

Central Intelligence Agency



Washington, D.C. 20505

24 January 2024

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

American Oversight:

This is an amended 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.

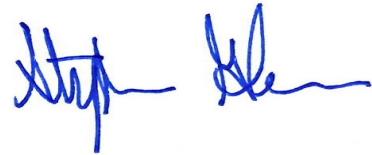
We have identified two (2) documents¹ previously produced by CIA in this matter that contain further information that may be released in segregable form. Accordingly, the attached documents contain further released information, namely unredacted senior level government official names and government agency affiliations. The documents maintain redactions made on the basis of FOIA exemptions (b)(1), (b)(3), (b)(6), (b)(7)(c), and/or (b)(7)(e). Exemption (b)(3) pertains to Section 6 of the Central Intelligence Agency Act of 1949, as amended, noted as exemption “(b)(3)CIAAct” on the

¹ The documents are identified by the same bates numbers as they were at the time of their original production: C06889081 and C06985672.

attached documents, and Section 102A (i) (1) of the National Security Act of 1947, as amended, noted as exemption “(b)(3)NatSecAct.” Additionally, as reflected in the attached, and as previously communicated in relation to the prior production of this information, DHS, DIA, DOJ, FBI, NGA, NSA, ODNI, State, and Treasury asked that we protect certain information under their authority pursuant to 5 U.S.C. § 552(b)(3), 5 U.S.C. § 552(b)(6), 5 U.S.C. § 552(b)(7)(c), or 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 blue ink, appearing to read "Step Glenn", is positioned above the typed name.

Stephen R. Glenn
Information and Privacy Coordinator

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

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

(b)(3) 50 USC 3605

From:

To:

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

[redacted]; Soule Trumbull D NSA-P3 USA CIV; [redacted] (b)(3) CIAAct
(b)(6)

[redacted] FBI USA GOV; [redacted] FBI USA GOV;

Johnson Joanne DOJ USA GOV; [redacted] FBI USA GOV; [redacted] FBI USA GOV; [redacted] (b)(6)E (b)(6)

(b)(3) 50 USC 3605

[redacted] USA GOV; [redacted] STATE USA GOV [redacted] DHS USA GOV; [redacted] TREAS USA (b)(7)(c) (b)(6)

Cc:

Ryan P. Crumpler-DNI-; [redacted] Bradley A. Brooker-DNI-; [redacted]

Subject:

(U) RE: ACTION: SSCI [redacted] Docs Request - Suspense to ODNI by Nov 27th

(b)(3) NatSecAct

(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

[redacted]

(b)(3) 50 USC 3605

NSA Deputy Director, Legislative, State and Local Affairs

[redacted]

(b)(3) NatSecAct

(b)(6)

From

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

To: Soule Trumbull D NSA-P3 USA CIV

(b)(3) 50 USC 3605

(b)(3) 50 USC 3605

(b)(6)

(b)(7)(c)

(b)(7)(e)

(b)(3) 10 USC 424

(b)(6)

FBI USA GOV

FBI USA GOV

Johnson Joanne DOJ USA GOV

(b)(3) 50 USC 3605

(b)(6)

FBI USA GOV

(b)(3) CIAAct

(b)(3) 50 USC 3605

(b)(6)

[redacted]; Kozik David A DoD OUSDI USA GOV

(b)(6)

STATE USA GOV

STATE USA GOV

DHS USA GOV

TREAS

(b)(6)

USA GOV

Cc: Ryan P. Crumpler-DNI-

(b)(3) NatSecAct

Bradley A. Brooker-DNI-

(b)(6)

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

Importance: High

(b)(3) NatSecAct

(b)(3) 50 USC 3605

(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 box]

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

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

[Redacted signature box]

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

From: Benjamin T. Fallon-DNI-[Redacted] (b)(3) NatSecAct
(b)(6)

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

(b)(3) NatSecAct

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

(b)(3) 10 USC
424

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

[Redacted]; [Redacted] (b)(6)

[Redacted] FBI USA GOV [Redacted]

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

(b)(6)

[Redacted] FBI USA GOV [Redacted] Johnson Joanne DOJ USA GOV [Redacted]; [Redacted]

(b)(3) 50 USC 3605

[Redacted] FBI USA GOV [Redacted]; [Redacted]

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

[Redacted]; Kozik David A DoD OUSDI USA GOV [Redacted]; Bradley A. Brooker-DNI-[Redacted]; Ryan P. Crumpler-DNI-[Redacted]

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

Cc: [Redacted] Ryan P. Crumpler-DNI-[Redacted]

(b)(3) 50 USC 3605

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)

Phone: [redacted]
Cell: [redacted]

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

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

Secure:

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

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

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

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

(b)(3) 50 USC 3605

Classified By:

Derived From:
(b)(1)

(b)(3) NatSecAct Dated:

Declassify On: 20441101

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

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

(b)(6)

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

(b)(3) 50 USC 3605

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

From: [redacted]
To: Soule Trumbull D NSA-P3 USA CIV: [redacted]
 [redacted] FBI USA GOV; [redacted] FBI USA GOV; Johnson Joanne DOJ USA GOV;
 [redacted] FBI USA GOV; [redacted] Kozik David A DoD OUSDI USA GOV; [redacted] STATE
 [redacted] USA GOV; [redacted] DHS USA GOV; [redacted] TREAS USA GOV; [redacted]
 [redacted] STATE USA GOV
Cc: Ryan P. Crumpler-DNI-; [redacted] Bradley A. Brooker-DNI-; [redacted] DoD OUSDI USA GOV
Bcc: [redacted]
Subject: RE: ACTION: SSCI [redacted] Docs Request
Date: Tuesday, January 21, 2020 4:03:45 PM
Attachments: Maquire_SSCI_17JAN20.PDF
Importance: High

(b)(3) 50 USC 3605

(b)(6)

(b)(6)

(b)(3)
CIAAct

(b)(6)

(b)(3)
NatSecAct

(b)(6)

(b)(1)

(b)(3) NatSecAct

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

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

Derived From: ODNI CG (b)(6)

Declassify On: 20451231

=====

Good afternoon, IC Legislative Affairs Colleagues – (b)(1)
(b)(3) NatSecAct

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

[redacted]

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

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

Thanks, as always.

Respectfully,

[redacted signature box]

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

Division Chief, Intelligence & Analysis

ODNI Legislative Affairs

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

[redacted signature box]

From: [redacted] (b)(3) NatSecAct (b)(3) 50 USC 3605
Sent: Tuesday, November 26, 2019 10:26 AM (b)(6)

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

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

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

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

[Redacted]
[Redacted] FBI USA GOV [Redacted]
[Redacted] FBI USA GOV [Redacted] Johnson Joanne DOJ USA GOV
[Redacted] FBI USA GOV [Redacted]
[Redacted]

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

(b)(3) 50 USC 3605

[Redacted]; Kozik David A DoD OUSDI USA GOV [Redacted]
[Redacted] STATE USA GOV
[Redacted] DHS USA GOV [Redacted] TREAS

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

(b)(6)

USA GOV [Redacted]
Cc: Ryan P. Crumpler-DNI- [Redacted] Bradley
A. Brooker-DNI- [Redacted]

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

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

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

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

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

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Best regards,

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

[Redacted Signature Box]

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

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

[Redacted]

(b)(3) NatSecAct

(b)(6)

[Redacted]

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

From: Benjamin T. Fallon-DNI- [Redacted] (b)(6)

Sent: Tuesday, November 12, 2019 5:56 PM (b)(1)

To: Soule Trumbull D NSA-P3 USA CIV [Redacted] (b)(3) NatSecAct

[Redacted]

[Redacted]

[Redacted]

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

FBI USA GOV [Redacted]

FBI USA GOV

Johnson Joanne DOJ USA GOV

(b)(3) 50 USC 3605

FBI USA GOV

(b)(6)

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

[Redacted]

Kozik David A DoD OUSDI USA GOV

Bradley A.

Brooker-DNI-

Ryan P. Crumpler-DNI-

(b)(3) 50 USC 3605

[Redacted]

Cc: [Redacted] Ryan P. Crumpler-DNI-

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

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

Importance: High (b)(1)

(b)(3) NatSecAct

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]

[Redacted]

(b)(1)

SSCI is seeking intelligence reporting [Redacted]

(b)(3) NatSecAct

[Redacted]

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BF

Ben Fallon
Assistant DNI for Legislative Affairs
Office of the Director of National Intelligence
 (b)(3) NatSecAct
(b)(6)

Phone:
Cell:
Secure:

===== Classification: TOP SECRET , ===== Classification: TOP SECRET , ===== Classification: TOP SECRET , =====	<input type="text"/>	===== NOFORN ===== NOFORN ===== NOFORN =====
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(b)(1)
(b)(3) NatSecAct