



NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 109360D

21 March 2023

AMERICAN OVERSIGHT
1030 15th ST NW, SUITE B255
WASHINGTON DC 20005

Dear American Oversight:

Enclosed with this letter is a further partial response to your Freedom of Information Act (FOIA) request of 28 February 2020 (1:20-cv-01008). We have completed our review and processing of the enclosed 16 documents (45 pages). Please be advised that the Agency reasonably foresees that disclosure of the withheld information would be harmful to an interest that is protected by the identified exemptions.

Some of the withheld information has been found to be currently and properly classified in accordance with Executive Order 13526, Section 1.4(c), and remains classified as provided in Section 1.2. As such, it is withheld pursuant to 5 U.S.C. 552(b)(1). Additionally, NSA is authorized by various statutes to withhold certain information pursuant to 5 U.S.C. 552(b)(3). The applicable statutes are 18 U.S.C. 798, 50 U.S.C. 3024(i), and Section 6, Public Law 86-36 (50 U.S.C. 3605). Information has also been withheld by our Agency pursuant to 5 U.S.C. 552(b)(5) and 5 U.S.C. 552(b)(6).

Additionally, as reflected in the documents, the NSC, OSD/JS, ODNI, and CIA have asked that we protect certain information under their authority pursuant to 5 U.S.C. 552(b)(3) and/or 5 U.S.C. 552(b)(6).

We will continue to produce documents to you on a rolling basis. 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 that reads "for Kimberly Beall".

PAULA A. GILL
Chief, FOIA/PA Division
NSA Initial Denial Authority

Encls:
a/s

To: Anthony Teisha M NSA-D2 USA CIV [redacted]
From: [redacted]
Sent: 2020-02-28T17:24:16Z
Subject: FW: (U) Meeting with NSC Officials
Received: 2020-02-28T17:24:21Z

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

(b) (3) - P.L. 86-36

From: Nakasone Paul M GEN NSA-D USA USA [redacted]
Sent: Thursday, February 13, 2020 5:34 PM
To: Soule Trumbull D NSA-P3 USA CIV [redacted]; Anthony Teisha M NSA-D2 USA CIV
Subject: (U) Meeting with NSC Officials

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

(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024(i)
(b) (3) -P.L. 86-36
(b) (5)

Joe:

[Large redacted area]

VR/paul

Approved for Release by NSA on 3-21-2023, FOIA Case # 109360 (litigation)

NSA0068

(b) (3) - P, L, 86-36

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20180110

Declassify On: ~~20450201~~

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

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20180110

Declassify On: ~~20450201~~

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

~~SECRET//NOFORN~~

To: Gerstell Glenn S USA GOV [redacted]
From: Barnes George C NSA-D USA CIV
Sent: 2020-01-22T21:48:02Z
Subject: FW: (U) Response to Chairman Schiff
Received: 2020-01-22T21:48:03Z

(b) (3) - P.L. 86-36

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

~~SECRET//NOFORN~~

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024(i)
(b) (3) - P.L. 86-36
(b) (5)

Mr. Secretary:

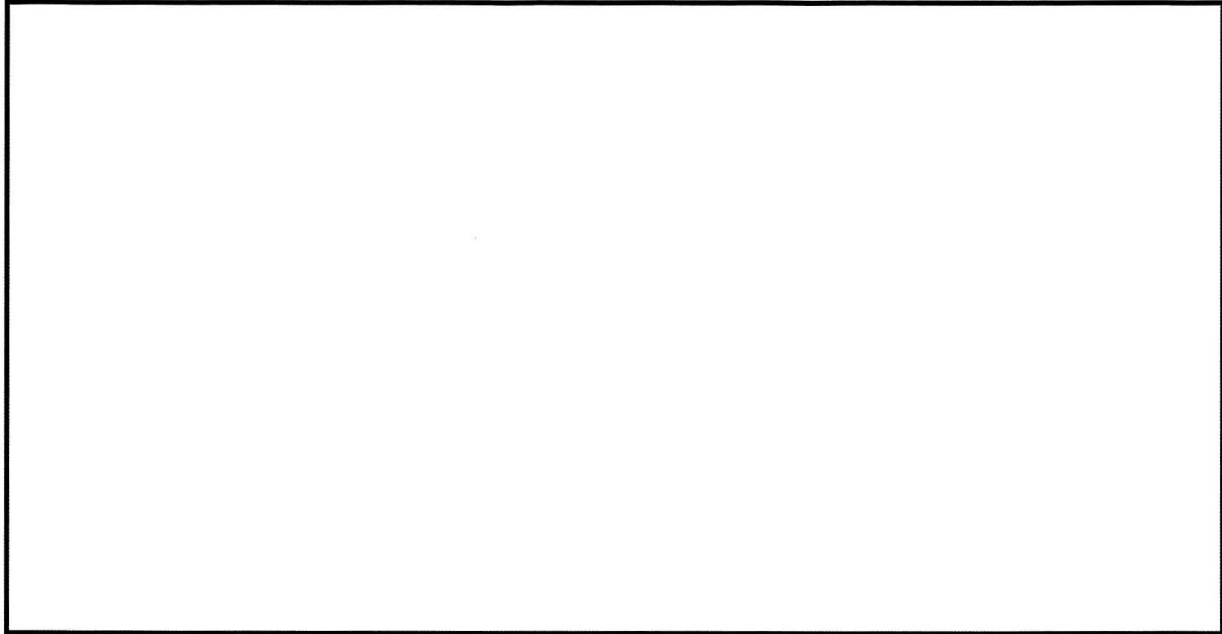
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Approved for Release by NSA on 3-21-2023, FOIA Case # 109360 (litigation)

NSA0070

~~SECRET//NOFORN~~



VR/paul

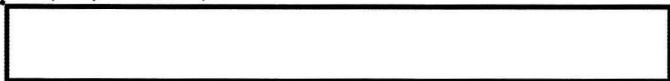
~~SECRET//NOFORN~~

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

(b) (3)-18 USC 798
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36
(b) (5)

(b) (3)-P.L. 86-36

George C. Barnes
Deputy Director, NSA



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

To: Nakasone Paul M GEN NSA-D USA USA [redacted]
Cc: Soule Trumbull D NSA-P3 USA CIV [redacted] Anthony Teisha M NSA-D2 USA
CIV [redacted]
From: Anthony Teisha M NSA-D2 USA CIV
Sent: 2020-02-28T19:55:33Z
Subject: (U) Revised Draft Email FW: (U) Meeting with NSC Officials
Received: 2020-02-28T19:55:34Z

(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024 (i)
(b) (3) -P.L. 86-36
(b) (5)

(b) (3) -P.L. 86-36

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

Sir,

Earlier today you asked me to take a look at the prior email you sent to Acting DNI Maguire and offer suggested changes. The original message is at the bottom of this string. I have reproduced it immediately below, with suggested changes in **bold**. Please let me know if you need anything further. I would like to call ODNI OGC to let them know this will be coming, if that is okay with you.

[Personal Greeting],

[Large redacted area]

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[closing]

Teisha M. Anthony
Acting General Counsel
Office of General Counsel

[Redacted]

(b) (3) - P.L. 86-36

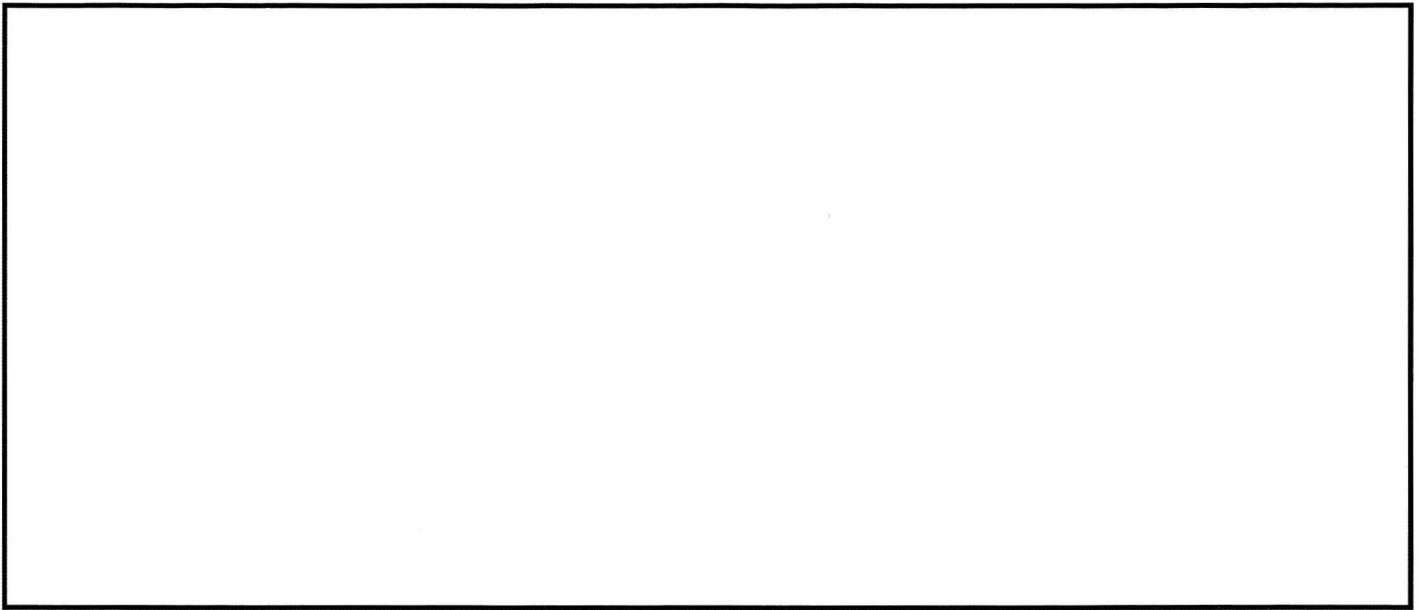
From: Nakasone Paul M GEN NSA-D USA USA [Redacted]

Sent: Thursday, February 13, 2020 5:34 PM

To: Soule Trumbull D NSA-P3 USA CIV [Redacted]; Anthony Teisha M NSA-D2 USA CIV [Redacted]

Subject: (U) Meeting with NSC Officials [Redacted] Text below is duplicated in DOCID 6805895. See NSA0068.

[Large redacted area]



Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20180110

Declassify On: ~~20450201~~

(b) (3) - P.L. 86-36

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

To: Anthony, Teisha [redacted]
From: Gerstell, Glenn S [redacted]
Sent: 2020-01-30T13:05:52Z
Subject: FW: HPSCI documents
Received: 2020-01-30T13:05:55Z

(b) (3) - P.L. 86-36

(b) (6)
OGA
NSC

FYI

From: Gerstell, Glenn S
Sent: Thursday, January 30, 2020 8:00 AM

To: 'john.A.Eisenberg' [redacted]
Cc: Ney, Paul E Jr HON O5D OGG (USA) [redacted]; 'Ellis, Michael J. EOP/WHO' [redacted]
Subject: HPSCI documents

(b) (6)
OGA
OSD/JS

ODNI
(b) (3) - 50 USC 3024 (m)
(b) (6)
OGA

John:

I'm writing because last night, on the Senate floor, Chairman Schiff expressly said that NSA was withholding information: [redacted]

I understand a decision has been made by the Secretary of Defense and the Acting Director of National Intelligence (communicated yesterday evening to GEN Nakasone through Chairman Milley) that we should not furnish further documents. When this past Monday's meeting on this topic was cancelled on short notice, I had been hopeful that we would have a chance in the following day or two to have a full consideration of this issue.

(b) (5)

[Large redacted block]

[redacted] I'm not in a position to approach the principals but I believe your office can invoke its convening abilities to have this discussed further. (To that end, I'm copying Paul and Jason as they were scheduled to attend Monday's meeting.) [redacted]

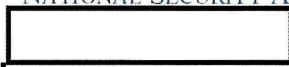
Thank you.

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Glenn



GLENN S. GERSTELL
GENERAL COUNSEL
NATIONAL SECURITY AGENCY



(b) (3) - P. L. 86-36

~~SECRET//NOFORN~~

To: Gerstell Glenn S USA GOV [redacted]
From: Nakasone Paul M GEN NSA-D USA USA
Sent: 2020-01-29T14:01:21Z
Subject: RE: (U) draft email to O'Brien
Received: 2020-01-29T14:01:23Z

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

Thanks. See my unclass note . . . awaiting some discussions ongoing at Pentagon this morning. MTF

From: Gerstell Glenn S NSA-D2 USA CIV
Sent: Tuesday, January 28, 2020 4:23 PM
To: Nakasone Paul M GEN NSA-D USA USA
Cc: D DIR STAFF
Subject: (U) draft email to O'Brien

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

(S//NF)

~~Attorney Client Privileged~~

GEN Nakasone:

[redacted] (b) (6)

I tried to make this short and sweet. Please feel free to call me on my cell [redacted] anytime this evening to discuss. Agree that it should be UNCLASS.

Glenn

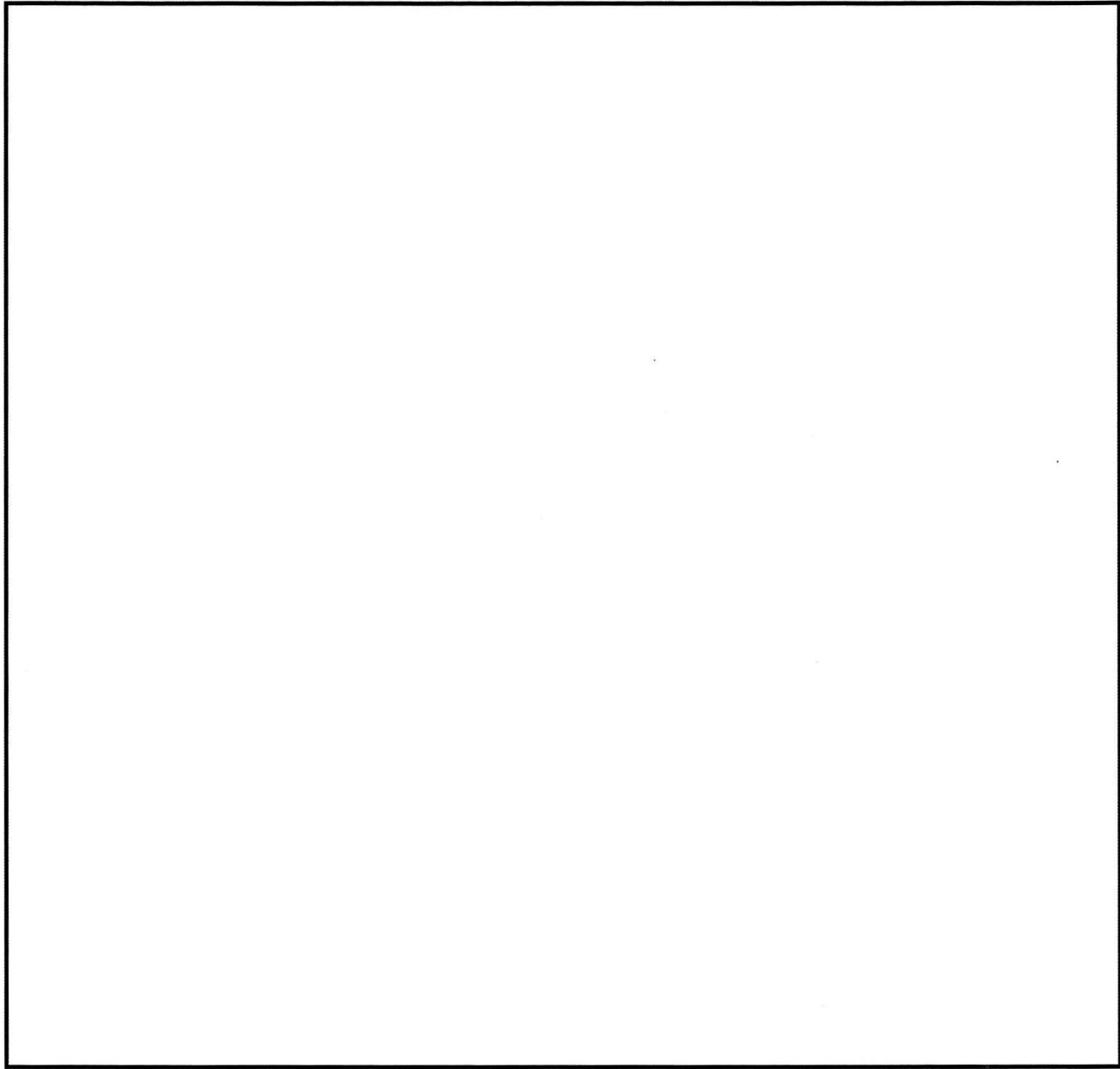
[redacted] (b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (i)
(b) (3)-P.L. 86-36
(b) (5)

DRAFT

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(b) (3)-P.L. 86-36



Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~ (~~S//NF~~)

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

~~SECRET//NOFORN~~

(b) (3) - P.L. 86-36
(b) (5)

To: Nakasone Paul M GEN NSA-D USA USA [redacted] Anthony Teisha M NSA-D2 USA CIV [redacted]
From: Soule Trumbull D NSA-P3 USA CIV
Sent: 2020-02-14T12:16:07Z
Subject: RE: (U) Meeting with NSC Officials
Received: 2020-02-14T12:16:11Z

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

Sir,
(U//FOUO) Teisha and I both have reviewed the email and think it is right on target. An additional atmospheric for you [redacted] you asked if there are any HPSCI Democrats who also sit on HASC IETC, where you testify on 4 March. There aren't any crossovers. However, Ms. Gabbard (D-HI) does sit on HASC-IETC. As a presidential candidate herself, she might choose to ask such a question. But it's the day after Super Tuesday so it's likely, she wouldn't attend. All that said, Teisha and I think [redacted] So we're simply providing it for your awareness.

(b) (5)

V/R
Trum and Teisha

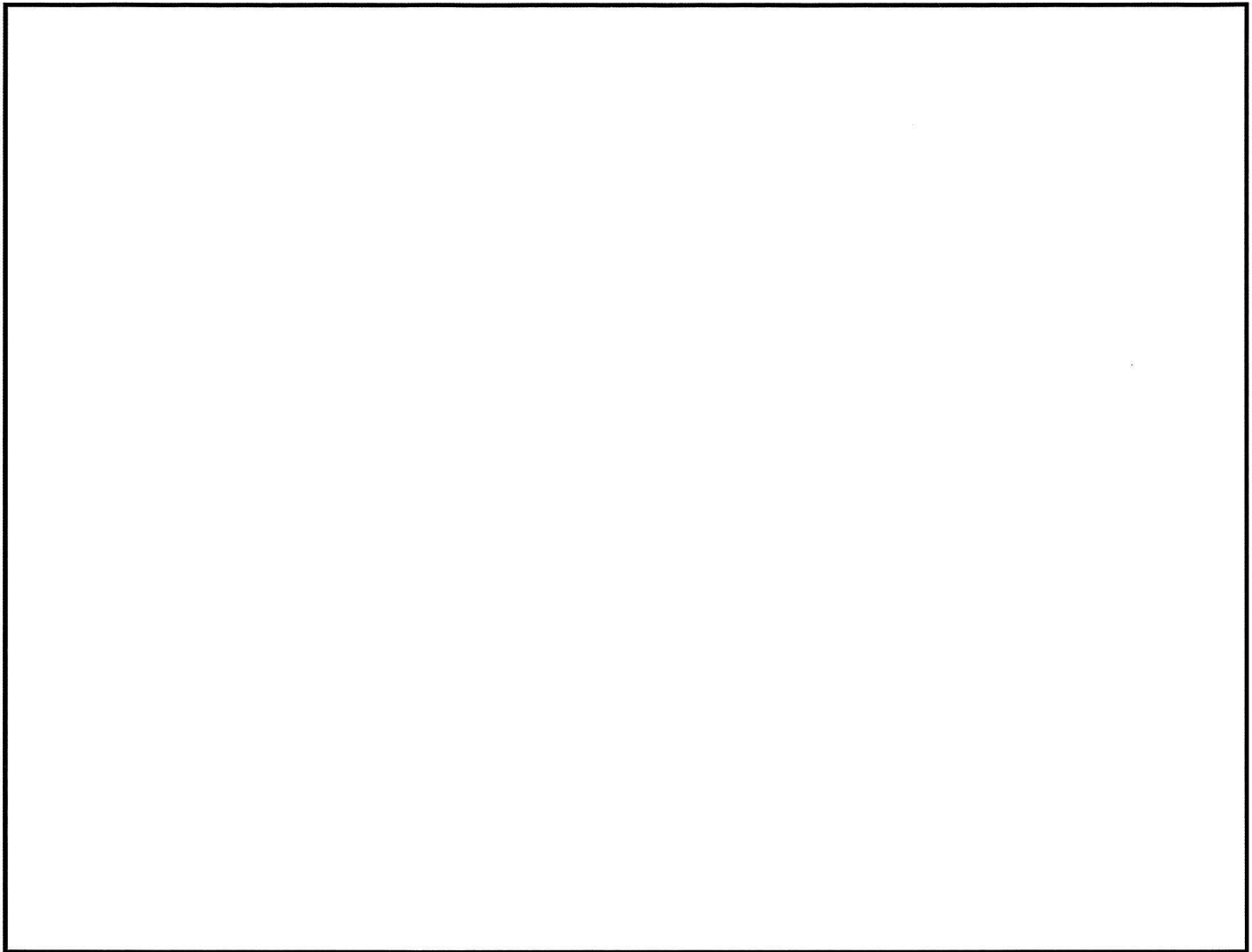
(U)
Trumbull D. Soule
Chief, Legislative, State, Local and Academic Engagement
Engagement and Policy Directorate
National Security Agency
[redacted]
Fort Meade, MD 20755-6282
[redacted]

From: Nakasone Paul M GEN NSA-D USA USA [redacted]
Sent: Thursday, February 13, 2020 5:34 PM
To: Soule Trumbull D NSA-P3 USA CIV [redacted]; Anthony Teisha M NSA-D2 USA CIV [redacted]
Subject: (U) Meeting with NSC Officials

Text below is duplicated in DOCID 6805895. See NSA0068.

[Large redacted area]

(b) (3) - P. I., 86-36



Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20130930

Declassify On: ~~20450201~~

(b) (3) - P. I. 86-36

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

To: Gerstell Glenn S USA GOV [redacted]
From: Nakasone Paul M GEN NSA-D USA USA
Sent: 2020-01-28T16:39:46Z
Subject: (U) Note to National Security Advisor
Received: 2020-01-28T16:39:49Z

Classification: UNCLASSIFIED

Glenn:

Need your assistance . . . did not get to this note last night and would ask that you take the pen this afternoon to craft something I can send to National Security Advisor. Several points:

(b) (3) - P.L. 86-36

- Unclassified note
- Shorter than below - [redacted]
- [redacted]
- [redacted]

From: [redacted]
Sent: Monday, January 27, 2020 5:38 PM
To: Nakasone Paul M GEN NSA-D USA USA
Cc: [redacted]
Subject: (U) File transfer

(b) (3) - P.L. 86-36
(b) (5)

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

GEN Nakasone,

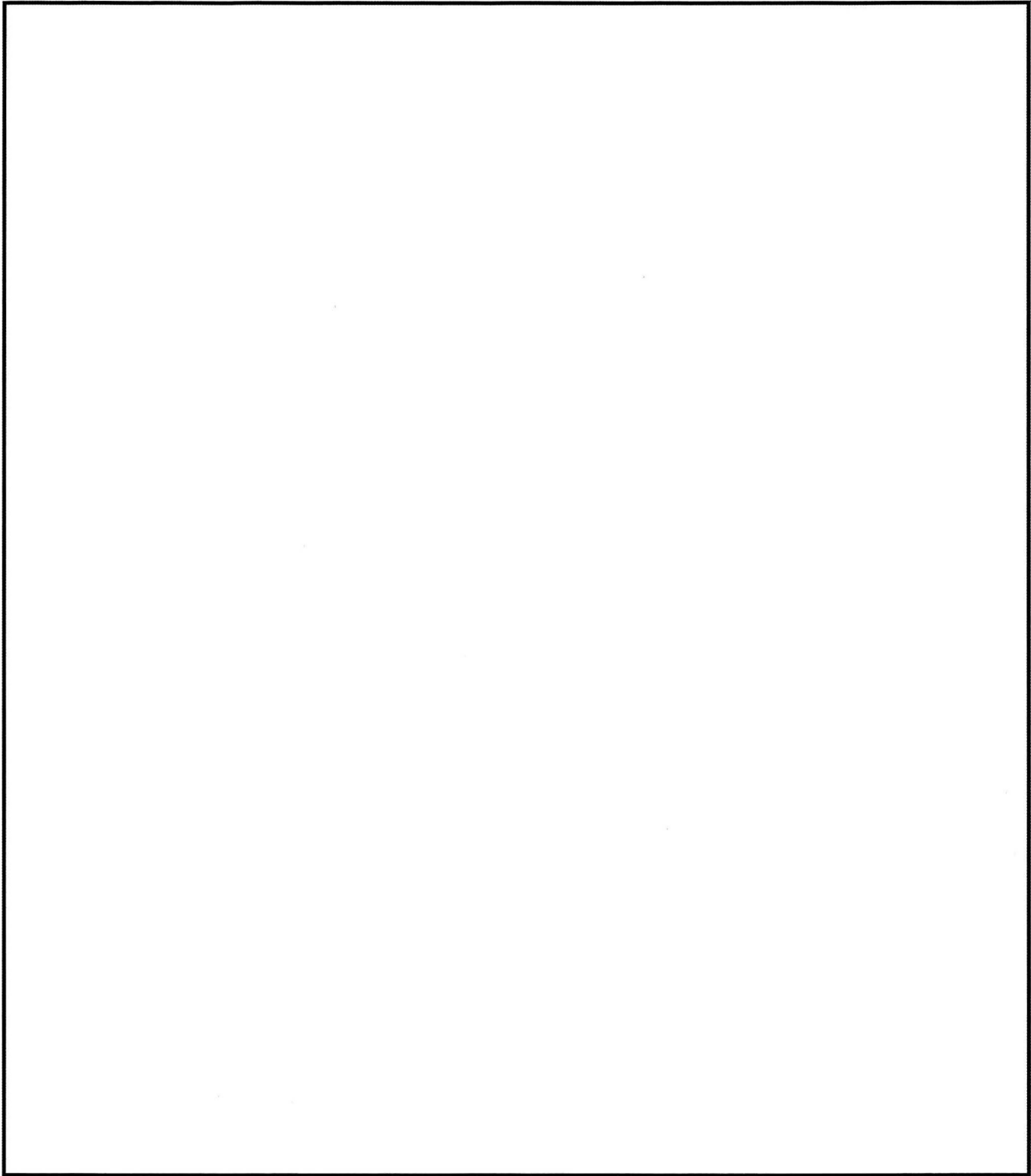
Here is the requested email.

AMB,

[Large redacted area]

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(b) (3)-18 USC 798
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36
(b) (5)



(b) (3) - P.L. 86-36

VR/paul

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

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

Classification: UNCLASSIFIED

~~SECRET//NOFORN~~

To: Barnes George C NSA D USA GOV [redacted]
From: Nakasone Paul M GEN NSA-D USA USA
Sent: . . . 2020-01-22T18:46:57Z
Subject: FW: (U) Response to Chairman Schiff
Received: 2020-01-22T18:46:57Z

(b) (3) - P.L. 86-36

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

I've done some edits—still too long. However, I am going to share this with the CJCS so he has a basic awareness. MTF

From: Nakasone Paul M GEN NSA-D USA USA
Sent: Wednesday, January 22, 2020 1:39 PM
To: [redacted]
Subject: (U) Response to Chairman Schiff

(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024 (i)
(b) (3) -P.L. 86-36
(b) (5)

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

Mr. Secretary: [redacted] ~~SECRET//NOFORN~~

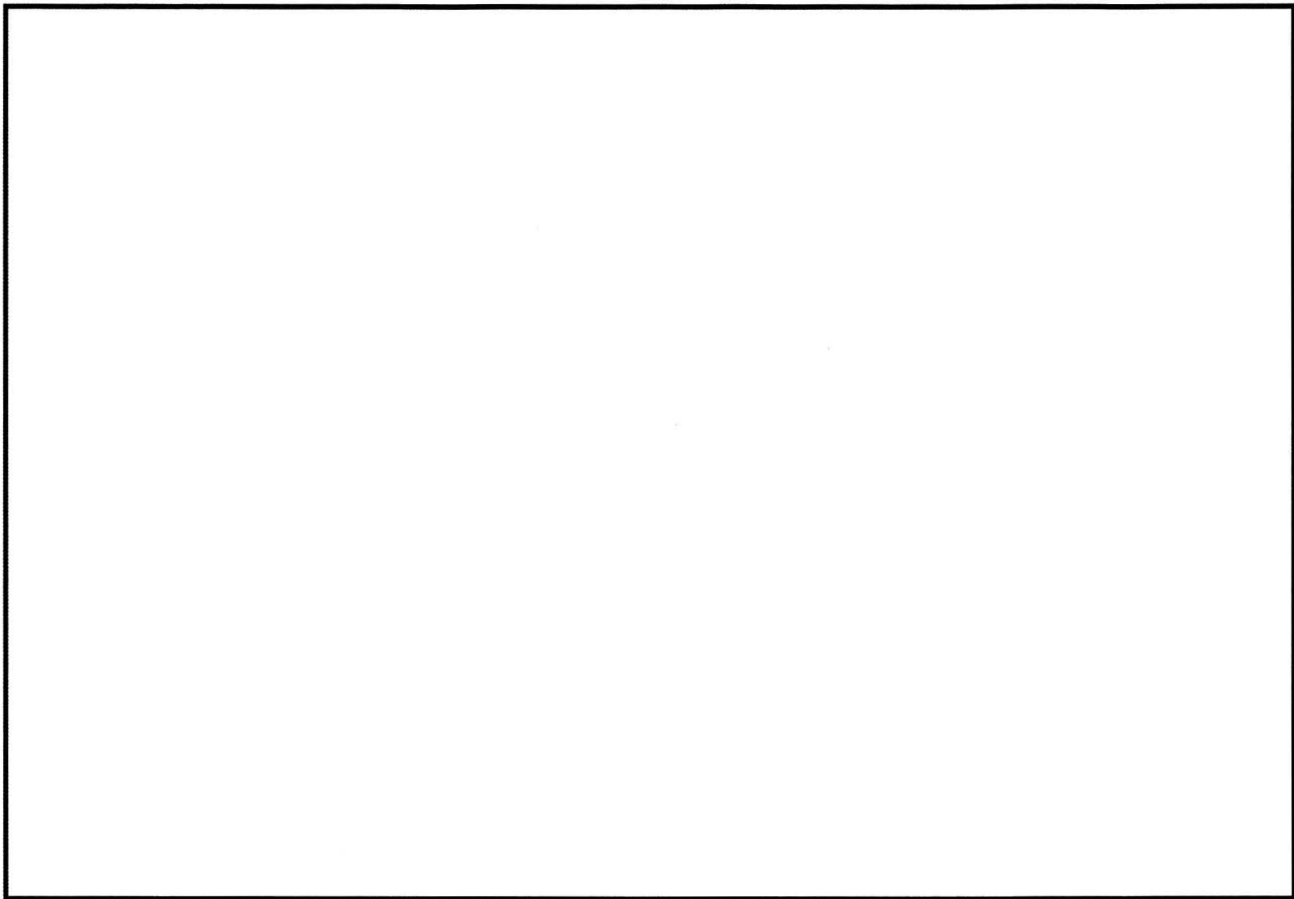
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NSA0084

~~SECRET//NOFORN~~



VR/paul

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

(b) (3)-18 USC 798
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36
(b) (5)

~~SECRET//NOFORN~~

To: Nakasone Paul M GEN NSA D USA USA [redacted]
From: [redacted]
Sent: 2020-02-13T22:20:24Z
Subject: FW: (U) Draft Note to DNI.
Received: 2020-02-13T22:20:25Z

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

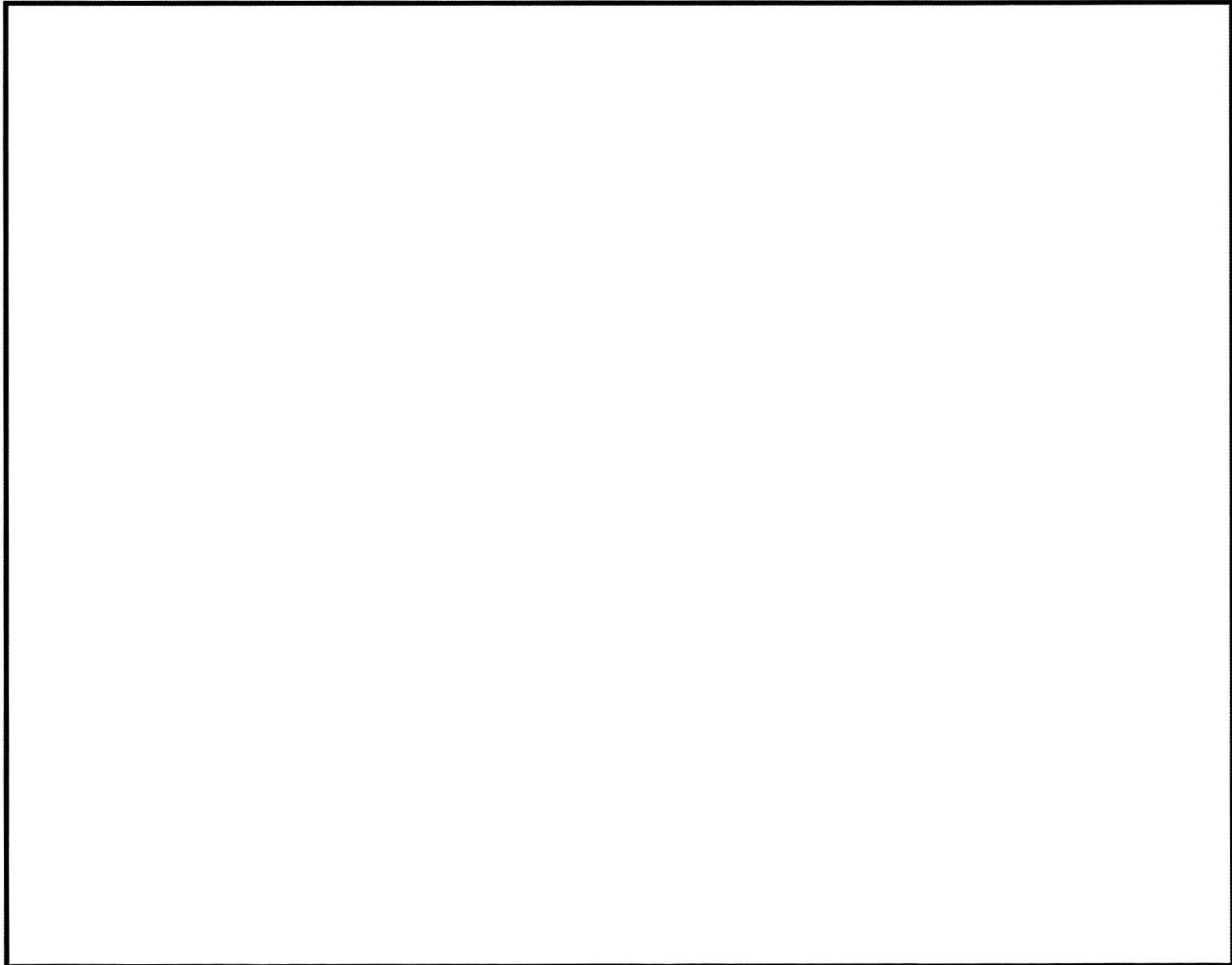
From: Soule Trumbull D NSA-P3 USA CIV [redacted]
Sent: Thursday, February 13, 2020 3:18 PM
To: [redacted]
Cc: Anthony Teisha M NSA-D2 USA CIV [redacted]
Subject: (U) Draft Note to DNI

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

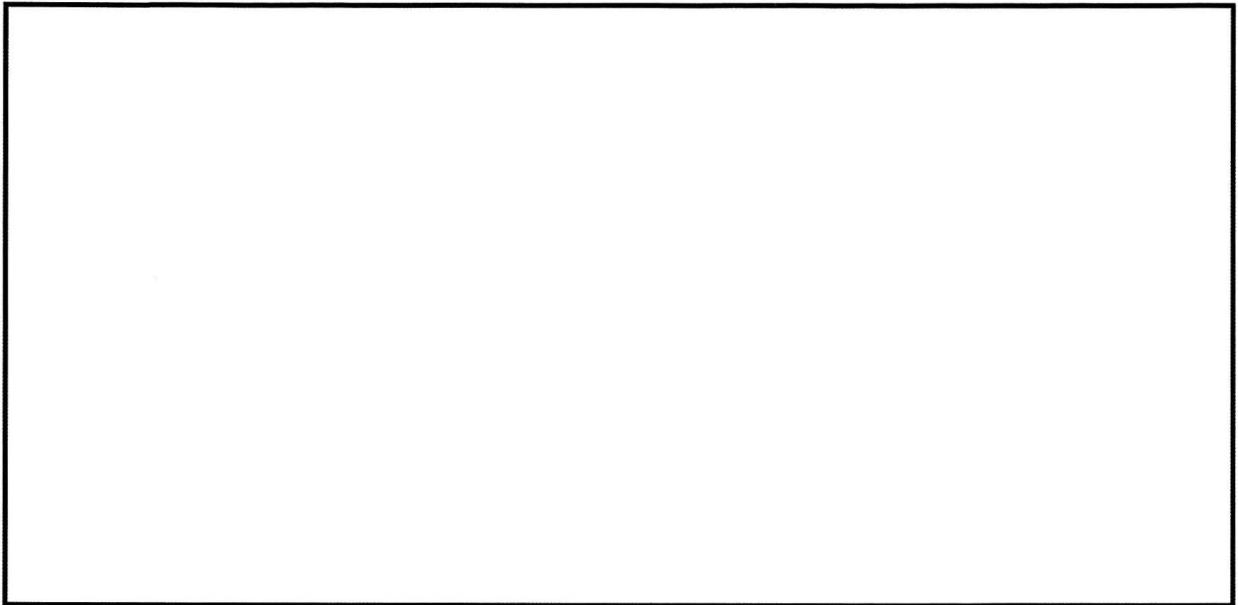
(b) (3) - P.L. 86-36

(b) (1)
(b) (3) - 18 USC 798
(b) (3) - 50 USC 3024 (i)
(b) (3) - P.L. 86-36
(b) (5)

Sir,
(U//FOUO) Following is a note for you to send to the A/DNI



Approved for Release by NSA on 3-21-2023, FOIA Case # 109360 (litigation)



V/R
Trum and Teisha

(b) (3) - P.L. 86-36
(b) (5)

(U)
Trumbull D. Soule
Chief, Legislative, State, Local and Academic Engagement
Engagement and Policy Directorate
National Security Agency

[Redacted]
Fort Meade, MD 20755-6282
[Redacted]

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 20130930
Declassify On: ~~20450201~~

(b) (3) - P.L. 86-36

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

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 20180110
Declassify On: ~~20450201~~

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

From: Nakasone Paul M GEN NSA-D USA USA
Sent: Friday, December 20, 2019 8:56 PM
To: [Redacted] Kernan Joseph D DOD OSD USA GOV
Cc: Barnes George C NSA-D USA CIV
Subject: (U) HPSCI Note
Attachments: HPSCI_Schiff Letter to DIRNSA_19Dec19.pdf; LAO Letter to HPSCI_13Dec19.pdf
Importance: High

ODNI

(b) (3) - 50 USC 3024 (m)
(b) (6)
OGA

Classification: ~~SECRET//SI//NOFORN~~

Directors:

(S//NF) Today, I received the attached letter from Chairman Schiff expressing frustration regarding NSA's response to the most recent set of HPSCI requests for signals intelligence reporting related to the ongoing impeachment inquiry. Given his assertion that NSA's actions have become politically-influenced, his associated threat that such bias could affect budgetary considerations, and a warning that his concerns may become topics for public consideration, I plan to send him an unclassified response, by his 26 December deadline, outlining a way forward. On Monday, I will send you a draft of that response for your awareness.

VR/paul

Classified By: [Redacted]
Derived From: NSA/CSSM 1-52
Dated: 20130930
Declassify On: 20441201

(b) (3) - P, L, 86-36

Classification: ~~SECRET//SI//NOFORN~~

Approved for Release by NSA on 3-21-2023, FOIA Case # 109360 (litigation)



**Permanent Select Committee
on Intelligence
U.S. House of Representatives**

December 19, 2019

The Honorable Paul Nakasone
Director, National Security Agency
Commander, U.S. Cyber Command
4409 Llewellyn Avenue
Fort Meade, MD 20755

Dear General Nakasone:

I am profoundly concerned by the National Security Agency's ("NSA") December 13 letter informing the House Permanent Select Committee on Intelligence ("Committee") that NSA will no longer cooperate with the Committee's request for NSA signals intelligence reports regarding a list of non-U.S. Person foreign intelligence targets.

Following weeks of discussions and meetings between Committee Staff and NSA, in an October 15 letter, the Committee formally requested this information pursuant to the House of Representatives' impeachment inquiry and the oversight authorities and jurisdiction of the Committee. The next day, NSA began producing responsive documents. The Committee appreciated NSA's cooperation with the Committee's requests for information. Abiding by its legal obligations, NSA produced three tranches of documents to the Committee on a read-and-return basis, most recently on November 13.

NSA's cooperation throughout October and November stood in stark contrast to other executive branch agencies—including the Department of Defense (DoD)—which obeyed President Trump's categorical order to withhold every single document subpoenaed by the Committee in connection with the impeachment inquiry.

After weeks of follow-up regarding the fourth tranche—to which the Committee Staff received only one non-substantive response, confirming the request's receipt—Staff again requested a status update on December 13. NSA then sent a short letter announcing that it would no longer comply with the Committee's request.

~~SECRET//SI//NOFORN~~

NSA cites two reasons for its decision to cease cooperation, both of which are logically incoherent. These pretextual arguments cannot possibly be the true cause of NSA's decision.

First, NSA claims that “[w]ith the provision of the third tranche of reporting, NSA considers the Committee’s October 15, 2019 oversight request closed.”

The Committee has taken no steps to close the request for information. To the contrary, on November 21, after the production of the third tranche, Committee Staff met with the Deputy Director of Legislative, State, and Local Affairs to discuss re-scoping a request for a fourth tranche of documents. The Committee submitted a revised request by email on November 25, then followed up by email or phone call on December 2, December 6, December 9, and December 13 seeking status updates from NSA regarding our request.¹

Similarly, you and I spoke by phone on November 22. In that conversation, I gave no indication that the Committee was closing the request; indeed, I told you that this request is among the most important that NSA had outstanding from the Committee. You affirmed NSA’s commitment to cooperate. At no time on the call did you say that NSA believed the Committee’s request was closed or that NSA would not comply.

Moreover, in its December 13 letter, NSA claims that it “has at all times sought to fulfill its responsibilities in that regard and to make clear when it is acting in furtherance of those responsibilities.” As you know, NSA is obligated by statute to “furnish” to the Committee “any information or material concerning intelligence activities” within NSA’s “custody or control” when “requested by either of the congressional intelligence committees in order to carry out its authorized responsibilities.” *See* 50 U.S.C. § 3092(a)(2). Furthermore, NSA’s statutory obligation to keep the congressional intelligence committees “fully and currently informed of all intelligence activities” requires that NSA cooperate with the Committee’s request. *See* 50 U.S.C. § 3092(a)(1). In light of the gravity of this matter, it is incumbent upon NSA to furnish this information to the Committee in accordance with its legal obligations. The Committee took no step to rescind its request. So, as NSA apparently acknowledges in its letter, that statute requires NSA to continue to produce the requested information.

Second, NSA refers to an October 7 subpoena that the Committee issued to DoD. The existence of that subpoena cannot possibly explain NSA’s decision not to cooperate. The DoD subpoena was issued on October 7 and released to the public that same day; DoD unlawfully refused to comply on October 14. Separately, the Committee formally conveyed its request for documents to NSA on October 15, which followed a series of conversations between NSA staff and the Committee in order to ensure NSA would be in a position to fulfill expeditiously the Committee’s request; NSA made its first production on October 16. Every NSA production has been made *after* DoD unlawfully declined to comply with the Committee’s subpoena. Nothing about the subpoena issued to DoD—or about DoD’s response to that subpoena—has changed during the course of NSA’s productions.

¹ During the November 21 meeting, NSA indicated that if the Committee re-scoped its next tranche in accordance with NSA’s suggestions, NSA would provide responsive information promptly and without additional delays.

~~SECRET//SI//NOFORN~~

~~SECRET//SI//NOFORN~~

The arguments made in NSA's letter leave the Committee with no explanation other than that NSA has been subjected—and has succumbed—to pressure or direction from DoD, the White House, or both, to shirk its statutory obligations to this Committee in service of President Trump's personal political interest.

As Chairman of the Committee, I am frequently asked whether the President's political machinations have affected the Intelligence Community. Until today, with limited exception, I have been able to say confidently that I have not seen evidence of political interference in NSA's work, NSA's relationship with the Committee, or NSA's willingness to share information with Congress. In light of NSA's decision to halt compliance with the Committee's information request—a step that simply cannot be explained by the reasons proffered in NSA's letter—I will no longer be able to affirm my faith in NSA's independence from political interference.

If NSA does not resume production of responsive documents, I will consider expressing those concerns publicly. I cannot rule out viewing *all* of NSA's requests to the Committee—including reprogramming requests—against the backdrop of NSA's decision to disregard its legal obligations.

By December 26, please confirm that NSA will resume cooperation with the Committee. Please also provide a detailed explanation of the circumstances that led to NSA's December 13 letter, including a description of any directives or guidance that NSA received regarding its cooperation with the Committee.

Sincerely,



Adam B. Schiff

Chairman

~~SECRET//SI//NOFORN~~



~~SECRET//SI//NOFORN~~
NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755-6000

DEC 13 2019

(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (i)
(b) (3)-P.L. 86-36

The Honorable Adam Schiff
Chairman, House Permanent Select Committee on Intelligence
United States House of Representatives
Washington, DC 20515

Dear Chairman Schiff:

~~(S//SI//NF)~~ Thank you for your letter dated October 15, 2019, in which you requested that NSA produce documents pertaining to [redacted]. Specifically, the Committee, through its letter, sought NSA's assistance "[p]ursuant to the House of Representatives' impeachment inquiry and the oversight authorities and jurisdiction of the House Permanent Select Committee on Intelligence" In NSA's response on October 16, 2019, we indicated that the Agency would make foreign intelligence reports available for review in connection with the Committee's oversight function. Accordingly, three tranches of responsive foreign intelligence reports for specific date ranges negotiated with your staff were made available to Congress on an expedited basis. With the provision of the third tranche of reporting, NSA considers the Committee's October 15, 2019 oversight request closed. NSA fully recognizes the importance of the Committee's oversight function, and has at all times sought to fulfil its responsibilities in that regard and to make clear when it is acting in furtherance of those responsibilities.

~~(U//FOUO)~~ This letter does not foreclose any future response by NSA to additional or alternative Committee requests for the production of documents relating to the Ukraine (or other such requests that implicate impeachment-related topics). More specifically, the Agency understands that the Committee, in consultation with the House Committees on Foreign Affairs and Oversight and Reform, submitted a letter and subpoena to the Department of Defense on October 7, 2019, seeking, among other things, the production of fourteen categories of information. NSA is aware that the Department of Defense has informed the Committee of a number of legal and practical concerns with the subpoena, and that the Department's concerns have not been fully resolved. Accordingly, the Department has thus far been unable to comply with the Committee's October 7, 2019 request. NSA, as a component of the Department of Defense, and acting in a manner consistent with the Department's guidance, has taken steps to identify, preserve, and collect documents that are potentially responsive to the Committee's subpoena. Upon the appropriate resolution of this matter, and consistent with applicable Department guidance, NSA stands ready to work with the Committee.

[redacted]

TRUMBULL D. SOULE
Director, Legislative Affairs

(b) (6)

~~SECRET//SI//NOFORN~~

Copy furnished:
The Honorable Devin Nunes
Ranking Member, House Permanent Select Committee on Intelligence

~~SECRET//SI//NOFORN~~

NSA0093

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(b) (3) - P.L. 86-36

To: [Redacted]
From: Nakasone Paul M GEN NSA-D USA USA
Sent: 2020-01-29T12:11:02Z
Subject: (U) HPSCI Request
Received: 2020-01-29T12:11:03Z

Classification: UNCLASSIFIED

(b) (3) -18 USC 798
(b) (3) -50 USC 3024 (i)
(b) (3) -P.L. 86-36
(b) (5)

Gentlemen:

Latest ...

[Large Redacted Area]

VR/paul

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Approved for Release by NSA on 3-21-2023, FOIA Case # 109360 (litigation)

Classification: UNCLASSIFIED

(b) (3) - P.L. 86-36

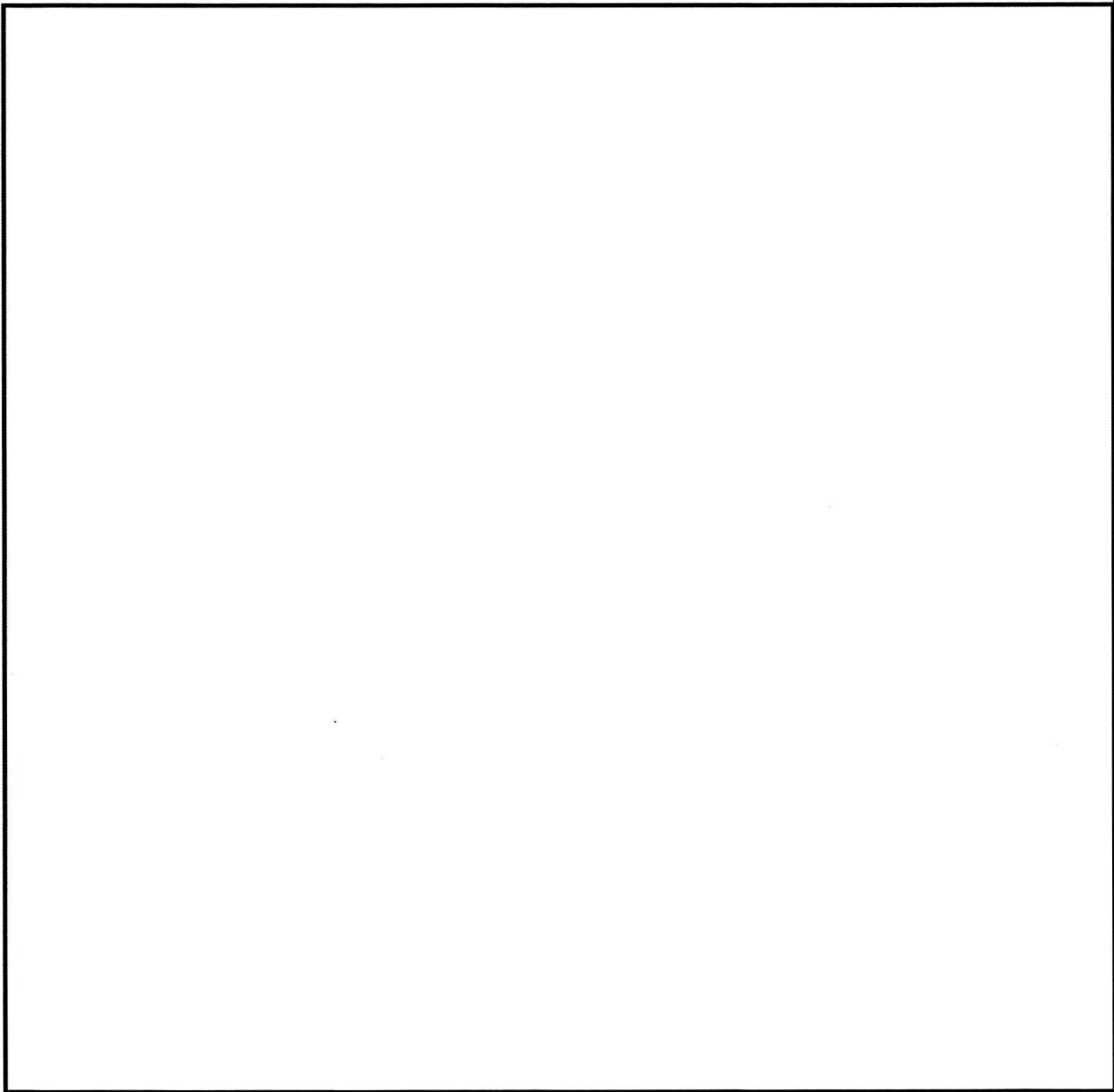
To: Barnes George C NSA D USA GOV [redacted]
From: Nakasone Paul M GEN NSA-D USA USA
Sent: 2020-01-23T17:09:24Z
Subject: FW: (U) Modified SECDEF note
Received: 2020-01-23T17:09:26Z

(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024 (i)
(b) (3) -P.L. 86-36
(b) (5)

Classification: ~~SECRET//NOFORN~~

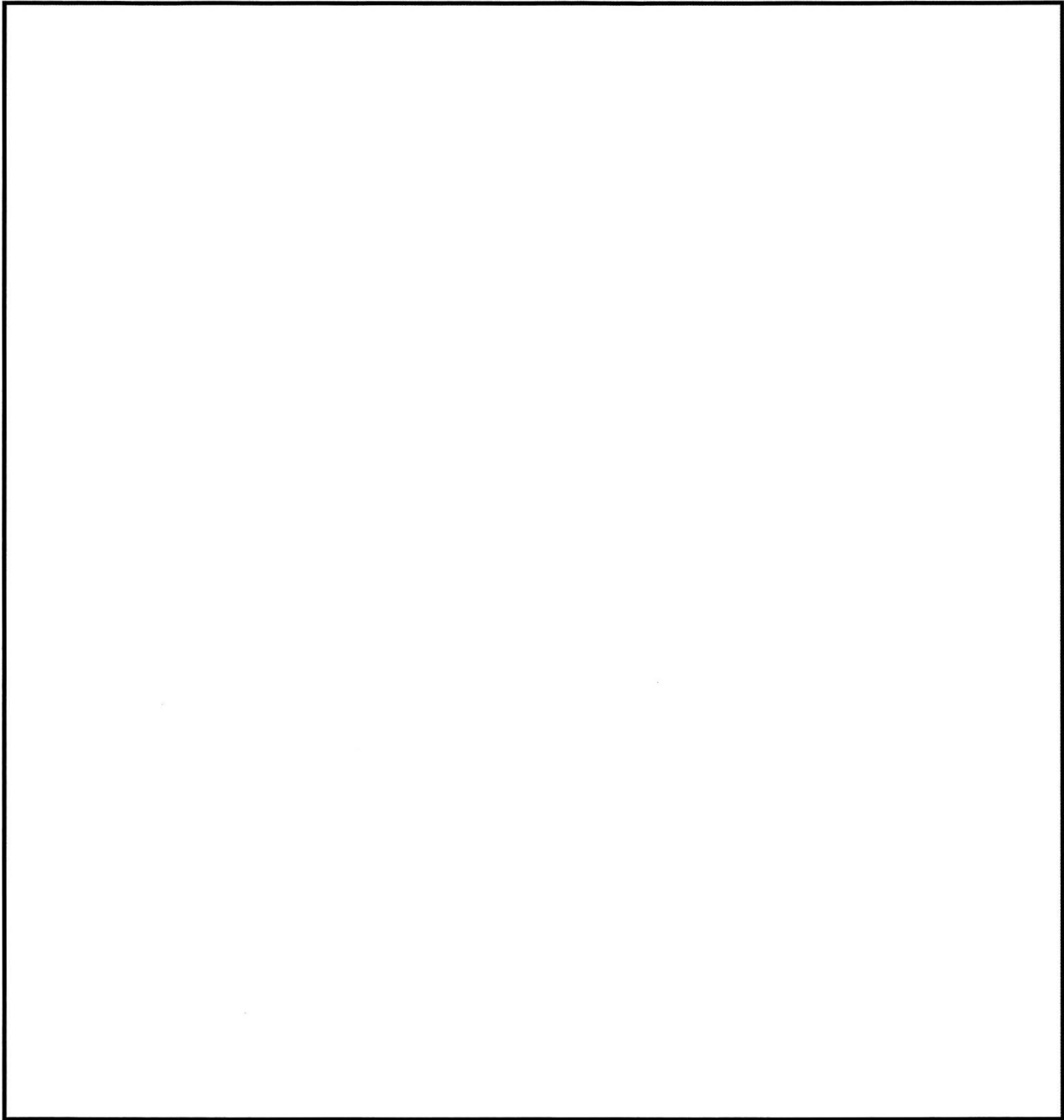
Glenn's modifications follow below; his changes are highlighted:

I've started various alternative options for the lead-in sentence, depending upon how you want the Secretary to weigh in. If we choose Option B or C, we'll need to make associated changes to the last paragraph as well.



Approved for Release by NSA on 3-21-2023, FOIA Case # 109360 (litigation)

NSA0096



• VR/paul

(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36
(b) (5)

Classified By:
Derived From: NSA/CSSM 1-52
Dated: 20180110
Declassify On: ~~20450101~~

(b) (3) - P.L. 86-36

Classification: ~~SECRET//NOFORN~~

Classified By:

Derived From: NSA/CSSM 1-52

Dated: 20180110

Declassify On: ~~20450101~~

(b) (3) - P.L. 86-36

Classification: ~~SECRET//NOFORN~~

To: Nakasone Paul M GEN NSA D USA USA [redacted]
Cc: Gerstell Glenn S USA GOV [redacted] Noble Wendy NSA D USA
GOV [redacted]
From: Barnes George C NSA-D USA CIV
Sent: 2020-01-23T16:04:37Z
Subject: FW: (U) Modified SECDEF note
Received: 2020-01-23T16:04:39Z

Classification: ~~SECRET//NOFORN~~

After our session and further consultation with Wendy, I have highlighted some issues and made some suggested changes – all for you to consider as you craft your personal note. Also need a read on

[redacted]
[redacted] Note the highlighted areas.

George C. Barnes
Deputy Director, NSA

[redacted]

(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (i)
(b) (3)-P.L. 86-36
(b) (5)

(b) (3) -P.L. 86-36

From: Barnes George C NSA-D USA CIV
Sent: Wednesday, January 22, 2020 7:36 PM
To: Nakasone Paul M GEN NSA-D USA USA [redacted]
Cc: Noble Wendy NSA-D USA CIV [redacted] Gerstell Glenn S NSA-D2 USA CIV
[redacted]
Subject: (U) Modified SECDEF note

Classification: ~~SECRET//NOFORN~~

Glenn's modifications follow below; his changes are highlighted:

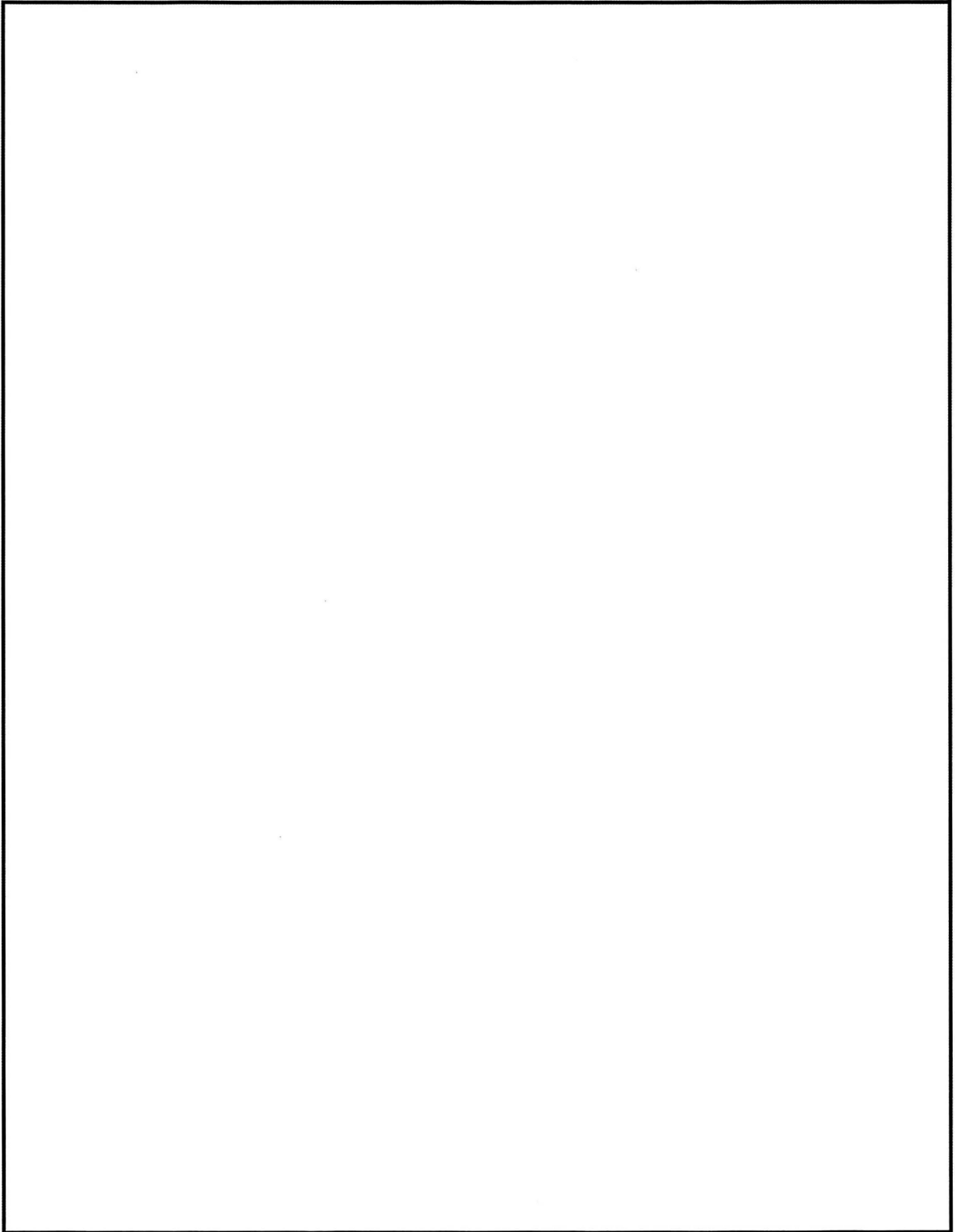
(b) (3) -P.L. 86-36
(b) (5)

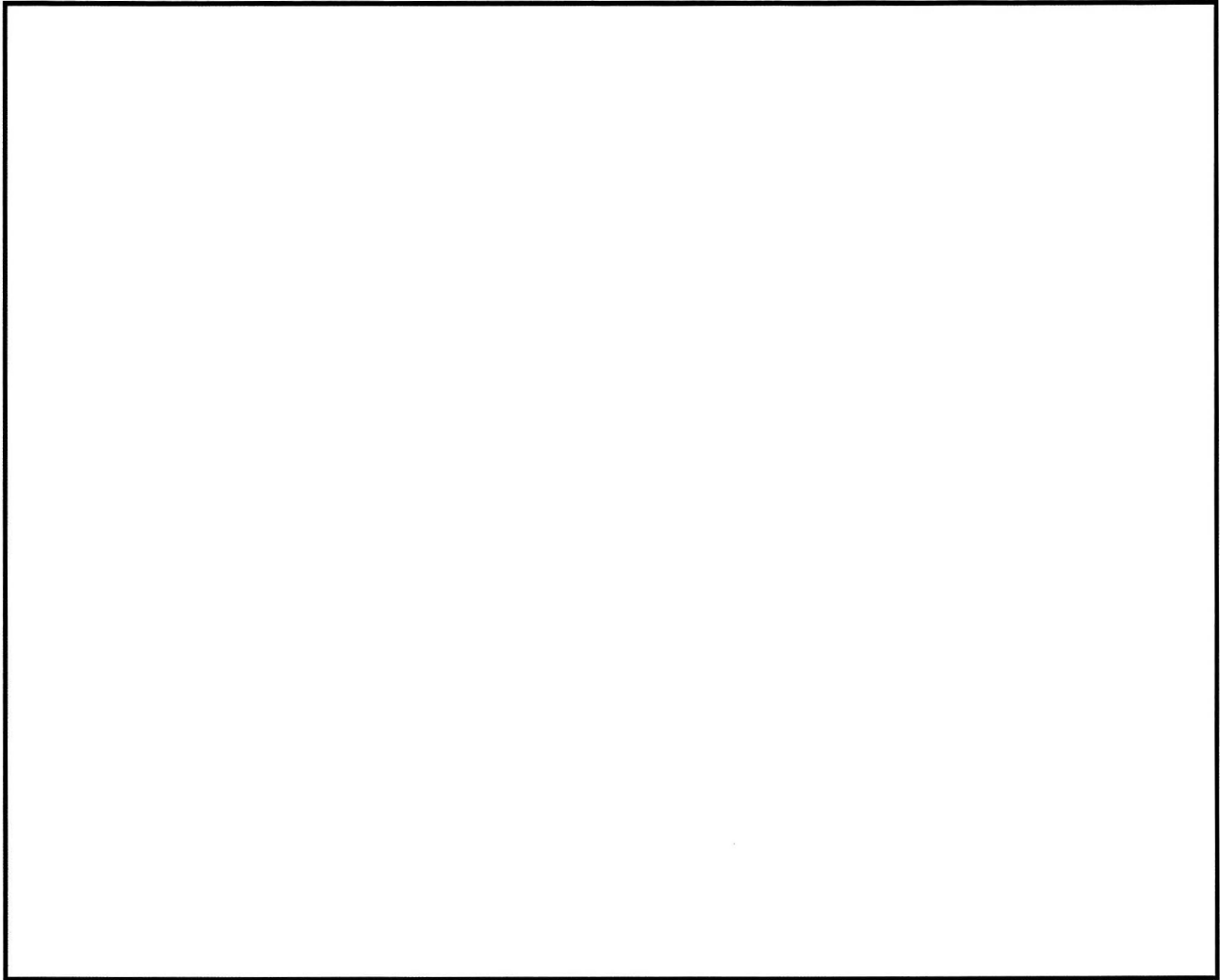
I've started various alternative options for the lead-in sentence, depending upon how you want the Secretary to weigh in. If we choose Option B or C, we'll need to make associated changes to the last paragraph as well.

[Large redacted block]

Approved for Release by NSA on 3-21-2023, FOIA Case # 109360 (litigation)

(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36
(b) (5)

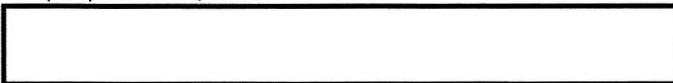





VR
Paul

+++++

George C. Barnes
Deputy Director, NSA



(b) (3) -18 USC 798
(b) (3) -50 USC 3024 (i)
(b) (3) -P.L. 86-36
(b) (5)

Classified By: 
Derived From: NSA/CSSM 1-52
Dated: 20180110
Declassify On: ~~20450101~~

(b) (3) -P.L. 86-36

Classification: ~~SECRET//NOFORN~~

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20180110

Declassify On: ~~20450101~~

(b) (3) - P.L. 86-36

Classification: ~~SECRET//NOFORN~~

Classified By: [redacted]

Derived From: NSA/CSSM 1-52

Dated: 20180110

Declassify On: ~~20450101~~

Classification: ~~SECRET//NOFORN~~

To: Nakasone Paul M GEN NSA D USA USA [redacted]
Cc: Noble Wendy NSA D USA GOV [redacted] Gerstell Glenn S USA
GOV [redacted]
From: Barnes George C NSA-D USA CIV
Sent: 2020-01-23T00:41:38Z
Subject: RE: (U) Modified SECDEF note
Received: 2020-01-23T00:41:40Z

Classification: ~~SECRET//NOFORN~~

Forgot a few other tweaks.

GB

George C. Barnes
Deputy Director, NSA

[redacted]

From: Barnes George C NSA-D USA CIV
Sent: Wednesday, January 22, 2020 7:36 PM
To: Nakasone Paul M GEN NSA-D USA USA
Cc: Noble Wendy NSA-D USA CIV ; Gerstell Glenn S NSA-D2 USA CIV
Subject: (U) Modified SECDEF note

(b) (3) - P.L. 86-36
(b) (5)

Classification: ~~SECRET//NOFORN~~

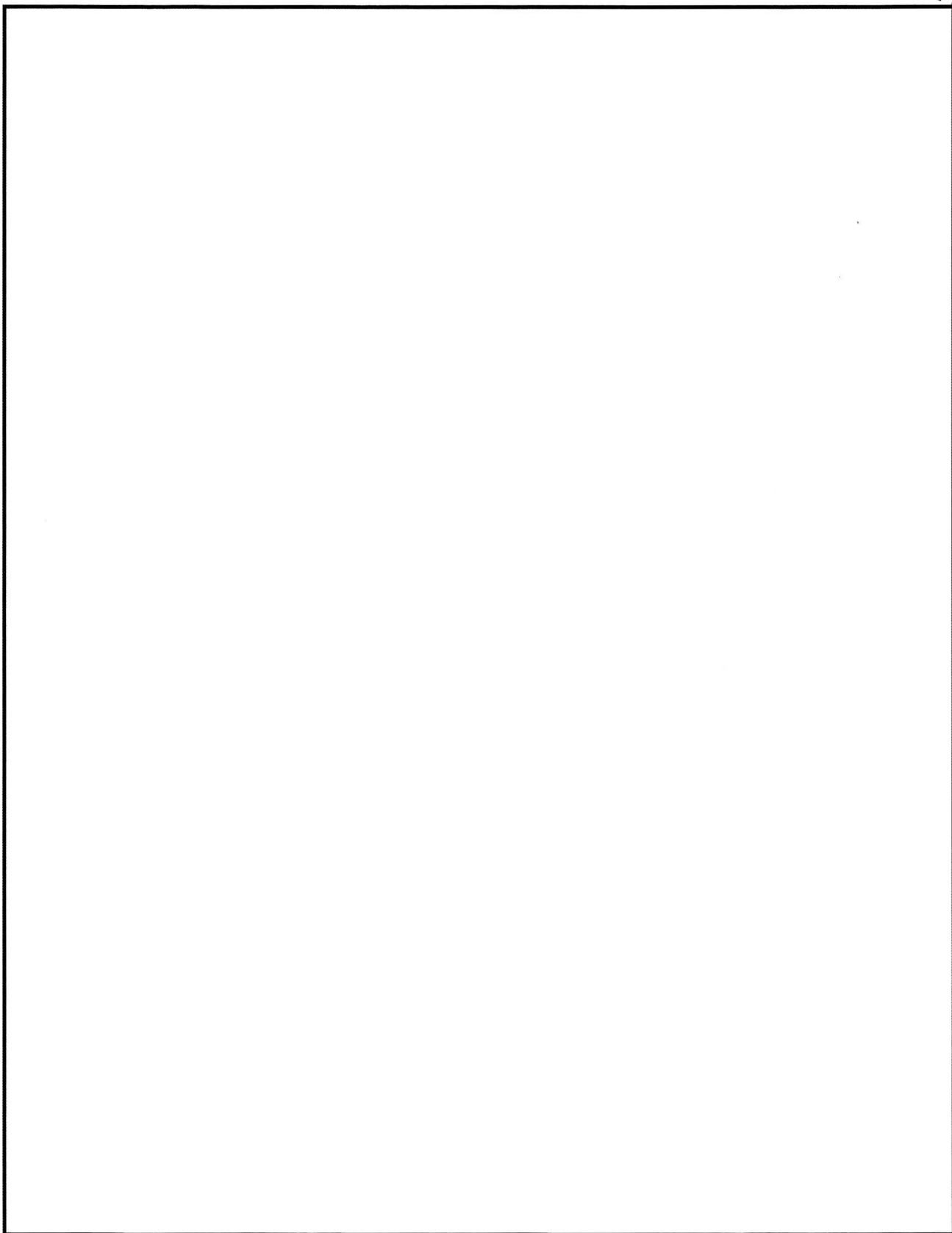
Glenn's modifications follow below; his changes are highlighted:

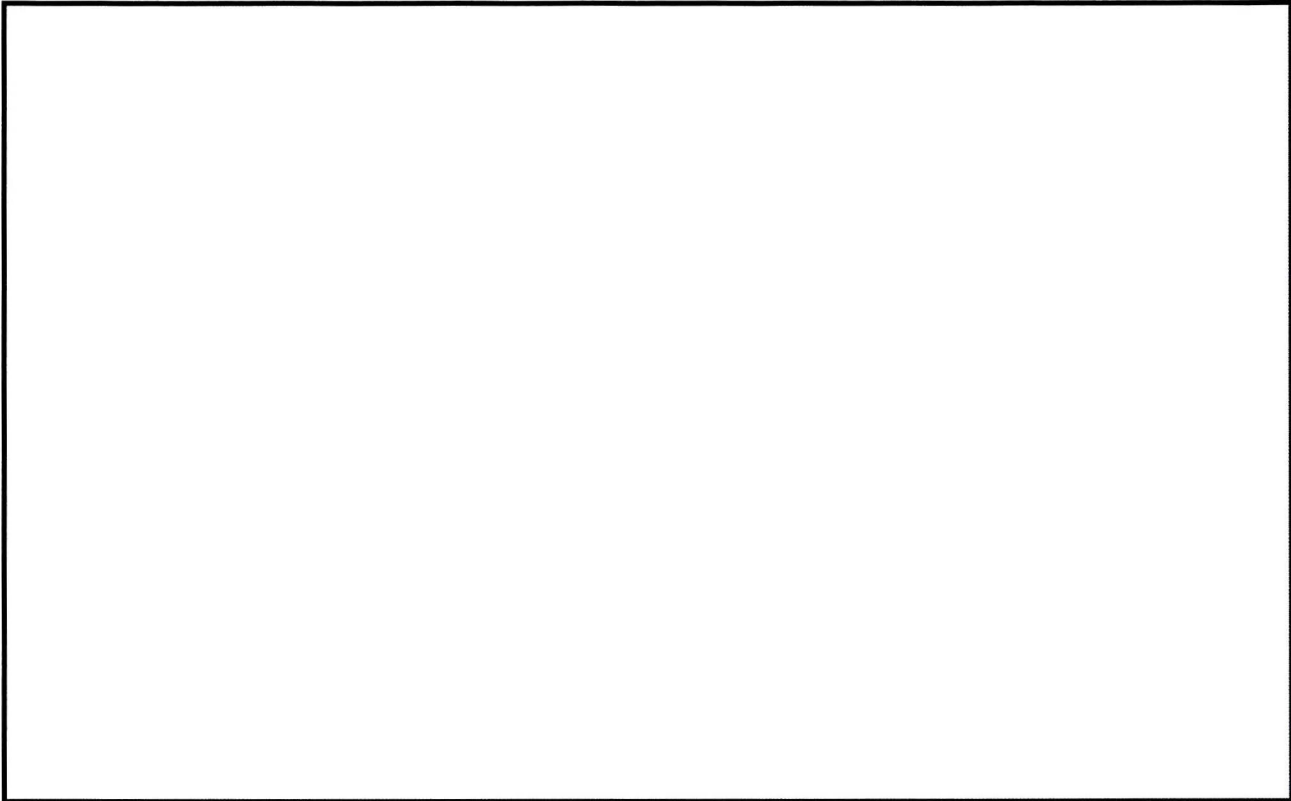
I've started various alternative options for the lead-in sentence, depending upon how you want the Secretary to weigh in. If we choose Option B or C, we'll need to make associated changes to the last paragraph as well.

[Large redacted area]

Approved for Release by NSA on 3-21-2023, FOIA Case # 109360 (litigation)

(b) (1)
(b) (3) -18 USC 798
(b) (3) -50 USC 3024 (i)
(b) (3) -P.L. 86-36
(b) (5)





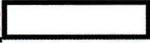
VR
Paul

+++++

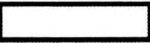
George C. Barnes
Deputy Director, NSA



(b) (3) -18 USC 798
(b) (3) -50 USC 3024 (i)
(b) (3) -P.L. 86-36
(b) (5)

Classified By: 
Derived From: NSA/CSSM 1-52
Dated: 20180110
Declassify On: ~~20450101~~

Classification: ~~SECRET//NOFORN~~

Classified By: 
Derived From: NSA/CSSM 1-52
Dated: 20180110
Declassify On: ~~20450101~~

(b) (3) -P.L. 86-36

Classification: ~~SECRET//NOFORN~~

To: Nakasone Paul M GEN NSA D USA USA [redacted]
Cc: Noble Wendy NSA D USA GOV [redacted] Gerstell Glenn S USA
GOV [redacted]
From: Barnes George C NSA-D USA CIV
Sent: 2020-01-23T00:35:44Z
Subject: (U) Modified SECDEF note
Received: 2020-01-23T00:35:47Z

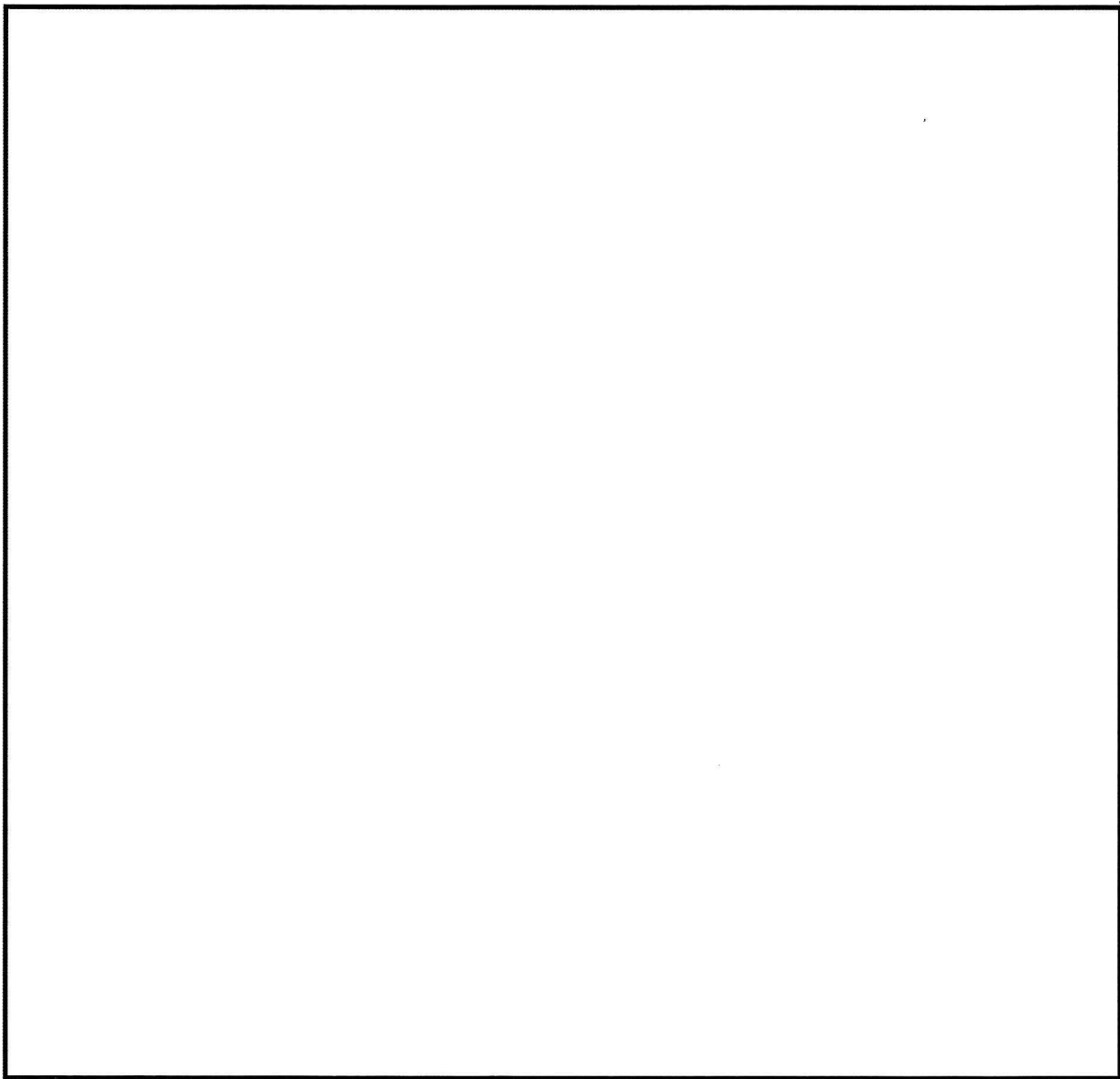
(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024(i)
(b) (3)-P.L. 86-36
(b) (5)

~~Classification: SECRET//NOFORN~~

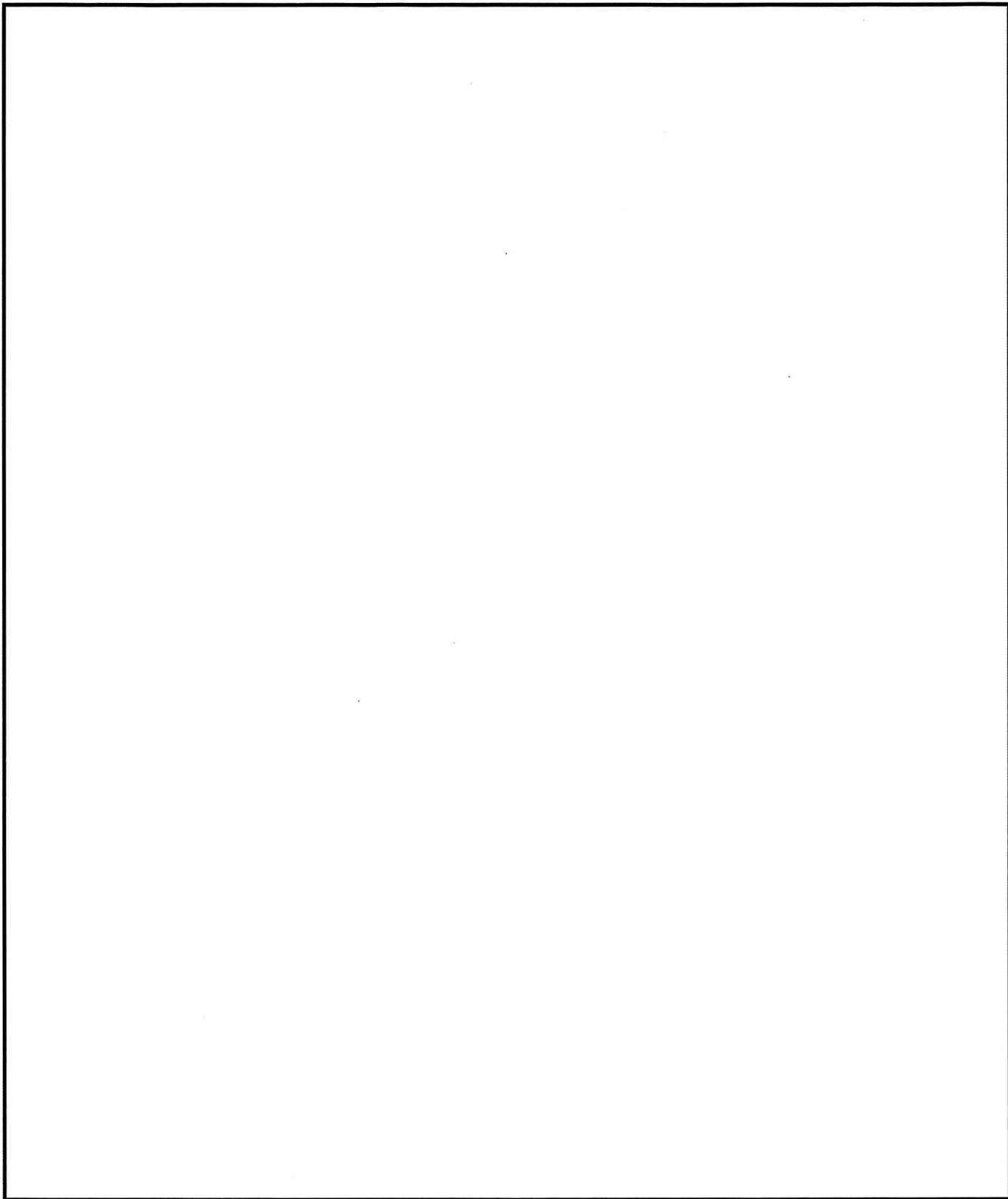
(b) (3)-P.L. 86-36

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(b) (1)
(b) (3)-18 USC 798
(b) (3)-50 USC 3024 (i)
(b) (3)-P.L. 86-36
(b) (5)

NSA0108

DOD-NSA-20-0351-D-000041

[Redacted]

VR
Paul

(b) (5)

+++++

George C. Barnes
Deputy Director, NSA

[Redacted]

(b) (3) - P.I. 86-36

Classified By: [Redacted]

Derived From: NSA/CSSM 1-52

Dated: 20180110

Declassify On: ~~20450101~~

Classification: ~~SECRET//NOFORN~~

(b) (3) - 50 USC 3507 Section 6 of the CIA Act of 1949
OGA

To: Nakasone Paul M GEN NSA D USA USA [redacted]
From: Barnes George C NSA-D USA CIV [redacted]
Sent: 2020-01-25T19:31:27Z
Subject: FW: (U) House Permanent Select Committee on Intelligence (HPSCI) Issue
Received: 2020-01-25T19:31:27Z

CIA

(b) (3) - P.L. 86-36

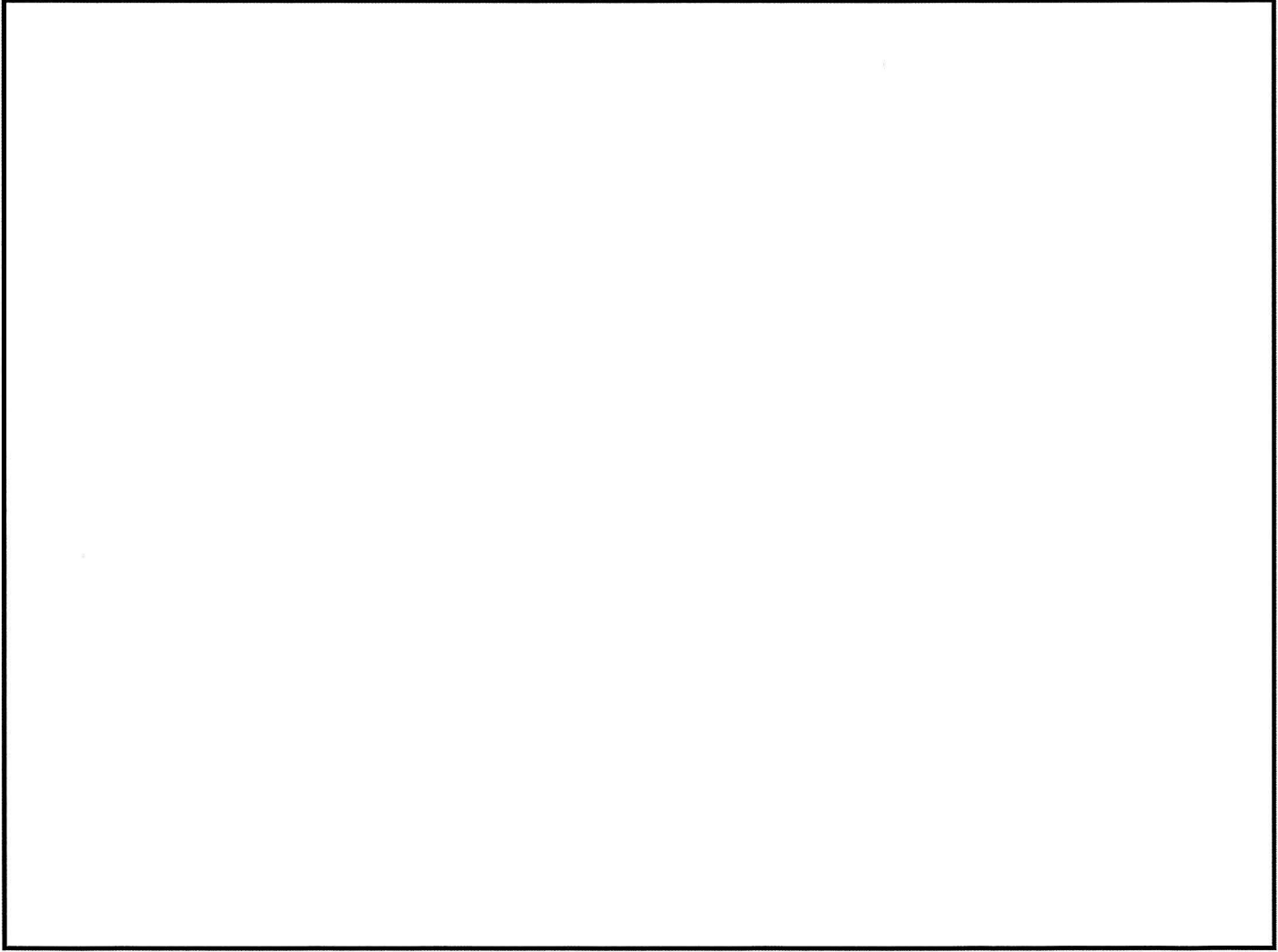
Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

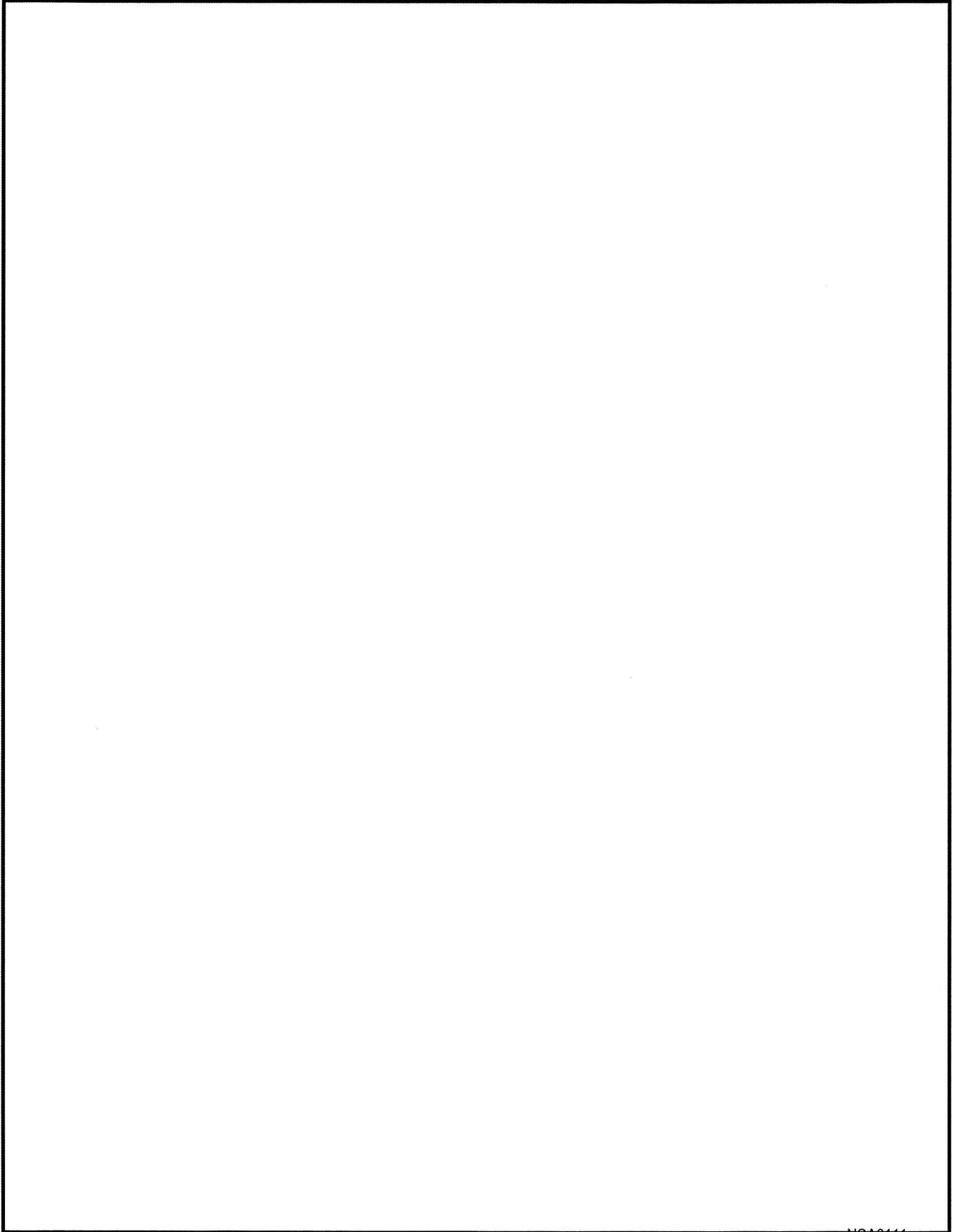
At least now they are tracking on our actions to push the issue. You should feel proud for doing the right thing despite the tug of war dynamics.

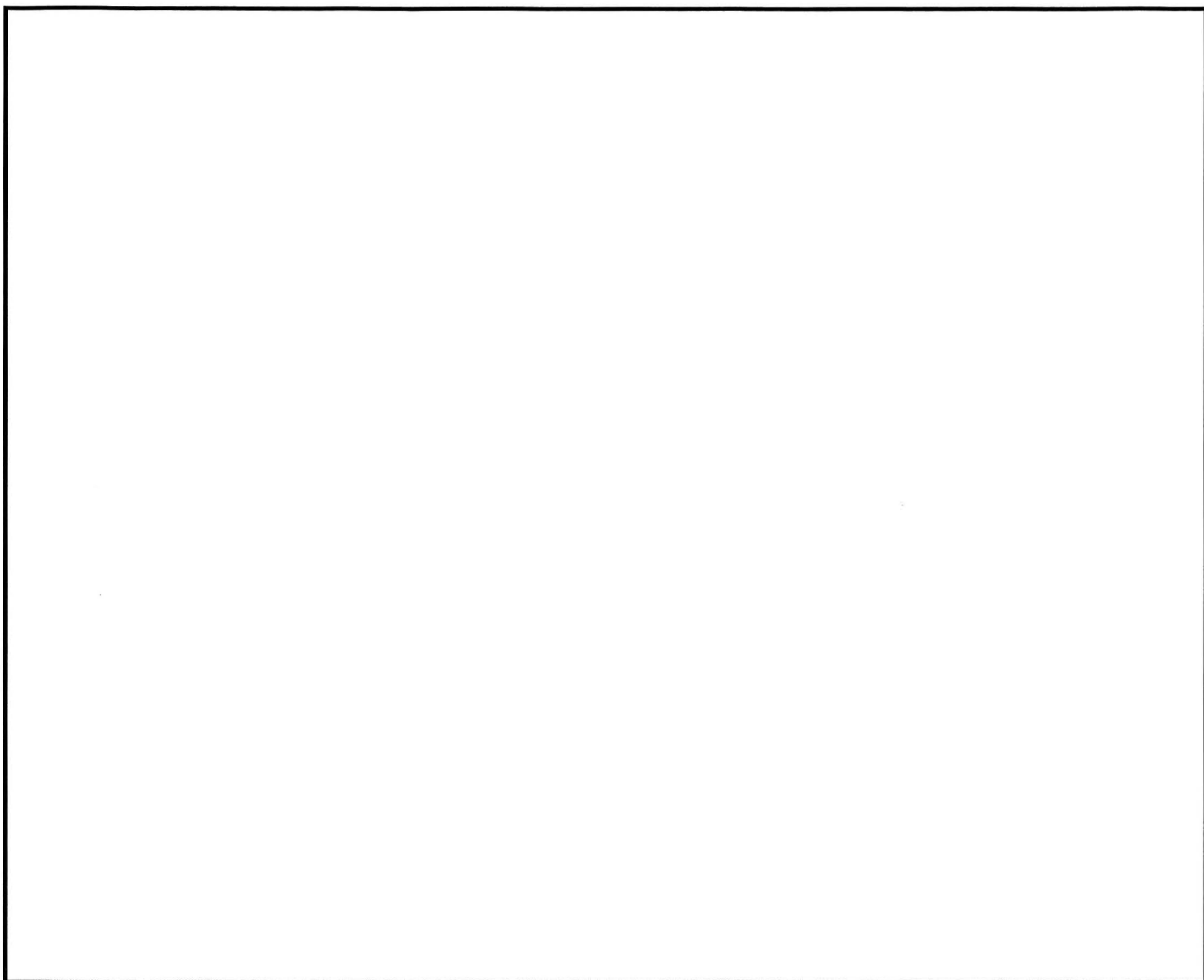
From: Gina C. Haspel [redacted]
Sent: Saturday, January 25, 2020, 10:33 AM
To: Nakasone Paul M GEN NSA-D USA USA [redacted]
Cc: Barnes George C NSA-D USA CIV [redacted]; Vaughn F. Bishop [redacted]
Subject: RE: (U) House Permanent Select Committee on Intelligence (HPSCI) Issue

Classification: UNCLASSIFIED//~~FOUO~~

Text below is duplicated in DOCID 6797792. See NSA0045.







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