

Central Intelligence Agency



Washington, D.C. 20505

18 September 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 an amended 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 Representative Permanent Select Committee on Intelligence (HPSCI) or other congressional committees.**

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

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

We 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 previously made American Oversight aware that a few additional documents were inadvertently omitted from the March 21, 2023 final release. We have processed and are now providing three (3) additional 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)(I) of the National Security Act of 1947, noted as exemption “(b)(3)NatSecAct.”

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". The signature is fluid and cursive, with the first name "Anthony" and last name "Capitos" clearly distinguishable.

Anthony Capitos
Information and Privacy Coordinator

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

Record #2
Non-Responsive

From: [Redacted]
To: [Redacted]
Cc: Courtney Elwood
Subject: [Redacted]
Date: Friday, December 20, 2019 9:06:32 AM
Attachments: 2019.12.03 DRAFT DOCA to HPSCI [Redacted].docx

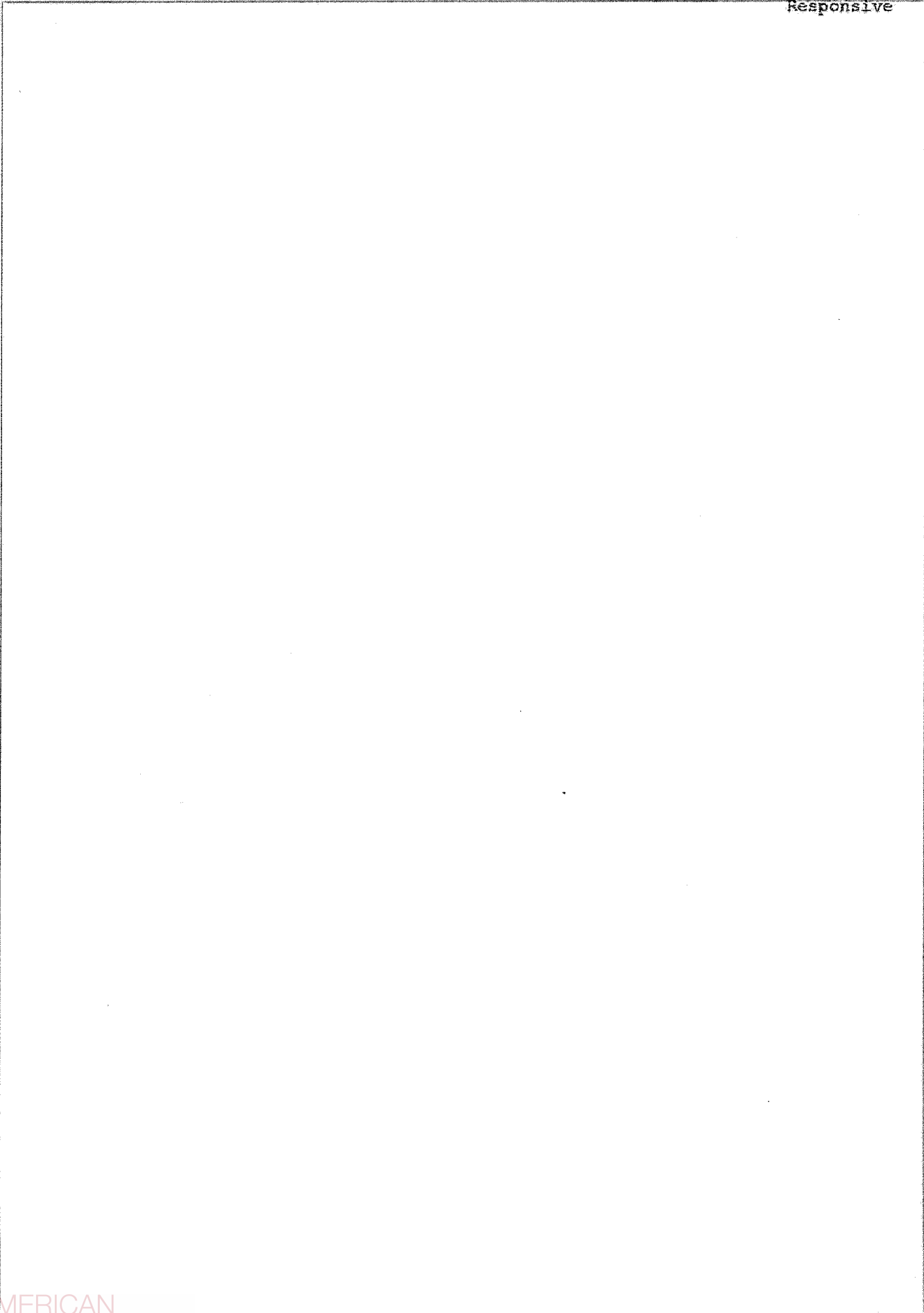
(b)(1)
(b)(3) NatSecAct

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

[Redacted]

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

~~Classification: SECRET//NOFORN~~



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

(b)(3) CIAAct Approved for Release: 2023/09/18 C06904760
(b)(6)

From: [redacted] (b)(1)
To: [redacted] (b)(3) NatSecAct
Subject: Draft Letter to HPSCI [redacted]
Date: Friday, January 24, 2020 6:06:48 PM
Attachments: 2019.12.03 DRAFT DOCA to HPSCI [redacted].docx

Classification: ~~SECRET//NOFORN~~

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

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Classification: ~~SECRET//NOFORN~~

(b)(1)
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(b)(3) CIAAct
(b)(6)

From: Courtney Elwood
To: [Redacted]
Cc: [Redacted]
Subject: [Redacted]
Date: Tuesday, January 14, 2020 7:57:36 AM
Attachments: image001.gif
2019.12.03 DRAFT DOCA to HPSCI [Redacted].docx

Record #2
Non-Responsive

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

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

[Redacted]

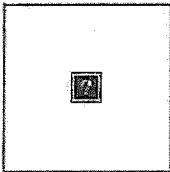
(b)(3) CIAAct
(b)(3) NatSecAct

As requested. I have not updated these, although there have been no material changes.

Courtney Simmons Elwood
General Counsel
Central Intelligence Agency

[Redacted]

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



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]
Sent: Friday, December 20, 2019 9:07 AM
To: [Redacted]
Cc: Courtney Elwood <ELWOODC@cia.ic.gov>
Subject: [Redacted]

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

Record #2
Non-Responsive

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

[Redacted]

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

Classification: ~~SECRET//NOFORN~~

Classification: ~~SECRET//NOFORN~~

(b)(1)

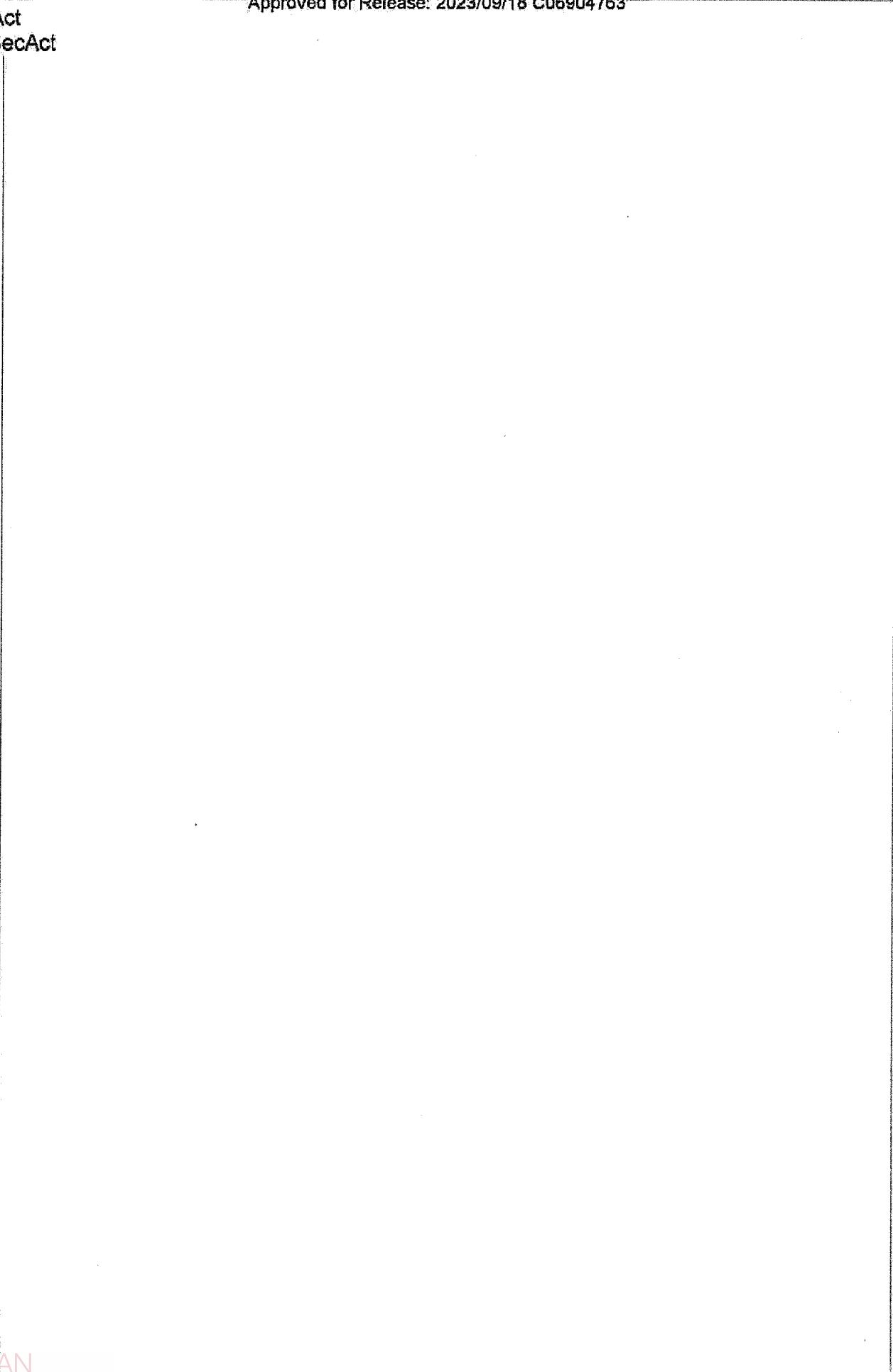
(b)(3) CIAAct

(b)(3) NatSecAct

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



(b)(1)

(b)(3) CIAAct

(b)(3) NatSecAct

(b)(5)

(b)(6)

Approved for Release: 2023/09/18 C06904763

(b)(1)

(b)(3) CIAAct

(b)(3) NatSecAct

(b)(5)

(b)(6)