

District of Columbia seeking production of the requested documents.² On October

1980 NSA filed a motion for summary judgement and submitted one public affidavit and one In Camera affidavit in support of its motion. In its opposing motion filed November 18, CAUS argued

that NSA's affidavits had not justified withholding of all information concerning or contained in the documents.

CAUS argued that "non-sensitive" UFO content could be reasonably segregated and released without damage to national security or NSA. CAUS urged the court to balance the possible risk to national security against the great public interest and, most importantly, the potential

1. The parties to the suit were and are the petitioner CAUS and the National Security Agency. Jurisdiction was conferred on the basis of the provisions of the Freedom of Information Act 5 U.S.C. Section 552.

scientific benefits to be gained from release. CAUS requested that the court examine the documents before reaching any conclusion on the balancing issue.

On November 18, 1980 the District Court granted NSA's motion for Summary Judgement finding:

"...that release of this material could seriously jeopardize the work of the agency and the security of the United States....The in camera affidavit presents factual considerations which aided the court in determining that the public interest in disclosure is far outweighed by the sensitive nature of the materials and the obvious effect on national security their release may well entail." [See Appendix at page]

The case was appealed on January 12, 1981. On November 3, 1981 the court issued a Per Curiam Judgement affirming the judgement of the District Court "generally for the reasons stated in its Memorandum and Order."