



U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

April 30, 2024

SEAN DUNAGAN
JUDICIAL WATCH, INC.
339 PARK DRIVE
GLENWOOD SPRINGS, CO 81601

Civil Action No.: 23-cv-3003
FOIPA Request No.: 1593297-000
Subject: Communications Between the FBI and
House Select Subcommittee Members on the
Weaponization of the Federal Government

Dear Mr. Dunagan:

The FBI has completed its final review of records subject to the Freedom of Information/Privacy Acts (FOIPA) that are responsive to your request. The enclosed documents were reviewed under the FOIPA, Title 5, United States Code, Section 552/552a. Below you will find checked boxes under applicable statutes for the exemptions asserted to protect information exempt from disclosure. The appropriate exemptions are noted on the processed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely pursuant to applicable exemptions. An Explanation of Exemptions is enclosed to further explain justification for withheld information.

Section 552		Section 552a	
<input type="checkbox"/> (b)(1)	<input type="checkbox"/> (b)(7)(A)	<input type="checkbox"/> (d)(5)	
<input type="checkbox"/> (b)(2)	<input type="checkbox"/> (b)(7)(B)	<input type="checkbox"/> (j)(2)	
<input type="checkbox"/> (b)(3)	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (k)(1)	
_____	<input type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (k)(2)	
_____	<input checked="" type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(3)	
_____	<input type="checkbox"/> (b)(7)(F)	<input type="checkbox"/> (k)(4)	
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(8)	<input type="checkbox"/> (k)(5)	
<input type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(9)	<input type="checkbox"/> (k)(6)	
<input checked="" type="checkbox"/> (b)(6)		<input type="checkbox"/> (k)(7)	

72 pages were reviewed and 53 pages are being released.

Please see the paragraphs below for relevant information specific to your request and the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

In response to your FOIA request and subsequent litigation, enclosed is a processed copy of Bates-stamped pages, 23-cv-3003(FBI)-1 through 23-cv-3003(FBI)-72. The enclosed records represent the final release of information responsive to your requests. This material is being provided to you at no charge.

Duplicate copies of the same document were not processed.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. “**Part 1**” of the Addendum includes standard responses that apply to all requests. “**Part 2**” includes additional standard responses that apply to all requests for records about yourself or any third party individuals. “**Part 3**” includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

Although your request is in litigation, we are required by law to provide you the following information:

If you are not satisfied with the Federal Bureau of Investigation’s determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP’s FOIA STAR portal by creating an account following the instructions on OIP’s website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of this response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked “Freedom of Information Act Appeal.” Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by emailing the FBI’s FOIA Public Liaison at foipaquestions@fbi.gov. The subject heading should clearly state “Dispute Resolution Services.” Please also cite the FOIPA Request Number assigned to your request so it may be easily identified. You may also contact the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Please direct any further inquiries about this case to the Attorney representing the Government in this matter. Please use the FOIPA Request Number and/or Civil Action Number in all correspondence or inquiries concerning your request.

Sincerely,



Michael G. Seidel
Section Chief
Record/Information Dissemination Section
Information Management Division

Enclosures

FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.
- (ii) **Intelligence Records.** To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records about any Individual—Witness Security Program Records.** The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.
- (iii) **Requests for Confidential Informant Records.** The FBI can neither confirm nor deny the existence of confidential informant records pursuant to FOIA exemptions (b)(7)(D), (b)(7)(E), and (b)(7)(F) [5 U.S.C. § 552 (b)(7)(D), (b)(7)(E), and (b)(7)(F)] and Privacy Act exemption (j)(2) [5 U.S.C. § 552a (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records would reveal confidential informant identities and information, expose law enforcement techniques, and endanger the life or physical safety of individuals. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

- (i) **Record Searches and Standard Search Policy.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems, such as the Central Records System (CRS), or locations where responsive records would reasonably be found. The CRS is an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. The standard search policy is a search for main entity records in the CRS. Unless specifically requested, a standard search does not include a search for reference entity records, administrative records of previous FOIPA requests, or civil litigation files.
 - a. *Main Entity Records* – created for individuals or non-individuals who are the subjects or the focus of an investigation
 - b. *Reference Entity Records*- created for individuals or non-individuals who are associated with a case but are not known subjects or the focus of an investigation
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Foreseeable Harm Standard.** As amended in 2016, the Freedom of Information Act provides that a federal agency may withhold responsive records only if: (1) the agency reasonably foresees that disclosure would harm an interest protected by one of the nine exemptions that FOIA enumerates, or (2) disclosure is prohibited by law (5 United States Code, Section 552(a)(8)(A)(i)). The FBI considers this foreseeable harm standard in the processing of its requests.
- (iv) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigative “FBI file.” An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 23-cv-3003

Total Deleted Page(s) = 8
Page 434 ~ Duplicate;
Page 445 ~ Duplicate;
Page 458 ~ b6 - 1; b7C - 1; b7E - 3,4,5;
Page 459 ~ b6 - 1; b7C - 1; b7E - 3,4,5;
Page 460 ~ b6 - 1; b7C - 1; b7E - 3,4,5;
Page 461 ~ b6 - 1; b7C - 1; b7E - 3,4,5;
Page 462 ~ b6 - 1; b7C - 1; b7E - 3,4,5;
Page 463 ~ b6 - 1; b7C - 1; b7E - 3,4,5;

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

From: Bidelman, Kiley
Subject: [EXTERNAL EMAIL] - Letter for Director Wray
To: [REDACTED] (OCA) (FBI); [REDACTED] (OCA) (FBI); OCA
Cc: Castor, Stephen; Geho, Douglas; Zaro, Luke
Sent: April 18, 2023 4:03 PM (UTC-04:00)
Attached: 2023-04-18 JDJ to Wray - FBI.pdf

b6 -1
b7C -1

Good afternoon – please see attached a letter addressed to Director Wray.

Please contact Doug Geho and Luke Zaro with any questions about the letter.

Please confirm receipt of the letter.

Thanks,
Kiley

Kiley N. Bidelman
Chief Clerk
House Judiciary Committee

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-6906
judiciary.house.gov

April 18, 2023

The Honorable Christopher A. Wray
 Director
 Federal Bureau of Investigation
 935 Pennsylvania Avenue, N.W.
 Washington, DC 20535

Dear Director Wray:

The Committee on the Judiciary is conducting oversight of how and the extent to which the Executive Branch has coerced and colluded with companies and other intermediaries to censor speech. Publicly available information suggests that the Executive Branch's directives or guidance designed to suppress dissenting views may have influenced some companies' treatment of certain speakers and content.¹ Accordingly, we write to request documents and information about the nature and extent of the Federal Bureau of Investigation's (FBI) interactions with companies and third-party groups over content moderation.²

The role of technology and social media companies in shaping modern public discourse is well-documented. There is increasing evidence, however, that the federal government has pressured, coerced, and directed technology, social media, and other companies to take certain actions related to digital and other content.³ These examples raise serious concerns about

¹ See generally Ken Klippenstein & Lee Fang, *Truth Cops*, THE INTERCEPT (Oct. 31, 2022); Plaintiffs' Proposed Findings of Fact in Support of Their Motion for Preliminary Injunction, *Missouri v. Biden*, No. 3:22-cv-01213-TAD-KDM (W.D. La. filed Mar. 6, 2023); Ben Geman, *Top Biden aide prods big tech to crack down on climate change misinformation*, AXIOS (June 9, 2022); Brad Dress, *Surgeon general demands data on COVID-19 misinformation from major tech firms*, THE HILL (Mar. 3, 2022); *Federal government using social-media giants to censor Americans*, N.Y. POST (Sept. 6, 2021); WAFB Staff, *La., Mo. Request depositions and add 47 defendants to lawsuit against federal government for alleged collusion with social media companies*, WAFB (Oct. 10, 2022); Alex Berenson, *My Lawsuit Will Shine a Light on Twitter Censorship*, WALL ST. J. (May 15, 2022); *The White House and Twitter Censorship*, WALL ST. J. (Aug. 12, 2022).

² See, e.g. Mary Kay Linge & Jon Levine, *Latest Twitter Files show CIA, FBI Have Spent Years Meddling With Content Moderation*, NY POST (Dec. 24, 2022).

³ See, e.g., Matt Taibbi, @mtaibbi, TWITTER (Dec. 24, 2022, 12:20 PM), <https://twitter.com/mtaibbi/status/1606701430387408897?s=20>; see also HEARING ON THE WEAPONIZATION OF THE FEDERAL GOVERNMENT, H. COMM ON THE JUDICIARY, SELECT SUBCOMM. ON THE WEAPONIZATION OF THE FEDERAL GOVERNMENT, *The Twitter Files* (March 9, 2023) (testimony of Matt Taibbi); see *id.* (testimony of Michael

The Honorable Christopher A. Wray

April 18, 2023

Page 2

whether the Executive Branch is engaging in censorship by proxy—using surrogates to censor, suppress, or discourage speech in a manner that the government is unable to do itself.⁴

Congress has an important interest in protecting and advancing fundamental free speech principles. To develop effective legislation, such as the possible enactment of new statutory limits on the Executive Branch’s ability to work with technology companies to restrict the circulation of content and deplatform users, the Committee on the Judiciary must first understand how and to what extent the Executive Branch coerced and colluded with companies and other intermediaries to censor speech. As the Committee continues to examine how to best protect Americans’ fundamental freedoms and to assist the Committee in its oversight, we ask that you please provide the following documents and information:

1. All documents and communications from January 1, 2020, to the present referring or relating to the moderation, deletion, suppression, restriction, or reduced circulation of content; the development, execution, or application of companies’ content moderation policies; companies’ treatment of the accuracy or truth of content; or the attribution of content to the source or participant in a foreign malign or state-sponsored influence operation. This request includes but is not limited to:
 - a. All such documents and communications internal to the FBI;
 - b. All such documents and communications between or among the FBI and any third-party groups, companies, or individuals; and,
 - c. All such documents and communications between or among the FBI and any other Executive Branch entity.
2. All documents and communications from January 1, 2020, to the present referring or relating to the FBI’s identification of alleged “misinformation,” “disinformation,” or “malinformation.”
3. All documents and communications from January 1, 2020, to the present referring or relating to any technology, platform, tool, or method considered, discussed, endorsed, or promoted by the FBI for the purpose of identifying alleged “misinformation,” “disinformation,” or “malinformation.”
4. A list of the individuals, along with their current and prior titles, who are or have been responsible in any way for developing, applying, executing, implementing, or communicating the FBI’s policies, views, or concerns referring or relating to the moderation, deletion, suppression, restriction, or reduced circulation of content; the

Shellenberger, *The Censorship-Industrial Complex: U.S. Government Support For Domestic Censorship And Disinformation Campaigns, 2016-2022*).

⁴ See, e.g., Vivek Ramaswamy & Jed Rubinfeld, *Twitter Becomes a Tool of Government Censorship*, WALL ST. J. (Aug. 17, 2022); cf. *Biden v. Knight First Amend. Inst. At Columbia Univ.*, 141 S. Ct. 1220, 1226 (2021) (Thomas, J., concurring).

The Honorable Christopher A. Wray

April 18, 2023

Page 3

- development, execution, or application of companies' content moderation policies; companies' treatment of the accuracy or truth of content; or the attribution of content to the source or participant in a foreign malign or state-sponsored influence operation.
5. A list of any third-party groups, companies, or individuals that the FBI has cooperated with, consulted with, or relied on, formally or informally, in developing, applying, executing, implementing, or communicating the FBI's policies, views, or concerns referring or relating to the moderation, deletion, suppression, restriction, or reduced circulation of content; the development, execution, or application of companies' content moderation policies; companies' treatment of the accuracy or truth of content; or the attribution of content to the source or participant in a foreign malign or state-sponsored influence operation.
 6. All documents and communications referring or relating to any third-party groups, companies, or individuals that the FBI has cooperated with, consulted with, or relied on, formally or informally, in developing, applying, executing, implementing, or communicating the FBI's policies, views, or concerns referring or relating to the moderation, deletion, suppression, restriction, or reduced circulation of content; the development, execution, or application of companies' content moderation policies; companies' treatment of the accuracy or truth of content; or the attribution of content to the source or participant in a foreign malign or state-sponsored influence operation. This request includes but is not limited to:
 - a. All documents and communications referring or relating to the terms of any agreement between the FBI and any third-party groups, companies, or individuals that the FBI has cooperated with, consulted with, or relied on, formally or informally, in developing, applying, executing, implementing, or communicating the FBI's policies, views, or concerns referring or relating to the moderation, deletion, suppression, restriction, or reduced circulation of content; the development, execution, or application of companies' content moderation policies; companies' treatment of the accuracy or truth of content; or the attribution of content to the source or participant in a foreign malign or state-sponsored influence operation.
 - b. All documents and communications referring or relating to any compensation—monetary or otherwise—that the FBI provided to any third-party groups, companies, or individuals that the FBI has cooperated with, consulted with, or relied on, formally or informally, in developing, applying, executing, implementing, or communicating the FBI's policies, views, or concerns referring or relating to the moderation, deletion, suppression, restriction, or reduced circulation of content; the development, execution, or application of companies' content moderation policies; companies' treatment of the accuracy or truth of content; or the attribution of content to the source or participant in a foreign malign or state-sponsored influence operation.

The Honorable Christopher A. Wray

April 18, 2023

Page 4

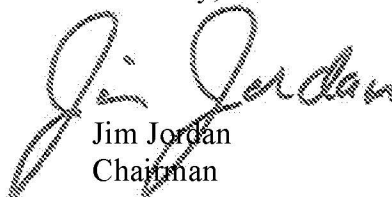
Please produce all documents and information as soon as possible but no later than 5:00 p.m. on May 2, 2023. In addition, please treat these discovery obligations as ongoing and applicable to any information generated after receipt of this letter.

Furthermore, this letter serves as a formal request to preserve all existing and future records and materials relating to the topics addressed in this letter. You should construe this preservation notice as an instruction to take all reasonable steps to prevent the destruction or alteration, whether intentionally or negligently, of all documents, communications, and other information, including electronic information and metadata, that are or may be responsive to this congressional inquiry. This instruction includes all electronic messages sent using your official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.

Pursuant to the Rules of the House of Representatives, the Committee on the Judiciary has jurisdiction to conduct oversight over the Federal Bureau of Investigation and of matters concerning “civil liberties” to inform potential legislative reforms.⁵ In addition, H. Res. 12 authorized the Committee’s Select Subcommittee on the Weaponization of the Federal Government to investigate “issues related to the violation of the civil liberties of citizens of the United States.”⁶

If you have any questions about this matter, please contact Committee staff at (202) 225-6906. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member

⁵ Rules of the House of Representatives R. X (2023).

⁶ H. Res. 12 § 1(b)(1).

From: Marx, Damon
Subject: [EXTERNAL EMAIL] - Re: Weaponization Hearing on Thursday
To: [REDACTED] (OCA) (FBI)
Cc: [REDACTED] (OCA) (FBI)
Sent: May 16, 2023 1:53 PM (UTC-04:00)

b6 -1
b7C -1

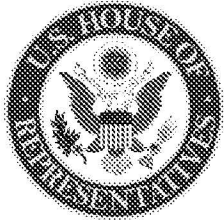
Hi [REDACTED]

It's my understanding that you're out this week, but if you have a moment to chat about some of the witnesses for Thursday's Weaponization hearing, it would be super helpful. Please let me know if you're available tomorrow when you have a chance.

Thanks,
Damon

--
Damon Marx
Senior Counsel
Congressman Daniel S. Goldman (NY-10)
M [REDACTED]

b6 -5
b7C -5



From: [REDACTED]
Date: Tuesday, May 16, 2023 at 1:05 PM
To: Marx, Damon [REDACTED]
Subject: RE: Weaponization Hearing on Thursday

b6 -1,5
b7C -1,5
b7E -3

Hey Damon,

[REDACTED] is our person. She's out this week but may be responsive. Her email is [REDACTED]

[REDACTED]

-----Original Message-----

From: Marx, Damon [REDACTED]
Sent: Tuesday, May 16, 2023 1:00 PM
To: [REDACTED] (OCA) (FBI) [REDACTED]
Subject: [EXTERNAL EMAIL] - Weaponization Hearing on Thursday

b6 -1,5
b7C -1,5
b7E -3

Hi [REDACTED]

Can you remind me who the point person is for judiciary / weaponization? I have a few questions about some of the witnesses.

Thanks,
Damon

Sent from my iPhone

From: [redacted] (OCA) (FBI)
Subject: Re: Weaponization Hearing on Thursday
To: Marx, Damon
Cc: [redacted] (OCA) (FBI)
Sent: May 16, 2023 2:39 PM (UTC-04:00)

b6 -1
b7C -1

I'd be happy to chat with you tomorrow. Let me know if there is a time that's better for you.

[redacted]

From: Marx, Damon [redacted]
Sent: Tuesday, May 16, 2023 1:53:05 PM
To: [redacted] (OCA) (FBI) [redacted]
Cc: [redacted] (OCA) (FBI) [redacted]
Subject: [EXTERNAL EMAIL] - Re: Weaponization Hearing on Thursday

b6 -1,5
b7C -1,5
b7E -3

Hi [redacted]

It's my understanding that you're out this week, but if you have a moment to chat about some of the witnesses for Thursday's Weaponization hearing, it would be super helpful. Please let me know if you're available tomorrow when you have a chance.

Thanks,
Damon

--

Damon Marx
Senior Counsel
Congressman Daniel S. Goldman (NY-10)
M: [redacted]

b6 -5
b7C -5



From: [redacted]
Date: Tuesday, May 16, 2023 at 1:05 PM
To: Marx, Damon [redacted]
Subject: RE: Weaponization Hearing on Thursday

b6 -1,5
b7C -1,5
b7E -3

Hey Damon,

[redacted] is our person. She's out this week but may be responsive. Her email is [redacted]

[redacted]

-----Original Message-----

From: Marx, Damon [redacted]
Sent: Tuesday, May 16, 2023 1:00 PM
To: [redacted] (OCA) (FBI) [redacted]

b6 -1,5
b7C -1,5
b7E -3

Subject: [EXTERNAL EMAIL] - Weaponization Hearing on Thursday

Hi

b6 -1
b7C -1

Can you remind me who the point person is for judiciary / weaponization? I have a few questions about some of the witnesses.

Thanks,
Damon

Sent from my iPhone

From: Marx, Damon
Subject: [EXTERNAL EMAIL] - Re: Weaponization Hearing on Thursday
To: [REDACTED] (OCA) (FBI)
Cc: [REDACTED] (OCA) (FBI)
Sent: May 16, 2023 11:17 PM (UTC-04:00)

b6 -1
b7C -1

Hi [REDACTED]

Does noon work for you?

Sent from my iPhone

On May 16, 2023, at 2:38 PM, [REDACTED] wrote:

b6 -1
b7C -1
b7E -3

I'd be happy to chat with you tomorrow. Let me know if there is a time that's better for you.

[REDACTED]

From: Marx, Damon [REDACTED]
Sent: Tuesday, May 16, 2023 1:53:05 PM
To: [REDACTED] (OCA) (FBI) [REDACTED]
Cc: [REDACTED] (OCA) (FBI) [REDACTED]
Subject: [EXTERNAL EMAIL] - Re: Weaponization Hearing on Thursday

b6 -1,5
b7C -1,5
b7E -3

Hi [REDACTED]

It's my understanding that you're out this week, but if you have a moment to chat about some of the witnesses for Thursday's Weaponization hearing, it would be super helpful. Please let me know if you're available tomorrow when you have a chance.

Thanks,
Damon

--

Damon Marx
Senior Counsel
Congressman Daniel S. Goldman (NY-10)
M: [REDACTED]

b6 -5
b7C -5

<image001.png>

From: [REDACTED]
Date: Tuesday, May 16, 2023 at 1:05 PM
To: Marx, Damon [REDACTED]
Subject: RE: Weaponization Hearing on Thursday

b6 -1,5
b7C -1,5
b7E -3

Hey Damon,

[REDACTED] is our person. She's out this week but may be responsive. Her email is [REDACTED]

[Redacted]

-----Original Message-----

From: Marx, Damon [Redacted]

Sent: Tuesday, May 16, 2023 1:00 PM

To: [Redacted] (OCA) (FBI) [Redacted]

Subject: [EXTERNAL EMAIL] - Weaponization Hearing on Thursday

b6 -1,5
b7C -1,5
b7E -3

Hi [Redacted]

Can you remind me who the point person is for judiciary / weaponization? I have a few questions about some of the witnesses.

Thanks,
Damon

Sent from my iPhone

From: [redacted] (OCA) (FBI)
Subject: Re: Weaponization Hearing on Thursday
To: Marx, Damon
Sent: May 17, 2023 10:49 AM (UTC-04:00)

b6 -1
b7C -1
b7E -3

Sure, give me a call when you can.

[redacted]

[redacted]

From: Marx, Damon [redacted]
Sent: Tuesday, May 16, 2023 11:17:17 PM
To: [redacted] (OCA) (FBI) [redacted]
Cc: [redacted] (OCA) (FBI) [redacted]
Subject: [EXTERNAL EMAIL] - Re: Weaponization Hearing on Thursday

b6 -1,5
b7C -1,5
b7E -3

Hi [redacted]

Does noon work for you?

Sent from my iPhone

On May 16, 2023, at 2:38 PM, [redacted] wrote:

b6 -1
b7C -1
b7E -3

I'd be happy to chat with you tomorrow. Let me know if there is a time that's better for you.

[redacted]

From: Marx, Damon [redacted]
Sent: Tuesday, May 16, 2023 1:53:05 PM
To: [redacted] (OCA) (FBI) [redacted]
Cc: [redacted] (OCA) (FBI) [redacted]
Subject: [EXTERNAL EMAIL] - Re: Weaponization Hearing on Thursday

b6 -1,5
b7C -1,5
b7E -3

Hi [redacted]

It's my understanding that you're out this week, but if you have a moment to chat about some of the witnesses for Thursday's Weaponization hearing, it would be super helpful. Please let me know if you're available tomorrow when you have a chance.

Thanks,
Damon

--

Damon Marx
Senior Counsel
Congressman Daniel S. Goldman (NY-10)
M: [redacted]

b6 -5
b7C -5

<image001.png>

From: [redacted]
Date: Tuesday, May 16, 2023 at 1:05 PM
To: Marx, Damon [redacted]
Subject: RE: Weaponization Hearing on Thursday

b6 -1,5
b7C -1,5
b7E -3

Hey Damon,

[redacted] is our person. She's out this week but may be responsive. Her email is [redacted]
[redacted]
[redacted]

-----Original Message-----

From: Marx, Damon [redacted]
Sent: Tuesday, May 16, 2023 1:00 PM
To: [redacted] (OCA) (FBI) [redacted]
Subject: [EXTERNAL EMAIL] - Weaponization Hearing on Thursday

b6 -1,5
b7C -1,5
b7E -3

Hi [redacted]

Can you remind me who the point person is for judiciary / weaponization? I have a few questions about some of the witnesses.

Thanks,
Damon

Sent from my iPhone

From: Marx, Damon
Subject: [EXTERNAL EMAIL] - Re: Introductions
To: [REDACTED] (OCA) (FBI)
Cc: Meegan, Erin; Arreaga, Francesco
Sent: May 23, 2023 2:22 PM (UTC-04:00)

b6 -1
b7C -1

Hi [REDACTED]

We spoke last week before the Weaponization hearing on Thursday. Thanks again for sending over those documents. They were very helpful to the Congressman.

Francesco (my colleague cc'ed here) and I will be good points of contact for you going forward. Both of us broadly cover law enforcement; however, in terms of specifics, I cover cybersecurity, counterterrorism, and much of the Congressman's committee work, while Francesco covers issues ranging from immigration to gun violence.

We would love to meet in person next time you have the chance. Please let us know when you're available for coffee or just to swing by the office. And don't hesitate to reach out on any other matters!

Best,
Damon

--
Damon Marx
Senior Counsel
Congressman Daniel S. Goldman (NY-10)
M: [REDACTED]

b6 -5
b7C -5



From: [REDACTED]
Sent: Tuesday, May 9, 2023 11:52 AM
To: Meegan, Erin [REDACTED]
Subject: Introductions

b6 -1,5
b7C -1,5
b7E -3

Good morning,

I was disappointed I didn't get the opportunity to meet you during our trip to Quantico. We are planning to take another trip there, maybe later this summer, so hopefully you'll be able to join us then. I serve as [REDACTED] [REDACTED] OCA plays a key role in communicating with lawmakers and their staffers about FBI activities and is the primary point of contact for all Congressional matters.

I would like an opportunity to meet with you to properly introduce myself and tell you more about the mission of OCA, along with providing information about what OCA can offer your office. I would also like to know what issues Rep. Goldman and your office are interested in to see if there is any way I can assist in those areas. Additionally, based on my background, I think I may be able to provide insight or answer some questions about issues that do not require senior FBI leadership briefings or hearings.

Our office regularly meets with committee and personal office staffers and I would love the opportunity to connect with

your office.

I'm happy to come to your office as I have access to your buildings or meet you for coffee somewhere. Let me know what works for you. Also, if there is someone else who is better suited for this brief conversation, please let me know.

Thanks,

SSA [redacted]
FBI | Office of Congressional Affairs
C [redacted]

b6 -1
b7C -1
b7E -3

b6 -1
b7C -1

From: [redacted] (OCA) (FBI)
Subject: Re: Introductions
To: Marx, Damon
Cc: Meegan, Erin; Arreaga, Francesco
Sent: May 23, 2023 4:20 PM (UTC-04:00)

Great, do you have time next week to meet? Let me know some days/times that work for you.

From: Marx, Damon [redacted]
Sent: Tuesday, May 23, 2023 2:22:13 PM
To: [redacted] (OCA) (FBI) [redacted]
Cc: Meegan, Erin [redacted] Arreaga, Francesco [redacted]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Hi [redacted]

We spoke last week before the Weaponization hearing on Thursday. Thanks again for sending over those documents. They were very helpful to the Congressman.

Francesco (my colleague cc'ed here) and I will be good points of contact for you going forward. Both of us broadly cover law enforcement; however, in terms of specifics, I cover cybersecurity, counterterrorism, and much of the Congressman's committee work, while Francesco covers issues ranging from immigration to gun violence.

We would love to meet in person next time you have the chance. Please let us know when you're available for coffee or just to swing by the office. And don't hesitate to reach out on any other matters!

Best,
Damon

--
Damon Marx
Senior Counsel
Congressman Daniel S. Goldman (NY-10)

M [redacted]

b6 -5
b7C -5



From: [redacted]
Sent: Tuesday, May 9, 2023 11:52 AM
To: Meegan, Erin [redacted]
Subject: Introductions

b6 -1,5
b7C -1,5
b7E -3

Good morning,

I was disappointed I didn't get the opportunity to meet you during our trip to Quantico. We are planning to take another trip there, maybe later this summer, so hopefully you'll be able to join us then. I serve as [redacted] [redacted] OCA plays a key role in communicating with lawmakers and their staffers about FBI activities and is the primary point of contact for all Congressional matters.

I would like an opportunity to meet with you to properly introduce myself and tell you more about the mission of OCA, along with providing information about what OCA can offer your office. I would also like to know what issues Rep. Goldman and your office are interested in to see if there is any way I can assist in those areas. Additionally, based on my background, I think I may be able to provide insight or answer some questions about issues that do not require senior FBI leadership briefings or hearings.

Our office regularly meets with committee and personal office staffers and I would love the opportunity to connect with your office.

I'm happy to come to your office as I have access to your buildings or meet you for coffee somewhere. Let me know what works for you. Also, if there is someone else who is better suited for this brief conversation, please let me know.

Thanks,

SSA [REDACTED]
FBI | Office of Congressional Affairs
C: [REDACTED]

b6 -1
b7C -1
b7E -3

From:
Subject: RE: Introductions
To: Marx, Damon
Cc: Arreaga, Francesco
Sent: May 24, 2023 9:34 AM (UTC-04:00)

Ok, so you mean the week of June 5th?

SSA [redacted]
FBI | Office of Congressional Affairs
C: [redacted]

b6 -1
b7C -1
b7E -3

From: Marx, Damon [redacted]
Sent: Wednesday, May 24, 2023 9:29 AM
To: [redacted] (OCA) (FBI) [redacted]
Cc: Arreaga, Francesco [redacted]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

The following week may be better on my end for an in-person meeting. Do you have any availability that week?

From: [redacted]
Date: Tuesday, May 23, 2023 at 4:20 PM
To: Marx, Damon [redacted]
Cc: Meegan, Erin [redacted] Arreaga, Francesco [redacted]
Subject: Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Great, do you have time next week to meet? Let me know some days/times that work for you.

From: Marx, Damon [redacted]
Sent: Tuesday, May 23, 2023 2:22:13 PM
To: [redacted] (OCA) (FBI) [redacted]
Cc: Meegan, Erin [redacted] Arreaga, Francesco [redacted]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Hi [redacted]

We spoke last week before the Weaponization hearing on Thursday. Thanks again for sending over those documents. They were very helpful to the Congressman.

Francesco (my colleague cc'ed here) and I will be good points of contact for you going forward. Both of us broadly cover law enforcement; however, in terms of specifics, I cover cybersecurity, counterterrorism, and much of the Congressman's committee work, while Francesco covers issues ranging from immigration to gun violence.

We would love to meet in person next time you have the chance. Please let us know when you're available for coffee or just to swing by the office. And don't hesitate to reach out on any other matters!

Best,
Damon

--
Damon Marx
Senior Counsel
Congressman Daniel S. Goldman (NY-10)
M: [redacted]

b6 -5
b7C -5



From: [redacted]
Sent: Tuesday, May 9, 2023 11:52 AM
To: Meegan, Erin [redacted]
Subject: Introductions

b6 -1,5
b7C -1,5
b7E -3

Good morning,

I was disappointed I didn't get the opportunity to meet you during our trip to Quantico. We are planning to take another trip there, maybe later this summer, so hopefully you'll be able to join us then. I serve as [redacted] [redacted] OCA plays a key role in communicating with lawmakers and their staffers about FBI activities and is the primary point of contact for all Congressional matters.

I would like an opportunity to meet with you to properly introduce myself and tell you more about the mission of OCA, along with providing information about what OCA can offer your office. I would also like to know what issues Rep. Goldman and your office are interested in to see if there is any way I can assist in those areas. Additionally, based on my background, I think I may be able to provide insight or answer some questions about issues that do not require senior FBI leadership briefings or hearings.

Our office regularly meets with committee and personal office staffers and I would love the opportunity to connect with your office.

I'm happy to come to your office as I have access to your buildings or meet you for coffee somewhere. Let me know what works for you. Also, if there is someone else who is better suited for this brief conversation, please let me know.

Thanks,

SSA [redacted]
FBI | Office of Congressional Affairs
C: [redacted]

b6 -1
b7C -1
b7E -3

From: [redacted] (OCA) (FBI)
Subject: RE: Introductions
To: Marx, Damon
Cc: Arreaga, Francesco
Sent: May 24, 2023 9:37 AM (UTC-04:00)

b6 -1
b7C -1

Ok, so you mean the week of June 5th? I'm pretty open that week. Let me know some days/times that work for you.

SSA [redacted]
FBI | Office of Congressional Affairs
C: [redacted]

b6 -1
b7C -1
b7E -3

From: Marx, Damon [redacted]
Sent: Wednesday, May 24, 2023 9:29 AM
To: [redacted] (OCA) (FBI) [redacted]
Cc: Arreaga, Francesco [redacted]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

The following week may be better on my end for an in-person meeting. Do you have any availability that week?

From: [redacted]
Date: Tuesday, May 23, 2023 at 4:20 PM
To: Marx, Damon [redacted]
Cc: Meegan, Erin [redacted] Arreaga, Francesco [redacted]
Subject: Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Great, do you have time next week to meet? Let me know some days/times that work for you.

From: Marx, Damon [redacted]
Sent: Tuesday, May 23, 2023 2:22:13 PM
To: [redacted] (OCA) (FBI) [redacted]
Cc: Meegan, Erin [redacted] Arreaga, Francesco [redacted]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Hi [redacted]

We spoke last week before the Weaponization hearing on Thursday. Thanks again for sending over those documents. They were very helpful to the Congressman.

Francesco (my colleague cc'ed here) and I will be good points of contact for you going forward. Both of us broadly cover law enforcement; however, in terms of specifics, I cover cybersecurity, counterterrorism, and much of the Congressman's committee work, while Francesco covers issues ranging from immigration to gun violence.

We would love to meet in person next time you have the chance. Please let us know when you're available for coffee or just to swing by the office. And don't hesitate to reach out on any other matters!

Best,
Damon

--
Damon Marx
Senior Counsel
Congressman Daniel S. Goldman (NY-10)
M: [redacted]

b6 -5
b7C -5

From: Marx, Damon
Subject: [EXTERNAL EMAIL] - Re: Introductions
To: [REDACTED] (OCA) (FBI); Arreaga, Francesco
Sent: May 24, 2023 12:11 PM (UTC-04:00)

b6 -1
b7C -1

Yep! As of now, Monday, June 5 from 11am on, I'm wide open. Tuesday, June 6 looks good too.

Francesco, is there a day/time that work best for you?

From: [REDACTED]
Date: Wednesday, May 24, 2023 at 9:36 AM
To: Marx, Damon [REDACTED]
Cc: Arreaga, Francesco [REDACTED]
Subject: RE: Introductions

b6 -1,5
b7C -1,5
b7E -3

Ok, so you mean the week of June 5th? I'm pretty open that week. Let me know some days/times that work for you.

SSA [REDACTED]
FBI | Office of Congressional Affairs
C: [REDACTED]

From: Marx, Damon [REDACTED]
Sent: Wednesday, May 24, 2023 9:29 AM
To: [REDACTED] (OCA) (FBI) [REDACTED]
Cc: Arreaga, Francesco [REDACTED]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

The following week may be better on my end for an in-person meeting. Do you have any availability that week?

From: [REDACTED]
Date: Tuesday, May 23, 2023 at 4:20 PM
To: Marx, Damon [REDACTED]
Cc: Meegan, Erin [REDACTED] Arreaga, Francesco [REDACTED]
Subject: Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Great, do you have time next week to meet? Let me know some days/times that work for you.

From: Marx, Damon [REDACTED]
Sent: Tuesday, May 23, 2023 2:22:13 PM
To: [REDACTED] (OCA) (FBI) [REDACTED]
Cc: Meegan, Erin [REDACTED] Arreaga, Francesco [REDACTED]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Hi [REDACTED]

We spoke last week before the Weaponization hearing on Thursday. Thanks again for sending over those documents. They were very helpful to the Congressman.

Francesco (my colleague cc'ed here) and I will be good points of contact for you going forward. Both of us broadly cover law enforcement; however, in terms of specifics, I cover cybersecurity, counterterrorism, and much of the Congressman's committee work, while Francesco covers issues ranging from immigration to gun violence.

We would love to meet in person next time you have the chance. Please let us know when you're available for coffee or

just to swing by the office. And don't hesitate to reach out on any other matters!

Best,
Damon

--

Damon Marx

Senior Counsel

Congressman Daniel S. Goldman (NY-10)

M: [redacted]

b6 -5
b7C -5



From: [redacted]

Sent: Tuesday, May 9, 2023 11:52 AM

To: Meegan, Erin [redacted]

Subject: Introductions

b6 -1,5
b7C -1,5
b7E -3

Good morning,

I was disappointed I didn't get the opportunity to meet you during our trip to Quantico. We are planning to take another trip there, maybe later this summer, so hopefully you'll be able to join us then. I serve as [redacted] [redacted] OCA plays a key role in communicating with lawmakers and their staffers about FBI activities and is the primary point of contact for all Congressional matters.

I would like an opportunity to meet with you to properly introduce myself and tell you more about the mission of OCA, along with providing information about what OCA can offer your office. I would also like to know what issues Rep. Goldman and your office are interested in to see if there is any way I can assist in those areas. Additionally, based on my background, I think I may be able to provide insight or answer some questions about issues that do not require senior FBI leadership briefings or hearings.

Our office regularly meets with committee and personal office staffers and I would love the opportunity to connect with your office.

I'm happy to come to your office as I have access to your buildings or meet you for coffee somewhere. Let me know what works for you. Also, if there is someone else who is better suited for this brief conversation, please let me know.

Thanks,

SSA [redacted]

FBI | Office of Congressional Affairs

C: [redacted]

b6 -1
b7C -1
b7E -3

From: Arreaga, Francesco
Subject: [EXTERNAL EMAIL] - Re: Introductions
To: Marx, Damon; [redacted] (OCA) (FBI)
Sent: May 24, 2023 12:53 PM (UTC-04:00)

b6 -1
b7C -1

Both of those work for me too. Let us know what works for you, [redacted] Look forward to connecting!

Francesco Arreaga

Senior Policy Advisor

Congressman Dan Goldman (NY-10)

245 Cannon House Office Building

Office: (202) 225-7944

<https://goldman.house.gov>



From: Marx, Damon [redacted]
Date: Wednesday, May 24, 2023 at 12:11 PM
To: [redacted] Arreaga, Francesco [redacted]
Subject: Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Yep! As of now, Monday, June 5 from 11am on, I'm wide open. Tuesday, June 6 looks good too.

Francesco, is there a day/time that work best for you?

From: [redacted]
Date: Wednesday, May 24, 2023 at 9:36 AM
To: Marx, Damon [redacted]
Cc: Arreaga, Francesco [redacted]
Subject: RE: Introductions

b6 -1,5
b7C -1,5
b7E -3

Ok, so you mean the week of June 5th? I'm pretty open that week. Let me know some days/times that work for you.

SSA [redacted]
FBI | Office of Congressional Affairs
C: [redacted]

From: Marx, Damon [redacted]
Sent: Wednesday, May 24, 2023 9:29 AM
To: [redacted] (OCA) (FBI) [redacted]
Cc: Arreaga, Francesco [redacted]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

The following week may be better on my end for an in-person meeting. Do you have any availability that week?

From: [redacted]

b6 -1
b7C -1
b7E -3

b6 -5
b7C -5

Date: Tuesday, May 23, 2023 at 4:20 PM

To: Marx, Damon [redacted]

Cc: Meegan, Erin [redacted] Arreaga, Francesco [redacted]

Subject: Re: Introductions

Great, do you have time next week to meet? Let me know some days/times that work for you.

From: Marx, Damon [redacted]

Sent: Tuesday, May 23, 2023 2:22:13 PM

To: [redacted] (OCA) (FBI) [redacted]

b6 -1,5
b7C -1,5
b7E -3

Cc: Meegan, Erin [redacted] Arreaga, Francesco [redacted]

Subject: [EXTERNAL EMAIL] - Re: Introductions

Hi [redacted]

We spoke last week before the Weaponization hearing on Thursday. Thanks again for sending over those documents. They were very helpful to the Congressman.

Francesco (my colleague cc'ed here) and I will be good points of contact for you going forward. Both of us broadly cover law enforcement; however, in terms of specifics, I cover cybersecurity, counterterrorism, and much of the Congressman's committee work, while Francesco covers issues ranging from immigration to gun violence.

We would love to meet in person next time you have the chance. Please let us know when you're available for coffee or just to swing by the office. And don't hesitate to reach out on any other matters!

Best,
Damon

--
Damon Marx
Senior Counsel
Congressman Daniel S. Goldman (NY-10)
M: [redacted]

b6 -5
b7C -5



From: [redacted]

Sent: Tuesday, May 9, 2023 11:52 AM

To: Meegan, Erin [redacted]

b6 -1,5
b7C -1,5
b7E -3

Subject: Introductions

Good morning,

I was disappointed I didn't get the opportunity to meet you during our trip to Quantico. We are planning to take another trip there, maybe later this summer, so hopefully you'll be able to join us then. I serve as [redacted] [redacted] OCA plays a key role in communicating with lawmakers and their staffers about FBI activities and is the primary point of contact for all Congressional matters.

I would like an opportunity to meet with you to properly introduce myself and tell you more about the mission of OCA, along with providing information about what OCA can offer your office. I would also like to know what issues Rep. Goldman and your office are interested in to see if there is any way I can assist in those areas. Additionally, based on my background, I think I may be able to provide insight or answer some questions about issues that do not require senior FBI leadership briefings or hearings.

Our office regularly meets with committee and personal office staffers and I would love the opportunity to connect with your office.

I'm happy to come to your office as I have access to your buildings or meet you for coffee somewhere. Let me know what works for you. Also, if there is someone else who is better suited for this brief conversation, please let me know.

Thanks,

SSA [REDACTED]
FBI | Office of Congressional Affairs
C: [REDACTED]

b6 -1
b7C -1
b7E -3

From: [redacted] (OCA) (FBI)
Subject: RE: Introductions
To: Arreaga, Francesco; Marx, Damon
Sent: May 24, 2023 5:33 PM (UTC-04:00)

b6 -1
b7C -1
b7E -3

Great, how about 2:30pm on the 6th? Where would you like to meet? I can meet you in or office or Dunkin.

SSA [redacted]
FBI | Office of Congressional Affairs
C: [redacted]

From: Arreaga, Francesco [redacted]
Sent: Wednesday, May 24, 2023 12:53 PM
To: Marx, Damon [redacted] (OCA) (FBI) [redacted]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Both of those work for me too. Let us know what works for you, [redacted] Look forward to connecting!

Francesco Arreaga
Senior Policy Advisor
Congressman Dan Goldman (NY-10)
245 Cannon House Office Building
Office: (202) 225-7944
<https://goldman.house.gov>




From: Marx, Damon [redacted]
Date: Wednesday, May 24, 2023 at 12:11 PM
To: [redacted] Arreaga, Francesco [redacted]
Subject: Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Yep! As of now, Monday, June 5 from 11am on, I'm wide open. Tuesday, June 6 looks good too.

Francesco, is there a day/time that work best for you?

From: [redacted]
Date: Wednesday, May 24, 2023 at 9:36 AM
To: Marx, Damon [redacted]
Cc: Arreaga, Francesco [redacted]
Subject: RE: Introductions

b6 -1,5
b7C -1,5
b7E -3

Ok, so you mean the week of June 5th? I'm pretty open that week. Let me know some days/times that work for you.

SSA [redacted]
FBI | Office of Congressional Affairs

C: [redacted]

From: Marx, Damon [redacted]
Sent: Wednesday, May 24, 2023 9:29 AM
To: [redacted] (OCA) (FBI) [redacted]
Cc: Arreaga, Francesco [redacted]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

The following week may be better on my end for an in-person meeting. Do you have any availability that week?

From: [redacted]
Date: Tuesday, May 23, 2023 at 4:20 PM
To: Marx, Damon [redacted]
Cc: Meegan, Erin [redacted] Arreaga, Francesco [redacted]
Subject: Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Great, do you have time next week to meet? Let me know some days/times that work for you.

From: Marx, Damon [redacted]
Sent: Tuesday, May 23, 2023 2:22:13 PM
To: [redacted] (OCA) (FBI) [redacted]
Cc: Meegan, Erin [redacted] Arreaga, Francesco [redacted]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Hi [redacted]

We spoke last week before the Weaponization hearing on Thursday. Thanks again for sending over those documents. They were very helpful to the Congressman.

Francesco (my colleague cc'ed here) and I will be good points of contact for you going forward. Both of us broadly cover law enforcement; however, in terms of specifics, I cover cybersecurity, counterterrorism, and much of the Congressman's committee work, while Francesco covers issues ranging from immigration to gun violence.

We would love to meet in person next time you have the chance. Please let us know when you're available for coffee or just to swing by the office. And don't hesitate to reach out on any other matters!

Best,
Damon

--
Damon Marx
Senior Counsel
Congressman Daniel S. Goldman (NY-10)
M [redacted]

b6 -5
b7C -5



From: [redacted]
Sent: Tuesday, May 9, 2023 11:52 AM
To: Meegan, Erin [redacted]
Subject: Introductions

b6 -1,5
b7C -1,5
b7E -3

Good morning,

I was disappointed I didn't get the opportunity to meet you during our trip to Quantico. We are planning to take another trip there, maybe later this summer, so hopefully you'll be able to join us then. I serve as [redacted] [redacted] OCA plays a key role in communicating with lawmakers and their staffers about FBI activities and is the primary point of contact for all Congressional matters.

I would like an opportunity to meet with you to properly introduce myself and tell you more about the mission of OCA, along with providing information about what OCA can offer your office. I would also like to know what issues Rep. Goldman and your office are interested in to see if there is any way I can assist in those areas. Additionally, based on my background, I think I may be able to provide insight or answer some questions about issues that do not require senior FBI leadership briefings or hearings.

Our office regularly meets with committee and personal office staffers and I would love the opportunity to connect with your office.

I'm happy to come to your office as I have access to your buildings or meet you for coffee somewhere. Let me know what works for you. Also, if there is someone else who is better suited for this brief conversation, please let me know.

Thanks,

SSA [redacted]
FBI | Office of Congressional Affairs
C: [redacted]

b6 -1
b7C -1
b7E -3

From: Marx, Damon
Subject: [EXTERNAL EMAIL] - Re: Introductions
To: [REDACTED] (OCA) (FBI); Arreaga, Francesco
Sent: May 25, 2023 10:09 AM (UTC-04:00)

b6 -1
b7C -1

Our office would be great! Could make a run to Dunkin if the office is too busy.

From: [REDACTED]
Date: Wednesday, May 24, 2023 at 5:33 PM
To: Arreaga, Francesco [REDACTED], Marx, Damon [REDACTED]
Subject: RE: Introductions

b6 -1,5
b7C -1,5
b7E -3

Great, how about 2:30pm on the 6th? Where would you like to meet? I can meet you in or office or Dunkin.

SSA [REDACTED]
FBI | Office of Congressional Affairs
C: [REDACTED]

From: Arreaga, Francesco [REDACTED]
Sent: Wednesday, May 24, 2023 12:53 PM
To: Marx, Damon [REDACTED] (OCA) (FBI) [REDACTED]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Both of those work for me too. Let us know what works for you, [REDACTED] Look forward to connecting!

Francesco Arreaga
Senior Policy Advisor
Congressman Dan Goldman (NY-10)
245 Cannon House Office Building
Office: (202) 225-7944
<https://goldman.house.gov>




From: Marx, Damon [REDACTED]
Date: Wednesday, May 24, 2023 at 12:11 PM
To: [REDACTED] Arreaga, Francesco [REDACTED]
Subject: Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Yep! As of now, Monday, June 5 from 11am on, I'm wide open. Tuesday, June 6 looks good too.

Francesco, is there a day/time that work best for you?

From: [REDACTED]
Date: Wednesday, May 24, 2023 at 9:36 AM
To: Marx, Damon [REDACTED]

b6 -1,5
b7C -1,5
b7E -3

Cc: Arreaga, Francesco [redacted]
Subject: RE: Introductions

b6 -1,5
b7C -1,5
b7E -3

Ok, so you mean the week of June 5th? I'm pretty open that week. Let me know some days/times that work for you.

SSA [redacted]
FBI | Office of Congressional Affairs
C: [redacted]

From: Marx, Damon [redacted]
Sent: Wednesday, May 24, 2023 9:29 AM
To: [redacted] (OCA) (FBI) [redacted]
Cc: Arreaga, Francesco [redacted]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

The following week may be better on my end for an in-person meeting. Do you have any availability that week?

From: [redacted]
Date: Tuesday, May 23, 2023 at 4:20 PM
To: Marx, Damon [redacted]
Cc: Meegan, Erin [redacted] Arreaga, Francesco [redacted]
Subject: Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Great, do you have time next week to meet? Let me know some days/times that work for you.

From: Marx, Damon [redacted]
Sent: Tuesday, May 23, 2023 2:22:13 PM
To: [redacted] (OCA) (FBI) [redacted]
Cc: Meegan, Erin [redacted] Arreaga, Francesco [redacted]
Subject: [EXTERNAL EMAIL] - Re: Introductions

b6 -1,5
b7C -1,5
b7E -3

Hi [redacted]

We spoke last week before the Weaponization hearing on Thursday. Thanks again for sending over those documents. They were very helpful to the Congressman.

Francesco (my colleague cc'ed here) and I will be good points of contact for you going forward. Both of us broadly cover law enforcement; however, in terms of specifics, I cover cybersecurity, counterterrorism, and much of the Congressman's committee work, while Francesco covers issues ranging from immigration to gun violence.

We would love to meet in person next time you have the chance. Please let us know when you're available for coffee or just to swing by the office. And don't hesitate to reach out on any other matters!

Best,
Damon

--
Damon Marx
Senior Counsel
Congressman Daniel S. Goldman (NY-10)
M: [redacted]

b6 -5
b7C -5

From: [redacted] (OCA) (FBI)
Subject: FBI Moore Deposition Response
To: [redacted]
Sent: May 26, 2023 3:13 PM (UTC-04:00)
Attached: FBI Moore Deposition Response 5-17-2023.pdf, [redacted]

b6 -1,5
b7C -1,5
b7E -3

Collin,

It was nice to meet you. I've attached the full letter that was sent to the committee prior to the last weaponization hearing. The letter is a response to EAD Moore's Subpoena for deposition.

I will follow up with you regarding the timeline questions.

Please let me know if you have any questions.

Have a great weekend,

SSA [redacted]
FBI | Office of Congressional Affairs
C: [redacted]

b6 -1
b7C -1
b7E -3



U.S. Department of Justice
Federal Bureau of Investigation

Office of Congressional Affairs

Office of the Assistant Director

935 Pennsylvania Avenue, NW
Washington, DC 20535-0001

May 17, 2023

The Honorable Jim Jordan
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Jordan:

We write in further response to your letters, dated May 8, 2023, and May 10, 2023, regarding the Committee's deposition subpoena, authorized on April 24, 2023, to Federal Bureau of Investigation (FBI) Executive Assistant Director (EAD) Jennifer Moore at the conclusion of her voluntary transcribed interview. This follows our prior responses, dated May 2, 2023, and May 11, 2023, regarding the subpoena.

During her transcribed interview, EAD Moore described, in detail, the FBI's security clearance adjudication process. When the Committee asked about the still-pending security clearance decisions of particular FBI employees, EAD Moore correctly noted that the time was not ripe for that discussion in order to protect due process and the individuals' privacy. [REDACTED]

b6 -1
b7C -1
b7E -5

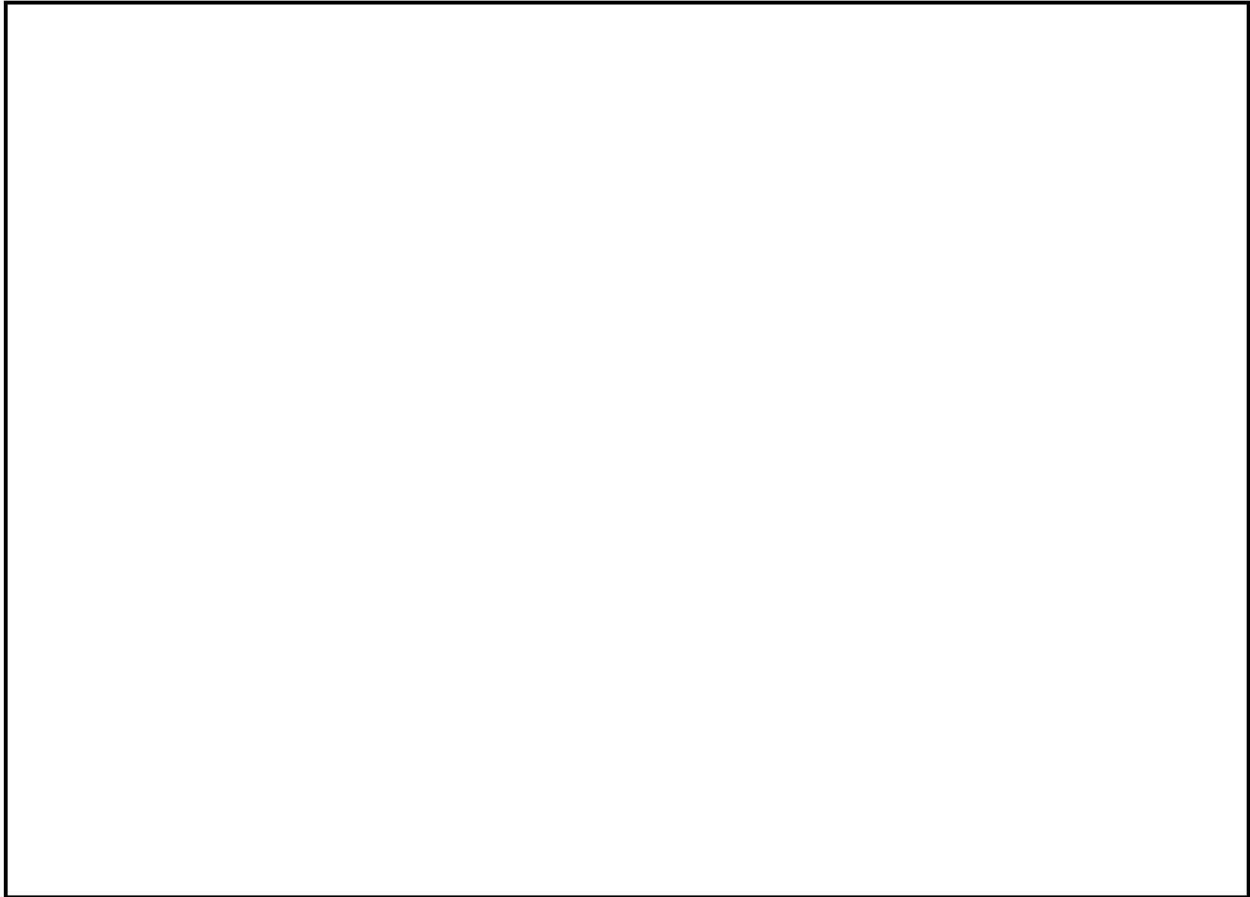
Your May 8 letter requested that EAD Moore return to "complete her testimony" before May 18, in advance of the Committee's upcoming hearing. Accordingly, EAD Moore rearranged travel and other obligations to abide by the Committee's timeline and to be in a position to provide additional information in advance of that hearing. As the Committee elected not to proceed with EAD Moore's continued interview today, we write to provide the Committee with additional information that you requested in advance of the Committee's upcoming hearing. We provide this information as a further accommodation of the Committee's April 24 subpoena and the several other written requests from the Committee Chair for information regarding the specified clearance adjudications.

First, at the April 24 transcribed interview, EAD Moore agreed to follow-up with the Committee on a number of specific points. With respect to the Committee's request for data regarding the volume of security incidents and security investigations since 2020, the following

The Honorable Jim Jordan

Page 2

“referrals”¹ data represent the total number of security incident referrals received by the FBI’s Security Division during the specified timeframe:



b7E -4

The following “cases” data represent the total number of security incident investigations opened by the FBI’s Security Division during the specified timeframe:

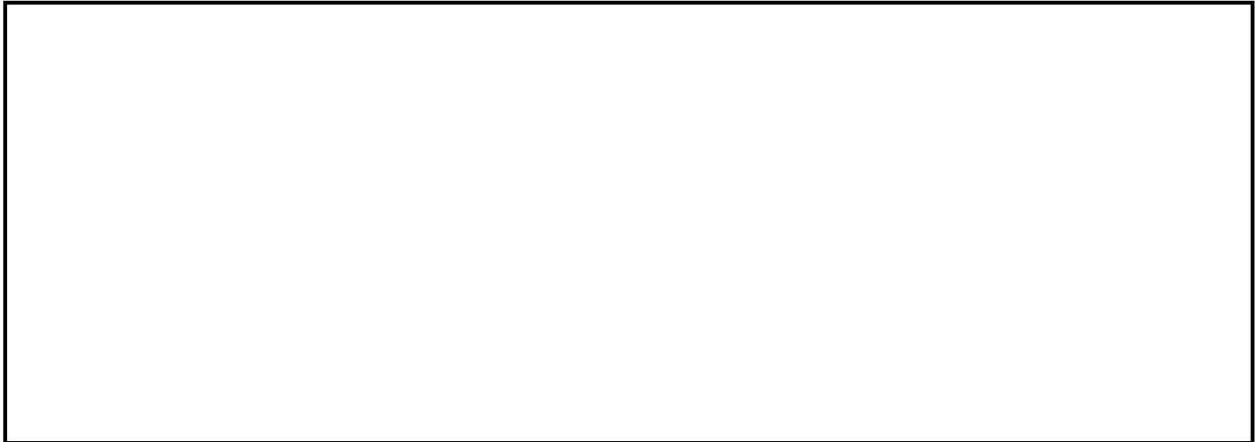


b7E -4

¹The Security Division receives referrals from different sources, [redacted]

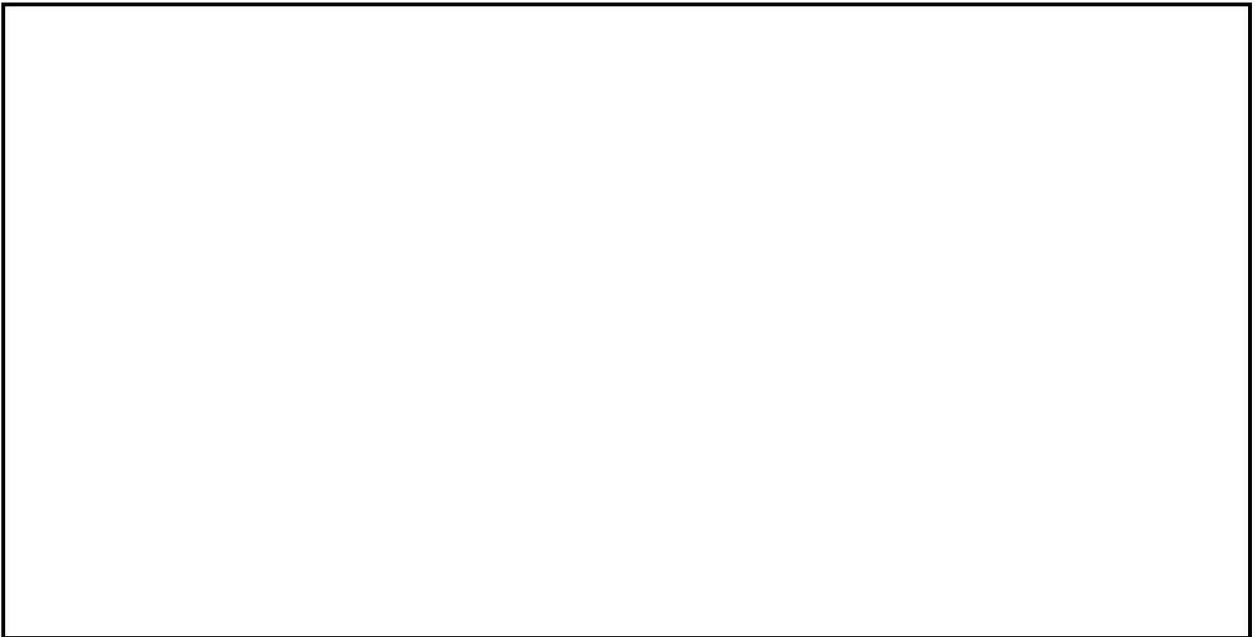
b7E -4

The Honorable Jim Jordan
Page 3



b7E -4

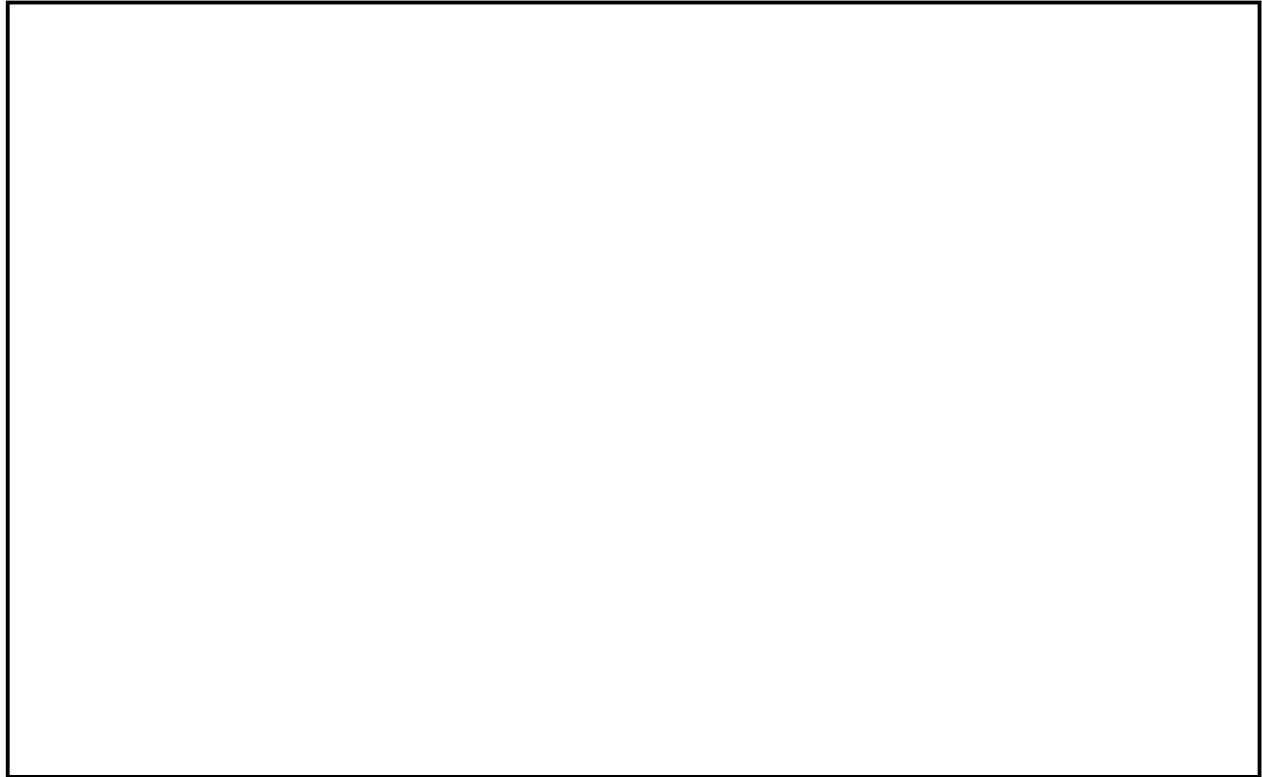
The following data represents the total number of security clearance investigations during the specified timeframe:



b7E -4

The Honorable Jim Jordan
Page 4

Finally, the total numbers of suspensions and revocations by fiscal year include the following:



b7E -4

With respect to your request for information related to reasonable accommodation requests regarding COVID-19 vaccination requirements pursuant to Executive Order 14043, in total, the FBI received [redacted] such reasonable accommodation requests. The FBI's Human Resources Division issued decisions on [redacted] reasonable accommodation requests prior to the January 21, 2022, federal preliminary injunction. Of these [redacted] decisions, [redacted]

b7E -4,5



Finally, the FBI is able to confirm that [redacted]

b6 -1
b7C -1
b7E -5

[redacted] As discussed at the April 24 transcribed interview, the legal framework affords an individual an opportunity to request an administrative appeal of the FBI's revocation decision. If the revocation decision is upheld, then the individual may appeal to the Department of Justice Access Review Committee.² The FBI has taken every effort to ensure that these investigations and adjudications were full and fair, while at the same time endeavoring to accommodate the Committee's oversight requests. Following the completion of the initial adjudication process, and as EAD Moore committed at her transcribed interview, the FBI is now able, as a further accommodation, to provide additional information

²This appeal process is separate from the Office of Inspector General's authority to review allegations of whistleblower retaliation with respect to security clearance actions. Nothing in this response is intended to infringe upon an individual's right to seek reconsideration of a clearance adjudication in any forum.

The Honorable Jim Jordan

Page 5

about the [redacted]

[redacted] pursuant to the Security Executive Agent Directive 4 – National Security Adjudicative Guidelines.³

b6 -1
b7C -1
b7E -4,5

[redacted]

[redacted] A copy of [redacted] notification letter is enclosed.

b6 -1
b7C -1
b7E -5

[redacted]

[Large redacted area]

b6 -1
b7C -1
b7E -4,5

³The Guidelines apply to all federal agencies with the authority to adjudicate security clearances.

The Honorable Jim Jordan
Page 6

[Redacted]

b6 -1
b7C -1
b7E -4,5

[Redacted]

[Redacted]

b6 -1
b7C -1
b7E -4,5

Specifically, the FBI's investigation determined that on [Redacted]

[Redacted]

b6 -1
b7C -1
b7E -4,5

The FBI also determined that [Redacted]

[Redacted]

b6 -1
b7C -1
b7E -4,5

The FBI's investigation showed that [Redacted]

[Redacted]

b6 -1
b7C -1
b7E -4,5

[Redacted]

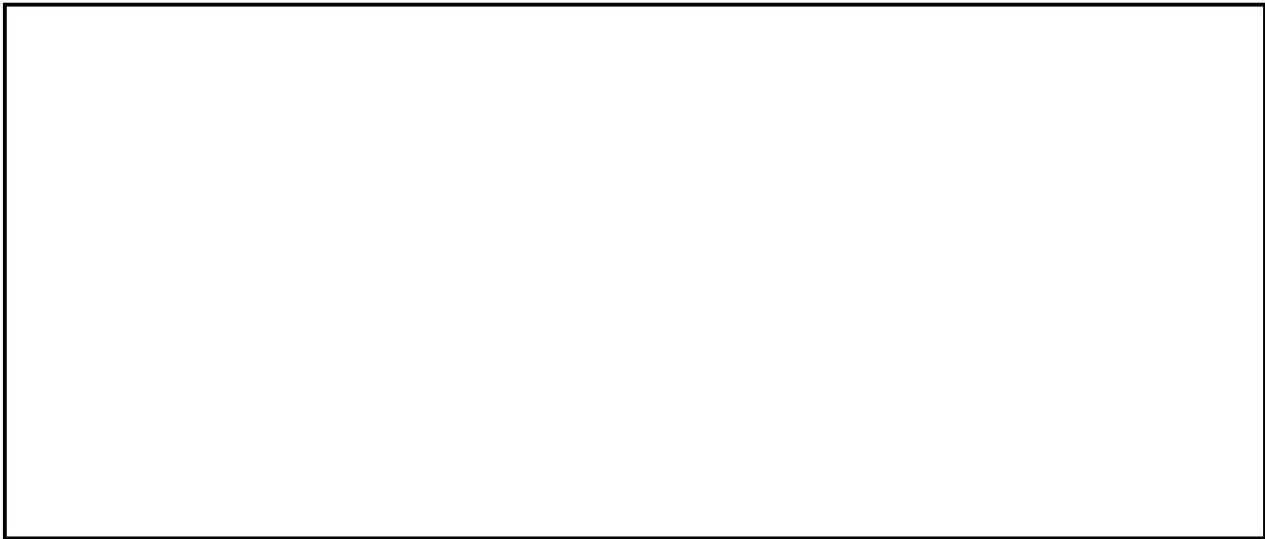
b6 -1
b7C -1
b7E -4,5

[Redacted]

b7E -4

The Honorable Jim Jordan

Page 7

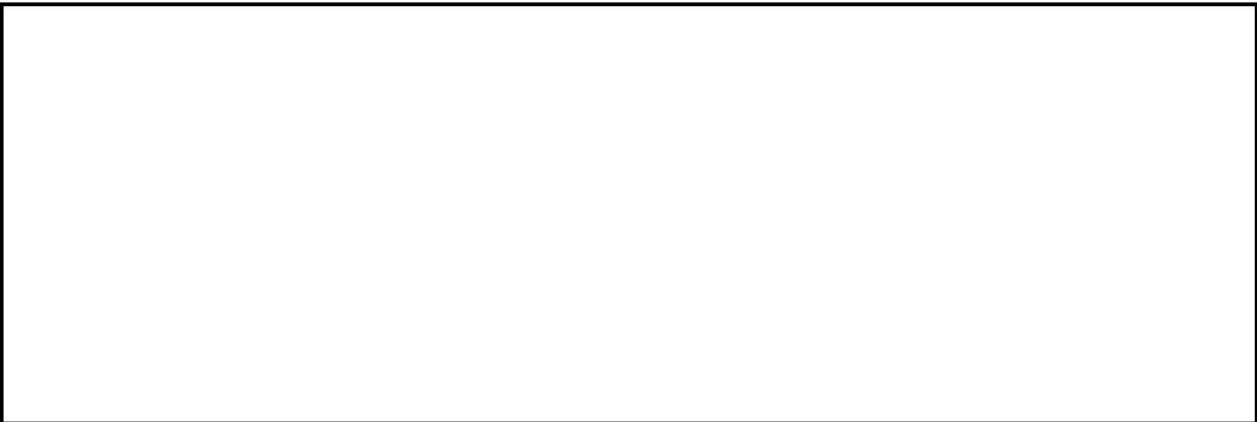


b6 -1
b7C -1
b7E -4,5



A copy of [redacted] notification letter is enclosed.

b6 -1
b7C -1
b7E -5



b6 -1
b7C -1
b7E -4,5



b6 -1
b7C -1
b7E -4,5



b6 -1
b7C -1
b7E -5

The Honorable Jim Jordan

Page 8

[Redacted]

b6 -1
b7C -1
b7E -4,5

Accordingly, the FBI concluded that

[Redacted]

[Redacted]

[Redacted]

[Redacted]

b6 -1
b7C -1
b7E -4,5

The FBI concluded that,

[Redacted]

b6 -1
b7C -1
b7E -4,5

[Redacted]

[Redacted]

b6 -1
b7C -1
b7E -4,5

[Redacted]

b6 -1
b7C -1
b7E -4,5

The Honorable Jim Jordan

Page 9

[Redacted]

b6 -1
b7C -1
b7E -4,5

[Redacted]

[Redacted]

b6 -1
b7C -1
b7E -5

[Redacted] A copy of [Redacted] notification letter is enclosed.

[Redacted]

[Redacted]

b6 -1
b7C -1
b7E -4,5

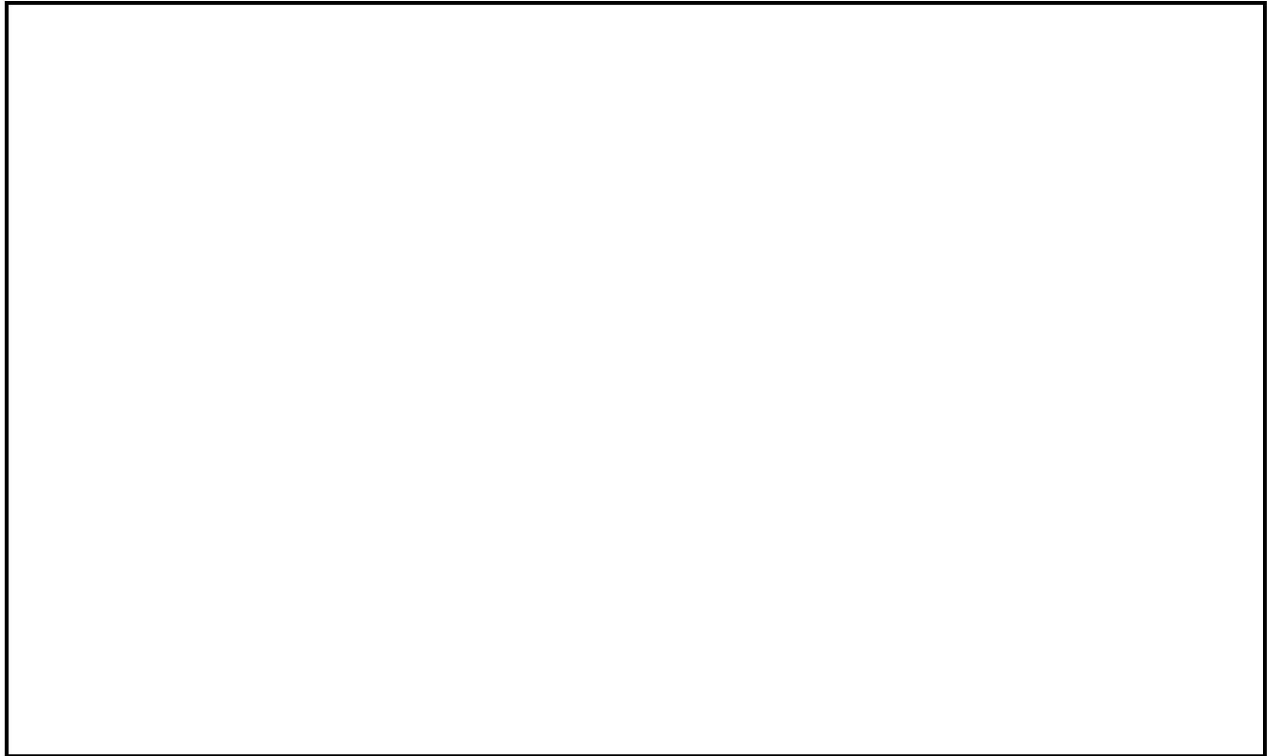
[Redacted]

b6 -1
b7C -1
b7E -4,5

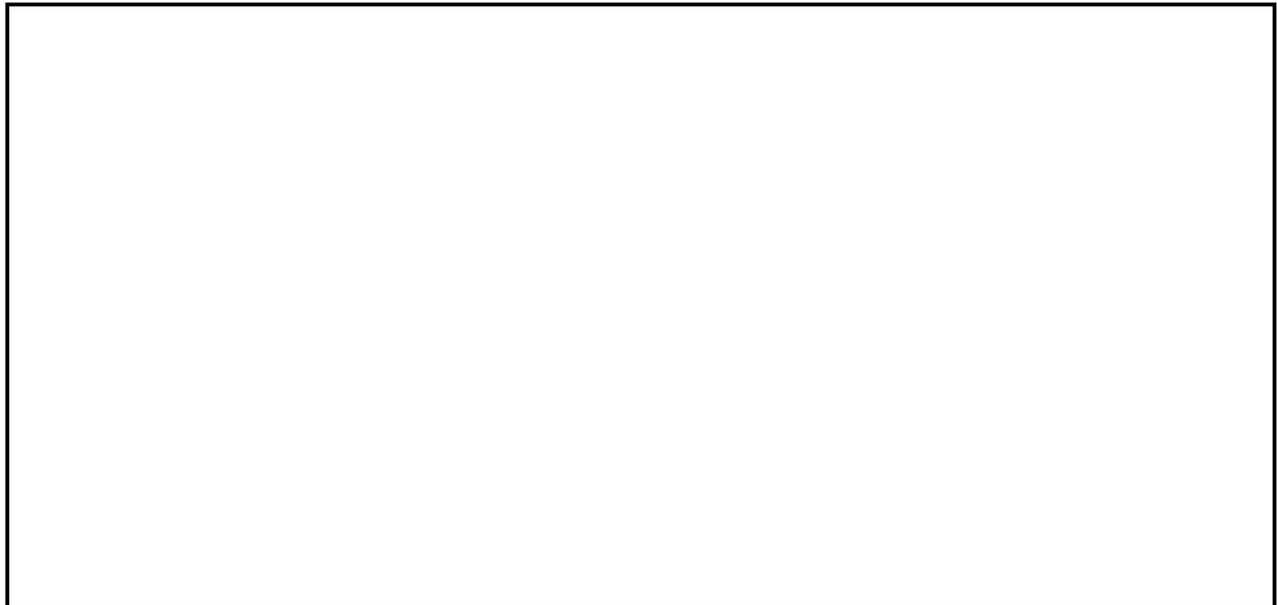
The Honorable Jim Jordan
Page 10



b6 -1
b7C -1
b7E -4,5



b6 -1
b7C -1
b7E -4,5



b6 -1
b7C -1
b7E -4,5

* * *

The Honorable Jim Jordan
Page 11

As we stated before, the FBI appreciates the Committee's interest in these particular adjudications and your recognition that the FBI must protect established Executive Branch and individual privacy interests of the employees involved. EAD Moore remains willing to return to answer additional questions the Committee may have regarding these matters as soon as possible, including on June 2, 2023. We also look forward to sharing additional details regarding

[REDACTED]

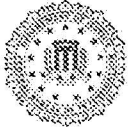
b6 -1
b7C -1
b7E -5

Sincerely,



Christopher Dunham
Acting Assistant Director

cc: The Honorable Jerrold L. Nadler
Ranking Member



U.S. Department of Justice
Federal Bureau of Investigation

Office of Congressional Affairs

Office of the Assistant Director

*935 Pennsylvania Avenue, NW
Washington, DC 20535-0001*

April 28, 2023

The Honorable Jim Jordan
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Jordan:

This provides an initial response to your subpoena to the Federal Bureau of Investigation (FBI), dated April 10, 2023, requesting documents and information related to the FBI Richmond Field Office's January 23, 2023, Domain Perspective entitled, "Interest of Racially or Ethnically Motivated Violent Extremists in Radical-Traditionalist Catholic Ideology Almost Certainly Presents New Mitigation Opportunities" (January 23rd Domain Perspective). This also supplements our prior response, dated March 23, 2023, and the accompanying document production, which responded to your prior letter on this topic.

This letter and accompanying production of documents reflects the FBI's commitment to working in good faith to provide information in response to the Committee's requests for information. Since the beginning of this Congress, the FBI has made individuals available for a public hearing, as well as three transcribed interviews. Additional transcribed interviews are already scheduled for the coming weeks. We have also made nine productions of documents responsive to requests incorporated into the Committee's January 17th letter, as well as its February 3rd and April 10th subpoenas. Concurrently, the FBI is providing information and responding to inquiries to other Committees on a variety of issues, as well as appearing at hearings. The FBI will continue to endeavor to be responsive to this Committee's requests. We continue to welcome prioritization guidance from the Committee regarding the February 3rd and April 10th subpoena requests, particularly in comparison to the Committee's other requests for documents, information, and testimony.

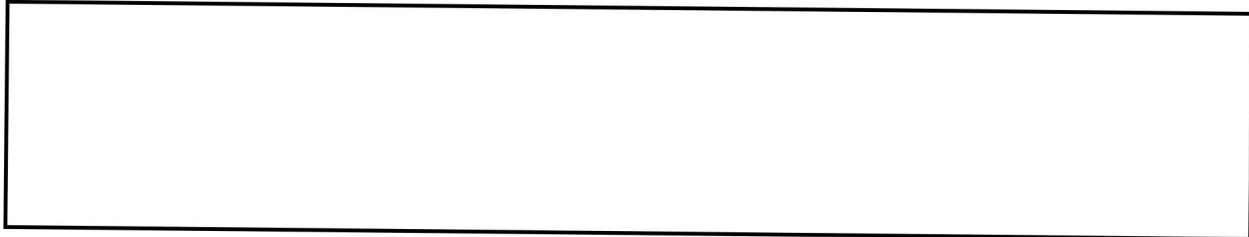
No additional FBI intelligence products were found following searches of FBI intelligence platforms, consistent with the terms of your subpoena, for intelligence products between January 20, 2021 to present, with the following search terms:



b7E -4

The Honorable Jim Jordan
The Honorable Jerrold Nadler
Page 2

Attorney General Merrick Garland and FBI Director Christopher Wray have publicly and strongly rejected the product. As the FBI previously explained, the January 23rd Domain Perspective failed to meet the FBI's standards and upon learning of the document, the FBI took steps to immediately remove it from our official systems of record. The FBI also provided legal, intelligence tradecraft, and domestic terrorism terminology refresher training for relevant personnel, and reminded personnel to follow existing standards and guidance on working domestic terrorism matters and appropriate tradecraft when producing intelligence products.



b7E -5

The FBI cannot and does not investigate groups or individuals based solely on the exercise of First Amendment protected activity. Similarly, intelligence production must respect First Amendment protected activity. That includes our rights of religious freedom. The FBI does not categorize investigations as domestic terrorism based on the religious beliefs—to include Catholicism—of the subject involved. Moreover, the FBI does not use the terminology, “radical traditionalist Catholic,” to define any domestic terrorism threat.

It is important to emphasize that we rely heavily on our partnerships with community groups and their leaders to carry out the FBI's mission to protect the American people. This includes direct outreach to various communities so that we can hear their concerns, build cultural understanding, and foster trust. Through these trusted partnerships, the FBI works to empower citizens to protect themselves from ongoing threats and crimes. FBI Headquarters divisions, and every one of the FBI's 56 field offices, conduct community outreach and work with minority groups, academic institutions, and religious, civic, and non-profit organizations toward crime prevention. Our outreach also includes local, national, and international safety campaigns.

All of these outreach efforts are designed to help protect these communities against violence and threats of violence; to help individuals and families stay safe from cyber predators; to help businesses and organizations protect against hackers and economic espionage; and to help all citizens be alert to potential acts of terror and violent extremism.

With respect to the Richmond Field Office, specifically, on February 10, 2022, the field office hosted a virtual Interfaith Awareness Briefing for approximately 600 attendees representing congregations and community groups from across religions and cultural groups in the Richmond Field Office's area of responsibility. During that briefing, FBI Richmond Supervisory Special Agents provided briefings covering topics including international terrorism, domestic terrorism, and hate crimes and crisis response.

On March 9, 2023, FBI Richmond Field Office Special Agent in Charge (SAC) Stanley Meador met with the Bishop, the Vicar General, and the General Counsel for the Catholic Diocese of Richmond to address concerns about the January 23rd Domain Perspective. On March 24, 2023, the Vicar General and General Counsel visited the FBI Richmond Field Office. During the visit, the FBI provided a briefing on domestic terrorism and international terrorism matters, and a briefing on hate crimes as they relate to houses of worship.

The Honorable Jim Jordan
The Honorable Jerrold Nadler
Page 3

At this time, the FBI is not aware of additional outreach to the leadership of Catholic churches and parishes in the Richmond Field Office's area of responsibility between January 20, 2021, and present. We reiterate that, by placing a strong emphasis on partnering with community leaders, the FBI builds trust and shares relevant information to keep communities safe and fulfill our obligation to the American public.

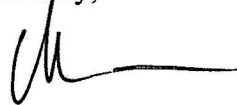
In addition to the responsive information provided in this letter, enclosed is a production of documents, [REDACTED] including documents related to the Richmond Field Office's community outreach. The FBI is undertaking an electronic search for additional records related to the January 23rd Domain Perspective, and welcomes feedback from the Committee on ways to prioritize the categories of information responsive to the April 10th subpoena. The FBI is committed to producing additional materials on a rolling basis, consistent with our law enforcement and national security obligations, the need to balance the Committee's stated oversight interests with the FBI's obligations to protect the integrity of the internal review process, and other privacy and confidentiality considerations.

b7E -4

This production contains law enforcement sensitive material with limited redactions to protect personally identifiable information. Although we are electing to provide this material to the Committee, the FBI does not waive any applicable privilege or other protection that might otherwise apply to some or all of these documents. Please note that by releasing law enforcement sensitive material with limited redactions to the Committee, the FBI is making an accommodation unique to the facts and circumstances of this particular matter; it is not a public disclosure, but instead a good faith effort to assist the Committee in its inquiry. Disclosure of law enforcement sensitive information could have a significant impact on the FBI's operations. Accordingly, we respectfully request that the Committee not disseminate or otherwise disclose these documents without prior consultation with the FBI.

Please note that, as discussed above, the FBI continues to identify additional documents responsive to your requests, and anticipates additional submissions to follow.

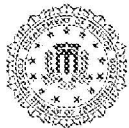
Sincerely,



Christopher Dunham
Acting Assistant Director

Enclosure

cc: The Honorable Jerrold Nadler
Ranking Member



U.S. Department of Justice
Federal Bureau of Investigation

Office of Congressional Affairs

Office of the Assistant Director

935 Pennsylvania Avenue, NW
Washington, DC 20535-0001

May 26, 2023

The Honorable Jim Jordan
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Jordan:

This provides a further response to your subpoena to the Federal Bureau of Investigation (FBI), issued February 3, 2023, requesting documents and information related to the Attorney General's October 4, 2021, memorandum entitled, "Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff" (Attorney General's Memorandum).

Enclosed with this letter is a supplemental production of documents. [REDACTED]

b7E -4

This production contains law enforcement sensitive material with limited redactions to protect personally identifiable, as well as other particularly sensitive, information. Although we are electing to provide this material to the Committee, the FBI does not waive any applicable privilege that might otherwise apply to some or all of these documents. Please note that by releasing law enforcement sensitive material with limited redactions to the Committee, the FBI is making an accommodation unique to the facts and circumstances of this particular matter; it is not a public disclosure, but instead a good faith effort to assist the Committee in its inquiry. Disclosure of law enforcement sensitive information could have a significant impact on the FBI's operations. Accordingly, we respectfully request that the Committee not disseminate or otherwise disclose these documents without prior consultation with the FBI.

Finally, as we indicated in our prior responses, the FBI remains committed to producing additional materials on a rolling basis, consistent with our law enforcement and national security obligations.

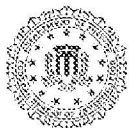
Sincerely,

Christopher Dunham
Acting Assistant Director

The Honorable Jim Jordan
Page Two

Enclosure

cc: The Honorable Jerrold L. Nadler
Ranking Member



U.S. Department of Justice
Federal Bureau of Investigation

Office of Congressional Affairs

Office of the Assistant Director

935 Pennsylvania Avenue, NW
Washington, DC 20535-0001

May 2, 2023

The Honorable Jim Jordan
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Jordan:

We write in response to your deposition subpoena, authorized on April 24, 2023, to Federal Bureau of Investigation (FBI) Executive Assistant Director (EAD) Jennifer Moore at the conclusion of her voluntary transcribed interview. During her interview, EAD Moore answered the Committee’s questions and described, in detail, the FBI’s security clearance adjudication process. When the Committee asked about the still-pending security clearance decisions of particular FBI employees, EAD Moore correctly noted that the time was not ripe for that discussion in order to protect due process and the individuals’ privacy. We appreciate the Committee’s interest in these particular adjudications and look forward to the time we can appropriately share information about their outcomes and the legitimate, non-retaliatory grounds for them.

We must protect, however, the established Executive Branch and individual privacy interests of the employees involved. Accordingly, although we object to your subpoena,¹ we present below a path forward that we believe will satisfy the Committee’s legitimate oversight requests, while protecting established Executive Branch policy and individual privacy rights. In short, the FBI is willing to resume EAD Moore’s transcribed interview [redacted]

[redacted]

b6 -1
b7C -1
b7E -5

¹ See, e.g., *Attempted Exclusion of Agency Counsel from Congressional Depositions of Agency Employees*, 43 Op. O.L.C. (2019). Furthermore, as the Supreme Court has explained, “constitutional confrontation between the two branches should be avoided whenever possible.” *Trump v. Mazars USA, LLP*, 140 S. Ct. at 2035. See also *United States v. AT&T*, 567 F.2d 121, 127 (D.C. Cir. 1977) (“[T]he coordinate branches do not exist in an exclusively adversary relationship to one another when a conflict in authority arises.”); 5 Op. O.L.C. 27, (1981) (“The accommodation required is not simply an exchange of concessions or a test of political strength. It is an obligation, of each branch to make a principled effort to acknowledge, and if possible to meet, the legitimate needs of the other branch.”). Accelerating past informal or voluntary opportunities for accommodation to increasingly formal, now compulsory, formats does not follow the path required by the Constitution for resolving conflict between the branches.

The Honorable Jim Jordan
Page 2

FBI's Efforts to Accommodate the Committee's Interests

The FBI has endeavored to respond to the Committee's inquiries in a manner that meets the Committee's needs while also protecting FBI and employee interests. The FBI first responded to letters on these topics from then-Ranking Member Jordan during the previous Congress, before the requests were on behalf of the Committee.² These responses provided information related to the security clearance adjudication process, while also explaining why information related to ongoing adjudications could not be disclosed.³ In this Congress, the Committee sent its first inquiry on this general topic in a January 27, 2023, letter to EAD Moore, requesting her appearance for a transcribed interview. The FBI promptly offered to provide a briefing to the Committee "regarding additional details of security clearance standards for FBI employees, as well as the Adjudicative Guidelines process."⁴ For more than a month, that briefing offer went unacknowledged by the Committee.

The FBI reiterated the briefing offer on March 9, 2023, and reminded the Committee that privacy considerations preclude the FBI from commenting on individual personnel matters. However, we indicated the FBI was open to discussing options for providing information, such as through waivers or releases. The Committee responded by rejecting the briefing offer and insisting on a transcribed interview with EAD Moore, along with interviews of several other FBI officials. In an effort to be responsive and to facilitate possible negotiations, the FBI sought guidance from the Committee regarding the intended scope of the transcribed interview, including about which clearance adjudications the Committee intended to ask. The Committee declined to provide any additional information. Instead, the Committee indicated the FBI and EAD Moore should be able to determine, independently, who and what the Committee intended to inquire about. The Committee never attempted to address the longstanding confidentiality and institutional concerns at issue.

Accordingly, the FBI made EAD Moore available for a voluntary interview on April 24, 2023, under the scope it had previously offered—the adjudication process, but not open individual adjudications.⁵ For several hours, she answered questions on precisely that and more.

³ See *id.* ("Your letters reference specific FBI employees and investigations. In order to protect the integrity of the adjudicative process and other privacy considerations, the FBI cannot comment on any individual personnel matters related to an FBI employee. Further, the due diligence exercised in the FBI's security investigation and adjudication process is essential to both protect national security and comply with Executive Orders and Intelligence Community mandates. To protect the integrity of all investigations, and consistent with longstanding Department and FBI policy, we are unable to provide information regarding any ongoing investigation").

⁵ We note this is the accommodation you advocated for when serving as Ranking Member of the House Committee on Oversight and Reform in 2019. At the time, you advocated for an Executive Branch individual, in the face of a deposition subpoena from the Chairman to discuss individual security clearances, to instead agree to appear for a voluntary transcribed interview regarding "policies and practices" of the security clearance process. See, e.g., Kyle Cheney, *White House OKs testimony — with limits — from ex-security clearance chief*, POLITICO (Apr. 26, 2019);

The Honorable Jim Jordan

Page 3

She answered questions on ancillary topics; she answered questions specific to individual employees that were not related to their security clearance adjudication; and she agreed to follow-up with additional information that she was not able to immediately recall.

Consistent with its prior communications with the Committee, FBI was unable to authorize EAD Moore to answer certain questions at the time of the interview because they pertained to ongoing security clearance investigations and adjudications. The due diligence exercised in the FBI's security investigation and adjudication process is essential to both protect national security and comply with Executive Orders and Intelligence Community mandates.⁶ An individual who is the subject of a security clearance adjudication is entitled to a full and fair investigation. For these reasons, FBI was willing to have EAD Moore discuss information regarding matters that had been fully adjudicated by the FBI (though the Committee declined to engage on that offer), but we deferred discussing information regarding individual matters that are presently under investigation and review.

As explained in FBI's prior responses, when information indicates that an FBI employee may have acted contrary to the standards for a security clearance, both Executive Order 12968 and its implementing policy, the Office of the Director of National Intelligence's Security Executive Agent Directive Four, require the FBI to complete a thorough investigation. The investigation and subsequent adjudication must examine all available, reliable information about the employee, "past and present, favorable and unfavorable." Because Executive Order 12968 requires any doubt to be resolved in favor of national security, decisions regarding security clearance eligibility cannot be reached until the FBI's Security Programs Manager has had an opportunity to carefully weigh all of these variables.

Even, so, the Committee was also told during the transcribed interview that FBI would return to provide additional information that is responsive to the Committee's expressed interest

[Redacted]

[Redacted] See *Attempted Exclusion of Agency Counsel from Congressional Depositions of Agency Employees*, 43 Op. O.L.C. (2019). [Redacted]

b7E -4

[Redacted]

⁶ As the FBI has previously noted to the Committee, the Executive Branch's interests in protecting security clearance processes are particularly acute. Processes for granting, suspending, or terminating access to classified information at the FBI (or anywhere else) directly implicate what the Supreme Court has described as a "compelling interest in withholding national security information from unauthorized persons in the course of executive business." *Dep't of the Navy v. Egan*, 484 U.S. 518, 527 (1988) (quotation marks omitted). These processes are governed by executive orders pursuant to the President's "authority to protect such information ... as the head of the Executive Branch and as Commander in Chief." *Id.* Executive Order 12968 instructs that a decision to grant a security clearance "is a discretionary security decision." *Id.* § 3.1(b) (1996). A person may be granted a security clearance "only where facts and circumstances indicate access to classified information is clearly consistent with the national security interests of the United States." *Id.* Even after an employee receives a security clearance, the employing agency must ensure that the employee "continue[s] to meet the requirements for access" throughout the time the employee holds that clearance. *Id.* § 1.2(d).

The Honorable Jim Jordan

Page 4

b6 -1
b7C -1
b7E -5

in the basis [redacted]

[redacted] Rather than work to schedule a follow-up voluntary appearance that FBI offered, the Committee responded by handing EAD Moore a subpoena to appear for a deposition on May 10, 2023. That subpoena, however, is nearly blank—containing little more than her name, the Chairman’s signature, and a date for compliance. It contains nothing about the information FBI is expected to provide.

This record reflects the FBI’s commitment to accommodate while also upholding our duty to seek accommodations from the Committee to address Executive Branch and personal confidentiality interests, ultimately negotiating toward resolution. We sincerely hope that we can collectively follow the process of voluntary negotiation and compromise that has served both branches—and the public—well.

FBI’s Offer of Further Accommodation

The FBI respects the Committee’s oversight authority. Further, the FBI takes seriously the concerns expressed in the Committee’s January 27, 2023, letter, and agrees that suspensions of security clearances must not be determined by improper bias. Security clearance adjudications must proceed appropriately according to the standards set forth in executive orders and Executive Branch policies. We also agree that the FBI must protect the security clearance adjudication process from bias, whether by anyone within or outside of FBI.⁷ We therefore remain committed to providing information on a voluntary basis that protects the interests of both the Committee and the Executive Branch—and that treats all FBI personnel with fairness and respect.

As the FBI has made clear, a number of the individual adjudications the Committee expressed interest in during the April 24 interview remain pending. The confidentiality of security clearance adjudications, including deliberations regarding personnel decisions, is critical for protecting privacy interests and for maintaining the due process and integrity of personnel processes and internal investigations. This is particularly true while those proceedings are still ongoing. Providing Congress with information about pending adjudications could jeopardize privacy interests and undermine the integrity of the process by harming personal and institutional confidentiality interests and creating the risk of actual or perceived political interference in the outcomes.⁸

[redacted]
[redacted]
[redacted] This itself would be

b6 -1
b7C -1
b7E -5

⁷ See Letter from Robert Raben, Assistant Attorney General, Office of Legislative Affairs, Department of Justice, to Rep. John Linder, Chairman, Subcommittee on Rules and Organization, House Committee on Rules, at 3 (Jan. 27, 2000) (disclosing information about open matters “inescapably create the risk that the public and the courts will perceive undue political and Congressional influence over . . . decisions”).

⁸ *Id.* (“[W]e have sought whenever possible to provide information about closed, rather than open, matters.”).

The Honorable Jim Jordan
Page 5

a significant accommodation. We will also be able to respond to, and we expect assuage, questions about alleged bias as discussed in your January 27, 2023, letter.

As a necessary first step towards providing that information, we request the Committee identify which individual suspensions fall within the scope of its oversight interests expressed in the January 27 letter and, specifically, confirm that interests described in that letter relate to the same individuals referenced by the Committee during the April 24, 2023 transcribed interview.⁹ If this is indeed an accurate understanding of the universe of the Committee's requests, [REDACTED]

[REDACTED] Accordingly, the FBI is willing to authorize EAD Moore to appear again before the Committee, accompanied by agency counsel, to resume her transcribed interview and to provide more information responsive to the Committee's expressed interest [REDACTED]

[REDACTED] She is available to do so as soon as Friday, June 2, 2023. The FBI would agree to make her available once more [REDACTED] In the alternative, our concerns related to due process and employee privacy would be mitigated should the individuals at issue provide consent. In that case, although EAD Moore is unavailable to appear on May 10, we would be happy to find another date in short order to come back voluntarily before the Committee on this topic. We believe this path forward would provide important answers to the Committee's questions while respecting the significant individual privacy and institutional confidentiality interests.

Importance of Mutual Accommodation

The record to date demonstrates how the FBI has strived to work in good faith and has met its obligations under the governing legal framework of the constitutional accommodation process. We respectfully ask that the Committee operate within that same framework. Good faith efforts by both the Committee and responding agencies will enhance the ability of the 118th Congress to conduct effective oversight. Even the perception of eagerness for conflict will impede those efforts.

Finally, although the FBI is committed to engaging in the accommodations process to try to satisfy the Committee's informational needs, we must insist that all FBI employees are treated with the respect and professionalism they deserve. EAD Moore is a 28-year FBI special agent who has dedicated the vast majority of her service—more than 22 years—to work in FBI field offices. The subpoena singles her out to hold her personally responsible for institutional decisions of the FBI and longstanding positions of the Executive Branch. Moreover, the Committee has never specified the precise subject matter of the information it seeks from Ms. Moore. The Committee rejected FBI's efforts to discover what allegations or individuals EAD Moore would be questioned about so that she could prepare to answer accurately and appropriately. In essence, the Committee was telling her to guess. Her willingness to participate

⁹ Federal employees have significant privacy and due process interests in confidentiality regarding their personnel files and adjudications of personnel actions. Although the Privacy Act exempts certain congressional requests from its protections, none of the correspondence to EAD Moore—nor the April 24, 2023, subpoena—include any description of the information the Committee seeks. That basis provided so far is, therefore, less than what a court may require to clearly establish coverage under the exemption. *See* 5 U.S.C. § 552a(9).

b6 -1
b7C -1
b7E -5

The Honorable Jim Jordan
Page 6

voluntarily speaks to her commitment to public service. As head of the Human Resources Branch, EAD Moore is the signatory on many formal personnel actions for the entire Bureau, which employs approximately 35,000 people. Hundreds of personnel actions, including security clearance adjudications, are ongoing at the FBI at any given time. It is doubtful that anyone at the Human Resources Branch would be in a position to answer questions regarding any particular action without more specific notice. Thus, the Committee failed to put EAD Moore on notice of the question under inquiry and undermined her ability to prepare for the April 24, 2023, voluntary interview. As referenced above, the subpoena is effectively blank and lacks particularity. That unfair treatment was compounded by the Committee's subsequent direct email communication to EAD Moore, in which the Committee effectively pressured her to retain personal counsel—potentially at direct cost to herself—despite the fact that the Committee's demands relate exclusively to facts within the scope of the performance of her official duties for the FBI.¹⁰

The FBI remains committed to resolving these issues amicably and to finding a way to provide the Committee with the information you need to conduct legitimate oversight while protecting Executive Branch and individual privacy rights.

Sincerely,



Christopher Dunham
Acting Assistant Director

cc: The Honorable Jerrold L. Nadler
Ranking Member

¹⁰ See *Attempted Exclusion of Agency Counsel from Congressional Depositions of Agency Employees*, 43 Op. OLC (2019).

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 23-cv-3003

Total Deleted Page(s) = 11

- Page 1 ~ Duplicate;
- Page 2 ~ Duplicate;
- Page 3 ~ Duplicate;
- Page 4 ~ Duplicate;
- Page 5 ~ Duplicate;
- Page 6 ~ Duplicate;
- Page 7 ~ Duplicate;
- Page 8 ~ Duplicate;
- Page 9 ~ Duplicate;
- Page 10 ~ Duplicate;
- Page 11 ~ Duplicate;

```
XXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
X Deleted Page(s) X  
X No Duplication Fee X  
X For this Page X  
XXXXXXXXXXXXXXXXXXXXXXXXXXXXX
```