

From: Gauhar, Tashina (ODAG)
Subject: FW: AG prep 1 pagers
To: Lan, Iris (ODAG); Peterson, Andrew (ODAG)
Sent: January 4, 2019 1:08 PM (UTC-05:00)
Attached: USA FREEDOM Act Reauth TPs to OLA.doc, Going Dark TPs 11-09-2018 +RD.DOCX, FARA clean to OLA.docx, Foreign Interference in 2018 U.S. Midterm Election.docx, 68 - National Security - Handling of Captured Terrorists - MFB 2.23.2017 (11 21 18 NSD).docx, 46 - GTMO TPs (Nov 2018) nsd and civ.docx, 28 - National Security Division- Countering Violent Extremism - FINAL2.docx, 27 - National Security- Refugees and Threats to National Security - update 11.26.18.docx, 26 - Leak Investigations - FINAL to OLA.docx, 24 - FISA Reform- Section 702 - (Nov. 2018).docx, FISA-FISC_ (Nov. 2018).docx, Chinese Economic Espionage - Non-Traditional Collector One Pager 12 20 2018.docx, ECPA Reform TPs for AG -- 10-6-2017_FINAL +RD.DOCX

Iris – see below re CRM having the pen.

From: Andrews, Kelli (NSD) <(b) (6)>
Sent: Friday, January 4, 2019 9:27 AM
To: Gauhar, Tashina (ODAG) <(b) (6)>
Subject: AG prep 1 pagers

Hi Tash,

Here are the ones we provided to OLA with updates. We reviewed ECPA and Going Dark but CRM had the pen on those.

Kelli

Kelli A. Andrews
Chief of Staff and Senior Counsel
U.S. Department of Justice
National Security Division
(b) (6) (desk)
(b) (6) (cell)

From: Lasseter, David F. \(\OLA\)
Subject: A/AG HJC Oversight Hearing Moot #2 (Today 2-4pm)
To: Engel, Steven A. \(\OLC\); Weinsheimer, Bradley \(\ODAG\); Gore, John \(\CRT\); Burnham, James M. \(\CIV\); Panuccio, Jesse \(\OASG\); Hovakimian, Patrick \(\ODAG\); Francisco, Noel \(\OSG\); Levi, William \(\OAG\); Miner, Matthew \(\CRM\); Thiemann, Robyn \(\ODAG\); Boyd, Stephen E. \(\OLA\); Hamilton, Gene \(\OAG\); Demers, John C. \(\NSD\); Lofthus, Lee J \(\JMD\); Bumatay, Patrick \(\OAG\); Morrissey, Brian \(\OAG\); Escalona, Prim F. \(\OLA\)
Cc: de la Torre, Lindsey \(\OAG\); Barnett, Gary E. \(\OAG\); (b)(6), (b)(7)(C) per EOUSA; Douglas, Danielle E. \(\OLA\); Kupec, Kerri \(\OPA\)
Sent: February 5, 2019 9:56 AM (UTC-05:00)
Attached: Personal Matters Binder.zip, Final Briefing Book.zip, Supportive Qs_HJC_Oversight_2019.2.8.docx, Oversight Hearing Moot #2 Questioners_5 Feb 2019.docx

Good morning all. Thanks again to everyone who supported last week's moot.

While last week we had a modified moot with opportunities to provide feedback throughout the session, today the plan will be to go straight through without pausing for comments. The planned schedule is listed below. Attached you will find the questioner order and associated topics that we ask you question the A/AG on today. The attached zip files have the issue papers with some suggested questions. Please feel free to use those or create your own on the particular subjects. In addition, we have attached some Department supportive questions which we hope some members will ask during the hearing. Please ask these if you have extra time remaining.

2:00—Moot commences
2:05—A/AG reads opening statement
2:10—Begin questioning
3:50—Conclude and wrap-up

Please let me know if you have any questions.

Thanks,
David

David F. Lasseter
Deputy Assistant Attorney General
Office of Legislative Affairs
U.S. Department of Justice
(b) (6)

From: Evans, Stuart \(\NSD\)
Subject: USA FREEDOM Act Letter
To: Levi, William \(\OAG\); Gauhar, Tashina \(\ODAG\)
Sent: February 15, 2019 9:04 AM (UTC-05:00)
Attached: [Untitled].pdf

FYSA, just wanted to make sure you guys were aware of this incoming letter from SJC and SSCI Chairs and Ranking Members seeking the IC and DOJ views on the expiring provisions of FISA.

ODNI is going to take the pen on a first draft and circulate that to us and the other agencies. While the letter requests an Administration view by 2/22, given that the (b) (5) [REDACTED], it may make sense to (b) (5) [REDACTED]. But that will be a tactical point for discussion with OLA once there's a draft to review.

We'll keep you posted.

Stu

United States Senate

WASHINGTON, DC 20510

February 12, 2019

The Honorable Matthew Whitaker
Acting Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, D.C. 20535-0001

The Honorable Daniel R. Coats
Director of National Intelligence
Office of the Director of National
Intelligence
Washington, D.C. 20511

The Honorable Paul M. Nakasone
Director
National Security Agency
9800 Savage Road
Suite 6272
Ft. George G. Meade MD 20755-6000

Dear Acting Attorney General Whitaker, Director Wray, Director Coats, and Director Nakasone:

We write to request your views on expiring provisions of the USA FREEDOM Act of 2015, P.L. 114-23.

As you are aware, the USA FREEDOM Act provisions relating to (1) the collection of business records, (2) “roving” surveillance authorities, and (3) surveillance authorities over a non-U.S. person who engages or prepares to engage in international terrorism (the so-called “lone wolf” provision), are all due to sunset on December 15, 2019.

The USA FREEDOM Act legislation arose out of vigorous debate in Congress. The debate continues over balancing government surveillance authorities to keep our citizens safe on the one hand, and protecting the privacy and civil liberties interests of Americans on the other. The Administration’s views on these significant national security authorities play an important role in those discussions.

We ask that you respond by February 22, 2019. We look forward to hearing from you.

Sincerely,



LINDSEY O. GRAHAM
Chairman
Committee on the Judiciary



DIANNE FEINSTEIN
Ranking Member
Committee on the Judiciary



RICHARD BURR
Chairman
Senate Select Committee on
Intelligence



MARK WARNER
Vice Chairman
Senate Select Committee on
Intelligence

From: Hovakimian, Patrick (ODAG)
Subject: NSD briefing for DAG nominee Jeff Rosen
To: Hickey, Adam (NSD); Demers, John C. (NSD); Evans, Stuart (NSD); Andrews, Kelli (NSD); Escalona, Prim F. (OLA)
Sent: March 19, 2019 11:14 AM (UTC-04:00)
Attached: 86 - NSD - FISA_FISC.docx, 87 - NSD - Leak Investigations.docx, 89 - NSD - National Security- Refugees and Threats to National Security.docx, 88 - NSD - Guantanamo Bay.docx, 90 - NSD - Foreign Interference in 2018 U.S. Midterm Election.docx, 91 - NSD - Handling of Captured Terrorists.docx, 92 - NSD - USA FREEDOM Act.doc, 93 - NSD - Countering Violent Extremism.docx, 83 - NSD - National Security Division Overview.docx, 94 - NSD - ECTR.docx, 84 - NSD - Chinese Economic Espionage.docx, 85 - NSD - FARA.docx

NSD briefing #2 for DAG nominee Jeff Rosen. Thanks.

Patrick Hovakimian
Associate Deputy Attorney General
United States Department of Justice

(b) (6)

From: Liskamm, Amanda N. \ (ODAG\
Subject: RE: Delegation of CSA Subpoena Authority
To: Hughes, William C. \ (ODAG\
Cc: Metcalf, David \ (ODAG\
Sent: May 28, 2019 4:36 PM (UTC-04:00)
Attached: Memo to ODAG re Admin Subp CO USAO_2019may9.pdf

See attached from DEA. I will re-circulate when they have an update. Thanks!

From: Hughes, William C. (ODAG) <(b) (6)>
Sent: Tuesday, May 28, 2019 4:32 PM
To: Haas, Alex (CIV) <(b) (6)>; Flentje, August (CIV) <(b) (6)>
Cc: Metcalf, David (ODAG) <(b) (6)>; Liskamm, Amanda N. (ODAG) <(b) (6)>
Subject: RE: Delegation of CSA Subpoena Authority

Alex,

I hope you are having (b)(6) per CIV . I wanted to let you and Auggie know that Amanda is requesting that DEA update its proposal as they feel appropriate in light of the helpful feedback below. When that is completed, which should be soon, we can share that and see if there are any issues remaining before we put this matter to bed.

Thanks,
Bill

From: Haas, Alex (CIV) <(b) (6)>
Sent: Friday, May 24, 2019 3:30 PM
To: Hughes, William C. (ODAG) <(b) (6)>; Flentje, August (CIV) <(b) (6)>
Cc: Metcalf, David (ODAG) <(b) (6)>; Liskamm, Amanda N. (ODAG) <(b) (6)>
Subject: RE: Delegation of CSA Subpoena Authority

Thanks Bill. No concern here. Best, Alex

From: Hughes, William C. (ODAG) <(b) (6)>
Sent: Friday, May 24, 2019 3:29 PM
To: Haas, Alex (CIV) <(b) (6)>; Flentje, August (CIV) <(b) (6)>
Cc: Metcalf, David (ODAG) <(b) (6)>; Liskamm, Amanda N. (ODAG) <(b) (6)>
Subject: RE: Delegation of CSA Subpoena Authority

Alex,

Thank you very much for a thoughtful and thorough response. I will circle up with those in ODAG who are connected to this issue and confer about your proposal and next steps. I assume you do not object to us sharing the changes you describe below with DEA, if they have not already been shared with them?

Thanks again,
Bill

From: Haas, Alex (CIV) <(b) (6)>
Sent: Thursday, May 23, 2019 5:27 PM
To: Hughes, William C. (ODAG) <(b) (6)>; Flentje, August (CIV) <(b) (6)>
Cc: Metcalf, David (ODAG) <(b) (6)>; Liskamm, Amanda N. (ODAG) <(b) (6)>
Subject: RE: Delegation of CSA Subpoena Authority

Bill,

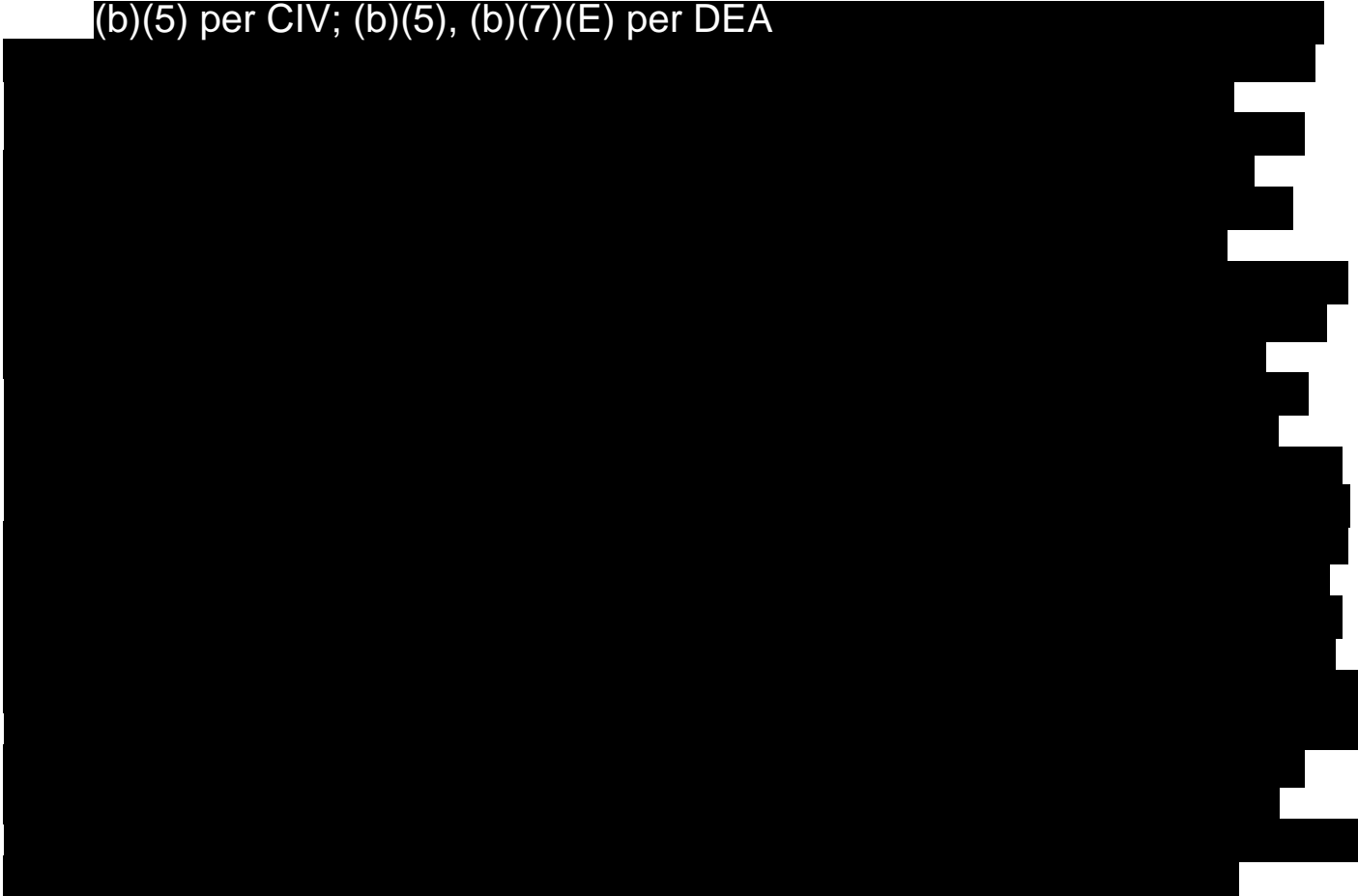
Thank you for affording the Civil Division an opportunity to offer its (b)(5) per CIV




(b)(5) per CIV



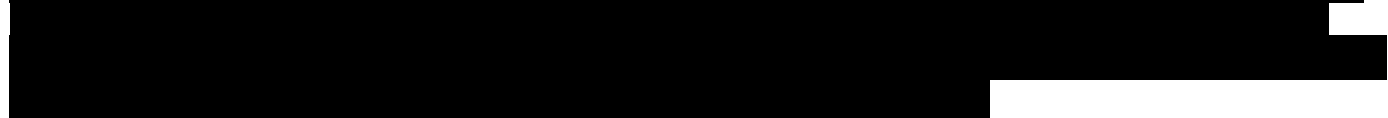
(b)(5) per CIV; (b)(5), (b)(7)(E) per DEA




(b)(5) per CIV; (b)(5), (b)(7)(E) per DEA



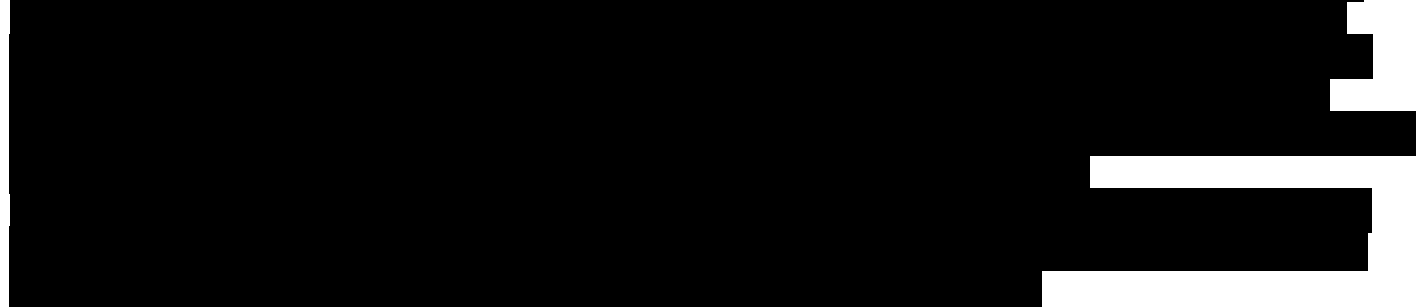
(b)(5) per CIV; (b)(5), (b)(7)(E) per DEA

A large rectangular area of the document is completely redacted with a solid black box.

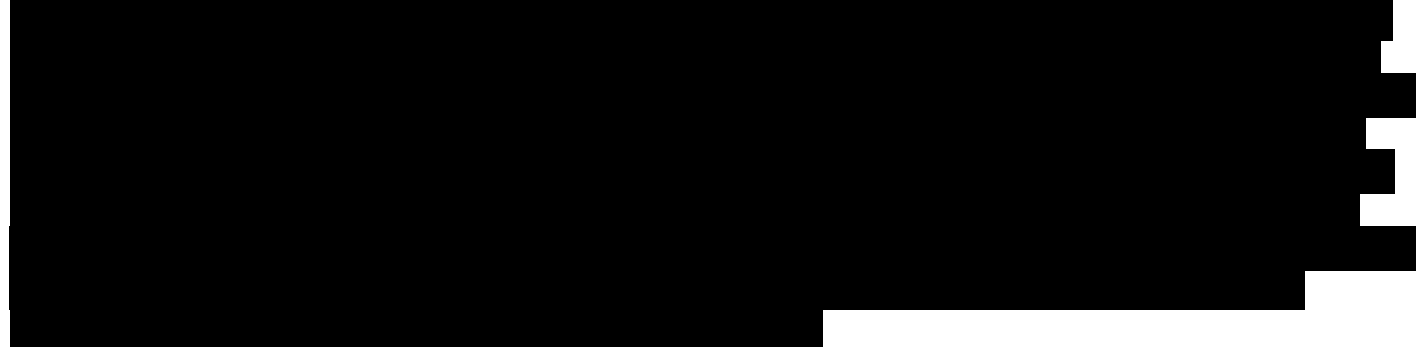
(b)(5) per CIV; (b)(5), (b)(7)(E) per DEA

A large rectangular area of the document is completely redacted with a solid black box.

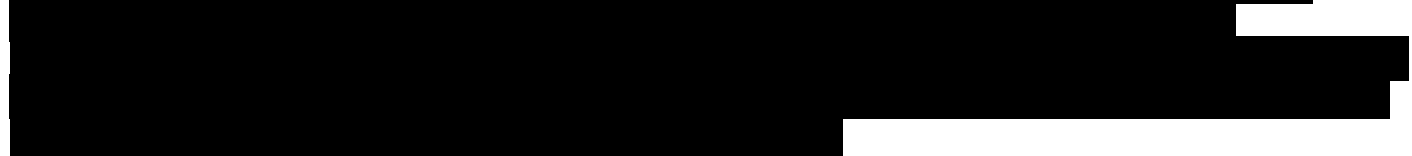
(b)(5) per CIV; (b)(5), (b)(7)(E) per DEA

A large rectangular area of the document is completely redacted with a solid black box.

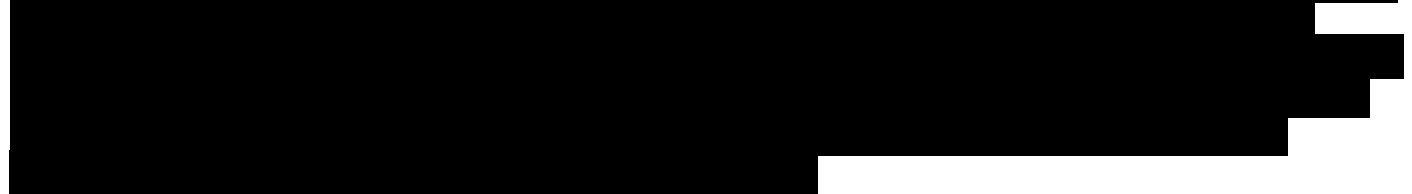
(b)(5) per CIV; (b)(5), (b)(7)(E) per DEA

A large rectangular area of the document is completely redacted with a solid black box.

(b)(5) per CIV; (b)(5), (b)(7)(E) per DEA

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(b)(5) per CIV; (b)(5), (b)(7)(E) per DEA

A large rectangular area of the document is completely redacted with a solid black box.

(b)(5) per CIV; (b)(5), (b)(7)(E) per DEA

As a reminder, I'll (b)(6) per CIV, so please include Auggie on anything related to this inquiry.

Best,

Alex

From: Hughes, William C. (ODAG) <(b) (6)>
Sent: Monday, May 20, 2019 12:26 PM
To: Flentje, August (CIV) <(b) (6)>; Haas, Alex (CIV) <(b) (6)>
Cc: Metcalf, David (ODAG) <(b) (6)>
Subject: RE: Delegation of CSA Subpoena Authority

Gentlemen,

I wanted to touch bas on this administrative subpoena issue. Do you have an idea on when CIV's input on this issue will be finished and ready to share with ODAG?

Thanks,
Bill

From: Flentje, August (CIV) <(b) (6)>
Sent: Wednesday, May 1, 2019 3:25 PM
To: Hughes, William C. (ODAG) <(b) (6)>; Haas, Alex (CIV) <(b) (6)>
Subject: RE: Delegation of CSA Subpoena Authority

Sure- - I'm around. (b) (6) .

From: Hughes, William C. (ODAG) <(b) (6)>
Sent: Wednesday, May 01, 2019 3:22 PM
To: Haas, Alex (CIV) <(b) (6)>
Cc: Flentje, August (CIV) <(b) (6)>
Subject: RE: Delegation of CSA Subpoena Authority

Thanks. Auggie, are you available today for me to give you a quick call?

Bill

From: Haas, Alex (CIV) <(b) (6)>
Sent: Wednesday, May 1, 2019 2:01 PM
To: Hughes, William C. (ODAG) <(b) (6)>
Cc: Flentje, August (CIV) <(b) (6)>
Subject: RE: Delegation of CSA Subpoena Authority

Bill,

The Civil POC on this issue is August Flentje who is serving as Acting DAAG of Consumer Protection.

Alex

From: Hughes, William C. (ODAG) <(b) (6)>
Sent: Tuesday, April 30, 2019 3:43 PM
To: Haas, Alex (CIV) <(b) (6)>
Subject: FW: Delegation of CSA Subpoena Authority

Alex,

ODAG would like CIV's view as to the proposal from the Civil Chiefs working group of the AGAC concerning delegation of authority to issue administrative subpoenas under the CSA. I have attached a number of memos, reports, and correspondence that we have been looking at in connection with this issue. Would you have a convenient moment to discuss via phone? This is not time sensitive.

Thanks,
Bill

From: Liskamm, Amanda N. (ODAG) <(b) (6)>
Sent: Monday, April 29, 2019 12:48 PM
To: Hughes, William C. (ODAG) <(b) (6)>
Subject: FW: Delegation of CSA Subpoena Authority

This is what I have from the CCWG and DEA, as well as the OIG report. The meeting with Corey is tomorrow at 3pm in Corey's office. Let me know if you need anything else. Thanks!

From: (b)(6), (b)(7)(C) per EOUSA
Sent: Wednesday, April 10, 2019 3:41 PM
To: Liskamm, Amanda N. (ODAG) <(b) (6)>; Levi, William (OAG) <(b) (6)>
Cc: (b)(6), (b)(7)(C) per EOUSA
Subject: Delegation of CSA Subpoena Authority

Greetings.

As Amanda requested, I am attaching suggested protocols to ensure that delegation of subpoena authority, as proposed by the AGAC, would be consistent with criticisms in the OIG report. One of the attached files includes explanatory comments, the other omits them.

I hope you find the suggested protocols useful also, Will.

Regards,
(b)(6), (b)(7)(C) per EOUSA

From: Gauhar, Tashina \ (ODAG\
Subject: Freedom Act Meeting
To: Hovakimian, Patrick \ (ODAG\
Cc: Groves, Brendan M. \ (ODAG\); Suero, Maya A. \ (ODAG\
Sent: July 24, 2019 3:25 PM (UTC-04:00)
Attached: Patriot Act and USA Freedom Act Reauthorization.doc

Hi Pat. I confirmed that NSD is not planning to provide any briefing papers for the meeting. I wanted to pass along the Q&A from the DAG's confirmation hearing on this issue in case he wanted a refresher on the provisions at issue. Thanks.

From: DuCharme, Seth \(\OAG\)
Subject: Fwd: Expiring Freedom Act authorities (one pager)
To: Levi, William \(\OAG\)
Sent: August 7, 2019 1:30 PM (UTC-04:00)
Attached: Patriot Act and USA Freedom Act Reauthorization Aug 6 2019.docx, ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Sanz-Rexach, Gabriel (NSD)" <(b) (6)>
Date: August 6, 2019 at 6:37:45 PM EDT
To: "DuCharme, Seth (OAG)" <(b) (6)>
Subject: Expiring Freedom Act authorities (one pager)

Seth, attached is a short one pager summarizing the expiring Freedom Act authorities, as discussed with the AG earlier today. Please let us know if you have any questions or need anything else from us. Thanks.

From: Levi, William (OAG)
Subject: RE: AG Briefing Materials for Thursday, August 8, 2019
To: Watson, Theresa (OAG)
Cc: Bryant, Errical (OAG); Jackson, Wykema C. (OAG); Washington, Tracy T (OAG); Gramley, Shannon (OAG); Stepney, LaKisha L. (OAG)
Sent: August 7, 2019 1:32 PM (UTC-04:00)
Attached: Patriot Act and USA Freedom Act Reauthorization Aug 6 2019.docx

Please see attached.

From: Watson, Theresa (OAG) <(b) (6)>
Sent: Wednesday, August 7, 2019 10:10 AM
To: Rabbitt, Brian (OAG) <(b) (6)>; Levi, William (OAG) <(b) (6)>; Shea, Timothy (OAG) <(b) (6)>
Cc: Bryant, Errical (OAG) <(b) (6)>; Jackson, Wykema C. (OAG) <(b) (6)>; Washington, Tracy T (OAG) <(b) (6)>; Gramley, Shannon (OAG) <(b) (6)>; Stepney, LaKisha L. (OAG) <(b) (6)>
Subject: AG Briefing Materials for Thursday, August 8, 2019

You are listed as the POC for the events listed below on the AG's schedule for **Thursday**, and we are expecting briefing materials from you. Please send an email with a copy of your complete package, (including tabs if appropriate, by **3:00 pm, today**, so that we can prepare the binder. If you do not have any materials, or if you have a separate binder, please reply to this message so that we know not to include them in our table of contents. Thanks.

IF YOU DO NOT HAVE MATERIALS, PLEASE LET US KNOW. IF YOU ARE NOT THE POC, PLEASE LET ME KNOW.

Brian Rabbitt

- *Domestic Policy Council Meeting
- *Potential Press Conference

Will Levi

- *Meeting w/Director Coats, DNI and Steve Feinberg, PIAB Chair
- *POTUS Briefing re USA Freedom

Tim Shea

- *ATF Briefing re: Violent Crime Initiatives and Gangs

From: Levi, William (OAG)
Subject: RE: USA Freedom
To: Rabbitt, Brian (OAG); DuCharme, Seth (OAG)
Sent: August 7, 2019 2:39 PM (UTC-04:00)
Attached: Patriot Act and USA Freedom Act Reauthorization Aug 6 2019.docx

[Attached.](#)

From: Rabbitt, Brian (OAG) <(b) (6)>
Sent: Wednesday, August 7, 2019 2:38 PM
To: Levi, William (OAG) <(b) (6)>; DuCharme, Seth (OAG) <(b) (6)>
Subject: USA Freedom

Looking for TPs for AG for tomorrow's 12:15 in the Oval.

Brian C. Rabbitt
Chief of Staff & Sr. Counselor to the Attorney General
U.S. Department of Justice
T: (b) (6)
M: (b) (6)
(b) (6)

From: Rabbitt, Brian (OAG)
Subject: RE: Just tried your cell
To: Eisenberg, John A. EOP/WHO
Sent: August 7, 2019 2:40 PM (UTC-04:00)
Attached: Patriot Act and USA Freedom Act Reauthorization Aug 6 2019.docx

From: Eisenberg, John A. EOP/WHO <(b) (6)>
Sent: Wednesday, August 7, 2019 2:25 PM
To: Rabbitt, Brian (OAG) <(b) (6)>
Subject: Just tried your cell

Can you call when you have a chance?

John A. Eisenberg
Assistant to the President, Deputy Counsel to the President,
and Legal Adviser to the National Security Council
Office: (b) (6) (direct), (b)(6) per NSC (main)
Cell: (b) (6)
Secure: (b) (6)

From: Sanz-Rexach, Gabriel \(\NSD\)
Subject: FW: Expiring Freedom Act authorities (one pager)
To: Levi, William \(\OAG\)
Cc: Demers, John C. \(\NSD\)
Sent: August 7, 2019 2:42 PM (UTC-04:00)
Attached: Patriot Act and USA Freedom Act Reauthorization Aug 6 2019.docx

Hi, Will, forwarding to you the paper on expiring authorities. Thanks.

From: Sanz-Rexach, Gabriel (NSD)
Sent: Tuesday, August 06, 2019 6:38 PM
To: DuCharme, Seth (OAG) <(b) (6)>
Subject: Expiring Freedom Act authorities (one pager)

Seth, attached is a short one pager summarizing the expiring Freedom Act authorities, as discussed with the AG earlier today. Please let us know if you have any questions or need anything else from us. Thanks.

From: Gauhar, Tashina (ODAG)
Subject: FW: For Coordination: USA Freedom Act Statement and Lines
To: O'Callaghan, Edward C. (ODAG); Hovakimian, Patrick (ODAG)
Cc: Groves, Brendan M. (ODAG)
Sent: August 13, 2019 8:53 PM (UTC-04:00)
Attached: USA Freedom Act Statement and QA DRAFT 8.13.19 For Coordination.docx, ATT00001.htm

FYI: We now have an Administration position on FREEDOM Act (b)(5) per NSC. NSC is circulating the attached statement and Q&A through OPA channels. NSD is reviewing.

From: Raimondi, Marc (OPA) <(b)(6)>
Sent: Tuesday, August 13, 2019 7:43 PM
To: Carr, Peter (OPA) <(b)(6)>; Nichols, Danielle (PAO) <(b)(6)>; Wiegmann, Brad (NSD) <(b)(6)>; Andrews, Kelli (NSD) <(b)(6)>; Gauhar, Tashina (ODAG) <(b)(6)>
Subject: Fwd: For Coordination: USA Freedom Act Statement and Lines

Adding Tash

Kelli, Brad has an out of office notice. Can you please route this to the proper NSD contact or advise where else it should go.

Brad, is this something for your shop to chop on? Quick turn requested from NSC. Please include peter and Danielle as they are covering NSD (and the rest of DOJ) this week

Marc Raimondi
National Security Division
U.S. Department of Justice
(b)(6)
Mobile (b)(6)

Sent from an iPhone, pls excuse shrthnd, typo\$ and errant auto-connects.

Begin forwarded message:

From: "Ehram, Lauren E. EOP/NSC" <(b)(6) per NSC>
Date: August 13, 2019 at 6:11:18 PM EDT
To: (b)(3) per NSA, (b)(3), (b)(6), "Kupec, Kerri (OPA) (JMD)" <(b)(6)>, "Marc Raimondi" <(b)(6)>, "Couvillion, Kelli M" <(b)(3) per NSA>, DNI-Media <(b)(3) per ODNI>, (b)(3), (b)(6), "Couvillion, Kelli M" <(b)(3) per NSA>, DL NSAMedia <(b)(3) per NSA>, (b)(6), (7)(C), (7)(E) per FBI, (DO) (FBI) <(b)(6), (7)(C), (7)(E) per FBI>, "Hale, Brian Patrick (DO) (FBI)" <(b)(6), (7)(C), (7)(E) per FBI>, (b)(3) per NSA, (b)(3), (b)(6)
Cc: "Marquis, Garrett C. EOP/NSC" <(b)(6) per NSC>
Subject: RE: For Coordination: USA Freedom Act Statement and Lines

+CIA media team

From: Ehram, Lauren E. EOP/NSC
Sent: Tuesday, August 13, 2019 5:57 PM
To: (b)(3) per NSA, (b)(3), (b)(6), 'Kupec, Kerri (OPA) (JMD)' <(b)(6)>; 'Marc Raimondi' <(b)(6)>; 'Couvillion, Kelli M' <(b)(3) per NSA>; 'DNI-Media' <(b)(3) per ODNI>; (b)(3), (b)(6), 'Couvillion, Kelli M' <(b)(3) per NSA>; 'DL NSAMedia' <(b)(3) per NSA>; (b)(6), (7)(C), (7)(E) per FBI, (DO) (FBI) <(b)(6), (7)(C), (7)(E) per FBI>; Hale, Brian Patrick (DO) (FBI) <(b)(6), (7)(C), (7)(E) per FBI>; (b)(3) per NSA
Cc: Garrett C. EOP/NSC Marquis <(b)(6) per NSC>
Subject: For Coordination: USA Freedom Act Statement and Lines

Good evening,

Thank you in advance for the quick turn on this! As most of you are already aware, there is a good likelihood that Congressional notification could be made on this tomorrow by DNI. This is of course close hold. Attached for coordination is a proposed statement from the DNI, as well as lines to be deployed if pressed by media.

Tomorrow by 1:00 pm we ask for edits from your agencies and departments: DOJ, FBI, CIA, ODNI, and NSA. These points include many that have been previously cleared by your departments and agencies, but I can't guarantee fully, so please clear with whomever you need to. If you have any questions, please ask.

ODNI – please send your staff edits back so that we can compile all edits before sending the DNI. We want to try to be helpful in avoiding sending up multiple statements for approval.

Please reply to me that you have received this email.

Thank you!

Lauren

Lauren Ehram
Director for Strategic Communications
Office of Strategic Communications
White House National Security Council

(b)(6) per NSC

(b)(6) per NSC

From: DuCharme, Seth (OAG)
Subject: USA Freedom Act Statement and QA DRAFT 8.13.19 For Coordination (OI) + LP.docx
To: Rabbitt, Brian (OAG)
Sent: August 14, 2019 1:29 PM (UTC-04:00)
Attached: USA Freedom Act Statement and QA DRAFT 8.13.19 For Coordination (OI) + LP.docx

Latest version of the points, including comments from NSD

From: Gauhar, Tashina \ (ODAG\)
Subject: FW: For Coordination: USA Freedom Act Statement and Lines
To: O'Callaghan, Edward C. \ (ODAG\); Hovakimian, Patrick \ (ODAG\)
Cc: Groves, Brendan M. \ (ODAG\)
Sent: August 15, 2019 11:36 AM (UTC-04:00)
Attached: USA FREEDOM Act Reauthorization Top lines_w FBI and NSA and DOJ edits.docx, 08-14-19_Ltr from the DNI to Congr Leadership_USA Freedom Act.pdf

Just FYI – First document is the latest version of statement and Q&A for FREEDOM Act reauthorization from ODNI. It is with NSC now. (b)(3), (b)(5) per ODNI .

The second document is DNI's letter to the Hill providing the Administration's position on reauthorization (sent today).

From: Sanz-Rexach, Gabriel (NSD) <(b) (6)>
Sent: Thursday, August 15, 2019 11:17 AM
To: Demers, John C. (NSD) <(b) (6)>; Gauhar, Tashina (ODAG) <(b) (6)>; Hardee, Christopher (NSD) <(b) (6)>
Subject: For Coordination: USA Freedom Act Statement and Lines

Current version of the Freedom Act statement and talking points (sent to us by ODNI). ODNI advises that this draft is currently at NSC and that they are awaiting further word from NSC on it.

The letters were sent to the Hill at 10 AM today. I have notified the FISC and ODNI has notified the PCLOB.

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DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

AUG 14 2019

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
Washington, D.C. 20515

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
Washington, D.C. 20510

The Honorable Charles E. Schumer
Minority Leader
United States Senate
Washington, D.C. 20515

Dear Speaker Pelosi and Leaders McConnell, McCarthy, and Schumer:

I write to express the support of the Intelligence Community (IC) and Administration for the permanent reauthorization of the provisions of the USA FREEDOM Act of 2015 that are currently set to expire in December. These provisions provide the IC with key national security authorities, and we look forward to working with the Congress on their permanent reauthorization.

The USA FREEDOM Act preserved significant national security authorities, enhanced protection for privacy and civil liberties, and increased transparency. The USA FREEDOM Act reauthorized three important, long-standing national security authorities. First, the acquisition of so-called traditional business records under Title V of the Foreign Intelligence Surveillance Act (FISA), which applies to tangible things relevant to authorized national security investigations. Second, the “roving wiretap” authority, which allows the government to effectively collect intelligence on a target who seeks to thwart surveillance by, for example, cycling through cell phones. Third, the “lone wolf” authority, which allows the government to target certain non-U.S. persons engaged in international terrorism or activities in preparation therefor. These common sense authorities are analogous to what is available in criminal investigations, have no history of abuse after more than 18 years, and should be reauthorized without sunset.

In addition, the Act banned bulk collection under a number of authorities and established a mechanism for the government to obtain pursuant to Title V of FISA certain telephone metadata records from U.S. telecommunications providers to help identify contacts of suspected terrorists. That mechanism applies to certain business records referred to as “call detail records,” but not to the content of telephone calls. The National Security Agency has suspended the call detail records program that uses this authority and deleted the call detail records acquired under this authority. This decision was made after balancing the program’s relative intelligence value, associated costs, and compliance and data integrity concerns caused by the unique complexities of using these company-generated business records for intelligence purposes. However, as technology changes, our adversaries’ tradecraft and communications habits will continue to

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The Honorable Mitch McConnell
The Honorable Nancy Pelosi
The Honorable Charles E. Schumer
The Honorable Kevin McCarthy

evolve and adapt. In light of this dynamic environment, the Administration supports reauthorization of this provision as well.

We look forward to working with you, and the rest of the Congress, to reauthorize these important national security provisions on a permanent basis.

Sincerely,

A handwritten signature in black ink, reading "Daniel R. Coats". The signature is fluid and cursive, with the first name "Daniel" being the most prominent.

Daniel R. Coats

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From: Levi, William (OAG)
Subject: RE: AG Briefing Materials for Friday, September 6, 2019
To: Watson, Theresa (OAG); Bryant, Errical (OAG)
Cc: Jackson, Wykema C. (OAG); Washington, Tracy T (OAG); Gramley, Shannon (OAG); Stepney, LaKisha L. (OAG); Bissex, Rachel (OAG)
Sent: September 5, 2019 3:54 PM (UTC-04:00)
Attached: 190904 - SP for USA Freedom Act PT.docx, USAFreedomActOptions (1958).docx, USA Freedom Act One Pager V.4.docx, Patriot Act and USA Freedom Act Reauthorization Aug 6 2019.docx

Materials for USA Freedom attached. Guatemala materials still forthcoming. He is good on state secrets.

From: Watson, Theresa (OAG) <(b) (6)>
Sent: Thursday, September 5, 2019 8:38 AM
To: Bryant, Errical (OAG) <(b) (6)>; Levi, William (OAG) <(b) (6)>; Rabbitt, Brian (OAG) <(b) (6)>; DuCharme, Seth (OAG) <(b) (6)>; Willard, Lauren (OAG) <(b) (6)>
Cc: Jackson, Wykema C. (OAG) <(b) (6)>; Washington, Tracy T (OAG) <(b) (6)>; Gramley, Shannon (OAG) <(b) (6)>; Stepney, LaKisha L. (OAG) <(b) (6)>; Bissex, Rachel (OAG) <(b) (6)>
Subject: AG Briefing Materials for Friday, September 6, 2019

You are listed as the POC for the events listed below on the AG's schedule for **Friday**, and we are expecting briefing materials from you. Please send an email with a copy of your complete package, (including tabs if appropriate, by **3:30 pm, today**, so that we can prepare the binder. If you do not have any materials, or if you have a separate binder, please reply to this message so that we know not to include them in our table of contents. Thanks.

IF YOU DO NOT HAVE MATERIALS, PLEASE LET US KNOW. IF YOU ARE NOT THE POC, PLEASE LET ME KNOW.

Errical Bryant
***Scheduling Meeting**

Will Levi
***WH/USA Freedom Act**
***Meeting w/Guatemalan President Elect**
***State Secrets**

Brian Rabbitt
***Secure Phone Call: Secretary Mnuchin**

Seth DuCharme
***Briefing on FAA Matters**

Lauren Willard
***Meeting: Re: Tech**

USA FREEDOM ACT REAUTHORIZATION Background Paper

Under the USA FREEDOM Act of 2015 (UFA), four Foreign Intelligence Surveillance Act (FISA) authorities are set to expire on December 15, 2019:

- **NSA CDR provision:** Allows NSA to acquire “metadata” about telephone calls (the telephone numbers making and receiving a call, date, time, and duration of call) based on an FBI application to the Foreign Intelligence Surveillance Court (FISC) showing that the specific target is involved in international terrorism. NSA cannot collect this information in bulk and cannot collect the content of any call. This program has been suspended.
- **FBI Traditional business records provision:** Allows the FBI, with a FISC order, to obtain records, papers, and documents that are relevant to a national security investigation.
- **FBI Lone wolf provision:** Allows the FISC to authorize surveillance of a non-U.S. person who engages in international terrorism activities, even when it is not specifically known what international terrorist group or foreign power is involved.
- **FBI Roving wiretap authority:** Allows the FISC, when approving surveillance of a national security target, to also authorize the “roving” surveillance of that target by permitting FBI to continue surveilling the target even if the target engages in counter-surveillance efforts like using burner phones.

From: Beechum, Venessa M. \(\OLA\)

Subject: URGENT DUE TOMORROW - (OLA WF 120262) Draft NSD Statement - Hearing on OVERSIGHT OF THE FOREIGN INTELLIGENCE SURVEILLANCE ACT

To: Klimavicz, Joseph \(\JMD\); Rogers, Melinda \(\JMD\); Davis, Valorie A \(\OLP\); Jones, Lisha \(\OLP\); Matthews, Matrina \(\OLP\); (b)(6) per NSD \(\NSD\); (b)(6) per NSD \(\NSD\); (b)(6) per NSD \(\NSD\); (b)(6) per NSD \(\NSD\); NSD LRM Mailbox \(\NSD\); (b)(6) per NSD \(\NSD\); (b)(6) per NSD \(\NSD\); Forrester, Nate \(\OLC\); Hardy, Liam P. \(\OLC\); Mascott, Jennifer \(\OLC\); Wallace, Benjamin \(\OLC\); Perkins, Paul R. \(\CIV\); policy, civil \(\CIV\); Toplin, Jessica \(\CIV\); Brink, David \(\CRM\); Hendley, Scott \(\CRM\); (b)(6), (7)(C) per CRM \(\CRM\); Opl, Legislation \(\CRM\); Wroblewski, Jonathan \(\CRM\); USAEO-Legislative; (b)(6), (7)(C) per FBI \(\DO\ \(\FBI\); (b)(6), (7)(C) per FBI \(\DO\ \(\FBI\); (b)(6), (7)(C) per FBI \(\DO\ \(\FBI\); (b)(6), (7)(C) per FBI \(\DO\ \(\FBI\); (b)(6), (7)(C) per FBI \(\DO\ \(\FBI\); (b)(6), (7)(C) per FBI \(\DO\ \(\FBI\); (b)(6), (7)(C) per FBI \(\DO\ \(\FBI\); (b)(6), (7)(C) per FBI \(\DO\ \(\FBI\); (b)(6), (7)(C) per FBI \(\DO\ \(\FBI\); (b)(6), (7)(C) per FBI \(\DO\ \(\FBI\); (b)(6), (7)(C) per FBI \(\DO\ \(\FBI\); Braswell, Beau \(\OPCL\); Harman-Stokes, Katherine M. \(\OPCL\); Mayer, Hannah J. \(\OPCL\); Proia, Andrew \(\OPCL\); Ramsden, Michelle \(\OPCL\); Winn, Peter A. \(\OPCL\); Young, Brian A. \(\OPCL\)

Cc: Escalona, Prim F. \(\OLA\); Hankey, Mary Blanche \(\OLA\); Lawrie, Heather \(\OLA\); Johnson, Joanne E. \(\OLA\); Rubens, William B. \(\OLA\); Silas, Adrien \(\OLA\); Lee, Steffanie G. \(\ODAG\); Metcalf, David \(\ODAG\); Riley, Patrick W. \(\ODAG\); Cox, Stephen \(\OASG\); Hall, Jeffrey \(\OASG\)

Sent: September 11, 2019 5:43 PM (UTC-04:00)

Attached: FISA60.doc.docx