

EXHIBIT W



September 25, 2020

FOIA Officer
National Archives and Records Administration
8601 Adelphi Road, Room 3110
College Park, MD 20740

Dear FOIA Officer:

This is a request under the Freedom of Information Act, 5 U.S.C. § 552, regarding agency classification and declassification decisions under Executive Order 13526 (“EO 13526”).¹ This request is filed on behalf of the Project for Privacy and Surveillance Accountability, Inc. (“PPSA”).

As an organization concerned with government surveillance accountability, PPSA is concerned with the U.S. Intelligence Community’s adherence to EO 13526’s transparency requirements, including the classification prohibitions and limitations found in Section 1.7 of the order, and the provision for classification challenges found in Section 1.8 of the order.

Accordingly, PPSA seeks:

- 1. All agency records mentioning either EO 13526 § 1.7 or any subsection thereof; and**
- 2. All agency records mentioning either EO 13526 § 1.8 or any subsection thereof.**

Scope of Request:

For all purposes of this request: (I) the terms “agency” and “records” shall be construed in relation to the definitions codified in 5 U.S.C. § 552(f); and (II) the date range for responsive materials encompasses those either created, altered, sent, or received between December 29, 2009 and September 25, 2020. Without limiting the scope of this request, PPSA believes that records relevant to this request are most likely to be found in the National Declassification Center, the Public Interest Declassification Board, and the Interagency Security Classification Appeals Panel.

Rather than physical production of any responsive records, we ask that you please provide each record in electronic form. If a portion of responsive records may be produced more readily than the remainder, we request that those records be produced first and that the remaining records be produced on a rolling basis. Further, we recognize the possibility that some responsive records may be exempt. **To the extent possible, if redaction**

¹ See <https://archives.gov/isoo/policy-documents/cnsi-eo.html>.



PROJECT FOR PRIVACY &
SURVEILLANCE ACCOUNTABILITY

under 5 U.S.C. § 552(b) can render a responsive but exempt record nonexempt, please produce any such record in redacted form. We believe that redaction should foreclose any need to issue a Glomar response, as anonymized and redacted production would neither (1) reveal intelligence sources or methods nor (2) disclose any agency interest (or lack thereof) in any particular individual.

We are prepared to pay up to \$2000 for the material in question. Please contact me if the fees associated with this request exceed that figure, or if you have any other questions about this request.

Thank you in advance for your speedy attention and assistance.

Sincerely,

Gene C. Schaerr
PPSA, Inc.
General Counsel