UNITED STATES OF AMERICA	)	
	)	
v.	)	**Prosecution Notification of Security Clearances for Defense Witnesses**
	)	
Manning, Bradley E.	)	
PFC, U.S. Army,	)	
HHC, U.S. Army Garrison,	)	**14 February 2013**
Joint Base Myer-Henderson Hall	)	
Fort Myer, Virginia 22211	)	

On 15 October 2012, the defense requested that the United States produce several individuals, to include Ambassador Peter Galbraith, Colonel Morris D. Davis, USAF Retired, and Professor Yochai Benkler, as witnesses in the above-captioned court-martial. *See* Appellate Exhibit (AE) 344. On 26 October 2012, the defense requested approval to share classified information with the above individuals. *See* AE 372. On 23 November 2012, the defense moved to compel production of the above individuals. *See* AE 408. The Court subsequently ordered the production of the three witnesses.

The current Scheduling Order requires the United States to provide notice as to whether defense witnesses would be given a security clearance necessary to view any classified information requested by the defense by 14 February 2013 and to complete any security clearance checks by 22 April 2013. *See* AE 466. Pursuant to this Scheduling Order, the United States provides the following notice:

a. (b) (6) [redacted] The United States Army approved (b) (6) [redacted] applying for a security clearance. Processing his security clearance is underway and, pending any unforeseen results from his background check, the United States expects this process to be completed by the Court suspense of 22 April 2013. The United States is also working with the government organization(s) with equities in the classified information to grant (b) (6) [redacted] access to view the classified information and expects this approval, assuming a clearance is granted, by the Court suspense of 22 April 2013.

b. (b) (6) [redacted], **USAF Retired**. The United States Army approved (b) (6) [redacted], USAF Retired, applying for a security clearance. Processing his security clearance is underway and, pending any unforeseen results from his background check, the United States expects this process to be completed by the Court suspense of 22 April 2013. The United States is also working with the government organization(s) with equities in the classified information to grant Col Davis, USAF Retired, access to view the classified information and expects this approval, assuming a clearance is granted, by the Court suspense of 22 April 2013.

c. (b) (6) [redacted]. The United States Army disapproved (b) (6) [redacted] as he is not eligible for a security clearance. However, the United States is working with the government organization(s) with equities in the classified information to grant (b) (6) [redacted] limited

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access to view the classified information for the purposes of this court-martial, and expects this approval by the Court suspense of 22 April 2013.

ASHDEN FEIN
MAJ, JA
Trial Counsel

I certify that I served or caused to be served a true copy of the above on Mr. David Coombs, Civilian Defense Counsel via electronic mail, on 14 February 2013.

ASHDEN FEIN
MAJ, JA
Trial Counsel