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June 13, 1981

Mr. Harold Weisberg
7627 Old Receiver Road
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Re: Allen v. CIA, C.A. No. 78-1743

Dear Harold:


Enclosed are some documents which the CIA recently filed in the Allen case. When we moved for disclosure of the public domain materials in the attachments to the previously filed in camera affidavit of Gerald Liebenau, the CIA countered by filing a classified in camera affidavit by Louis E. Dube which allegedly sets forth the reasons why we cannot get the public domain materials attached to the Liebenau Affidavit. When we moved to strike the Dube Affidavit, the CIA promptly disclosed portions of it and filed a supplemental affidavit by Dube proclaiming that to release any further information would have the effect of revealing classified information.

The concluding paragraph of Dube's June 5 affidavit, which immediately follows one and a half pages of entirely excised materials, states:

For this reason, I believe the Government must continue to withhold any further information which would disclose the unacknowledged subjects of Document No. 509-803.

Inasmuch as this paragraph was originally marked "Secret" and there is no indication that the CIA intended to declassify it, its disclosure may have been inadvertent. In any event, the phrase "the unacknowledged subjects of Document No. 509-803" offers a clue as to just what it is that the CIA claims must remain secret in the interest of national security. Allen has a definite opinion as to the identity of the "unacknowledged subjects" referred to. I'd appreciate your opinion, if you have one.

Sincerely yours,


Jim