

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

-----X
GARY SHAW,

Plaintiff,

- v -

DEPARTMENT OF STATE, et al.,

Defendants.
-----X

CIVIL ACTION NO.
80-1056

WASHINGTON)
: SS:
DISTRICT OF COLUMBIA)

AFFIDAVIT OF ALFRED G. SHOLLE

ALFRED G. SHOLLE, being duly sworn, deposes and says:

1. I am the Acting Director, Office of Regulations and Rulings, United States Customs Service ("Customs Service"). As such, I am the official responsible for the executive leadership in that office of the Customs Service, the establishment of its policies and for the overall supervision of its activities. I am the Customs Service official responsible for appellate determinations made pursuant to the Freedom of Information Act (FOIA), as amended (5 U.S.C. 552) and the Privacy Act of 1974 (P/A), (5 U.S.C. 552a).


2. By letter dated September 11, 1980, the Central Intelligence Agency (CIA) forwarded to Customs six (6) documents containing information which Customs furnished to that agency for Customs review and determination of disclosure pursuant to the provisions of the Freedom of Information Act (5 U.S.C. 552), in response to a request for information made to the CIA from the Plaintiff.

3. By letter dated September 30, 1980, the Director, Special Investigations Division, responded to the CIA and recommended that certain information be exempted from disclosure pursuant to the

provisions of 5 U.S.C. 552(b)(7)(C) and (D) as the information would constitute an unwarranted invasion of personal privacy and disclose the identity of a confidential source.


4. The only information which Customs deleted on documents number 79, 137, 163, 173 and 2, were the names of individuals other than the subject of the Plaintiff's request, the disclosure of which would constitute an unwarranted invasion of personal privacy and therefore, exempt from disclosure pursuant to the provisions of 5 U.S.C. 552(b)(7)(C). The information contained in document number 10 which was deleted consisted of confidential information furnished only by a confidential source, most of which pertained to individuals other than the subject of the Plaintiff's request and accordingly, is exempt from disclosure pursuant to the provisions of 5 U.S.C. 552(b)(7)(C) and (D).

5. The subject of this Affidavit and the allegations set forth herein are within my official purview and are correct and true to the best of my information, knowledge and belief.


 ALFRED G. SCHOLIE
 ACTING DIRECTOR,
 (OFFICE OF REGULATIONS AND RULINGS)
 UNITED STATES CUSTOMS SERVICE

SUBSCRIBED AND SWORN TO before me this

18th Day of NOVEMBER, 1980


 NOTARY PUBLIC LEE H. KRAMER
 My Commission Expires January 1, 1985