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DEPARTMENT OF THE ARMY
HEADQUARTERS
US ARMY INTELLIGENCE AND SECURITY COMMAND
FORT GEORGE G. MEADE, MARYLAND 20755

27 March 1978

Mr. Gary R. Schoener
400 W. Franklin, Apt. 2
Minneapolis, Minn. 55405

Dear Mr. Schoener:

This is in response to your letter of 7 November 1975 to the Central Intelligence Agency (CIA) requesting records concerning yourself under the provisions of the Freedom of Information Act, 5 USC552. The CIA, on 16 March 1978 forwarded your letter with one (1) Army-originated document to this office for a decision as to the releasability of the information to you. This correspondence was received in this office on 24 March 1978.

We have reviewed the Army-originated document and have concluded the information is properly and currently classified in accordance with Paragraphs 2-303d and 2-303e of DoD Regulation 5200.1-R and Sections 1(C), 5(B)(1) and 5(B)(2) of Executive Order 11652. This information is exempt from the public disclosure provisions of the Freedom of Information Act as provided under 5 USC552(b)(1).

Paragraph 2-303d of DoD Regulation 5200.1-R provides that information will be classified if "There is sound reason to believe that other nations do not know that the United States has, or is capable of obtaining certain information or material which is important to the national security of the United States vis-a-vis those nations".

Paragraph 2-303e of DoD Regulation 5200.1-R provides that information will be classified if it will "weaken or nullify the effectiveness of a defense or military plan, operation, project or activity which is vital to the national security".

Section 1(C) of Executive Order 11652 provides that material shall be classified CONFIDENTIAL if unauthorized disclosure could reasonably be expected to cause damage to the national security.

Section 5(B)(1) of Executive Order 11652 provides that information or material furnished by foreign governments or international organizations and held by the United States on the understanding that it be kept in confidence, shall be afforded security protection.

27 March 1978

Section 5(B)(2) of Executive Order 11652 provides that classification protection shall be extended for information or material which would disclose intelligence sources or methods.

Confidential sources and sensitive investigative techniques and procedures are also related to this document. This information is exempt from public disclosure as provided under 5 USC552(b)(7)(D) and 5 USC552(b)(7)(E) of the Freedom of Information Act. The significant and legitimate governmental purpose to be served by withholding is that a viable effective intelligence investigative capability is dependent upon protection of (1) confidential sources and (2) sensitive investigative methodologies.

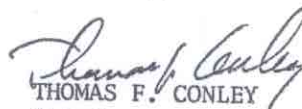
We regret that we cannot tell you more about the nature of the document without disclosing classified information. The document in question was collected in the course of an intelligence investigation not targeted against you. A copy was provided to the CIA. The U.S. Army does not have intelligence files in your name. The denial of this document is not based on the contents per se. It has been denied because the contents would identify confidential sources and sensitive investigative techniques.

The withholding of the information specified above constitutes a denial of your request by the properly designated Initial Denial Authority and you are hereby advised that you have the right to appeal this denial to the Secretary of the Army. If you wish to file an appeal, you should forward it to the following office:

Office of the Secretary of the Army
ATTN: General Counsel
Washington, D.C. 20310

If you have any further questions, you may contact the Freedom of Information/Privacy Office, U.S. Army Intelligence and Security Command, Fort Meade, Maryland 20755. The telephone numbers are (301) 677-3942/4743.

Sincerely,



THOMAS F. CONLEY
Chief
Freedom of Information/Privacy Office

Copies Furnished:

HQDA (DA-OGC)
HQDA (DAAG-AMR-S)
HQDA (DAMI-ZDL) w/Army-originated Document
HQDA (DAJA-LTS) w/Army-originated Document
CIA (Gene F. Wilson) w/Document Receipt