

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 [REDACTED]../26 April 2006

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Distribution:

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all other)

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