

THE NATIONAL SECURITY ARCHIVE

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0013-95

IN ALL CORRESPONDENCE PLEASE REFER
TO ARCHIVE FILE NO. 941150 OIA 080

DEC 16 1994

Mr. Robert Richardson
Chief, FOIA Branch
Code PL/FOIA
Defense Intelligence Agency
Washington D.C. 20340

Dear Mr. Richardson:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. Section 552, *et seq.* (as amended), I hereby request disclosure of the documents described on the attached page of this letter for inspection and possible copying. If you regard any of these documents as potentially exempt from the FOIA's disclosure requirements, I request that you nonetheless exercise your discretion to disclose them. As the FOIA requires, please release all reasonably segregable nonexempt portions of documents which contain information you regard as exempt. To permit me to reach an intelligent and informed decision whether or not to file an administrative appeal of any denied material, please describe any withheld records (or portions thereof) and explain the basis for your exemption claims.

This request is made on behalf of the National Security Archive, a nonprofit public interest research institute and library in Washington, D.C. The Archive is a tax-exempt nonprofit organization whose purpose is to enrich public policy debate by making widely available records on important areas of major public concern on foreign, defense and intelligence policy. Documents obtained by the Archive, including the records requested in this letter, are carefully analyzed, indexed, organized into collections and published. Archive document collections are also available for inspection and copying at the Archive by scholars, journalists, members of Congress and their staffs, present and former public officials, other public interest organizations, and the general public. Information in these documents is disseminated across the country through distribution of our published collections to research libraries and through the Archive's other publishing and media activities. I am conducting research on the subject of this request as part of an Archive research team which includes experts on the subject and which already has done extensive research and determined that the requested materials are necessary to our project.

Please also waive all fees in connection with this request. In National Security Archive v. U.S. Department of Defense, 880 F.2d 1381 (D.C. Cir. 1989), *cert. denied*, 110 S Ct. 1478 (1990), the Archive was declared entitled to a waiver of all search and review fees under the FOIA as a "representative of the news media." This request also qualifies for a waiver of duplication fees because disclosure of the information in the requested documents is in the public interest since release to us of these records, which directly relate to the formation of U.S. policy on the subject, is likely to contribute significantly to greater public understanding of the operations or activities of the government in making that policy. Should you decline to waive or reduce all duplication fees, we are prepared to pay normal reproduction costs if I decide to copy the records produced, but please describe your specific reasons in writing and notify us before incurring costs over \$100.

To expedite the release of the requested documents, please disclose them on an interim basis as they become available to you, without waiting until all the documents have been processed. If you have any questions regarding the identity of the records, their location, the scope of the request or any other matters, please call me at (202) 797-0882. I look forward to receiving your response within the ten-day statutory time period.

Sincerely,

Bradley Simpson
For: Carlos Osorio

FOIA Requester: Osorio, Carlos

FOIA Sequence Number: 941150DIA080

Date of Request: 12/16/1994

NSA Record Number: 13650

Subject of Request:

Any documents including but not limited to biographical sketches in your possession that relate in whole or in part to the following Guatemalan military officials: (Please see attached page for the list of names requested.)

NOTE: This request has also been sent to:

SOUTHCOM

The Department of the Army

Note: I request that all documents be reviewed in their entirety, and that no information be omitted on the grounds of "non-relevance".