

Amendment to RULING ON NATIONAL SECURITY CONFIDENTIALITY

Paragraph 14 of my Ruling of December 3, 2004 was based on information provided to me. As it turns out that information, through a misunderstanding, was not precisely accurate. An accurate statement of what occurred is set out below. This change has no effect on the conclusions that I reached in my Ruling. My Ruling should therefore be amended to substitute the following paragraph for paragraph 14.

14. Following the hearing, Mr. Atkey appointed Mr. Gordon Cameron to assist him in his role as amicus curiae. Mr. Cameron has extensive experience with matters of national security. He has been an outside counsel for SIRC for the past ten years. At my request, Mr. Cameron reviewed the material leading to the preparation of the summary, something that Mr. Atkey had done earlier. Mr. Cameron also reviewed the evidence upon which the government relied for its NSC claims, as well as the oral and written submissions of the government made at the October 29th hearing. Having done so, Mr. Cameron consulted with Mr. Atkey and confirmed that Mr. Atkey remained of the view that the draft summary in Appendix C could be disclosed to the public, a view that Mr. Cameron shared. Mr. Cameron communicated this position to Commission Counsel, who advised me of it.