

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,)
)
 Plaintiff,)
)
 v.)
)
 CENTRAL INTELLIGENCE AGENCY,)
 et al.,)
)
 Defendants.)

Civil Action No. 77-1997

AFFIDAVIT

Ernest J. Zellmer, being first duly sworn, deposes and says:

1. I was duly appointed Associate Deputy Director of the Directorate of Science and Technology of the Central Intelligence Agency on June 1, 1976 and I continue to serve in that position.
2. I am acquainted with the Freedom of Information Act (FOIA) request in the above-captioned litigation. I have also read the three documents that were retrieved from Agency records and which originated with organizational components for which I am responsible. The statements made herein are based upon my knowledge, upon information made available to me in my official capacity and upon conclusions reached in accordance therewith. I have determined that the material withheld may not be released because it contains information revealing facts about CIA organization, procedures, names and official titles of personnel employed, all of which is exempt from release pursuant to 50 U.S.C. §403g, which requires that such information be exempt from disclosure pursuant to FOIA exemption (b)(3).
3. The first document is an 11 page item providing a translation of a Soviet press item of 22 November 1968. The document is released. The only deletion made was that of a name of a CIA staff employee, who was involved in processing the item. The CIA staff employee's name is exempt from release pursuant to FOIA exemption (b)(3).

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4. The second document is a one-page translation of a Soviet TASS news item dated 11 March 1969, which noted that James E. Ray was sentenced to 99 years in prison. The item is released in its entirety.

5. The third item is composed of three pages. The first page is a cover sheet, followed by a one-page memo with a one-page attachment. The document is released with portions deleted. The deleted portions contain information identifying CIA staff employees and CIA organization components which are exempt from release pursuant to FOIA exemption (b)(3).

6. Segregated copies of the three documents are attached.


ERNEST J. ZEILMER

COMMONWEALTH OF VIRGINIA)
) ss.
COUNTY OF FAIRFAX)

Subscribed and sworn to before me this 25th day of May 1978.


Notary Public

My commission expires: 22 November 1981.

