

Central Intelligence Agency



Washington, D.C. 20505

21 March 2023

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 a final 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 Representatives 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 have processed this request 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 seventeen (17) 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, 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 10 U.S.C § 424, 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), and 5 U.S.C. § 552(b)(7)(e).

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 Capitos".

Anthony Capitos
Information and Privacy Coordinator

(b)(6)

(b)(3) NatSecAct

(b)(3) 50 USC 3605

(b)(3) CIAAct

(b)(6)

From: [redacted]
To: Courtney Elwood; [redacted] Anthony Teisha M NSA-D2 USA CIV; [redacted]
Cc: Bradley A. Brooker-DNI; [redacted]
Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(6)
Date: Thursday, February 27, 2020 8:17:07 AM (b)(6)
Attachments: image001.gif (b)(3) NatSecAct (b)(3) NatSecAct

Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS
PRIVILEGED DOCUMENT (b)(6)

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

Derived From: [redacted]
Declassify On: 25X1, 20701231

(b)(6)

(b)(3) NatSecAct

(b)(1)

(b)(3) NatSecAct

I'm adding [redacted] from our office, who we may need to [redacted]
[redacted]

For NSA and CIA, it would be helpful to know if [redacted]
[redacted] (b)(1)

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

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

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

[redacted] (b)(6) (b)(3) NatSecAct
From: [redacted] (b)(3) CIAAct (b)(3) 50 USC 3605
Sent: Wednesday, February 26, 2020 5:08 PM

To: Courtney Elwood; [redacted] Anthony Teisha M NSA-D2 USA CIV; [redacted] (b)(3) CIAAct
[redacted] (b)(3) 50 USC 3605 (b)(6)

Cc: Bradley A. Brooker-DNI; [redacted] (b)(6)
[redacted] (b)(3) NatSecAct
Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct

Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~ (b)(1)
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS
PRIVILEGED DOCUMENT

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

Thank you both. I'll relay the update to Sue and contact [redacted]

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

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

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

(u)
(c) (b)(6)
(b)(3) NatSecAct

(b)(3) CIAAct

From: Courtney Elwood (b)(6)
Sent: Wednesday, February 26, 2020 4:16 PM (b)(3) NatSecAct
To: (b)(3) 50 USC 3605

Anthony Teisha M NSA-D2 USA CIV

Cc: Bradley A. Brooker-DNI- (b)(6) (b)(3) CIAAct
(b)(3) NatSecAct (b)(6)

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

Classification: ~~TOP SECRET~~ ~~NOFORN~~
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS
PRIVILEGED DOCUMENT

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

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

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

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

Please let
know when you're planning to head over.

-Courtney (b)(3) NatSecAct

Courtney Simmons Elwood
General Counsel
Central Intelligence Agency (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) 50 USC 3605

From: [redacted]

(b)(6) **Sent:** Wednesday, February 26, 2020 3:52 PM

(b)(3) NatSecAct [redacted] Courtney Elwood [redacted] Anthony

(b)(6) Teisha M NSA-D2 USA CI (b)(3) 50 USC 3605 [redacted] (b)(3) CIAAct

(b)(3) NatSecAct Bradley A. Brooker-DNI- [redacted] (b)(6)

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

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

(b)(3) NatSecAct [redacted] (b)(1)
[redacted] (b)(3) NatSecAct
[redacted] (b)(3) 50 USC 3605

- that's correct.

v/r

[redacted] (b)(3) 50 USC 3605

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

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

From: [redacted] (b)(3) CIAAct

Sent: Wednesday, February 26, 2020 3:10 PM

To: Courtney Elwood [redacted] Anthony Teisha M NSA-D2 USA CIV (b)(3) 50 USC 3605

(b)(3) 50 USC 3605

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

(b)(3) NatSecAct Bradley A. Brooker-DNI- [redacted] (b)(6)

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

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

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

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

Declassify On: 25X1, 20701231 (b)(6)

(b)(3) 50 USC 3605 Sue Bai called and asked that I provide her with a status update by OOB tomorrow. (b)(1)
(b)(3) NatSecAct

I understand from speaking to [redacted] that

[redacted]

CIA, are you able to provide a status update that I can relay to Sue?

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

(u)
(c) (b)(6)
(b)(3) NatSecAct

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

From: (b)(3) CIAAct

Sent: Tuesday, February 25, 2020 5:25 PM

To: Courtney Elwood Anthony Teisha M NSA-D2 USA CIV

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

(b)(6)
Cc: Bradley A. Brooker-DNI (b)(3) NatSecAct (b)(3) CIAAct

Subject: RE: (U) RE: Draft Letter to SSCI (b)(3) NatSecAct (b)(6)
(b)(1)

Classification: ~~TOP SECRET~~ (b)(1) ~~NOFORN~~

Classified By: (b)(1)
Derived From: (b)(3) NatSecAct
Declassify On: 25X1, 2070123 (b)(6)

No problem. The request came from Sue Bai.

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

(u)
(c) (b)(6)
(b)(3) NatSecAct

(b)(3) CIAAct

From: Courtney Elwood

Sent: Tuesday, February 25, 2020 4:11 PM

To: Anthony Teisha M NSA-D2 USA CIV

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

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

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

Classification: ~~TOP SECRET~~ (b)(1) ~~NOFORN~~

Classified By: (b)(1)
Derived From: (b)(3) CIAAct
(b)(3) NatSecAct

Declassify On: 25X1, 20701231

(b)(6)

(b)(3) NatSecAct

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)(6)

(b)(3) NatSecAct

From: [redacted] (b)(3) 50 USC 3605
Sent: Tuesday, February 25, 2020 4:08 PM
To: Anthony Teisha M NSA-D2 USA CIV [redacted]
Cc: Bradley A. Brooker-DNI- (b)(6) Courtney Elwood [redacted]
(b)(3) NatSecAct (b)(3) CIAAct
Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct (b)(6)
(b)(1)
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~
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)(6)
(b)(3) NatSecAct

[Redacted]
Deputy General Counsel
Office of the Director of National Intelligence Office of General Counsel

(u)
(c) (b)(6)
(b)(3) NatSecAct

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

From: [Redacted] (b)(3) 50 USC 3605
Sent: Tuesday, February 25, 2020 2:01 PM
To: 'Anthony Teisha M NSA-D2 USA CIV' [Redacted]; [Redacted] (b)(3) CIAAct
(b)(6)
Cc: Bradley A. Brooker-DNI- (b)(6) Courtney Elwood [Redacted]
(b)(3) NatSecAct
Subject: RE: (U) RE: Draft Letter to SSCI [Redacted] (b)(3) NatSecAct
(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)(5)

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

(b)(3) NatSecAct
(b)(5)
(b)(1) [Redacted] Teisha. My understanding is that the [Redacted] expire on Feb. 29th. At present, I am not aware of any effort to extend them. I expect that [Redacted] but it may be worth discussing when we have another call.

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

(u)
(c) (b)(6)
(b)(3) NatSecAct

(b)(3) 50 USC 3605

(b)(6) **From:** Anthony Teisha M NSA-D2 USA CIV [Redacted] (b)(3) CIAAct
(b)(3) NatSecAct **Sent:** Monday, February 24, 2020 11:19 AM (b)(6) (b)(3) 50 USC 3605
To: [Redacted]
(b)(3) 50 USC 3605
Cc: Bradley A. Brooker-DNI- [Redacted] Courtney Elwood [Redacted]
[Redacted] Anthony Teisha M NSA-D2 USA CIV [Redacted]
(b)(6) **Subject:** RE: (U) RE: Draft Letter to SSCI [Redacted] (b)(3) NatSecAct (b)(3) 50 USC 3605
(b)(3) NatSecAct (b)(1)

(b)(3) NatSecAct

(b)(1)

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

(b)(1)

(b)(3) NatSecAct

(b)(5)

(b)(3) 50 USC 3605

[Redacted]

(b)(6)

(b)(3) NatSecAct

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

I understand that

[Redacted]

expires at the end of this week. Are we extending

those as well?

Teisha

(b)(1)

(b)(3) NatSecAct

Teisha M. Anthony
Acting General Counsel
Office of General Counsel

(b)(3) 50 USC 3605

[Redacted]

From:

[Redacted]

(b)(6)

(b)(3) NatSecAct

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

To:

(b)(6)

[Redacted]

(b)(3) 50 USC 3605

(b)(3) 50 USC 3605

(b)(3) NatSecAct

Cc: Bradley A. Brooker-DNI-

Courtney Elwood

(b)(3) CIAAct

Anthony Teisha M NSA-D2 USA CIV

(b)(6)

Subject: RF: (U) RE: Draft Letter to SSCI

[Redacted]

(b)(3) NatSecAct

(b)(3) 50 USC 3605

(b)(1)

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

[Redacted]

(b)(3) NatSecAct

[Redacted]

(b)(6)

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

(b)(6)

[Redacted]

(b)(3) NatSecAct

Deputy General Counsel

Office of the Director of National Intelligence Office of General Counsel

[Redacted] (u)

(c)

(b)(6)

(b)(3) NatSecAct

From:

[Redacted]

(b)(3) CIAAct

(b)(6)

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

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

Approved for Release: 2023/03/21 C06876532

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

To: [redacted] (b)(3) 50 USC 3605

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

(b)(3) 50 USC 3605 Courtney Elwood ; Anthony Teisha M NSA-D2 USA

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

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

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

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

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

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

(b)(6) From: [redacted] (b)(3) 50 USC 3605 (b)(3) CIAAct
(b)(3) NatSecAct Friday, February 21, 2020 2:31 PM (b)(6)

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

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

Subject: (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) NatSecAct (b)(3) 50 USC 3605

[redacted] - attached please find NSA's edits, comments, and concerns. As you know, the factual situation with regards to [redacted] is complicated. If it makes the letter more straightforward, [redacted]

[redacted] (b)(3) 50 USC 3605
[redacted] (b)(3) NatSecAct
[redacted] (b)(5)

Additionally, as we discussed earlier today, a reminder that the current [redacted] expire at the end of this month. [redacted]

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

v/r [redacted]

(b)(3) 50 USC 3605

(b)(1)
(b)(3) NatSecAct
(b)(5)
(b)(3) 50 USC 3605

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

(b)(3) 50 USC 3605

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

From: [redacted] (b)(3) CIAAct
Sent: Friday, February 21, 2020 10:58 AM (b)(6) (b)(3) CIAAct
To: [redacted] Courtney Elwood [redacted] Anthony Teisha M NSA-D2 USA CIV (b)(3) 50 USC 3605

(b)(3) 50 USC 3605

Cc: Bradley A. Brooker-DNI- [redacted] (b)(6) (b)(3) NatSecAct
Subject: RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct

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

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

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

[redacted]
Deputy General Counsel
Office of the Director of National Intelligence Office of General Counsel

(u) (b)(6)
(c) (b)(3) NatSecAct

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

From: [redacted] (b)(3) CIAAct
Sent: Wednesday, February 19, 2020 12:32 PM (b)(6)
To: [redacted] Courtney Elwood [redacted] Anthony Teisha (b)(3) CIAAct (b)(3) 50 USC 3605

Cc: Bradley A. Brooker-DNI- [redacted] (b)(3) NatSecAct
Subject: Draft Letter to SSCI [redacted] (b)(3) NatSecAct (b)(6) (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

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

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

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

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

(b)(3) 50 USC 3605

Classified By: [redacted]

Derived From: [redacted]

(b)(1)
(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]

Derived From: [redacted]

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

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

(b)(3) 50 USC 3605

Classified By: [redacted]

Derived From: [redacted]
(b)(1)

(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~~

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

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

(b)(3) 50 USC 3605

From: [redacted]
To: [redacted]; Soule Trumbull D NSA-P3 USA CIV; [redacted] (b)(3) CIAAct
(b)(3) 10 USC 424 (b)(6)
(b)(6) [redacted] FBI USA GOV; [redacted] FBI USA GOV;
(b)(3) 50 USC 3605 [redacted] USA GOV; [redacted] STATE USA GOV; [redacted] FBI USA GOV; [redacted] (b)(6)E (b)(6) (b)(6) (b)(6)
cc: Ryan P. Crumpler-DNI; [redacted] Bradley A. Brooker-DNI; [redacted] (b)(3) NatSecAct
Subject: (U) RE: ACTION: SSC [redacted] Docs Request - Suspense to ODNI by Nov 27th (b)(6)
Date: Tuesday, November 26, 2019 10:38:24 AM (b)(3) NatSecAct (b)(6)
(b)(1)

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

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

Hi [redacted], thanks for the note. NSA is still scoping whether it has documents germane to the Committee's request. [redacted]

Thanks!

(b)(1)
(b)(3) NatSecAct
(b)(3) 50 USC 3605

v/r

(b)(3) 50 USC 3605

NSA Deputy Director, Legislative, State and Local Affairs

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

From: [redacted] (b)(3) 50 USC 3605

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

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

(b)(3) 50 USC 3605 [redacted] (b)(6)
(b)(3) 10 USC 424 [redacted] (b)(7)(c)
(b)(6) [redacted] (b)(7)(e)

[redacted] FBI USA GOV [redacted] FBI USA GOV
[redacted] FBI USA GOV Johnson Joanne DOJ USA GOV (b)(3) 50 USC 3605

(b)(6) [redacted] FBI USA GOV [redacted] (b)(3) CIAAct [redacted] (b)(3) 50 USC 3605
[redacted] (b)(6)

[redacted] STATE USA GOV [redacted] STATE USA GOV (b)(6)

[redacted] DHS USA GOV [redacted] TREAS (b)(6)

USA GOV [redacted]
Cc: Ryan P. Crumpler-DNI; [redacted] (b)(3) NatSecAct
Bradley A. Brooker-DNI [redacted] (b)(6)

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

(b)(3) 50 USC 3605 **Importance:** High (b)(3) NatSecAct (b)(1)

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

Classified By: [redacted] (b)(3) NatSecAct
Derived From: ODNI CG (b)(6)
Declassify On: 20441231

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,

[Redacted signature]

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

*Division Chief, Intelligence & Analysis
ODNI Legislative Affairs
Chair, ODNI Management Advisory Group*

[Redacted name]

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

From: Benjamin T. Fallon-DNI-

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

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

(b)(3) NatSecAct

To: Soule Trumbull D NSA-P3 USA CIV

(b)(3) 10 USC
424

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

[Redacted recipient list]

[Redacted recipient list]

[Redacted recipient list]

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

(b)(6)

[Redacted recipient list]

(b)(3) 50 USC 3605

[Redacted recipient list]

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

[Redacted recipient list]

[Redacted recipient list]

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

[Redacted recipient list]

Cc: Ryan P. Crumpler-DNI-

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

Importance: High (b)(3) NatSecAct

(b)(1)

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

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

Derived From: ODNI CG (b)(6)

Declassify On: 20441231

Good evening, IC Leg Colleagues –

(b)(1)

(b)(3) NatSecAct

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

SSCI is seeking intelligence reporting [redacted]

ODNI/Legislative Affairs is in touch with the Committee on the way forward with respect to (b)(1) Intelligence Community (IC) documentation on this matter, and we respectfully request that (b)(3) NatSecAct 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.

We plan to further discuss this request at next Monday's IC Legislative Director's monthly meeting, and we have also invited NSC legislative affairs to attend. In the meantime, following internal consultation with the ODNI General Counsel and ongoing discussions with SSCI, we wanted to send this documentation request out to your offices so you can begin gathering responsive materials.

Please do not hesitate to reach out to Ryan or me directly should you have questions between now and next Monday's meeting. We look forward to seeing you then.

BF

Ben Fallon
Assistant DNI for Legislative Affairs
Office of the Director of National Intelligence

[redacted]

(b)(3) NatSecAct

(b)(6)

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

[Redacted]

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

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

~~NOFORN~~

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

~~NOFORN~~

(b)(3) 50 USC 3605

Classified By: [Redacted]

Derived From: [Redacted]
(b)(1)
(b)(3) NatSecAct

Dated: [Redacted]

Declassify On: 20441101

Classification: ~~TOP SECRET~~ [Redacted]

~~NOFORN~~

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

From: Gina C. Haspel
To: Nakasone Paul M GEN NSA-D USA USA
Cc: Barnes George C NSA-D USA CIV; Vaughn F. Bishop
Subject: RE: (U) House Permanent Select Committee on Intelligence (HPSCI) Issue
Date: Saturday, January 25, 2020 10:33:11 AM

Classification: ~~UNCLASSIFIED//FOUO~~

Morning....understand we are meeting on this Monday am. I will be there.
Gina

From: Nakasone Paul M GEN NSA-D USA USA (b)(3) 50 USC 3605
Sent: Friday, January 24, 2020 10:40 PM
To: Gina C. Haspel (b)(3) CIAAct
Cc: Barnes George C NSA-D USA CIV Vaughn F. Bishop
Subject: FW: (U) House Permanent Select Committee on Intelligence (HPSCI) Issue
(b)(3) 50 USC 3605

Classification: ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

Gina-
Getting you up to speed on my concerns regarding HPSCI request . . .

paul (b)(3) 50 USC 3605

From: (b)(3) 50 USC 3605
Sent: Friday, January 24, 2020 6:59 PM
To: Nakasone Paul M GEN NSA-D USA USA (b)(3) 50 USC 3605
Cc: (b)(3) 50 USC 3605
Subject: (U) House Permanent Select Committee on Intelligence (HPSCI) Issue

Classification: ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

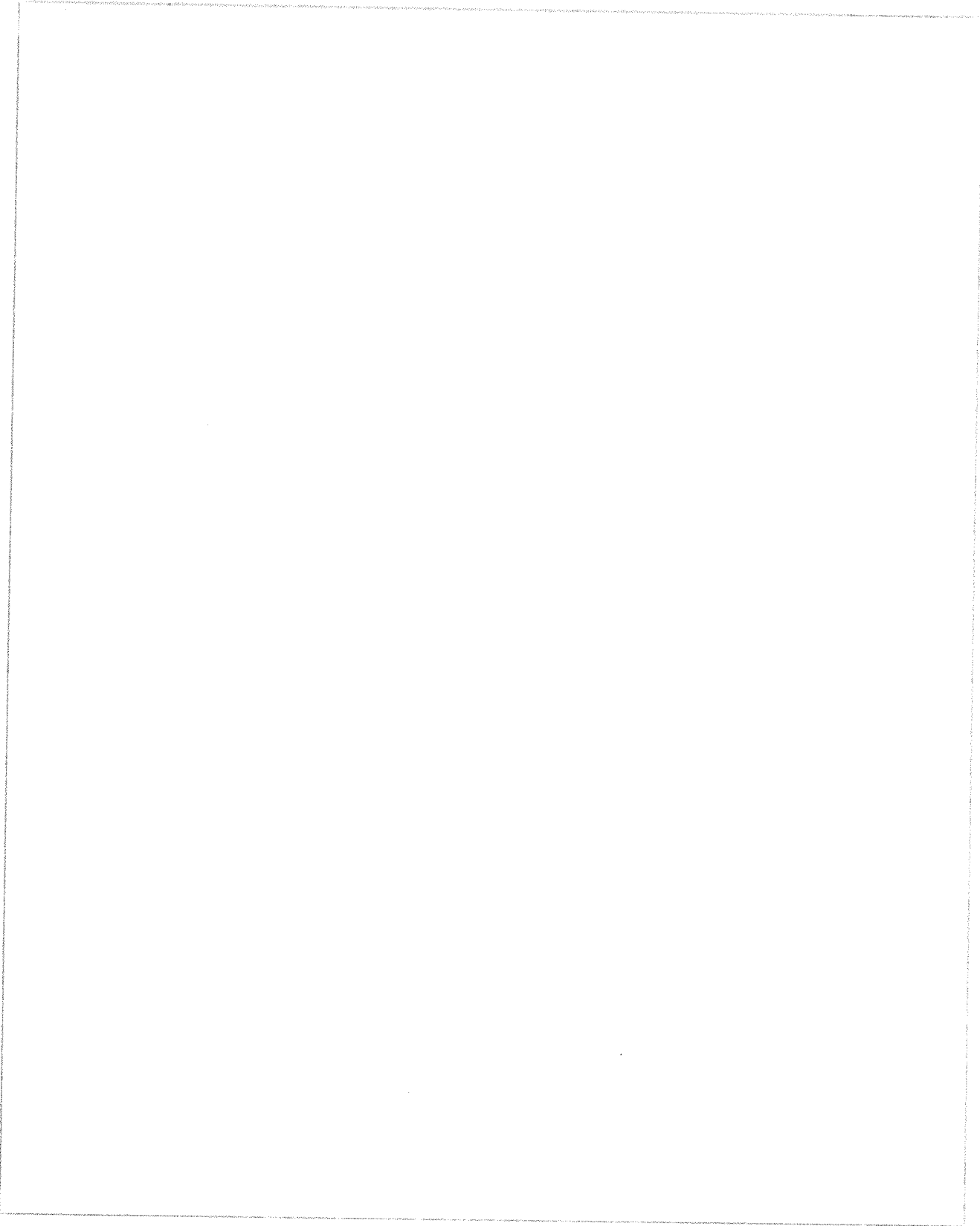
From: Nakasone, Paul M GEN USARMY USCYBERCOM (USA)
Sent: Thursday, January 23, 2020 6:18 PM (b)(6)
To: 'Fenton, Bryan LTG SD' (b)(3) NatSecAct
Cc: 'Joseph Maguire' (b)(6) Milley, Mark A GEN USARMY JS OCJCS (USA) (b)(6)
(b)(6) Kernan, Joseph D HON (USA) Ney,
(b)(6) Paul C Jr HON OSD OGC (USA) Davidson, Eliana V SES OSD OGC (US)
(b)(6)
Subject: House Permanent Select Committee on Intelligence (HPSCI) Issue

[BRYAN: PLEASE PASS TO THE SECRETARY]

Mr. Secretary,

(b)(5)
(b)(3) 50 USC 3605
(b)(3) 18 USC 798
(b)(3) NatSecAct

(S//FOUO) I'm writing to make you aware of an ongoing issue with the House Permanent Select Committee on Intelligence (HPSCI) and the steps I intend to take to resolve this matter.



[Redacted]

I wanted to ensure you were aware of this. I have kept Acting DNI Maguire advised of this situation, should you wish to consult with him.

VR/paul

GEN Paul M. Nakasone | Commander, USCYBERCOM and Director, NSA / Chief, CSS

[Redacted]

(b)(3) 50 USC 3605

Classification: ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

Classification: ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

=====
Classification: ~~UNCLASSIFIED//FOUO~~

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

From: [redacted]
To: [redacted] Courtney Elwood (b)(3) CIAAct
Cc: [redacted]
Subject: RE: House Permanent Select Committee on Intelligence (HPSCI) Issue
Date: Friday, January 24, 2020 10:09:32 AM

Classification: ~~UNCLASSIFIED//FOUO~~

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

From: [redacted]
Sent: Friday, January 24, 2020 9:29 AM
(b)(3) CIAAct
(b)(6) **To:** [redacted] Courtney Elwood [redacted] (b)(3) CIAAct
Cc: [redacted]
Subject: FW: House Permanent Select Committee on Intelligence (HPSCI) Issue

Classification: ~~UNCLASSIFIED//FOUO~~

(b)(3) CIAAct
(b)(6) [redacted] and Courtney -

Please see below for your awareness (email from GEN Nakasone to Secretary of Defense).



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

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

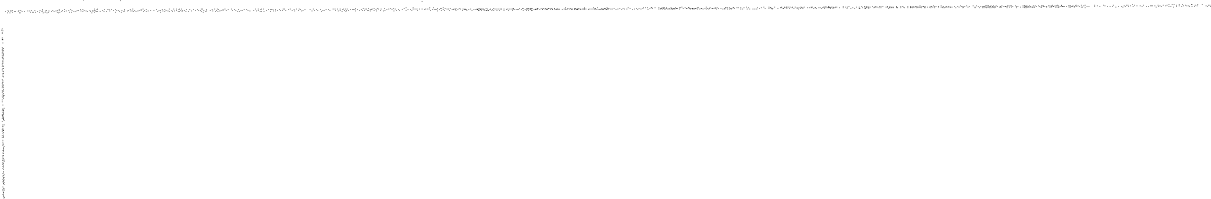
From: [redacted]
Sent: Friday, January 24, 2020 07:28 (b)(3) CIAAct
To: [redacted] (b)(6)

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

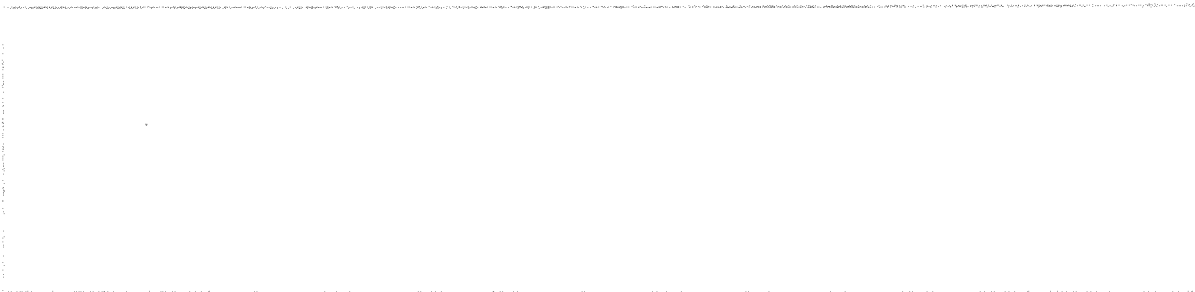
Subject: [AIN] FW: House Permanent Select Committee on Intelligence (HPSCI) Issue

(b)(3) NatSecAct

CLASSIFICATION: ~~UNCLASSIFIED~~



(b)(3) NatSecAct



(b)(3) CIAAct

(b)(6) [redacted] the Acting wanted to make sure Director Haspel saw the email below from GEN Nakasone.



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

Executive Assistant to the DNI



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

From: "Nakasone, Paul M GEN USARMY USCYBERCOM (USA)"

> Date: Thursday, January 23, 2020 at 6:17:54 PM

To: "Fenton, Bryan LTG SD" >

Cc: "'Joseph Maguire'" >, "Milley, Mark A GEN USARMY JS OCJCS (USA)"

>, "Kernan, Joseph D HON (USA)"

>, "Ney, Paul C Jr HON OSD OGC (USA)"

>, "Davidson, Eliana V SES OSD OGC (US)"

>

Subject: House Permanent Select Committee on Intelligence (HPSCI) Issue

[BRYAN: PLEASE PASS TO THE SECRETARY]

Mr. Secretary,

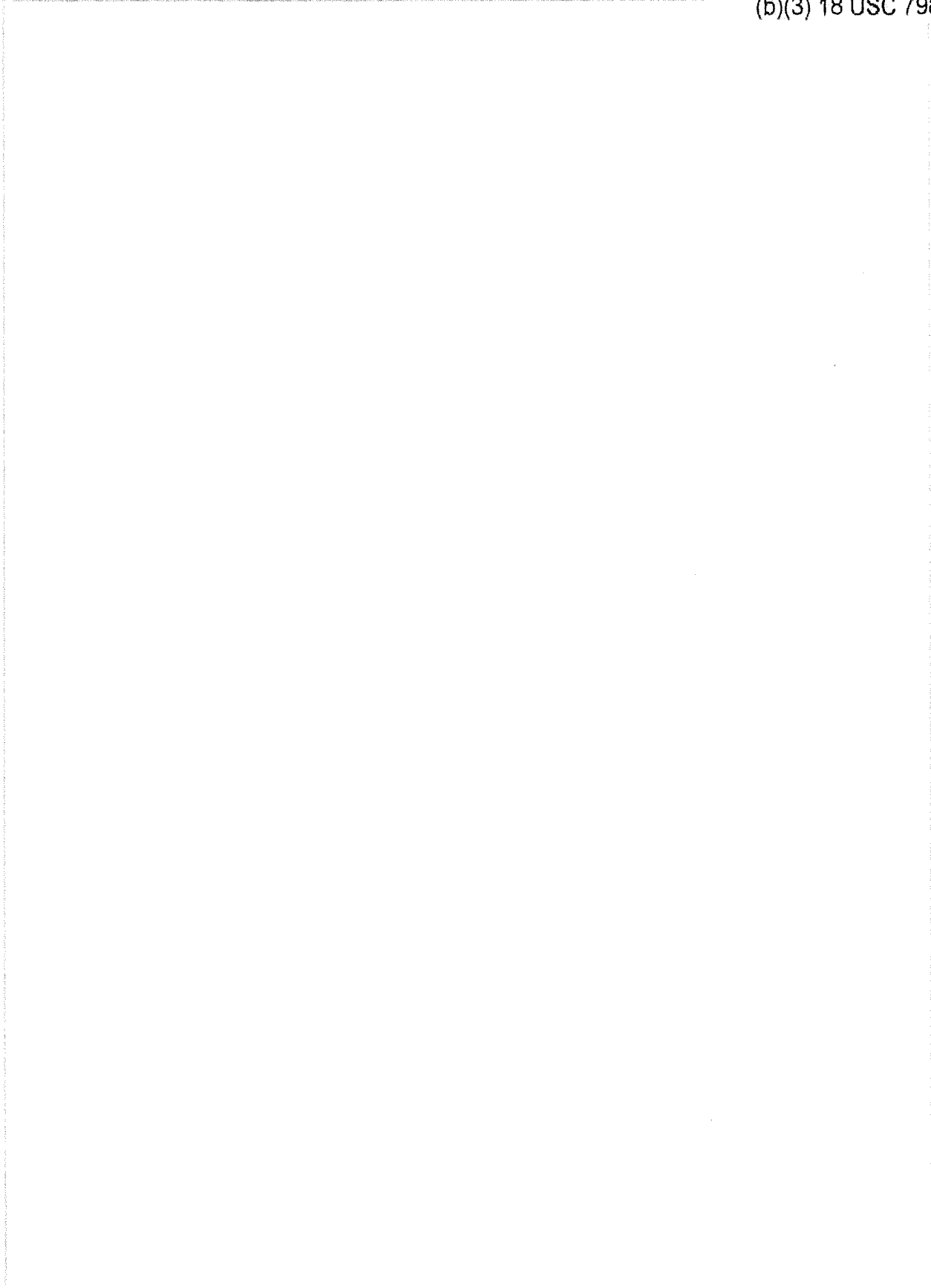
~~(U//FOUO)~~ I'm writing to make you aware of an ongoing issue with the House Permanent Select Committee on Intelligence (HPSCI) and the steps I intend to take to resolve this matter.

(b)(5)

(b)(3) 50 USC 3605



(b)(5)
(b)(3) 50 USC 3605
(b)(3) NatSecAct
(b)(3) 18 USC 798



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

[Redacted]

I wanted to ensure you were aware of this. I have kept Acting DNI Maguire advised of this situation, should you wish to consult with him.

VR/paul
GEN Paul M. Nakasone | Commander, USCYBERCOM and Director, NSA / Chief, CSS

[Redacted]

(b)(3) 50 USC 3605

=====
Classification: ~~UNCLASSIFIED//FOUO~~

=====
Classification: ~~UNCLASSIFIED//FOUO~~

Approved for Release: 2023/03/21 C06904756
(b)(3) CIAAct
(b)(6)

From: [redacted]
To: Courtney Elwood
Subject: 2019.11.25 DOCA to HPSCI (b)(1)
Date: Tuesday, November 26, 2019 3:11:44 PM (b)(3) NatSecAct
Attachments: 2019.11.25 DOCA to HPSCI.docx

Classification: ~~TOP SECRET, [redacted] NOFORN~~ (b)(3) NatSecAct
~~ATTORNEY WORK PRODUCT/ATTORNEY CLIENT PRIVILEGED~~
~~INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT~~

[redacted] (b)(3) CIAAct
[redacted] (b)(3) NatSecAct
=====

All – Here is the latest draft. Courtney – I’ll bring a hard copy by with the HPSCI request.

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

[redacted]
=====

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

(b)(3) NatSecAct

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

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

From: [redacted]
To: [redacted]
Subject: Draft Response to HPSCI (b)(1)
Date: Monday, November 25, 2019 8:57:44 PM (b)(3) NatSecAct
Attachments: 2019.11.25 DOCA to HPSCI [redacted].docx

Classification: ~~TOP SECRET//NOFORN~~

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

(b)(3) NatSecAct
(b)(5)

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

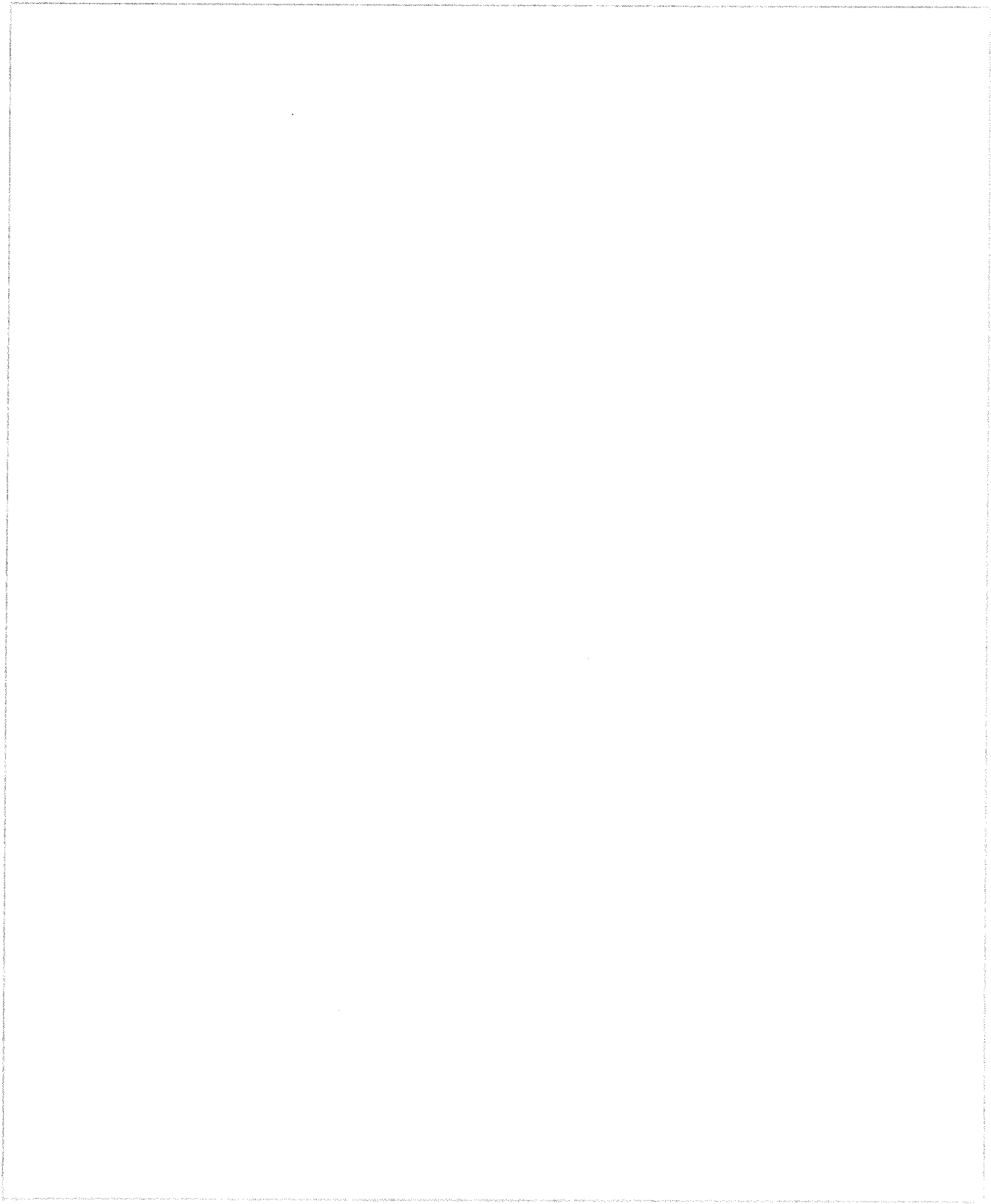
[redacted] - for your edits and review. [redacted]
[redacted] Thanks, [redacted]

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

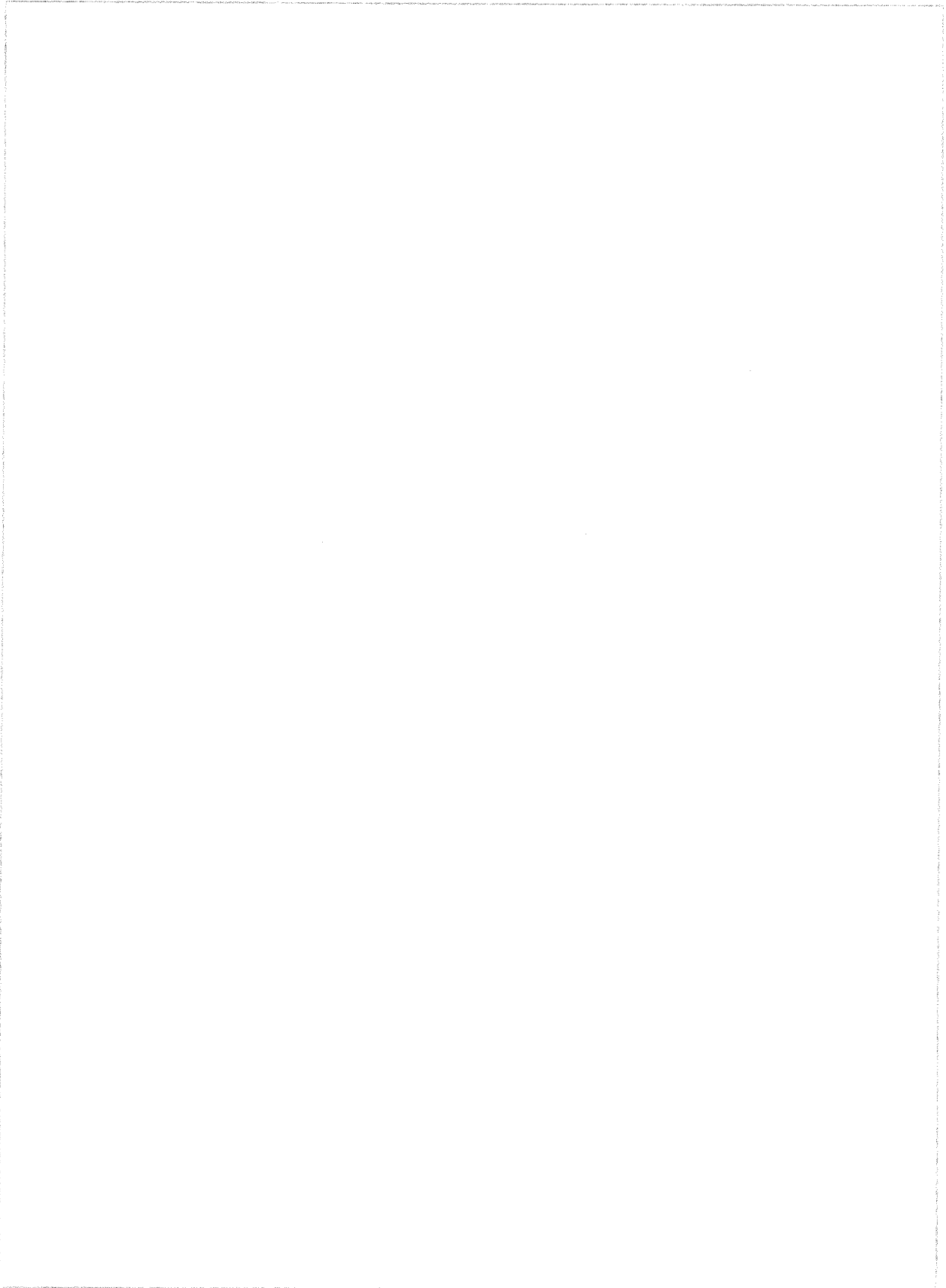
=====
Classification: ~~TOP SECRET//NOFORN~~

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

Approved for Release: 2023/03/21 C06904761
~~TOP SECRET//NOFORN~~

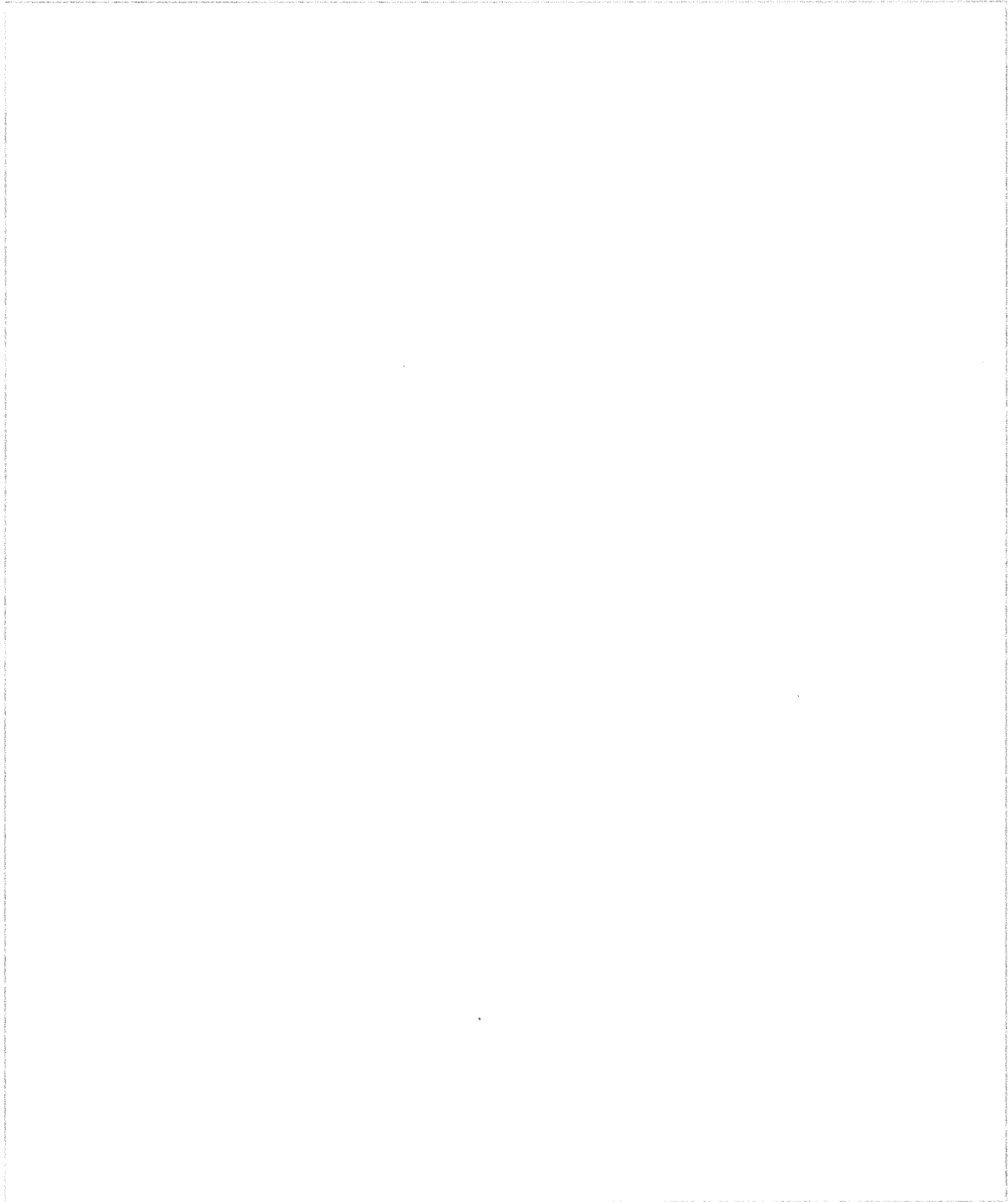


(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)



(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

Approved for Release: 2023/03/21 C06904761
~~TOP SECRET//NOFORN~~



From: Courtney Elwood (b)(3) CIAAct
To: [redacted] (b)(6)
Cc:
Subject: RE: 2019.11.25 DOCA to HPSCI
Date: Tuesday, December 3, 2019 7:26:16 PM
Attachments: image001.gif
2019.12.03 DRAFT DOCA to HPSCI [redacted].docx

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

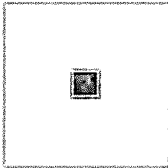
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~ (b)(3) NatSecAct
ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED
INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

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

Revised!

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.

From: [redacted] (b)(3) CIAAct
Sent: Tuesday, December 03, 2019 6:39 PM (b)(6) (b)(3) CIAAct
To: Courtney Elwood [redacted] (b)(6)
Cc: [redacted]
Subject: RE: 2019.11.25 DOCA to HPSCI [redacted] (b)(1)
(b)(3) NatSecAct

Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~
ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED (b)(3) NatSecAct
INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

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

Updated with today's edits. OCA delivery to Ellis/Eisenberg leaves at 8:15 am tomorrow. [redacted] (b)(3) NatSecAct

(b)(3) NatSecAct

[redacted] letter draft. [redacted] OCA paralegal delivering in person.

(b)(3) CIAAct

Thanks, [redacted] (b)(6)

From: Courtney Elwood [redacted] (b)(3) CIAAct (b)(3) CIAAct
Sent: Friday, November 29, 2019 11:23 AM (b)(6)
To: [redacted]
Cc: [redacted]
Subject: RE: 2019.11.25 DOCA to HPSCI [redacted]

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

Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~ (b)(3) NatSecAct
ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED
INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

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

[redacted] Something like the attached. Let me know
what you think. (b)(5)

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.

From: [redacted] (b)(3) CIAAct (b)(6)
Sent: Tuesday, November 26, 2019 3:12 PM
To: Courtney Elwood [redacted]
Subject: 2019.11.25 DOCA to HPSCI [redacted] (b)(1)
(b)(3) NatSecAct

Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~ (b)(3) NatSecAct
ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED
INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

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

(b)(3) NatSecAct

All - Here is the latest draft. Courtney - I'll bring a hard copy by with the HPSCI request.

(b)(3) CIAAct

(b)(6)

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

(b)(3) NatSecAct

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

(b)(3) NatSecAct

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

(b)(3) NatSecAct

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

(b)(3) NatSecAct

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)



(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)



(b)(3) NatSecAct
(b)(5)



(b)(3) CIAAct

(b)(6)

From: [redacted] (b)(1)
To: [redacted] (b)(3) NatSecAct
Subject: RE: Draft Response to HPSCI (b)(3) CIAAct
Date: Tuesday, November 26, 2019 8:59:39 AM (b)(3) CIAAct
Attachments: 2019.11.25.DOCA to HPSCI [redacted].docx (b)(6)

Classification: ~~TOP SECRET//NOFORN~~

[redacted]

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

My edits attached. A good letter, especially the last part.

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

From: [redacted] (b)(3) CIAAct
 [redacted] (b)(6)
Sent: Monday, November 25, 2019 8:58 PM
To: [redacted]
Subject: Draft Response to HPSCI

Classification: ~~TOP SECRET//NOFORN~~

[redacted]

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

(b)(3) NatSecAct
(b)(5)

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

[redacted] for your edits and review. [redacted]

Thanks,

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

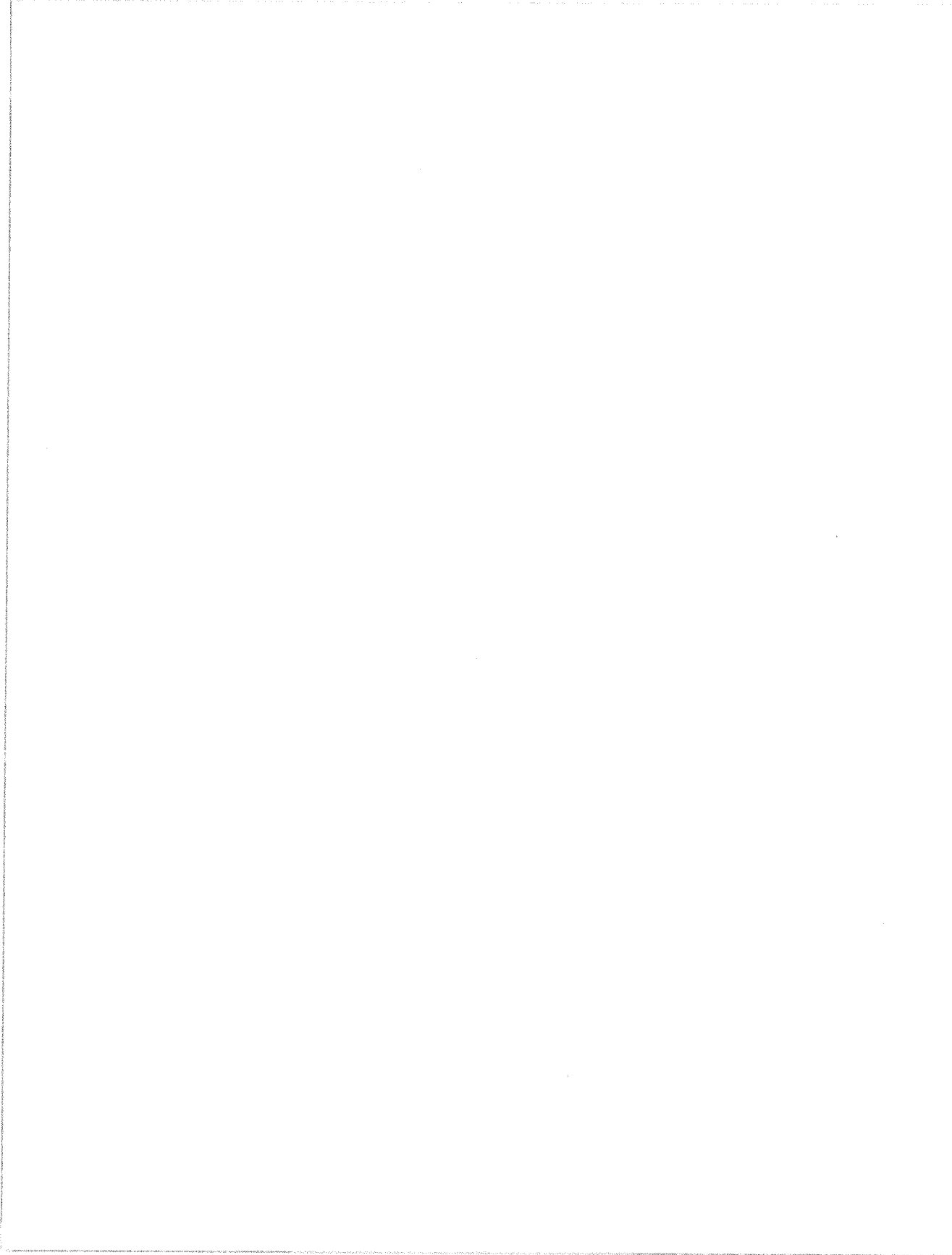
Classification: ~~TOP SECRET//NOFORN~~

Classification: ~~TOP SECRET//NOFORN~~

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

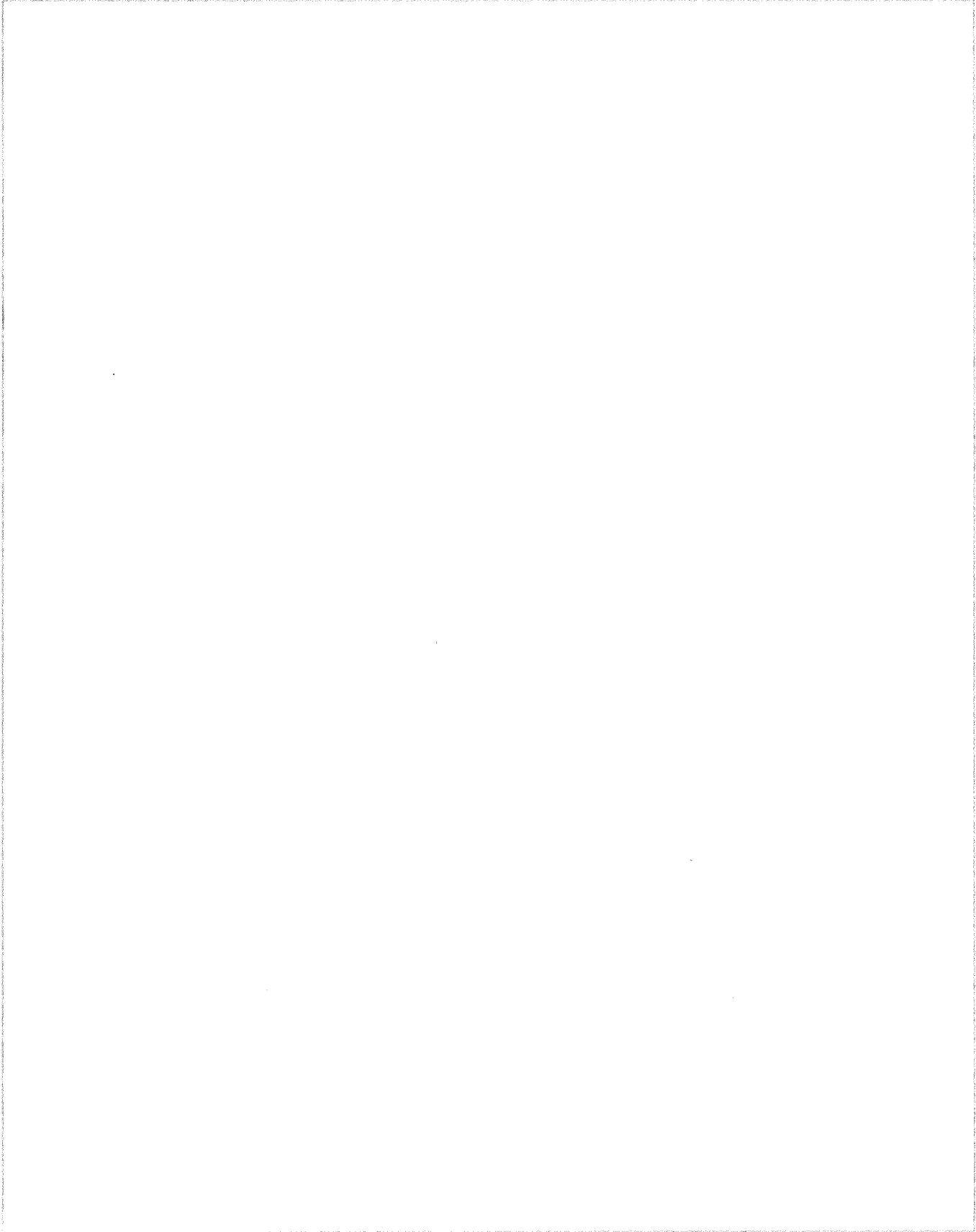
Approved for Release: 2023/03/21 C06904770
~~TOP SECRET//NOFORN~~



~~TOP SECRET//NOFORN~~

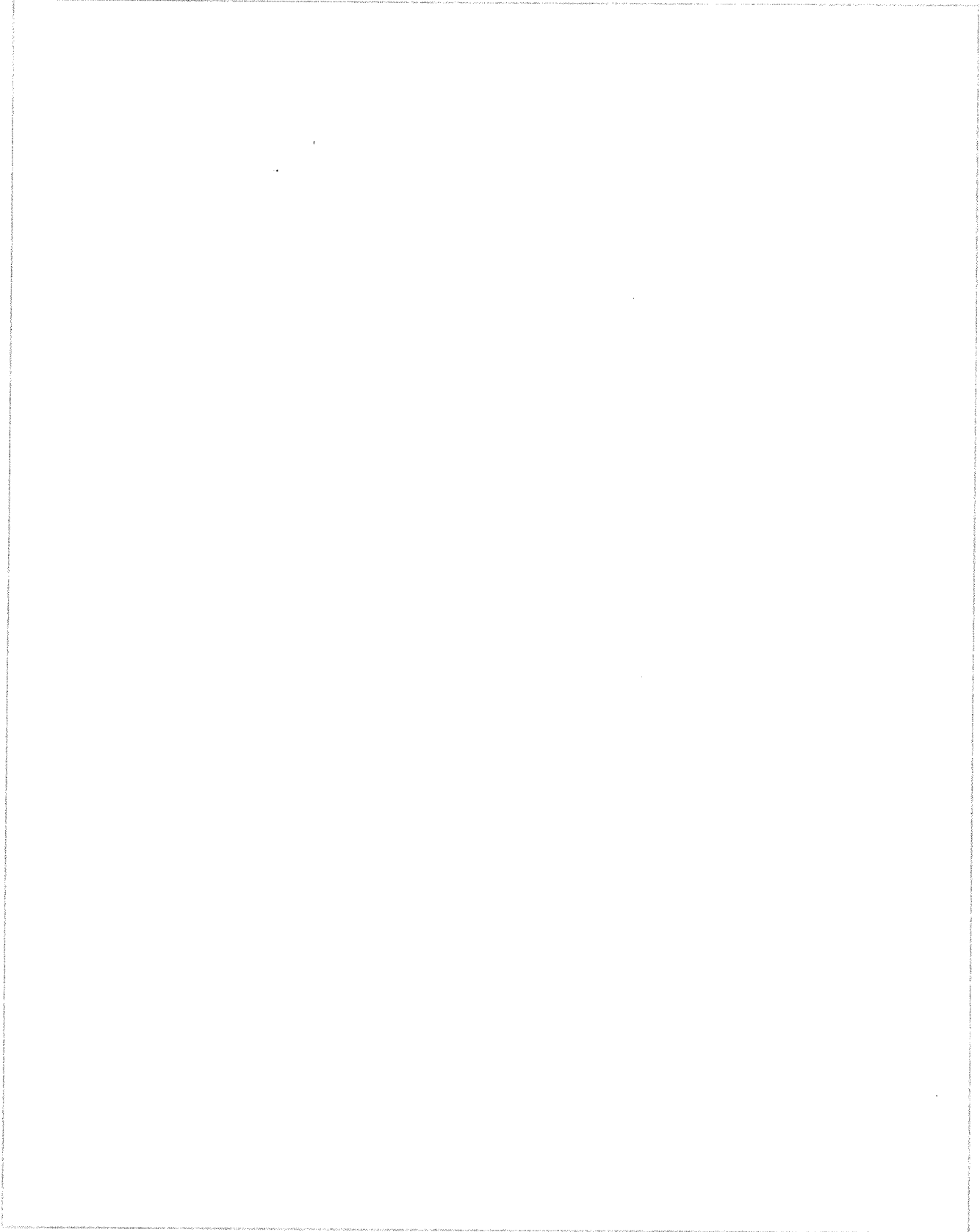
(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

Approved for Release: 2023/03/21 C06904770
~~TOP SECRET//NOFORN~~



(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

Approved for Release: 2023/03/21 C06904770
~~TOP SECRET//NOFORN~~



~~TOP SECRET//NOFORN~~

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

From: [redacted]
To: Courtney Elwood
Subject: FW: Update re: SSCI Letter Request for [redacted] (b)(3) NatSecAct
Date: Wednesday, March 4, 2020 6:59:57 PM (b)(1)

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

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

On a very quick read:

(b)(1)
(b)(3) NatSecAct
(b)(5)

[Large redacted area]

(3) I don't see a WH review scripted in.

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

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

From: [redacted]
Sent: Wednesday, March 04, 2020 6:32 PM
To: Courtney Elwood [redacted] Anthony Teisha M NSA D2 USA GOV (b)(3) 50 USC 3605

(b)(3) 50 USC 3605

Cc: [redacted] Ryan P. Crumpler-DNI- (b)(3) CIAAct
(b)(6)

[redacted] Bradley A. Brooker-DNI- (b)(3) NatSecAct
Soule Trumbull D NSA P3 USA GOV (b)(6)

Subject: Update re: SSCI Letter Request for [redacted] (b)(3) 50 USC 3605

Classification: ~~TOP SECRET//NOFORN~~ (b)(3) NatSecAct
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT (b)(1)

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.

~~(U//FOUO)~~ ODNI

the SSCI letters of October 15, 2019 and January 17, 2020

(b)(1)

(b)(3) NatSecAct

(b)(1)
(b)(3) NatSecAct We also had a conversation with Sue Bai, in 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).

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

(b)(1)

(b)(3)

NatSecAct

~~(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

(b)(3)

NatSecAct

(b)(1)

~~(U//FOUO)~~ Please let us know if CIA or NSA have concerns with this revised approach. We recognize the SSCI letter request was 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.

(b)(3) NatSecAct

Deputy General Counsel

(b)(6)

Office of the Director of National Intelligence Office of General Counsel

(u)

(c)

(b)(3) NatSecAct

(b)(6)

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

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

(b)(3) NatSecAct

(b)(6)

From: [redacted] (b)(3) CIAAct
To: Courtney Elwood (b)(6)
Cc: [redacted]
Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct
Date: Thursday, February 27, 2020 7:46:08 AM (b)(1)
Attachments: image001.gif (b)(3) NatSecAct
 (b)(1)

Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~
 ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS
 PRIVILEGED DOCUMENT (b)(3) NatSecAct

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

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

Good morning Courtney. I tried your office a few minutes ago. I will be here until about 8:30 this morning at which time I am heading to the Hill for a FISA-related briefing. I updated Sue last night that

[redacted]

She was interested in having ODN [redacted] but I advised here that may not be feasible.

I am not confident I will be back from the Hill in time for the noon call, but I will flag the call for Brad in hopes he can cover.

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

[redacted]
 Deputy General Counsel
 Office of the Director of National Intelligence Office of General Counsel

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

(b)(3) CIAAct

From: Courtney Elwood [redacted]
Subject: Wednesday, February 26, 2020 6:25 PM (b)(3) CIAAct
 (b)(3) NatSecAct (b)(6)
To: [redacted] (b)(6)
Cc: [redacted]
Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct
 (b)(1)

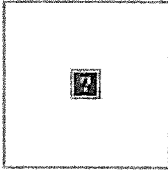
Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~
 ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS
 PRIVILEGED DOCUMENT

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

Hey [redacted] - Give a call tomorrow morning - preferably before the noon conference call. Want to fill
 (b)(3) NatSecAct
 (b)(6)

you in on something. Thanks.

Courtney Simmons Elwood
General Counsel
Central Intelligence Agency



(b)(3) CIAAct

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

From: [redacted] (b)(3) CIAAct

Sent: Wednesday, February 26, 2020 5:08 PM (b)(6)

(b)(3) 50 USC 3605

To: Courtney Elwood [redacted]
(b)(3) 50 USC 3605

Anthony Teisha M NSA-D2 USA CIV [redacted]

(b)(3) CIAAct

cc: Bradley A. Brooker-DNI- [redacted]
(b)(3) CIAAct
(b)(6)

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

(b)(6)

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

Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS
PRIVILEGED DOCUMENT (b)(3) NatSecAct

(b)(6)

Classified By: [redacted]
Derived From: [redacted]
Declassify On: 25X1, 20701231

Thank you both. I'll relay the update to Sue and contact [redacted] (b)(3) CIAAct
(b)(6)
[redacted] (b)(3) NatSecAct
(b)(6)

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



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

(b)(3) CIAAct

From: Courtney Elwood [redacted]
Sent: Wednesday, February 26, 2020 4:16 PM

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

To: [redacted] (b)(3) 50 USC 3605

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

(b)(3) 50 USC 3605

[Redacted] Anthony Teisha M NSA-D2 USA CIV [Redacted] (b)(3) CIAAct
[Redacted] (b)(3) NatSecAct [Redacted] (b)(6)
Cc: Bradley A. Brooker-DNI- [Redacted] (b)(6)

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

Classification: ~~TOP SECRET~~ [Redacted] ~~NOFORN~~
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS
PRIVILEGED DOCUMENT

[Redacted] (b)(3) CIAAct
[Redacted] (b)(3) NatSecAct

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

Hi [Redacted] (b)(3) NatSecAct (b)(1) (b)(3) CIAAct
[Redacted] Please let [Redacted] (b)(6)

know when you're planning to head over,

-Courtney

(b)(3) NatSecAct

Courtney Simmons Elwood
General Counsel
Central Intelligence Agency

[Redacted] (b)(3) CIAAct



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

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

Sent: Wednesday, February 26, 2020 3:52 PM

To: [Redacted] Courtney Elwood [Redacted] Anthony

(b)(3) 50 USC 3605 NSA-D2 USA CIV

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

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

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

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

(b)(1)
(b)(3) NatSecAct
(b)(3) 50 USC 3605

[Redacted] - that's correct.

[Redacted]

V/r

(b)(1)
(b)(3) NatSecAct
(b)(3) 50 USC 3605

(b)(3) 50 USC 3605

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

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

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

From: [Redacted]
Sent: Wednesday, February 26, 2020 3:10 PM

To: Courtney Elwood [Redacted] Anthony Teisha M NSA-D2 USA CIV (b)(3) 50 USC 3605

(b)(3) 50 USC 3605

(b)(3) NatSecAct

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

Subject: RE: (U) RE: Draft Letter to SSCI [Redacted] (b)(3) NatSecAct (b)(6)
(b)(1)

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

Classified By: [Redacted] (b)(1)
Derived From: [Redacted] (b)(3) NatSecAct
Declassify On: 25X1, 2070123 (b)(6)

Sue Bai called and asked that I provider her with a status update by OOB tomorrow.

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

(b)(3) 50 USC 3605

I understand from speaking to [Redacted] that

[Redacted]

CIA, are you able to provide a status update that I can relay to Sue?

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

[Redacted]
Deputy General Counsel
Office of the Director of National Intelligence Office of General Counsel

(u)

(c)

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

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

From: [Redacted]
Sent: Tuesday, February 25, 2020 5:25 PM

(b)(3) CIAAct

(b)(6)

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

(b)(3) 50 USC 3605

(b)(3) 50 USC 3605

(b)(3) NatSecAct

Cc: Bradley A. Brooker-DNI-

(b)(6)

(b)(3) CIAAct

(b)(6)

Subject: RE: (U) RE: Draft Letter to SSCI

(b)(3) NatSecAct

(b)(1)

Classification: ~~TOP SECRET~~

~~NOFORN~~

Classified By: [redacted]

Derived From: [redacted]

(b)(3) NatSecAct

Declassify On: 25X1, 20701231

(b)(1)

(b)(6)

No problem. The request came from Sue Bai.

(b)(3) NatSecAct

(b)(6)

Deputy General Counsel

Office of the Director of National Intelligence Office of General Counsel

(u)

(c)

(b)(3) NatSecAct

(b)(6)

(b)(3) NatSecAct

(b)(6)

From: Courtney Elwood [redacted]

(b)(3) CIAAct

Sent: Tuesday, February 25, 2020 4:11 PM

To:

Anthony Teisha M NSA-D2 USA CIV

(b)(3) 50 USC 3605

(b)(3) 50 USC 3605

(b)(3) NatSecAct

(b)(3) CIAAct

Cc: Bradley A. Brooker-DNI-

(b)(6)

(b)(6)

Subject: RE: (U) RE: Draft Letter to SSCI

(b)(3) NatSecAct

(b)(1)

Classification: ~~TOP SECRET~~

~~NOFORN~~

Classified By: [redacted]

(b)(3) CIAAct

Derived From: [redacted]

(b)(3) NatSecAct

Declassify On: 25X1, 20701231

(b)(1)

(b)(3) NatSecAct

(b)(6)

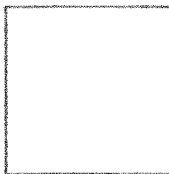
Thanks, [redacted] Who in the Counsel's Office? (It's a personal pet peeve when people say "OGC said XYZ." I always want to know the particular person. SO please don't read my question for more than it is.)

Courtney Simmons Elwood

General Counsel

Central Intelligence Agency

(b)(3) CIAAct



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

From:

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

To: Anthony Teisha M NSA-D2 USA CIV

(b)(3) 50 USC 3605

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

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

Cc: Bradley A. Brooker-DNI-

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

Courtney Elwood

Subject: RE: (U) RE: Draft Letter to SSCI

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

Classification: ~~TOP SECRET~~

~~NOFORN~~

Classified By:

(b)(1)

Derived From:

(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)

Deputy General Counsel

Office of the Director of National Intelligence Office of General Counsel

(u)

(c)

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

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

From: [redacted]
Sent: Tuesday, February 25, 2020 2:01 PM (b)(3) 50 USC 3605
To: 'Anthony Teisha M NSA-D2 USA CIV' [redacted] (b)(3) CIAAct
(b)(6)

(b)(3) CIAAct **Cc:** Bradley A. Brooker-DNI- [redacted] Courtney Elwood [redacted]
(b)(6)
Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct
(b)(1) (b)(3) NatSecAct
(b)(6)

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

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

(b)(3) NatSecAct

Thanks Teisha. My understanding is that the [redacted] expire on Feb. 29th. At present, I
am not aware of any effort to extend them. I expect that [redacted] (b)(3) NatSecAct
[redacted] but it may be worth discussing when we have another ca (b)(5)
(b)(3) NatSecAct [redacted] (b)(1)
(b)(5)
(b)(1) [redacted] (b)(3) NatSecAct
(b)(6)

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

(u)
(c)

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

(b)(3) NatSecAct [redacted] (b)(3) 50 USC 3605
(b)(6)

From: Anthony Teisha M NSA-D2 USA CIV [redacted]
Sent: Monday, February 24, 2020 11:19 AM
To: [redacted] (b)(3) CIAAct
(b)(3) 50 USC 3605 [redacted] (b)(6)

(b)(3) CIAAct **Cc:** Bradley A. Brooker-DNI- [redacted] Courtney Elwood [redacted]
(b)(6) [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) NatSecAct
(b)(6)

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

[redacted] (b)(3) NatSecAct (b)(1)
(b)(6) (b)(3) NatSecAct
(b)(5)

Thanks for the updated draft. Quick question—my understanding is that [redacted] (b)(3) 50 USC 3605
[redacted] I understand that
[redacted] expires at the end of this week. Are we extending
those as well?

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

Teisha M. Anthony
Acting General Counsel
Office of General Counsel (b)(3) 50 USC 3605

[Redacted]

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

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

From: [Redacted]
Sent: Monday, February 24, 2020 10:57 AM
To: [Redacted]

(b)(3) 50 USC 3605

(b)(3) 50 USC 3605 (b)(3) NatSecAct

Cc: Bradley A. Brooker-DNI- (b)(6) Courtney Elwood (b)(3) CIAAct
Anthony Teisha M NSA-D2 USA CIV (b)(6)
Subject: RE: (U) RE: Draft Letter to SSCI (b)(3) NatSecAct
(b)(1)

Classification: ~~TOP SECRET~~ ~~NOFORN~~
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)(6)

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

From: [Redacted] (b)(3) CIAAct
Sent: Friday, February 21, 2020 5:06 PM (b)(6)
To: [Redacted] (b)(3) 50 USC 3605
Cc: Bradley A. Brooker-DNI- [Redacted]

(b)(3) 50 USC 3605 Courtney Elwood Anthony Teisha M NSA-D2 USA CIV (b)(3) CIAAct
(b)(6)

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

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

[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.

(b)(3) CIAAct

Please let us know if you have questions and if anything further would be helpful. Thanks. [redacted] (b)(6)

(b)(3) 50 USC 3605

From: [redacted] (b)(3) CIAAct

(b)(3) NatSecAct **Sent:** Friday, February 21, 2020 2:31 PM (b)(6)

(b)(6) **To:** [redacted] Courtney

Elwood Anthony Teisha M NSA-D2 USA CIV (b)(3) NatSecAct (b)(3) 50 USC 3605

(b)(3) CIAAct (b)(6) **Cc:** Bradley A. Brooker-DNI- [redacted] (b)(6)

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

(b)(1)

(b)(3) NatSecAct Classification: ~~TOP SECRET~~ [redacted] NOFORN (b)(3) 50 USC 3605

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

[redacted] - attached please find NSA's edits, comments, and concerns. As you know, the factual situation with regards [redacted] is complicated. If it makes the letter more straightforward, [redacted]

(b)(3) 50 USC 3605

(b)(1) [redacted] (b)(3) NatSecAct

(b)(3) NatSecAct (b)(5)

Additionally, as we discussed earlier today, a reminder that the current [redacted] expire at the end of this month. [redacted]

(b)(1)
(b)(3) NatSecAct
(b)(5)
(b)(3) 50 USC 3605

v/r

(b)(3) 50 USC 3605

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

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

From: [redacted] (b)(3) CIAAct

(b)(3) CIAAct **Sent:** Friday, February 21, 2020 10:58 AM (b)(3) CIAAct

(b)(6) **To:** [redacted] Courtney Elwood [redacted] Anthony

Teisha M NSA-D2 USA CIV [redacted] (b)(3) 50 USC 3605

Cc: Bradley A. Brooker-DNI- [redacted] (b)(3) NatSecAct

Subject: RE: Draft Letter to SSCI [redacted] (b)(6)

(b)(3) 50 USC 3605 (b)(3) NatSecAct

(b)(1)

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

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

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

=====

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.

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

[redacted]
Deputy General Counsel
Office of the Director of National Intelligence Office of General Counsel

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

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

From: [redacted] (b)(3) CIAAct
Sent: Wednesday, February 19, 2020 12:32 PM (b)(6) (b)(3) CIAAct
To: [redacted] Courtney Elwood Anthony
Teisha M NSA-D2 USA CIV [redacted] (b)(3) 50 USC 3605
Cc: Bradley A. Brooker-DNI- [redacted] (b)(3) NatSecAct
Subject: Draft Letter to SSCI [redacted] (b)(3) NatSecAct (b)(6)
(b)(1)

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

=====

(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
(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)



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

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

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

Classified By: (b)(3) 50 USC 3605

Derived From: [redacted]

(b)(1)
(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~~

Classified By: (b)(3) 50 USC 3605

Derived From: [redacted]

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

Dated: [redacted]

Declassify On: 20450201

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

=====
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~~

Classified By: (b)(3) 50 USC 3605

Derived From: [redacted]

(b)(1)
(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~~

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

From: [redacted]
To: Courtney Elwood
Subject: RE: (U) RE: Draft Letter to SSCI [redacted]
Date: Tuesday, March 3, 2020 10:08:34 AM (b)(3) NatSecAct
Attachments: image001.gif (b)(1)

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

Classified By: [redacted] (b)(3) CIAAct
Derived From: [redacted] (b)(1)
Declassify On: 25X1, 2070I231 (b)(3) NatSecAct

(b)(3) CIAAct
(b)(6) I'll talk to [redacted] when she gets out of meeting (and [redacted] turned up). [redacted] usually tough to reach on first try, but I'll try. Meanwhile, if [redacted] has a strong reaction, maybe we should all talk even pre-reaching [redacted] (b)(3) CIAAct
(b)(6)

From: Courtney Elwood [redacted] (b)(3) CIAAct
Sent: Tuesday, March 03, 2020 10:06 AM (b)(6)
To: [redacted]
Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct
(b)(1)

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

Classified By: [redacted] (b)(3) CIAAct
Derived From: [redacted] (b)(1)
Declassify On: 25X1, 2070I231 (b)(3) NatSecAct

Yes, this is the first I've heard of it too. Please feel free to chat with [redacted] and to call [redacted] for clarity.

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

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



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From: [redacted] (b)(3) CIAAct
Sent: Tuesday, March 03, 2020 9:58 AM (b)(6)

To: Courtney Elwood [redacted] (b)(3) CIAAct
Subject: FW: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct
(b)(1)

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

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

(b)(3) CIAAct
(b)(3) NatSecAct
(b)(6)
(b)(5)

The logistics aspect of this is easy (really one for OCA). [redacted]
[redacted] On the last call, I think
[redacted] said they'd take that question back for a think. This is the first item on point I know of since
then.

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

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

From: Bradley A. Brooker-DNI [redacted]
Sent: Tuesday, March 03, 2020 9:08 AM
To: Courtney Elwood [redacted]
Cc: [redacted]
Subject: RE: (U) RE: Draft Letter to SSCI [redacted]

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

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

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

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

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

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

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

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

Thanks,
Brad

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

Sent: Tuesday, February 25, 2020 4:11 PM

To: [redacted]; Anthony Teisha M NSA-D2 USA CIV (b)(3) 50 USC 3605

(b)(3) 50 USC 3605

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

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

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

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



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(b)(6)

From: [redacted] (b)(3) 50 USC 3605 (b)(3) CIAAct
Sent: Tuesday, February 25, 2020 4:08 PM (b)(6)
To: Anthony Teisha M NSA-D2 USA CIV [redacted]

(b)(3) NatSecAct

(b)(6) **Cc:** Bradley A. Brooker-DNI [redacted] Courtney Elwood [redacted] (b)(3) CIAAct
[redacted] (b)(6)

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

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

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)

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

(u)
(c) (b)(3) NatSecAct
(b)(6)

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

From: (b)(3) 50 USC 3605
Sent: Tuesday, February 25, 2020 2:01 PM (b)(3) CIAAct
To: 'Anthony Teisha M NSA-D2 USA CIV'; (b)(6)

(b)(3) NatSecAct
(b)(6) Bradley A. Brooker-DNI Courtney Elwood (b)(3) CIAAct
(b)(6)

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

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

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

(b)(3) NatSecAct (b)(3) NatSecAct
(b)(5) Thanks Teisha. My understanding is that the (b)(5)
(b)(1) am not aware of any effort to extend them. I expect that (b)(1)

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

(b)(3) NatSecAct
(b)(6) Deputy General Counsel

Office of the Director of National Intelligence Office of General Counsel

(u) (b)(3) NatSecAct
(c) (b)(6)

(b)(3) 50 USC 3605

(b)(3) NatSecAct (b)(3) NatSecAct
(b)(6) **From:** Anthony Teisha M NSA-D2 USA CIV (b)(3) CIAAct
Sent: Monday, February 24, 2020 11:19 AM (b)(6)

(b)(3) 50 USC 3605 **To:**
(b)(3) CIAAct
Cc: Bradley A. Brooker-DNI Courtney Elwood (b)(6)

Anthony Teisha M NSA-D2 USA CIV
Subject: RE: (U) RE: Draft Letter to SSCI (b)(3) 50 USC 3605
(b)(3) NatSecAct
(b)(1)

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

(b)(3) NatSecAct
(b)(6) Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~

(b)(1)
(b)(3) NatSecAct
(b)(5)
(b)(3) 50 USC 3605

Thanks for the updated draft. Quick question—my understanding is that [redacted] I understand that [redacted] expires at the end of this week. Are we extending those as well?

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

Teisha

Teisha M. Anthony
Acting General Counsel
Office of General Counsel (b)(3) 50 USC 3605

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

From: [redacted]
Sent: Monday, February 24, 2020 10:57 AM (b)(3) 50 USC 3605

(b)(3) CIAAct
(b)(6) **To:** [redacted]; [redacted] (b)(3) NatSecAct
(b)(6)

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

(b)(3) 50 USC 3605 (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct (b)(3) CIAAct
(b)(1) (b)(6)

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

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

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

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

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

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

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

(b)(3) NatSecAct
Sent: Friday, February 21, 2020 5:06 PM (b)(6)
To: (b)(3) 50 USC 3605
Cc: Bradley A. Brooker-DNI-

(b)(3) 50 USC 3605 Courtney Elwood Anthony Teisha M NSA-D2 USA
(b)(3) CIAAct
Subject: RE: (U) RE: Draft Letter to SSCI (b)(3) NatSecAct (b)(6)
(b)(1)

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

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

(b)(3) NatSecAct
(b)(6) 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. (b)(3) CIAAct
(b)(3) 50 USC 3605 (b)(6)

(b)(3) NatSecAct
(b)(6) From: (b)(3) CIAAct
Sent: Friday, February 21, 2020 2:31 PM (b)(6)
To: Courtney Elwood (b)(3) CIAAct Anthony Teisha M NSA-D2 US (b)(3) 50 USC 3605 (b)(6)

Cc: Bradley A. Brooker-DNI- (b)(3) NatSecAct
Subject: (U) RE: Draft Letter to SSCI (b)(3) NatSecAct (b)(6)
(b)(1)

(b)(3) NatSecAct
(b)(6) Classification: ~~TOP SECRET~~ ~~NOFORN~~ (b)(3) 50 USC 3605
(b)(3) NatSecAct
(b)(5)

attached please find NSA's edits, comments, and concerns. As you know, the factual situation with regards is complicated. If it makes the letter more straightforward,

(b)(1)
(b)(3) NatSecAct
(b)(3) 50 USC 3605 (b)(1)
Additionally, as we discussed earlier today, a reminder that the current (b)(3) NatSecAct

expire at the end of this month.

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

Associate General Counsel, Legislation
NSA Office of General Counsel

(b)(3) 50 USC 3605

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

From: (b)(3) CIAAct
 (b)(6)

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

To: Courtney Elwood Anthony
 Teisha M NSA-D2 USA CIV (b)(3) 50 USC 3605

Cc: Bradley A. Brooker-DN (b)(3) NatSecAct

Subject: RE: Draft Letter to SSCI (b)(3) NatSecAct
 (b)(6)
 (b)(3) CIAAct
 (b)(1)

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

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

=====

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.

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

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

(u)
 (c)

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

From: (b)(3) CIAAct

Sent: Wednesday, February 19, 2020 12:32 PM (b)(6) (b)(3) CIAAct

To: Courtney Elwood Anthony
 Teisha M NSA-D2 USA CIV (b)(3) 50 USC 3605

Cc: Bradley A. Brooker-DNI (b)(3) NatSecAct

Subject: Draft Letter to SSCI (b)(3) NatSecAct
 (b)(6)
 (b)(1)

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

Classified By: (b)(1)
 Derived From: (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.

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

[Redacted]

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

[Redacted] (u)

[Redacted] (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]

Derived From: [Redacted]

(b)(1)
(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]

Derived From: [Redacted]

(b)(1)
(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~~

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

~~NOFORN~~

=====
Classification: ~~TOP SECRET~~

~~NOFORN~~

=====
Classification: ~~TOP SECRET~~

~~NOFORN~~ (b)(3) NatSecAct
(b)(1)

=====
Classification: ~~TOP SECRET~~

~~NOFORN~~

=====
Classification: ~~TOP SECRET~~

~~NOFORN~~

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

From: [redacted] (b)(3) NatSecAct
To: Courtney Elwood; [redacted] (b)(6)
Cc: [redacted]
Subject: RE: Update re: SSCI Letter Request for [redacted]
Date: Wednesday, March 11, 2020 10:50:32 AM (b)(3) NatSecAct
Attachments: image001.gif (b)(1)

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

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

Just put a call in – it sounds like his SA will connect me before lunch.

From: Courtney Elwood [redacted] (b)(3) CIAAct (b)(3) NatSecAct
Sent: Wednesday, March 11, 2020 10:35 AM (b)(6)
To: [redacted] (b)(3) CIAAct
Cc: [redacted] (b)(6)
Subject: RE: Update re: SSCI Letter Request for [redacted]

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

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

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

[redacted] (John's
[redacted], I think that will speed things along.

Thanks! (b)(6)

Courtney Simmons Elwood
General Counsel
Central Intelligence Agency

[redacted] (b)(3) CIAAct



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(b)(3) NatSecAct
(b)(6) and communications within the Executive Branch.

From: [redacted] (b)(3) CIAAct
Sent: Wednesday, March 11, 2020 10:32 AM (b)(6)
To: [redacted] Courtney Elwood
Cc: [redacted]

Subject: RE: Update re: SSCI Letter Request for [redacted] (b)(3) CIAAct (b)(6)

Classification: ~~TOP SECRET//NOFORN~~ (b)(3) NatSecAct (b)(1)
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

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

[Large redacted block]

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

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

From: [redacted]
Sent: Wednesday, March 11, 2020 9:18 AM
To: [redacted] 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~~ (b)(3) NatSecAct (b)(1)
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT
Classified By: [redacted] (b)(3) NatSecAct (b)(6)
Derived From: ODNI CG
Declassify On: 20451231

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

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

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

(u)
(c)

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

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

From: [redacted] (b)(3) CIAAct
Sent: Wednesday, March 11, 2020 9:17 AM (b)(6)
To: [redacted] Courtney Elwood [redacted] (b)(3) CIAAct
(b)(6)

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] (b)(3) NatSecAct
Derived From: ODNI CG (b)(6)
Declassify On: 20451231

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

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

From: [redacted] (b)(3) CIAAct
Sent: Wednesday, March 11, 2020 9:09 AM (b)(6)
To: Courtney Elwood [redacted] (b)(3) CIAAct
(b)(6)

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] (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]

I just want to make sure I'm
(b)(1)
(b)(3) NatSecAct

(b)(3) NatSecAct tracking [redacted] (b)(1)
(b)(6) [redacted] (b)(3) NatSecAct

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

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

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

Sent: Tuesday, March 10, 2020 7:17 PM

To: [redacted] (b)(3) CIAAct

Cc: [redacted] (b)(6)

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

Subject: FW: 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

I got a call from Eisenberg and Sue Bai this evening, asking me to confirm [redacted]
[redacted] I said I thought
it was [redacted] He asked for
more information on that, and I directed him to you. [redacted] Absent unforeseen events, [redacted]

[redacted] (b)(1)
Fingers crossed. (b)(3) CIAAct
(b)(3) NatSecAct
(b)(6)

Courtney Simmons Elwood
General Counsel
Central Intelligence Agency

[redacted] (b)(3) CIAAct



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

From: [redacted] (b)(3) CIAAct
Sent: Wednesday, March 04, 2020 6:32 PM
To: Courtney Elwood [redacted] Anthony Teisha M NSA D2 USA GOV (b)(3) 50 USC 3605

(b)(3) 50 USC 3605

Cc: [redacted] (b)(3) CIAAct
[redacted] Ryan P. Crumpler-DNI- (b)(6)

(b)(3) NatSecAct [redacted] Bradley A. Brooker-DNI-
(b)(6) [redacted] Soule Trumbull D NSA P3 USA GOV (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.

~~(U//FOUO)~~ ODNI [redacted] (b)(1)
[redacted] (b)(3) NatSecAct

(b)(3) NatSecAct [redacted] the SSCI letters of October 15, 2019 and January 17, 2020 [redacted]
(b)(1) [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).

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

[redacted]

~~(U//FOUO)~~ Sue has requested that CIA and NSA extend the date range used to identify potentially (b)(3) NatSecAct
responsive documents through January 17, 2020 (the date of the second letter). For this revised (b)(1)
approach, she has also asked to have [redacted]

[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

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

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.

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

[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)

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

From: [redacted] (b)(3) CIAAct
To: Eric P. Losick-DNT; [redacted] Courtney Elwood (b)(6)
Cc: [redacted]
Subject: RE: Update re: SSCI Letter Request for [redacted] (b)(3) NatSecAct
Date: Wednesday, March 11, 2020 3:05:13 PM
Attachments: image001.gif (b)(1)

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

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

=====

(b)(3) NatSecAct

Great, thank you. [redacted]

From: [redacted] (b)(3) NatSecAct
[redacted] (b)(6)
Sent: Wednesday, March 11, 2020 2:30 PM
To: [redacted] Courtney Elwood [redacted] (b)(3) CIAAct
[redacted] (b)(6)
Cc: [redacted]
Subject: RE: Update re: SSCI Letter Request for [redacted] (b)(3) NatSecAct
[redacted] (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]

[redacted] (b)(1)
[redacted] The staff directors were told to expect a call [redacted] (b)(3)
[redacted] Please feel free to contact me if it would be helpful to discuss. NatSecAct

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

From: [redacted]
Sent: Wednesday, March 11, 2020 9:17 AM
To: [redacted] Courtney Elwood [redacted] (b)(3) CIAAct
[redacted] (b)(3) NatSecAct
[redacted] (b)(6)

Cc: [redacted]

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

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

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

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

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

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

Short answer is yes. [redacted]

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

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

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

From: [redacted]

Sent: Wednesday, March 11, 2020 9:09 AM

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]
Derived From: ODNI CG
Declassify On: 20451231

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

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

[redacted]
tracking: [redacted]

I just want to make sure I'm

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

(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: Courtney Elwood [redacted]

(b)(3) CIAAct

Sent: Tuesday, March 10, 2020 7:17 PM

To: [redacted]

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

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

Cc:

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

Subject: FW: 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

I got a call from Eisenberg and Sue Bai this evening, asking me to confirm [Redacted]

it was. [Redacted] I said I thought
more information on that, and I directed him to you; [Redacted] Absent unforeseen events, He asked for [Redacted] (b)(1)

Fingers crossed.

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

Courtney Simmons Elwood
General Counsel
Central Intelligence Agency

[Redacted] (b)(3) CIAAct



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(b)(3) NatSecAct communications within the Executive Branch.
(b)(6)

From: [Redacted] (b)(3) CIAAct
(b)(6)
Sent: Wednesday, March 04, 2020 6:32 PM
To: Courtney Elwood [Redacted] Anthony Teisha M NSA D2 USA GOV

(b)(3) 50 USC 3605 [Redacted] (b)(3) 50 USC 3605

Cc: [Redacted] (b)(3) CIAAct
[Redacted] Ryan P. Crumpler-DNI- (b)(6)

(b)(3) NatSecAct [Redacted] Bradley A. Brooker-DNI-
(b)(6) [Redacted] Soule Trumbull D NSA P3 USA GOV
Subject: Update re: SSCI Letter Request for [Redacted] (b)(3) 50 USC 3605

Classification: ~~TOP SECRET//NOFORN~~ (b)(3) NatSecAct
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT (b)(1)

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

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

All,

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

~~(U//FOUO)~~ ODNI

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

[redacted] the SSCI letters of October 15, 2019 and January 17, 2020 regarding [redacted]

[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 the CIA and NSA searches through January 17, 2020 (the date of second letter).

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

(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]

[redacted]

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

[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
(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)



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

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Classification: ~~TOP SECRET//NOFORN~~

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Classification: ~~TOP SECRET//NOFORN~~

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Classification: ~~TOP SECRET//NOFORN~~

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Classification: ~~TOP SECRET//NOFORN~~

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Classification: ~~TOP SECRET//NOFORN~~

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Classification: ~~TOP SECRET//NOFORN~~

(b)(3) CIAAct (b)(3) NatSecAct
From: (b)(6) (b)(6) (b)(3) CIAAct
Sent: Thursday, February 27, 2020 1:53 PM (b)(6)
To: (b)(3) NatSecAct
Cc: Bradley A. Brooker-DNI Courtney Elwood (b)(6)
Subject: RE: (U) RE: Draft Letter to SSCI (b)(3) NatSecAct (b)(6)

Classification: ~~TOP SECRET~~ ~~NOFORN~~
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

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

=====
Thank you (b)(3) CIAAct (b)(6)
(b)(3) NatSecAct (b)(6)
Deputy General Counsel
Office of the Director of National Intelligence Office of General Counsel

(u)
(c) (b)(3) NatSecAct (b)(6)

From: (b)(3) CIAAct (b)(6)
Sent: Thursday, February 27, 2020 1:51 PM (b)(3) CIAAct (b)(6)
To: (b)(6)
Cc: Bradley A. Brooker-DNI Courtney Elwood (b)(3) CIAAct
Subject: RE: (U) RE: Draft Letter to SSCI (b)(3) NatSecAct (b)(3) NatSecAct (b)(6) (b)(1)

Classification: ~~TOP SECRET~~ ~~NOFORN~~
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

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

Hi - we will host you here in OCA FO I will ask our SA to make sure you can park in the VIP lot.
is assisting with all of this for OCA. Will circle back if/as we need add'l info from you.

Thanks, (b)(3) CIAAct (b)(1)
(b)(6) (b)(3) NatSecAct

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

From: [redacted] (b)(3) CIAAct (b)(3) NatSecAct
Sent: Thursday, February 27, 2020 12:59 PM (b)(6)
To: [redacted] (b)(3) CIAAct (b)(3) NatSecAct
Cc: Bradley A. Brooker-DNI; Courtney Elwood (b)(3) CIAAct (b)(6)
Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct (b)(6) (b)(1)

Classification: ~~TOP SECRET~~ ~~NOFORN~~
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

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

=====
Greetings: [redacted] (b)(3) CIAAct (b)(1)
(b)(6) (b)(3) NatSecAct

I understand the conclusion of the call earlier today is that [redacted]
[redacted] Would it work for CIA if I came to CIA HQ around 9am tomorrow [redacted] If so, is there a room
number I should go to (and is there any way I can make arrangements for parking)?
(b)(3) NatSecAct
[redacted] (b)(6)

Deputy General Counsel (b)(1)
Office of the Director of National Intelligence Office of General Counsel (b)(3) NatSecAct
[redacted] (u)
[redacted] (c) (b)(3) NatSecAct
[redacted] (b)(6)

From: [redacted] (b)(3) CIAAct (b)(3) 50 USC 3605
Sent: Thursday, February 27, 2020 8:17 AM
To: Courtney Elwood; [redacted]; Anthony Teisha M
NSA-D2 USA CIV (b)(3) CIAAct
Cc: Bradley A. Brooker-DNI (b)(6)
Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct (b)(3) NatSecAct
(b)(1) (b)(6)

Classification: ~~TOP SECRET~~ ~~NOFORN~~
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

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

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

I'm adding [redacted] from our office, who we may need to [redacted]
[redacted] (b)(1)
(b)(3) NatSecAct

For NSA and CIA, it would be helpful to know if [redacted]
[redacted]

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

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

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

(u)

(c)

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

From: (b)(3) CIAAct
Sent: Wednesday, February 26, 2020 5:08 PM (b)(6) (b)(3) 50 USC 3605
To: Courtney Elwood; Anthony Teisha M
NSA-D2 USA CIV
Cc: Bradley A. Brooker-DNI
Subject: RE: (U) RE: Draft Letter to SSC (b)(3) NatSecAct (b)(6)
(b)(1)

Classification: ~~TOP SECRET~~ ~~NOFORN~~
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

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

Thank you both. I'll relay the update to Sue and contact (b)(3) CIAAct
(b)(6)

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

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

(u)

(c)

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

(b)(3) CIAAct

From: Courtney Elwood (b)(3) 50 USC 3605 (b)(3) NatSecAct
Sent: Wednesday, February 26, 2020 4:16 PM (b)(6)
To: Anthony Teisha M
NSA-D2 USA CIV
Cc: Bradley A. Brooker-DNI (b)(3) CIAAct (b)(6)
Subject: RE: (U) RE: Draft Letter to SSC (b)(3) NatSecAct (b)(1)

Classification: ~~TOP SECRET~~ ~~NOFORN~~
ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

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

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

planning to head over,

know when you're

(b)(3) CIAAct

(b)(6)

-Courtney

(b)(3) NatSecAct

Courtney Simmons Elwood
General Counsel
Central Intelligence Agency

(b)(3) CIAAct

(b)(1)

(b)(3) NatSecAct



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(b)(3) 50 USC 3605

(b)(3) NatSecAct

From:

(b)(6)

Sent: Wednesday, February 26, 2020 3:52 PM

(b)(3) CIAAct

To:

Courtney Elwood

(b)(6)

Anthony Teisha M NSA-D2 USA

CIV

(b)(3) CIAAct

Cc: Bradley A. Brooker-DNI-

(b)(6)

Subject: RE: (U) RE: Draft Letter to SSCI

(b)(3) NatSecAct

(b)(3) NatSecAct

(b)(1)

(b)(6) Classification: ~~TOP SECRET~~

~~NOFORN~~

- that's correct

V/r

(b)(1)

(b)(3) NatSecAct

(b)(3) 50 USC 3605

(b)(3) 50 USC 3605

Associate General Counsel, Legislation
NSA Office of General Counsel

(b)(3) NatSecAct

(b)(6)

From:

(b)(3) CIAAct

Sent: Wednesday, February 26, 2020 3:10 PM

(b)(6)

(b)(3) 50 USC 3605

To: Courtney Elwood

; Anthony Teisha M NSA-D2 USA CIV

Cc: Bradley A. Brooker-DNI-

(b)(3) NatSecAct

Subject: RE: (U) RE: Draft Letter to SSCI

(b)(3) NatSecAct

(b)(6)

(b)(1)

Classification: ~~TOP SECRET~~

(b)(3) CIAAct

(b)(6)

Classified By:

(b)(1)

(b)(3) NatSecAct

Derived From:

(b)(3) NatSecAct

(b)(6)

Sue Bai called and asked that I provide her with a status update by OOB tomorrow.
(b)(3) 50 USC 3605

I understand from speaking to [redacted] that [redacted]

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

CIA, are you able to provide a status update that I can relay to Sue?
(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) CIAAct
Sent: Tuesday, February 25, 2020 5:25 PM (b)(6) (b)(3) 50 USC 3605
To: Courtney Elwood [redacted]; Anthony Teisha M NSA-D2 USA CIV [redacted]; [redacted]

Cc: Bradley A. Brooker-DN [redacted] (b)(3) NatSecAct
Subject: RE: (U) RE: Draft Letter to SSC [redacted] (b)(6)

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

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

No problem. The request came from Sue Bai.

(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)

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

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

Cc: Bradley A. Brooker-DNI- <BROOKBA@dni.ic.gov> [redacted] (b)(3) CIAAct
Subject: RE: (U) RE: Draft Letter to SSC [redacted] (b)(6)

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

Classified By: [redacted] (b)(3) CIAAct
Derived From: [redacted]

(b)(1)
(b)(3) NatSecAct 5

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 (b)(3) NatSecAct
General Counsel (b)(6)
Central Intelligence Agency

[redacted] (b)(3) CIAAct



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

From [redacted]

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

To: Anthony Teisha M NSA-D2 USA CIV (b)(3) 50 USC 3605 ; [redacted] ; [redacted]

Cc: Bradley A. Brooker-DNI [redacted] Courtney Elwood [redacted] (b)(3) CIAAct (b)(6)

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

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

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

(u) (b)(3) NatSecAct
(c) (b)(6)

From: [redacted] (b)(3) CIAAct
(b)(6)
Sent: Tuesday, February 25, 2020 2:01 PM
To: 'Anthony Teisha M NSA-D2 USA' (b)(3) 50 USC 3605

Cc: Bradley A. Brooker-DNI Courtney Elwood

Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct (b)(3) CIAAct
(b)(1) (b)(6)

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

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

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

Thanks Teisha. My understanding is that the [redacted] expire on Feb. 29th. At present, I am not aware of any effort to extend them. I expect that [redacted] but it may be worth discussing when we have another call.

[redacted] (b)(3) NatSecAct (b)(6)
Deputy General Counsel (b)(1)
Office of the Director of National Intelligence Office of General Counsel (b)(3) NatSecAct
(u) (b)(5)
(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
To: [redacted] (b)(3) NatSecAct (b)(3) 50 USC 3605
(b)(6)

Cc: Bradley A. Brooker-DNI Courtney Elwood
Anthony Teisha M NSA-D2 USA CIV (b)(3) CIAAct
Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct (b)(6)
(b)(1)

Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~ (b)(1)
(b)(3) NatSecAct (b)(3) 50 USC 3605
(b)(6) (b)(3) NatSecAct
(b)(5)

Thanks for the updated draft. Quick question—my understanding is that [redacted] I understand that [redacted] expires at the end of this week. Are we extending those as well?

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

Teisha M. Anthony
Acting General Counsel
Office of General Counsel
[redacted] (b)(3) 50 USC 3605

From: [redacted] (b)(3) NatSecAct
(b)(6)
Sent: Monday, February 24, 2020 10:57 AM

(b)(3) CIAAct

(b)(6) To: [redacted] Approved for Release: 2023/03/21 C06920669 (b)(3) 50 USC 3605

Cc: Bradley A. Brooker-DNI [redacted]; Courtney Elwood [redacted] Anthony Teisha M NSA-

D2 USA CIV [redacted]

Subject: RE: (U) RE: Draft Letter to SSCI (b)(3) NatSecAct (b)(3) CIAAct (b)(3) NatSecAct
(b)(1) (b)(6) (b)(6)

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

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

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

(u)

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

(c)

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

From: [redacted] (b)(6) (b)(3) 50 USC 3605

Sent: Friday, February 21, 2020 5:06 PM (b)(3) NatSecAct

To: [redacted] (b)(6)

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

Subject: RE: (U) RE: Draft Letter to SSCI [redacted] (b)(3) NatSecAct (b)(3) CIAAct
(b)(1) (b)(6)

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

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

From: [redacted] (b)(3) CIAAct

Sent: Friday, February 21, 2020 2:31 PM (b)(6)

To: [redacted] Courtney Elwood

Cc: Anthony Teisha M NSA-D2 USA CIV [redacted] (b)(3) CIAAct

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

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

Classification: ~~TOP SECRET~~ [redacted] ~~NOFORN~~ (b)(3) NatSecAct
(b)(1) (b)(6)

- attached please find NSA's edits, comments, and concerns. As you know, the actual situation with regards

(b)(3) NatSecAct

is complicated. If it makes the letter more straightforward

(b)(1)

(b)(6)

(b)(3) NatSecAct

Additionally, as we discussed earlier today, a reminder that the current

expire at the end of this month.

(b)(3) 50 USC 3605

(b)(3) NatSecAct

(b)(5)

v/r

(b)(1)

(b)(3) 50 USC 3605

(b)(3) NatSecAct

(b)(3) 50 USC 3605

(b)(1)

(b)(3) 50 USC 3605

(b)(3) NatSecAct

(b)(5)

Associate General Counsel, Legislation
NSA Office of General Counsel

(b)(3) CIAAct

(b)(6)

(b)(3) NatSecAct

(b)(6)

From:

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

To:

Courtney Elwood

Anthony Teisha M NSA-D2

USA CIV

(b)(3) CIAAct

(b)(3) 50 USC 3605

(b)(6)

Cc: Bradley A. Brooker-DNI

Subject: RE: Draft Letter to SSCI

(b)(3) NatSecAct

(b)(1)

Classification: ~~TOP SECRET~~

~~NOFORN~~

DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

Classified By:

(b)(1)

(b)(3) NatSecAct

Derived From:

(b)(6)

Declassify On: 25X1, 20701231

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.

(b)(3) NatSecAct

(b)(6)

Deputy General Counsel

Office of the Director of National Intelligence Office of General Counsel

(u)

(b)(3) NatSecAct

(c)

(b)(6)

(b)(3) NatSecAct

(b)(6)

(b)(3) CIAAct

(b)(6)

From:

Sent: Wednesday, February 19, 2020 12:32 PM

To:

Courtney Elwood

Anthony Teisha M NSA-D2 USA

CIV

Cc: Bradley A. Brooker-DNI

(b)(3) 50 USC 3605

(b)(3) CIAAct

Subject: Draft Letter to SSCI

(b)(3) NatSecAct

(b)(6)

(b)(3) NatSecAct

(b)(6)

(b)(1)

Classification: ~~TOP SECRET~~ Approved for Release: 2023/03/21 C06920669 NatSecAct
DELIBERATIVE PROCESS PRIVILEGED DOCUMENT (b)(1)

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

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

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

(b)(3) 50 USC 3605
Classified By: [redacted]
Derived From: [redacted]
Dated: [redacted]
Declassify On: 20450201

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

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

(b)(3) 50 USC 3605
Classified By: [redacted]
Derived From: [redacted]
Dated: [redacted]
Declassify On: 20450201

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

=====
 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]

Derived From: [redacted]

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

Dated: [redacted]

Declassify On: 20450201

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

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

[Redacted]
From: (b)(3) CIAAct
Sent: (b)(6)
To: Tuesday, December 03, 2019 7:17 PM
Cc: Courtney Elwood; (b)(3) CIAAct
Subject: (b)(3) CIAAct RE: 2019.11.25 DOCA to HPSCI (b)(6)

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

Classification: ~~TOP SECRET~~ ~~NOFORN~~ (b)(3) NatSecAct
ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE
PROCESS PRIVILEGED DOCUMENT

[Redacted]
(b)(3) CIAAct
(b)(3) NatSecAct

Well – I attempted to capture your handwritten edits. Please fine tune, if you reply before 8:15 will sub it out.

From: Courtney Elwood (b)(3) CIAAct
Sent: Tuesday, December 03, 2019 7:04 PM (b)(3) CIAAct
To: (b)(6)
Cc: (b)(1)
Subject: RE: 2019.11.25 DOCA to HPSCI (b)(3) NatSecAct

Classification: ~~TOP SECRET~~ ~~NOFORN~~ (b)(3) NatSecAct
ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE
PROCESS PRIVILEGED DOCUMENT

[Redacted]
(b)(3) CIAAct
(b)(3) NatSecAct

Thanks, [Redacted] This draft letter has not been updated with my handwritten edits. Would you like me to make those revisions? We should send the revised version to Eisenberg.

Thanks, (b)(3) CIAAct
Courtney (b)(6)

Courtney Simmons Elwood
General Counsel
Central Intelligence Agency (b)(3) CIAAct



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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) CIAAct

From: [redacted]

(b)(6)

Sent: Tuesday, December 03, 2019 6:39 PM

(b)(3) CIAAct

To: [redacted]

(b)(6)

Cc: [redacted]

Subject: RE: 2019.11.25 DOCA to HPSCI

(b)(1)

(b)(3) NatSecAct

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

ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

(b)(3) NatSecAct

[redacted]

(b)(3) CIAAct

(b)(3) NatSecAct

Updated with today's edits. OCA delivery to Ellis/Eisenberg leaves at 8:15 am tomorrow. [redacted] letter draft. [redacted] OCA paralegal delivering in person.

(b)(3) CIAAct

(b)(3) NatSecAct

Thanks, [redacted]

(b)(6)

From: Courtney Elwood [redacted]

(b)(3) CIAAct

Sent: Friday, November 29, 2019 11:23 AM

(b)(3) CIAAct

To: [redacted]

(b)(6)

Cc: [redacted]

(b)(1)

Subject: RE: 2019.11.25 DOCA to HPSCI

(b)(3) NatSecAct

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

ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

[redacted]

(b)(3) CIAAct

(b)(3) NatSecAct

[redacted]

Something like the attached. Let me know what you think.

(b)(5)

Courtney Simmons Elwood
General Counsel
Central Intelligence Agency

[redacted]



(b)(3) CIAAct

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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) CIAAct

From:

(b)(6)

(b)(3) CIAAct

Sent: Tuesday, November 26, 2019 3:12 PM

(b)(6)

To: Courtney Elwood

Subject: 2019.11.25 DOCA to HPSCI

(b)(1)

(b)(3) NatSecAct

Classification: ~~TOP SECRET~~ (b)(3) NatSecAct ~~NOFORN~~

ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED INFORMATION/DELIBERATIVE PROCESS PRIVILEGED DOCUMENT

(b)(3) CIAAct

(b)(3) NatSecAct

All – Here is the latest draft. Courtney – I’ll bring a hard copy by with the HPSCI request.

(b)(3) CIAAct

(b)(6)

Classification: ~~TOP SECRET~~

~~NOFORN~~

(b)(3) NatSecAct

Classification: ~~TOP SECRET~~

~~NOFORN~~

(b)(3) NatSecAct

Classification: ~~TOP SECRET~~

~~NOFORN~~

(b)(3) NatSecAct

Classification: ~~TOP SECRET~~

~~NOFORN~~

(b)(3) NatSecAct

Classification: ~~TOP SECRET~~

~~NOFORN~~

(b)(3) NatSecAct

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

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

From: [redacted]
Sent: Tuesday, November 26, 2019 9:17 AM
To: [redacted]
Subject: RE: Draft Response to HPSCI
Attachments: 2019.11.25 DOCA to HPSCI [redacted].docx

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

Classification: ~~TOP SECRET//NOFORN~~

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

[redacted] - Version 2 attached. Please use this version. [redacted]

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

From: [redacted] (b)(3) CIAAct
Sent: Tuesday, November 26, 2019 9:00 AM (b)(6)
To: [redacted]
Subject: RE: Draft Response to HPSCI

Classification: ~~TOP SECRET//NOFORN~~

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

My edits attached. A good letter, especially the last part.

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

From: [redacted] (b)(3) CIAAct
Sent: Monday, November 25, 2019 8:58 PM (b)(6)
To: [redacted]
Subject: Draft Response to HPSCI

Classification: ~~TOP SECRET//NOFORN~~

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

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

[redacted] - for your edits and review. [redacted]

Thanks [redacted]

(b)(3) NatSecAct
(b)(5)

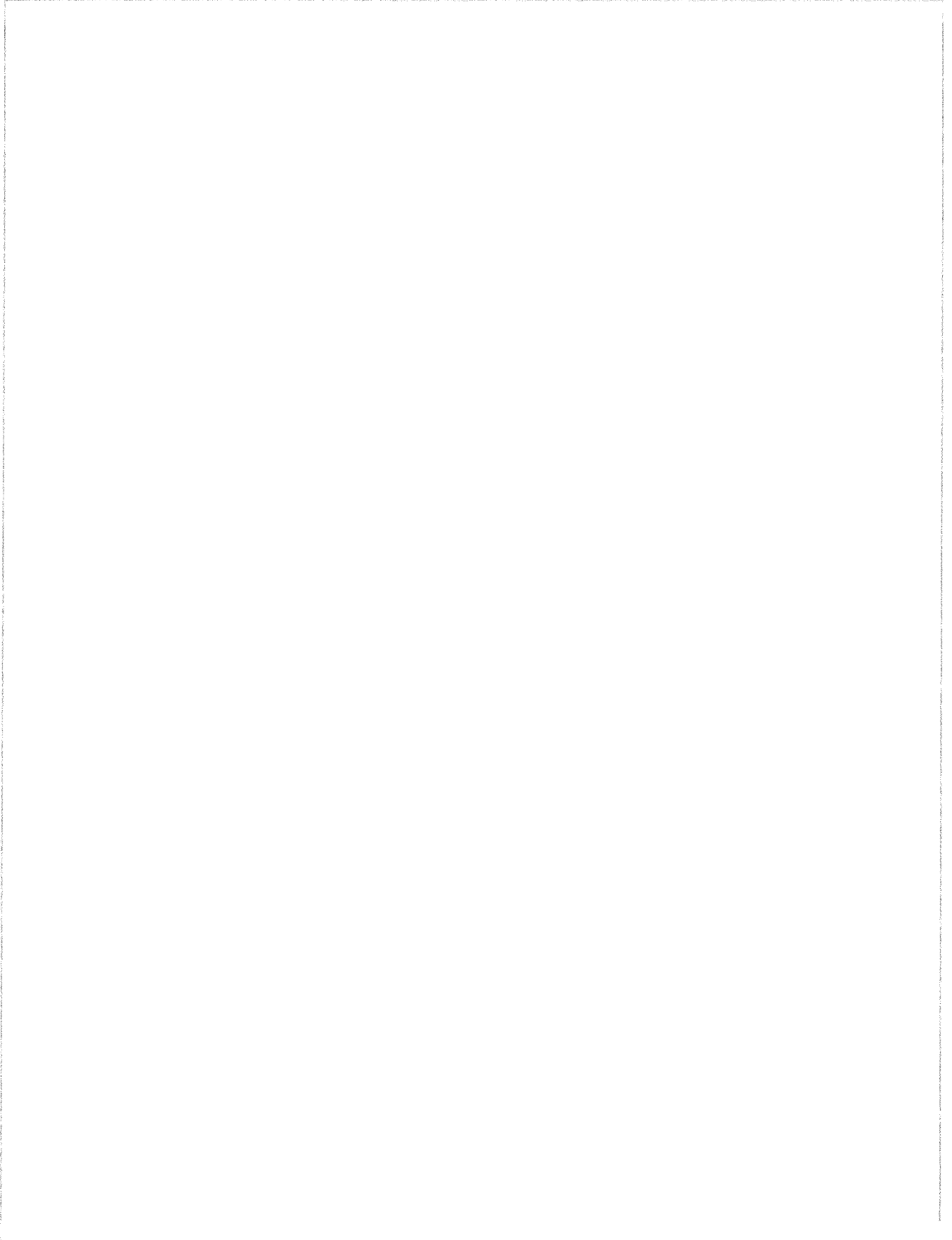
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Classification: ~~TOP SECRET//NOFORN~~

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Classification: ~~TOP SECRET//NOFORN~~

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Classification: ~~TOP SECRET//NOFORN~~

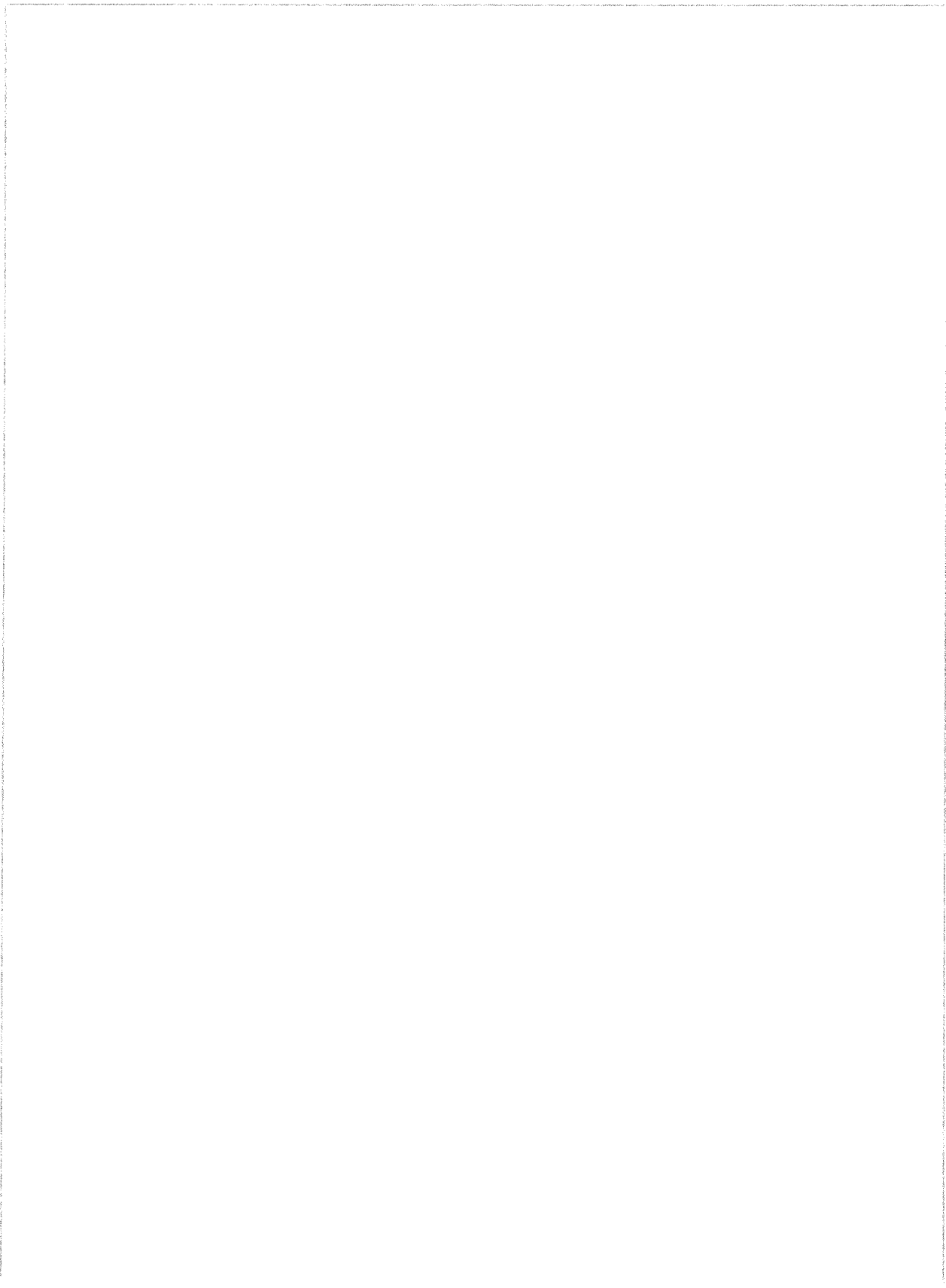
(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

Approved for Release: 2023/03/21 C06920671
~~TOP SECRET//NOFORN~~



(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

Approved for Release: 2023/03/21 C06920671
~~TOP SECRET//NOFORN~~



(b)(1)
(b)(3) CIAAct
(b)(3) NatSecAct
(b)(5)
(b)(6)

Approved for Release: 2023/03/21 C06920671
~~TOP SECRET//NOFORN~~



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

From: [redacted]
Sent: (b)(3) CIAAct Wednesday, March 11, 2020 11:04 AM (b)(3) CIAAct
To: (b)(6) [redacted] Courtney Elwood (b)(6)
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] (b)(3) NatSecAct
Derived From: ODNI CG (b)(6)
Declassify On: 20451231

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

Thanks; [redacted] unless we get contrary direction from WHCO.
(b)(3) NatSecAct (b)(1)
(b)(6) [redacted] (b)(3) NatSecAct
Deputy General Counsel
Office of the Director of National Intelligence Office of General Counsel

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

(b)(3) NatSecAct

(b)(6) **From:** [redacted] (b)(3) CIAAct
Sent: Wednesday, March 11, 2020 10:32 AM (b)(6)
To: [redacted]; Courtney Elwood
Cc: [redacted] (b)(3) CIAAct
(b)(6)
Subject: RE: Update re: SSCI Letter Request for [redacted] (b)(3) NatSecAct
(b)(3) CIAAct (b)(1)
(b)(6)

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

[redacted] (b)(3) CIAAct
(b)(3) NatSecAct (b)(1)
(b)(3) NatSecAct

(b)(6)

[Large redacted area]

(b)(3) NatSecAct

From: [redacted] (b)(6)

Sent: Wednesday, March 11, 2020 9:18 AM

To: [redacted] Courtney Elwood [redacted]

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

Cc: [redacted]

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

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

(b)(1)

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

Derived From: ODNI CG (b)(6)

Declassify On: 20451231

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

Thanks [redacted]

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

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

(u)

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

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

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

To: [redacted] Courtney Elwood [redacted]

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

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] (b)(3) NatSecAct

Derived From: ODNI CG (b)(6)

Declassify On: 20451231

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

Short answer is yes. [redacted]

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

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

From: [redacted]

Sent: Wednesday, March 11, 2020 9:09 AM

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

To: 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] (b)(3) NatSecAct
Derived From: ODNI CG (b)(6)
Declassify On: 20451231

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

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

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

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

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

(u)

(c)

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

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

Sent: Tuesday, March 10, 2020 7:17 PM

(b)(3) CIAAct

To: [redacted]

(b)(6)

Cc: [redacted]

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

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

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

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

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

I said I thought it was [redacted]

He asked for more information on that, and I directed him to you.

Absent unforeseen events, [redacted]

Fingers crossed.

Courtney Simmons Elwood
General Counsel
Central Intelligence Agency

(b)(3) CIAAct



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(b)(3) NatSecAct

(b)(6) From: [redacted] (b)(3) CIAAct (b)(3) 50 USC 3605
Sent: Wednesday, March 04, 2020 6:32 PM (b)(6)
To: Courtney Elwood [redacted] Anthony Teisha M NSA D2 USA GOV [redacted]
Cc: [redacted] (b)(3) CIAAct (b)(6)
[redacted] Ryan P. Crumpler-DNI-
Bradley A. Brooker-DNI- [redacted] Soule Trumbull D NSA
P3 USA GOV (b)(3) 50 USC 3605
Subject: Update re: SSCI Letter Request for [redacted] (b)(3) NatSecAct (b)(3) NatSecAct
(b)(1) (b)(6)

Classification: ~~TOP SECRET//NOFORN~~
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)(3) NatSecAct
(b)(1)

(U//FOUO) ODNI [redacted] the SSCI letters of October 15, 2019 and January 17, 2020 [redacted]

[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]

(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)

(b)(3) NatSecAct

(b)(1) (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.

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

[redacted]
Deputy General Counsel
Office of the Director of National Intelligence Office of General Counsel

(u)

(c)

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

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Classification: ~~TOP SECRET//NOFORN~~

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