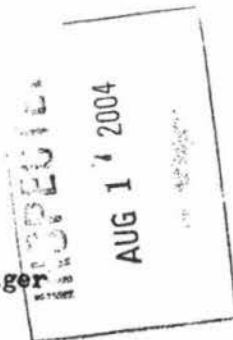
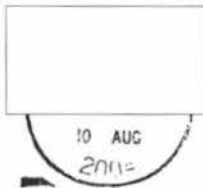
(b)(6)

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7/22/2004



Director  
U. S. Central Intelligence Agency  
ATTN: Freedom of Information Manager  
Washington, DC 20505

**FIRST CLASS MAIL**



(b)(6)

(b)(6)



Central Intelligence Agency



Washington, D.C. 20505

9 September 2004

Mr. Larry W. Bryant



(b)(6)

Reference: F-2004-01956

Dear Mr. Bryant:

This concerns your 8 August 2004 letter requesting records under the provisions of the Freedom of Information Act (FOIA). Specifically, your request is for:

**"A copy of all CIA-generated and CIA-received records pertaining to Mr. [John Joseph] McCarthy's military career, his CIA-directed activities, his associated communications, his post-'Cherry' litigation history, and his CIA-managed 'case file'."**

We assigned your request the number referenced above for identification purposes. Please refer to this number in future correspondence.

Concerning your request, to the extent that you seek records that would reveal a covert connection between CIA and the subject of your request, I must inform you that the CIA can neither confirm nor deny any confidential or covert relationship, or interest in developing such a relationship, with any particular individual, organization, or other entity. Records disclosing this type of information necessarily would be classified pursuant to Executive Order 12958. Further, the fact of the existence or nonexistence of such records would relate directly to information concerning intelligence sources and methods which, in accordance with Section 103 (c)(6) of the National Security Act of 1947 and Section 6 of the CIA Act of 1949, the Director of Central Intelligence has the legal responsibility and obligation to protect from unauthorized disclosure.

Therefore, to the extent your request might concern records containing such information, it is denied pursuant to FOIA exemptions (b)(1) and (b)(3); an explanation of these exemptions is enclosed. The CIA official responsible for this determination is Scott Koch, Information and Privacy Coordinator. By this action we are neither confirming nor denying that any such information exists. You have the

right to appeal this determination by addressing your appeal to the Agency Release Panel, in my care. However, we will be unable to accept such an appeal until the processing of your request has been completed, at which time you may submit an appeal within 45 days from the date of our final response letter. Should you choose to do this, please explain the basis of your appeal.

With respect to the part of your request that seeks other information, including that which might reflect an open or otherwise acknowledged Agency affiliation, we can search for responsive records. Before we can begin processing, however, we must have your commitment to pay fees as described below.

Concerning your request for a fee waiver, I am required to consider your FOIA request in light of the rules and regulations governing the waiver of fees as published in the Code of Federal Regulations [CFR Title 32, Chapter XIX, Section 1900.13(b), enclosed] as well as relevant Department of Justice and Office of Management and Budget guidelines. I reviewed your request and determined that your petition does not meet the requirements of those regulations. Release of the information you requested would not be likely to contribute significantly to public understanding of the operations and activities of the United States Government. Accordingly, in this instance your request for a fee waiver is denied, and we must have your commitment to pay all fees before we can begin processing your request.

Based on the information in your letter, your request would be placed in the "commercial" fee category. This means that you will be responsible for the full direct costs for searching, reviewing and duplicating responsive records. In accordance with Section (a) of the schedule, search fees are assessable even if no records are found or, if found, we determine that they are not releasable. This means you will be charged even if our search results are negative or if it is determined that no information is releasable under the FOIA.

We will hold your request in abeyance for 45 days from the date of this letter pending your commitment to pay assessable fees.

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

Enclosures

CIO/IMS/IRRG/PIPD, [redacted] /.../8 September 2004

Signature assigned by: [redacted]

Distribution:

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*Research*

FROM THE WILDERNESS is proud to present the story of U.S. Army Special Forces Captain John McCarthy, a real American hero. While some would challenge hero status for a man who admittedly was ordered to train assassination teams for the CIA during the Vietnam War (none of which carried out a mission), no one can challenge the fact that as a triple volunteer (airborne, ranger, Special Forces), John served his country with bravery, honor and distinction. Like so many of the young men who went to Vietnam, he believed in his country and what he had been taught was the rightness of its mission in the world. But this is also the story of John's

disillusionment and of his painful awakening, which came at the cost of wife family and friends. It is a story about how he stood alone, at a crucial moment, as his country broke its word to him and refused to capitulate as he saw that the moral leadership of those who gave him orders was an empty house of cards. - Mike Ruppert, 7/14/98

**AN AMERICAN P.O.W. -- IN AMERICA**

By John McCarthy

This is true. It happened. And it happened in the United States of America and in Vietnam.

Continued suppression of the following facts and circumstances provides history with the opportunity to repeat itself. It already has once.

The United States Government claims that publication of this matter will be inimical to the National Security of our country. A more accurate phrase would be National Embarrassment. Stonewalling on this issue has worked for over thirty years. Stonewalling works. It is time to take down the wall.

On January 30, 1968, a Top Secret General Court-martial concluded that United States Army Special Forces Captain John McCarthy had murdered a Cambodian "peasant". Although facing the death penalty, the court sentenced McCarthy to "...be confined at hard labor for the term of your natural life." Deliberation on sentencing took all of three minutes. Amazingly enough, the sentence to confinement for life DID NOT include reduction in rank, forfeiture of pay and allowances, nor dismissal from the service. This remains a precedent in the history of Military Justice, i.e., an accusation followed shortly by a conviction.

McCarthy was the Case Officer in Saigon, of a CIA directed covert operation code-named PROJECT CHERRY. The operational mission of CHERRY was a redundant, three-pronged assassination team targeted against Prince NORODOM SIHANOUK, the head of state of Cambodia.

Although McCarthy was technically a member of the United States Military and Special Forces, his role as Case Officer of PROJECT CHERRY necessitated an elaborate Cover Story as a member of the Department of Defense (DOD) and was covered by Identification issued by the United States Embassy in Saigon under an assumed name (John McAlister). This "cover" included absolute directives not to openly associate with any members of our military forces in Vietnam.

PROJECT CHERRY was not a Special Forces mission. This CIA activity employed Special Forces personnel who were selected for their expertise in relevant skills necessary for the conduct of BLACK TERROR and ASSASSINATION missions. The Project was buried deep within a Military Intelligence unit which was itself operating under the guise of a Civic

Action Team, a common CIA cover for covert operations world-wide. Although members of the Civic Action team wore various military uniforms and carried on activities as though they were legitimate military officers, some were full time CIA Agents.

The "operational" members of PROJECT CHERRY were Cambodians recruited from the KHMER SEREI, the Government In Exile from Cambodia, violently anti-SIHANOUK and dedicated to the overthrow of the Cambodian Government. The KHMER SEREI was recognized by the Vietnamese Government and operated openly in South Vietnam. PROJECT CHERRY employed twelve members of the KHMER SEREI. Their missions included the conduct of BLACK TERROR against the civilian population of Cambodia, while leaving evidence of their atrocities blaming Cambodian forces for their actions. The purpose of these activities was to create CIVIL UNREST and a rebellion against the Cambodian Regime. It worked. Similar operations utilizing KHMER SEREI were also directed from the United States Embassy in Bangkok, Thailand.

PROJECT CHERRY, it turns out, had been compromised by the penetration of an individual who, while holding the rank as the First Secretary of the KHMER SEREI, was the PRINCIPAL AGENT of PROJECT CHERRY and also an Operative Agent of the SOVIET KGB. He was also employed by the SIHANOUK Government at the same time. This information was provided to the United States Embassy in Saigon in February, 1967, by the leader of the KHMER SEREI, SON NGOC THANH. The Americans of PROJECT CHERRY were not notified of this revelation. This triple agent's name was INCHIN LAM. As Principal Agent, LAM coordinated the activities of the Cambodian members of PROJECT CHERRY and also packed the parachutes used by all team members, including the Americans. Lam was also involved in the murder of one of the Cambodian members of PROJECT CHERRY.

During the course of events in November, 1967, McCarthy was directed to disband PROJECT CHERRY, supposedly for budgetary considerations, and disburse its members to collateral organizations. All Cambodian members of PROJECT CHERRY were subsequently rehired by Studies and Observations Groups (SOG) targeting Cambodia, with the exception of INCHIN LAM, the Principal Agent, who could not be rehired due to unknown reasons. The only response from those employing other members of PROJECT CHERRY was, "...they would not touch LAM with a ten foot pole". LAM's association with the Soviet KGB and the SIHANOUK Regime was not known to McCarthy at that time. (It was later learned that the CIA was frantically attempting to re-double LAM against the KGB and was releasing him from all covert activities in this attempt).

LAM was taken from his "Safe House" in Saigon by McCarthy and one of his sergeants, and driven during the hours of darkness north from the city to an area occupied by a Special Forces Detachment at Ho Ngoc Tao. The purpose for this trip was to question LAM because of other issues which had just come to light during attempts to re-hire him. During the ride LAM was shot and killed from outside the vehicle by persons unknown. By McCarthy's direction, the vehicle was driven to the Special Forces Detachment and directives were given to contact an individual to assist in the temporary disposal of LAM. It was anticipated that LAM's remains would be turned over to the KHMER SEREI, as were other members in case of death.

Shortly after returning to Saigon, McCarthy was arrested and accused of the murder of INCHIN LAM. Within three days the United States Embassy in Saigon provided a \$25,000 Death Gratuity to the KHMER SEREI in hopes of appeasing them over LAM's death. The KHMER SEREI were somewhat confused. Although they did not express surprise or anger in LAM's death, they could not understand why the United States Government was going to prosecute McCarthy. After all, they had told the Embassy months earlier of LAM's true allegiance. The KHMER SEREI subsequently presented McCarthy with a plate of gold and a commendation, since the US Government had provided McCarthy's real name as the culprit in this matter. The KHMER SEREI kept the \$25,000 but they wondered how anyone could be tried for such a "revolutionary" act.



The Central Intelligence Agency offered John a ten year sentence if he would plead guilty to murder, avoid a trial, and go along with the CIA's murder of a triple agent to protect the truth that they had turned LAM back on his communist comrades. Because he was innocent of the crime John flatly refused the offer.

After 65 days of pre-trial confinement at Long Binh, Vietnam, in a 5 x 7 foot box, topped with chicken wire, a continuously burning light bulb, and a tin roof, McCarthy was tried and convicted of premeditated murder. The TET offensive of January 30, 1968 began twenty-five minutes later.

The government's key witness at trial, held virtually in-camera, was a pathologist. Captain Richard T Mason testified as an "expert" witness that LAM was killed by a .22 caliber bullet with the muzzle of the weapon held loosely or tightly, "Ébut in any case against the neck" of the victim, LAM. This testimony compelled the jury to convict, despite contrary evidence. There was also testimony about "stingers" at trial. These were single shot devices made for the CIA as assassination weapons. Although McCarthy had a .38 caliber revolver, and the sergeant with him that night had a 9mm pistol, it was Mason's "expert" testimony that won the day.

Both Robert and Ted Kennedy responded to appeals by McCarthy for assistance. They wrote letters and made calls on his behalf which had no effect on CIA's directed outcome of his trial. Bobby was assassinated on June 5, 1968.

After five months in the 5 x 7 "box", McCarthy was transported to Fort Leavenworth, Kansas, in a "prison shipment".

In September, 1968 Mason recanted his in-court testimony, in writing. He sent the recantation to Lieutenant Colonel PIERRE FINCK, his boss at the Armed Forces Institute of Pathology, in Washington, D.C. FINCK had conducted the autopsy of President John F Kennedy, in November of 1963, and had testified before the WARREN COMMISSION. FINCK was contacted in 1969 by one of McCarthy's lawyers but denied knowledge of any new or relevant information in the case. Mason didn't think it necessary or appropriate to advise McCarthy or his lawyers of his recantation.

In 1970, a lawyer working for FINCK approached McCarthy's attorney in the Pentagon Cafeteria and asked if he had seen the "McCarthy File".

Expressing surprise, both attorneys proceeded to FINCK's office and located the filing cabinet. The first document in the file was Mason's recantation. The second item was an FBI Lab report signed by J Edgar Hoover. This lab report was in response to a request for analysis of a bullet fragment removed during the autopsy of LAM. The FBI Lab report dated February 9, 1968, ten days after trial, states that the make, caliber and manufacturer of the bullet fragment could not be determined. However, the report continued, a piece of quartz was stuck to the bullet fragment. When LAM was shot, the front windshield of the vehicle had shattered, the there had been a hole in the windshield two inches from the passenger side post. Again, Mason had not thought it necessary or appropriate to notify the defense attorneys or McCarthy. The FBI sent the bullet fragment back to Vietnam "under separate cover" from the lab report. The bullet fragment was lost in the registered mail. McCarthy's defense team never had the opportunity to independently analyze the fragment.

McCarthy's lawyers immediately filed a brief with the appellate court, which cited Mason's recantation as "newly found evidence and fraud on the court". The conviction was set aside and a new trial was ordered. One of the three appellate judges disagreed with the recommendation for a new trial. To him, McCarthy's "record in intelligence and intelligence related operations, as well as the military skills associated therewith, which

he has developed," made it in defiance of "logic" that he would have murdered "the victim in the manner developed by the Government at trial and urged upon us during appellate argument." Terming McCarthy a "proven officer, thoroughly trained in intelligence operations, well-disciplined and sensitive to the ramifications of all his actions, not only with regard to the United States but to other political entities whose interests might be affected," that judge said the court should have forbidden a retrial. Then Government prosecutors described the possibility of a conviction at a new trial as "highly unlikely" and the charge of Premeditated Murder was dismissed on January 8, 1971. Immediately following the dismissal, the following organizations were briefed because of anticipated fallout: CENTRAL INTELLIGENCE AGENCY, STATE DEPARTMENT, FEDERAL BUREAU OF INVESTIGATION, DEFENSE INTELLIGENCE AGENCY, NATIONAL SECURITY COUNCIL, and THE EXECUTIVE DEPARTMENT, (PRESIDENT NIXON).

The US Government was so anxious to obtain a conviction at trial they had resorted to FABRICATING evidence in the guise of Mason's EXPERT testimony. Statements by the ranking member of the court-martial board revealed that had Mason's recantation been known or the FBI Lab report been available, the court would not have reached a guilty verdict. However, this same board member did state that if the Government had thought McCarthy innocent, they certainly would not have tried him for murder, and the court had their duty to convict. Therein lies the rub and the miscue of military justice. The statement of "we don't know how he did it, but we think he did it" exemplifies the issue.

In 1984, under the Freedom of Information Act, a search of the files in the STATE DEPARTMENT was requested with negative results. No files existed with respect to the above. However, in the office of the ASSISTANT CHIEF OF STAFF of INTELLIGENCE in the Pentagon, an affidavit dated 1968, written by the Assistant Chief of Staff addressed the concern of the STATE DEPARTMENT over the issue of granting McCarthy's civilian attorney a Top Secret clearance in order to review the files in the above matter. The information in the McCarthy case, if leaked, would seriously effect the Foreign Policy of the United States. And, of course, STATE was briefed on January 8, 1971. Also, during the summer of 1968, STATE had requested copies of the Record of Trial and allied paperwork from McCarthy's defense counsel in the Pentagon. After reviewing the material for a week, the representative from STATE returned the documents with the comment; "Had we known that this information was going to be revealed, we would never had allowed the trial to proceed in the first place". And yet there are no files on this matter at the STATE DEPARTMENT. This is of far greater significance than just denying the existence of files. What it means is that STATE was not aware of PROJECT CHERRY to begin with, and although BLACK TERROR and ASSASSINATION missions were under purview of the CIA, the STATE DEPARTMENT would have known of these activities when sanctioned by the President. Because STATE was not privy to these activities in Cambodia, there stands a very good chance that the operations conducted by PROJECT CHERRY were a ROGUE CIA directed activity designed to prolong and extend the war in South East Asia.

On October 2, 1968 John, sitting in his prison cell at Ft. Leavenworth, received a Western Union telegram from Ted Kennedy which read, "Keep chin up. Stand by for good news shortly." On Oct. 6, 1969 he was summarily released from prison and remained in a state of limbo while CIA and the Army decided what to do with him. He was sent to the Army's premier intelligence post, Fort Huachuca, where, as a convicted murderer, he was allowed to instruct other troops, in spite of the fact that he had no security clearance.

On February 8, 1970 in an article in the Washington Post entitled "Terminated Agent May Haunt U.S.", Murray Marder would write: "(W)hile comparatively obscure, the McCarthy case carries a larger potential for international complications than the celebrated Green Beret case". Eleven months later the charge was dismissed.

The Constitution of The United States guarantees all citizens the right to seek redress for grievances against the Government. The exception to this First Amendment Right is the



FERES Doctrine adopted by Congress in 1952, which states that no member of the Armed Forces may seek redress for grievances which is "incidental to service". Therefore, those citizens who wear their country's uniform into battle in order to protect the Constitution, forfeit their Rights under the Constitution. There is no recourse.

John McCarthy honorably left the service on August 2, 1971, after eleven years six months and six days of active duty. His written statement on request for release from active duty was simply put: "I no longer have the desire to serve as a commissioned officer in the United States Army".

The Author  
Los Angeles, 1998

A personal note; the utter devastation of incarceration, loss of wife and children, mother and father, friends and relatives, and employment and other issues is far too voluminous for inclusion in this synopsis.

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If you want to know MORE about this subject,  
may we recommend the following:

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- The Carone Report
- The Tyree Papers
- The UCLA Oral History

A SUBSCRIPTION TO *FROM THE WILDERNESS*

**Go to our Store Now!**

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From "Larry W. Bryant" [redacted]  
Subject Appeal of CIA Denial of My FOIA Request for a Records-Search-FeeWaiver  
Date Sat, September 18, 2004 4:10 am  
To [redacted]  
CC [redacted]

(b)(6)

(b)(6)

TO: Director  
U. S. Central Intelligence Agency  
ATTN: Agency Release Panel (c/o Mr. Scott Koch)  
Washington, DC 20505

FROM: Larry W. Bryant  
[redacted]

(b)(6)

DATE: September 18, 2004

By his Sept. 9, 2004, letter denying my fee-waiver request of Aug. 9, 2004 (his reference No. F-2004-01956), CIA FOIA manager Scott Koch errs in placing me in the requester category of "commercial" entity. My demonstrable status as an independent writer-researcher specializing in "national security" issues, public-records access, and First Amendment commentary entitles me to the requested records-search-fee waiver. What's more, his totally disingenuous, knee-jerk assertion that the public would gain no "significant" benefit from your agency's production of the sought-for records in this case of reported rogue CIA operations constitutes an unacceptable administrative cop-out.

If you need concrete evidence of my news-media publication credits, please consult the Internet via a "Google" search under my name (Larry W. Bryant); in this regard, I also can provide related correspondence between me and other agencies' FOIA-management personnel (including those at the Departments of State and Interior). As an update of my requester-status profile, here are my most recent publication credits:

- (1) One or more articles/book reviews carried in the newsstand magazine FATE;
- (2) An expanded edition of my book "UFO Politics at the White House: Citizens Rally 'round Jimmy Carter's Promise," due out shortly from FATE's parent company, Galde Press.

In recent times, too, I've been contributing research to the news/information web site of <http://www.militarycorruption.com>.

As you peruse this record of "news media" representation/interaction on my part, you cannot but conclude that my research/writing projects have much more to do with the public's understanding (and oversight) of government policies/activities/programs than they do with, say, the CIA's documentation/methods-and-sources for determining the price of tea in China.

If you insist on sustaining Mr. Koch's denial of my fee-waiver request, I hereby serve notice that, through my attorney (Mark S.

\*Zaid, Esq), I shall seek judicial relief via a complaint to be filed within the U. S. District Court for the District of Columbia.

By snail-mail, I'm sending to you a signed printout of this e-formatted message.

LARRY W. BRYANT

Copies furnished to:

Mark S. Zaid, Esq. (Washington, D.C.)

John J. McCarthy

Phyllis Galde (Editor of FATE)

Webmaster of MilitaryCorruption.com

Chairman, U. S. Senate Committee on the Judiciary

Cambodian Ambassador to the United States

Webmaster of <http://www.virtuallystrange.net>

(b)(6)



(b)(6)

(b)(3)



*CIO / Ims*

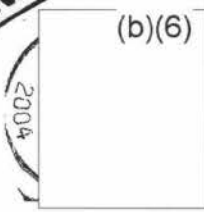
DIRECTOR  
U.S. CENTRAL INTELLIGENCE AGENCY  
ATTN: AGENCY RELEASE PANEL (c/o MR. SPYROCH)  
WASHINGTON, DC 20505



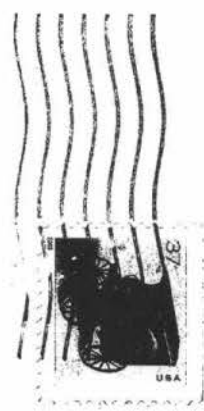
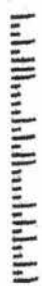
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(b)(6)



2004



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**TO:** Director  
U. S. Central Intelligence Agency  
**ATTN:** General Counsel  
Washington, DC 20505

**FROM:** Larry W. Bryant  
[REDACTED] (b)(6)

**DATE:** December 5, 2004

Your agency has had more than ample time to process and grant my Sept. 18, 2004, appeal of the CIA FOIA coordinator's Sept. 9, 2004, denial of my FOIA records-search-fee-waiver request of Aug. 9, 2004 (No. F-2004-01956 -- by which I'd sought the waiver on the grounds of my requester status as an independent writer researching background on the "McCarthy Saga").

Having included in that appeal certain concrete, persuasive evidence of my requester status (and having accumulated more of the same evidence since that time), I hereby serve notice upon you that I'm instructing my attorney, Mark S. Zaid, Esq., to file the appropriate complaint, on my behalf, circa Dec. 27, 2004, in U. S. District Court for the District of Columbia.

By snail-mail, I'm sending to you a signed printout of this e-formatted letter.  
[REDACTED] (b)(6)

LARRY W. BRYANT

Copy furnished to: Mark S. Zaid, Esq. (Washington, D.C.)

From "Larry W. Bryant" [redacted]  
Subject Appeal of CIA Denial of My FOIA Request for a Records-Search-FeeWaiver  
Date Sat, September 18, 2004 4:10 am  
To [redacted]  
CC [redacted]

(b)(6)

(b)(6)

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U. S. Central Intelligence Agency  
ATTN: Agency Release Panel (c/o Mr. Scott Koch)  
Washington, DC 20505

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[redacted]

(b)(6)

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By snail-mail, I'm sending to you a signed printout of this e-formatted message.

LARRY W. BRYAN

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Phyllis Galde (Editor of FATE)

Webmaster of MilitaryCorruption.com

Chairman, U. S. Senate Committee on the Judiciary

Cambodian Ambassador to the United States

Webmaster of <http://www.virtuallystrange.net>

(b)(6)



**FIRST CLASS MAIL**

**DIRECTOR  
U.S. CENTRAL INTELLIGENCE AGENCY  
ATTN: GENERAL COUNSEL  
WASHINGTON, DC 20505**



Mr. Larry W. Bryant  
(b)(6)  
NAL

INSPECTED  
DEC 14 2004  
PPG/SF



(b)(6)  
CS REC



Central Intelligence Agency



Washington, D.C. 20505

28 April 2006

Mr. Larry W. Bryant



(b)(6)

Reference: F-2004-01956

Dear Mr. Bryant:

This is further to our 9 September 2004 letter concerning your 8 August 2004 Freedom of Information Act (FOIA) request for **"a copy of all CIA-generated and CIA-received records pertaining to Mr. [John Joseph] McCarthy, Jr.'s military career, his CIA-directed activities, his associated communications, his post-'Cherry' litigation history, and his CIA-managed 'case file'."**

Regarding information on Mr. McCarthy's military career, the information you are seeking would be under the auspices of the U.S. Department of the Army. Please be aware that the CIA is not authorized to release records originated by other Government agencies even if we were to locate any. Therefore, you should contact the Army at the following address for the records you require:

Commander  
USA Intelligence and Security Command  
Freedom of Information and Privacy Office  
4552 Pike Road  
Fort Meade, MD 20755-5995

Regarding information on Mr. McCarthy, we accept your request; it will be processed in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 431. We will search for records as described in our 9 September 2004 letter. Unless you object, we will limit our search to CIA-originated records existing through the date of this acceptance letter.

On further review, we determined that your request 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.

The large number of FOIA requests CIA receives has created unavoidable processing 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 "Scott Koch", with a long horizontal flourish extending to the right.

Scott Koch  
Information and Privacy Coordinator

IMS/IRRG/PIPD [ ] /26 April 2006

(b)(3)  
(b)(6)

Distribution:

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1 - PIPD/F-2004-01956 ACC (ready to process under FOIA—fee cat O:  
all other)

FOIA [ ] 01956 Bryant ACC

(b)(3)  
(b)(6)

**PIPD MEMO  
F-2004-01956**

**DATE: 05/10/2006**

**MEMO TO: IRG DATABASE**

**FROM:**

(b)(3)  
(b)(6)

**SUBJECT:**

**Case Number: F-2004-01956 OPENI**

**Tasked on: 05/01/2006**

**Requester: BRYANT , LARRY**

**Case Subject: JOHN JOSEPH MACCARTHY, JR. & HIS MILITARY/CIA  
CAREER & HIS INVOLVEMENT W/PROJECT "CHERRY"**

**REPLY:**

(b)(3)  
(b)(5)

**Sent on: 05/10/2006 at 04:00:30 PM**

**PIPD MEMO  
F-2004-01956****DATE: 05/25/2006****MEMO TO: IRG DATABASE****FROM:**(b)(3)  
(b)(6)**SUBJECT:**

**Case Number: F-2004-01956 OPENI**  
**Tasked on: 05/01/2006**  
**Requester: BRYANT, LARRY**  
**Case Subject: JOHN JOSEPH MACCARTHY, JR. & HIS MILITARY/CIA  
CAREER & HIS INVOLVEMENT W/PROJECT "CHERRY"**

**REPLY:**

**1. This is in response to Larry Bryant's 08 August 2004 FOIA request for "...a copy of all CIA-generated and CIA-received records pertaining to Mr. (John Joseph) McCarthy's military career, his CIA-directed activities, his associated communications, his post-'Cherry' litigation history, and his CIA-managed 'case file.'"**

(b)(3)  
(b)(5)

**4. This concludes action by the  on this request.**

(b)(3)

(b)(5)

**Sent on: 05/25/2006 at 09:37:02 AM**

Central Intelligence Agency



Washington, D.C. 20505

31 May 2006

Mr. Larry W. Bryant



(b)(6)

Reference: F-2004-01956

Dear Mr. Bryant:

This is a final response to your 8 August 2004 Freedom of Information Act (FOIA) request for records pertaining to John Joseph McCarthy, Jr. We processed your request in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 431. Our processing included a search for records as described in our 9 September 2004 letter and our 28 April 2006 acceptance letter.

We did not locate any records responsive to your request.

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 finding of no records responsive to your request. You also have the right to appeal the decisions made in our 9 September 2004 letter. Should you choose to do so, you may address your appeal to the Agency Release Panel within 45 days from the date of this letter, in my care. Please explain the basis of your appeal.

The cost for your request amounts to \$110, consisting of 10 computer searches at \$10 each, and fifteen minutes professional search time at \$10 per quarter hour. You are entitled to receive two hours free search (equivalent to \$80) as a requester in the "all other" fee category. Therefore, the cost to you is \$30. Please send your check or money order to me in this amount, **payable to the Treasurer of the United States**, citing Reference Number F-2004-01956 to ensure proper credit to your account.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Koch".

Scott Koch  
Information and Privacy Coordinator



(b)(3)  
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IMS/IRRG/PIPD [redacted] 30 May 2006

Signature assigned by: [redacted]

(b)(3)

Distribution:

(b)(6)

Orig - Adse

1 - PIPD/F-2004-01956 DIF (b)(1) & (b)(3) Denier: I & PC/SKoch

Finals [redacted] 01956 Bryant DIF

(b)(3)  
(b)(6)

&lt; Prev Reply Forward Delete Reply All Redirect Move to folder... Next &gt;

From "Larry W. Bryant" [redacted]

(Add to address book) (Add to recent addresses) (Add to blacklist)

Date 6/5/2006 2:30:27 am

2006 JUN 14 AM 8:30

To [redacted]

Subject FOIA Appeal re CIA-maintained McCarthy Records and Corso Records

Headers ☐Inline Images ☒Enable Scripts ☐Open in New Window ☒Enable Offsite Images\* ☐

change view

TO: Chairman

CIA Records-Release Panel

C/O Scott Koch, Information and Privacy Coordinator

U. S. Central Intelligence Agency

Washington, DC 20505

FROM: Larry W. Bryant [redacted]

DATE: June 5, 2006

Your FOIA coordinator Koch's letters to me of May 31, 2006, and May 26, 2006, have made it even clearer to me why your agency has received the George Washington University-based National Security Archive's Rosemary Award (for your demonstrated disdain for the U. S. Freedom of Information Act's inherent support of the public's right-to-know).

Accordingly, in order to help counter that disdain and to advance the public's interest/benefit in knowing the darker side of your agency's policies/programs/practices, I hereby appeal Mr. Koch's actions taken via the above-cited letters, while also serving notice that your denial of my appeal will heighten my resolve to seek judicial remedy therefor. My prevailing in that lawsuit would require your agency to reimburse me my attorney's fees.

First of all, your final response (May 31, 2006) to my Aug. 8, 2004, request No. F-2004-01956, re former U. S. Army captain John Joseph McCarthy, Jr., errs in denying my status as an independent writer entitled to full waiver of records-search fees. What's more, had your records searcher conducted a search of all records pertaining to the CIA-managed, clandestine, Vietnam-era operation called PROJECT CHERRY, he would've discovered that McCarthy had been assigned to that project. For background information on that assignment, please peruse McCarthy's current-events-blog website <http://johnmccarthy90066.tripod/id1.html>. As McCarthy's blog documents, his (Army-CIA-compelled) role in PROJECT CHERRY led to his becoming the fall-guy for your agency's ill-conceived and illicit application of CHERRY actions/assets against the Cambodian government. Such official malfeasance by ANY U. S. agency during wartime would by definition have permanent value to the public's understanding and evaluation of that agency's conduct past, present, and future.

My expected lawsuit, therefore, would seek your agency's production of a Vaughn index to determine why Mr. Koch has chosen not to search all CHERRY-related records pertaining to McCarthy's case. That request for a Vaughn index also would seek a copy of the entire FOIA case files on all other McCarthy-related FOIA requests processed to date by your agency. The lawsuit also would request that the court conduct an in-camera inspection of all CHERRY-related records pertaining to McCarthy.

Since Mr. McCarthy's web log (a.k.a. "blog") qualifies as a news (and information) medium widely available to military-affairs researchers, political analysts, scholars, cultural activists, congressmen, historians, and jurists worldwide, it enhances my ability to share my writings and research finding on such national-security matters as the McCarthy Saga. His story, incidentally, figures in my current First Amendment lawsuit of Bryant v. Rumsfeld, et al., whereby I'm challenging certain military commanders' censorship of a series of whistleblower-solicitation advertisements I've sent -- as an independent writer-researcher -- for publication in various post/base newspapers. In this regard, the U. S. District Court for the District of Columbia has acknowledged my status as an independent writer entitled to have his First Amendment claims of freedom-of-speech/freedom-of-press properly adjudicated.

In the second matter at issue here (my May 4, 2006, FOIA request No. F-2006-01045, by which I seek a copy of all CIA-generated and CIA-received records pertaining to the late Army Lt. Col. (Ret.) Philip James Corso and his associations, activities, congressional

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testimony, and motivations), I note that, once again, Mr. Koch, via his May 26, 2006, letter to me, insists on questioning my status as an independent writer representing one or more news media. How much time do you really wish to spend here on my justifying my existence -- and would you rather spend it in the comfort of your office than in a courtroom?

At any rate, please note that Corso's whistleblowing account, published in his 1997 memoirs "The Day After Roswell," implicates your agency in the policies, programs, and operations of a supersecret panel of UFO-related experts called Majestic-Twelve. Corso's role as a Pentagon-based intelligence/R&D analyst in helping exploit the advanced technological artifacts retrieved from the July 1947 crash-landing of a "flying saucer" near Roswell, N.M., reverberates, to this day, in the UFO press.

Indeed, in my column scheduled for the July 2006 issue of the newsstand periodical UFO magazine, I focus my attention on the Corso story. In UFO magazine's April 2006 issue, my column ("Bryant's UFO View") presents a similar essay on the FBI's recent disclosure of its dossier on UFO author-personality Philip J. Klass\* (see enclosed photo-copy of said essay). Earlier, upon the now-suspended website of the public-interest Group Citizens Against UFO Secrecy, I had published an essay about Corso's FBI dossier, which mentions his alleged CIA connections.

In a forthcoming issue of UFO magazine, my column will dwell on the second edition of a book titled "Exempt from Disclosure: The Disturbing Case About the UFO Coverup," by Robert M. Collins, a former USAF captain privy to inside knowledge about the government's technological exploitation of Roswellian-debris artifacts. The book's revelations include MJ-12-related material allegedly "leaked" from CIA records -- a matter of utmost concern to the public's awareness of the CIA role in the coverup of the UFO experience.

As with the McCarthy Saga, Collins's book has been the focus of one of my recent ad submissions -- a submission that was flatly rejected by public affairs officials at Langley Air Force Base, Va., as being in contradiction of the official USAF viewpoint on UFO reality. Again, such official censorship of an independent writer's research/writing deserves both public outcry and oversight as to agency motivations and operations.

UFO magazine's website, <http://www.ufomag.com>, further extends the news-dissemination reach of this multimedia organization, thus affording me a wide audience for my work product.

My column in UFO magazine has been preceded by my UFO-related articles and book reviews published in the newsstand magazine FATE: True Reports of the Strange and Unknown -- published by Galde Press, Inc. ([galdepress.com](http://galdepress.com)), with whom I'm under contract for my second book. Incidentally, my first book -- "UFO Politics at the White House: Citizens Rally 'round Jimmy Carter's Promise" -- drew its content from citizens' UFO-related letters to Pres. Carter, as USAF-disclosed to me via the U. S. Freedom of Information Act.

So, you see that this capsule of my track record as an independent writer amply qualifies me to receive a full search-fee waiver for any current/future FOIA requests submitted as part of my ongoing research/analysis. Therefore, please grant me this appeal by immediately rescinding Mr. Koch's denial of my documented, reiterated requester status.

By snail-mail, I'm sending to you a signed printout of this e-formatted letter.

LARRY W. BRYANT

Copy furnished to: Chairman, Subcommittee on Government Management, Finance, and Accountability - U. S. House of Representatives

\* P. S.: I hereby request that Mr. Koch also process this letter as a formal, written FOIA request that he send me a copy of all CIA-maintained records pertaining to the activities, associations, correspondence, and motivations of the late Philip Julian Klass.

Save email to disk as a text file

Print email

(b)(6)



## Bryant's UFO View

### No Class Act: The FBI Dossier on Philip J. Klass

by Larry W. Bryant

*Great minds discuss ideas; average minds discuss events; small minds discuss people.*

**Admiral Hyman G. Rickover, USN**

We may never know if the late, consummate character assassin Philip Julian Klass ever knew that the U. S. Federal Bureau of Investigation was keeping records of his activities and associations. And even if he knew, would he have wondered whether his demise would trigger the birth of a freedom-of-information request for public access to those records?

As soon as I'd learned of Klass's death on August 9, 2005 I fired off an FOIA request to FBI headquarters in Washington, D. C. Sure enough, the Bureau, known for its having compiled dossiers on such UFO researchers as Stanton T. Friedman, Leonard H. Stringfield, William L. Moore, and Larry W. Bryant, had made no exception for the notorious king of the UFO debunkers.

By its transmittal letter of January 19, 2006, the Bureau sent me a package of 56 responsive documents from Klass's dossier, a portion of which was declassified from its original protective marking of SECRET, while several pages were redacted in whole or in part on grounds of—you guessed it—national security.

Let's jump right into the dossier's contents and analyze the documents, as best we can, right here. The very first document, dated November 9, 1964, consists of a partially censored, two-page memorandum from FBI director John Edgar Hoover to the director of the U. S. Central Intelligence Agency, marked: Attention: Director of Security. Subject: Philip J. Klass.

In responding to the CIA director's apparently SECRET letter of October 26, 1964, Hoover's memo's last paragraph states:

In January, 1958, a matter was referred to this Bureau for investigation by the District Commander, 4th District Office of Special Investigations, Department of the Air Force, Bolling Air Force Base, Washington, D. C. This matter involved the unauthorized disclosure of information classified "Secret" in "Aviation Week Magazine" article entitled "Exclusive Report on Counter Measures" by Philip J. Klass in 18 November, 1957, and 25 November, 1957, editions. No investigation was conducted in this matter by this Bureau inasmuch as this Bureau was advised by Department of the Air Force that such classified information as was contained in the article could not be declassified for purposes of prosecution.

The memo concludes:

No additional pertinent information regarding Klass is contained in the files of this Bureau. Any pertinent information developed at a later date will be furnished to you.

The executive branch's decision not to prosecute Klass and/or his magazine, which today enjoys the dubious distinction of being unofficially labeled *Aviation Leak*, has much relevance to today's politics of secrecy. Will the leaker of the National Security Agency's electronic-surveillance net entrapping American citizens daring to communicate internationally, along with the *New York*

The Story of the...  
Leah A. Haley

Lost

### The Leah Haley Story

Lost Was the Key focuses on surfacing memories of nonhuman contact, telepathic communications, military harassment and problems coping. \$17.

Unlocking Alien Closets  
Unlocking Alien Closets



Leah A. Haley

Unlocking Alien Closets is a sequel (yet can stand alone) that details Haley's search for evidence, fighting debunkers, missing time, black helicopters, mind control and spiritual implications. \$20.

Send check or money order to: Greenleaf Publications, POB 8152, Murfreesboro, TN 37133. S&H included.

Times staff, avail himself of the Klassian escape route from Uncle Sam's vindictive assault on such messengers of bad news?

Moving along to February 21, 1975, we find an insightful and revelatory three-page memo from FBI official "Mr. Heim" to colleague "Mr. Moore."

**Subject: PHILIP J. KASS (SENIOR AVIONICS EDITOR, AVIATION WEEK & SPACE TECHNOLOGY), CRITICISM OF FBI.**

**BACKGROUND:**

Late in the afternoon of 2/10/75, captioned individual telephoned the Bureau and spoke with the Editor of the FBI Law Enforcement Bulletin (LEB). In strong terms laced with sarcasm, he derided our publication of the article by Dr. J. Allen Hynek, "The UFO Mystery," in the February, 1975, issue of the LEB. Klass suggested that by publishing this article, the FBI had given its endorsement to a hoax (that UFOs are extraterrestrial in origin) and to a fraud (Dr. J. Allen Hynek). Klass went on to state that he had investigated UFO sightings "with the thoroughness of the FBI" over a period of many years and found not one shred of evidence that any such objects as UFOs existed, let alone that they were from beyond the earth's atmosphere. He also contended that his investigations have led to several books and many articles on the topic.

Mr. Klass was politely reminded that nowhere in Dr. Hynek's article appearing in the Bulletin, or in numerous other of his writings which were examined by us, does Hynek suggest that UFOs are extra-terrestrial in origin. Additionally, it was pointed out to Klass that the term "UFO (Unidentified Flying Object)" leaves room for all manner of phenomena both real and imagined.

Furthermore, Klass was informed that the only thing the FBI endorsed in the publication of Dr. Hynek's article was its clearly stated premise that "[r]egardless of the source of UFOs or their legitimacy, these sightings represented a real problem for law enforcement," to whom persons would normally first report their observations.

As to the suggestion that the author is a fraud, Klass was informed that Hynek is a widely respected scientist, recognized by all creditable professionals in his field of expertise, who is affiliated with a leading university (Northwestern). At this, Klass replied: "He won't be for long!"

Klass would not elaborate on this statement, nor was he requested to do so.

Moreover, Klass contended that Hynek's bias toward the notion that UFOs are actually objects and creatures from outer space was demonstrated following his interview of the two men from Mississippi who reported they were held captive for a time by green, other worldly beings who arrived on earth and departed from it in a saucer-shaped

spaceship. Klass stated that Hynek reportedly said, "There is no doubt these men had a terrifying experience." Mr. Klass was told that many people would draw no such inference as he had from this remark.

The conversation was concluded when Klass suggested that we might be interested in publishing an article by a newly formed organization called the "Center for Unidentified Ghosts."

**INFORMATION CONCERNING KASS:**

Bufiles disclose that Klass has, from time to time, come to our attention by virtue of the fact that he has been in [deleted] [contact with a Soviet national?] ... this Bureau [deleted] ... and not to be of assistance to his government.

Klass has been affiliated with Aviation Week & Space Technology magazine for at least the past 20 years. This periodical is published by McGraw-Hill, Inc., with offices in New York. However, Klass is based in Washington, D.C., and maintains an office in the Press Building on 14th Street, Northwest, and is listed in the D.C. telephone directory at 560 M Street, Southwest.

*continued on page 76*





## Bryant's UFO View

*continued from page 15*

A book review concerning one of his published works entitled "UFOs—Identified," published by Random House, credits him with a scientific approach to explaining the UFO phenomena, but specifically notes that he is in disagreement with Dr. Hynek and others prominent in this field.

Klass' attempts to discredit Hynek are totally without foundation. Hynek could scarcely have any better scientific credentials. All of his writings and public statements that were examined prior to publication of his article in the Bulletin disclose a meticulously objective and scientific view of the UFO phenomenon.

### OBSERVATIONS:

In view of Klass' intemperate criticism and often irrational statements he made to support it, we should be most circumspect in any future contacts with him.

### Recommendation: For information.

Apparently, the Bureau's telephonic rejection of Klass's protestation left such a bitter taste in his mouth that he couldn't resist getting in another dig at the Hynek persona. It comes in the form of a June 14, 1975 letter sent to Hoover's successor, Clarence Kelley. Would Klass, some 30 years hence, have felt at all embarrassed at indulging in such *ad hominem* rhetoric? Those of us who knew him personally have no doubt that the word *contrition* had no place in his vocabulary.

Dear Mr. Kelly (sic):

The enclosed photo-copy of a headline and feature story in a recent issue of the tabloid "The National Tattler" is a portent of the sort of "FBI endorsement" for the flying-saucer myth that you can expect to see, repeatedly, as a result of the article on UFOs carried by the February issue of The Law Enforcement Bulletin.

That article was written by Dr. J. Allen Hynek, the spiritual leader of the vocal group of "believers" and "kooks" who claim that we are being visited by extraterrestrial spaceships. While the FBI did not endorse Hynek's views *per se*, the decision to publish his article and to alert law enforcement agencies as to what to do "if they land," has embroiled the agency for all time.

For a quarter-century, the U. S. Air Force had this monkey on its back and wisely, in 1969, bowed out of the UFO business. Now, according to the enclosed article, the FBI's decision to publish the Hynek article represents the first time that "an agency of the federal government admits that UFOs are worthy of concern."

The Hynek article published by the FBI encourages law enforcement officers to take the time—from much more pressing duties—to take calls from people who report seeing UFOs and to in turn relay such calls to Hynek's own UFO group.

Surely in these times law enforcement officers have more useful things to occupy their time and attention.

For the past 10 years, my hobby has been investigating, AND EXPLAINING, famous UFO cases that Hynek and others proclaim to be unexplainable. Recently, I have published a book entitled "UFOs Explained," which has received very favorable reviews from such prestigious publications as "Scientific American." (See enclosure.)

I would welcome the opportunity to present the other side of the UFO issue in The Law Enforcement Bulletin, and to thereby help remove the earlier SEEMING FBI endorsement of flying saucers.

Cordially, Philip J. Klass

The National Tattler's June 16, 1975 edition happens to present, on page 9, a straightforward account of Hynek's five-thousand-word article "The UFO Mystery—Investigating Reports of Sightings." Tattler's only lapse into poetic license occurs in the headline: "FBI Admits UFOs Exist (Story in Agency's Official Magazine Instructs Lawmen on Procedure to Follow When Saucer Is Spotted)."

I'm sure that Hynek would've preferred that the headline had read: "FBI Admits UFO Reports Exist." After all, as the good professor used to emphasize: We're studying not UFOs, but *reports* of UFOs.

For his part, director Kelley wasted little time in replying to our cordial Mr. Klass. Kelley's kiss-off letter of June 23, 1975, a monument to how bureaucrats can handle a peskily officious citizen, offers these two closing paragraphs:

I could not agree more with your implication that law enforcement personnel should look after their primary responsibility—crime, not UFOs. This is precisely the reason we believe the Center for UFO Studies can help to free law enforcement personnel from investigating and reporting on phenomena unas- sociated with crime.

While we are most grateful for your offer to prepare a manuscript for publishing consideration in the Bulletin, a careful review of the magazine's commitments, regrettably, leaves us no opportunity to accept your proposal in the foreseeable future.

The author of Kelley's letter to Klass, presumably from the Bureau's external affairs office, appended a background note to the Bureau's file copy. It concludes:

Hynek has been associated professorially with some of the finest universities in this country and is recognized in the most prestigious scientific circles. On the other hand, Klass has no such sterling reputation and has twice been under FBI investigation in connection with the unauthorized publication of classified information. Both of these cases are closed. "The National Tattler," a clipping from which Klass enclosed, is a tabloid which, until recently, specialized in bawdy sex stories but now deals in sensationalism manufactured by grossly distorting stories associated with prominent persons and agencies.

Egads! Could this possibly be the same Phil Klass who, back in the eighties, got on the phone to pressure officials at the University of Nebraska at Lincoln to withdraw their

offer of facilities for holding a UFO-research conference, on the grounds that some of the anti-UFO-secrecy conferees might have communistic leanings?

As one of those conferees, I'll always remember my own close encounter with Klass in the public square during that period. It came as we both accepted the invitation of a Baltimore TV talk show to present a point-counterpoint segment on the UFO issue.

In the Green Room as we were preparing to go on stage, Klass tried his best to display his cordial side, as if he merely were a harmless garden snake sunning himself amidst the marigolds. His small talk focused on querying me about where I'd attended school and who's my current employer.

*Uh-oh*, I said to myself; here comes the (expected) tactic by which he's planning to, some day, subject me to the same harassment he'd visited upon the late UFO-oriented scientist Dr. James E. McDonald, whose effects from being thus Klassi-fried became tragic.

Things went downhill swiftly. During my brief slide-show presentation of some key cases from ufological history, Klass seethed with anger and accusatory remarks, labeling each case a hoax without providing any evidence thereof.

During a commercial break, the show's staffers tried to coax me into arguing Jerry Springer-style with this would-be "expert on the UFO myth." I declined, preferring to just laugh at him whenever he deigned to ply his role as professional bully.

I needn't have bothered to laugh, because the audience already had summed up the event as a case of Klass-dismissed. I still have a videotape of that show, and I hope it'll fetch some big bucks when my daughter puts it up for auction on eBay.com upon my own demise.

Some day, historians might view Klass's dossier as being more important for what it excludes than for what it includes. In particular, where's all the Klass-related documentation fueling the controversy over the 1980s-leaked information about the so-called Operation Majestic-12, the alleged supersecret twelve-member panel of high-ranking military personnel and senior scientists set up by President Truman in 1947 to conceal and technologically exploit various knowledge/artifacts retrieved from one or more crash-landed flying saucers?

In this regard, see Nick Redfern's article "MJ-12 and the Bureau" in the June-July 2003 issue (Vol. 18, No. 3) of *UFO Magazine*. "According to [author Howard] Blum," writes Redfern, "on June 4, 1987 UFO skeptic Philip J. Klass wrote to William Baker, assistant director of the [FBI's] Office of Congressional and Public Affairs: 'I am enclosing what purport to be Top Secret/Eyes Only documents, which have not been properly declassified, now being circulated by William L. Moore, Burbank, California 91505.'"

Most of us familiar with Klass's nasty tactics for countering his ufological opponents view his letter to Baker as just another example of his obsessive, desperate campaign to smear, intimidate, and assault the opposition.

Savor this irony: here we have Klass—himself an unabashed, pants-down-caught publisher of leaked defense

information—parading around town with his flag of righteous indignation over certain ufologists' receipt of alleged documentation confirming and exposing the government cover-up of the Deepest Secret.

If his dossier settles anything important, it's this: No agency in its right mind would've hired him for so much as file-clerking, much less for leading any counterintelligence effort to deflect researchers' coming too close to The Secret.

Perhaps the most charitable conclusion we can draw from his dossier is that Klass, clueless about the value of legitimate UFO research and classless in his interpersonal relations, had become a caricature of scientism. As such, he would have fared well in the Bush II administration, making Karl Rove look like an angel.

Alas, he rightfully merited no respect from true scholars and real gentlemen. Within that big cranium of his was housed, along with an obviously high IQ, the smallest, meanest of minds—one that jinxed any chance he might have had toward achieving greatness. *UFO*

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From his home in Alexandria, Virginia, Larry W. Bryant directs the Washington, D.C. office of the public-interest group Citizens Against UFO Secrecy. His book *UFO Politics at the White House: Citizens Rally 'round Jimmy Carter's Promise* is available from Galde Press, Inc. ([www.galdepress.com](http://www.galdepress.com)). He welcomes communication from the public at his email address: [overtci@cavtel.net](mailto:overtci@cavtel.net)

## American Demonology

*continued from page 75*

walking—without a net—over a potentially consciousness-shattering military secret—are not difficult to imagine.

In *An American Demonology*, Bennett raises Ruppelt to a mythically heroic level, as he did previously with Adamski and Fort, in part by the often extremely poetic use of language and the skillful sketching in of relevant historical background that fixes Ruppelt's story firmly in those more innocent early days of Ufology. In terms of the sheer beauty of his writing style, Bennett has few equals in the field of UFO studies, and it's a shame that this newest book is only a scant 166 pages.

Did Captain Edward Ruppelt knowingly conceal the truth about UFOs from a gullible American public in his time as head of Project Blue Book? And did he, as the book's dustcover claims, "try desperately to convince the American Air Force that UFOs were real?" While Colin Bennett cannot answer those questions completely, he can at least entertain and inform us in a voice uniquely his own, and offer us a fresh perspective on a sorely neglected figure in American history, one who may who have held the key to so many of the mysteries of the UFO phenomenon. As a history of our own military's bewildered response to interlopers from another world, *An American Demonology* is an instant and essential classic. *UFO*

---

*An American Demonology: Flying Saucers Over the White House*, by Colin Bennett, is available from Headpress, U.K., on the web at <https://securehost2.zen.co.uk/headpress/default.asp>



Central Intelligence Agency



Washington, D.C. 20505

31 May 2006

Mr. Larry W. Bryant

(b)(6)

Reference: F-2004-01956

Dear Mr. Bryant:

This is a final response to your 8 August 2004 Freedom of Information Act (FOIA) request for records pertaining to John Joseph McCarthy, Jr. We processed your request in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 431. Our processing included a search for records as described in our 9 September 2004 letter and our 28 April 2006 acceptance letter.

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The cost for your request amounts to \$110, consisting of 10 computer searches at \$10 each, and fifteen minutes professional search time at \$10 per quarter hour. You are entitled to receive two hours free search (equivalent to \$80) as a requester in the "all other" fee category. Therefore, the cost to you is \$30. Please send your check or money order to me in this amount, **payable to the Treasurer of the United States**, citing Reference Number F-2004-01956 to ensure proper credit to your account.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Koch".

Scott Koch  
Information and Privacy Coordinator

Central Intelligence Agency



Washington, D.C. 20505

26 May 2006

Mr. Larry W. Bryant

(b)(6)

Reference: F-2006-01045

Dear Mr. Bryant:

The office of the Information and Privacy Coordinator has received your 4 May 2006 Freedom of Information Act (FOIA) request for:

**"a copy of all CIA-generated and CIA-received records pertaining to Lt. Col. [Philip James] Corso and his associations, activities, congressional testimony, and motivations."**

We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

For your information, the FOIA authorizes federal agencies to collect fees for records services. You will note on the enclosed fee schedule that we charge search fees, including computer time where indices are computerized, and copying costs for releasable documents. In accordance with Section (a) of the schedule, search fees are assessable even if no records are found or, if found, we determine that they are not releasable. This means you will be charged even if our search results are negative or if we determine that no information is releasable under the FOIA. The search fees for each item in a request are usually about \$150.

Your letter states that you are submitting this request as an independent writer and, therefore, request that search and review fees be waived as a "representative of the news media." Your current request, however, does not appear to satisfy the criteria our published regulations require to receive preferential fee treatment as a representative of the news media. You may find these criteria at 32 C.F.R. § 1900.02 (h)(3). Before we can determine the proper fee category for your request, please provide, pursuant to 32 C.F.R. § 1900.02 (h), additional information on why and how the documents you seek:

- concern current events;
- interest the general public;
- enhance the public understanding of the operations or activities of the U.S. Government; and
- how you plan to disseminate the information to a significant element of the public at minimal cost.

Please specifically address each of these points. Your thorough response will help ensure that we place your request in the most appropriate and favorable fee category possible.

Without the data requested above, your fee categorization will be that of "all other," 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. We will assess copying costs at the rate of ten cents per page.

For your information, we have conducted a previous search for records on Colonel Corso and no responsive documents were located in CIA holdings. However, it is our understanding that there are Office of Strategic Services (OSS) records on Philip J. Corso held at the National Archives and Records Administration (NARA) under Job No. 57-102, Boxes 73 and 74. Also, please be aware that the CIA is not authorized to release records originated by other Government agencies even if we were to locate any. Therefore, we would not be authorized to release any "CIA-received records," should any such records be located. We can conduct a new search on your behalf, when we receive the information requested above.

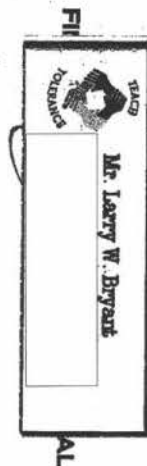
Meanwhile, we will hold your request in abeyance for 45 days from the date of this letter, pending your clarification of the points above. If we do not hear from you within that time, we will assume that you are no longer interested in receiving the information you seek and we will close the case.

Sincerely,



Scott Koch  
Information and Privacy Coordinator

Enclosure



(b)(6)

# FIRST CLASS MAIL

CHAIRMAN, CIA RECORDS-RELEASE PANEL  
 C/O SCOTT KOCH- INFORMATION AND PRIVACY COORDINATOR  
 U.S. CENTRAL INTELLIGENCE AGENCY  
 WASHINGTON, DC 20505



(b)(6)



Central Intelligence Agency



Washington, D.C. 20505

20 June 2006

Mr. Larry W. Bryant

(b)(6)

Reference: F-2004-01956

Dear Mr. Bryant:

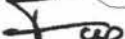
We received your 5 June 2006 letter seeking to appeal our 31 May 2006 response to your Freedom of Information Act request for records pertaining to John Joseph McCarthy, Jr.

Our records indicate you have an outstanding fee balance of \$30.00 for this request. We therefore cannot accept your appeal under the rules outlined in Part 1900 of Title 32 of the Code of Federal Regulations, Section 1900.42(c). I have enclosed a highlighted copy for your reference and retention.

Your concern regarding your fee status and your request for information on "Philip Julian Klass" will be addressed in separate correspondence.

Sincerely,

(b)(6)

 Scott Koen  
Information and Privacy Coordinator

Enclosure

(b)(3)

(b)(6)

CIO/IMS/IRRG/PIPD/APPEALS [redacted] 20 June 2006

Distribution:

Orig - Adse

1 - PIPD Subject F04-01956

(1) - MORI

1 - FOIA/Initials [redacted]

(b)(3)

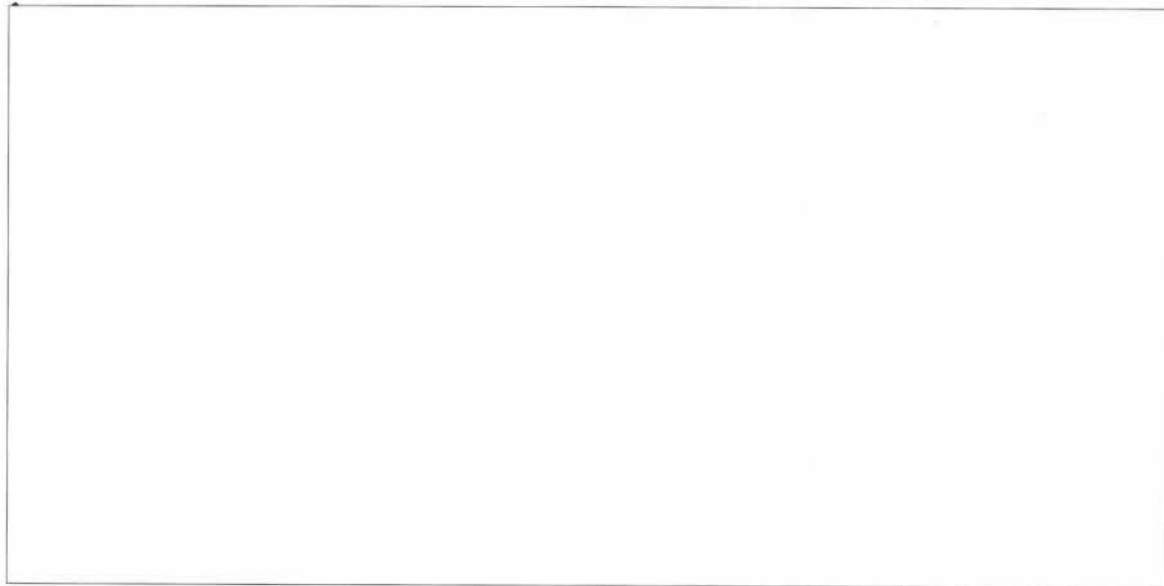
(b)(6)

[redacted] 01956 bryant f nrl owes fees

(b)(3)

(b)(6)

(b)(6)





To: [redacted]  
From: "Larry W. Bryant" [redacted]  
Subject: Fwd: CIA's Stonewalling of My FOIA Requester-Status Appeal  
Cc:  
Bcc:

(b)(6)  
(b)(6)

## Attachments:

Date: Thu, 29 Jun 2006 16:20:10 -0400

To: [redacted]  
From: "Larry W. Bryant" [redacted]  
Subject: CIA's Stonewalling of My FOIA Requester-Status Appeal

(b)(6)  
(b)(6)

TO: Chairman  
CIA FOIA-Records Agency Release Panel  
U. S. Central Intelligence Agency  
Washington, DC 20505

FROM: Larry W. Bryant

(b)(6)

DATE: June 29, 2006

By his June 20, 2006, letter to me (copy enclosed), your FOIA coordinator Scott Koch continues to deny my FOIA requester status as an independent writer (i.e., "representative of the news media") focusing on national security affairs.

But, now, Mr. Koch's latest denial further embeds your agency in a FOIA tarbaby of its own making -- by imposing upon me an extortionist fee of \$30.00 for initial CIA processing of my FOIA request (No. F-2004-01956) for all CIA records pertaining to former CIA Project Cherry operative John Joseph McCarthy, Jr. This official extortionist refusal to process my FOIA appeal of June 5, 2006, unless I pay the contested \$30.00 creates a "Catch-22" for my current and future FOIA requests by declaring, in effect, "You, Mr. Bryant, have no right to appeal a fee-waiver denial unless you first pay the (erroneously) assessed fee for any current/past cases." This policy mocks the spirit of the U. S. Freedom of Information Act, and further explains why your agency has been (dis)honored by its recent receipt of the National Security Archive's "Rosemary Award."

In the interest of reopening and expediting my requester-status appeal of June 5, 2006, and of making sure that Mr. Koch refrain from sabotaging my FOIA request of May 4, 2006 (re the late U. S. Army (Ret.) Lt. Col. Philip J. Corso's CIA-related revelations), I'm enclosing a check for \$30.00, made payable to the treasurer of the United States. Please note that in no way does this paid-under-protest payment constitute a waiver of any of my FOIA rights in any past/current/future requests/appeals/litigation. Indeed, as regards the expected litigation ensuing from continued CIA denial of my requester status, I plan to seek CIA reimbursement of that erroneous assessment.

Also note that, as a supplement to my requester-status appeal of June 5, 2006, I'm enclosing a copy of my column from the July 2006 issue of UFO Magazine (titled "Bryant's UFO View: Corso's Curse"). From this essay,

Printed for "Larry W. Bryant" [redacted]

1 (b)(6)

you (and anyone else) readily can discern the public's stakeholder ship in learning and discussing more about your agency's past/current/future role in suppressing hard-core evidence of UFO-E.T. reality. With or without CIA cooperation, researchers/writers like me will continue to let that evidence speak for itself -- via whatever "news media" that might lend themselves to the process.

To ironically invoke the words of President George W. Bush: "You're either with us or against us." If the latter, then be prepared to receive next year's Rosemary Award for FOIA conduct unbecoming a federal agency.

By snail-mail, I'm sending to you a signed copy of this e-formatted letter.

LARRY W. BRYANT  
Director, Washington, D.C., Office of Citizens Against UFO Secrecy

Copies furnished to:

Editor, UFO Magazine ( <http://www.ufomag.com> )

Chairman, Committee on Government Reform -- U. S. House of Representatives

(b)(6)

Central Intelligence Agency



Washington, D.C. 20505

20 June 2006

Mr. Larry W. Bryant



(b)(6)

Reference: F-2004-01956

Dear Mr. Bryant:

We received your 5 June 2006 letter seeking to appeal our 31 May 2006 response to your Freedom of Information Act request for records pertaining to John Joseph McCarthy, Jr.

Our records indicate you have an outstanding fee balance of \$30.00 for this request. We therefore cannot accept your appeal under the rules outlined in Part 1900 of Title 32 of the Code of Federal Regulations, Section 1900.42(c). I have enclosed a highlighted copy for your reference and retention.

Your concern regarding your fee status and your request for information on "Philip Julian Klass" will be addressed in separate correspondence.

Sincerely,

(b)(6)



Scott Koch  
Information and Privacy Coordinator

Enclosure

&lt; Prev Reply Forward Delete Reply All Redirect Move to folder... Next &gt;

From "Larry W. Bryant"   
(Add to address book) (Add to recent addresses) (Add to blacklist)

Date 6/5/2006 2:30:27 am

To

Subject FOIA Appeal re CIA-maintained McCarthy Records and Corso Records

Headers ☐  
Inline Images ☒  
Enable Scripts ☐  
Open in New Window ☒  
Enable Offsite Images ☐

(b)(6)

(b)(6)

[change view](#)

TO: Chairman  
CIA Records-Release Panel  
C/O Scott Koch, Information and Privacy Coordinator  
U. S. Central Intelligence Agency  
Washington, DC 20505

FROM: Larry W. Bryant

(b)(6)

DATE: June 5, 2006

Your FOIA coordinator Koch's letters to me of May 31, 2006, and May 26, 2006, have made it even clearer to me why your agency has received the George Washington University-based National Security Archive's Rosemary Award (for your demonstrated disdain for the U. S. Freedom of Information Act's inherent support of the public's right-to-know).

Accordingly, in order to help counter that disdain and to advance the public's interest/benefit in knowing the darker side of your agency's policies/programs/practices, I hereby appeal Mr. Koch's actions taken via the above-cited letters, while also serving notice that your denial of my appeal will heighten my resolve to seek judicial remedy therefor. My prevailing in that lawsuit would require your agency to reimburse me my attorney's fees.

First of all, your final response (May 31, 2006) to my Aug. 8, 2004, request No. F-2004-01956, re former U. S. Army captain John Joseph McCarthy, Jr., errs in denying my status as an independent writer entitled to full waiver of records-search fees. What's more, had your records searcher conducted a search of all records pertaining to the CIA-managed, clandestine, Vietnam-era operation called PROJECT CHERRY, he would've discovered that McCarthy had been assigned to that project. For background information on that assignment, please peruse McCarthy's current-events-blog website <http://johnmccarthy90066.tripod/id1.html>. As McCarthy's blog documents, his (Army-CIA-compelled) role in PROJECT CHERRY led to his becoming the fall-guy for your agency's ill-conceived and illicit application of CHERRY actions/assets against the Cambodian government. Such official malfeasance by ANY U. S. agency during wartime would by definition have permanent value to the public's understanding and evaluation of that agency's conduct past, present, and future.

My expected lawsuit, therefore, would seek your agency's production of a Vaughn index to determine why Mr. Koch has chosen not to search all CHERRY-related records pertaining to McCarthy's case. That request for a Vaughn index also would seek a copy of the entire FOIA case files on all other McCarthy-related FOIA requests processed to date by your agency. The lawsuit also would request that the court conduct an in-camera inspection of all CHERRY-related records pertaining to McCarthy.

Since Mr. McCarthy's web log (a.k.a. "blog") qualifies as a news (and information) medium widely available to military-affairs researchers, political analysts, scholars, cultural activists, congressmen, historians, and jurists worldwide, it enhances my ability to share my writings and research finding on such national-security matters as the McCarthy Saga. His story, incidentally, figures in my current First Amendment lawsuit of Bryant v. Rumsfeld, et al., whereby I'm challenging certain military commanders' censorship of a series of whistleblower-solicitation advertisements I've sent -- as an independent writer-researcher -- for publication in various post/base newspapers. In this regard, the U. S. District Court for the District of Columbia has acknowledged my status as an independent writer entitled to have his First Amendment claims of freedom-of-speech/freedom-of-press properly adjudicated.

In the second matter at issue here (my May 4, 2006, FOIA request No. F-2006-01045, by which I seek a copy of all CIA-generated and CIA-received records pertaining to the late Army Lt. Col. (Ret.) Philip James Corso and his associations, activities, congressional

Approved for Release: 2025/06/10 C01344825

testimony, and motivations), I note that, once again, Mr. Koch, via his May 26, 2006, letter to me, insists on questioning my status as an independent writer representing one or more news media. How much time do you really wish to spend here on my justifying my existence -- and would you rather spend it in the comfort of your office than in a courtroom?

At any rate, please note that Corso's whistleblowing account, published in his 1997 memoirs "The Day After Roswell," implicates your agency in the policies, programs, and operations of a supersecret panel of UFO-related experts called Majestic-Twelve. Corso's role as a Pentagon-based intelligence/R&D analyst in helping exploit the advanced technological artifacts retrieved from the July 1947 crash-landing of a "flying saucer" near Roswell, N.M., reverberates, to this day, in the UFO press.

Indeed, in my column scheduled for the July 2006 issue of the newsstand periodical UFO magazine, I focus my attention on the Corso story. In UFO magazine's April 2006 issue, my column ("Bryant's UFO View") presents a similar essay on the FBI's recent disclosure of its dossier on UFO author-personality Philip J. Klass\* (see enclosed photo-copy of said essay). Earlier, upon the now-suspended website of the public-interest group Citizens Against UFO Secrecy, I had published an essay about Corso's FBI dossier, which mentions his alleged CIA connections.

In a forthcoming issue of UFO magazine, my column will dwell on the second edition of a book titled "Exempt from Disclosure: The Disturbing Case About the UFO Coverup," by Robert M. Collins, a former USAF captain privy to inside knowledge about the government's technological exploitation of Roswellian-debris artifacts. The book's revelations include MJ-12-related material allegedly "leaked" from CIA records -- a matter of utmost concern to the public's awareness of the CIA role in the coverup of the UFO experience.

As with the McCarthy Saga, Collins's book has been the focus of one of my recent ad submissions -- a submission that was flatly rejected by public affairs officials at Langley Air Force Base, Va., as being in contradiction of the official USAF viewpoint on UFO reality. Again, such official censorship of an independent writer's research/writing deserves both public outcry and oversight as to agency motivations and operations.

UFO magazine's website, <http://www.ufomag.com>, further extends the news-dissemination reach of this multimedia organization, thus affording me a wide audience for my work product.

My column in UFO magazine has been preceded by my UFO-related articles and book reviews published in the newsstand magazine FATE: True Reports of the Strange and Unknown -- published by Galde Press, Inc. ([galdepress.com](http://galdepress.com)), with whom I'm under contract for my second book. Incidentally, my first book -- "UFO Politics at the White House: Citizens Rally 'round Jimmy Carter's Promise" -- drew its content from citizens' UFO-related letters to Pres. Carter, as USAF-disclosed to me via the U. S. Freedom of Information Act.

So, you see that this capsule of my track record as an independent writer amply qualifies me to receive a full search-fee waiver for any current/future FOIA requests submitted as part of my ongoing research/analysis. Therefore, please grant me this appeal by immediately rescinding Mr. Koch's denial of my documented, reiterated requester status.

By snail-mail, I'm sending to you a signed printout of this e-formatted letter.

LARRY W. BRYANT

Copy furnished to: Chairman, Subcommittee on Government Management, Finance, and Accountability - U. S. House of Representatives

\* P. S.: I hereby request that Mr. Koch also process this letter as a formal, written FOIA request that he send me a copy of all CIA-maintained records pertaining to the activities, associations, correspondence, and motivations of the late Philip Julian Klass.

Save email to disk as a text file

Print email

(b)(6)

Central Intelligence Agency



Washington, D.C. 20505

2 August 2006

(b)(6)

Mr. Larry W. Bryant

Reference: F-2004-01956

Dear Mr. Bryant:

This acknowledges receipt of your check number 259 dated 29 June 2006 in the amount of \$30.00 to cover the costs associated with your 8 August 2004 Freedom of Information Act request for "a copy of all CIA-generated and CIA-received records pertaining to Mr. [John Joseph] McCarthy, Jr.'s military career, his CIA-directed activities, his associated communications, his post-'Cherry' litigation history, and his CIA-managed 'case file'."

We credited your account in full and thank you for your payment.

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

(b)(3)

(b)(6)

IMS/IRRG/PIPD [redacted] /31 July 2006

Signature assigned by [redacted]

(b)(3)

Distribution:

(b)(6)

Orig - Adse

1 - PIPD/F-2006-001956 FOLLOW-UP (Check Acknowledgment) \$30.00  
PAID IN FULL (Fee Category: o: all other)

FOIA\ [redacted] 01956 Bryant Follow-up

(b)(3)

(b)(6)



Central Intelligence Agency



Washington, D.C. 20505

28 August 2006

Mr. Larry W. Bryant

(b)(6)

Reference: F-2004-01956

Dear Mr. Bryant:

This is further to our letter of 20 June 2006 concerning your 5 June 2006 letter appealing our response to your Freedom of Information Act request for records pertaining to John Joseph McCarthy, Jr. Specifically, you are appealing the adequacy of our search, which resulted in the determination that no records responsive to your request were located.

Your appeal has been accepted and arrangements will be made for its consideration by the appropriate members of the Agency Release Panel. You will be advised of the determinations made.

In order to afford requesters the most equitable treatment possible, we have adopted the policy of handling appeals on a first-received, first-out basis. At the present time, our workload consists of approximately 200 appeals awaiting completion. In view of this, some delay in our reply must be expected, but I can assure you that every reasonable effort will be made to complete a response as soon as possible.

Sincerely,

(b)(6)

A handwritten signature in black ink, appearing to read "Scott Koch".

Scott Koch

Information and Privacy Coordinator

CIO/IMS/IRRG/PIPD/APPEALS [redacted] 28 August 2006

(b)(3)  
(b)(6)

Distribution:

Orig Adse

1- MORI & PIPD Subject F04-01956

[redacted] 01956 bryant f nrl ack

(b)(3)  
(b)(6)

**PIPD MEMO  
F-2004-01956****DATE: 08/29/2006****MEMO TO: IRG DATABASE****FROM:**

(b)(3)

(b)(6)

**SUBJECT:****Case Number: F-2004-01956 OPENA****Tasked on: 08/28/2006****Requester: BRYANT, LARRY****Case Subject: JOHN JOSEPH MACCARTHY, JR. & HIS MILITARY/CIA  
CAREER & HIS INVOLVEMENT W/PROJECT "CHERRY"****REPLY:**

(b)(3)

(b)(5)

**Sent on: 08/30/2006 at 03:16:49 PM**

**PIPD MEMO  
F-2004-01956****DATE: 09/13/2006****MEMO TO: IRG DATABASE****FROM:**(b)(3)  
(b)(6)**SUBJECT:**

**Case Number: F-2004-01956 OPENA**  
**Tasked on: 08/28/2006**  
**Requester: BRYANT, LARRY**  
**Case Subject: JOHN JOSEPH MACCARTHY, JR. & HIS MILITARY/CIA  
CAREER & HIS INVOLVEMENT W/PROJECT "CHERRY"**

**REPLY:**

1. This is in response to Larry Bryant's 08 August 2004 initial FOIA request and subsequent 05 June 2006 FOIA appeal for "...a copy of all CIA-generated and CIA-received records pertaining to Mr. (John Joseph) McCarthy's military career, his CIA-directed activities, his associated communications, his post-'Cherry' litigation history, and his CIA-managed 'case file.'" Specifically, Mr. Bryant is appealing the adequacy of the Agency's search.

(b)(3)  
(b)(5)

4. This concludes action by the  on this request.

(b)(3)

Sent on: 09/13/2006 at 08:10:24 AM

Central Intelligence Agency



Washington, D.C. 20505

NOV 15 2006

Mr. Larry W. Bryant

(b)(6)

Reference: F-2004-01956

Dear Mr. Bryant:

This responds to your 5 June 2006 letter in which you appealed our 31 May 2006 response to your Freedom of Information Act request for records pertaining to John Joseph McCarthy, Jr. Specifically, you appealed the adequacy of our search that resulted in our determination that no records responsive to your request were located.

In accordance with Agency regulations set forth in part 1900 of title 32 of the Code of Federal Regulations (C.F.R.), the Agency Release Panel has considered your appeal. Although a thorough search was conducted at the appellate level, no records responsive to your request were located. Therefore, pursuant to subparagraph 1900.41 of title 32 of the C.F.R., the Agency Release Panel has denied your appeal.

In accordance with the provisions of the Freedom of Information Act, you have the right to seek judicial review of this determination in a United States district court.

Sincerely,

**ORIGINAL SIGNED**

Scott Koch  
Executive Secretary  
Agency Release Panel

(b)(3)

(b)(6)

DS/ISC/IMS/IRRG/PIPD/APPEALS [redacted] 19 September 2006

Distribution:

Original - Addressee

1 - MORI & PIPD Appeal Subject File (F-2004-01956)

No Deniers

NRL

Tasked: NCS/IRO

DS/IRO

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[redacted] 01956 Bryant fin.doc

(b)(3)

(b)(6)

**F-2004-01956 – Bryant**

**Mr. Bryant's fee issues were addressed in our 19 July 2006 letter.  
See MORI 1342597.**



To: CIA  
From: "Larry W. Bryant" [redacted]  
Subject: Fwd: Action Notice re CIA FOIA Records-Search-Fee-Waiver Denial  
Cc:  
Bcc:

(b)(6)

## Attachments:

Date: Fri, 1 Sep 2006 23:53:28 -0400

To: [redacted]  
From: "Larry W. Bryant" [redacted]  
Subject: Action Notice re CIA FOIA Records-Search-Fee-Waiver Denial  
Cc:  
Bcc:

(b)(6)  
(b)(6)

TO: Mr. Scott Koch  
Information and Privacy Coordinator  
U. S. Central Intelligence Agency  
Washington, DC 20505

FROM: Larry W. Bryant [redacted]

(b)(6)

DATE: September 1, 2006

Since (1) your below-quoted letter to me of Aug. 28, 2006, fails to mention my June 5, 2006, appeal of your agency's rejection of my FOIA requester status as a "representative of the news media," and (2) the recently filed complaint in the federal FOIA lawsuit of National Security Archive v. Central Intelligence Agency ( <http://www.gwu.edu/~nsarchiv/news/20060614/index.htm> ) cites current CIA policy/practice that such requester-status rejections are administratively unappealable, I hereby serve notice upon your agency that my attorney has instructions to file suit, as soon as possible, in the U. S. District Court for the District of Columbia to contest this rejection that has led to your agency's unlawful, harmful denial of my past/current/future requests for records-search-fee waivers.

To complete the administrative record in this matter, I refer you to the following Internet-based petition by which I'm garnering public support for my formal challenge to your agency's application of arbitrary, capricious, and discriminatory standards violative of my rights under the U. S. Freedom of Information Act and the First Amendment to the U. S. constitution: <http://www.petitiononline.com/ciafoia/petition.html> .

By snail-mail, I'm sending to you a signed printout of this e-formatted letter.

[redacted]  
LARRY W. BRYANT  
Columnist for UFO Magazine

(b)(6)

Copies furnished to:

Jonathan L. Katz, Esq. (Silver Spring, Md.)

Printed for "Larry W. Bryant" [redacted]

1(b)(6)

, 9/2/06 1:09 PM -0400, Fwd: Action Notice re CIA FOIA Records-Search-Fee-Waiver D

2

Nancy Birnes, Editor of UFO Magazine ( <http://www.ufomag.com> )

TEXT OF MR. KOCH'S LETTER OF AUG. 28, 2006, TO L.W.B.:

Dear Mr. Bryant (Reference: F-2004-01956)

This is further to our letter of 20 June 2006 concerning your 5 June 2006 letter appealing our response to your Freedom of Information Act request for records pertaining to John Joseph McCarthy, Jr. Specifically, you are appealing the adequacy of our search, which resulted in the determination that no records responsive to your request were located.

Your appeal has been accepted and arrangements will be made for its consideration by the appropriate members of the Agency Release Panel. You will be advised of the determination made.

In order to afford requesters the most equitable treatment possible, we have adopted the policy of handling appeals on a first-received, first-out basis. At the present time, our workload consists of approximately 200 appeals awaiting completion. In view of this, some delay in our reply must be expected, but I can assure you that every reasonable effort will be made to complete a response as soon as possible.

Printed for "Larry W. Bryant" 2  
(b)(6)



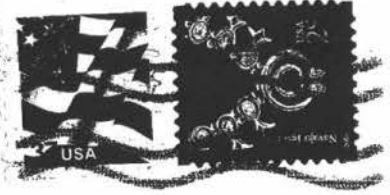
Mr. Larry W. Bryant



(b)(6)



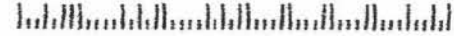
02 SEP 2006 PM 4 L



MR. SCOTT KOCH  
INFORMATION AND PRIVACY COORDINATOR  
U.S. CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, DC 20505

**FIRST CLASS MAIL**

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**Task Information**

**Task ID:** 3228007 **Case ID:** F-2004-01956 **Phase:** Initial  
**Case Manager:**  (b)(3)  
**Special Handling:**  (b)(6) **Requester Name:** BRYANT, LARRY  
**From:** PIPD **Ext. Agency:**  (b)(3)  
**Case Action:** Search **Task Type:** Search **Topic:**  
**Send Date:** 05/01/2006 **Due Date:**  **Return Date:** 05/25/2006  
**Grant Code:**  (b)(5) **Sub Code:**  (b)(5)  
**Subject:** JOHN JOSEPH MACCARTHY, JR. & HIS MILITARY/CIA CAREER & HIS INVOLVEMENT W/PROJECT "CHERRY"

**Instructions:** Please process the above mentioned request.  
JOHN JOSEPH MCCARTHY

**Response:**

**COMMENTS**

| Date | User | Comment |
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UNCLASSIFIED

Page 1 of 2

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(b)(6)

DOCUMENTS TASKED

| CADRE Ref. ID | Document Title | Pub. Date | No.   | Rel. Dec. | Exemptions |
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UNCLASSIFIED

Page 2 of 2

## Task Information

Task ID: 3228008 Case ID: F-2004-01956 Phase: Initial  
Case Manager:  (b)(3) Requester Name: BRYANT, LARRY  
Special Handling: (b)(6) Ext. Agency:  (b)(3)  
From: PIPD To:  (b)(3)  
Case Action: Search Task Type: Search Topic:  
Send Date: 05/01/2006 Due Date: Return Date: 05/10/2006  
Grant Code:  (b)(5) Sub Code:  
Subject: JOHN JOSEPH MACCARTHY, JR. & HIS MILITARY/CIA CAREER & HIS INVOLVEMENT W/PROJECT "CHERRY"  
Instructions: Please process the above mentioned request.  
JOHN JOSEPH MCCARTHY

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Response:

## COMMENTS

| Date | User | Comment |
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Page 1 of 2

DOCUMENTS TASKED

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## Task Information

Task ID: 3228009 Case ID: F-2004-01956 Phase: Appeal  
Case Manager:  (b)(3) Requester Name: BRYANT, LARRY  
Special Handling:  (b)(6) Ext. Agency:  (b)(3)  
From: PIPD To:  (b)(3)  
Case Action: Search Task Type: Search Topic:  
Send Date: 08/28/2006 Due Date:  Return Date: 09/13/2006  
Grant Code:  (b)(5) Sub Code:  (b)(5)  
Subject: JOHN JOSEPH MACCARTHY, JR. & HIS MILITARY/CIA CAREER & HIS INVOLVEMENT W/PROJECT "CHERRY"

Instructions: Response: (b)(3)  
(b)(5)  
(b)(6)

## COMMENTS

| Date | User | Comment |
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Page 1 of 2

DOCUMENTS TASKED

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**Task Information**

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|--------------------------|-------------------------------------------------------------------------------------------|------------------------|-----------------------------|---------------------|------------|
| <b>Task ID:</b>          | 3228010                                                                                   | <b>Case ID:</b>        | F-2004-01956                | <b>Phase:</b>       | Appeal     |
| <b>Case Manager:</b>     | <input type="text"/> (b)(3)<br>(b)(6)                                                     | <b>Requester Name:</b> | BRYANT, LARRY               |                     |            |
| <b>Special Handling:</b> |                                                                                           | <b>Ext. Agency:</b>    |                             |                     |            |
| <b>From:</b>             | PIPD                                                                                      | <b>To:</b>             | <input type="text"/> (b)(3) |                     |            |
| <b>Case Action:</b>      | Search                                                                                    | <b>Task Type:</b>      | Search                      | <b>Topic:</b>       |            |
| <b>Send Date:</b>        | 08/28/2006                                                                                | <b>Due Date:</b>       |                             | <b>Return Date:</b> | 08/30/2006 |
| <b>Grant Code:</b>       | <input type="text"/> (b)(5)                                                               | <b>Sub Code:</b>       |                             |                     |            |
| <b>Subject:</b>          | JOHN JOSEPH MACCARTHY, JR. & HIS MILITARY/CIA CAREER & HIS INVOLVEMENT W/PROJECT "CHERRY" |                        |                             |                     |            |
| <b>Instructions:</b>     | <input type="text"/>                                                                      |                        |                             |                     |            |
| <b>Response:</b>         |                                                                                           |                        |                             |                     |            |

(b)(3)  
(b)(5)  
(b)(6)

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**COMMENTS**

| Date | User | Comment |
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DOCUMENTS TASKED

| CADRE Ref. ID | Document Title | No.       |                 | Exemptions |
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|               |                | Pub. Date | Pages Rel. Dec. |            |
|               |                |           |                 |            |

(b)(5)