AMERICAN OVERSIGHT

June 26, 2025

VIA EMAIL

Office of the Director of National Intelligence
Gregory Koch
Director, Information Management Office
ATTN: FOIA/PA
Washington, DC 20511
odni_foia@odni.gov

Re: Expedited Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the implementing regulations of your agency, American Oversight makes the following request for records.

In March 2025, *The Atlantic* revealed that top Trump administration officials used Signal, a commercial messaging platform, to plan military strikes in Yemen.[1] The White House and the Pentagon have claimed that no classified information regarding the strikes was shared over the Signal chat.[2] American Oversight seeks records with the potential to shed light on whether, and to what extent, Signal or other messaging platforms were used to plan recent military strikes against Iran.

Requested Records

American Oversight seeks expedited review of this request for the reasons identified below and requests that your agency produce the following records as soon as practicable, and at least within twenty business days:

> All text messages or messages on messaging platforms (such as Signal, Slack, GChat or Google Hangouts, Lync, Skype, X (formerly Twitter) direct messages, Facebook messages, WhatsApp, Telegram, Parler, Mattermost, Wickr, TeleMessage, or any app that can interface with an app such as those listed or otherwise borrow its technology) sent or received by Director of National Intelligence Tulsi Gabbard regarding official government business, including, but not limited to, military strikes against Iranian nuclear sites.

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[1] *See* Jeffrey Goldberg, *The Trump Administration Accidentally Texted Me Its War Plans*, The Atlantic, Mar. 24, 2025, https://www.theatlantic.com/politics/archive/2025/03/trump-administration-accidentally-texted-me-its-war-plans/682151/.

[2] *See, e.g.*, Michael Kunzelman, *Judge Orders Government to Preserve Signal Messages About Houthi Military Strike*, AP (Mar. 27, 2025, 6:43 PM), https://apnews.com/article/signal-trump-houthis-strike-7d5a06d1c40a3c6af1c1ad1a772e87e0.

American Oversight requests that all images, videos, audio recordings, or other attachments regarding official government business shared via text message or messaging platforms be produced in response to this request.

Please provide all responsive records from June 18, 2025, through June 24, 2025.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and your agency's regulations, American Oversight requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the general public in a significant way. Moreover, the request is for non-commercial purposes.

American Oversight requests a waiver of fees because disclosure of the requested information is "in the public interest because it is likely to contribute significantly to public understanding of operations or activities of the government."[3] The public has a significant interest in the Trump administration's use of Signal to discuss war plans.[4] Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the federal government, including whether, and to what extent, federal officials communicated about sensitive government business, like military strikes against Iran, over Signal or other non-secure, non-governmental commercial platforms. American Oversight is committed to transparency and makes the responses agencies provide to FOIA requests publicly available, and the public's understanding of the government's activities would be enhanced through American Oversight's analysis and publication of these records.

This request "is not primarily in the commercial interest of the requester."[5] In fact, as a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose, and the release of the information requested is not in American Oversight's commercial interest. American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).[6]

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[3] 5 U.S.C. § 552(a)(4)(A)(iii).
[4] *See, e.g.*, Katie Bo Lillis et al., *Annotating the Trump Administration's Yemen War Plans from Their Signal Group Chat*, CNN, Mar. 26, 2025, https://www.cnn.com/interactive/2025/03/politics/yemen-war-plans-signal-chat-annotated-dg/.
[5] 5 U.S.C. § 552(a)(4)(A)(iii).
[6] American Oversight currently has approximately 16,000 followers on Facebook and 94,600 followers on X (formerly Twitter). American Oversight, Facebook,

American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through regular substantive analyses posted to its website.[7] Examples reflecting this commitment include the posting of records related to the first Trump Administration's contacts with Ukraine and analyses of those contacts;[8] posting records and editorial content about the federal government's response to the COVID-19 pandemic;[9] posting records received as part of American Oversight's "Audit the Wall" project to gather and analyze information related to the first Trump administration's proposed construction of a barrier along the U.S.-Mexico border, and analyses of what those records reveal;[10] the posting of records related to an ethics waiver received by a senior Department of Justice attorney and an analysis of what those records demonstrated regarding the Department's process for issuing such waivers;[11] and posting records and analysis of federal officials' use of taxpayer dollars to charter private aircraft or use government planes for unofficial business.[12]

Accordingly, American Oversight qualifies for a fee waiver.

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https://www.facebook.com/weareoversight/ (last visited June 26, 2025); American Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited June 26, 2025).

[7] *See generally News*, American Oversight, https://www.americanoversight.org/blog.

[8] *Trump Administration's Contacts with Ukraine*, American Oversight, https://www.americanoversight.org/investigation/the-trump-administrations-contacts-with-ukraine.

[9] *See generally The Trump Administration's Response to Coronavirus*, American Oversight, https://www.americanoversight.org/investigation/the-trump-administrations-response-to-coronavirus; *see, e.g.*, *CDC Calendars from 2018 and 2019: Pandemic-Related Briefings and Meetings*, American Oversight, https://www.americanoversight.org/cdc-calendars-from-2018-and-2019-pandemic-related-briefings-and-meetings.

[10] *See generally Audit the Wall*, American Oversight, https://www.americanoversight.org/investigation/audit-the-wall; *see, e.g.*, *Audit the Wall: No Plans, No Funding, No Timeline, No Wall*, American Oversight, https://americanoversight.org/audit-the-wall-no-plans-funding-or-timeline-and-no-wall/.

[11] *DOJ Records Relating to Solicitor General Noel Francisco's Recusal*, American Oversight, https://www.documentcloud.org/documents/25544090-doj-records-relating-to-solicitor-general-noel-franciscos-recusal-american-oversight; *Francisco & the Travel Ban: What We Learned from the DOJ Documents*, American Oversight, https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents.

[12] *See generally Swamp Airlines: Chartered Jets at Taxpayer Expense*, American Oversight, https://www.americanoversight.org/investigation/swamp-airlines-private-jets-taxpayer-expense; *see, e.g.*, *New Information on Pompeo's 2017 Trips to His Home State*, American Oversight, https://www.americanoversight.org/new-information-on-pompeos-2017-trips-to-his-home-state.

Application for Expedited Processing

Pursuant to 5 U.S.C. § 552(a)(6)(E)(1) and 32 C.F.R. § 1700.6(h), American Oversight requests that your agency expedite the processing of this request.

I certify to be true and correct to the best of my knowledge and belief that the information requested is urgently needed in order to inform the public concerning actual or alleged government activity.[13] On June 13, 2025, Israel launched military strikes against Iran, attacking nuclear facilities and killing top military and science officials.[14] On June 21, 2025, the United States launched military strikes against Iranian nuclear facilities in support of Israel, a significant escalation of the conflict and of U.S. involvement in the Middle East.[15] The Trump administration's decision to launch strikes against Iran was highly controversial, lacking both a basis in updated intelligence assessments and authorization from Congress.[16]

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[13] 32 C.F.R. § 1700.6(h)(ii)

[14] *See, e.g.*, Jon Gambrell et al., *Israel Strikes Iran's Nuclear Sites and Kills Top Generals. Iran Retaliates With Missile Barrages*, AP (June 18, 2025, 9:45 AM), https://apnews.com/article/iran-explosions-israel-tehran-00234a06e5128a8aceb406b140297299; *Israel-Iran War Enters Second Week with More Strikes as Warning Against U.S. Intervention Issued*, CBS (June 21, 2025, 9:02 PM), https://www.cbsnews.com/news/iran-israel-war-middle-east-us-military-gaza/; *Mapping the Israel-Iran Conflict*, N.Y. Times, June 24, 2025, https://www.nytimes.com/live/2025/world/israel-iran-maps-tracking.

[15] *See, e.g.*, Faris Tanyos, *U.S. Launches Strikes on 3 Iranian Nuclear Facilities, Trump Says*, CBS (June 22, 2025, 7:41 PM), https://www.cbsnews.com/news/u-s-launches-strikes-iranian-nuclear-facilities-trump-says/; Elena Moore & Megan Pratz, *U.S. Strikes 3 Nuclear Sites in Iran, in Major Regional Conflict Escalation*, NPR (June 22, 2025, 9:28 AM), https://www.npr.org/2025/06/21/nx-s1-5441127/iran-us-strike-nuclear-trump; Phil Stewart & Steve Holland, *Trump Says Iran's Key Nuclear Sites 'Obliterated' by US Airstrikes*, Reuters (June 22, 2025, 2:08 AM), https://www.reuters.com/world/middle-east/iran-israel-launch-new-attacks-after-tehran-rules-out-nuclear-talks-2025-06-21/; Rachel Wolf et al., *US Strikes 3 Iranian Nuclear Sites, Trump Announces*, Fox News (June 22, 2025, 7:15 AM), https://www.foxnews.com/live-news/israel-iran-conflict-june-21-2025; Matt Spetalnick, *Strikes on Iran Mark Trump's Biggest, and Riskiest, Foreign Policy Gamble*, Reuters (June 22, 2025, 2:49 AM), https://www.reuters.com/world/us/strikes-iran-mark-trumps-biggest-riskiest-foreign-policy-gamble-2025-06-22/; *Trump Says Key Iranian Nuclear Facilities 'Totally Obliterated' in U.S. Strikes*, Wash. Post (June 22, 2025, 3:31 AM), https://www.washingtonpost.com/world/2025/06/21/israel-iran-live-updates-us-trump/.

[16] *See, e.g.*, Andrew Perez & Asawin Suebsaeng, *'There Is No Intel': Trump's Attacks on Iran Were Based on Vibes, Sources Say*, Rolling Stone, June 22, 2025, https://www.rollingstone.com/politics/politics-features/trump-iran-attack-no-intel-nuclear-1235369641/; Andrew Solender, *Trump Faces Blowback in Congress on Iran Strikes*, Axios, June 21, 2025, https://www.axios.com/2025/06/22/trump-iran-strikes-republicans-democrats-congress; Mariam Khan & Alexandra Hutzler, *Trump Faces Bipartisan Pushback to Iran Strike as Some Question His War Powers*, ABC (June 23, 2025,

Moreover, I certify to be true and correct to the best of my knowledge and belief that there is an urgent need to inform the public about the potential use of Signal or other messaging platforms to coordinate military strikes. In March 2025, *The Atlantic* revealed that top Trump administration officials used Signal, a non-secure, non-governmental commercial messaging platform, to plan highly sensitive military strikes in Yemen on the "Houthi PC small group" chat.[17] The inadvertent, real-time inclusion of a journalist in the Signal chat was a major leak of data, potentially jeopardizing the safety of American servicemembers and flouting established security protocols; the Pentagon opened an investigation into this significant mistake.[18] The White House and the Pentagon have claimed that no classified information regarding the strikes was shared over the Signal chat.[19] Additionally, the "Houthi PC small group" chat Signal messages were set to auto-delete after either one week or four weeks.[20] Considering the possibility

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4:00 PM), https://abcnews.go.com/Politics/congress-faces-uphill-battle-challenge-trump-war-powers/story?id=123116301; Caitlin Yilek, *Trump's Strike Against Iran Divides Congress on War Powers*, CBS (June 23, 2025, 8:10 PM), https://www.cbsnews.com/news/trump-iran-strikes-congress-war-powers/; Mary Claire Jalonick & Lisa Mascaro, *Trump Ignites Debate on Presidential Authority with Iran Strikes and Wins Praise From Republicans*, AP (June 22, 2025, 12:14 AM), https://apnews.com/article/iran-strikes-congress-republicans-trump-239d3ea01ea0338c2daf566b12ba2ee2; Charlie Savage, *Was Trump's Iran Attack Illegal? Presidential War Powers, Explained.*, N.Y. Times, June 23, 2025, https://www.nytimes.com/2025/06/23/us/politics/trump-iran-war-powers-constitution.html.

[17] *See, e.g.*, Jeffrey Goldberg, *The Trump Administration Accidentally Texted Me Its War Plans*, The Atlantic, Mar. 24, 2025, https://www.theatlantic.com/politics/archive/2025/03/trump-administration-accidentally-texted-me-its-war-plans/682151/; Jeffrey Goldberg & Shane Harris, *Here Are the Attack Plans that Trump's Advisors Shared on Signal*, The Atlantic, Mar. 26, 2025, https://www.theatlantic.com/politics/archive/2025/03/signal-group-chat-attack-plans-hegseth-goldberg/682176/.

[18] *See, e.g.*, Brandi Vincent, *Post-Signalgate, Pentagon CIO Prioritizes Secure Platforms for Sensitive Instant Messaging*, DefenseScoop, May 8, 2025, https://defensescoop.com/2025/05/08/signalgate-dod-cio-prioritizes-secure-platforms-sensitive-instant-messaging/; Dan Lamothe, *Signalgate Inquiry Examines if Hegseth — Or an Aide — Shared Attack Plans*, Wash. Post, June 6, 2025, https://www.washingtonpost.com/national-security/2025/06/06/hegseth-signalgate-inspector-general/; Tony Bradley, *Cybersecurity Lessons From Hegseth's Latest Signalgate Scandal*, Forbes (Apr. 21, 2025, 5:08 PM), https://www.forbes.com/sites/tonybradley/2025/04/21/cybersecurity-lessons-from-the-latest-signalgate-scandal/; Idrees Ali & Phil Stewart, *Pentagon Chief Hegseth Shared Sensitive Yemen War Plans in Second Signal Chat, Source Says*, Reuters (Apr. 21, 2025, 4:15 AM), https://www.reuters.com/world/us/defense-chief-hegseth-shared-war-plans-second-signal-chat-nyt-reports-2025-04-20/.

[19] *See supra* note 2.

[20] *See, e.g.*, Dell Cameron, *Here's What Happened to Those SignalGate Messages*, Wired (Apr. 15, 2025, 5:27 PM), https://www.wired.com/story/heres-what-happened-to-

that Trump administration officials continue to use Signal to coordinate military plans, with messages potentially set to auto-delete, there is an urgent need to recover these records. The public requires the requested information to understand whether Trump administration officials continue to use non-secure platforms to plan military actions, and whether these records are being properly preserved.

I further certify that American Oversight is primarily engaged in disseminating information to the public. American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. Similar to other organizations that have been found to satisfy the criteria necessary to qualify for expedition,[21] American Oversight "'gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw material into a distinct work, and distributes that work to an audience.'"[22] American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, and other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).[23] As discussed previously, American Oversight has demonstrated its commitment to the public disclosure of documents and creation of editorial content.[24]

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those-signalgate-messages/; Abigail Hauslohner & Olivia George, *Judge Orders Trump Administration to Preserve Signal Chat About Yemen*, Wash. Post, Mar. 27, 2025, https://www.washingtonpost.com/national-security/2025/03/27/boasberg-signal-national-security-case-atlantic/.

[21] *See ACLU v. U.S. Dep't of Justice*, 321 F. Supp. 2d 24, 30–31 (D.D.C. 2004); *EPIC v. Dep't of Defense*, 241 F. Supp. 2d 5, 15 (D.D.C. 2003).

[22] *ACLU*, 321 F. Supp. 2d at 29 n.5 (quoting *EPIC*, 241 F. Supp. 2d at 11).

[23] American Oversight currently has approximately 16,000 followers on Facebook and 94,600 followers on X (formerly Twitter). American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited June 26, 2025); American Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited June 26, 2025).

[24] *See generally News*, American Oversight, https://www.americanoversight.org/blog; *see, e.g.*, *Emails and Resume of Trump's Pick to Head Government Personnel Office*, American Oversight, https://www.americanoversight.org/emails-and-resume-of-trumps-pick-to-head-government-personnel-office; *CDC Calendars from 2018 and 2019: Pandemic-Related Briefings and Meetings*, American Oversight, https://www.americanoversight.org/cdc-calendars-from-2018-and-2019-pandemic-related-briefings-and-meetings; *State Department Releases Ukraine Documents to American Oversight*, American Oversight, https://www.americanoversight.org/state-department-releases-ukraine-documents-to-american-oversight; *Documents Reveal Ben Carson Jr.'s Attempts to Use His Influence at HUD to Help His Business*, American Oversight, https://www.americanoversight.org/documents-reveal-ben-carson-jr-s-attempts-to-use-his-influence-at-hud-to-help-his-business; *Investigating the Trump Administration's Efforts to Sell Nuclear Technology to Saudi Arabia*, American Oversight, https://www.americanoversight.org/investigating-the-trump-administrations-efforts-to-sell-nuclear-technology-to-saudi-arabia; *Sessions' Letter Shows DOJ Acted On Trump's*

Accordingly, American Oversight's request satisfies the criteria for expedition.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics. For instance, if the request seeks "communications," please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as iMessage, WhatsApp, Signal, or X (formerly Twitter) direct messages),voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.

- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted.

- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Federal Records Act and FOIA.[25] It is not adequate to rely on policies and procedures that require officials to move such information to official systems within a certain period of time; American Oversight has a right to records contained in those files even if material has not yet been moved to official systems or if officials have, by intent or through negligence, failed to meet their obligations.[26]

Authoritarian Demand to Investigate Clinton, American Oversight, https://www.americanoversight.org/sessions-letter.

[25] *See Competitive Enter. Inst. v. Office of Sci. & Tech. Policy*, 827 F.3d 145, 149–50 (D.C. Cir. 2016); *cf. Judicial Watch, Inc. v. Kerry*, 844 F.3d 952, 955–56 (D.C. Cir. 2016).

[26] *See Competitive Enter. Inst. v. Office of Sci. & Tech. Policy*, No. 14-cv-765, slip op. at 8 (D.D.C. Dec. 12, 2016).

- Please use all tools available to your agency to conduct a complete and efficient search for potentially responsive records. Agencies are subject to government-wide requirements to manage agency information electronically,[27] and many agencies have adopted the National Archives and Records Administration (NARA) Capstone program, or similar policies. These systems provide options for searching emails and other electronic records in a manner that is reasonably likely to be more complete than just searching individual custodian files. For example, a custodian may have deleted a responsive email from his or her email program, but your agency's archiving tools may capture that email under Capstone. At the same time, custodian searches are still necessary; agencies may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.

- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Ben Sparks at foia@americanoversight.org or (202) 873-1741. Also, if American Oversight's request

[27] Presidential Memorandum—Managing Government Records, 76 Fed. Reg. 75,423 (Nov. 28, 2011), https://obamawhitehouse.archives.gov/the-press-office/2011/11/28/presidential-memorandum-managing-government-records; Office of Mgmt. & Budget, Exec. Office of the President, Memorandum for the Heads of Executive Departments & Independent Agencies, "Managing Government Records Directive," M-12-18 (Aug. 24, 2012), https://www.archives.gov/files/records-mgmt/m-12-18.pdf.

for expedition is not granted or its request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Ben Sparks
Ben Sparks
on behalf of
American Oversight