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From: foia@nro.com
Sent: Wednesday, February 21, 2018 3:35 PM
To: FOIA
Subject: [Non-DoD Source] FOIA Request

[Redacted]

(b)(6)

Feb 21, 2018

National Reconnaissance Office
Attention: FOIA Office
14675 Lee Road
Chantilly, VA 20151-1715

FEB 22 2018

Dear FOIA Officer:

This is a request under the Freedom of Information Act.

I request that a copy of the following documents (or documents containing the following information) be provided to me:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, I am requesting any and all documents related to the specific requests described below:

1. The finished report made by a five IG panel, including the NRO IG, regarding the ICIG's case against Daniel P. Meyer.
2. Any and all correspondence to and from the NRO IG to the Senate Select Committee on Intelligence or the House Permanent Select Committee on Intelligence (including but not limited to committee members, committee staffers, and personal staffers) between April 1 2017 to February 10 2018.
3. Any and all correspondence to and from the Deputy NRO IG to the Senate Select Committee on Intelligence or the House Permanent Select Committee on Intelligence (including but not limited to committee members, committee staffers, and personal staffers) between April 1 2017 to February 10 2018.
4. Any and all correspondence to and from NRO OIG SES employees to and from employees or principles at the Council for Inspectors General for Integrity and Efficiency regarding intelligence community whistleblowing or Dan Meyer between April 1 2017 to February 10 2018.
5. Any and all correspondence to and from NRO OIG SES employees to and from employees or principles at the Office of the Director of National Intelligence regarding intelligence community whistleblowing or Dan Meyer between April 1 2017 to February 10 2018.
6. Any and all correspondence from NRO OIG employees or principles regarding the Intelligence Community Inspector General or the ICIG Forum from April 1 2017 to January 31 2018.
7. Any and all correspondence from NRO OIG employees or principles regarding the Intelligence Community Inspector General or the ICIG Forum from April 1 2017 to January 31 2018.
8. Any and all correspondence and documents related to the Intelligence Community Whistleblowing and Source Protection program, to include records from and correspondence regarding related personnel hearings, since April 1 2017.
9. A keyword search for "Presidential Policy Directive-19", "Presidential Policy Directive 19", "PPD-19",

“PPD 19”, within any and all emails and correspondence between April 1 2017 and February 10 2018.

10. A keyword search for “Ronald Foster”, “David Steele”, “Ron Foster”, “Dave Steele”, “DIA IG”, “DIAIG”, “George Ellard”, “Ellard”, “external review panel”, “external review board”, or “Atkinson” within any and all emails and correspondence since April 1 2017.

Thank you.

If any of the material covered by this request has been destroyed or removed, please provide all surrounding documentation including, but not limited to, a description of the action taken regarding the materials and justification for those actions taken.

I am not interested in generic news clippings or newsletters that just happen to mention a keyword, so please do not include those as responsive documents.

For any documents or portions you deny due to a specific FOIA exemption, please provide a detailed justification of your grounds for claiming such exemption, explaining why the exemption is relevant to the document or portion of the document withheld.

I anticipate that any responsive documents will be unclassified. If any of the responsive documents contain classified information, please segregate all unclassified material within the classified documents and provide all unclassified information.

I consent to the deletion of any material that would violate an individual’s rights under the Privacy Act.

I will work with your office to prioritize responsive data for this request, further refine the request if you find any terms too imprecise, conduct searches for unclassified responsive records, or engage in any other reasonable activities that would lessen the agency’s burden and costs.

In order to help to determine my status to assess fees, you should know that I am a representative of the news media/press and this request is made as part of news gathering and not for commercial use.

The maximum U.S. dollar amount I am willing to pay for this request is \$25. Please notify me if the fees will exceed \$25.00 USD or the maximum dollar amount I entered.

I request a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest.

Specific explanation for waiver of fees: Fee Waiver

I request that all fees incurred in connection with the attached request be waived, because “disclosure of the information is in the public interest and is not primarily in the commercial interest of the requester.” 5 U.S.C. §552 (a)(4)(A)(iii).

If you disallow my fee-waiver request, I pledge to pay the price of the FOIA request up to \$25. Alert me if it exceeds this price.

I am requesting these materials as part of a project with my supervisor, Zack Kopplin, who is an investigator for the Government Accountability Project and is a member of the media. His work has been published in outlets including The Atlantic, Politico, and Science Magazine.

This request is made as part of the news gathering process. If there is any newsworthy material discovered from this FOIA request, there is a reasonable expectation of its publication.

While my research is not limited to this, a great deal of it, including this, focuses on the activities and attitudes of the government itself and disseminating it to the public.

It is unnecessary for me to demonstrate the relevance of this particular subject in advance. Additionally, despite my past record, case law states that "proof of the ability to disseminate the released information to a broad cross-section of the public is not required." *Judicial Watch, Inc. v. Dep't of Justice*, 365 F.3d 1108, 1126 (D.C. Cir. 2004); see *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). Further, courts have held that "qualified because it also had "firm" plans to "publish a number of . . . 'document sets'" concerning United States foreign and national security policy." Under this criteria, as well, I qualify as a member of the news media. Additionally, courts have held that the news media status "focuses on the nature of the requester, not its request. The provision requires that the request be "made by" a representative of the news media. *Id.* § 552(a)(4)(A)(ii)(II). A newspaper reporter, for example, is a representative of the news media regardless of how much interest there is in the story for which he or she is requesting information." As such, the details of the request itself are moot for the purposes of determining the appropriate fee category.

I would ask that you extend the fee waiver for people primarily engaged in disseminating information to me. It's what I'm doing in my capacity working for the Government Accountability Project.

On top of this, the Government Accountability Project, runs a news blog, where newsworthy information can be published. Information from FOIA requests has been previously published there.

Plus, beyond fee waiver for people involved in disseminating information, my request is in the public interest and not for any commercial reasons. The disclosure is "likely to contribute" to an understanding of government operations or activities.

While I do not need to explain the specifics of why I make each individual request, these documents will help me to better inform the public about potential waste, fraud or abuse, gross negligence or abuse of authority, or threats to public health and safety or the environment. All of this will serve the American people and strengthen our country.

The Government Accountability Project's Public Interest Status and History

GAP is a non-profit, non-partisan, public interest organization chartered under IRS Code §501 (C)(3) as a non-profit, educational and charitable organization. We seek to serve the public through achieving governmental accountability by protecting and encouraging federal and corporate employees who observe or are victimized by wrongdoing, gross waste of public funds, threats to public health and safety, environmental contamination, corruption, abuse of the public trust and other abuses of power.

GAP accomplishes these goals primarily by conducting advocacy campaigns before Congress, through the media, and for the general public and by providing legal representation to whistleblowers to combat the retaliation they have suffered in exercising their right of occupational free speech. Our twin aims are to promote corporate and government accountability and to expose, investigate, and correct substantive problems that formed the basis of protected whistleblowing disclosures. GAP's role is well-recognized by the courts and, as an organization, has informational standing under the First Amendment protecting its receipt of disclosed information. *Taylor v. RTC*. 56 F.3d 1437 (D.C. 1995); *United States v. Garde*, 573 F. Supp. 604 (D.D.C. 1987); ~ *Generally Virginia Pharmacy Bd. v. Virginia Consumer Council*, 425 U.S. 748, 756-57 (1976).

GAP has a 20-year history of working in the public interest. GAP does not take individual cases based on the client's ability to pay, how much money GAP believes it can recover in legal fees through litigation or any other commercial interest.

GAP takes cases of legitimately harassed whistleblowers, often pro-bono (without charge), that further public policy or legislative changes that make the law stronger for workers who witness and choose to tell the truth about corporate and taxpayer-financed wrongdoing and to pursue exposure and resolution of the wrongdoing.

GAP has, among other things, pushed for enactment of several whistleblower protection statutes, exposed unhealthy food at supermarket chains, pushed for independent reviews of the safety of the Alaska pipeline, exposed the threat of explosion in waste tanks at the Hanford nuclear site, and pushed for policy reform within numerous executive agencies. All this activity is done primarily with the interest of the public in mind.

Thank you for your consideration of this request.

Sincerely,

Rachel November

Phone:

Email:

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