

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	
)	No. 1:10cr485 (LMB)
JEFFREY ALEXANDER STERLING,)	
)	
Defendant.)	
)	

**GOVERNMENT’S NOTICE OF FILING OF CERTIFICATION PURSUANT
TO SECTION 6 OF THE CLASSIFIED INFORMATION PROCEDURES ACT**

The United States of America, by and through the undersigned, respectfully files the attached certification of the Assistant Attorney General of the National Security Division of the United States Department of Justice, pursuant to Sections 6(a) and (c) of the Classified Information Procedures Act, 18 U.S.C. App. 3, requesting that the Section 6 hearings, currently scheduled for August 30, 2011, September 20, 2011, and October 11, 2011, be held *in camera* and that the transcript of the *in camera* hearing be sealed.

The Assistant Attorney General has certified that a public hearing in this matter may result in the disclosure of classified information that is the subject of the Government’s Motion for *In Camera* Hearings and Motion for an Order Pursuant to Sections 6 and 8 of the Classified Information Procedures Act (Dkt. 150).

CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2011, I electronically filed a copy of the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing to the following:

Edward B. MacMahon
107 East Washington Street
Middleburg, VA 20118
(703) 589-1124

Barry J. Pollack
Miller & Chevalier
655 Fifteenth Street, NW
Suite 900
Washington, DC 20005-5701
(202) 626-5830
(202) 626-5801 (fax)

James P. Holt
223 North Jordan St
Apt. 402
Alexandria, VA 22304

/s/ William M. Welch II
Senior Litigation Counsel
United States Department of Justice

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UNITED STATES OF AMERICA,)	
)	Criminal No. 1:10CR485
v.)	
)	Hon. Leonie M. Brinkema
JEFFREY ALEXANDER STERLING,)	
)	
Defendant.)	
)	

AFFIDAVIT

DISTRICT OF COLUMBIA:

Lisa O. Monaco, being duly sworn, deposes and says:

1. I am the Assistant Attorney General in charge of the National Security Division of the United States Department of Justice.
2. The Attorney General, pursuant to Section 14 of the Classified Information Procedures Act, 18 U.S.C. App. III (hereinafter CIPA or "the Act"), has designated the Assistant Attorney General, National Security Division, to exercise or perform the functions and duties conferred upon the Attorney General and the Deputy Attorney General by the Act.
3. I submit this certification pursuant to Sections 6(a) and 6(c) of CIPA, which authorize me, as the Assistant Attorney General, to request that a hearing be held in camera and that the transcript of the in camera hearing be sealed.
4. The matters stated herein are based upon my knowledge, upon review and consideration of documents and information available to me in my official capacity as Assistant

Attorney General, and discussions that I have had with other officials of the Department of Justice.

5. The Government has requested a hearing in this case pursuant to CIPA Sections 6(a) and 6(c) so that the Court can conduct a hearing to make all determinations concerning the use, relevance, or admissibility of classified information that would otherwise be made during trial or a pretrial hearing.

6. CIPA Section 6 provides that this hearing shall be held in camera at the request of the Attorney General or his designee if the Attorney General or his designee certifies that a public proceeding may result in the disclosure of classified information.

7. As the Attorney General's designee, I certify that a public hearing on this matter may result in the disclosure of classified information which is the subject of the Government's motion.

8. Therefore, I respectfully request that this hearing be held in camera, pursuant to Sections 6(a) and 6(c) of CIPA and that the transcript of the in camera hearing be sealed.

Lisa O. Monaco

Lisa O. Monaco
Assistant Attorney General

Subscribed to and Sworn to before me this 29th day of August, 2011.

[Signature]
Notary Public in and for the District of Columbia

Commission Expires August 14, 2013

-2- Sworn to and subscribed before me, in my presence this 29th day of August 2011. A District of Columbia Notary Public. In and for the State at Large
[Signature] Notary Public
My commission expires August 14, 2013

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ORDER

Having considered the United States of America's Motion for *In Camera* Hearings, *see* Dkt. 150, and the Affidavit of Lisa O. Monaco, Assistant Attorney General, National Security Division, United States Department of Justice, certifying that a public hearing in this matter may result in the disclosure of classified information, *see* Dkt. 167, it is hereby

ORDERED that the Section 6 hearing and any other hearings on issues involving classified information in this matter shall be held *in camera* and under seal, and that the transcripts for these *in camera* hearings be sealed, pursuant to the Classified Information Procedures Act (CIPA), 18 U.S.C. App. 3, § 6.

Entered this _____ day of August, 2011.

Alexandria, Virginia