

From: [REDACTED] (WF) (FBI)
To: [REDACTED] (WF) (FBI)
Subject: FW: Addition to the EC for EAD Concurrence --- [REDACTED]
Date: Tuesday, March 15, 2022 6:04:11 PM

Classification: [REDACTED]

Classified By [REDACTED]
Derived From: FBI NSICG
Declassify On: 20471231

TRANSITORY RECORD

For Coord sub

-----Original Message-----

From: [REDACTED] (OGC) (FBI) [REDACTED]
Sent: Tuesday, March 15, 2022 10:19 AM
To: [REDACTED] (WF) (FBI) [REDACTED] (WF) (FBI)
[REDACTED] (OGC) (FBI)
Cc: [REDACTED] (CD) (FBI) [REDACTED] (CD) (FBI)
[REDACTED] (WF) (FBI)
Subject: RE: Addition to the EC for EAD Concurrence --- [REDACTED]

Classification: [REDACTED]

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TRANSITORY RECORD

[REDACTED]

My opinion is that if you use the language I recommended below (or similar), we would be fine to move forward to get the EAD EC approved. What I understand we are waiting on from DOJ vis-à-vis the interviews is simply something in writing confirming their approval to conduct the one interview they need to approve. The DGC will not coordinate that interview until we have that written confirmation, so there's no risk that it will happen prematurely. If it provided more comfort, we could even add something about this to the language I proposed below; perhaps something like this: "Thus, upon approval of this EC, FBI WF intends to request the aforementioned interview through the FBI Deputy General Counsel's Office, which coordination will occur after receipt of formal, written approval by DOJ."

It's up to you and CD whether you, in fact, wish to move forward with the EC or wait until receipt of the written approval. I'm simply offering you the option of what, to me, seems like an unobjectionable way to make some forward progress.

Thanks,
[REDACTED]

-----Original Message-----

From: [REDACTED] (WF) (FBI) [REDACTED]
Sent: Tuesday, March 15, 2022 10:04 AM

To: [REDACTED] (OGC) (FBI) [REDACTED] (WF) (FBI)
[REDACTED] (OGC) (FBI)
Cc: [REDACTED] (CD) (FBI) [REDACTED] (CD) (FBI)
[REDACTED] (WF) (FBI)
Subject: RE: Addition to the EC for EAD Concurrence --- [REDACTED]

Classification: [REDACTED]

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TRANSITORY RECORD

Thank you for this, we will standby on the EAD EC for now.

-----Original Message-----

From: [REDACTED] (OGC) (FBI) [REDACTED]
Sent: Tuesday, March 15, 2022 9:56 AM
To: [REDACTED] (WF) (FBI) [REDACTED] (WF) (FBI)
[REDACTED] (OGC) (FBI)
Cc: [REDACTED] (CD) (FBI) [REDACTED] (CD) (FBI)
[REDACTED] (WF) (FBI)
Subject: RE: Addition to the EC for EAD Concurrence --- [REDACTED]

Classification: [REDACTED]

Classified By [REDACTED]
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Hi [REDACTED]

Thanks for your message. To be clear, I wasn't on the call, so yes, I consider myself among those sharing the concerns you raised. My management mentioned it to me after the fact, and provided a limited read out: the call occurred; OGC EM, the AD, and Toscas were on it; the interviews were discussed but there was no finality of resolution; there's a meeting Thursday "to go over them"; there apparently was some discussion about disposition of the records, and whether FBI should take possession of them, but no conclusions were reached; the letter from Congress to NARA arose again, but beyond the info I already passed about our standing by for DOJ, NFI.

-----Original Message-----

From: [REDACTED] (WF) (FBI) [REDACTED]
Sent: Tuesday, March 15, 2022 9:37 AM
To: [REDACTED] (OGC) (FBI) [REDACTED] (WF) (FBI)
[REDACTED] (OGC) (FBI)
Cc: [REDACTED] (CD) (FBI) [REDACTED] (CD) (FBI)
[REDACTED] (WF) (FBI)
Subject: RE: Addition to the EC for EAD Concurrence --- [REDACTED]

Classification: [REDACTED]

Classified By [REDACTED]
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Hi [REDACTED] I'm sure everyone on this email chain shares the concern that conversations are being had about the case amongst executives and we're all finding out about it later, and may not have all the information about what was discussed. I just raised this issue with SC Gentilcore.

[REDACTED]

-----Original Message-----

From: [REDACTED] (OGC) (FBI) [REDACTED]
Sent: Tuesday, March 15, 2022 9:32 AM
To: [REDACTED] (WF) (FBI) [REDACTED] (OGC) (FBI)
Cc: [REDACTED] (CD) (FBI) [REDACTED] (CD) (FBI)
[REDACTED] (WF) (FBI) [REDACTED] (WF) (FBI)
Subject: RE: Addition to the EC for EAD Concurrence --- [REDACTED]

Classification: [REDACTED]

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TRANSITORY RECORD

[REDACTED]

Thanks for sharing this. My concern with the language proposed in the e-mail below is that the last written correspondence we have from [REDACTED] CES reflects that she asked us to "hold" on the interviews until [REDACTED] raised them with his front office. That said, as reflected in a separate message I just sent, I am given to believe that the AD had a call with [REDACTED] and others about the interviews last Friday. With that in mind, I think it's fair for us to conclude that [REDACTED] front office is aware of the interviews. I would therefore recommend that the EC going to the EAD state something to this effect:

On or about March 8, 2022, DOJ/CES Deputy Chief [REDACTED] provided written e-mail notification that neither she nor DOJ/CES Chief [REDACTED] had concerns about the interview requiring DOJ approval, namely, that of current White Office Administration Official, [REDACTED]. Although the e-mail requested that FBI hold on conducting that interview until SC Bratt alerted CES's front office, on or about March 11, 2022, the AD held a call about the interviews with DAAG [REDACTED]. The FBI therefore understands that CES's front office has been advised of the interviews. Thus, upon approval of this EC, FBI WF intends to request the aforementioned interview through the FBI Deputy General Counsel's Office.

I think that language will allow us to move the interview EC along for EAD approval. Nevertheless, the DGC will want to have "final" written approval from CES before actually moving forward with the interview, thus my separate e-mail to [REDACTED] seeking to obtain that written confirmation.

Thanks,
[REDACTED]

-----Original Message-----

From: [REDACTED] (WF) (FBI) [REDACTED]
Sent: Tuesday, March 15, 2022 8:59 AM
To: [REDACTED] (OGC) (FBI) [REDACTED] (OGC) (FBI)
[REDACTED]
Subject: FW: Addition to the EC for EAD Concurrence --- [REDACTED]

Classification: [REDACTED]

Classified By: [REDACTED]
Derived From: FBI NSICG
Declassify On: 20471231

TRANSITORY RECORD

-----Original Message-----

From: [REDACTED] (WF) (FBI)
Sent: Monday, March 14, 2022 4:31 PM
To: [REDACTED] (CD) (FBI) [REDACTED] (CD) (FBI)
[REDACTED]
Cc: [REDACTED] (CTD) (FBI) [REDACTED] (WF) (FBI)
[REDACTED]
Subject: Addition to the EC for EAD Concurrence --- [REDACTED]

Classification: [REDACTED]

Classified By [REDACTED]
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TRANSITORY RECORD

HI [REDACTED]

Here is the language I'd request be added to the EC you drafted for the EAD. Thank you, [REDACTED]

On or around March 9, 2022 DOJ/CES Deputy Chief [REDACTED] provided written email notification of DOJ/CES Chief [REDACTED] approval for FBI Washington Field to interview current White Office Administration Official [REDACTED]. In this email correspondence, Deputy Chief [REDACTED] further related Chief [REDACTED] would inform the DOJ National Security Division Front Office of the same. FBI WF intends to request the aforementioned interview through the FBI Deputy General Counsel's Office at first opportunity.

Classification: [REDACTED]

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