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13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

15 CAROLYN JEWEL, <i>et al.</i> , 16 17 <p style="text-align: center;">Plaintiffs,</p> 18 19 <p style="text-align: center;">v.</p> 20 NATIONAL SECURITY AGENCY, <i>et al.</i> , 21 22 <p style="text-align: center;">Defendants.</p>	Case No. C-08-4373-JSW Case No. C-13-3287-JSW GOVERNMENT DEFENDANTS’ IDENTIFICATION OF CLASSIFIED DECLARATIONS FILED ON THE PUBLIC RECORD IN REDACTED FORM AND THOSE UNDERGOING CLASSIFICATION REVIEW No Hearing Scheduled Judge Jeffrey S. White
21 FIRST UNITARIAN CHURCH OF LOS ANGELES, <i>et al.</i> , 22 23 <p style="text-align: center;">Plaintiffs,</p> 24 25 <p style="text-align: center;">v.</p> 26 NATIONAL SECURITY AGENCY, <i>et al.</i> , 27 28 <p style="text-align: center;">Defendants.</p>	

1 Pursuant to the Court's orders issued in the above-captioned matters at the end of the
 2 hearing on March 19, 2014, the Government Defendants hereby identify, by original docket
 3 number, (1) the classified declarations that the Government Defendants filed in redacted,
 4 unclassified form on December 20, 2013; (2) the classified declaration that the Government
 5 Defendants filed in redacted, unclassified form on March 17, 2014; and (3) the ten (10)
 6 additional classified declarations that the Government Defendants previously filed in *Jewel v.*
 7 *National Security Agency*, Civ. No. 08-4373-JSW, *Shubert v. Obama*, Civ. No. 07-0693-JSW,
 8 *First Unitarian Church of Los Angeles v. National Security Agency*, Civ. No. 13-3287-JSW, and
 9 *In re National Security Agency Telecommunications Records Litigation* (MDL), MDL No. 06-
 10 1791-VRW, which, also pursuant to the Court's instructions at the March 19 hearing, are
 11 undergoing classification review for filing (as appropriate) on the public record.¹

12
 13 Declarations Produced on December 20, 2013 (see *Jewel* ECF No. 172; *Shubert v. Obama* ECF.
 14 No. 110):

15 1. Classified Declaration of J. Michael McConnell, Director of National Intelligence,
 16 dated May 24, 2007. *In re National Security Agency Telecommunications Records Litigation*
 17 (MDL) ECF No. 297.

18 2. Classified Declaration of Lt. Gen. Keith B. Alexander, Director, National Security
 19 Agency, dated May 25, 2007. MDL ECF No. 298.

20 3. Classified Declaration of Dennis C. Blair, Director of National Intelligence, dated
 21 April 3, 2009. *Jewel* ECF No. 19.

22 4. Classified Declaration of Deborah A. Bonanni, National Security Agency, dated
 23 April 3, 2009. *Jewel* ECF No. 20.

24
 25 ¹ At the March 19, 2014, hearing the Court instructed the Government Defendants to
 26 complete their classification review of these declarations by April 21, 2014. By the parties'
 27 Stipulation and [Proposed] Order for an Extension of Time To Process for Public Filing Certain
 28 Classified Declarations and for an Extension of Time To File a Rule 11 Certification Regarding
 Preservation in First Unitarian (*Jewel*, ECF No. 207; *First Unitarian*, ECF No. 107), the
 Government Defendants have respectfully requested a two-week extension of this deadline to
 May 5, 2014.

1 5. Classified Declaration of Dennis C. Blair, Director of National Intelligence, dated
2 Oct. 30, 2009. *Shubert* ECF No. 39.

3 6. Classified Declaration of Lt. Gen. Keith B. Alexander, Director, National Security
4 Agency, dated Oct. 30, 2009. *Shubert* ECF No. 40.

5 7. Classified Declaration of James R. Clapper, Director of National Intelligence,
6 dated September 11, 2012. *Jewel* ECF No. 106; *Shubert* ECF No. 70.

7 8. Classified Declaration of Frances J. Fleisch, National Security Agency, dated
8 September 11, 2012. *Jewel* ECF No. 107; *Shubert* ECF No. 71.

9
10 Declaration Produced on March 17, 2014 (see *Jewel* ECF No. 193; *First Unitarian Church* ECF
11 No. 92):

12 1. Classified Declaration, dated Oct. 25, 2007. MDL ECF No. 387; *Hepting v.*
13 *AT&T* ECF No. 364.

14
15 Declarations Undergoing Classification Review To Be Completed by May 5, 2014:²

16 1. Classified Declaration of John D. Negroponte, Director of National Intelligence,
17 dated May 12, 2006. *Hepting* ECF No. 125.

18 2. Classified Declaration of Lt. Gen. Keith B. Alexander, Director, National Security
19 Agency, dated May 12, 2006. *Hepting* ECF No. 125.

20 3. Classified Declaration of William B. Black, Acting Director, National Security
21 Agency, dated June 16, 2006. *Hepting* ECF No. 246.

22 4. Classified Supplemental Declaration of John D. Negroponte, Director of National
23 Intelligence, dated June 16, 2006. *Hepting* ECF No. 246.

24 5. Classified Declaration of J. Michael McConnell, Director of National Intelligence,
25 dated April 20, 2007. MDL ECF No. 256.

26
27 ² This list comprises the ten declarations that are undergoing classification review to
28 determine whether, and to what degree, any of them can be filed publicly; the inclusion of a
declaration on this list does not reflect a determination by the Government that the declaration
can be filed on the public record, in whole or in part.

1 6. Classified Declaration of Lt. Gen. Keith B. Alexander, Director, National Security
2 Agency, dated April 20, 2007. MDL ECF No. 257.

3 7. Classified Declaration of the Attorney General of the United States, submitted
4 pursuant to Section 802 of FISA Amendments Act of 2008, dated September 19, 2008. MDL
5 ECF No. 470.

6 8. Classified Declaration of James R. Clapper, Director of National Intelligence,
7 dated Dec. 20, 2013. *Jewel* ECF No. 170; *Shubert* ECF No. 108.

8 9. Classified Declaration of Frances J. Fleisch, National Security Agency, dated
9 Dec. 20, 2013. *Jewel* ECF No. 171; *Shubert* ECF No. 109.

10 10. Classified Declaration of Teresa H. Shea, Director of the Signals Intelligence
11 Directorate, National Security Agency, dated March 17, 2014. *Jewel* ECF No. 194; *First*
12 *Unitarian Church* ECF No. 93.

13
14 Dated: April 21, 2014

15 Respectfully Submitted,
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Sued in their Official Capacities