

IN THE UNITED STATES FOREIGN
INTELLIGENCE SURVEILLANCE COURT

U.S. DISTRICT COURT
DISTRICT OF COLUMBIA
2013 JUN -5 PM 2:56
CLERK OF COURT

IN RE MOTION FOR CONSENT TO DISCLOSURE)
OF COURT RECORDS OR, IN THE ALTERNATIVE,)
A DETERMINATION OF THE EFFECT OF THE) Docket No.: Misc. 13-01
COURT'S RULES ON STATUTORY ACCESS RIGHTS)
_____)

**RESPONSE OF THE ELECTRONIC FRONTIER FOUNDATION
TO THE COURT'S ORDER OF MAY 24, 2013**

Pursuant to the Court's Order of May 24, 2013, the Electronic Frontier Foundation ("EFF") respectfully submits the following information:

(1) Bar Membership Information:

Undersigned counsel for EFF are licensed attorneys and members, in good standing, of the bars of United States district and circuit courts. *See* FISC Rule 7(h)(1); FISC Rule 63.

David L. Sobel is a member, in good standing, of the District of Columbia Bar (Bar No. 360418), and is a member, in good standing, of the bars of the United States District Court for the District of Columbia, the United States Court of Appeals for the District of Columbia Circuit, and the United States Supreme Court.

Mark Rumold is a member, in good standing, of the State Bar of California (Bar No. 279060), and is a member, in good standing, of the bars of the United States District Court for the Northern District of California, the United States Court of Appeals for the Ninth Circuit, and the United States Court of Appeals for the District of Columbia.

(2) Security Clearance Information:

No member of EFF's staff, including counsel for EFF, possesses a security clearance issued by a federal agency. Because EFF's motion does not seek the release of legitimately classified information, and because the motion, itself, does not contain classified information,

EFF respectfully submits that counsel may participate in proceedings on the motion without access to classified information or security clearances. *See* FISC Rule 63 (requiring counsel only to have “appropriate security clearances”).

Finally, the Court’s Order directed the Department of Justice to respond to EFF’s motion by June 7, 2013. Should the Court deem it appropriate, EFF would welcome the opportunity to offer a response to the Department’s filings.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing motion have been served on the following counsel this 4th day of June, 2013, in the manner indicated:

By E-mail:

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A handwritten signature in black ink, appearing to read 'Mark Rumold', is written over a horizontal line.

Mark Rumold