

For Requester
Daniele Ganser
F-2000-02528

FEB 07 2001

Ms. Danielle Ganser
[REDACTED]
[REDACTED]

Reference: F-2000-02528

Dear Ms. Ganser:

This is in response to your letter dated 23 January 2001 and received in this office on 1 February 2001. You are appealing our 28 December 2000 response to your 14 December 2000 Freedom of Information Act request for information pertaining to "Operation Gladio." Specifically your request concerns the following:

1. The United States Government's original decision(s), probably taken during the 1947-54 period, to sponsor, support, or collaborate with, any covert armies, networks, or other units, established to resist a possible invasion of Western Europe by communist-dominated countries, or to carry out covert action operations in Western European countries...
2. Any United States Government policy assessments or reviews, undertaken after 1945, of the United States Government's decisions to sponsor, support, or collaborate with such covert entities.
3. With reference to the above, please include in [redacted] search any records relating to the activities known as 'stay-behind,' particularly in Italy, France, Belgium, and Switzerland."

Specifically, you appealed our determination that we can neither confirm nor deny the existence or nonexistence of records responsive to your request on the basis of Freedom of Information Act exemptions (b)(1) and (b)(3).

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.

Ms. Danielle Ganser

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 315 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,

A large black rectangular redaction box covering the signature of the Information and Privacy Coordinator.

Information and Privacy Coordinator

Explanation of Exemptions

Freedom of Information Act:

- (b)(1) applies to material which is properly classified pursuant to an Executive order in the interest of national defense or foreign policy;
- (b)(2) applies to information which pertains solely to the internal rules and practices of the Agency;
- (b)(3) applies to the Director's statutory obligations to protect from disclosure intelligence sources and methods, as well as the organization, functions, names, official titles, salaries or numbers of personnel employed by the Agency, in accord with the National Security Act of 1947 and the CIA Act of 1949, respectively;
- (b)(4) applies to information such as trade secrets and commercial or financial information obtained from a person on a privileged or confidential basis;
- (b)(5) applies to inter- and intra-agency memoranda which are predecisional and deliberative in nature;
- (b)(6) applies to information, release of which would constitute an unwarranted invasion of the personal privacy of other individuals; and
- (b)(7) applies to investigatory records, release of which could (A) interfere with enforcement proceedings, (C) constitute an unwarranted invasion of the personal privacy of others, (D) disclose the identity of a confidential source, (E) disclose investigative techniques and procedures, or (F) endanger the life or physical safety of law enforcement personnel.

Privacy Act:

- (b) Section (b) applies to information concerning other individuals which may not be released without their written consent;
- (d)(5) applies to information compiled in reasonable anticipation of a civil action proceeding;
- (j)(1) applies to personnel records; documents or segregable portions of documents, release of which would disclose intelligence sources and methods, including names of certain Agency employees at organizational components; and, documents or information provided by foreign governments;
- (k)(1) applies to information and material properly classified pursuant to an Executive order in the interest of national defense or foreign policy;
- (k)(5) applies to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, or access to classified information, release of which would disclose a confidential source; and
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service, the release of which would compromise the testing or examination process.