

of an agency in a national security case, we must accord "substantial weight" to the agency's affidavits if they are relatively detailed, nonconclusory, and made in good faith. Scientology, supra, at 830; Goland v. Central Intelligence Agency, 607 F.2d 339, 352 (D.C.Cir. 1979), cert. denied, 48 U.S.L.W. 3602 (Mar. 17, 1980).

Plaintiff, as indicated above, asserts at length and in detail that the CIA's affidavits must be rejected because they lack the element of good faith. We find, however, that plaintiff raises the same unsuccessful arguments as did the plaintiffs in Goland, supra; that more documents "must" exist and that the "pattern of obfuscation and delay" shows bad faith. Goland, supra, at 353-55. Furthermore, the CIA's affidavits in this case, in conjunction with the detailed Stipulation, meet the rigorous standards for summary judgment in a FOIA case. See Weisberg, supra, at 11-14; Scientology, supra, at 833-38.

When viewed in the most favorable light, GSW has raised several questions about the CIA's failure to produce "all once-existing records," see Weisberg, supra, at 11, or documents that may have existed as responses or follow-ups to documents in the record. Recognizing that plaintiff has raised the issue of the existence of further documents, we move on to evaluate the sufficiency of the defendant's affidavits.

The FBI's affidavits in Weisberg were held to be inadequate to support summary judgment, because they failed to provide adequate detail about the search that was conducted. Id. at 12, 14. In a case involving national security considerations, however, there is an additional factor which must be kept in mind for the reason that the public affidavits about document searches cannot reveal classified information about the personnel and functions of the CIA. See Scientology, supra, at 832. Yet the affidavits must say more about a search than merely state that it was in vain. Id. at 835. We find on the facts in this case that the CIA has met the burden.