

Mr. Michael Carmichael

26 AUG 1997

(b)(6)

Reference: F97-1358

Dear Mr. Carmichael:

This is further to our letter dated 25 June 1997 and concerns your 20 May 1997 request for records under the provisions of the Freedom of Information Act (FOIA). Specifically, you requested information on the following deceased subjects:

1. Michael Brightman, based in Port-Au-Prince, Haiti;
2. Clemard Charles, a banker and financier operating in Port-Au-Prince, Haiti;
3. Francois 'Papa Doc' Duvalier, former dictator of Haiti;
4. Johnny Meyer, former nightclub owner in Hollywood;
5. Aristotle Onassis, prominent billionaire, who married Jacqueline Kennedy in 1968;
6. Dr. Hjalmar Horace Greeley Schacht, prominent banker and financier, Chancellor of the Reichsbank during the Third Reich;
7. Otto Skorzeny, Hitler's favorite commando;
8. Kurt Wolff, General of the Waffen SS, and Commander of German Forces in Italy;
9. Odessa, a secret organization for the preservation and prosperity of former members of the SS;
10. Ian Lancaster Fleming, author of the James Bond novels, and a high-ranking officer in British intelligence during WWII;
11. Bruce Roberts, author of the so-called 'Gemstone Files' and former resident of San Francisco;
12. The Gemstone files, written by Bruce Roberts - contents detailed international criminal operations;
13. Porfirio Rubirosa, international polo player and socialite."

Regarding items 1-3, 5, 6-10, and 13, I must advise you that in all requests such as yours, the CIA can neither confirm nor deny the existence or nonexistence of any CIA records responsive to your request with the exception of the enclosed documents. The fact of the existence or nonexistence of any other records containing such information--unless, of course, it has been officially

acknowledged--would be classified for reasons of national security under Sections 1.5(c) [intelligence sources and methods] and 1.5(d) [foreign relations] of Executive Order 12598. Further, the Director of Central Intelligence has the responsibility and authority to protect such information from unauthorized disclosure in accordance with Subsection 103(c)(5) of the National Security Act of 1947 and Section 6 of the CIA Act of 1949.

Accordingly, these portions of your request are denied on the basis of FOIA exemptions (b)(1) and (b)(3). By this action, we are neither confirming nor denying the existence or nonexistence of such records. An explanation of the FOIA exemption cited above is enclosed.

The CIA official responsible for this denial is Lee S. Strickland, Information and Privacy Coordinator. You may appeal this decision by addressing your appeal to the Agency Release Panel, in my care. Should you choose to do this, please explain the basis of your appeal. However, we are unable to accept any such appeal until the processing of your request has been completed.

Notwithstanding the above, we searched our computerized system of previous released records. Enclosed are machine printouts which pertain to the subjects: Duvalier, Onassis, Schacht, Skorzeny, Wolff, Ian Fleming, and Porfirio Rubirosa. This material was originally located as a result of thorough and diligent searches conducted in our other records systems on the same subject, on behalf of earlier requesters. You may review the printouts bearing in mind that there may be duplicates, check the items you want, return the printouts to us, and we will reproduce whatever items you choose at a cost of ten cents a page. Because the page count on the printouts are not always accurate, please do not send payment in advance. We will bill you once we provide you with whatever material you request. Also enclosed is a copy of our schedule of fees.

Regarding items 4 (Johnny Meyer) and 11 (Bruce Roberts), to conduct an effective search of our files for information on an individual, we need the full name, the date and place of birth, nationality, and citizenship status. Without these we may be unable to distinguish between individuals with the same or similar names.

If the person is deceased, we need some evidence of death, such as a death certificate, an obituary, or press statement, so that we can be sure there are no privacy considerations. Although we can search without this evidence, if we should locate relevant records and did not

have such evidence, we might have to withhold information that, if released, would be an unwarranted invasion of that person's privacy. Privacy rights are addressed in the Privacy Act (5 U.S.C. § 552a) and the FOIA [5 U.S.C. § 552(b)(6)].

Regarding item 12, we can conduct a search on the term "Gemstone Files."

For your information, the FOIA authorizes federal agencies to collect fees for records services. We are enclosing, therefore, a fee schedule for your guidance. You will note 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 it is determined that no information is releasable under the FOIA.

Before we can begin any processing of your request, we must receive your commitment to pay all fees incurred and under the conditions stated above. The search fees for each item in a request are usually about \$150. Therefore, search costs for your particular request could amount to as much as \$450.

We will hold your request in abeyance for 45 days from the date of this letter pending receipt of the information requested in paragraphs 5 and 6 above and your fee commitment.

Sincerely,



Lee S. Strickland
Information and Privacy Coordinator

Enclosure

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(b)(6)

OIT/MSG/IP&CRD/[]/tab/19 August 1997

(b)(3)
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