

EXHIBIT P



July 26, 2021

FOIA/Privacy Act Office
Office of the Director of National Intelligence (ODNI)
Washington, D.C. 20511
DNI-FOIA@dni.gov

Dear FOIA Officer:

This is a request under the Freedom of Information Act, 5 U.S.C. § 552, regarding government purchases of the private data of members of the House and Senate Judiciary Committees. This request is filed on behalf of the Project for Privacy and Surveillance Accountability, Inc. (“PPSA”).

As an organization concerned with government surveillance overreach, PPSA is troubled by the extent to which U.S. law enforcement and intelligence agencies may be purchasing Americans’ private data without meaningful court oversight.¹ Accordingly, PPSA applauds congressional efforts to pass the Fourth Amendment is Not For Sale Act (also known as H.R. 2738² or S.1265³; the “Act”), legislation introduced on or about April 21, 2021 by Senators Ron Wyden,⁴ Rand Paul, and others which would curtail such data purchases. Specifically, the proposed Act provides that “[a] law enforcement agency of a governmental entity and an element of the intelligence community may not obtain from a third party in exchange for anything of value a covered customer or subscriber record or any illegitimately obtained information.” As relevant to this request, the Act further defines the terms: “covered customer or subscriber record”; “illegitimately obtained information”; “intelligence community”; “obtain in exchange for anything of value”; and “third party”.

Using the definitions provided in the Act, PPSA respectfully requests that you produce:

¹ See, e.g., Katie Canales, *Sen. Ron Wyden is introducing a privacy bill that would ban government agencies from buying personal information from data brokers*, BUSINESS INSIDER (Aug. 4, 2020), <https://www.businessinsider.com/ron-wyden-fourth-amendment-is-not-for-sale-privacy-2020-8/>

² See <https://www.congress.gov/bill/117th-congress/house-bill/2738?q=%7B%22search%22%3A%5B%22hr2738%22%5D%7D&s=1&r=1/>

³ See <https://www.congress.gov/bill/117th-congress/senate-bill/1265?q=%7B%22search%22%3A%5B%22s1265%22%5D%7D&s=3&r=1/>

⁴ Bill text available at <https://www.wyden.senate.gov/download/the-fourth-amendment-is-not-for-sale-act-of-2021-bill-text/>



**PROJECT FOR PRIVACY &
SURVEILLANCE ACCOUNTABILITY**

All documents, reports, memoranda, or communications regarding the obtaining, by any element of the intelligence community from a third party in exchange for anything of value, of any covered customer or subscriber record or any illegitimately obtained information regarding any person listed below:

- Rep. Jerrold Nadler
- Rep. Mary Gay Scanlon
- Rep. Zoe Lofgren
- Rep. Sheila Jackson Lee
- Rep. Steve Cohen
- Rep. Henry C. “Hank” Johnson
- Rep. Theodore E. Deutch
- Rep. Karen Bass
- Rep. Hakeem Jeffries
- Rep. David N. Cicilline
- Rep. Eric Swalwell
- Rep. Ted Lieu
- Rep. Jamie Raskin
- Rep. Pramila Jayapal
- Rep. Val Butler Demings
- Rep. J. Luis Correa
- Rep. Sylvia R. Garcia
- Rep. Joe Neguse
- Rep. Lucy McBath
- Rep. Greg Stanton
- Rep. Madeleine Dean
- Rep. Veronica Escobar
- Rep. Steve Chabot
- Rep. Louie Gohmert
- Rep. Jim Jordan
- Rep. Ken Buck
- Rep. Matt Gaetz
- Rep. Mike Johnson
- Rep. Andy Biggs
- Rep. Tom McClintock
- Rep. Debbie Lesko
- Rep. Guy Reschenthaler
- Rep. Ben Cline
- Rep. Kelly Armstrong
- Rep. W. Gregory Steube
- Rep. John Rutherford
- Rep. Mark Amodei



**PROJECT FOR PRIVACY &
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- Rep. Judy Chu
- Rep. Scott Peters
- Rep. Bobby Scott
- Rep. Maxine Waters
- Rep. Michael Quigley
- Rep. Linda Sanchez
- Rep. Adam Schiff
- Rep. Mondaire Jones
- Rep. Deborah K. Ross
- Rep. Cori Bush
- Rep. Tom Tiffany
- Rep. Thomas Massie
- Rep. Chip Roy
- Rep. Dan Bishop
- Rep. Michelle Fischbach
- Rep. Victoria Spartz
- Rep. Scott Fitzgerald
- Rep. Cliff Bentz
- Rep. Burgess Owens
- Former Rep. Bob Goodlatte
- Former Rep. Lamar S. Smith
- Former Rep. Darrell Issa
- Former Rep. Steve King
- Former Rep. Ted Poe
- Former Rep. Tom Marino
- Former Rep. Trey Gowdy
- Former Rep. Raul Labrador
- Former Rep. Ron DeSantis
- Former Rep. Karen Handel
- Former Rep. Keith Rothfus
- Former Rep. Luis Gutierrez
- Former Rep. Randy Forbes
- Former Rep. Trent Franks
- Former Rep. Jason Chaffetz
- Former Rep. Blake Farenthold
- Former Rep. Mimi Walters
- Former Rep. Dave Trott
- Former Rep. Mike Bishop
- Former Rep. John Conyers
- Former Rep. Pedro Pierluisi
- Former Rep. Howard Coble
- Former Rep. Elton Gallegly



**PROJECT FOR PRIVACY &
SURVEILLANCE ACCOUNTABILITY**

- Former Rep. Dan Lungren
- Former Vice President and Former Rep. Mike Pence
- Former Rep. Timothy Griffin
- Former Rep. Dennis A. Ross
- Former Rep. Sandy Adams
- Former Rep. Ben Quayle
- Former Rep. Howard Berman
- Former Rep. Mel Watt
- Former Rep. Jared Polis
- Former Rep. Rick Boucher
- Former Rep. Bill Delahunt
- Sen. and Former Rep. Tammy Baldwin
- Former Rep. Charlie Gonzalez
- Former Rep. Anthony Weiner
- Former Rep. Dan Maffei
- Former Rep. Tom Rooney
- Former Rep. Gregg Harper
- Former Rep. Spencer Bachus
- Former Rep. Suzan DelBene
- Former Rep. Joe Garcia
- Former Rep. Cedric Richmond
- Former Rep. Debbie Mucarsel-Powell
- Former Rep. Doug Collins
- Former Rep. F. James Sensenbrenner
- Former Rep. John Ratcliffe
- Former Rep. Martha Roby
- Former Rep. George Holding
- Sen. Lindsey Graham
- Sen. Dianne Feinstein
- Sen. Chuck Grassley
- Sen. Patrick Leahy
- Sen. John Cornyn
- Sen. Dick Durbin
- Sen. Michael S. Lee
- Sen. Sheldon Whitehouse
- Sen. Ted Cruz
- Sen. Amy Klobuchar
- Sen. Ben Sasse
- Sen. Christopher A. Coons
- Sen. Joshua D. Hawley
- Sen. Richard Blumenthal
- Sen. Thom Tillis



PROJECT FOR PRIVACY &
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- Sen. Mazie Hirono
- Sen. Joni Ernst
- Sen. Cory Booker
- Sen. Mike Crapo
- Sen. John Kennedy
- Sen. Marsha Blackburn
- Sen. Chuck Schumer
- Sen. Ron Wyden
- Sen. Alex Padilla
- Sen. Jon Ossoff
- Vice President and Former Sen. Kamala Harris
- Former Sen. Orrin Hatch
- Former Sen. Jeff Flake
- Former Sen. Al Franken
- Former Sen. Jeff Sessions
- Former Sen. David Vitter
- Former Sen. Herb Kohl
- Former Sen. Tom Coburn
- Former Sen. Jon Kyl
- Former Sen. Ben Cardin
- Former Sen. Russ Feingold
- Former Sen. Ted Kaufman
- Former Sen. Arlen Specter
- Former Sen. David Perdue

Scope of Request:

For all purposes of this request: (I) the date range for responsive materials encompasses those either created, altered, sent, or received between January 1, 2008 and July 26, 2021; and (II) PPSA requests a *Vaughn* index for any responsive materials that are withheld.

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 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