

2. I submit this declaration in support of the Government's assertion of the state secrets privilege and motion to dismiss this action. I make this declaration based upon my personal knowledge and information provided to me in the course of my official duties.

3. A true and correct copy of the redacted complaint filed by plaintiffs in this matter is attached hereto as Exhibit A.

4. Prior to filing their complaint, plaintiffs' counsel submitted an unredacted version of the complaint to the CIA for classification review. The CIA subsequently provided plaintiffs' counsel with the version that ultimately was filed, see Exhibit A, from which all classified information has been redacted.

5. A true and correct copy of the unclassified declaration of Porter J. Goss, director of the CIA, entitled "Formal Claim of State Secrets Privilege by Porter J. Goss, Director[,] Central Intelligence Agency," is attached hereto as Exhibit B.

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

Dated: New York, New York
March 29, 2006

s/ Sarah S. Normand
SARAH S. NORMAND
Assistant United States Attorney