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Federal Bureau of Investigation
Washington, D.C. 20535

August 18, 2015

MR. JOHN GREENEWALD, JR.

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		Section 552a
(b)(1)	(b)(7)(A)	(d)(5)
(b)(2)	(b)(7)(B)	「 (j)(2)
<b>▽</b> (b)(3)	√ (b)(7)(C)	
CIA Act of 1949, as amended;	(b)(7)(D)	(k)(2)
National Security Act of 1947, as amended	(b)(7)(E)	┌ (k)(3)
	(b)(7)(F)	(k)(4)
(b)(4)	(b)(8)	(k)(5)
(b)(5)	(b)(9)	(k)(6)
<b>▽</b> (b)(6)		

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 <a href="www.fbi.gov/foia">www.fbi.gov/foia</a> 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 <a href="http://www.justice.gov/oip/efoia-portal.html">http://www.justice.gov/oip/efoia-portal.html</a>. 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.

V

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 he 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
ansmit the fo	llowing in
AIRTE	
	(Priority or Method of Mailing)
TO:	DIRECTOR, FBI
FROM:	SAC, WFO (116-62481) #479-475 @ QUALIPI)
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	U.S. SENATOR
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	LEADS
at Of re ap	For info Bureau, checks are still outstanding this case fice of Security Department of State and also at CIA pointee and wife to be becase field by becase fie
	ON 11-27-00
	ureau #419,475 per OGA 142 (1-6-00)
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2	copies distroyed
	5-25-61
	CJH/LS O ONA
Approve	d:M Per
	Special Agent in Charge

# FEDERAL BUREAU OF INVESTIGATION

ASHINGTON FIELD  BUREAU  BUREAU  STATE OF CASE  CHARACTER OF CASE  CHARACTER OF CASE  SPECIAL INQUIRY  Investigative Period  4/26/61 - 5/4/61  Typed By:  ked  CHARACTER OF CASE  SPECIAL INQUIRY		(III)			
TIPE OF CASE  LLOYD VIEL BERKNER  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 SABTIFED  DECLASSIFY ON: 25%  WASHINGTON FIELD OFFICE  AT WASHINGTON, D. C. 269  Will upon receipt report results of following 1/27/00  leads still outstanding.  WILL UPON TRECORDED  Declassified  Bureau  Washington Field (116-62481)  NOT RECORDED	Reporting Office Office of Origin	PLANE !	Investigative Period		-
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## WFO 116-62481

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

FBI AUTOMATIC DECLASSIFICATION	GUIDE	Mr. Folson
DATE 08-13-2015 BY: F76	M15K74	Mr. Parsons
In water		Mr. Belmont
ZissAra	FBI	Mr. Conrad
5 7		Mr. P. Leuch
p_	Date: 5/5/61-	Mr. Evens
	` ./	Mr. Rosen
Transmit the following in	(Type in plain lext or code)	Mr. Tavel
ATRIBIT		Mr. W.C.Sullivan
Via AIRTEL	(Priority of Method of Mailing)	Tele. Room
D	(Filotity of Method of Matthing)	Miss Gandy
BIT	· ·	
('' \ ATO: DIR	ECTOR, FBI	
	,	Grange
FROM: SA	C, WFO (116-62481)	La Compa
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\\Z\\\\	on $10/18/51$ by	WASO, and was also e	extended to the Resear	rch and
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	1956, for poss	sible participation by	the appointee in th	e Program
	for People-to-	sible participation by People Partnership (S	Science and Engineeri	ng
	Committee). 7	The Office of Security	, USIA, notified the	Office of
	Private Cooper	The Office of Security ration, USIA, on 8/28/	56 that, based on th	e national
	agency check.	"The Office of Securi	ity interposes no sec	urity
j	objection to M	Ir. BERKNER's use, as	requested and al	so inter-
	posed no object	ction to his having ac	cess to classified m	aterial
	up to and incl	luding CONFIDENTIAL in	connection with his	unctes
	as Chairman of	the Science and Engi	meering committee.	_est
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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...".

This file contained no additional pertinent info.

b7C

On 5/8/61, 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. 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 committments.

#### 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. XXXX



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Approved: Special Agent in Charge

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