

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

PAUL L. HOCH)
)
 Plaintiff,)
)
 v.) Civil Action No. 82-0754
)
 CENTRAL INTELLIGENCE AGENCY (CIA))
)
 Defendant.)
 _____)

DECLARATION

I, ALAN C. ERNST, am a Major in the United States Air Force serving as a Judge Advocate and currently assigned to the General Law Division, Office of The Judge Advocate General, at the Pentagon. My duties include rendering legal advice in connection with the releasability of records requested under the Freedom of Information Act.

This declaration refers to information contained in the 4th and 5th lines of paragraph 1 of CIA document number 1557-1114-B. The information withheld in this portion of the referenced document consists of a medical diagnosis and description of associated systems of an individual. I consider this information to be of a highly personal nature. If released to the public, it could cause great embarrassment whether true or not. In deciding whether to release or withhold this information, I have considered the public's interest in disclosure. No member of the public has expressed concern about this information nor have I been able to identify any public interest that would suggest disclosure.

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Therefor upon application of a balancing test weighing the public interest in disclosure against the personal privacy interests of the individual, I conclude that the release of this information, other than to the person to whom it pertains, would result in a clearly unwarranted invasion of personal privacy. It is therefor, in my opinion, exempt from release under 5 U.S.C. 552(b)(6).

In addition, this information is maintained in a system of records retrievable by personal identifier and subject to the restrictions on release contained in the Privacy Act.

Under penalty of perjury I hereby declare that the foregoing information is true and correct to the best of my knowledge and belief.


ALAN C. ERNST, Major, USAF