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U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

August 18, 2015

MR. JOHN GREENEWALD, JR.
[REDACTED]

FOIPA Request No.: 1260137-001
Subject: BERKNER, LLOYD VIEL
Release No.: 312880
CIA Reference No.: F-2015-00310

Dear Mr. Greenewald:

You were previously advised we were consulting with another agency concerning information located as a result of your Freedom of Information Act (FOIA) request.

This consultation is complete and the enclosed material is being released to you with deletions made pursuant to Title 5, United States Code, Section 552 as noted below. See the enclosed form for an explanation of these exemptions.

Section 552

☐ (b)(1)

☐ (b)(2)

☒ (b)(3)

CIA Act of 1949, as amended;
National Security Act of 1947, as
amended

☐ (b)(4)

☐ (b)(5)

☒ (b)(6)

☐ (b)(7)(A)

☐ (b)(7)(B)

☒ (b)(7)(C)

☐ (b)(7)(D)

☐ (b)(7)(E)

☐ (b)(7)(F)

☐ (b)(8)

☐ (b)(9)

Section 552a

☐ (d)(5)

☐ (j)(2)

☐ (k)(1)

☐ (k)(2)

☐ (k)(3)

☐ (k)(4)

☐ (k)(5)

☐ (k)(6)

☐ (k)(7)

7 pages were reviewed and 7 pages are being released.



Deletions were made by the FBI and the Central Intelligence Agency (CIA).

To appeal any Central Intelligence Agency (CIA) denials, please write directly to that agency at the following address. Should you decide to do this, please explain the basis of your appeal.

John Gioffrida,
Information and Privacy Coordinator
Central Intelligence Agency
CIA Information Review Committee
Washington, D.C. 20505

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S. C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

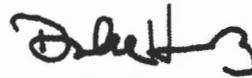
For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request. Your patience is appreciated.

You may file an appeal of any FBI denials, by writing to the Director, Office of Information Policy (OIP), U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <http://www.justice.gov/oip/efoia-portal.html>. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Request Number in any correspondence to us for proper identification of your request.

☑

See additional information which follows.

Sincerely,



David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

The enclosed documents contained in section 1 of FBI Headquarters file 161-HQ-525, Serials 25, 26, 27, 28, and 29 represent the final release of information responsive to your FOIA request.

Enclosed is a copy of the CIA's explanation of exemptions.

This material is being provided to you at no charge.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (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;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

CIA 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 advisory in nature;
- (b)(6) applies to information release of which would constitute an unwarranted invasion of personal privacy of other individuals; and
- (b)(7) applies to investigatory records, release of which could (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) applies to information concerning other individuals which may not be released without their written consent;
- (j)(1) applies to polygraph records; documents or segregable portions of documents, release of which would disclose intelligence sources and methods, including names of certain Agency employees and organizational components; and, documents or information provided by foreign governments;
- (k)(1) applies to information and material properly classified pursuant to and 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.

FOIPA # : 1260137-1

Requester Name(s) :

Greenewald, John Mr.

Subject :

BERKNER, LLOYD

FBI

Date: 5/5/61

Transmit the following in _____

Via AIRTEL~~SECRET~~

(Priority or Method of Mailing)

TO: DIRECTOR, FBI
 FROM: SAC, WFO (116-62481)
 LLOYD VIEL BERKNER,
 SPI

#419,475
 CLASSIFIED BY SP2ALM/RW
 DECLASSIFY ON: 25X
 per OGA Hr 6-8-99 F3

b6 Per FBI
 b7C

Rerep SA 5/5/61, at WDC. 7-6-99U.S. SENATOR

On 5/4/61, U.S. Senator KENNETH B. KEATING, New York, advised that he has met the appointee but does not know him personally. He stated, however, that all he knows of him is good. He declined further comment because of his limited acquaintance.

LEADS

For info Bureau, checks are still outstanding this case at Office of Security, Department of State and also at CIA re appointee and wife. (u)

DECLASSIFIED BY SP2ALM/RW
 ON 11-27-00

#419,475 per OGA Hr 11-6-00

③ - Bureau
 1 - WFO

JWB/bm
 (4)

AIRTEL

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE

NOT RECORDED

9 MAY 31 1961

2 copies destroyed

5-25-61

C.H./LS

161-525-25

9 cpa

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Reporting Office WASHINGTON FIELD	Office of Origin BUREAU	Investigative Period 4/26/61 - 5/4/61
TITLE OF CASE LLOYD VIEL BERKNER		Report made by <div></div>
		Typed By: ked
		CHARACTER OF CASE SPECIAL INQUIRY
		b6 Per FBI b7C

SYNOPSIS

REFERENCES

Bureau teletypes dated 4/25 and 28/ 61;
New York teletype dated 4/28/61; and
Saint Louis teletype dated 4/28/61.

CLASSIFIED BY SP3BTJ/RP
DECLASSIFY ON: 25X
LEADS #388,629

Copy to
by routing slip for
☐ info ☐ action

WASHINGTON FIELD OFFICE

AT WASHINGTON, D.C.

Will upon receipt report results of following
leads still outstanding.

ALL INFORMATION CONTAINED
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APPROPRIATELY

Copies made:

Special Agent
In Charge

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- 1 - Bureau
- 1 - Washington Field (116-62481)

161-525-26

NOT RECORDED

9 MAY 31 1961

RECEIVED
SECRET

WFO 116-62481

1. Department of State Security Files (U)
2. [CIA re appointee and wife] (U) (S) (W)
3. Interview with United States Senator KEATING,
who has not been available to date.

- B* -

~~COVER PAGE~~ (U)

NR
2:00 PM
5-6-61
L

FBI

Date: 5/5/61-

Transmit the following in _____

~~SECRET~~
(Type in plain text or code)

Via AIRTEL _____

(Priority or Method of Mailing)

Mr. Tolson _____
Mr. Parsons _____
Mr. Mohr _____
Mr. Belmont _____
Mr. DeLoach _____
Mr. Conrad _____
Mr. Felt _____
Mr. Evans _____
Mr. Malone _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Trotter _____
Mr. W.C. Sullivan _____
Tele. Room _____
Mr. Ingram _____
Miss Gandy _____

TO: DIRECTOR, FBI

FROM: SAC, WFO (116-62481)

LLOYD VIEL BERKNER
SPI

#419475
CLASSIFIED BY SP2ALM/RW 5/6/89
DECLASSIFY ON: 25X 1
per OGA 1/12 3-16-00 CJP

Rerep SA [] 5/5/61, at WDC;myairtel 5/5/61.

MISCELLANEOUS

b6 Per FBI
b7C

The files of the Office of Security, Dept. of State, as reviewed by SA [] 5/5/61, reflected the appointee has an active AEC "Q" clearance, WA-85664. This file also reflected it was reviewed during 1960 by representatives of USIA. This file reflected no additional pertinent info.

LEADS

[A check is still outstanding this case at CIA re appointee and wife. As a result of the above-mentioned check at Office of Security, Dept. of State, WFO will also cause a check to be made at AEC, Germantown, Md., and at USIA. These checks will be reported immediately upon receipt of same by WFO.] (U)

3-Bureau
1-WFO

JWB:MJB
(4)

AIRTEL

2 copies destroyed
5-25-61

CSH/LS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-5-97 BY SP3 BTJ/RW

101-525-27
NOT RECORDED
9 MAY 31 1961

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

FBI

Date: 5/9/61

Transmit the following in _____

~~SECRET~~

(plain text or code)

Via AIRTEL

(Priority or Method of Mailing)

TO: DIRECTOR, FBI
 FROM: SAC, WFO (116-62481)
 LLOYD VIEL BERKNER
 SPI

#419,475
 CLASSIFIED BY SP2ALM/RW
 DECLASSIFY ON: 25X
 13 pg 2 per OGA Hr 6-8-99
 76-99

DECLASSIFIED BY SP2ALM/RW

ON 11-27-00

Remyairtel 5/5/61.

#419,475

per OGA Hr. 11-7-00

b6 Per FBI
b7C

On 5/8/61, [redacted] Security Office, Washington Area Security Operations Office (WASO), AEC, Germantown, Maryland, advised SA JOHN D. MC KINNEY that the appointee's security file reflects he was granted a "Q" clearance on 3/20/51 at New York Operations Office. It was extended to the Department of Army on 10/18/51 by WASO, and was also extended to the Research and Development Board on 1/15/53 by WASO. It was terminated with the Department of Army on 7/13/53 and was terminated with the Research and Development Board on 9/16/54. It was extended to Office of Defense Mobilization on 8/16/56, and also to the White House Office on 2/6/58. It was also extended to the National Academy of Science on 1/4/61. This clearance is still active, and the file contained no additional pertinent information.

A "Name Check File" at the Office of Security, USIA, reviewed on 5/8/61 by SA JOSEPH W. SPEICHER, reflected that a national agency check was conducted by USIA in July and August, 1956, for possible participation by the appointee in the Program for People-to-People Partnership (Science and Engineering Committee). The Office of Security, USIA, notified the Office of Private Cooperation, USIA, on 8/28/56 that, based on the national agency check, "The Office of Security interposes no security objection to Mr. BERKNER's use, as requested..." and also interposed no objection to his having access to classified material up to and including ~~CONFIDENTIAL~~ in connection with his duties as Chairman of the Science and Engineering Committee.

- ③ - Bureau
 1 - WFO

JWB/bm
 (4)

2 copies destroyed

5-25-61

CJH/L5

NOT RECORDED

9 MAY 31 1961

Approved: _____

Special Agent in Charge

M

Per _____

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 WHERE SHOWN OTHERWISE

WFO 116-62481

~~SECRET~~

This file further reflected that another national agency check was conducted in November and December, 1960, for possible one-time use as a Forum lecturer in Space Science by the Broadcasting Service of USIA. The Broadcasting Service was notified on 2/23/61 by the Office of Security that it "interposes no security objection to Mr. BERKNER's use..."

b6 Per FBI
b7C

This file contained no additional pertinent info.

On 5/8/61, [redacted] Special Assistant to the Director, Office of Private Cooperation, USIA, advised SA SPEICHER that although the appointee was under consideration for the position as Chairman of the Science and Engineering Committee of the People-to-People Partnership, the records of his office indicated that he had never served either as chairman or as a member of this committee. [redacted] indicated his records reflected that the Office of Security, USIA, interposed no objection to appointee's use in this position, and commented that it was probable that when approached by USIA, the appointee had had to decline the position because of prior commitments.

LEAD

[For info Bureau, a check is still outstanding at CIA re appointee and wife, and will be reported immediately upon receipt of same by WFO.] (S) (u)

~~SECRET~~

FBI

~~SECRET~~

Date: 5/12/61

Transmit the following in _____

(Type in plain text or code)

Via AIRTEL

(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, WFO (116-62481)

LLOYD VIEL BERKNER
SPI#419475
CLASSIFIED BY SP2 ALM/RW
DECLASSIFY ON: 25XC1 per OGA Hr 6-8-99
7-6-99

per OGA Hr. 11-7-00

Remyairtel dated 5/9/61.

b6 Per FBI
b7C

The files of CIA were caused to be searched on 5/11/61, by SA [redacted] and reflected no derogatory and no additional pertinent information regarding the appointee. [redacted]

No other leads outstanding at WFO.

b3 Per CIA

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DECLASSIFIED BY SP2 ALM/RW
ON 11-27-00#419475 per OGA Hr 11-7-00
C1

RUC

2 copies destroyed

3 - Bureau
1 - WFO

5-25-61

CJH/LS

JWB:pah
(4)NOT RECORDED
9 MAY 31 1961AIRTEL

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

~~SECRET~~

9-022