

Central Intelligence Agency



Washington, D.C. 20505

16 December 2022

American Oversight
1030 15th Street NW, B255
Washington, DC 20005

Reference: *American Oversight v. CIA and NSA*, U.S. District Court for the District of Columbia, Civil Action No: 20-cv-1008; CIA no. F-2020-01032

American Oversight:

This is an interim response to the 28 February 2020 Freedom of Information Act (FOIA) request and subsequent litigation for the following:

- 1. All records (including email communications, handwritten notes, memoranda, and other document types) reflecting any directive, order, or guidance from the White House to the CIA directing the agency not to produce or share documents, intercepts, intelligence, analytic assessments, or any other materials- or directing that such production or sharing be limited- with the house of Representative Permanent Select Committee on Intelligence (HPSCI) or other congressional committees.**

To be clear, American Oversight requests records reflecting such directives, orders, or guidance, so emails, handwritten notes, memoranda, or other documents reflecting directives received from the White House are responsive to this request.

- 2. Any CIA directive, order, guidance, or decision memoranda determining or directing that CIA personnel not produce or share documents, intercepts, intelligence, analytic assessments, or any other materials-or determining or directing that such production or sharing be limited-with HPSCI or other congressional committees.**

We are processing these requests in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 3141, as amended.

We have identified four (4) documents that may be released in segregable form with redactions made on the basis of FOIA exemptions (b)(1), (b)(3), (b)(5), and (b)(6). Exemption

(b)(3) pertains to Section 6 of the Central Intelligence Agency Act of 1949, 50 U.S.C. § 3507, noted as exemption “(b)(3)CIAAct,” and/or Section 102A (i)(1) of the National Security Act of 1947, 50 U.S.C § 3024(i)(1), noted as exemption “(b)(3)NatSecAct.” Additionally, DHS, DIA, DOJ, FBI, NGA, NSA, ODNI, State, and Treasury have asked that we protect certain information under their authority pursuant to 5 U.S.C. § 552(b)(3), 5 U.S.C. § 552(b)(5), 5 U.S.C. § 552(b)(6), 5 U.S.C. § 552(b)(7)(c), or 5 U.S.C. § 552(b)(7)(e).

We will provide a further response to you on a later date. If you have any questions, your counsel may contact Department of Justice Senior Counsel Stephen Elliott at (202) 598-3810 or stephen.m.elliott@usdoj.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony Capito".

Anthony Capito
Information and Privacy Coordinator

From: Nakasone Paul M GEN NSA-D USA USA
To: Joseph Maguire-DNI-; Gina C. Haspel
Cc: Andrew P. Hallman-DNI-; Barnes George C NSA-D USA CIV; Vaughn F. Bishop
Subject: [redacted]
Date: Tuesday, January 21, 2020 11:59:48 AM

(b)(1)
(b)(3) NatSecAct

Classification: ~~CONFIDENTIAL//NOFORN~~

ACK, Joe. paul

(b)(3) NatSecAct
(b)(6)

From: Joseph Maguire-DNI-[redacted]
Sent: Tuesday, January 21, 2020 11:39 AM
To: Nakasone Paul M GEN NSA-D USA USA [redacted]; Gina C. Haspel

(b)(3) 50 USC 3605

Cc: Andrew P. Hallman-DNI-[redacted]; Barnes George C NSA-D USA CIV
3605 [redacted]; Vaughn F. Bishop [redacted]
Subject: [redacted]

(b)(3) CIAAct

(b)(3) NatSecAct
(b)(6)

(b)(3) 50 USC 3605

(b)(3) CIAAct

Classification: ~~CONFIDENTIAL//NOFORN~~

(b)(1)
(b)(3) NatSecAct

Classified By: Joseph Maguire Acting DNI
Derived From: [redacted]
Declassify On: 20451231

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct

Gina and Paul, I just concluded a phone call with John Eisenberg and Michael Ellis in which we discussed the reports

that [redacted] requested. ([redacted] (b)(1)
[redacted] (b)(3) NatSecAct

[redacted]) I said that to our knowledge, none of these reports are [redacted] and [redacted] (b)(1)

would like to share them with Congress. I told John and [redacted] (b)(3) NatSecAct

Michael that these reports are normal / routine reports that [redacted] (b)(1)
we would share [redacted] and that this is not an [redacted] (b)(3) NatSecAct

issue worth fighting over [redacted]

John requested in light of the ongoing trial that we NOT [redacted] (b)(1)
forward the reports today. John asked that we stay in close [redacted] (b)(3) NatSecAct

touch this week and he will connect with Pat Cippilone sometime that week to make sure that he is fully aware and

has no objection to the IC providing these reports. (I am not optimistic)

Wish I had better news. I know we would all like to move past this issue and get it out of the news cycle. I have calls scheduled with you within the hour and look forward to discussing this with you.

All the best, joe

=====
Classification: ~~CONFIDENTIAL//NOFORN~~

(b)(3) 50 USC 3605

Classified By:
Derived From:
(b)(1)
(b)(3) NatSecAct Dated:
Declassify On: 20450101

Classification: ~~CONFIDENTIAL//NOFORN~~

(b)(3) NatSecAct
(b)(6)

From: Bradley A. Brooker-DNI- (b)(3) CIAAct
To: Courtney Elwood; (b)(6)
Cc: [redacted]
Subject: RE: (U) RE: Draft Letter to SSCI
Date: Tuesday, March 3, 2020 1:56:32 PM (b)(3) NatSecAct
Attachments: image001.gif (b)(1)

Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~

Classified By: [redacted] (b)(1) (b)(1)
Derived From: [redacted] (b)(3) NatSecAct (b)(3) NatSecAct
Declassify On: 25X1, 20701231 (b)(6) (b)(6)

(b)(1)
===== (b)(3) NatSecAct

I really wish I had good answers. [redacted]
[redacted] I really don't know what the point was [redacted]

(b)(3) NatSecAct (b)(3) CIAAct (b)(3) NatSecAct
(b)(6) (b)(6)

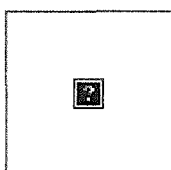
From: Courtney Elwood [redacted]
Sent: Tuesday, March 03, 2020 12:00 PM
To: Bradley A. Brooker-DNI- [redacted]
Cc: [redacted]
Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct (b)(1)

(b)(3) NatSecAct (b)(1)
(b)(6) Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~ (b)(3) CIAAct
Classified By: [redacted] (b)(1)
Derived From: [redacted] (b)(3) NatSecAct (b)(3) NatSecAct
Declassify On: 25X1, 20701231 (b)(6)

(b)(1)
(b)(3) NatSecAct
Brad - I find this whole process incredibly confusing. Preliminary question: I thought [redacted] said [redacted] this was just a hallway chat, so I might have that wrong. That leads to another preliminary question: [redacted]

Adding [redacted] so that they can keep up here.
(b)(3) CIAAct
(b)(6)

Courtney Simmons Elwood (b)(1)
General Counsel (b)(3) NatSecAct
Central Intelligence Agency (b)(5)
[redacted] (b)(3) CIAAct



In addition to the protections afforded by classification and dissemination control markings, all content within this email, including attachments and email threads, shall be protected from disclosure to the fullest extent allowed by law, including any statutory protections and common-law privileges, including but not limited to protections afforded attorney-client communications, attorney work product, and deliberations and communications within the Executive Branch.

(b)(3) NatSecAct
From: Bradley A. Brooker-DNI-[redacted] (b)(6)
Sent: Tuesday, March 03, 2020 9:08 AM
To: Courtney Elwood [redacted]

Cc: [redacted] (b)(3) NatSecAct (b)(3) CIAAct
(b)(6) (b)(6)
Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct

Classification: ~~TOP SECRET~~ [redacted] (b)(1) ~~NOFORN~~

Classified By: [redacted] (b)(1)
Derived From: [redacted] (b)(3) NatSecAct (b)(1)
Declassify On: 25X1, 207012 (b)(6) (b)(3) NatSecAct
===== (b)(6)

Courtney, [redacted] (b)(6)
(b)(3) CIAAct

Sue Bai called last night asking [redacted] Would
someone from CIA mind reaching out to her [redacted] (b)(1)
[redacted] I don't feel like I need to be in the middle. (b)(3) NatSecAct

Thanks, (b)(1)
Brad (b)(3) NatSecAct

(b)(3) NatSecAct
(b)(6) From: Courtney Elwood [redacted] (b)(3) CIAAct

Sent: Tuesday, February 25, 2020 4:11 PM (b)(3) 50 USC 3605
To: [redacted] Anthony Teisha M NSA-D2 USA CIV

(b)(3) 50 USC 3605 [redacted] (b)(3) NatSecAct (b)(3) CIAAct
Cc: Bradley A. Brooker-DNI- [redacted] (b)(6) (b)(6)

Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct
(b)(1)

Classification: ~~TOP SECRET~~ [redacted] (b)(3) CIAAct ~~NOFORN~~

Classified By: [redacted] (b)(3) CIAAct
Derived From: [redacted] (b)(1)
Declassify On: 25X1, 20701231 (b)(3) NatSecAct
=====

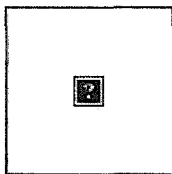
(b)(3) NatSecAct
(b)(6) Thanks, [redacted] Who in the Counsel's Office? (It's a personal pet peeve when people say "OGC said XYZ." I always want to know the particular person. SO please don't read my question for more than it is.)

Courtney Simmons Elwood

General Counsel
Central Intelligence Agency

[Redacted]

(b)(3) CIAAct



In addition to the protections afforded by classification and dissemination control markings, all content within this email, including attachments and email threads, shall be protected from disclosure to the fullest extent allowed by law, including any statutory protections and common-law privileges, including but not limited to protections afforded attorney-client communications, attorney work product, and deliberations and communications within the Executive Branch.

(b)(3) NatSecAct
(b)(6)

(b)(3) CIAAct
(b)(6)

From: [Redacted]

Sent: Tuesday, February 25, 2020 4:08 PM

(b)(3) 50 USC 3605

To: Anthony Teisha M NSA-D2 USA CIV [Redacted]

Cc: Bradley A. Brooker-DNI- [Redacted]

Courtney Elwood [Redacted]

(b)(3) NatSecAct
(b)(6)

Subject: RE: (U) RE: Draft Letter to SSCI [Redacted]

Classification: ~~TOP SECRET~~ [Redacted] ~~NOFORN~~

(b)(3) NatSecAct
(b)(1)

Classified By: [Redacted]

(b)(1)

Derived From: [Redacted]

(b)(3) NatSecAct

Declassify On: 25X1, 20701231

(b)(6)

Further to the below, the White House Counsel's Office (WHCO) has requested that, insofar as agencies have identified documents that are potentially responsive to the SSCI letter requests, agencies begin making those documents available to ODNI. The WHCO is making this request as an interim step in order to begin the process of evaluating potentially responsive material. No materials will be provided to the Committee absent further coordination. The WHCO has indicated that they would like agencies to begin making potentially responsive materials available to ODNI tomorrow (Feb. 26), preferably by transmitting those materials to ODNI/OGC. We recognizes agencies may have concerns with the timing or other aspects of this approach. In the event agencies require additional time, or cannot transmit materials to ODNI/OGC, please let us know when and how you may be able to respond to WHCO's request. We are also available to discuss as may be helpful.

Regards,

(b)(3) NatSecAct
(b)(6)

[Redacted]

Deputy General Counsel

Office of the Director of National Intelligence Office of General Counsel

[Redacted] (u)

(b)(3) NatSecAct
(b)(6)

(c)

(b)(3) NatSecAct
(b)(6)

(b)(3) CIAAct
(b)(6)

From: [redacted]

Sent: Tuesday, February 25, 2020 2:01 PM

To: 'Anthony Teisha M NSA-D2 USA CIV' [redacted]

(b)(3) 50 USC 3605

Cc: Bradley A. Brooker-DNI- [redacted] Courtney Elwood [redacted]

Subject: RE: (U) RE: Draft Letter to SSCI [redacted]

(b)(3) NatSecAct
(b)(6)

(b)(3) NatSecAct

(b)(6) Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~

(b)(3) NatSecAct
(b)(1)

Classified By: [redacted] (b)(1)

Derived From: [redacted] (b)(3) NatSecAct

Declassify On: 25X1, 20701231

=====

(b)(3) NatSecAct

(b)(3) NatSecAct

(b)(5) Thanks Teisha. My understanding is that [redacted] expire on Feb. 29th. At present, I
(b)(1) am not aware of any effort to extend them. I expect that [redacted]

[redacted] but it may be worth discussing when we have another call.

[redacted] (b)(3) NatSecAct
(b)(6)

Deputy General Counsel

Office of the Director of National Intelligence Office of General Counsel

[redacted] (u)

(c)

(b)(3) NatSecAct
(b)(6)

(b)(3) 50 USC 3605

From: Anthony Teisha M NSA-D2 USA CIV [redacted]

(b)(3) CIAAct
(b)(6)

Sent: Monday, February 24, 2020 11:19 AM

(b)(3) NatSecAct [redacted]

(b)(6)

Cc: Bradley A. Brooker-DNI- [redacted] Courtney Elwood [redacted]

[redacted]; Anthony Teisha M NSA-D2 USA CIV [redacted]

(b)(3) 50 USC 3605

Subject: RE: (U) RE: Draft Letter to SSCI [redacted]

(b)(3) NatSecAct
(b)(1)

(b)(3) 50 USC 3605

Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~

(b)(1)
(b)(3) NatSecAct

[redacted] (b)(3) NatSecAct
(b)(6)

(b)(5)
(b)(3) 50 USC 3605

Thanks for the updated draft. Quick question—my understanding is that [redacted]

[redacted] I understand that

[redacted] expires at the end of this week. Are we extending

(b)(3) NatSecAct
(b)(1)

those as well?

(b)(3) 50 USC 3605

Teisha

Teisha M. Anthony
Acting General Counsel
Office of General Counsel

[Redacted]

(b)(3) 50 USC 3605

(b)(3) CIAAct
(b)(6)

(b)(3) NatSecAct
(b)(6)

From: [Redacted]

Sent: Monday, February 24, 2020 10:57 AM

(b)(3) NatSecAct
(b)(6)

To: [Redacted]

Cc: Bradley A. Brooker-DNI-[Redacted] Courtney Elwood [Redacted]
Anthony Teisha M NSA-D2 USA CIV [Redacted]; [Redacted]

(b)(3) CIAAct
(b)(6)

Subject: RE: (U) RE: Draft Letter to SSCI [Redacted]

(b)(3) 50 USC 3605

(b)(3) NatSecAct

Classification: ~~TOP SECRET~~ [Redacted] ~~NOFORN~~ (b)(1)
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

[Redacted]

(b)(3) NatSecAct
(b)(6)

Thank you for the comments and feedback. Please find an updated draft attached with two embedded comments/questions.

[Redacted]

(b)(3) NatSecAct
(b)(6)

Deputy General Counsel
Office of the Director of National Intelligence Office of General Counsel

[Redacted] (u)
[Redacted] (c)

(b)(3) NatSecAct (b)(3) CIAAct
(b)(6) (b)(6)

From: [Redacted]

(b)(3) NatSecAct
(b)(6)

(b)(3) 50 USC 3605

Sent: Friday, February 21, 2020 5:06 PM

To: [Redacted]

Cc: Bradley A. Brooker-DNI-[Redacted] Courtney Elwood [Redacted] Anthony Teisha M NSA-D2 USA

Subject: RE: (U) RE: Draft Letter to SSCI [Redacted]

(b)(3) CIAAct
(b)(6)

Classification: ~~TOP SECRET~~ [Redacted] ~~NOFORN~~
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

(b)(3) NatSecAct
(b)(1)

(b)(3) 50 USC 3605



[Redacted]

(b)(3) CIAAct
(b)(3) NatSecAct

(b)(3) NatSecAct

(b)(6) [Redacted] - In the attached re-save of NSA's proposed revision, we propose two edits in addition to those NSA has proposed.

Please let us know if you have questions and if anything further would be helpful. Thanks. [Redacted]

(b)(3) NatSecAct (b)(6) From: [Redacted] (b)(3) 50 USC 3605 (b)(3) CIAAct (b)(6)

Sent: Friday, February 21, 2020 2:31 PM

To: [Redacted]; Courtney Elwood [Redacted]; Anthony Teisha M NSA-D2 USA CIV [Redacted] (b)(3) NatSecAct

(b)(3) CIAAct (b)(6) Cc: Bradley A. Brooker-DNI- [Redacted] (b)(6) (b)(3) 50 USC 3605

Subject: (U) RE: Draft Letter to SSCI [Redacted] (b)(3) NatSecAct (b)(1) (b)(3) NatSecAct (b)(1) (b)(3) 50 USC 3605

Classification: TOP SECRET [Redacted] NOFORN (b)(3) 50 USC 3605

(b)(3) NatSecAct (b)(6) [Redacted] - attached please find NSA's edits, comments, and concerns. As you know, the factua (b)(3) NatSecAct (b)(5)

with regards [Redacted] is complicated. If it makes th [Redacted] more straightforward, [Redacted]

(b)(1) (b)(3) NatSecAct Additionally, as we discussed earlier today, a reminder that the current [Redacted] [Redacted] expire at the end of this month. [Redacted]

v/r [Redacted] (b)(1) (b)(3) NatSecAct (b)(5) (b)(3) 50 USC 3605 (b)(3) 50 USC 3605

[Redacted]
Associate General Counsel, Legislation
NSA Office of General Counsel

[Redacted]

(b)(3) CIAAct (b)(6) From: [Redacted] (b)(3) NatSecAct (b)(6) (b)(3) CIAAct

Sent: Friday, February 21, 2020 10:58 AM

To: [Redacted]; Courtney Elwood [Redacted] Anthony Teisha M NSA-D2 USA CIV [Redacted]

(b)(3) 50 USC 3605

(b)(3) 50 USC 3605 [redacted] (b)(3) CIAAct
 [redacted] (b)(6)
Cc: Bradley A. Brooker-DNI-[redacted] (b)(3) NatSecAct
Subject: RE: Draft Letter to SSCI [redacted] (b)(6)
 [redacted] (b)(3) NatSecAct
 Classification: ~~TOP SECRET~~ [redacted] (b)(1) NOFORN
 DELIBERATIVE PROCESS PRIVILEGED DOCUMENT
 Classified By: [redacted] (b)(3) NatSecAct
 Derived From: [redacted] (b)(1) (b)(6)
 Declassify On: 25X1, 20701231 (b)(3) NatSecAct
 =====

Following up on the below, ODNI would appreciate receiving any comments CIA and NSA have on the draft letter response by COB Monday, Feb. 24. We are also available to discuss as may be helpful.

[redacted] (b)(3) NatSecAct
 [redacted] (b)(6)
 Deputy General Counsel
 Office of the Director of National Intelligence Office of General Counsel

[redacted] (u)
 [redacted] (c)
 [redacted] (b)(3) NatSecAct
 [redacted] (b)(6) (b)(3) CIAAct
 [redacted] (b)(6)

From: [redacted] (b)(3) CIAAct
Sent: Wednesday, February 19, 2020 12:32 PM
To: [redacted]; Courtney Elwood [redacted] Anthony
 Teisha M NSA-D2 USA CIV [redacted] (b)(3) 50 USC 3605
 (b)(3) 50 USC 3605 [redacted] (b)(3) NatSecAct
Cc: Bradley A. Brooker-DNI-[redacted] (b)(6)
Subject: Draft Letter to SSCI [redacted] (b)(3) NatSecAct
 [redacted] (b)(1)
 Classification: ~~TOP SECRET~~ [redacted] NOFORN
 DELIBERATIVE PROCESS PRIVILEGED DOCUMENT
 Classified By: [redacted] (b)(1)
 Derived From: [redacted] (b)(3) NatSecAct
 Declassify On: 25X1, 20701231 (b)(6)
 =====

(U//FOUO) Following up on the call earlier today, please find attached an initial draft of a letter to SSCI that is intended to capture the approach discussed on the call. We would like to get your input before circulating more broadly and we would be happy to discuss as may be helpful.

(U//FOUO) For reference we've also included the two letters the DNI received from the committee.
 [redacted] (b)(3) NatSecAct
 [redacted] (b)(6)
 Deputy General Counsel

Office of the Director of National Intelligence Office of General Counsel

(u)
(c)

(b)(3) NatSecAct
(b)(6)

=====
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~ (b)(3) NatSecAct
(b)(1)
=====
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~

(b)(3) 50 USC 3605

Classified By: [redacted]

(b)(1) Derived From: [redacted]
(b)(3) NatSecAct Dated: [redacted]

Declassify On: 20450201

=====
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~

=====
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~ (b)(3) NatSecAct
(b)(1)
=====
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~

(b)(3) 50 USC 3605

Classified By: [redacted]

(b)(1) Derived From: [redacted]
(b)(3) NatSecAct Dated: [redacted]

Declassify On: 20450201

=====
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~

=====
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~
=====
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~ (b)(3) NatSecAct
(b)(1)
=====
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~
=====
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~
=====
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~
=====
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~

(b)(6)
(b)(7)(c)

(b)(3) 50 USC 3605

(b)(3) 10 USC 424
(b)(6)

From:
To:

[Redacted]
Soule Trumbull D NSA-P3 USA CIV: [Redacted]
[Redacted] FBI USA GOV; [Redacted] FBI USA GOV; Johnson Joanne DOJ USA GOV;
[Redacted] FBI USA GOV; [Redacted] STATE
[Redacted] USA GOV; [Redacted] DHS USA GOV; [Redacted] TREAS USA GOV; [Redacted]
[Redacted] STATE USA GOV

(b)(3) 50 USC 3605
(b)(6)

(b)(3)
CIAAct
(b)(b)(6)

Cc:

Ryan P. Crumpler-DNI- [Redacted] Bradley A. Brooker-DNI- [Redacted]

(b)(6)

Bcc:

[Redacted] (b)(6)

Subject:

RE: ACTION: SSCI [Redacted] Docs Request

Date:

Tuesday, January 21, 2020 4:03:45 PM

Attachments:

Maguire_SSCI_17JAN20.PDF

Importance:

High

(b)(1)

(b)(3) NatSecAct

(b)(3)
NatSecAct
(b)(6)

Classification: ~~TOP SECRET~~ / [Redacted] / ~~NOFORN~~

(b)(1)

(b)(3) NatSecAct

Classified By: [Redacted] (b)(3) NatSecAct

Derived From: ODNI CG

Declassify On: 20451231 (b)(6)

Good afternoon, IC Legislative Affairs Colleagues –

(b)(1)

(b)(3) NatSecAct

ODNI received the attached correspondence [Redacted] from SSCI this past Friday, which repeats the earlier request from October 15th, but also requests intelligence reporting [Redacted]

(b)(1)
(b)(3)
NatSecAct

Should you have responsive reporting on this updated request, please loop back with us as soon as possible. As with the prior request, our OGC will further coordinate with WHCO from this end before responses are sent forward to the Hill.

Thanks, as always.

Respectfully,

[Redacted Signature]

(b)(3) NatSecAct
(b)(6)

Division Chief, Intelligence & Analysis
ODNI Legislative Affairs

[Redacted Signature]

(b)(3) NatSecAct
(b)(6)

From:

[Redacted]

(b)(3) NatSecAct

(b)(3) 50 USC 3605

Sent: Tuesday, November 26, 2019 10:26 AM

(b)(6)

To: Soule Trumbull D NSA-P3 USA CIV [Redacted]

[Redacted]

(b)(3) 10 USC 424
(b)(6)

(b)(3) 10 USC 424

(b)(6)

(b)(6)
(b)(7)(c)
(b)(7)(e)

[Redacted] FBI USA GOV [Redacted]

FBI USA GOV

Johnson Joanne DOJ USA GOV

(b)(3) 50 USC

3605 (b)(3) CIAAct

FBI USA GOV

(b)(6)
(b)(3) 50 USC

(b)(3) 50 USC 3605

3605

STATE USA GOV

(b)(6)

(b)(6)

DHS USA GOV

TREAS

USA GOV

Cc: Ryan P. Crumpler-DNI-

Bradley

A. Brooker-DNI-

(b)(3) NatSecAct

(b)(1)

Subject: RE: ACTION: SSCI [Redacted] Docs Request - Suspense to ODNI by Nov 27th

(b)(6)

(b)(3) NatSecAct Importance: High

Classification: ~~TOP SECRET~~ [Redacted]

~~NOFORN~~ (b)(1)

(b)(3) NatSecAct

Classified By: [Redacted]

(b)(3) NatSecAct

Derived From: ODNI CG

Declassify On: 20441231 (b)(6)

Good morning, IC Leg Colleagues –

Hope everyone has a nice Thanksgiving later this week (and safe travels for those hitting the road).

With respect to the requested suspense for tomorrow on the attached SSCI letter, we understand (consistent with our IC leg dir meeting earlier this month) that some IC elements may need more time to pull together relevant material. Please let us know where things stand on your timelines and expected document production by early next week, if possible.

Also wanted to point out that our OGC has been coordinating with the White House Counsel's office, and while agencies should still work to marshal documents in response to this tasking, we wanted to stress that information should not be directly provided to SSCI and HPSCI (and we won't be doing so from this end either) until we are able to finalize a coordinated Administration position on the way forward.

Thanks, as always, for your attention to this request.

Best regards,

(b)(3) NatSecAct

(b)(6)

[Redacted Signature]

Division Chief, Intelligence & Analysis

ODNI Legislative Affairs

Chair, ODNI Management Advisory Group

[Redacted]

(b)(3) NatSecAct

(b)(6)

(b)(3) NatSecAct

(b)(6)

(b)(3) NatSecAct

From: Benjamin T. Fallon-DNI-

(b)(6)

Sent: Tuesday, November 12, 2019 5:56 PM

(b)(3) 50 USC 3605

To: Soule Trumbull D NSA-P3 USA CIV

(b)(3) NatSecAct

(b)(3) 10 USC

424

(b)(6)

(b)(6)

FBI USA GOV

(b)(7)(c)

FBI USA GOV

Johnson Joanne DOJ USA GOV

(b)(3) 50 USC 3605

(b)(7)(e)

(b)(6)

FBI USA GOV

(b)(3)
CIAAct

(b)(3) 50 USC 3605

Bradley A.

(b)(6)
(b)(6)

Brooker-DNI-

Ryan P. Crumpler-DNI-

(b)(3)
NatSecAct

Cc:

Ryan P. Crumpler-DNI-

(b)(6)

Subject: ACTION: SSCI Docs Request - Suspense to ODNI by Nov 27th

Importance: High

(b)(1)

(b)(3) NatSecAct

Classification: ~~TOP SECRET~~ / ~~NOFORN~~

Classified By:

(b)(3) NatSecAct

Derived From: ODNI CG

Declassify On: 20441231 (b)(6)

Good evening, IC Leg Colleagues –

ODNI has received the attached request from SSCI requesting document production pertaining to intelligence reporting

(b)(1)
(b)(3)
NatSecAct

SSCI is seeking intelligence reporting

(b)(1)
(b)(3) NatSecAct

ODNI/Legislative Affairs is in touch with the Committee on the way forward with respect to Intelligence Community (IC) documentation on this matter, and we respectfully request that responsive materials from the IC be provided through your legislative affairs office to our office no later than Wednesday, November 27, 2019. Our office will, in turn, work with the ODNI General Counsel on the review and provision of materials for SSCI, in coordination with the White House Counsel's office.

(b)(3) NatSecAct
(b)(6)

From: [redacted] (b)(3) CIAAct
To: [redacted] Courtney Elwood; [redacted] (b)(6)
Cc: [redacted]
Subject: RE: Update re: SSCI Letter Request for [redacted] (b)(3) NatSecAct
Date: Wednesday, March 11, 2020 2:29:59 PM
Attachments: image001.gif (b)(1)

Classification: ~~TOP SECRET//NOFORN~~
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

Classified By: [redacted] (b)(3) NatSecAct
Derived From: ODNI CG (b)(6)
Declassify On: 20451231

Per direction from WHCO (Sue) we have contacted SSCI staff directors and let them know that [redacted]

(b)(1)
(b)(3) NatSecAct

[redacted]

(b)(1)
(b)(3)
NatSecAct

The staff directors were told to expect a call [redacted]

Please feel free to contact me if it would be helpful to discuss.

[redacted] (b)(3) NatSecAct
(b)(6)
Deputy General Counsel

Office of the Director of National Intelligence Office of General Counsel

[redacted] (u)
[redacted] (c)

(b)(3) NatSecAct
(b)(6)

From: [redacted]

(b)(3) NatSecAct
(b)(6)

Sent: Wednesday, March 11, 2020 9:17 AM

(b)(3) CIAAct
(b)(6)

To: [redacted] Courtney Elwood [redacted]

Cc: [redacted]

Subject: RE: Update re: SSCI Letter Request for [redacted] (b)(3) NatSecAct
(b)(1)

Classification: ~~TOP SECRET//NOFORN~~
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

Classified By: [redacted]
Derived From: ODNI CG
Declassify On: 20451231

(b)(3) NatSecAct
(b)(6)

Short answer is yes. [redacted] (b)(1)
[redacted] (b)(3) NatSecAct

[redacted] (b)(3) CIAAct
(b)(6)

From: [redacted] (b)(3) NatSecAct
Sent: Wednesday, March 11, 2020 9:09 AM (b)(6)

To: Courtney Elwood [redacted]
Cc: [redacted]

(b)(3) CIAAct
(b)(6)

Subject: RE: Update re: SSCI Letter Request for [redacted]

(b)(3) NatSecAct
(b)(1)

Classification: ~~TOP SECRET//NOFORN~~
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

Classified By: [redacted] (b)(3) NatSecAct
Derived From: ODNI CG (b)(6)
Declassify On: 20451231

Thank you for including me on the update. Just so I'm tracking for my conversations with Sue [redacted]

(b)(1)
(b)(3) NatSecAct

[redacted]
[redacted] I just want to make sure I'm tracking [redacted]

[redacted] (b)(3) NatSecAct
(b)(6)
Deputy General Counsel
Office of the Director of National Intelligence Office of General Counsel

[redacted] (u)
[redacted] (c)
[redacted] (b)(3) NatSecAct
(b)(6)

From: Courtney Elwood [redacted]
Sent: Tuesday, March 10, 2020 7:17 PM
To: [redacted]
Cc: [redacted]

(b)(3) CIAAct
(b)(6)

(b)(3) NatSecAct
(b)(6)

Subject: FW: Update re: SSCI Letter Request for [redacted]

(b)(3) NatSecAct
(b)(6)
(b)(3) NatSecAct
(b)(1)

Classification: ~~TOP SECRET//NOFORN~~
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

Classified By: [redacted] (b)(3) NatSecAct
Derived From: ODNI CG (b)(6)
Declassify On: 20451231

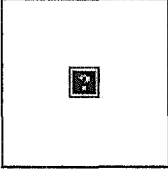
(b)(1) I got a call from Eisenberg and Sue Bai this evening, asking me to confirm [redacted]

(b)(3) CIAAct I said I thought
(b)(3) NatSecAct He asked for
(b)(6) more information on that, and I directed him to you, [redacted] Absent unforeseen events, [redacted]

Fingers crossed.

Courtney Simmons Elwood
General Counsel
Central Intelligence Agency

[Redacted] (b)(3) CIAAct



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(b)(3) NatSecAct

From: [Redacted] (b)(6)
Sent: Wednesday, March 04, 2020 6:32 PM (b)(3) CIAAct
To: Courtney Elwood [Redacted] Anthony Teisha M NSA D2 USA GOV (b)(3) 50 USC 3605
(b)(3) 50 USC 3605 [Redacted] (b)(3) CIAAct
[Redacted] (b)(6)
Cc: [Redacted] Ryan P. Crumpler-DNI (b)(3) NatSecAct
(b)(3) NatSecAct [Redacted] Bradley A. Brooker-DNI- [Redacted] (b)(6)
(b)(6) [Redacted] Soule Trumbull D NSA P3 USA GOV [Redacted] (b)(3) 50 USC 3605
Subject: Update re: SSCI Letter Request for [Redacted] (b)(3) NatSecAct

Classification: ~~TOP SECRET//NOFORN~~ (b)(1)
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

Classified By: [Redacted] (b)(3) NatSecAct
Derived From: ODNI CG (b)(6)
Declassify On: 20451231

All,

~~(U//FOUO)~~ I am combining participants from separate email threads to ensure visibility. (b)(1)
(b)(3) NatSecAct

~~(U//FOUO)~~ ODNI [Redacted]
[Redacted] the SSCI letters of October 15, 2019 and January 17, 2020
[Redacted] We also had a conversation with Sue Bai, with the White House Counsel's Office (WHCO), who has requested that we extend the date range for the CIA and NSA searches through January 17, 2020 (the date of second letter).

(b)(1)
(b)(3) NatSecAct

~~(TS//NF)~~ To recap, WHCO previously requested that both CIA and NSA search for potentially responsive disseminated intelligence reports within the date range of [Redacted] (b)(1)
(b)(3) NatSecAct

[Redacted]

(b)(1)
(b)(3) NatSecAct

[Redacted]

~~(U//FOUO)~~ Sue has requested that CIA and NSA extend the date range used to identify potentially responsive documents through January 17, 2020 (the date of the second letter). For this revised approach, she has also asked to have [Redacted]

(b)(3) NatSecAct
(b)(1)

[Redacted]

~~(U//FOUO)~~ Please let us know if CIA or NSA have concerns with this revised approach. We recognize the SSCI letter request was [Redacted] and that we will still need to address materials that may be in the possession of other Intelligence Community agencies, including ODNI. As before, the purpose of this effort is to begin the process of evaluating potentially responsive material. No materials will be provided to the Committee absent further coordination. Nonetheless, WHCO indicated that the goal is still to begin producing materials to SSCI this week.

(b)(1)
(b)(3) NatSecAct

~~(U//FOUO)~~ As always, please feel free to reach out if it would be helpful to discuss.

[Redacted] (b)(3) NatSecAct
Deputy General Counsel (b)(6)
Office of the Director of National Intelligence Office of General Counsel

[Redacted] (u)
[Redacted] (c)
(b)(3) NatSecAct
(b)(6)

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Classification: ~~TOP SECRET//NOFORN~~

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