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RELEASE DATE:
22-Jul-2010

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

Attachments:

Date: Thu, 29 Jun 2006 16:20:10 -0400
To: [redacted]
From: [redacted]
Subject: CIA's Stonewalling of My FOIA Requester-Status Appeal

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

FROM: [redacted]
[redacted]

2006 JUL 24 AM 8:51

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,

you (and anyone else) readily can discern the public's stakeholdership 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.

[redacted]
[redacted]
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

Central Intelligence Agency



Washington, D.C. 20505

20 June 2006



Reference: F-2004-01956

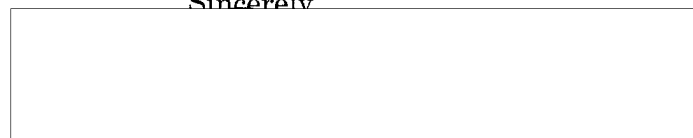
Dear 

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



SCOTT KOCH

Information and Privacy Coordinator

Enclosure

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Date

6/5/2006 2:30:27 am

To

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

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

FROM:

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

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), 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.

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.

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