

Congress of the United States
Washington, DC 20515

August 13, 2022

The Honorable Avril Haines
Director of National Intelligence
Office of the Director of National Intelligence
Washington, D.C. 20511

Dear Director Haines:

We write to request an immediate review and damage assessment following reports that former President Trump removed and retained highly classified information at his personal residence at the Mar-a-Lago Club in Palm Beach, Florida, in potential violation of the Presidential Records Act and laws protecting national security, including the Espionage Act.¹ Those entrusted with access to classified information have a duty and an obligation to protect it. Yet, a recently unsealed court-authorized search warrant and the inventory of property recovered at the Mar-a-Lago Club describe numerous classified documents held by former President Trump, including Top Secret/Sensitive Compartmented Information (TS/SCI) material—among the most sensitive and highly protected information in the U.S. Government.² Former President Trump’s conduct has potentially put our national security at grave risk. This issue demands a full review, in addition to the ongoing law enforcement inquiry.

On Monday, August 8, the Federal Bureau of Investigation (FBI) conducted a court-authorized search of former President Trump’s Mar-a-Lago Club and removed at least 27 boxes of materials.³ The search followed months of reported back-and-forth between federal investigators and the former President regarding U.S. Government property that may have been improperly retained following the end of the Trump Administration, some of which was reportedly kept in a storage area at the Mar-a-Lago Club.⁴

According to the search warrant and property log recently unsealed, the recovered materials span 45 categories, including 11 sets of classified documents ranging from

¹ Search and Seizure Warrant and Receipts for Property (Redacted), *In re Sealed Search Warrant*, No. 22-MJ-8332-BER (S.D. Fla. Aug. 11, 2022), Doc. 17; *see, e.g.*, 44 U.S.C. § 2203(g)(1); 18 U.S.C. § 793.

² Search and Seizure Warrant and Receipts for Property (Redacted), *In re Sealed Search Warrant*, No. 22-MJ-8332-BER (S.D. Fla. Aug. 11, 2022), Doc. 17; Executive Order 13526 (Dec. 29, 2009) (online at www.archives.gov/isoo/policy-documents/cnsi-eo.html).

³ *Id.*

⁴ *FBI Executes Search Warrant at Trump’s Mar-a-Lago in Document Investigation*, CNN (Aug. 9, 2022) (online at www.cnn.com/2022/08/08/politics/mar-a-lago-search-warrant-fbi-donald-trump/index.html); *FBI Search of Trump Property Prompted by Concerns over Sensitive Documents*, Wall Street Journal (Aug. 9, 2022) (online at www.wsj.com/articles/fbi-search-of-trumps-florida-home-mar-a-lago-is-criticized-by-republicans-11660049490); *Trump Search Said to Be Part of Effort to Find Highly Classified Material*, New York Times (Aug. 11, 2022) (online at www.nytimes.com/2022/08/11/us/politics/trump-fbi-subpoena.html).

“Confidential” to “Secret” to “Top Secret” and “TS/SCI documents.”⁵ The unauthorized disclosure of Top Secret information would cause “exceptionally grave damage to the national security.”⁶ In addition, at least one report indicates that FBI’s investigation focused in part on highly classified documents “relating to nuclear weapons,” which are among our nation’s most closely guarded secrets.⁷ If this report is true, it is hard to overstate the national security danger that could emanate from the reckless decision to remove and retain this material.

Both the Oversight Committee and the House Permanent Select Committee on Intelligence have conducted oversight of issues presented by the apparent mishandling of government records, both during and after the Trump Administration. In February, Chairwoman Maloney wrote to the National Archives and Records Administration (NARA) expressing serious concerns that records “appear to have been removed from the White House in violation of the Presidential Records Act” and that reports indicated that “President Trump repeatedly attempted to destroy presidential records.”⁸ While the former President returned 15 boxes of records to NARA earlier this year, recent developments show he continued to retain sensitive and classified materials belonging to the U.S. Government.

Under Intelligence Community (IC) directives issued by your office, damage assessments are used “to evaluate actual or potential damage to national security resulting from the unauthorized disclosure or compromise of classified national intelligence.” IC Directive 732 states:

In cases where the unauthorized disclosure or compromise involves classified national intelligence originating from or otherwise affecting more than one IC element or U.S. Government department or agency, there will be a Community damage assessment. Such damage assessments shall include participation and support from the affected IC elements and other representatives as directed by the DNI.⁹

The Directive charges DNI’s National Counterintelligence Executive to “[o]versee and coordinate equity reviews and formal damage assessments within the IC” and “[l]ead, when designated by the DNI, or facilitate damage assessment teams when the unauthorized disclosure

⁵ Search and Seizure Warrant and Receipts for Property (Redacted), *In re Sealed Search Warrant*, No. 22-MJ-8332-BER (S.D. Fla. Aug. 11, 2022), Doc. 17.

⁶ Executive Order 13526 (Dec. 29, 2009) (online at www.archives.gov/isoo/policy-documents/ensi-co.html).

⁷ *FBI Searched Trump’s Home to Look for Nuclear Documents and Other Items, Sources Say*, Washington Post (Aug. 12, 2022) (online at www.washingtonpost.com/national-security/2022/08/11/garland-trump-mar-a-lago/).

⁸ Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, to David S. Ferriero, Archivist of the United States, National Archives and Records Administration (Feb. 9, 2022) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2022-02-09.CBM%20to%20Ferriero-NARA%20re%20Trump%20Mar-a-Lago%20FINAL.pdf>).

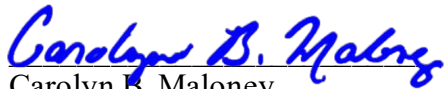
⁹ Office of the Director of National Intelligence, *Intelligence Community Directive 732* (June 27, 2014) (online at www.dni.gov/files/documents/ICD/ICD%20732.pdf).

or compromise involves classified national intelligence affecting more than one IC element or U.S. Government department or agency.”¹⁰

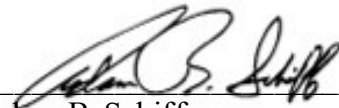
The facts that are now public make clear that a damage assessment is appropriate. If you have not already done so, we request that you instruct the National Counterintelligence Executive, in consultation with the Inspector General of the Intelligence Community and other Inspectors General as appropriate, to conduct a damage assessment. In addition, we ask that you commit to providing an appropriate classified briefing on the conduct of the damage assessment as soon as possible. Even as the Justice Department’s investigation proceeds, ensuring that we take all necessary steps to protect classified information and mitigate the damage to national security done by its compromise is critically important.

Thank you for your prompt attention to this urgent matter.

Sincerely,



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



Adam B. Schiff
Chairman
House Permanent Select
Committee on Intelligence

cc: The Honorable James Comer, Ranking Member
Committee on Oversight and Reform

The Honorable Michael Turner, Ranking Member
House Permanent Select Committee on Intelligence

¹⁰ *Id.*

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DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC

AUG 26 2022

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, DC 20515

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

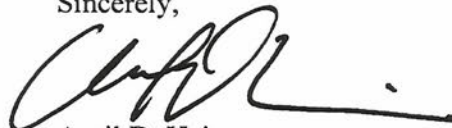
Chairwoman Maloney and Chairman Schiff:

Thank you for your August 13, 2022 letter regarding a recent court-approved search conducted by the Federal Bureau of Investigation (FBI).

The Department of Justice (DOJ) and the Office of the Director of National Intelligence (ODNI) are working together to facilitate a classification review of relevant materials, including those recovered during the search. ODNI will also lead an Intelligence Community (IC) assessment of the potential risk to national security that would result from the disclosure of the relevant documents. ODNI will closely coordinate with DOJ to ensure this IC assessment is conducted in a manner that does not unduly interfere with DOJ's ongoing criminal investigation.

If you have further questions, please do not hesitate to contact me.

Sincerely,



Avril D. Haines

Cc:

The Honorable James Comer
The Honorable Michael R. Turner

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DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC

AUG 26 2022

The Honorable Mark R. Warner
Chairman
Select Committee on Intelligence
United States Senate
Washington, DC 20510

The Honorable Marco Rubio
Vice Chairman
Select Committee on Intelligence
United States Senate
Washington, DC 20510

Chairman Warner and Vice Chairman Rubio:

Thank you for your August 14, 2022 letter regarding a recent court-approved search conducted by the Federal Bureau of Investigation (FBI).

The Department of Justice (DOJ) and the Office of the Director of National Intelligence (ODNI) are working together to facilitate a classification review of relevant materials, including those recovered during the search. ODNI will also lead an Intelligence Community (IC) assessment of the potential risk to national security that would result from the disclosure of the relevant documents. ODNI will closely coordinate with DOJ to ensure this IC assessment is conducted in a manner that does not unduly interfere with DOJ's ongoing criminal investigation.

If you have further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Avril D. Haines', written in a cursive style.

Avril D. Haines

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DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC

AUG 26 2022

The Honorable Michael R. Turner
Ranking Member
Permanent Select Committee on Intelligence
U.S. House of Representatives
Washington, DC 20515


Ranking Member Turner:

Thank you for your August 19, 2022 letter regarding a recent court-approved search conducted by the Federal Bureau of Investigation (FBI).

The Department of Justice (DOJ) and the Office of the Director of National Intelligence (ODNI) are working together to facilitate a classification review of relevant materials, including those recovered during the search. ODNI will also lead an Intelligence Community (IC) assessment of the potential risk to national security that would result from the disclosure of the relevant documents. ODNI will closely coordinate with DOJ to ensure this IC assessment is conducted in a manner that does not unduly interfere with DOJ's ongoing criminal investigation.

If you have further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Avril D. Haines', with a stylized flourish at the end.

Avril D. Haines

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From: Evers, Austin (ODAG)
Subject: RE: Draft Letter
To: Uriarte, Carlos F. (OLA)
Cc: (b) (6) (OLA)
Sent: August 13, 2022 5:24 PM (UTC-04:00)
Attached: 2022.08.13 MAL Draft Response (CFU) (ARE).docx

Thanks for teeing this up. I think this is (b) (5)

Let me know what you think – maybe we can do a quick call Sunday?

From: Uriarte, Carlos F. (OLA) <(b) (6)>
Sent: Saturday, August 13, 2022 3:40 PM
To: Evers, Austin (ODAG) <(b) (6)>
Cc: (b) (6) (OLA) <(b) (6)>
Subject: Draft Letter

Austin,

Attached please find a draft letter regarding the motion to unseal the search warrant related to the former president's Florida property.

I will send a separate email with the incoming letters.

Please let me know if you have any questions or suggestions.

Carlos

From: Evers, Austin (ODAG)
Subject: Fwd: Chairman Warner/Vice Chairman Rubio Letter to DNI Haines and AG Garland - COMMITTEE SENSITIVE
To: Klapper, Matthew B. (OAG)
Sent: August 14, 2022 4:24 PM (UTC-04:00)
Attached: odni-briefing-request.pdf, 220814 - C-VC Letter to DNI-AG.pdf

Austin R. Evers
(b) (6) (m)

Begin forwarded message:

From: "Evers, Austin (ODAG)" <(b) (6)>
Date: August 14, 2022 at 4:08:10 PM EDT
To: "Newman, David A. (ODAG)" <(b) (6)> "Atkinson, Lawrence (ODAG)" <(b) (6)> "Miller, Marshall (ODAG)" <(b) (6)>
Subject: Re: Chairman Warner/Vice Chairman Rubio Letter to DNI Haines and AG Garland - COMMITTEE SENSITIVE

There also this one from Schiff to DNI.

Austin R. Evers
(b) (6) (m)

On Aug 14, 2022, at 4:02 PM, Evers, Austin (ODAG) <(b) (6)> wrote:

I'm talking to Carlos in a minute.

Austin R. Evers
(b) (6) (m)

Begin forwarded message:

From: "(b) (6) (OLA)" <(b) (6)>
Date: August 14, 2022 at 3:22:33 PM EDT
To: "Evers, Austin (ODAG)" <(b) (6)> "Uriarte, Carlos F. (OLA)" <(b) (6)>
Subject: FW: Chairman Warner/Vice Chairman Rubio Letter to DNI Haines and AG Garland - COMMITTEE SENSITIVE

Carlos & Austin – please see attached incoming from Sens. Warner & Rubio.

Thanks,

(b) (6)

From: Fisher, Janet (Intelligence) (b) (6)
Sent: Sunday, August 14, 2022 11:12 AM
To: Matthew Rhoades (b)(3), (b)(6); (b)(3), (b)(6)
(b)(3), (b)(6); (b)(6) (OLA)
<(b)(6)> (b)(6) (OLA) <(b)(6)>
(b)(6) (OLA) <(b)(6)>
Cc: Walsh, Brian (Intelligence) (b)(6); McFeely, Tara
(Intelligence) (b)(6) Casey, Mike (Intelligence)
(b)(6); Wu, William (Intelligence)
(b)(6)
Subject: [EXTERNAL] Chairman Warner/Vice Chairman Rubio Letter to DNI
Haines and AG Garland - COMMITTEE SENSITIVE

All –

Please see the attached letter from Chairman Warner and Vice Chairman Rubio to Director of National Intelligence Haines and Attorney General Garland. This letter is Committee Sensitive.

Please confirm receipt from both ODNI and DoJ.

Thank you.

Janet Fisher
United States Senate Select Committee on Intelligence
(b) (6)

COMMITTEE SENSITIVE

MARK R. WARNER, VIRGINIA, CHAIRMAN
MARCO RUBIO, FLORIDA, VICE CHAIRMAN

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KIRSTEN GILLIBRAND, NEW YORK

RICHARD BURR, NORTH CAROLINA
JAMES E. RISCH, IDAHO
SUSAN M. COLLINS, MAINE
ROY BLUNT, MISSOURI
TOM COTTON, ARKANSAS
JOHN CORNYN, TEXAS
BEN SASSE, NEBRASKA

United States Senate

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WASHINGTON, DC 20510-6475

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August 14, 2022

The Honorable Avril Haines
Director of National Intelligence
Office of the Director of National Intelligence
Washington, D.C. 20511

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Dear Director Haines and Attorney General Garland:

As the Chair and Vice Chair of the Senate Select Committee on Intelligence, we write to request that you provide to the Committee information relating to the search of former President Donald Trump's Mar-a-Lago residence, which appears to involve classified documents pertaining to intelligence matters under this Committee's jurisdiction.

In the Attorney General's statement on Thursday, August 11, he noted the substantial public interest in this matter, which involves the unprecedented search of the home of a former president. At times like these, the need for bipartisan and responsible oversight of the actions of the Executive Branch is at its highest. Further, our Committee is charged with overseeing counterintelligence matters, including the handling and mishandling of classified information, which are at the core of the search executed at Mar-a-Lago.

Consistent with our oversight duties, we request that you provide to the Committee within 10 days of your receipt of this letter, in a manner compliant with the need to protect an ongoing investigation, all classified documents that were seized in the search of Mar-a-Lago, as well as an assessment of the risk to national security if those classified documents were to be exposed in public or to a foreign adversary. We also request that you provide to the Committee, consistent with federal legal obligations and in a manner that protects the identity of any relevant confidential human sources, all materials relevant to understanding the rationale behind and justification for the search, including but not limited to the underlying affidavit and all associated attachments and exhibits.

COMMITTEE SENSITIVE

COMMITTEE SENSITIVE

Sincerely,



Mark R. Warner
Chairman



Marco Rubio
Vice Chairman

COMMITTEE SENSITIVE

From: (b) (6) (ODAG)
Subject: FW: Letters
To: (b) (6) (ODAG)
Sent: August 15, 2022 7:00 PM (UTC-04:00)
Attached: 2022-08-12-IN-OLA-Scott-Mar a Largo raid.pdf, 2022-08-10-IN-FBI-Johnson- Mar a Lago raid.pdf, 2022.08.08_FBI Director_Mar-a-Lago Raid Briefing.pdf, 2022.08.09_FBI Director_Records Production and Preservation.pdf, 08.10.22 Rubio to FBI Wray re Trump Raid.pdf

Let's hit print

From: Evers, Austin (ODAG) <(b) (6)>
Sent: Friday, August 12, 2022 6:26 PM
To: (b) (6) (ODAG) <(b) (6)> (b) (6) (ODAG) <(b) (6)>
(b) (6) (ODAG) <(b) (6)>
Subject: Letters

These may be good to include as a set in the DAG's book (some she may have seen earlier this week but we plan to organize a standard response through OLA on Monday).

Austin R. Evers

Office of the Deputy Attorney General
U.S. Department of Justice

(b) (6) (m)
(b) (6) (o)

From: (b) (6) (ODAG)
Subject: FW: Mike Turner MAL letter
To: (b) (6) (ODAG); (b) (6) (ODAG)
Cc: (b) (6) (ODAG)
Sent: August 19, 2022 2:51 PM (UTC-04:00)
Attached: 2022.08.19_AG Garland_Mar-A-Lago.pdf, 2022.08.08_FBI Director_Mar-a-Lago Raid Briefing.pdf, 2022.08.12_FBI Director_Request for Response on Informant.pdf, 2022.08.09_FBI Director_Records Production and Preservation.pdf

From: Evers, Austin (ODAG) <(b) (6)>
Sent: Friday, August 19, 2022 2:39 PM
To: (b) (6) (ODAG) <(b) (6)>
Cc: Miller, Marshall (ODAG) <(b) (6)> Newman, David A. (ODAG) <(b) (6)>
Atkinson, Lawrence (ODAG) <(b) (6)>
Subject: FW: Mike Turner MAL letter

Please share the 8-19-22 letter with the DAG. The rest have been shared before.

From: (b) (6) (OLA) <(b) (6)>
Sent: Friday, August 19, 2022 11:53 AM
To: Uriarte, Carlos F. (OLA) <(b) (6)> Evers, Austin (ODAG) <(b) (6)>
Subject: Mike Turner MAL letter

FYI – we just received a new incoming from Mike Turner (HPSCI RM) demanding a briefing. This is the third Turner letter to the AG (plus one additional to Wray.)

Michael R. Turner, Ohio
Ranking Member

Brad R. Wenstrup, Ohio
Chris Stewart, Utah
Rick Crawford, Arkansas
Elise M. Stefanik, New York
Markwayne Mullin, Oklahoma
Trent Kelly, Mississippi
Darin LaHood, Illinois
Brian Fitzpatrick, Pennsylvania
Mike Gallagher, Wisconsin

Kevin McCarthy, California
Republican Leader

UNCLASSIFIED
U.S. HOUSE OF REPRESENTATIVES
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE MINORITY

HVC-304, The Capitol
Washington, DC 20515
202-225-4121

Adam Howard
Minority Staff Director

August 19, 2022

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Dear Attorney General Garland:

On Monday, August 8, 2022, the Federal Bureau of Investigation (FBI) conducted a court-authorized search of former President Trump's Mar-a-Lago residence and removed at least 45 enumerated items (27 boxes and 18 items grouped with imprecise labeling such as various, miscellaneous and or binders). The recently unsealed search warrant and receipt for property seized during this search includes at least 11 enumerated items purportedly containing classification markings.

I request an immediate briefing by you to Members of the House Permanent Select Committee on Intelligence concerning your perceived risk to national security that mandated your selection of the most aggressive use of authority to resolve your concerns. Additionally, a detailed description of the materials and documents that were confiscated, a determination of their classification status, and the potential or perceived risks to national security posed by storage of these materials inside a guarded facility.

Both the unprecedented nature of this search and the assertions of national security threats posed by the alleged mishandling of the seized documents requires immediate Congressional attention and review. Thus, I also request your assistance in providing Members of this Committee the opportunity to review all seized documents used in support of the search warrant application and affidavit of probable cause, as well as all documents containing classification markings seized by the FBI.

Thank you for your attention to this matter.

Sincerely,



Michael R. Turner
Ranking Member

From: (b) (6) (OLA)
Subject: FW: Chairman Warner/Vice Chairman Rubio Letter to DNI Haines and AG Garland - COMMITTEE SENSITIVE
To: Uriarte, Carlos F. (OLA); (b) (6) (OLA); Evers, Austin (ODAG); Newman, David A. (ODAG); (b)(6),(b)(7)(C) per NSD (NSD); Freedman, Brett (NSD)
Sent: August 24, 2022 2:29 PM (UTC-04:00)
Attached: 220814 - C-VC Letter to DNI-AG.pdf

FYI – flagging new email from SSCI (see message below).

From: McFeely, Tara (Intelligence) (b) (6)
Sent: Wednesday, August 24, 2022 2:27 PM
To: Matthew Rhoades (b)(3), (b)(6); (b)(3), (b)(6) (b) (6) (OLA)
<(b) (6) (b) (6) (OLA) <(b) (6) (b) (6) (OLA)
<(b) (6)
Cc: Walsh, Brian (Intelligence) (b) (6) Casey, Mike (Intelligence)
(b) (6) Wu, William (Intelligence) (b) (6); Losick, Eric (Intelligence)
(b) (6); Roberts, Samantha (Intelligence) (b) (6); Fisher, Janet
(Intelligence) (b) (6)
Subject: [EXTERNAL] FW: Chairman Warner/Vice Chairman Rubio Letter to DNI Haines and AG Garland - COMMITTEE SENSITIVE

Good Afternoon All,

Can the Chairman and Vice Chairman be expecting delivery today of material responsive to their letter dated August 14?

Thank you,
Tara

Tara C. McFeely

Deputy Staff Director for the Minority
U.S. Senate Select Committee on Intelligence
(b) (6)

From: Fisher, Janet (Intelligence) (b) (6)
Sent: Sunday, August 14, 2022 11:12 AM
To: Matthew Rhoades (b)(3), (b)(6); (b)(3), (b)(6); (b) (6)
(OLA) <(b) (6) (b) (6) (OLA) <(b) (6) (b) (6) (OLA)
<(b) (6)
Cc: Walsh, Brian (Intelligence) (b) (6); McFeely, Tara (Intelligence)
(b) (6); Casey, Mike (Intelligence) (b) (6) Wu, William
(Intelligence) (b) (6)
Subject: Chairman Warner/Vice Chairman Rubio Letter to DNI Haines and AG Garland - COMMITTEE SENSITIVE

All –
Please see the attached letter from Chairman Warner and Vice Chairman Rubio to Director of National Intelligence Haines and Attorney General Garland. This letter is Committee Sensitive.

Please confirm receipt from both ODNI and DoJ.

Thank you.

Janet Fisher

United States Senate Select Committee on Intelligence

(b) (6)

From: Hornbuckle, Wyn (PAO)
Subject: OPA Nightly Look Ahead Aug. 24, 2022
To: Iverson, Dena (PAO); Coley, Anthony D. (PAO); Klapper, Matthew B. (OAG); Gupta, Vanita (OASG); Colangelo, Matthew (OASG); Henthorne, Betsy (OASG); Schedule, DAG (SMO); Toomey, Kathleen (ODAG); Goodlander, Margaret V. (OAG); Matthews-Johnson, Tamarra D. (OAG); Visser, Tim (OAG); Reich, Mitchell (OAG); (b) (6) (OAG); Miller, Marshall (ODAG); Bruck, Andrew (ODAG); Uriarte, Carlos F. (OLA)
Sent: August 24, 2022 6:33 PM (UTC-04:00)

DOCUMENT CONTAINS LAW ENFORCEMENT SENSITIVE AND/OR SEALED INFORMATION

DO NOT SHARE OUTSIDE OF ORIGINAL RECIPIENT LIST

**OPA Nightly Look Ahead
August 24, 2022**

Stories of Note:

- **Stories on new information related to the murder of Whitey Bulger.**

NBC and *WCVB-TV* Boston are reporting on new information about the murder of Whitey Bulger, which was revealed in Sean McKinnon's court hearing yesterday, showing that inmates had advance knowledge of Bulger's incoming transfer to Hazelton and that they had access to his cell to kill him within 12 hours of his arrival. BOP is referring media to the U.S. Attorney's Office in the Northern District of West Virginia which is handling the prosecution. (Shea)

Leading the Day:

- DOJ will file in the Southern District of Florida proposed redactions to the affidavit in support of the warrant issued for the search of former President Trump's Mar a Lago estate. The court will consider the proposed redactions to determine what portions of the affidavit to make public following a request by multiple media organization for the document's release.
- The Department may announce whether or not it will appeal the District Court's decision in *State of Texas, et al., v. Xavier Becerra, et al.* (Tentative)

Expected Releases:

O V W

The Department of Justice will announce nearly \$50 million in Office on Violence Against Women (OVW) grants to provide survivors of gender-based violence with access to legal services and improve effective coordination of justice systems impacting victim and family safety.

CRT | SDIN

The Justice Department will announce that it has entered into a settlement agreement with the Indiana State Board of Nursing (Nursing Board) to resolve claims it violated Title II of the Americans with Disabilities Act (ADA). The settlement agreement ensures that nurses who take medication to treat opioid use disorder (OUD) can remain on their medication when participating in the Indiana State Nursing Assistance Program.

CRT | WDWI

A federal judge in Western District of Wisconsin will sentence Cory Hereford, 51, to 20 years in prison for sex trafficking and related charges.

CRT | MDL

Assistant Attorney General Kristen Clarke of the Civil Rights Division and U.S. Attorney Roger Handberg for the Middle District of Florida and Special Agent in Charge David Walker of the FBI Tampa Field Office are expected to announce a verdict in the jury trial in Tampa, Florida, of Jordan Patrick Leahy, 29, for racially-motivated hate crimes and an attack against a Black family.

DOCUMENT CONTAINS LAW ENFORCEMENT SENSITIVE AND/OR SEALED INFORMATION

DO NOT SHARE OUTSIDE OF ORIGINAL RECIPIENT LIST

From: Freedman, Brett (NSD)
Subject: Re: Outlines
To: Evers, Austin (ODAG)
Sent: August 24, 2022 8:27 PM (UTC-04:00)
Attached: Briefing outline.docx, Damage Assessments.docx

Thx. Will take a look.

Sent from my iPhone

On Aug 24, 2022, at 7:58 PM, Evers, Austin (ODAG) <(b) (6)> wrote:

My preliminary work product only, so not ratified and to be taken with several grains of salt.

Austin R. Evers

Office of the Deputy Attorney General

U.S. Department of Justice

(b) (6) (m)

(b) (6) (o)

From: Newman, David A. (ODAG)
Subject: Re: Draft
To: Uriarte, Carlos F. (OLA); Evers, Austin (ODAG)
Sent: August 25, 2022 8:11 AM (UTC-04:00)
Attached: 2022.08.24 MAL Draft Response - SSCI.docx

Was a decision made (b) (5)? As you know, (b) (5)

On Aug 25, 2022, at 2:01 PM, Uriarte, Carlos F. (OLA) <(b) (6)> wrote:

Current DOJ draft, attached.

Carlos Felipe Uriarte
Assistant Attorney General
U.S. Department of Justice
Office of Legislative Affairs

(b) (6)
(b) (6)

From: Evers, Austin (ODAG)
Subject: Letters
To: Uriarte, Carlos F. (OLA); Matthew Rhoades; Christopher Fonzone; Newman, David A. (ODAG); (b)(3), (b)(6)
Sent: August 25, 2022 9:08 AM (UTC-04:00)
Attached: DOJ ODNI Response Draft.docx, 2022.08.24 MAL Draft Response - SSCI (002).docx

Updated in light of our discussion.

Austin R. Evers

Office of the Deputy Attorney General
U.S. Department of Justice

(b) (6) (m)
(b) (6) (o)

From: Evers, Austin (ODAG)
Subject: FW: Letters
To: Miller, Marshall (ODAG)
Cc: Uriarte, Carlos F. (OLA)
Sent: August 25, 2022 12:21 PM (UTC-04:00)
Attached: DOJ ODNl Response Draft.docx, 2022.08.24 MAL Draft Response - SSCI (002).docx

Operative letter drafts as of this morning. I will also bring copies to the 1:15.

From: Evers, Austin (ODAG)
Sent: Thursday, August 25, 2022 9:08 AM
To: Uriarte, Carlos F. (OLA) <(b) (6)>; Matthew Rhoades <(b)(3), (b)(6)>;
Christopher Fonzone <(b)(3), (b)(6)>; Newman, David A. (ODAG) <(b) (6)>
<(b)(3), (b)(6)> <(b)(3), (b)(6)>
Subject: Letters

Updated in light of our discussion.

Austin R. Evers
Office of the Deputy Attorney General
U.S. Department of Justice
(b) (6) (m)
(b) (6) (o)

From: Christopher Fonzone
Subject: [EXTERNAL] RE: Letters
To: Evers, Austin (ODAG); Uriarte, Carlos F. (OLA); Newman, David A. (ODAG)
Cc: Matthew Rhoades; (b)(3), (b)(6)
Sent: August 25, 2022 1:35 PM (UTC-04:00)
Attached: ODNI Response Draft (25 August 2022) v2.docx, 2022.08.24 MAL Draft Response - SSCI (edit).docx

Sorry, please use the attached versions (as I caught a typo). Many thanks, Chris

From: Christopher Fonzone
Sent: Thursday, August 25, 2022 1:32 PM
To: 'Evers, Austin (ODAG)' <(b)(6)> Uriarte, Carlos F. (OLA) <(b)(6)> Newman, David A. (ODAG) <(b)(6)>
Cc: Matthew Rhoades (b)(3), (b)(6)
Subject: RE: Letters

Austin, Carlos, David –

Thanks for the call this morning and the draft of your letter and suggestions on ours.

Attached please find some minor tweaks from us to both.

We have not yet had the chance to run these by the DNI, and we may thus have further revisions (after we have a chance to connect with her later today).

But we wanted to get you these thoughts as quickly as possible so that you can incorporate them into your review.

Many thanks,

Chris

From: Evers, Austin (ODAG) <(b)(6)>
Sent: Thursday, August 25, 2022 9:08 AM
To: Uriarte, Carlos F. (OLA) <(b)(6)> Matthew Rhoades (b)(3), (b)(6); Christopher Fonzone (b)(3), (b)(6); Newman, David A. (ODAG) <(b)(6)> (b)(3), (b)(6)
Subject: Letters

Updated in light of our discussion.

Austin R. Evers

Office of the Deputy Attorney General
U.S. Department of Justice

(b)(6) (m)
(b)(6) (o)

From: Newman, David A. (ODAG)
Subject: Re: Letters
To: Uriarte, Carlos F. (OLA)
Cc: Evers, Austin (ODAG)
Sent: August 25, 2022 4:22 PM (UTC-04:00)
Attached: 2022.08 a.pdf, ODNI Response Draft (25 August 2022) v2 a.pdf

Good here. Thank you.

On Aug 25, 2022, at 10:16 PM, Uriarte, Carlos F. (OLA) <(b) (6)> wrote:

My quick reaction is that these are very positive changes.

Austin, do you mind adding the language (b) (5) ?

Note, my vote is to (b) (5)

If David is good with these changes, i am happy to flip the redline to fbi for review.

On Aug 25, 2022, at 4:06 PM, Evers, Austin (ODAG) <(b) (6)> wrote:

With a attachments

From: Evers, Austin (ODAG)
Sent: Thursday, August 25, 2022 4:04 PM
To: Uriarte, Carlos F. (OLA) <(b) (6)> Newman, David A. (ODAG)
<(b) (6)>
Subject: RE: Letters

DOJ only – PDF versions so you can read on your phones. I’m ok with this. Carlos, how do we get this to FBI?

From: (b)(3), (b)(6)
Sent: Thursday, August 25, 2022 1:35 PM

Duplicative Records

From: (b) (6)
Subject: Fwd: Draft letters
To: Freedman, Brett (NSD)
Sent: August 25, 2022 4:57 PM (UTC-04:00)
Attached: ODNI Response Draft (25 August 2022) v2.docx, 2022.08.24 MAL Draft Response - SSCI (edit) (002).docx

FYI.

Begin forwarded message:

From: "Evers, Austin (ODAG)" <(b) (6)>
Date: August 25, 2022 at 10:30:49 PM GMT+2
To: "Uriarte, Carlos F. (OLA)" <(b) (6)>
Cc: "Newman, David A. (ODAG)" <(b) (6)>
Subject: Draft letters

ODNI's edits to their letter attached.

Our draft attached with ODNI's edits, (b) (5)

(we can edit further as things develop over the next 24 hours).

Austin R. Evers

Office of the Deputy Attorney General
U.S. Department of Justice

(b) (6) (m)
(b) (6) (o)

From: Freedman, Brett (NSD)
Subject: Re: [EXTERNAL] RE: Letters
To: Christopher Fonzone
Cc: Evers, Austin (ODAG); Uriarte, Carlos F. (OLA); Newman, David A. (ODAG); Matthew Rhoades; (b)(3), (b)(6)
Tyson, Jill Courtney (OCA) (FBI)
Sent: August 25, 2022 7:58 PM (UTC-04:00)
Attached: ODNI Response Draft (25 August 2022) v3.docx, 2022.08.24 MAL Draft Response - SSCI (edit) v2.docx

+ Jill

Sent from my iPhone

On Aug 25, 2022, at 7:51 PM, Christopher Fonzone (b)(3), (b)(6) wrote:

+ Brett

DOJ Colleagues –

As discussed, please find the draft letters, with minor changes (which are highlighted) from the last version we sent you.

Also, we should probably have a sync tomorrow AM to finalize the letters – just let us know what works for you.

Many thanks,

Chris

P.S. – Please feel free to share with the right people at the FBI; I just didn't have email addresses at the ready for the folks on the phone.

From: Christopher Fonzone
Sent: Thursday, August 25, 2022 1:35 PM

Duplicative Records

From: Hornbuckle, Wyn (PAO)
Subject: RE: OPA Nightly Look Ahead Aug. 25, 2022
To: Iverson, Dena (PAO); Coley, Anthony D. (PAO); Klapper, Matthew B. (OAG); Gupta, Vanita (OASG); Colangelo, Matthew (OASG); Henthorne, Betsy (OASG); Schedule, DAG (SMO); Toomey, Kathleen (ODAG); Goodlander, Margaret V. (OAG); Matthews-Johnson, Tamarra D. (OAG); Visser, Tim (OAG); Reich, Mitchell (OAG); (b) (6) (OAG); Miller, Marshall (ODAG); Bruck, Andrew (ODAG); Uriarte, Carlos F. (OLA)
Sent: August 25, 2022 10:46 PM (UTC-04:00)

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DO NOT SHARE OUTSIDE OF ORIGINAL RECIPIENT LIST

**OPA Nightly Look Ahead
August 25, 2022**

Leading the Day:

- Tomorrow morning, per the court's order today in the Southern District of Florida, the Department will file the redacted search warrant affidavit relating to the court-approved search of Mar-a-Lago.
- The Department may file a voluntary dismissal of the U.S. v Texas challenge to SB 8. OPA has background TPs from the Associate's office to use, if asked.

Expected Releases:

CRM | WDWA

The Department of Justice will announce that more than \$1.2 million in forfeited funds from an international tax fraud and money laundering case will be returned to the government of Romania. The funds are the proceeds of the sale of property located in the State of Washington that were owned by a Romanian couple who were extradited back to Romania at the request of the Romanian government.

CRT | EDTN

A former law enforcement officer in Chattanooga, Tennessee, will be sentenced for using excessive force against arrestees.

Tentative Releases

CRT | SDIN

The Justice Department will announce that it has entered into a settlement agreement with the Indiana State Board of Nursing to resolve claims it violated Title II of the Americans with Disabilities Act. The settlement agreement ensures that nurses who take medication to treat opioid use disorder can remain on their medication when participating in the Indiana State Nursing Assistance Program.

DOCUMENT CONTAINS LAW ENFORCEMENT SENSITIVE AND/OR SEALED INFORMATION

DO NOT SHARE OUTSIDE OF ORIGINAL RECIPIENT LIST

From: Freedman, Brett (NSD)
Subject: RE: Letter drafts
To: Uriarte, Carlos F. (OLA); Toscas, George (NSD); Bratt, Jay (NSD)
Cc: Evers, Austin (ODAG)
Sent: August 26, 2022 10:41 AM (UTC-04:00)
Attached: ODNI Response Draft (25 August 2022) v3.docx, 2022.08.24 MAL Draft Response - SSCI (edit) v2.docx

Thx.

+ George and Jay.

Any issues? Note DOJ response with (b) (5).

From: Uriarte, Carlos F. (OLA) <(b) (6)>
Sent: Friday, August 26, 2022 10:32 AM
To: Freedman, Brett (NSD) <(b)(6),(b)(7)(C) per NSD>
Cc: Evers, Austin (ODAG) <(b) (6)>
Subject: FW: Letter drafts

Brett, here is the latest version of the letters.

Note, the current sentence (b) (5) .

(b) (5) but could be updated to read, (b) (5)

Please let us know what you prefer.

Carlos

From: Evers, Austin (ODAG)
Subject: RE: Letter drafts
To: Miller, Marshall (ODAG)
Cc: Uriarte, Carlos F. (OLA); Newman, David A. (ODAG)
Sent: August 26, 2022 11:20 AM (UTC-04:00)
Attached: 2022.08.26 MAL Draft Response - non-intel.docx

One more: this is the letter we would send back to individual members other than the Intel chairs/vice-chairs (Johnson, Scott, etc.). The language has been cleared by FBI and does not relate to the IC review. (b) (5)

The interagency group has a 2:15 sync at which we hope to tell each other we're all clear on the intel letters.

From: Evers, Austin (ODAG)
Sent: Thursday, August 25, 2022 10:33 PM
To: Miller, Marshall (ODAG) <(b) (6)>
Cc: Uriarte, Carlos F. (OLA) <(b) (6)> Newman, David A. (ODAG) <(b) (6)>
Subject: Letter drafts

Marshall –

These are the latest versions of the letters. NSD, FBI (OCA), and ODNI all discussed these tonight and it looks like we are on track to settle the language early tomorrow. Given the timetable, I think it's an appropriate time to have the DAG review these versions. They are in redline, but you can share them in clean. Up to you.

Two notes on our letter: First, (b) (5). Second, (b) (5).

Other updates since we met:

- I understand the protocols should be landing first thing and will come to you.
- The senior interagency group is convening tomorrow at 1pm.
- The PA shops from FBI, DOJ, and ODNI are convening tomorrow morning. I spoke with Anthony tonight.
- The OLA shops are in regular contact.
- We are all working with the goal of hitting our targets tomorrow (protocols, letters, Hill outreach).
- It goes without saying that if any principals want to talk, the lines are open, but as of now we are not scheduling something for tomorrow.

I am remote tomorrow but will be logged in fulltime.

Optimistically,

Austin

Austin R. Evers
Office of the Deputy Attorney General
U.S. Department of Justice

(b) (6) (m)
(b) (6) (o)

From: Evers, Austin (ODAG)
Subject: FW: Letters
To: Christopher Fonzone; Miller, Marshall (ODAG); Uriarte, Carlos F. (OLA); Freedman, Brett (NSD)
Sent: August 26, 2022 2:23 PM (UTC-04:00)
Attached: 2022.08.26 - DOJ response to SSCI draft.docx, ODNI Response Draft (25 August 2022) v3.docx, Holding Statement.docx

From: Evers, Austin (ODAG)
Sent: Friday, August 26, 2022 2:00 PM
To: Uriarte, Carlos F. (OLA) <(b) (6)> Matthew Rhoades <(b)(3), (b)(6)>
<(b)(3), (b)(6)> ; Newman, David A. (ODAG) <(b) (6)> Freedman, Brett (NSD)
<(b)(6),(b)(7)(C) per NSD> Tyson, Jill Courtney (OCA) (FBI) <(b)(6), (7)(C), (7)(E) per FBI>; Dunham, Christopher G. (OCA)
(FBI) <(b)(6), (7)(C), (7)(E) per FBI>
cc: <(b)(3), (b)(6)> <(b)(6), (7)(C), (7)(E) per FBI> (OGC) (FBI)
<(b)(6), (7)(C), (7)(E) per FBI>
Subject: Letters

Latest (and near final) draft of DOJ's letter. The changes are (b) (5)
[Redacted]

Austin

From: Evers, Austin (ODAG)
Subject: Letters
To: Klapper, Matthew B. (OAG)
Cc: Uriarte, Carlos F. (OLA); Miller, Marshall (ODAG)
Sent: August 26, 2022 2:51 PM (UTC-04:00)
Attached: 2022.08.26 - DOJ response to SSCI draft - clean.docx, 2022.08.26 MAL Draft Response - non-intel - clean.docx, ODNI Response Draft (25 August 2022) v3 - clean.docx

1. Our letter to SSCI
2. ODNI letter to SSCI
3. Our letter to non-intel members

All are on final approach with DOJ, FBI, and ODNI, so we expect final clearance imminently. Call anytime.

Austin

Austin R. Evers

Office of the Deputy Attorney General

U.S. Department of Justice

(b) (6) (m)

(b) (6) (o)

From: Evers, Austin (ODAG)
Subject: Letter
To: Christopher Fonzone; Matthew Rhoades; Uriarte, Carlos F. (OLA); Newman, David A. (ODAG)
Sent: August 26, 2022 5:13 PM (UTC-04:00)
Attached: 2022.08.26 - DOJ response to SSCI draft - clean.docx

I think DOJ is there – can we talk quickly?

Austin R. Evers

Office of the Deputy Attorney General

U.S. Department of Justice

(b) (6) (m)
(b) (6) (o)

From: Evers, Austin (ODAG)
Subject: Final letter
To: Christopher Fonzone; Matthew Rhoades; Freedman, Brett (NSD); (b)(6),(b)(7)(C) per NSD (NSD); Toscas, George (NSD); Tyson, Jill Courtney (OCA) (FBI); Dunham, Christopher G. (OCA) (FBI); Newman, David A. (ODAG); Uriarte, Carlos F. (OLA); Brooker, Bradley A. (OGC) (DET) (FBI); (b)(6), (7)(C) per FBI (OPA) (FBI); Hornbuckle, Wyn (PAO); Coley, Anthony D. (PAO); Rossello, Luis (PAO); Timothy L. Barrett; Milhoan, Catherine L. (OPA) (FBI)
Sent: August 26, 2022 6:59 PM (UTC-04:00)
Attached: Holding Statement Ir tlb opa (clean).docx, 2022.08.26-OUT-Warner-Rubio-FBI's execution search of former President.pdf

All –

Please find the final DOJ letter to Warner & Rubio. I am also attaching what I believe is a final holding statement. ODNI, can you share your letter, too?

For incoming comms inquiries, for DOJ it's me, Wyn, Luis, and Anthony; for ODNI it's Tim; and for FBI it's Cathy and (b)(6), (7)(C) per FBI

Thank you,

Austin

Austin R. Evers

Office of the Deputy Attorney General

U.S. Department of Justice

(b) (6) (m)
(b) (6) (o)

From: Freedman, Brett (NSD)
Subject: Follow-Up Per 9am Call
To: Brooker, Bradley A. (OGC) (DET) (FBI); Chris Fonzone; Dunham, Christopher G. (OCA) (FBI); Evers, Austin (ODAG); (b)(6),(b)(7)(C) per NSD (NSD); Kohler, Alan E. Jr. (CD) (FBI); Matthew Rhoades; Newman, David A. (ODAG); Ronnow, Kurtis (CD) (FBI); Toscas, George (NSD); Tyson, Jill Courtney (OCA) (FBI); Uriarte, Carlos F. (OLA)
Sent: September 12, 2022 11:45 AM (UTC-04:00)
Attached: Background TPs - 9.12.22 (b) (5)

All:

Per our call this morning, here's where I see us moving forward collectively.

Attached is a document we at DOJ drafted over Labor Day weekend and (b) (5)
It's an attempt to (b) (5)

Next Steps (b) (5)

(b) (5)

Please draft and circulate the documents assigned above as early as possible tomorrow, Tuesday, September 13th. I'll schedule a SVTC for tomorrow afternoon to begin to work through the details. Suggest we draft and circulate the documents on the high-side given the classification of the protocol as well as the anticipated details we will want to include.

Thanks for everyone's continued work on this. Although I recognize that many questions remain (b) (5)
I appreciate keeping our heads down on what we can at least control.

Best,

Brett

Brett D. Freedman

Chief of Staff & Senior Counsel | Office of the Assistant Attorney General for National Security
U.S. Department of Justice | National Security Division

(b)(6),(b)(7)(C) per NSD