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United States Senate

SELECT COMMITTEE ON INTELLIGENCE

WASHINGTON, DC 20510-6475

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July 27, 2015

SSCI# 2015-2300

The Honorable James R. Clapper, Jr.
Director of National Intelligence
Washington, DC 20511

Dear Director Clapper:

~~(U)~~ ~~(S//NF)~~ The Committee received the 25 July 2015 Memorandum from Mr. Charles McCullough entitled "Summary of IC IG support to State Department IG" and are troubled by the finding that "an inadvertent release of classified national security information had already occurred in the State FOIA process as a result of insufficient coordination with Intelligence Community (IC) elements." Furthermore, we are concerned by the apparent disparity in assessments by State Department and the IC highlighted by the following statement, "State personnel continue to deny the classified character of the released information despite a definitive determination from the IC Interagency FOIA process." While we agree with the four (4) recommendations the Intelligence Community Inspector General (ICIG) and State Department IG made to State to improve its FOIA review process to better identify IC equities and to prevent further inadvertent releases of classified information, we urge you to engage with Secretary Kerry and Inspector General Steve Linick to ensure their implementation.

~~(U)~~ ~~(S//NF)~~ The Committee strongly disagrees, however, with State's decision to provide its own Inspector General with only "limited access" to the remaining 30,000 emails and its decision to reject the ICIG's request for access to the emails on "jurisdictional grounds." We understand that a small sampling of just over 300 emails found that four (4) contained information classified at the time of sending at the SECRET//NOFORN level and one (1) contained information classified at the time of sending at the SECRET//SI//REL USA,FVEY level. Ultimately, you are responsible for the enforcement of classification guidelines and protection of IC equities and we urge you to take all necessary steps to identify and protect any

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additional sensitive information that may be contained within the remaining emails.

(U) We appreciate your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Burr", with a stylized flourish at the end.

Richard Burr
Chairman