



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*86 Chambers Street  
New York, New York 10007*

September 26, 2016

**By Email and First Class Mail**

Ashley Gorski  
Alexander Abdo  
Patrick C. Toomey  
National Security Project  
American Civil Liberties Union  
125 Broad Street  
New York, NY 10004

Re: *ACLU v. National Security Agency, et al.*, 13 Civ. 9198 (AT) (MHD)

Dear Ms. Gorski and Messrs. Abdo and Toomey:

I write to provide a supplemental release of one 16-page document, an unclassified, redacted version of a document titled "Classified Annex to Department of Defense Procedures Under Executive Order 12333," dated May 27, 1988, which appears as an annex within NSA/CSS Policy 1-23. Defendants have re-processed this document in an attempt to maximize the disclosure of segregable, non-exempt portions of the document, and, further, to ensure consistency with prior releases of the same document. We believe this to be the document discussed at page 42 of plaintiffs' memorandum of law in support of their motion for summary judgment (ECF No. 70), and in the accompanying declaration of Jonathan Manes and, specifically, exhibit M thereto. The email transmitting this letter will include a PDF version of the document, and the mailed copy will include a paper copy.

Please let us know if you have any questions regarding this matter.

Sincerely,

PREET BHARARA  
United States Attorney

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Encl.