

Page, Lisa C. (OGC) (FBI)

From: Page, Lisa C. (OGC) (FBI)  
Sent: Sunday, January 31, 2016 8:42 AM  
To: Strzok, Peter P. (WF) (FBI)  
Subject: Fwd: Revised IC Safe Harbor Letter (from [redacted] using [redacted] iPad)  
Attachments: Safe Harbor combined document 28 January 2016 rl.pdf

b6 -2  
b7C -2

----- Original message -----

From: "Baker, James A. (OGC) (FBI)" [redacted]  
Date: 01/30/2016 8:26 PM (GMT-05:00)  
To: "McCabe, Andrew G. (DO) (FBI)" [redacted] (DO) (FBI)"  
[redacted] "Page, Lisa C. (OGC) (FBI)" [redacted]  
(DO) (FBI)" [redacted] (OGC) (FBI)"  
[redacted] "Anderson, Trisha B.(OGC) (FBI)" [redacted]  
[redacted] (OGC) (FBI)" [redacted] (OGC) (FBI)"  
[redacted]  
Subject: Fwd: Revised IC Safe Harbor Letter (from [redacted] using [redacted] iPad)

b6 -1, 2  
b7C -1, 2  
b7E -6

Folks,

Below and in a separate email I will send shortly are suggested comments and related commitments the Safe Harbor team is asking us to review. They would like our comments by TOMORROW.

Can someone please volunteer to pull together FBI comments?

Thanks.

Jim

----- Original message -----

From: [redacted]  
Date: 01/30/2016 6:16 PM (GMT-05:00)  
To: "Baker, James A. (OGC) (FBI)" [redacted]  
[redacted] "Anderson, Trisha B.(OGC) (FBI)" [redacted]  
(NSD) (JMD)" [redacted] (NSD) (JMD)" [redacted]  
[redacted]  
Subject: Re: Revised IC Safe Harbor Letter (from [redacted] using [redacted] iPad)

b6 -1, 2  
b7C -1, 2  
b7E -6

HERE IT IS AS A PDF.

On Saturday, January 30, 2016 6:12 PM, "Baker, James A. (OGC) (FBI)" [redacted] wrote:

b6 -1  
b7C -1  
b7E -6

So it is not possible to read the redlines on my smartphone. If you are still at the office, can you please save the reline version as a pdf and then resend? Thanks.

----- Original message -----

From: [redacted]

Date: 01/30/2016 5:48 PM (GMT-05:00)

To: [redacted]

b6 -1, 2  
b7C -1, 2  
b7E -6

[redacted] "Baker, James A. (OGC) (FBI)"  
[redacted] "Anderson, Trisha B. (OGC) (FBI)"  
[redacted] (NSD) (JMD)"  
[redacted] (NSD) (JMD)" [redacted]

Subject: Fw: Revised IC Safe Harbor Letter (from [redacted] using [redacted] iPad)

All -- please see below from [redacted] requesting your immediate (i.e., by tomorrow) review of the EC's proposed changes to [redacted] letter discussing US surveillance law and policy. [redacted] will be in transit back to DC tomorrow and I think will land around 3 or so. Please reply to all. Many thanks.

b6 -2  
b7C -2

Regards,

[redacted]

On Saturday, January 30, 2016 5:21 PM, [redacted] wrote:

b6 -2  
b7C -2  
b7E -6

Team -

This requires essentially immediate clearance, given the time frame. [redacted] can you please send to CIA and FBI and make sure that NSA has it (I think I included them but am not sure it went through). [redacted] please provide to others in DOJ as appropriate.

b6 -2  
b7C -2

Attached is a redline version of changes to the IC letter. We had several hours of discussion about this with the EC team today. In my view, the changes in this document are all acceptable, or could be acceptable with slight modifications. Many of the changes they proposed were intended to soften the presentation (e.g. eliminating explicit references to the [redacted]

b6 -2  
b7C -2  
b7E -4, 11

[redacted] and while I like the original phrases I don't think they are necessary. Others are a bit more substantive but I think are acceptable; a couple are questionable. Please review closely, and [redacted] and [redacted] note some questions that need answers.

There is one more issue [redacted] is continuing to push on the issue of collection from transatlantic cables. He and his lawyers, as well as [redacted] who is the political representative here and the most reasonable, believe that they need some sort of metrics that they can point to. [redacted]

b6 -2  
b7C -2  
b7E -11

b7E -11

[Redacted]

[Redacted] has proposed that as part of the annual review [Redacted]

b5 -1  
b6 -2  
b7C -2  
b7E -11

[Redacted]

I told [Redacted]

b5 -1  
b6 -2  
b7C -2  
b7E -11

[Redacted]

Thanks in advance. I will be in flight landing around 3 PM. Please collect comments and circulate to this distro asap.

[Redacted]

b6 -2  
b7C -2

Page, Lisa C. (OGC) (FBI)

From: Page, Lisa C. (OGC) (FBI)  
Sent: Sunday, January 31, 2016 9:02 AM  
To: Strzok, Peter P. (WF) (FBI)  
Subject: RE: Revised IC Safe Harbor Letter (from [redacted] using [redacted] iPad)

b6 -2  
b7C -2

What do you want me to do?!

----- Original message -----

From: "Strzok, Peter P. (WF) (FBI)" [redacted]  
Date: 01/31/2016 8:53 AM (GMT-05:00)  
To: "Page, Lisa C. (OGC) (FBI)" [redacted]  
Subject: RE: Revised IC Safe Harbor Letter (from [redacted] using [redacted] iPad)

b6 -1, 2  
b7C -1, 2  
b7E -6

AND GODDAMMIT GIVEN EVERYTHING GOING ON WHY IS [redacted] USING A YAHOO! ACCOUNT FOR THIS?  
(Actually, apparently a Yahoo! account from [redacted] iPad")

b6 -2  
b7C -2

Make him stop!!!!!!

----- Original message -----

From: "Page, Lisa C. (OGC) (FBI)" [redacted]  
Date: 01/31/2016 8:42 AM (GMT-05:00)  
To: "Strzok, Peter P. (WF) (FBI)" [redacted]  
Subject: Fwd: Revised IC Safe Harbor Letter (from [redacted] using [redacted] iPad)

b6 -1, 2  
b7C -1, 2  
b7E -6

The latest. Will send the document as well. We have to respond by noon. Of course I offered to collect comments.

----- Original message -----

From: "Baker, James A. (OGC) (FBI)" [redacted]  
Date: 01/30/2016 8:27 PM (GMT-05:00)  
To: "McCabe, Andrew G. (DO) (FBI)" [redacted] (DO) (FBI)"

b6 -1, 2  
b7C -1, 2  
b7E -6

[redacted] "Page, Lisa C. (OGC) (FBI)" [redacted]  
[redacted] (DO) (FBI)" [redacted] (OGC) (FBI)" [redacted]  
[redacted] "Anderson, Trisha B. (OGC) (FBI)" [redacted]  
[redacted] (OGC) (FBI)" [redacted]  
Subject: Fwd: Revised IC Safe Harbor Letter (from [redacted] using [redacted] iPad)

NSA comments below.

...

----- Original message -----

----- Original message -----

From: "Gerstell, Glenn S" [redacted]

Date: 01/30/2016 8:14 PM (GMT-05:00)

To: [redacted]

[redacted]  
[redacted] "Baker, James A. (OGC) (FBI)"  
[redacted] Anderson, Trisha B. (OGC) (FBI)"  
[redacted] (SD) (JMD)" [redacted]  
[redacted] (NSD) (JMD)" [redacted]

Subject: Re: Revised IC Safe Harbor Letter (from [redacted] using [redacted] iPad)

b6 -1, 2  
b7C -1, 2  
b7E -6

At the risk of duplication for some of you, since there seem to be two email chains, here's the text of our response just sent to [redacted] original email below:

b6 -2  
b7C -2

\*\*\*\*\*

The NSA team has reviewed the email from [redacted] below and the attached Summary of information and has the following comments:

b6 -2  
b7C -2

1. [redacted]  
[redacted]

2. [redacted]  
[redacted]

3. [redacted]  
[redacted]

b5 -1  
b7E -11

[redacted]

[redacted]

4. [redacted]  
[redacted]

[redacted]

We appreciate everyone's efforts here. Thanks.

Glenn

GLENN S. GERSTELL  
NSA General Counsel

**From:** [redacted]  
**Sent:** Saturday, January 30, 2016 05:48 PM  
**To:** [redacted]  
James.baker@ic.fbi.gov; Trisha.anderson@ic.fbi.gov  
Gerstell, Glenn S; [redacted]  
**Subject:** Fw: Revised IC Safe Harbor Letter (from [redacted] using [redacted] Pad)

b6 -1, 2  
b7C -1, 2  
b7E -6

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b7C -2

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b7C -2  
b7E -6

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b7E -4, 11

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b6 -2  
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b7E -11

[redacted] has proposed that as part of the annual review [redacted]

b5 -1  
b6 -2  
b7C -2  
b7E -11

[Redacted]

b5 -1  
b7E -11

I told

[Redacted]

[Redacted]

b5 -1  
b6 -2  
b7C -2  
b7E -11

Thanks in advance. I will be in flight landing around 3 PM. Please collect comments and circulate to this distro asap.

[Redacted]

b6 -2  
b7C -2