



**DEPARTMENT OF DEFENSE
OFFICE OF FREEDOM OF INFORMATION
1155 DEFENSE PENTAGON
WASHINGTON, DC 20301-1155**

Ref: 11-F-0539

Mr. Steven Aftergood
Federation of American Scientists
1725 DeSales St., NW
STE 600
Washington, D.C. 20036


Dear Mr. Aftergood:

This is in final response to your February 15, 2011, Freedom of Information Act (FOIA) request for the Fiscal Year 2012 budget request for the Military Intelligence Program. We received your request on the same day that it was submitted.

Mr. Michael Treat, an Initial Denial Authority for the Under Secretary of Defense for Intelligence (USDI) has determined that the requested information is exempt from release pursuant to Exemption 1 of the FOIA, 5 U.S.C. § 552(b)(1) because it is currently and properly classified in accordance with Executive Order 13526 Section 1.4 (g) concerning vulnerabilities or capability of systems, installations, infrastructures, projects, plans or protection services relating to the national security. Accordingly, this information is denied pursuant to 5 USC § 552 (b) (1). The requested information is also withheld pursuant to 5 U.S.C. § 552(b)(5), which pertains to certain inter- or intra-agency communications protected by the deliberative process privilege.

If you are not satisfied with this action, you may appeal to the appellate authority, the Director of Administration and Management, Office of the Secretary of Defense, by writing directly to the Defense Freedom of Information Policy Office, Attn: Mr. James Hogan, 1155 Defense Pentagon, Washington, D.C. 20301-1155. Your appeal should be postmarked within 60 calendar days of the date of this letter, should cite to case number 11-F-0539, and should be clearly marked "Freedom of Information Act Appeal."

Sincerely,


for Paul J. Jacobsmeyer
Chief

Enclosure:
As stated