

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

ELECTRONIC FRONTIER FOUNDATION,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 07-00403 (TFH)
v.	)	
	)	
U.S. DEPARTMENT OF JUSTICE,	)	
	)	
Defendant.	)	
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**REDACTED DECLARATION OF MATTHEW G. OLSEN**

I, Matthew G. Olsen, do hereby state and declare as follows:

1. (U) I am the Deputy Assistant Attorney General, National Security Division of the United States Department of Justice (“DOJ” or “Department”) and oversee the operations of the Office of Intelligence Policy and Review (“OIPR”). In this capacity, I manage all operations within OIPR, including Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, administration.
2. (U) I make the statements herein on the basis of personal knowledge, as well as on information acquired by me in the course of performing my official duties.
3. (U) I also herein rely upon my previous declaration in this matter, executed on May 11, 2007, and referred to as the First Olsen Declaration. That declaration described, to the greatest extent possible in an unclassified setting, the reasons for withholding documents responsive to the January 23, 2007, FOIA request made by the Electronic Frontier Foundation (“EFF”).
4. (U) Specifically, my previous declaration explained that two documents or categories of documents had been withheld in response to EFF’s request, First Olsen

Decl. ¶ 9; that the withheld documents consisted of orders signed by the Foreign Intelligence Surveillance Court (“FISC”) and procedures that regulate the acquisition, retention and dissemination of information about United States persons, including persons who are not the targets of collection pursuant to the Foreign Intelligence Surveillance Act of 1978, as amended (“FISA”), id. ¶ 11; and that the documents were properly withheld in their entirety under FOIA Exemptions 1, 3 and 7(A), which exempt from disclosure, respectively, records that are currently and properly classified, 5 U.S.C. § 552(b)(1); records that are protected from disclosure under some other statute, id. § 552(b)(3), and records that are compiled for law enforcement purposes where disclosure could reasonably be expected to interfere with law enforcement proceedings, id. § 552(b)(7)(A). See First Olsen Decl. ¶¶ 13-22 (discussing withholding under Exemption 1); id. ¶¶ 23-25 (discussing withholding under Exemption 3); id. ¶¶ 26-31 (discussing withholding under Exemption 7(A)).

5. (U) The purpose of this declaration is to provide the Court with additional information concerning the documents withheld in this case that could not be included in my unclassified First Declaration due to the public nature of that submission. The information contained in this declaration, which describes in detail the orders and procedures issued by the FISC on January 10, 2007, is highly classified and cannot be disclosed without causing exceptionally grave harm to national security. See First Olsen Decl. ¶ 18. This information is intended to supplement my First Declaration and to further demonstrate why the documents responsive to the FOIA request made by EFF were properly withheld in their entirety.

**CLASSIFICATION OF DECLARATION**

- 6. **REDACTED**
- 7. **REDACTED**
- 8. **REDACTED**
- 9. **REDACTED**

**THE JANUARY 10, 2007, FISC ORDERS**

- 10. **REDACTED**
- 11. **REDACTED**
- 12. **REDACTED**
- 13. **REDACTED**
- 14. **REDACTED**
- 15. **REDACTED**
- 16. **REDACTED**
- 17. **REDACTED**
- 18. **REDACTED**
- 19. **REDACTED**
- 20. **REDACTED**
- 21. **REDACTED**
- 22. **REDACTED**
- 23. **REDACTED**
- 24. **REDACTED**
- 25. **REDACTED**

26. (U) As indicated in my previous declaration, an original classification authority within OIPR has reviewed the responsive documents and has determined that they are currently and properly classified in their entirety. First Olsen Decl. ¶ 14. For all the reasons stated in herein, and in my previous declaration, accordingly, these documents were properly withheld under FOIA Exemptions 1, 3, and 7(A) in their entirety.

I declare under penalty of perjury that the foregoing is true and correct.



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MATTHEW G. OLSEN  
Deputy Assistant Attorney General  
National Security Division

Executed on this 25<sup>th</sup> day of June 2007.