

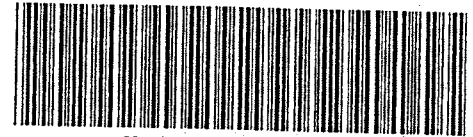
UNCLASSIFIED

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

The Honorable Devin Nunes
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

NOV 29 REC'D
NOV 28 2018

The Honorable Adam B. Schiff
Ranking Member
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515



HPSCI-2018-1660

Dear Chairman Nunes and Ranking Member Schiff:

I am confirming receipt of the transcripts that were sent to us for classification review for public release. While we are not in a position to commit to completing the review by a specific date, I want to assure you that we are developing a process that will allow us to complete our review in an expedited fashion. As we have done with other similar reviews, we will conduct a review of the transcripts for public release, which will include reviewing both for classification and for other information that we do not believe should be publicly available (e.g., personal information of employees and law enforcement sensitive information). We will ensure that the versions provided back to the Committee clearly differentiate between the two categories. To that end, the transcripts will be provided to relevant departments and agencies most likely to have classified and sensitive unclassified equities through IntelDocs, a secure, classified portal. This could include the Central Intelligence Agency, Department of Justice, Federal Bureau of Investigation, Special Counsel's Office, National Security Agency, and Office of the Director of National Intelligence. Other departments or agencies could be identified once the review commences, including the State Department and the National Security Council.

It is our understanding that the Committee plans to publicly release the transcripts after the entire review is complete and has requested that all redacted transcripts be returned to the Committee at one time. Accordingly, when review of all the transcripts is complete, we will return them to the Committee as one collection on CD. Along with the transcripts, we will also provide a separate document that clearly identifies the basis for the redactions.

We hope to make this process as transparent to the Committee as possible, so please feel free to contact my office at (703) 275-2474 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "B. T. Fallon", with a long horizontal flourish extending to the right.

Benjamin T. Fallon
Assistant DNI for Legislative Affairs

UNCLASSIFIED



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

March 26, 2019

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

Dear Director Coats:

During a March 20, 2019 briefing, personnel with the Office of the Director of National Intelligence (ODNI) told staff for the House Permanent Select Committee on Intelligence (HPSCI) that ODNI, as part of its ongoing classification review, intended to share – but had not yet done so – certain HPSCI interview transcripts with the White House that implicated “White House equities.”

ODNI subsequently clarified that, as part of its review, it “looked for mention of interactions or communications with current or former [White House] and [National Security Council] officials either during transition or after and descriptions of policies or direction established within the [White House] and [National Security Council].” This included review for information that “could be privileged,” which is described as a determination that “can only be made by” the White House.

Under no circumstances shall ODNI, or any other element of the Intelligence Community (IC), share any HPSCI transcripts with the White House, President Trump, or any persons associated with the White House or the President. Such transcripts remain the sole property of HPSCI, and were transmitted to ODNI for the limited purpose of enabling a classification review by IC elements and the Department of Justice.

Thank you for your prompt attention to this matter. I hope that our staff can reach agreement soon on a schedule for returning the transcripts to the Committee for ultimate public release.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam B. Schiff".

Adam B. Schiff
Chairman

UNCLASSIFIED

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

APR 30 2019

Chairman Adam B. Schiff
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Schiff:

Thank you for your March 26, 2019, letter regarding the classification review of House Permanent Select Committee on Intelligence (HPSCI) interview transcripts.

In November 2018, the HPSCI delivered 53 transcripts to the Office of the Director of National Intelligence (ODNI) totaling nearly 6,000 pages to lead an interagency classification review in order to facilitate the public release of the transcripts in redacted form. By letter dated November 28, 2018, to both you and former Chairman Nunes, ODNI acknowledged receipt of the transcripts and set forth the process, consistent with its long-standing practice, with which the Intelligence Community (IC) would undertake the review. More specifically, the letter noted that the review would "include reviewing both for classification and other information we do not believe should be publicly available (e.g., personal information of employees and law enforcement sensitive information)." The letter also highlighted that ODNI would coordinate with all relevant federal entities most likely to have classified and sensitive unclassified equities, expressly including the National Security Council. The process set out in the November 28 letter is the same process used for all classification reviews whether they come from the Congress, Inspectors General, or the Government Accountability Office. We did not receive any concerns from the HPSCI with our described approach.

A few weeks ago, your staff asked to meet with ODNI to review the progress. During that meeting, held on March 20, we explained that we were reviewing the transcripts in alphabetical order by first name to ensure no appearance of partisanship; we highlighted that certain transcripts had improper classification markings; and we briefed on the interagency coordination process, including the fact that certain transcripts had been identified as having White House equities that needed White House review. We also explained why it was critical that the IC review conclude with a finalized consolidation process and with the return of the fully-reviewed transcripts to the HPSCI in a single batch.

UNCLASSIFIED

UNCLASSIFIED

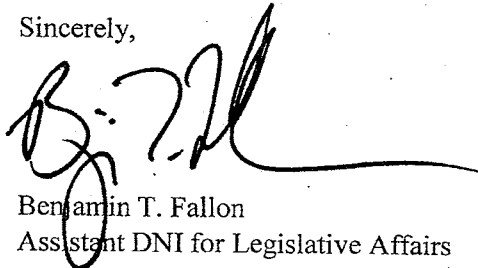
Chairman Adam B. Schiff

Our discussions over the last several weeks have been incredibly fruitful and we are continuing the process to review and redact information implicating IC equities, including the final consolidation process. As was requested at our April 4 meeting, we are prepared to provide the HPSCI with transcripts containing consolidated initial redactions (while reserving the right to identify additional redactions in the future) so that your Committee can voice any questions or concerns prior to the completion of this process. I also want to assure you that the IC is working hard to attempt to complete this review by the new May timeframe imposed by your staff, and the Director has asked relevant IC leaders to take steps to complete their work within this timeframe. However, due to the extremely sensitive classified information identified in several of the transcripts to date, many originally marked unclassified, we believe that a premature release of any transcripts would damage extremely sensitive classified intelligence sources and methods.

In your letter you directed that "under no circumstances shall ODNI, or any other element of the Intelligence Community (IC), share any HPSCI transcripts with the White House, President Trump, or any persons associated with the White House or the President." As has been discussed with your staff, ODNI identified White House equities in certain transcripts, and long-established Executive Branch review procedures for both classified information and executive privilege interests require ODNI to refer these transcripts to the White House. Nevertheless, to accommodate the Committee's request, ODNI proposes that the Department of Justice Office of Legal Counsel review transcripts that may contain information subject to executive privilege, and NSC staff review transcripts that may contain White House-originated classified information. Without this review, several of the transcripts may be returned to HPSCI in their original, classified form without the accurate classification markings because the normal review process could not be completed. The IC continues to review the remaining transcripts to identify non-White House-originated classified information that must be redacted before any public release.

We view the HPSCI as our trusted partner in our shared national security mission. To that end, we hope we can find a satisfactory solution to protect all Executive branch classified and sensitive equities in the transcripts.

Sincerely,



Benjamin T. Fallon
Assistant DNI for Legislative Affairs

cc: Ranking Member Devin Nunes

UNCLASSIFIED

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

HPSCI-2019-666



HPSCI-2019-666

MAY 31 2019

MAY 29 2019

The Honorable Adam B. Schiff
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Schiff:

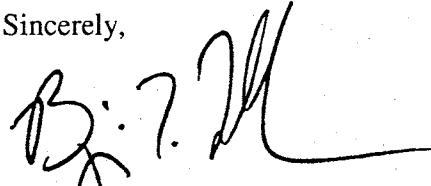
(U//FOUO) I am writing to advise you of the current status of the Office of the Director of National Intelligence (ODNI) led classification review of the 53 House Permanent Select Committee on Intelligence (HPSCI) transcripts the committee sent us last November. We expect to complete our review of a majority of the transcripts by June 4, 2019. At that point 42 transcripts will be returned to the HPSCI containing consolidated initial redactions, so that your Committee can voice any questions or concerns prior to the completion of this process.

(U//FOUO) The remaining 11 transcripts, which contain White House/NSC equities, will be returned to the HPSCI in classified form because ODNI has not received a response to our letter of April 30, 2019, in which we requested guidance regarding the handling of transcripts with White House equities. Absent that guidance, we cannot perform a classification review of those 11 transcripts. The ODNI has not shared the remaining 11 transcripts with the White House during this period. The Intelligence Community (IC) reserves the right to identify additional redactions in the future on all transcripts since the consolidation review is not yet complete.

(U//FOUO) Additionally, we were surprised by the HPSCI's recent public release of two transcripts from 2019 that had not undergone a classification review by the IC. Given the nature of the HPSCI's inquiry, we must ensure our nation's most sensitive intelligence sources and methods are protected. The public release of transcripts of this nature without an IC classification review risks compromise of sensitive sources and methods that could cause harm to national security and foreign relations. We understood that to be the reason the committee sought our classification review of the original set of 53 transcripts sent to us in November.

(U//FOUO) As you know, we worked out an agreement with your staff regarding a process for review of the 53 transcripts. Moving forward, we urge that any future releases of the committee's transcripts related to the investigation of Russian Influence in the 2016 election be formally coordinated with the IC to protect national security equities, ensure consistency, and reduce risk to sensitive sources and methods.

Sincerely,

A handwritten signature in black ink, appearing to read "B. T. Fallon", with a long horizontal flourish extending to the right.

Benjamin T. Fallon
Assistant DNI for Legislative Affairs

cc: Ranking Member Devin Nunes



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

June 4, 2019

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

Dear Director Coats:

In November 2018, the House Permanent Select Committee on Intelligence (HPSCI or Committee) furnished 53 interview transcripts to the Office of the Director of National Intelligence (ODNI) solely for the purpose of conducting a classification review that would allow the transcripts to be released to the public. The witness interviews in question were conducted during the 115th Congress as part of the Committee's duly authorized investigation into Russia's interference in the 2016 U.S. election. The transcripts are of significant public interest and national importance.

During a March 20, 2019 meeting with representatives from your office and other Intelligence Community (IC) elements, Committee staff learned, for the first time, that ODNI intended to share with the White House certain HPSCI interview transcripts that ODNI believed implicated "White House equities." Committee staff firmly objected and made clear that ODNI should refrain from sharing any Committee transcripts with the White House. In a March 26 letter to you, I reiterated that "[u]nder no circumstances shall ODNI, or any other element of the Intelligence Community (IC), share any HPSCI transcripts with the White House, President Trump, or any persons associated with the White House or the President."¹ That ODNI has even considered disclosure to the White House of congressional transcripts, which remain Committee property and relate to an investigation that probed the actions of Donald J. Trump himself—before and after he was elected president—and his associates, is disturbing and raises troubling questions about improper White House influence and intrusion into what should be a narrow, apolitical review for classification only.

In a letter dated April 30, 2019, your office persisted, nonetheless, in claiming that some transcripts may implicate "White House equities" and thus must undergo further reviews (i) by the Department of Justice's (DOJ) Office of Legal Counsel, for information potentially subject to a claim of executive privilege; and (ii) by staff of the White House's National Security

¹ Letter from Chairman Adam B. Schiff to The Honorable Daniel Coats (March 26, 2019).

Council, for any “White House-originated classification information.”² Your office went so far as to warn, in a manner that only heightened the Committee’s concern of White House interference, that absent such review, “several of the transcripts may be returned to HPSCI in their original, classified form without the accurate classification markings because the normal review process could not be completed.”

Then, in a letter dated May 29, 2019, your office advised that 42 of the 53 transcripts would be returned to the Committee with “consolidated initial redactions,” but that “the remaining 11 transcripts, which contain White House/NSC equities, will be returned to the HPSCI in classified form” absent further guidance.³ Your office further stated that the “Intelligence Community (IC) reserves the right to identify additional redactions in the future on all transcripts since the consolidation review is not yet complete.”⁴

After an exceedingly lengthy classification review that has lasted nearly seven months, the Committee can only conclude that ODNI is now holding the Committee’s transcripts hostage on behalf of the White House. The Committee emphatically rejects ODNI’s position, which threatens to undermine core separation of powers principles, and will only further delay the long-overdue public disclosure of the transcripts. ODNI’s insistence that 11 transcripts belonging to the Committee must be reviewed by DOJ’s Office of Legal Counsel for executive privilege and by the National Security Council for “White House-originated classification information”—before *any* transcript can be released to the public—is profoundly flawed and untenable.

Review for information potentially subject to a claim of executive privilege

As an initial matter, the Committee did not provide transcripts to ODNI for the purpose of conducting a privilege review. On September 28, 2018, during the 115th Congress, the Committee voted to send the 53 transcripts to ODNI for the sole purpose of a *classification* review in preparation for public disclosure. Any review for potential privilege, including executive privilege, falls far outside the scope of the Committee’s request.

Moreover, the White House had ample opportunity to protect the President’s executive or other privileges, either before witnesses testified or during their interviews. Instead, the White House frequently opted not to assert any privilege prior to witnesses testifying or producing documents to the Committee, thus foregoing and waiving any claims of privilege. Indeed, the President’s private lawyers emphasized that very point in seeking to portray the Administration

² Letter from Benjamin T. Fallon, Assistant DNI for Legislative Affairs, to Chairman Adam B. Schiff (April 30, 2019).

³ Letter from Benjamin T. Fallon, Assistant DNI for Legislative Affairs, to Chairman Adam B. Schiff (May 29, 2019).

⁴ I understand, based on this statement and discussions between ODNI and Committee staff, that ODNI is taking the position that the IC must undertake yet another review of all 53 of the transcripts before any public release, because holistic “classification by compilation” determinations could alter classification levels and redactions. However, the application of this theory of classification here is problematic, as it pertains to an arbitrary set of transcripts that the Committee provided to ODNI at a particular date and time and which by definition would not account for the entire universe of information related to the investigation, generated before or after the date of submission. In addition, ODNI’s insistence that 11 transcripts be reviewed for “White House equities” will only further delay the public release of the remainder of the transcripts.

as having cooperated fully with investigations conducted by the Special Counsel and Congressional committees.⁵

In very limited instances, the White House intervened in and attempted to suppress the testimony of select witnesses, even as other similarly situated witnesses testified without constraints. Without formally asserting any privilege and over the objections of Committee Members, the White House Counsel's Office instructed a small number of witnesses to decline to answer the Committee's questions not only about their tenure at the White House, but also about activities during the presidential transition and after the termination of their White House service. By policing the President's interests in real-time for select witnesses, the White House ensured that nothing these witnesses *did* testify to is covered by executive or any other privilege.

Finally, under the present circumstances—where the executive branch chose not to assert privilege and allowed a witness to voluntarily provide testimony to a co-equal branch of government—the Committee will not allow the White House to claw back information in the Congressional record to shield it from public disclosure. It is simply not the role of ODNI to intervene in the Committee's affairs in this manner, nor could the Committee's narrow request be reasonably interpreted to include a privilege review.

National Security Council review for "White House-originated classified information"

ODNI's proposal that the National Security Council review a subset of the 53 transcripts for "White House-originated classification information" is similarly problematic. White House-originated classification information should apply, if at all, only in the most limited circumstances, and the likelihood that any witness would have testified before the Committee about such matters is exceedingly low. Specific IC elements, moreover, should be in a position to determine classification without White House involvement.⁶ The Committee therefore requests that ODNI return the 11 transcripts to the Committee with proposed redactions due to classification concerns and identify those portions, by page and line number, that may implicate

⁵ In a letter to the Special Counsel, the President's personal lawyers argued that an interview by their client with the Special Counsel's Office would be both unnecessary and inconsistent with applicable law—because, in their view, relevant information about any possible misconduct by the President already could be found in the voluminous White House and other executive branch documents, and in the extensive testimony of White House and other witnesses, which the White House had made available to prosecutors *and to Congress*. In doing so, the President deliberately had declined to withhold any information on executive or other privilege grounds.

[T]he Congressional Committees have received the full cooperation and testimony of both present and former White House staff members, including White House Counsel, as well as the President's most senior advisers and his most senior Campaign employees. *The majority of that information could have been rightfully withheld on multiple privilege grounds, including but not limited to the presidential communications privilege.*


Letter from John Dowd to Robert S. Mueller III, Special Counsel, re: Request for Testimony on Alleged Obstruction of Justice (January 29, 2018) (emphasis supplied).

⁶ Though certain classified programs are initiated by the President, such programs, and the information relevant to them, are managed by the heads of elements of the Intelligence Community, including the Director of the Central Intelligence Agency—to whom the President has delegated his original classifying authority. The Committee believes that, upon reviewing the transcripts, such officials or appropriate subordinates can identify any areas needing redaction, in the unlikely event that any "White House-originated classified" information was discussed during an interview.

such White House-originated classification equities. With this information in hand, the Committee can then assess the information in question and take appropriate action, in coordination with ODNI.

The Committee appreciates ODNI's substantial efforts to complete the classification review and requests that by **June 10, 2019**, ODNI return the 11 remaining transcripts with any suggested redactions necessary to protect classified information, including for those portions that may contain "White House-originated classification information." If your office is unwilling to do so, it may be necessary for you to testify before the Committee regarding ODNI's handling of the classification review, including to determine, among other things, the full nature and extent of the White House's involvement and any direction to ODNI and other IC elements.

Sincerely,



Adam B. Schiff
Chairman

CC: Ranking Member Devin Nunes

UNCLASSIFIED

DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

The Honorable Adam B. Schiff
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

June 7, 2019

Dear Chairman Schiff:

I was disappointed to receive your June 4, 2019 letter concerning the Intelligence Community's (IC's) review for public release of transcripts related to the House Permanent Select Committee on Intelligence's (HPSCI's) investigation into the 2016 elections. At the outset, it is important to highlight the IC has been fully transparent with the Committee on our review process from the start and certainly well before March 2019. Shortly after receipt of the transcripts, the Office of the Director of National Intelligence (ODNI) sent a letter on November 28, 2018 to the Committee, addressed to both you and then-Chairman Nunes, describing the review process. That letter made clear the IC, through the ODNI, would review the transcripts for classified information and sensitive non-public information that should not be made publicly available. That letter also highlighted the agencies that would most likely have sensitive and classified equities (CIA, NSA, DOJ, FBI, Special Counsel's Office, ODNI), and specifically noted the National Security Council could be involved in the review as well. We did not receive any objections to this process from the Committee in response to that letter.

This review process started in the last Congress, and the Committee's leadership has since changed. It is certainly within the Committee's prerogative to provide new direction to the IC. However, it is critical to stress the process used by the IC, for reviewing the HPSCI's transcripts, is the same process used in every other classification review undertaken by the IC and it is strictly non-partisan. We have been consistently transparent about our process, as we have been about our goal to protect classified information and sensitive non-public information from release.

The IC's collective investment in this effort—including reassigning individuals from high-priority mission areas and devoting personnel full-time to review—has been immense. These reviews are complex and require specialized skills to properly adjudicate multiple agencies' equities and safeguard intelligence sources and methods. Adding to this complexity, many of the transcripts were egregiously mismarked when received by the ODNI. For example, ten transcripts, marked as unclassified by the Committee, contained classified information and six contained sensitive compartmented information. Moreover, none of the classified transcripts were properly marked at the appropriate level and seven contained sub-compartmented human and signals intelligence information, requiring security measures to prevent unauthorized disclosures.

UNCLASSIFIED

UNCLASSIFIED


More concerning still, the review revealed several instances where the Committee either introduced classified information or referenced compartmented information in the presence of people who were likely not read into those compartments. Disclosure of classified information, to individuals not cleared to receive it, erodes the IC's confidence that our most sensitive data is being adequately safeguarded.

Our proposals in prior letters are good faith attempts to reach common ground on a process that would protect classified and sensitive non-public information, while honoring the Committee's desire to inform the public of its investigative findings. I am alarmed that the Committee's preferred course of action prevents the IC from properly protecting this information.

Your letter requests the ODNI return the remaining eleven transcripts and identify, by page and line number, information that may implicate White House-originated classified information. This request misunderstands the classification review process. When the ODNI receives a request for classification review, it conducts an initial review of the material to determine which agencies may have equities and then sends the material to those agencies for review. Only those agencies are in a position to correctly identify their information and propose redactions for their specific sensitive and classified equities. Any attempt by the ODNI to perform this task, on behalf of originating agencies or offices, could result in both erroneous over- and under-inclusive redactions. To that end, your proposal would not sufficiently safeguard classified national security information and would be contrary to our long-standing classification review process.

Given the importance of this review to the Committee and the IC, and the multiple equities at stake, I request to meet with you as soon as possible to find a mutually acceptable path forward that both protects sensitive and classified national security information and enables the Committee to perform its oversight role. As part of our meeting, I would like to discuss how the Committee plans to address any unauthorized disclosures and measures it intends to undertake to ensure information is protected going forward.

Sincerely,

A handwritten signature in black ink that reads "Daniel R. Coats". The signature is written in a cursive, slightly slanted style.

Daniel R. Coats

Cc:
Ranking Member Devin Nunes



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

June 14, 2019

Jason Klitenic, Esq.
General Counsel
Office of the Director of National Intelligence
Washington, D.C. 20511

Dear Mr. Klitenic:

I write to follow up on Director of National Intelligence Daniel Coats and Principal Deputy Director of National Intelligence Sue Gordon's June 11, 2019 meeting with Chairman Schiff regarding the Intelligence Community's classification review of House Permanent Select Committee on Intelligence (Committee) interview transcripts. The Committee greatly appreciates Director Coats and Principal Deputy Director Gordon's attention to the classification review and desire to expeditiously conclude the effort, which has lasted nearly seven months.

The Committee's concerns, as expressed at the meeting and in prior written correspondence, relate to the Office of the Director of National Intelligence's (ODNI) determination that 11 transcripts may include information that implicate purported "White House equities." In prior correspondence, ODNI insisted that these 11 transcripts be reviewed by (1) the Department of Justice's (DOJ) Office of Legal Counsel, for information potentially subject to a claim of executive privilege by President Donald J. Trump; and (2) staff of the White House's National Security Council (NSC), for any "White House-originated classification information." For reasons articulated in the Chairman's June 4 letter to DNI Coats, any review for executive privilege is entirely inappropriate, and the Committee strongly opposes any attempts by the White House to intrude or interfere in ODNI's classification review.

As explained in the Chairman's prior correspondence with the Director, the Committee has an obligation to preserve the integrity of its constitutionally-mandated oversight and investigations. The Committee is likewise committed to protecting information that should be considered or remain classified for legitimate reasons. The Committee therefore proposes the following narrowly-tailored and closely-monitored classification review process that preserves the Committee's interests, while providing ODNI an extraordinary accommodation to expeditiously conclude its classification review:

1. ODNI immediately sends to the Committee the specific excerpts of the six transcripts it has determined may include "White House-originated classification information," along with a copy of the NSC staff's classification guide, as well as return to the Committee the

five other transcripts, which ODNI had originally asserted may contain executive privilege information;¹

2. ODNI identifies for the Committee the specific career NSC staff member who will conduct the classification review on behalf of the NSC, including their career experience and expertise in undertaking classification reviews;
3. The designated NSC staff member enters into a nondisclosure agreement — the terms of which are mutually agreed by ODNI and HPSCI, and copies of which ODNI and the Committee retain — in which he/she agrees to review the excerpts solely for this narrow classification purpose and commits not to disclose any information contained in or about the Committee transcripts, to include disclosure to any other persons in the Executive Office of the President, including, but not limited to, the President, White House officials, White House Counsel’s Office personnel, and other NSC staff;
4. The designated NSC staff member is authorized to review, in a location identified by ODNI, only those select excerpts of the six transcripts with possible “White House-originated classification information”; and
5. Committee staff are present alongside the designated NSC staff member as he/she undertakes the review to ensure real-time, concurrent oversight of the review and to clarify any classification suggestions the designated NSC staff member may identify pursuant to the NSC classification guide.

Following the NSC employee’s review, ODNI will expeditiously conduct a final holistic “classification by compilation” review of all 53 transcripts, and provide proposed consolidated redactions to the Committee.² Soon thereafter, Committee staff and the Intelligence Committee (IC) equity holders will meet to resolve any disagreements about the IC’s proposed redactions. Once the adjudication process is complete, ODNI will affirm in writing that it has completed its classification review, and the Committee will make the transcripts publicly available.

¹ At the June 11 meeting, ODNI clarified that six of the eleven transcripts may contain “White House-originated classification information”: Loretta Lynch, Mary McCord, Samantha Power, Benjamin Rhodes, Susan Rice, and Sally Yates. ODNI also stated that it had completed a classification review of the five remaining transcripts which ODNI had originally asserted may contain executive privilege information (Stephen Bannon (Jan. 2018), Dan Coats, Jared Kushner, Corey Lewandowski (Mar. 2018), and Keith Schiller). ODNI should immediately return these five transcripts with “consolidated initial redactions” to the Committee.

² Although we continue to believe that application of the “classification by compilation” theory to the Committee’s transcripts is problematic, this issue does not need to be resolved so long as the review does not further delay public release of the transcripts.

Please confirm ODNI's concurrence with this proposal. We are also available to speak at your earliest convenience to answer any questions you or your office may have.

Sincerely,



Maher Bitar
General Counsel

CC: Ben Fallon, Assistant DNI for Legislative Affairs



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

August 8, 2019

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

Dear Director Coats:

Nearly nine months have passed since November 2018, when the House Permanent Select Committee on Intelligence (HPSCI or Committee) furnished 53 interview transcripts to the Office of the Director of National Intelligence (ODNI) solely for the purpose of conducting a classification review that would allow the transcripts to be released to the public. The transcripts are of witness interviews conducted during the 115th Congress as part of the Committee's duly authorized investigation into Russia's interference in the 2016 U.S. election, and are of significant public interest and national importance.

Despite devoting considerable time and resources to the effort, ODNI still has not completed its classification review. The most recent cause of delay stems from the White House's unwarranted and unsolicited intrusion into what should be a narrow, apolitical classification review process. This interference by the White House into Congress's oversight and investigation responsibilities raises serious separation of powers and institutional concerns.

To date, ODNI has returned to the Committee 43 transcripts with preliminary classification determinations and "consolidated initial redactions." However, ODNI has refused to return the remaining ten transcripts because, after its own initial review, ODNI believes it has identified information that potentially implicates "White House equities." Specifically, ODNI posits that these ten transcripts require further review by the White House because they may contain (1) "White House-originated classified information" and/or (2) information which may be subject to executive privilege.¹ ODNI has to this point acceded to the White House's insistence on reviewing the transcripts for privilege issues, notwithstanding the Committee's firm stance that privilege concerns are not germane to a simple classification review. At our July 12,

¹ Of the ten transcripts, two are unclassified but purportedly may contain executive privilege information (Corey Lewandowski (Mar. 2018) and Keith Schiller); one is unclassified//FOUO and purportedly may contain executive privilege information (Stephen Bannon (Jan. 2018)); and seven are classified and purportedly may contain executive privilege information and/or "White House-originated classified information" (Jared Kushner, Benjamin Rhodes, Loretta Lynch, Mary McCord, Sally Yates, Samantha Power, and Susan Rice).

2019 meeting, ODNI's General Counsel stated that ODNI's classification review process will be complete once the ten transcripts are returned to the Committee. Accordingly, the Committee understands that ODNI has completed its classification review of the 43 transcripts that do not involve "White House equities."

Since at least March 2019, when the topic of "White House equities" first arose, the Committee has attempted, in good faith, to resolve these issues. We have exchanged letters,² staff have participated in meetings, and you and I have personally discussed the impasse. Indeed, in a letter dated June 14, 2019, Committee staff proposed a process to allow for a narrow review, on mutually-agreed terms, of the transcripts for "White House-originated classified information." Then, most recently on July 12, 2019, I met with you and representatives of the White House Counsel's Office, at your request, to discuss the issue of executive privilege.

I have carefully considered the arguments set forth by White House Counsel Pat Cipollone at the July 12 meeting in support of a review for executive privilege—including reassurances that such a review would be cursory, speedy, and without precedential weight—but for the reasons set forth below, and articulated in prior correspondence and meetings, the Committee has concluded that any executive privilege review is inappropriate under these circumstances. Accordingly, the Committee insists that ODNI return the remaining ten transcripts to the Committee with proposed redactions for classified information so that they can be publicly released soon thereafter.

National Security Council review for "White House-originated classified information"

Without precisely defining "White House-originated classified information," ODNI claims that White House National Security Council (NSC) staff must review seven of the ten outstanding transcripts to determine whether they contain such classified information. As noted in prior correspondence, "White House-originated classified information" should apply, if at all, only in the most limited circumstances. Moreover, specific Intelligence Community elements should be in a position to determine classification without White House involvement.

However, notwithstanding our serious reservations and in an effort to resolve this issue, Committee staff proposed an extraordinary accommodation in a letter dated June 14, 2019 through a narrowly-tailored and closely-monitored process that would allow a career NSC staff member to review excerpts of the relevant transcripts for "White House-originated classified information." The process would limit improper White House interference and protect information that is classified for legitimate reasons.

Although ODNI suggested at the July 12 meeting that further discussion at the staff level will resolve the issue of "White House originated classified information," ODNI has neither formally responded to our June 14 letter nor provided a counter-proposal. The Committee assumes that ODNI's delay in responding to our June 14 proposal is not linked to the issue of executive privilege, as those two issues should be distinct and independent, and it would be entirely inappropriate for ODNI to conflate the two and try to leverage one against the other to further the interests of the White House. Indeed, as ODNI knows full well, a classification review simply determines if disclosure of information is likely to cause harm to the national

² The letters are enclosed herewith.

security of the United States. A classification review is neither designed nor intended to determine if the President should be able to withhold information from Congress or the public based on executive privilege, a concept that has nothing to do with protecting national security interests.

Accordingly, if ODNI does not respond to the Committee's June 14 letter by August 14, 2019, the Committee will interpret such lack of response as a rejection of the Committee's proposal to address "White House originated classified information," and the Committee will be forced to act accordingly.

Review for information potentially subject to a claim of executive privilege

While I appreciated the opportunity to meet with Mr. Cipollone and you on July 12, 2019, the Committee's position remains unchanged: A retroactive review of the Committee's transcripts for executive privilege is wholly inappropriate. The Committee provided the transcripts to ODNI for the sole purpose of that agency conducting a *classification* review in preparation for public disclosure. And as acknowledged by you in your role as "intermediary" between the Committee and the White House, any review for executive privilege is well outside ODNI's purview. Furthermore, the White House had ample opportunity to assert any applicable privileges both before witnesses testified and during their interviews. In fact, the White House instructed select witnesses to decline to answer certain questions about the presidential transition, their tenure at the White House, and their interactions after leaving the White House—even going so far as to police the President's interests in real-time during the interviews. Moreover, there were no agreements—express or implied—between the Committee and the White House authorizing *post hoc* assertions of executive privilege.

At our July 12 meeting, Mr. Cipollone proposed that a neutral party outside the White House review the transcripts for executive privilege. Even assuming we could come to agreement on an appropriate third party with the necessary clearances, this proposal is fundamentally flawed: to the extent the White House had a privilege to assert, any such privilege has been waived. Neither ODNI nor the White House has cited any law or judicial opinion in support of the position that the Executive Branch is entitled to conduct a *post hoc* review of Congressional interview transcripts, and the Committee is aware of none. Simply put, the White House has no right to review Congressional documents for executive privilege whether as part of a classification review or otherwise. Under the present circumstances—where the executive branch chose not to assert privilege and allowed a witness to voluntarily provide testimony to a co-equal branch of government—the Committee will not allow the White House to claw back information to shield it from public disclosure.

At the July 12 meeting, Mr. Cipollone acknowledged that the Committee is the ultimate arbiter of whether and to what extent a review for executive privilege should be conducted of the Committee's transcripts. After careful consideration of the White House's arguments in support of an executive privilege review, the Committee has decided that no form of executive privilege review is appropriate. The Committee therefore insists that ODNI reject once and for all the White House's attempts to improperly interfere in ODNI's classification review responsibilities, and to stop holding the Committee's transcripts hostage on behalf of the White House.

* * *

The Committee has an obligation to preserve the integrity of the information obtained as part of its constitutionally-mandated oversight and investigations, and, like ODNI, is committed to protecting information that should be considered or remain classified for legitimate reasons. The Committee therefore requires that ODNI complete forthwith the apolitical classification review it was asked to perform nearly nine months ago. To that end, the Committee asks that (1) ODNI return the three transcripts which do not include any potential “White House-originated classified information” no later than August 14, 2019; (2) apply the protocol for review of “White House-originated classified information” pursuant to HPSCI’s June 14 proposal, or another proposal mutually agreed upon by the Committee and ODNI; and (3) work with Committee staff to finalize the redactions of all 53 transcripts so that they can be publicly released when Congress returns in September.³

However, should ODNI continue to refuse to complete the classification review process because of the White House’s improper and unsupported assertions of executive privilege—and ODNI’s inappropriate coupling of that issue with classification review—the Committee will have no choice but to proceed with the public release of some or all of the transcripts, taking account of ODNI’s proposed redactions to date.

Sincerely,



Adam B. Schiff
Chairman

CC: Ranking Member Devin Nunes

Enclosures:

1. Letter from Benjamin T. Fallon, Assistant Director of National Intelligence for Legislative Affairs, to Chairman Devin Nunes and Ranking Member Adam B. Schiff (November 28, 2018)
2. Letter from Chairman Adam B. Schiff to Director of National Intelligence Daniel Coats (March 26, 2019)

³ As part of the adjudication process, Committee staff are prepared to meet with ODNI and the other stakeholders to finalize the redactions. For example, some of the consolidated initial redactions already provided to the Committee may have to be modified because they relate to information that has since been publicly disclosed in Special Counsel Robert Mueller’s *Report on the Investigation into Russian Interference in the 2016 Presidential Election*.

3. Letter from Benjamin T. Fallon, Assistant Director of National Intelligence for Legislative Affairs, to Chairman Adam B. Schiff (April 30, 2019)
4. Letter from Benjamin T. Fallon, Assistant Director of National Intelligence for Legislative Affairs, to Chairman Adam B. Schiff (May 29, 2019)
5. Letter from Chairman Adam B. Schiff to Director of National Intelligence Daniel Coats (June 4, 2019)
6. Letter from Director of National Intelligence Daniel Coats to Chairman Adam B. Schiff (June 7, 2019)
7. Letter from Maher Bitar, General Counsel, House Permanent Select Committee on Intelligence, to Jason Klitenic, General Counsel, Office of the Director of National Intelligence (June 14, 2019)

THE WHITE HOUSE

WASHINGTON

September 9, 2019

The Honorable Adam B. Schiff
Chairman
Permanent Select Committee on Intelligence
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Schiff:

I write in response to your August 8, 2019 letter to then-Director of National Intelligence (“DNI”) Daniel Coats regarding your request that the Office of the DNI (“ODNI”) complete its review of 53 witness interview transcripts before completing the standard procedure of consulting with the Executive Branch entities with equities in the confidential information.

The Executive Branch has fully completed review of 43 of the 53 transcripts. The only reason why the Executive Branch has not completed its review of the remaining transcripts is that the Committee has purported to direct ODNI not to share those transcripts with the staff from the Executive Office of the President (“EOP”), which through the National Security Council (“NSC”) originated some of the classified information and must review the transcripts prior to any public release. On July 12, 2019, we met with you in good faith to discuss our positions regarding the 10 transcripts, and we still believe that it is possible to reach a mutually satisfactory resolution. We are very concerned, however, about the Committee’s threat to release potentially classified material without appropriate Executive Branch review. *See* Letter from Adam B. Schiff, Chairman, House Permanent Select Committee on Intelligence (“Committee”), to Daniel Coats, Director of National Intelligence, ODNI 1, 4 (Aug. 8, 2019) (stating that the Committee may “proceed with the public release of some or all of the transcripts” without a complete Executive Branch review). Such a measure could risk exceptionally grave damage to the national security and would be particularly unjustified given the alternatives that we have offered to the Committee to permit an appropriate and responsible release of the transcripts.

At the July 12 meeting, we provided several suggestions concerning the Executive Branch’s review of the transcripts, and we asked the Committee which suggestions it believed would be acceptable. While we maintained that the Committee could accept or decline our suggestions, an executive privilege review is ultimately within the sole discretion of the Executive Branch. Your August 8 letter, however, incorrectly suggests that Pat Cipollone “acknowledge[d] that the Committee is the ultimate arbiter of whether and to what extent a review for executive privilege should be conducted of the Committee’s transcripts.” *Id.* at 3. In fact, the contrary point was made during our July 12 meeting. While we disagree with other points in your letter, we do not believe it would be productive to address each of them. Instead, we reiterate our suggestions of potential accommodations below and remain open to receiving your input as well as the Committee’s own suggestions in an effort to find a mutually satisfactory path forward.

ODNI Should Continue to Follow the Executive Branch's Standard Procedure

The Executive Branch employs a standard procedure when reviewing materials for public release, and the ODNI must continue to follow that procedure. Before an Executive Branch agency may prepare a document for public release, it must account for all Executive Branch privilege considerations. This includes a review for privileged information belonging to the Executive Branch, including information protected by executive privilege because it is classified national security information under the standard of Executive Order 13526, "Classified National Security Information (Dec. 29, 2009), as well as information protected by executive privilege for other confidentiality reasons. To properly account for all privileged information, the standard process for an Executive Branch agency is to consult with any other Executive Branch entity whose information may be at issue. In this case, it is necessary for ODNI to consult with the EOP, which contains multiple components, including the NSC.

ODNI's need to consult with the EOP is based on longstanding Executive Branch procedures. ODNI has indicated that it needs to consult with the EOP regarding 10 of the 53 transcripts because those transcripts may contain classified or otherwise privileged information originating from the EOP. Just as ODNI consulted with numerous other Executive Branch entities, including the Central Intelligence Agency, the National Security Agency, and the Federal Bureau of Investigation, the ODNI must also consult with the EOP. Contrary to your August 8 letter, there is nothing improper or "unwarranted" about the ODNI applying this standard procedure, which it has routinely used across administrations of both parties, and consulting with the EOP in accordance with that procedure. *Id.* at 1. Rather, the Committee is insisting that the Executive Branch depart from this longstanding practice. *See id.* at 2-3.

The Committee's suggestion that this standard consultation for executive privilege is an "intrusion" into an "apolitical" process is baseless. *Id.* at 1. The EOP represents not only the interests of the current Presidential administration but also the interests of prior and future administrations, regardless of political party. This is particularly true where, as here, 6 of the 10 transcripts at issue involve testimony by high-ranking political appointees of the Obama Administration, several of whom worked in the EOP. *See id.* at n. 1. ODNI's application of its standard procedure to these transcripts—which would include a review by the EOP in consultation with all relevant prior administrations, regardless of party—is precisely the type of "apolitical" review you purport to seek. Deviating from this routine procedure for this Congress and this Committee would be more likely to create the impression of an "intrusion" into what has long been the standard process.

Accommodation for Review of Information Protected by Executive Privilege Due to Classification

Although we see no reason to deviate from the Executive Branch's standard procedure for reviewing privileged national security information subject to classification and believe the Committee's proposal of June 14, 2019 is a vast departure from this longstanding precedent followed by administrations of both parties, we suggest the following accommodation in a good-faith effort to reach a mutually agreeable resolution. With respect to the transcripts identified as

potentially containing classified privileged information, we are prepared to identify a career employee on the NSC staff who will conduct the classification review. We are further prepared to discuss with the Committee any concerns it might have regarding the career staff member's qualifications prior to the review. Consistent with precedent and established procedure, the career staff member should have access to all parts of any of the transcripts that he or she identifies as necessary to complete the classification review, and we agree to defer that decision to the career staff member. We further agree to discuss any concerns that the Committee might have regarding the classification decisions made by the career staff member.

Accommodation for Review of Remaining Information Protected by Executive Privilege

With respect to the transcripts that may contain information protected by executive privilege for reasons other than national security classification, we suggest having a career official from the Department of Justice's Office of Legal Counsel review the transcripts and make the necessary determinations regarding whether information in the transcripts is protected by executive privilege.

The Committee's refusal of this reasonable accommodation appears to be based on the claim that any executive privilege claim with respect to public disclosure was waived when the witnesses testified before the Committee. *See id.* at 3. We disagree with the Committee's position. The Executive Branch can confidentially share information with the Committee without waiving a claim of privilege against public disclosure. However, we need not resolve this disagreement now to move forward. As we discussed during our July 12 meeting, the disagreement may become narrowed or moot if the Department of Justice career official determines that some or all of the transcripts do not contain any privileged information. If so, the career official's review would, in fact, help expedite the Committee's public release of the transcripts. Sharing the transcripts with the career official, when the Committee intends to publicly release the transcripts in any event, would not prejudice the Committee by disclosing any sensitive information that the Committee intends to withhold.

If the Committee agrees with our suggestions, we believe that the remaining review, including the classification review, can be completed within seven business days. We have endeavored to resolve this matter expeditiously and, as you are aware, could have completed this process long ago. Therefore, any suggestion that the Executive Branch is responsible for the delay is unfounded. *See id.* at 1. To the extent that there are outstanding issues with any part of the Executive Branch's review of the transcripts, we commit to continuing the dialogue with the Committee so that we can find a mutually satisfactory resolution.

Chairman Adam B. Schiff
Page 4

We believe that we can reach a fair and sufficient accommodation. Pat Cipollone and I would like to speak with you at your earliest convenience to discuss a path forward. Please let us know your availability.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael M. Purpura".

Michael M. Purpura
Deputy Counsel to the President

cc: The Honorable Devin Nunes, Ranking Member

UNCLASSIFIED

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC

MAY 04 2020

The Honorable Adam B. Schiff
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515

Chairman Schiff:

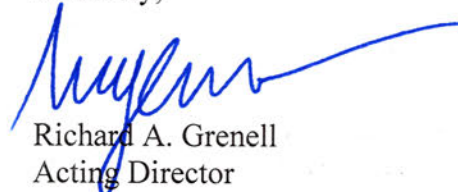
On 28 September 2018, the House Permanent Select Committee on Intelligence (HPSCI), in unanimous and bipartisan fashion, voted to publicly-release 53 transcripts of witness interviews that your committee conducted during its investigation into foreign interference in the 2016 presidential election. In advance of this public release, in November 2018, your Committee transmitted the 53 transcripts, totaling over 6,000 pages, to the Office of the Director of National Intelligence (ODNI) for the purpose of an interagency classification review to prevent the inadvertent disclosure of classified information.

The ODNI-supervised interagency review of 43 (of the original 53) transcripts was completed in June 2019. As of today, the interagency review of the remaining ten transcripts has been completed, as well. Additionally, in your letter of 26 March 2019, you also requested the ODNI, "under no circumstances...share HPSCI transcripts with the White House, President Trump, or any persons associated with the White House or President." Pursuant to your guidance, these transcripts have not been shared with the White House.

All of the transcripts, with our required redactions, can be released to the public without any concerns of disclosing classified material. In the interests of transparency and accountability, I urge you to honor your previous public statements, and your Committee's unanimous vote on this matter, to release all 53 cleared transcripts to all Members of Congress and the American public as soon as possible. I am also willing to release the transcripts directly from the ODNI, as to ensure we comply with the unanimous and bipartisan vote to release the transcripts.

Thank you for affording the Intelligence Community the opportunity to review the transcripts. If you have any questions, your staff may contact Legislative Affairs at 703-275-2474.

Sincerely,



Richard A. Grenell
Acting Director

Cc:

The Honorable Devin Nunes

UNCLASSIFIED

The remaining 26 transcripts are Unclassified as previously advised.

1. (U) **Alexander Nix**
2. (U) **Anatoli Samachornov**
3. (U) **Andrew Brown**
4. (U) **Boris Epshteyn**
5. (U) **Brad Parsale**
6. (U) **Corey Lewandowski (Jan 2018)**
7. (U) **Corey Lewandowski (Mar 2018)**
8. (U) **David Kramer (Jan 2018)**
9. (U) **Diana Denman**
10. (U) **Donald Trump, Jr.**
11. (U) **Ike Kaveladze**
12. (U) **Jeffrey Gordon**
13. (U) **Jonathan Safron**
14. (U) **Keith Schiller**
15. (U) **Michael Caputo**
16. (U) **Michael Goldfarb**
17. (U) **Peter Fritsch**
18. (U) **Rhona Graff**
19. (U) **Rick Dearborn**
20. (U) **Rinat Akhmetshin**
21. (U) **Rob Goldstone**
22. (U) **Roger Stone**
23. (U) **Samuel Clovis**
24. (U) **Stephen Bannon (Feb 2018)**
25. (U) **Thomas Catan**
26. (U) **Walid Phares**



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

May 7, 2020

The Honorable Richard Grenell
Acting Director of National Intelligence
Office of the Director of National Intelligence
Washington, D.C. 20511

Dear Acting Director Grenell:

I write to inform you that the House Permanent Select Committee on Intelligence (“Committee”) is making available to the public the transcripts from interviews conducted during the 115th Congress in connection with the Committee’s investigation of Russia’s interference in the 2016 U.S. election. As you are aware, in November 2018, following a unanimous Committee vote to release the transcripts, the Committee requested that the Office of the Director of National Intelligence (“ODNI”) coordinate a classification review of the transcripts by the Intelligence Community. On May 4, 2020—nearly a year-and-a-half later—ODNI informed the Committee that the requested review was finally complete.

These transcripts add to the public repository of information about Russia’s interference in the 2016 U.S. election and its efforts to support the presidential campaign of Donald J. Trump. They complement and reinforce the clear findings set forth in the 2017 Intelligence Community Assessment, the Committee’s 2018 Minority “Views,” Special Counsel Robert Mueller’s Report, the criminal indictments obtained by the Special Counsel’s Office, and the bipartisan reports produced by the Senate Select Committee on Intelligence. The released testimony details the Trump campaign’s solicitation and welcoming of Russian interference in the 2016 election, and the extensive contacts, communications, and links between individuals associated with the Trump campaign and the Russian government. Also revealed is the extent to which certain witnesses sought to obstruct the Committee’s investigation to protect President Trump. This obstruction led to the criminal convictions of President Trump’s political advisor, Roger Stone, and his personal attorney, Michael Cohen, as well as the Committee’s criminal referral to the Department of Justice for false statements made by Erik Prince.

So that the record is clear, the excessive delay in ODNI’s completion of the classification review is the direct result of improper political interference by the White House. For over a year, the White House held up the release of the transcripts by insisting on reviewing 11 transcripts for purported White House “equities.” This separate review was sought despite the fact that President Trump did not seek to assert executive or any other privilege during the Committee’s

investigation. But for the White House's improper interference, ODNI would have been able to complete the classification review of—and the Committee would have been able to release—the transcripts over a year ago. Indeed, the White House's recent decision to abandon its demand—without, as you have represented, reviewing the transcripts—is clear evidence of the political gamesmanship in which the White House has engaged.

The Committee consistently rejected the White House's efforts to interfere in the classification review. Allowing the White House, under any circumstances, to claw-back information already in the congressional record, thereby shielding it from public disclosure, would have undermined the separation of powers and established a dangerous precedent. As I explained to then-Director of National Intelligence Daniel Coats almost a year ago:

that ODNI has even considered disclosure to the White House of congressional transcripts, which remain Committee property and relate to an investigation that probed the actions of Donald J. Trump himself—before and after he was elected president—and his associates, is disturbing and raises troubling questions about improper White House influence and intrusion into what should be a narrow, apolitical review for classification only.¹

It is appropriate that the White House has now apparently relinquished its improper demand, but deeply troubling that this political interference in the classification review process unnecessarily delayed the transparency that the American public deserves.

In the interest of full transparency, the Committee is also releasing today the correspondence between the Committee, ODNI, and the White House since November 2018 regarding the classification review process. The release of these records will allow the American public to see the lengths to which the White House went to interfere in—and needlessly delay—the classification review process.

The Committee has long maintained that the release of these transcripts is in the public interest. The Committee is grateful for the contribution of Intelligence Community professionals to the classification review—notwithstanding the White House's and your effort to politicize the process. To prevent any further delay in the release of these transcripts, the Committee is not contesting at this time ODNI's redactions to the transcripts. The Committee is, however, concerned that many of the redactions are unduly expansive, serve no national security interest, and/or shield information that the Executive Branch has already declassified or addressed publicly since 2018—including with regard to Russia's intentions towards Donald J. Trump. This is especially the case with respect to the redaction of unclassified information on the grounds that it is Law Enforcement Sensitive (“LES”) or For Official Use Only (“FOUO”).² The

¹ Letter from Adam Schiff, Chairman, House Permanent Select Committee on Intelligence, to Daniel Coats, Director of National Intelligence (June 4, 2019).

² As represented by your office to the Committee, ODNI applied red-colored redactions to the transcripts for the purpose of protecting classified information, and blue-colored redactions to protect unclassified information that it nonetheless deems Law Enforcement Sensitive (“LES”) or For Official Use Only (“FOUO”). The Committee had no role in adjudicating, negotiating, or applying any of these redactions. Separately, the Committee, then led by

Committee expressly reserves the right, consistent with the Rules of the House and its own rules of procedure, to reevaluate and reassess ODNI's proposed redactions. Should the Committee decide to undertake such a review, it is prepared to engage with the Intelligence Community in good faith on the best process for removing any and all unnecessary redactions.

The testimony that the Committee is releasing today serves as a stark reminder of the ongoing threat that Russian interference poses to our democratic process and, specifically, to the 2020 election. It is imperative that the Intelligence Community remain vigilant against this threat, particularly as some individuals in government—wittingly or unwittingly—further the Russian government's interests, including by attempting to whitewash Russia's election interference in 2016, even as Russia seeks to influence this year's election. Political interference has no place in the Intelligence Community, especially when it comes to the vital mission of protecting the integrity of our elections.

Sincerely,



Adam B. Schiff
Chairman

Cc: The Honorable Devin Nunes
Ranking Member

Chairman Devin Nunes, applied in November 2017 minimal black-colored redactions to the transcripts to protect Personally Identifiable Information ("PII").