

Serial: N9022

13 JAN 1981

Mr. Mark Allen
P. O. Box 9032
Washington, DC 20003

Dear Mr. Allen:

This responds to your letter of 12 January 1981 in which you request all correspondence or records of any communication between this Agency and the U. S. House Select Committee on Assassinations concerning the Committee's investigation into the assassination of President John F. Kennedy.

Your request has been processed under the provisions of 5 U.S.C. 552, the Freedom of Information Act. Information which is releasable is enclosed.

National Security Agency/Central Security Service (NSA/CSS) functions, activities, and internal organizational designators, as well as titles and names of NSA/CSS employees, have been deleted from the enclosures. These deletions have been made pursuant to 5 U.S.C. 552(b)(3), in conjunction with 50 U.S.C. 402 note (Public Law 86-36). Section 6 of Public Law 86-36 provides that no law shall be construed to require the disclosure of the organization, or any function of the NSA, of any information with respect to the activities thereof, or of the names, titles, salaries, or number of persons employed by the Agency.

Other items have been deleted from the enclosures pursuant to 5 U.S.C. 552(b)(6), as their disclosure would cause an unwarranted invasion of the personal privacy of the individuals concerned.

The remaining items have been deleted because they are classified and therefore exempt from access or release pursuant to 5 U.S.C. 552(b)(1), which provides that the Freedom of Information Act does not apply to matters that are specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such Executive order. The information is currently and properly classified in accordance with the criteria for classification in Section 1-3 of Executive Order 12065, and paragraph 2-202 of Department of Defense Regulation 5200.1-R. The information has been reviewed for possible declassification or downgrading according to the provisions of Sections 3-3, 3-4, and 3-5 of Executive Order 12065 and Chapter III of DoD Regulation 5200.1-R and found to be properly excluded from declassification or downgrading.

Handwritten signature:
Kennedy
2/5/81

In addition, this Agency is authorized by law to protect certain information concerning its activities. Title 5 U.S.C. 552(b)(3), exempts matters that are specifically exempted from disclosure by statute. The applicable statutes in this case are 18 U.S.C. 798, 50 U.S.C. 402 note (Public Law 86-36), and 50 U.S.C. 403(d)(3). DoD Directive 5400.7, Sections III and VI.C.3, specifically recognizes this exemption.

As the deleted items constitute a partial denial of your request, you are hereby advised of this Agency's appeal procedures.

Any person denied access to records, or parts thereof, may, within 30 days after notification of the denial, file an appeal to the NSA/CSS Freedom of Information Act Appeal Authority. The appeal shall be in writing addressed to the NSA/CSS FOIA Appeal Authority, National Security Agency, Fort George G. Meade, MD 20755. The appeal shall reference the initial denial of access and shall contain, in sufficient detail and particularity, the grounds upon which the requester believes release of the information is required. The NSA/CSS Appeal Authority shall respond to the appeal within 20 working days after receipt.

Please be advised that records originated by the Congress of the United States are not subject to the Freedom of Information Act.

Sincerely,

ORIGINAL SIGNED BY


EUGENE F. YEATES
Chief, Office of Policy

Encls:
a/s

cc: L221 (less encls)
U " "
Q32 ~~RF~~ (less encls)
LFC " "

CONCUR: U _____

M/R: Classified portions of the records were bracketed by M. Levin and P. Dinwoodie on 26 Feb 1981.

 L. Figallo, Q324, 3085s, 9 March 1981, dd