

EXHIBIT C

SCHAERR DUNCAN LLP

August 17, 2017

Stephen Kelley
Acting Director, Information Management Division
Office of the Director of National Intelligence
Washington, D.C. 20511

Dear Mr. Kelley:

This is a request under the Freedom of Information Act, 5 U.S.C. § 552, regarding electronic surveillance conducted under the Foreign Intelligence Surveillance Act of 1978, P.L. 95-511, 92 Stat. 1783 (“FISA”), as amended by the FISA Amendments Act of 2008, P.L. 110-261, 122 Stat. 2436. This request is filed on behalf of a client who prefers to remain anonymous at present.

Specifically, this request concerns circumstances where the identities of United States persons whose communications were collected by FISA surveillance may have been “unmasked” — that is, their identities were revealed when the products of FISA surveillance were disseminated within the government. *See, e.g.*, National Security Agency, United States Signals Intelligence Directive 18, § 7 (January 25, 2011); Federal Bureau of Investigation, Minimization Procedures Used by the Federal Bureau of Investigation in Connection with Acquisition of Foreign Intelligence Information at 9, 19–20, 31 (July 10, 2015). This request also concerns “upstreaming” — that is, the process of extracting certain data from the Internet for analysis. *See, e.g.*, National Security Agency, NSA Stops Certain Section 702 “Upstream” Activities (press release April 28, 2017).

Using these understandings of the relevant terms, we respectfully request that you produce:

1. All policies, procedures, and reports involving the process for unmasking, or requesting unmasking, including reports on any incidents of policy violations, from January 1, 2015 to February 1, 2017.

2. All documents concerning the unmasking, or any request for unmasking, of any person listed below, from January 1, 2015 to February 1, 2017:

- a. Steve Bannon
- b. Rep. Lou Barletta
- c. Rep. Marsha Blackburn
- d. Florida Attorney General Pam Bondi
- e. Rep. Chris Collins
- f. Rep. Tom Marino
- g. Rebekah Mercer
- h. Steven Mnuchin
- i. Rep. Devin Nunes
- j. Reince Priebus
- k. Anthony Scaramucci
- l. Peter Thiel

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- m. Donald Trump Jr.**
- n. Eric Trump**
- o. Ivanka Trump**
- p. Jared Kushner**
- q. Rep. Sean Duffy**
- r. Rep. Trey Gowdy**
- s. Rep. Dennis Ross**
- t. Pastor Darrell C. Scott**
- u. Kiron Skinner**

3. All documents concerning the upstreaming of the names of any individual listed in Question 2 above, from January 1, 2015 to February 1, 2017.

4. Copies of any materials sent in response to any inquiry from the House Intelligence Committee or other congressional committees regarding unmasking from January 1, 2017 to August 11, 2017,

This request (# 4.) includes, but is not limited to, inquiries pertaining to Ben Rhodes, former Deputy National Security Advisor for Strategic Communication, who was the subject of a recent letter from the Chairman of that Committee, Representative Devin Nunes, to the Director of National Intelligence. This request also includes (but is not limited to) any materials pertinent to Rep. Nunes conclusion (a) that several senior officials of the prior Administration had made requests for such unmasking, and (b) that one official alone had made “hundreds of unmasking requests during the final year of the Obama Administration.”

Please produce responsive records in electronic form in lieu of a paper production. 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. If redaction under 5 U.S.C. § 552(b) can make any responsive but exempt material nonexempt, please produce such materials in redacted form.

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. And please do not hesitate to contact me if you have other questions about this request.

Thank you in advance for your attention and assistance.

Sincerely,



Gene C. Schaerr