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14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN FRANCISCO DIVISION**

17 FIRST UNITARIAN CHURCH OF LOS
 18 ANGELES, *et al.*,
 19 Plaintiffs,
 20 v.
 21 NATIONAL SECURITY AGENCY, *et al.*,
 22 Defendants.

Case No: 3:13-cv-03287 JSW

**DECLARATION OF DEBORAH LIU
 FOR PEOPLE FOR THE AMERICAN
 WAY IN SUPPORT OF PLAINTIFFS'
 MOTION FOR PARTIAL SUMMARY
 JUDGMENT**

Date: February 7, 2014
 Time: 9:00 A.M.
 Hon. Jeffrey S. White
 Courtroom 11 - 19th Floor

1 I, DEBORAH LUI, hereby declare:

2 1. I am the General Counsel and Corporate Secretary of People For the American Way.

3 The facts contained in the following affidavit are known to me of my own personal knowledge and if
4 called upon to testify, I could and would competently do so.

5 2. Our organization has over 595,000 members and communicates regularly with those
6 members, supporters, and the general public about important issues that impact fundamental civil
7 and constitutional rights and freedoms, including issues concerning civil liberties, government
8 secrecy, improper government censorship, and First Amendment freedoms.

9 3. The collection of our phone records by the government has resulted in (1) harassment,
10 membership withdrawal, and/or discouragement of new members, and (2) other consequences which
11 objectively suggest an impact on, or ‘chilling’ of, the members’ associational rights.

12 4. The Associational Tracking Program is harmful to our organizations’ work because of
13 its negative impact on the free communication from our members and members of the general public
14 who contact us daily on matters of import, including complaints or expressions of dissatisfaction
15 with the government, legislative bodies, and elected officials.

16 5. Some of our members have expressed concern about the confidentiality of the fact of
17 their communications and have stated to use that knowledge of the Associational Tracking Program
18 is a deterrent to calling our organization to express a concern, complaint or to provide information
19 relevant to our work.

20 6. Since the disclosure of the Associational Tracking Program, we have lost the ability
21 to assure our members and constituents, as well as all others who seek to communicate with us, that
22 the fact of their communications to and with us will be kept confidential.

23 7. In addition, the ongoing failure of the government to provide information to the
24 public about its mass surveillance activities has left us unable to reassure our members and
25 associates that additional forms of surveillance, are not also occurring, leaving us with a difficult
26 task in finding alternative forms of confidential communication.

27 8. Our current telephone provider is Megapath. From 2008-2011 our provider was
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1 Verizon Business.

2 I declare under penalty of perjury under the laws of the United States of America that the
3 foregoing is true and correct. Executed on October __, 2013 at Washington DC.

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DEBORAH LIU

1 Verizon Business. -

2 I declare under penalty of perjury under the laws of the United States of America that the
3 foregoing is true and correct. Executed on October 30, 2013 at Washington DC.

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7 DEBORAH LIU

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