

# **Exhibit 3**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

AMERICAN OVERSIGHT,

*Plaintiff*

v.

PETE HEGSETH, in his official capacity as  
Secretary of Defense, *et al.*,

*Defendants.*

Case No. 1:25-cv-883

**DECLARATION OF DAVID P. BENNETT**

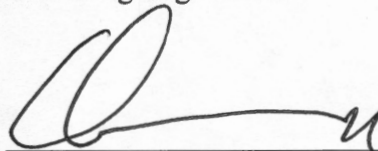
I, David P. Bennett, declare as follows:

1. I am the Director of the Office of Information Counsel (OIC), Office of General Counsel (OGC), United States Department of Defense (“DoD”). OIC is the DoD OGC section dedicated to the practice of information law. Among other areas, the OIC staff provides DoD-wide legal advice and assistance on a variety of information law areas, including the Freedom of Information Act; privacy; civil liberties; records management; public affairs; collections of information; and litigation support, inquiries, and investigations. This practice area generally encompasses legal support concerning the creation, collection, use, maintenance, retention, safeguarding, disclosure of data and records. I make this declaration in opposition to plaintiff’s motion for a preliminary injunction. The statements in this declaration are based on information and belief obtained by me in the course of my official duties.
2. The Department of Defense received an email from the White House Counsel’s Office on May 7, 2025, containing a consolidated version of the Signal group chat referenced in the

March 24 and 26, 2025, articles in The Atlantic, which was created for federal records purposes. The document was created based on publicly available information and information saved from participants' phones. The document includes content that has not been published by The Atlantic. This document is now saved in FRA-compliant systems within the Office of the Secretary of Defense.

I declare under penalty of perjury that the foregoing is true.

May 7, 2025

A handwritten signature in black ink, appearing to read 'David P. Bennett', written over a horizontal line.

David P. Bennett  
Director, Office of Information Counsel  
Office of General Counsel  
Department of Defense