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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	)	Criminal No. 10-225 (CKK)
	)	
v.	)	
	)	
STEPHEN JIN-WOO KIM,	)	
	)	
Defendant.	)	

Leave to File Granted
Judge C Kollar-Kotelly
1/30/14

DEFENDANT'S ADDENDUM OPPOSITION TO THE GOVERNMENT'S FIRST MOTION FOR A HEARING UNDER SEAL PURSUANT TO CIPA SECTION 6(a)

Defendant Stephen Kim, by and through undersigned counsel, respectfully submits the following addendum opposition to the government's first motion for a hearing under seal pursuant to CIPA § 6(a).

I. FACTUAL & PROCEDURAL BACKGROUND

On July 30, 2013, defendant filed his first CIPA § 5 notice in this case. Section 5 requires a defendant who "reasonably expects to disclose or to cause the disclosure of classified information" at trial to "notify the attorney for the United States and the court in writing." 18 U.S.C. App. 3 § 5(a). Defendant's first CIPA § 5 notice addressed two sets of documents: (1) the government's own "trial-ready" set, which consists of documents the government plans to declassify and use against Mr. Kim at trial; and (2) the first set of "treat as classified" documents, which the government submitted to the intelligence community for classification review.

On September 18, 2013, the government moved for a hearing under seal pursuant to CIPA § 6(a). Section 6(a) permits the government to "request the court to conduct a hearing to make all determinations concerning the use, relevance, or admissibility" of classified information contained in the defendant's Section 5 notice. 18 U.S.C. App. 3 § 6(a). Prior to the hearing,

Section 6(b) requires the government to "provide the defendant with notice of the classified information that is at issue" and to "identify the specific classified information at issue whenever that information previously has been made available to the defendant by the United States." 18 U.S.C. App. 3 § 6(b).

On October 7, 2013, defendant responded to the government's first Section 6(a) motion. The defense noted, in particular, that the legal standard espoused by the government in its motion had already been rejected by Judge Walton in United States v. Libby, 453 F. Supp. 2d 35 (D.D.C. 2006), as well as in a series of cases from the Eleventh Circuit upon which the government subsequently relied in objecting to the adequacy of defendant's second CIPA § 5 notice. See Response at 22-28. Once the appropriate legal standard had been established, the defense stated that it would be prepared to address the specific classified information identified in the government's motion at the Section 6(a) hearing.

The government responded to defendant's arguments by asserting, in both its reply brief and at a status hearing held on October 28, 2013, that the defense should be required to brief the use, relevance, and admissibility of every piece of classified information contained in its first CIPA § 5 notice. The defense rejected this assertion, noting that CIPA does not require the defendant to present his theories of use, relevance, or admissibility in a detailed pleading prior to the hearing mandated by Section 6(a). Following a colloquy with the Court, however, defense counsel agreed to file a pleading that briefly addresses the government's arguments on use, relevance, and admissibility for each "grouping" of classified information contained in the government's first motion for a hearing under CIPA § 6(a). The defense has attempted to do so below, without waiving its objections to the briefing process requested by the government. For the reasons previously raised with the Court, and because classified discovery in this case

remains ongoing, the defense expressly reserves its right to raise additional arguments regarding use, relevance, and admissibility at the Section 6(a) hearing.

II. THE GOVERNMENT'S FIRST CIPA SECTION 6(a) MOTION

The government's first motion for a hearing pursuant to CIPA § 6(a) addressed two sets of documents: (1) the government's own "trial-ready" set, which consists of documents the government intends to declassify and use against Mr. Kim at trial; and (2) the first batch of formerly "treat as classified" documents, which have undergone classification review. As the defense explained in its response to the government's motion, only one of these two sets of documents is properly before the Court now during Section 6(a) hearings (as opposed to hearings under CIPA Section 6(c), which specifically addresses substitutions). The defense addresses these two sets of documents separately below.

A. The "Trial Ready" Set

More than half of the items contained in defendant's first Section 5 notice consist of classified documents that the government itself intends to use against Mr. Kim at trial.[1] These documents have been described by the government as the "core documents" in its case against Mr. Kim, and the government proposed its "trial ready" versions before the defendant had even filed his first Section 5 notice. See Mot. at 14-15. The "trial ready" versions, however, contain significant additional substitutions that are not acceptable to the defense. The government's "trial ready" version of the charged intelligence report, for example, replaces [redacted] with a substitution drafted by the government (which Mr. Kim has never seen before, and certainly did not view on June 11, 2009). See First

[1] The documents the parties have referred to as the "trial ready" set consist of the nine items identified in Section I of defendant's first CIPA § 5 notice, as well as items 5 and 11 in Section II of the notice. The government indicated that these latter items should be included in the "trial ready" set in its first Section 6(a) motion. See Mot. at 56, 60.

CIPA § 5 Notice, Ex. 3. The government's "trial ready" version of the charged intelligence report also replaces the classification markings on the report viewed by Mr. Kim with substituted markings that were not present on the copy of the report allegedly view by Mr. Kim on June 11, 2009. Id.

As the defense explained in its response to the government's motion, the government cannot seriously dispute that the "core documents" in its case against Mr. Kim are useful and relevant to the defense. Indeed, the government conceded as much when it notified the defense that these "core documents" would be declassified before trial and produced a set of "trial ready" versions containing the government's proposed substitutions. The dispute between the parties at this point hinges on whether the additional substitutions proposed by the government "provide the defendant with substantially the same ability to make his defense as would disclosure of the specific classified information." 18 U.S.C. App. 3 § 6(c). That issue is properly addressed during hearings under CIPA Section 6(c), which expressly addresses substitutions proposed by the government, rather than Section 6(a). See Response at 16-18, 34.

B. The First Set of "Treat as Classified" Documents

Defendant's first CIPA § 5 notice also contained several items previously marked "treat as classified" that the intelligence community deemed "classified" during its classification review. The government's motion indicates that, upon further review, several of the items noticed by the defendant should not have been deemed "classified," and therefore are not subject to a hearing under CIPA Section 6(a).[2] The remaining "treat as classified" items are addressed below.

[2] Specifically, the government determined that the following items are not properly at issue during CIPA Section 6 proceedings: (1) the Eric Richardson FBI 302 (Item II-4 in defendant's notice); (2) the Non-Disclosure Agreement signed by Jeffrey Eberhardt (Item II-7); (3) a news

1. **Investigative Questionnaires, Badge Records, and Phone Records for Other Individuals Who Accessed the Intelligence Report**

Defendant's first Section 5 notice included three categories of documents related to those individuals who accessed the intelligence report at issue prior to the "cut-off" time on June 11, 2009. Specifically, defendant noticed his intent to disclose (1) "Investigative questionnaires completed by individuals who accessed the intelligence report at issue, as well as accompanying FBI cover memoranda and notes" (Item II-1); (2) "Badge records for individuals who accessed the intelligence report at issue" (Item II-2); and (3) "Phone records for individuals who accessed the intelligence report at issue" (Item II-3). See First CIPA § 5 Notice at 5. Defendant's notice identified the relevant documents by Bates number. Id.

The government groups these three categories of documents together in its first CIPA Section 6(a) motion, stating that they "raise the same issues." Mot. at 52. The government then identifies five types of "classified or statutorily-protected information" contained in the documents noticed by the defendant that the government intends to challenge under CIPA Section 6(a). See id. at 53 (containing a bulleted list of the five types of information at issue). The government argues that the bulleted information is inadmissible at trial because the "investigatory materials" noticed by the defendant "are hearsay." Id. at 54. The government also argues that "neither [the investigatory material] nor the classified and statutorily protected information that they contain would be relevant or helpful to the defense at trial," id. at 54-55, but maintains that if the information at issue is deemed relevant and admissible, "substitutions can be proposed in CIPA 6(c) proceedings that will provide the defendant with the same, or

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article entitled, "North Korean Defector Describes Inner Workings of Isolated Regime" (Item II-8); and (4) a news article entitled, "The Madness of Chris Hill" (Item II-9). See Mot. at 55, 57-58

substantially the same, ability to make his defense as would disclosure of the underlying classified information at trial." Id. at 55

It is important to clarify, at the outset, the specific classified information placed at issue by the government's motion. CIPA Section 6 does not permit the government to issue a blanket objection to the disclosure of all "classified information" contained in defendant's Section 5 notice, or to use the Section 6 process to litigate the relevance and admissibility of unclassified portions of classified documents. See 18 U.S.C. App. 3 §§ 6(a), (b). Rather, CIPA Section 6(b) places the burden on the government to review the materials noticed by the defendant and to "identify the specific classified information" contained in those materials that the government will place at issue during Section 6(a) hearings. 18 U.S.C. App. 3 § 6(b). The only items presently before the Court, in other words, are those items of classified information specifically addressed in the government's motion

With respect to what the government refers to as the "investigatory materials," the government's motion places five specific types of information at issue:

[redacted]

(5) The investigative questionnaire and badge records of NSA employee James [redacted] which include his personal identifying information (e.g., last name, social security number, and locations of his entry and exit from NSA facilities) and the names of two other NSA employees who witnesses him signing the investigative questionnaire and statement and waiver.

Mot. at 53. The portions of the questionnaires, badge records, and phone records that contain one of these five types of information are subject to proceedings under CIPA Section 6(a). The portions of those materials that do not contain these five types of information are not at issue for Section 6(a) purposes, as they have not been challenged by the government (and, in any event, do not appear to contain classified information).

a. Investigative Questionnaires

The government objects to the disclosure of certain information contained in Questions 4, 12, 13, 15, and 16 of the investigative questionnaires (as well as the accompanying "statement and waiver" forms), which reference separate news articles that are not at issue in this case.[1] See Mot. at 53 & n.36. [redacted] See Mot., Tab B-1. Questions 4, 13, and 16 reference a separate June 12, 2009, Associated Press article ("South Korea Braces for 3rd Nuclear Test") that "was deemed to contain no classified information." Mot. at 53 n.36; Tab B-1.

Because the June 12th Associated Press article does not contain classified information, references to that article in Questions 4, 13, and 16 of the questionnaires do not implicate CIPA. The government appears to agree, as references to the AP article are not included in the government's bulleted list of the classified information at issue. See Mot. at 53. The relevance, use, and admissibility of Questions 13 and 16 (as well as references to the AP article in Question 4 and in the "Statement and Waiver" forms) therefore are not presently before the Court.

[1] The question numbers referenced in the government's motion appear to correspond to the first several investigative questionnaires attached to the motion as Tab B-1. See Mot., Tab B-1. The defense notes, however, that certain of the noticed questionnaires contain different numbering. See, e.g., Mot., Tab B-1, CLASS_3362-67. When referring to questions by number, the defense follows the same conventions as the government, with the understanding that several of the noticed questionnaires contain slightly different numbering.

Questions 4, 12, and 15 of the questionnaires refer to [redacted] See Mot., Tab B-1. The defense questions how references to the title of this published, publically-available article can constitute "classified information" subject to CIPA, whereas references to the title of another article in the same questionnaire apparently do not.[4] If the Court is satisfied that the references at issue constitute "classified information," however, the defense does not object to the redaction of references to [redacted] article in Questions 4, 12, and 15 of the investigative questionnaires and the accompanying "Statement and Waiver" forms.[5] The government's objections to the disclosure of certain information contained in Questions 4, 12, and 15 of the investigative questionnaires and the accompanying "Statement and Waiver" forms are therefore resolved.

The government also objects to the disclosure of certain information contained in Question 17 of the investigative questionnaires. See Mot. at 53 & n.37. The government states that "Question 17 of each investigative questionnaire references the [redacted] and that [redacted] Mot. at 53 n.37. The government also argues that the information at issue is hearsay and that it would not be relevant and helpful to the defense at trial. Id. at 54. These objections are unavailing, for several reasons.

[4] The government has refused to explain the basis for its objection to the disclosure of any reference to the [redacted] article in the questionnaires, opting instead to describe its supposed "equities" in an ex parte pleading with the Court. See Mot. at 53-54. The defense continues to object to this ex parte process, as the government should not be permitted to hide its arguments from the defense at the Section 6(a) stage.

[5] Based on the representations in its motion, the defense assumes that the government also will not rely on any references to [redacted] article at trial. If that is not the case, the defense obviously makes no such concession.

With respect to any handwritten comments on Question 17 of the questionnaires, the government fails to specify which of the questionnaires contain handwritten material that the government finds objectionable. See Mot. at 53. Under CIPA Section 6(b), the government must "identify the specific classified information at issue whenever that information previously has been made available to the defendant by the United States." 18 U.S.C. App. § 6(b). The defense and the Court should not be left to guess which of the handwritten responses to Question 17 contain the type of classified information described in the government's motion, and which do not. By failing to identify the specific handwritten information to which it objects, the government has failed to satisfy its own obligations under CIPA Section 6(b). The government's motion with respect to any handwritten responses to Question 17 should therefore be denied.

As to the question-and-answer sections of Question 17, it is important to note that the questionnaires themselves were only provided to individuals who accessed the intelligence report at issue prior to the "cut-off" time on June 11, 2009. Question 17 asked those individuals, "Did you have access to the [redacted]eport on which the aforementioned articles were based?"[6] See Mot., Tab B-1. The individual could then check "Yes" or "No," and provide a description of the relevant materials. Id.

For those individuals who did not answer "Yes" to Question 17, the relevance of this information to Mr. Kim's defense is obvious: they lied. The defense will be able to show, based on classified discovery provided by the government, that each of these individuals did access the intelligence report at issue on June 11, 2009, despite their statements to the contrary. These

[6] As government investigators subsequently acknowledged, the use of the phrase [redacted]eport" was actually a mistake. Question 17 was intended to refer to the charged intelligence report, which is a [redacted] not [redacted] report. According to the FBI, "during the initial stages of the FBI's investigation [the charged intelligence report] was inadvertently referred to as [redacted] CLASS_2869.

statements are not hearsay, as they are not being offered for the truth of the matter asserted (indeed, quite the opposite -- the defense will contend that these statements are false). These statements are relevant to Mr. Kim's defense because they tend to show that individuals who accessed the charged intelligence report on June 11, 2009, either (1) lied about their access to the report, or (2) failed to recall accessing an intelligence report that the government now contends contained "national defense information," the disclosure of which compromised national security. The defense will also show that, despite their awareness of these discrepancies, government investigators failed to investigate these false statements or pursue leads that did not point towards Mr. Kim.

For those individuals who did answer "Yes" to Question 17, such information is relevant to Mr. Kim's defense for several reasons. First, if those individuals are called to testify at trial and deny accessing the intelligence report at issue, their answers to Question 17 are relevant for impeachment purposes. Such prior, inconsistent statements are exceptions to the hearsay rule. If these individuals are called to testify and cannot recall whether they had access to the intelligence report, their answers to Question 17 are relevant to refresh their recollection. At this point the government has not identified those witnesses it intends to call at trial. The defense therefore is required to notice these prior statements though the CIPA process. This information is also relevant to demonstrate that government investigators were aware that several government employees and contractors (aside from Mr. Kim) acknowledged accessing the intelligence information at issue on June 11, 2009, but failed to follow-up and properly investigate those individuals. This information will not be offered for the truth of the matter asserted (i.e., that the individual actually accessed the intelligence report), but rather for the simple fact that the

individual checked "Yes" when asked whether he or she accessed the intelligence information at issue. The information therefore is not hearsay.

Finally, the defense notes that the government's concerns with respect to Question 17 appear to focus on the use of the phrase [redacted] See Mot. at 53 & n.37. As noted above, that phrase was used (inaccurately) by government investigators early in the investigation to describe the intelligence report allegedly disclosed to Mr. Rosen (which turned out to be [redacted]). As explained above, Question 17 is relevant to Mr. Kim's defense for several reasons, but those reasons do not necessarily hinge on the use of the specific phrase [redacted] The government's concerns regarding the specific verbiage employed in Question 17 are therefore easily addressed under Section 6(c), which would permit the government to propose a substitution for any references to [redacted] The government's concerns, however, do not provide a basis for finding that Question 17 – which asked government employees whether they accessed the charged intelligence report – is irrelevant to Mr. Kim's defense.[7] If the presence of a classified phrase were sufficient to preclude disclosure of the substantive question-and-answer at trial, the government could simply

[7] In addition to its objections to the content of certain questions contained in the questionnaires, it is not clear to the defense whether the government intended to object to the disclosure of the classification markings that appear at the top of the investigative questionnaires themselves. See Mot. at 53 (vaguely objecting to disclosure of [redacted] without referencing specific documents or Bates pages). The defense agrees that classification markings should be removed from the investigative questionnaires at trial.

The government also specifically objects to the disclosure of the investigative questionnaire of NSA employee James [redacted]. See Mot. at 53. As the defense explains below with respect to Mr. [redacted] badge records, the defense has previously indicated that it will work with the government to resolve concerns about the use of the full names of NSA personnel at trial. See Subsection (b) below. The same is also true with respect to the two NSA employees who witnessed Mr. [redacted] sign his questionnaire. See Mot. at 53.

pepper its questionnaires with classified phrases and thereby preclude use of such questionnaires at trial.

b. Badge Records

The government objects to the disclosure of a single page of badge records noticed by the defendant related to NSA employee James [redacted]. See Mot. at 53. With the exception of Mr. [redacted] records, the government does not identify any other specific classified information contained in the badge records that it finds objectionable.[8] The only badge records presently before the Court are therefore those of Mr. [redacted].

As the government notes, the badge records for Mr. [redacted] contain his first and last name and (presumably) his social security number. See Mot. at 53; Tab B-2 (CLASS_1073). The defense does not seek to use Mr. [redacted] social security number at trial, and therefore will not oppose substitution or redaction of that information. Similarly, with respect to the full names of NSA personnel, the defense remains confident that the parties will agree on a solution as part of the CIPA Section 6(c) process.

The defense disagrees, however, with the government's assertion that Mr. [redacted] badge records should not be disclosed because they identify the "locations of his entry and exit from NSA facilities." Mot. at 53. The badge records at issue are extraordinarily generic - they do not refer to the NSA, and they describe entries and exits in the most vague of terms (e.g., [redacted] Entry"). See Mot., Tab B-2 (CLASS_1073). If the abbreviations contained in these

[8] As with the investigative questionnaires, the government's motion fails to indicate whether the government objects to the disclosure of classification markings at the top of the badge records themselves. See Mot. at 53. The defense questions whether badge records for [redacted] government employees constitute "classified information," particularly in light of the fact that even Mr. [redacted] badge records were originally portion-marked "Unclassified/For Official Use Only." See Mot., Tab B-2 (CLASS_1073). In any event, the defense agrees that classification markings should be removed from the badge records at trial.

records are objectionable for some reason, the government has failed to specifically identify and explain this issue, but remains free to propose substitutions during the CIPA Section 6(c) process. Mr. [redacted] accessed the intelligence report at issue prior to the "cut-off" time on June 11, 2009, and his whereabouts on that date are therefore relevant to the defense. The badge records are not hearsay, as they are official government records kept in the normal course of business. The government's unexplained concerns regarding descriptors or abbreviations contained in these documents are not a proper basis for finding Mr. [redacted] whereabouts on June 11, 2009, irrelevant or inadmissible. Rather, CIPA expressly permits the government to propose substitutions in such circumstances under Section 6(c).

c. Phone records

The government objects to the disclosure of a single page of phone records for [redacted] See Mot. at 53 & n.38. With the exception of [redacted] phone records, the government does not identify any other specific classified information contained in the phone records that it seeks to place at issue.[9] See Mot. at 53. The only phone records presently before the Court are therefore [redacted]

The government's objection to the disclosure of [redacted] phone records is meritless. The government states that "the Court has already ruled that the defense is not entitled to [redacted][10] Mot. at 54, but the phone records noticed by the defendant

[9] As with the investigative questionnaires and badge records, the government's motion fails to indicate whether the government objects to the disclosure of classification markings at the top of the phone records themselves. See Mot. at 53. With the exception of [redacted] every page of phone records noticed by the defendant was originally marked "UNCLASSIFIED." See Mot, Tab B-3. The defense therefore questions whether official work phone records of [redacted] government employees constitute "classified information" subject to CIPA. In any event, the defense agrees that classification markings should be removed from the phone records at trial.

[10] The defense does not agree with the government's characterization of the Court's prior ruling. The Court's Opinion on defendant's fourth motion to compel discovery was expressly limited to

do not contain [redacted] See Mot., Tab B-3 (CLASS_2920). The government also asserts that "there is nothing relevant about the phone records themselves." Mot. at 55. The government does not dispute, however, that [redacted] the intelligence report at issue on the morning of June 11, 2009, and [redacted] prior to the publication of the Rosen article.[11] Those [redacted] are relevant to the defense, as they identify other individuals [redacted] the intelligence information at issue on June 11, 2009. Indeed, as the Court is aware, a filter team is currently reviewing the phone records [redacted] to determine who [redacted] on June 11, 2009.[12]

2. List of SCI Compartments and Access Privileges for VCI Personnel

The government also objects to the disclosure of a document containing a list of classified (SCI) compartments and access privilege for employees in Mr. Kim's bureau at the Department of State. See Mot. at 56-57. Notably, the government does not challenge the relevance or admissibility of this document. Id. Rather, the government asserts that a stipulation entered by the parties during classified discovery "resolves the defendant's need for this document at trial." Id. at 57.

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the record before the Court at that time, see Opinion at 7, and the Court noted that it [redacted] (emphasis in original).

[11] The government's redaction of [redacted] will be addressed in defendant's next motion to compel discovery.

[12] In addition, [redacted] For example, a government witness may testify that he or she [redacted] In such circumstances, CIPA envisions the defendant putting the government on notice before trial that such [redacted] may be disclosed. Otherwise, the trial would have to be delayed or interrupted while the parties litigated the admissibility of [redacted] that contradicted the witness's testimony.

As the defense explained in its response to the government's motion, the proposed stipulation does not resolve defendant's need for this document. See Response at 40. The terms of the stipulation have not been finalized, so it is premature for the government to assert that it "resolves the defendant's need" for the document. Moreover, the stipulation relied upon by the government addressed separate discovery requests submitted after the government produced the list of SCI compartments. The stipulation was intended to authenticate the noticed document and to resolve those additional requests, but certainly was not designed to "resolve the defendant's need for" the list of SCI compartments at trial. The defense did not agree to rely on the stipulation in place of the noticed document, and the tentative stipulation itself contains no such language. See Dkt. 80, Ex. 10, at 14 (June 22, 2012 Discovery Letter); see also Dkt. 58, Ex. 24, at 4 (October 6, 2011 Discovery Letter).

In any event, the issues raised by the government's motion are not properly before the Court under CIPA Section 6(a). By proposing a stipulation in place of the noticed document, the government has conceded that the classified information contained therein is relevant and admissible for Section 6(a) purposes. Whether the proposed stipulation provides the defendant "with substantially the same ability to make his defense as would disclosure of the specific classified information" is properly addressed under Section 6(c). See 18 U.S.C App. 3 § 6(c).

3. Email Regarding the Charged Article Sent by [redacted] over an Unclassified System on June 16, 2009

The government objects to the disclosure of certain information contained in an email sent [redacted] over an unclassified system. See Mot. at 58-59. Specifically, the government objects to the disclosure of (1) [redacted] and (2) [redacted] Mot. at 59.

The version of the email noticed by the defendant does not contain [redacted] See Mot., Tab B-9. The government's objection as to [redacted] is therefore misplaced.

The version of the email noticed by the defendant does contain the [redacted] which is not at issue in this case. See Mot., Tab B-9. The defense agrees that the [redacted] is not relevant to Mr. Kim's defense. The defense notes, however, that the government's description of the [redacted] in its motion is not accurate. See Mot. at 59. The version of the article charged in the Indictment in this case is attached as Exhibit 1 (CLASS_25-26). [redacted] The same also applies to any other copies of the Rosen article contained in the "trial ready" or "treat as classified" sets.

4. **The FBI 302 and Agent's Notes from a September 20, 2010, Interview with Mi Young** [redacted]

The government objects to the disclosure of certain information contained in an FBI 302 and agent's notes from an interview with NSA employee Mi Young [redacted] See Mot. at 60-61. The government states that, "[i]f the defendant were to agree to refer to Ms. [redacted] and [NSA Special Agent Stormc] [redacted] at trial by their first name and last initial, as well as to forgo the disclosure at trial of Ms. [redacted] NSA telephone number, then the Court's ruling on any objection to the defendant's use of the FBI 302 and agent's notes of Ms. [redacted] September 8, 2010, interview can await trial." Id.

As the defense noted in its response to the government's motion, these types of substitutions are more properly addressed under Section 6(c), as the concerns raised by the

government do not relate to the relevance of the objectionable material to Mr. Kim's defense. However, as noted above, the defense does not foresee any issues with the government's proposal as to these two individuals. The defense is confident that the parties will reach an agreement on the treatment of the full names and identifying information of NSA personnel as part of the Section 6(c) process.

Respectfully submitted,

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