

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN CIVIL LIBERTIES UNION OF
MASSACHUSETTS, INC.,

Plaintiff,

v.

THE CENTRAL INTELLIGENCE AGENCY,
THE OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE, THE UNITED
STATES DEPARTMENT OF DEFENSE, and
THE NATIONAL SECURITY AGENCY,
Defendants.

Civil Action No. 22-CV-11532-DJC

DECLARATION OF DANIEL L. MCFADDEN

I, Daniel L. McFadden, hereby declare and state as follows:

1. I am a staff attorney at the American Civil Liberties Union Foundation of Massachusetts.
2. Attached hereto as **Exhibit A** is a true and accurate copy of a FOIA request that I submitted to the Department of Homeland Security (“DHS”) on or about August 15, 2022.
3. Attached hereto as **Exhibit B** is a true and accurate copy of a FOIA request that I submitted to the National Geospatial-Intelligence Agency (“NGA”) on or about August 15, 2022.
4. Attached hereto as **Exhibit C** is a true and accurate copy of a FOIA request that I submitted to the Department of Defense (“DoD”) on or about August 15, 2022.
5. Attached hereto as **Exhibit D** is a true and accurate copy of a FOIA request that I submitted to the Central Intelligence Agency (“CIA”) on or about August 16, 2022.
6. Attached hereto as **Exhibit E** is a true and accurate copy of a FOIA request that I submitted to the National Security Agency (“NSA”) on or about August 16, 2022.
7. Attached hereto as **Exhibit F** is a true and accurate copy of a FOIA request that I submitted to the National Reconnaissance Office (“NRO”) on or about August 16, 2022.

8. Attached hereto as **Exhibit G** is a true and accurate copy of a letter I received from NGA dated September 8, 2022.

9. Attached hereto as **Exhibit H** is a true and accurate copy of a letter I received from DHS dated September 12, 2022.

10. Attached hereto as **Exhibit I** is a true and accurate copy of a letter I received from ODNI dated January 13, 2023.

11. Attached hereto as **Exhibit J** is a true and accurate copy of a letter I received from the DoD dated January 13, 2023.

12. Attached hereto as **Exhibit K** is a true and accurate copy of a letter I received from the NSA dated January 17, 2023.

13. Attached hereto as **Exhibit L** is a true and accurate copy of a letter I received from the CIA dated January 23, 2023.

14. Attached hereto as **Exhibit M** is a true and accurate copy of email correspondence between me and NRO dated August 18, 2022.

15. Attached hereto as **Exhibit N** is a true and accurate copy of a letter I received from NRO dated February 24, 2023.

16. Attached hereto as **Exhibit O** is a true and accurate copy of a letter from Donald J. Trump to Debra Steidel Wall, Acting Archivist of the United States, dated June 19, 2022, as downloaded from <https://www.archives.gov/files/foia/trump-pra-representatives-designation-letter.06.19.2022-redacted.pdf> on March 6, 2023.

17. According to a video posted at <https://www.mediaite.com/tv/trumps-office-issues-statement-claiming-he-gave-a-standing-order-that-automatically-declassified-any-documents-he->

[took-home-with-him/](#), which I have viewed, John Solomon made the following statement on or about August 12, 2022:

Tonight, President Trump, through his official office in Mar-a-Lago, has provided this show here and Just the News the following statement. I apologize for looking down, but – it’s so fresh, it’s on my phone. It literally just came in. This is from President Trump’s office. It just came in a few minutes ago.

As we can all relate to, everyone ends up having to bring home their work from time to time. American Presidents are no different. President Trump, in order to prepare the work the next day, often took documents including classified documents to the residence.

He had a standing order -- there’s the word I’ve been looking for -- that documents removed from the Oval Office and taken to the residence were deemed to be declassified the moment he removed them. The power to classify and declassify documents rests solely with the President of the United States.

The idea that some paper-pushing bureaucrat with classification authority delegated by the President needs to approve the declassification is absurd.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on March 6, 2023

/s/ Daniel L. McFadden
Daniel L. McFadden

EXHIBIT A



August 15, 2022

VIA ELECTRONIC MAIL

Privacy Office, Mail Stop 0655
Department of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, D.C. 20528-065
foia@hq.dhs.gov

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552 *et seq.*, the American Civil Liberties Union of Massachusetts, Inc. (“ACLUM”) requests the records described below.

According to court documents, on August 8, 2022, federal law enforcement agents searched premises located at 1100 South Ocean Boulevard, Palm Beach, Florida, pursuant to a Search and Seizure Warrant issued by the United States District Court for the Southern District of Florida. This property is the Mar-a-Lago Club, which (according to its website) is a club and hotel operated by the Trump Organization, under the control of Former President of the United States Donald J. Trump. Mr. Trump occupied the office of President from January 20, 2017, until January 20, 2021.

According to court documents, the August 8, 2022 search of Mar-a-Lago resulted in the seizure of classified records, including “Various classified/TS/SCI documents,” “Miscellaneous Top Secret Documents,” “Miscellaneous Secret Documents,” and “Miscellaneous Confidential Documents.”

After the search, Mr. Trump reportedly issued a statement, which was read aloud on “Fox News” cable television, asserting that, while President, he “often took documents, including classified documents, to the residence” and “had a standing order that documents removed from the Oval Office and taken to the residence were deemed to be declassified the moment he removed them” (the “Alleged Declassification Standing Order”).¹ Subsequently, John Bolton, who served as National Security Advisor during the Trump administration, reportedly stated that he was “never

¹ <https://twitter.com/Acyn/status/1558261235883311106>

briefed on any such order, procedure, [or] policy when [he] came in” and that the Alleged Declassification Standing Order is “almost certainly a lie.”²

Requested Records

ACLUM requests that the Department of Homeland Security (“DHS”) produce the following records:

1. The Alleged Declassification Standing Order.
2. Any written transmittal of the Alleged Declassification Standing Order from the Executive Office of the President of the United States to DHS, including by letter, memoranda, or email.
3. All records created by DHS that were declassified pursuant to the Alleged Declassification Standing Order.

For Requests 1 & 2, please provide all responsive records from January 20, 2017, through January 20, 2021.

For Request 3, please provide all responsive records declassified from January 20, 2017, through January 20, 2021.

Fee Waiver Request

ACLUM requests a waiver of fees associated with processing this request. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the general public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes.

Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of government. The requested records will help ACLUM and the general public understand the Trump administration’s policies, procedures, and activities in the fields of national security and records management. The Trump administration’s policies, procedures, and activities in this regard are the subject of significant public and press interest, including intense media and public attention following the recent search of Mar-a-Lago by federal law enforcement agents. The requested records (or a response that no such records exist) would meaningfully inform the public as to the truthfulness or falsity of Mr. Trump’s public explanation for the apparent seizure of numerous highly classified records from that location.

This request is also primarily and fundamentally for non-commercial purposes. ACLUM is a not-for-profit, non-partisan organization dedicated to the principles of liberty and equality. As

² <https://www.nytimes.com/2022/08/14/us/politics/trump-documents-explanations.html?smid=tw-share>

the Massachusetts affiliate of the national ACLU, a not-for-profit, non-partisan organization, ACLUM distributes information both within and outside of Massachusetts. Gathering and disseminating current information to the public is a critical and substantial component of ACLUM's mission and work. ACLUM publishes newsletters, news briefings, reports and other materials that are disseminated to the public, including through ACLUM's website³ and regular posts on social media sites such as Facebook and Twitter. These materials are widely available to everyone, including tax-exempt organizations, not-for-profit groups, and law students and faculty, at no cost. Accordingly, ACLUM qualifies for a fee waiver.

Conclusion

If you have any questions regarding how to construe this request for records, please do not hesitate to contact me at any time by email at dmcfadden@aclum.org.

Sincerely,

/s/ Dan McFadden

Daniel L. McFadden

Staff Attorney

ACLU Foundation of Massachusetts

³ www.aclum.org

EXHIBIT B



August 15, 2022

VIA ELECTRONIC MAIL

National Geospatial-Intelligence Agency
FOIA/PA Requester Service Center
7500 GEOINT Drive, MS N22-SISM
Springfield, VA 22150-7500
FOIANGA@nga.mil

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552 *et seq.*, the American Civil Liberties Union of Massachusetts, Inc. (“ACLUM”) requests the records described below.

According to court documents, on August 8, 2022, federal law enforcement agents searched premises located at 1100 South Ocean Boulevard, Palm Beach, Florida, pursuant to a Search and Seizure Warrant issued by the United States District Court for the Southern District of Florida. This property is the Mar-a-Lago Club, which (according to its website) is a club and hotel operated by the Trump Organization, under the control of Former President of the United States Donald J. Trump. Mr. Trump occupied the office of President from January 20, 2017, until January 20, 2021.

According to court documents, the August 8, 2022 search of Mar-a-Lago resulted in the seizure of classified records, including “Various classified/TS/SCI documents,” “Miscellaneous Top Secret Documents,” “Miscellaneous Secret Documents,” and “Miscellaneous Confidential Documents.”

After the search, Mr. Trump reportedly issued a statement, which was read aloud on “Fox News” cable television, asserting that, while President, he “often took documents, including classified documents, to the residence” and “had a standing order that documents removed from the Oval Office and taken to the residence were deemed to be declassified the moment he removed them” (the “Alleged Declassification Standing Order”).¹ Subsequently, John Bolton, who served as National Security Advisor during the Trump administration, reportedly stated that he was “never

¹ <https://twitter.com/Acyn/status/1558261235883311106>

briefed on any such order, procedure, [or] policy when [he] came in” and that the Alleged Declassification Standing Order is “almost certainly a lie.”²

Requested Records

ACLUM requests that the National Geospatial-Intelligence Agency (“NGA”) produce the following records:

1. The Alleged Declassification Standing Order.
2. Any written transmittal of the Alleged Declassification Standing Order from the Executive Office of the President of the United States to NGA, including by letter, memoranda, or email.
3. All records created by NGA that were declassified pursuant to the Alleged Declassification Standing Order.

For Requests 1 & 2, please provide all responsive records from January 20, 2017, through January 20, 2021.

For Request 3, please provide all responsive records declassified from January 20, 2017, through January 20, 2021.

Fee Waiver Request

ACLUM requests a waiver of fees associated with processing this request. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the general public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes.

Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of government. The requested records will help ACLUM and the general public understand the Trump administration’s policies, procedures, and activities in the fields of national security and records management. The Trump administration’s policies, procedures, and activities in this regard are the subject of significant public and press interest, including intense media and public attention following the recent search of Mar-a-Lago by federal law enforcement agents. The requested records (or a response that no such records exist) would meaningfully inform the public as to the truthfulness or falsity of Mr. Trump’s public explanation for the apparent seizure of numerous highly classified records from that location.

This request is also primarily and fundamentally for non-commercial purposes. ACLUM is a not-for-profit, non-partisan organization dedicated to the principles of liberty and equality. As

² <https://www.nytimes.com/2022/08/14/us/politics/trump-documents-explanations.html?smid=tw-share>

the Massachusetts affiliate of the national ACLU, a not-for-profit, non-partisan organization, ACLUM distributes information both within and outside of Massachusetts. Gathering and disseminating current information to the public is a critical and substantial component of ACLUM's mission and work. ACLUM publishes newsletters, news briefings, reports and other materials that are disseminated to the public, including through ACLUM's website³ and regular posts on social media sites such as Facebook and Twitter. These materials are widely available to everyone, including tax-exempt organizations, not-for-profit groups, and law students and faculty, at no cost. Accordingly, ACLUM qualifies for a fee waiver.

Conclusion

If you have any questions regarding how to construe this request for records, please do not hesitate to contact me at any time by email at dmcfadden@aclum.org.

Sincerely,

/s/ Dan McFadden

Daniel L. McFadden

Staff Attorney

ACLU Foundation of Massachusetts

³ www.aclum.org

EXHIBIT C



August 15, 2022

VIA ELECTRONIC SUBMISSION

OSD/JS FOIA Requester Service Center
Freedom of Information Division
1155 Defense Pentagon
Washington, DC 20301-1155

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552 *et seq.*, the American Civil Liberties Union of Massachusetts, Inc. (“ACLUM”) requests the records described below.

According to court documents, on August 8, 2022, federal law enforcement agents searched premises located at 1100 South Ocean Boulevard, Palm Beach, Florida, pursuant to a Search and Seizure Warrant issued by the United States District Court for the Southern District of Florida. This property is the Mar-a-Lago Club, which (according to its website) is a club and hotel operated by the Trump Organization, under the control of Former President of the United States Donald J. Trump. Mr. Trump occupied the office of President from January 20, 2017, until January 20, 2021.

According to court documents, the August 8, 2022 search of Mar-a-Lago resulted in the seizure of classified records, including “Various classified/TS/SCI documents,” “Miscellaneous Top Secret Documents,” “Miscellaneous Secret Documents,” and “Miscellaneous Confidential Documents.”

After the search, Mr. Trump reportedly issued a statement, which was read aloud on “Fox News” cable television, asserting that, while President, he “often took documents, including classified documents, to the residence” and “had a standing order that documents removed from the Oval Office and taken to the residence were deemed to be declassified the moment he removed them” (the “Alleged Declassification Standing Order”).¹ Subsequently, John Bolton, who served as National Security Advisor during the Trump administration, reportedly stated that he was “never

¹ <https://twitter.com/Acyn/status/1558261235883311106>

briefed on any such order, procedure, [or] policy when [he] came in” and that the Alleged Declassification Standing Order is “almost certainly a lie.”²

Requested Records

ACLUM requests that the Office of the Secretary of Defense and the Joint Staff and its components and subcomponents (collectively, “OSD/JS”), produce the following records:

1. The Alleged Declassification Standing Order.
2. Any written transmittal of the Alleged Declassification Standing Order from the Executive Office of the President of the United States to OSD/JS, including by letter, memoranda, or email.
3. All records created by the Department of Defense that were declassified pursuant to the Alleged Declassification Standing Order.

For Requests 1 & 2, please provide all responsive records from January 20, 2017, through January 20, 2021.

For Request 3, please provide all responsive records declassified from January 20, 2017, through January 20, 2021.

Fee Waiver Request

ACLUM requests a waiver of fees associated with processing this request. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the general public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes.

Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of government. The requested records will help ACLUM and the general public understand the Trump administration’s policies, procedures, and activities in the fields of national security and records management. The Trump administration’s policies, procedures, and activities in this regard are the subject of significant public and press interest, including intense media and public attention following the recent search of Mar-a-Lago by federal law enforcement agents. The requested records (or a response that no such records exist) would meaningfully inform the public as to the truthfulness or falsity of Mr. Trump’s public explanation for the apparent seizure of numerous highly classified records from that location.

This request is also primarily and fundamentally for non-commercial purposes. ACLUM is a not-for-profit, non-partisan organization dedicated to the principles of liberty and equality. As

² <https://www.nytimes.com/2022/08/14/us/politics/trump-documents-explanations.html?smid=tw-share>

the Massachusetts affiliate of the national ACLU, a not-for-profit, non-partisan organization, ACLUM distributes information both within and outside of Massachusetts. Gathering and disseminating current information to the public is a critical and substantial component of ACLUM's mission and work. ACLUM publishes newsletters, news briefings, reports and other materials that are disseminated to the public, including through ACLUM's website³ and regular posts on social media sites such as Facebook and Twitter. These materials are widely available to everyone, including tax-exempt organizations, not-for-profit groups, and law students and faculty, at no cost. Accordingly, ACLUM qualifies for a fee waiver.

Conclusion

If you have any questions regarding how to construe this request for records, please do not hesitate to contact me at any time by email at dmcfadden@aclum.org.

Sincerely,

/s/ Dan McFadden

Daniel L. McFadden

Staff Attorney

ACLU Foundation of Massachusetts

³ www.aclum.org

EXHIBIT D

From Fax Number: (617) 451-0009

ACLU of MA

Fax

To: Information and Privacy
Coordinator

From: ACLU of MA

Fax: (703) 613-3007

Subject: Freedom of Information Act Request

Phone:

Date: 08-16-2022

Comments:



August 15, 2022

VIA ELECTRONIC SUBMISSION AND FAX

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505
Fax: 703-613-3007

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552 *et seq.*, the American Civil Liberties Union of Massachusetts, Inc. (“ACLUM”) requests the records described below.

According to court documents, on August 8, 2022, federal law enforcement agents searched premises located at 1100 South Ocean Boulevard, Palm Beach, Florida, pursuant to a Search and Seizure Warrant issued by the United States District Court for the Southern District of Florida. This property is the Mar-a-Lago Club, which (according to its website) is a club and hotel operated by the Trump Organization, under the control of Former President of the United States Donald J. Trump. Mr. Trump occupied the office of President from January 20, 2017, until January 20, 2021.

According to court documents, the August 8, 2022 search of Mar-a-Lago resulted in the seizure of classified records, including “Various classified/TS/SCI documents,” “Miscellaneous Top Secret Documents,” “Miscellaneous Secret Documents,” and “Miscellaneous Confidential Documents.”

After the search, Mr. Trump reportedly issued a statement, which was read aloud on “Fox News” cable television, asserting that, while President, he “often took documents, including classified documents, to the residence” and “had a standing order that documents removed from the Oval Office and taken to the residence were deemed to be declassified the moment he removed them” (the “Alleged Declassification Standing Order”).¹ Subsequently, John Bolton, who served as National Security Advisor during the Trump administration, reportedly stated that he was “never

¹ <https://twitter.com/Acyn/status/1558261235883311106>

briefed on any such order, procedure, [or] policy when [he] came in” and that the Alleged Declassification Standing Order is “almost certainly a lie.”²

Requested Records

ACLUM requests that the Central Intelligence Agency (“CIA”) produce the following records:

1. The Alleged Declassification Standing Order.
2. Any written transmittal of the Alleged Declassification Standing Order from the Executive Office of the President of the United States to the CIA, including by letter, memoranda, or email.
3. All records created by the CIA that were declassified pursuant to the Alleged Declassification Standing Order.

For Requests 1 & 2, please provide all responsive records from January 20, 2017, through January 20, 2021.

For Request 3, please provide all responsive records declassified from January 20, 2017, through January 20, 2021.

Fee Waiver Request

ACLUM requests a waiver of fees associated with processing this request. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the general public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes.

Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of government. The requested records will help ACLUM and the general public understand the Trump administration’s policies, procedures, and activities in the fields of national security and records management. The Trump administration’s policies, procedures, and activities in this regard are the subject of significant public and press interest, including intense media and public attention following the recent search of Mar-a-Lago by federal law enforcement agents. The requested records (or a response that no such records exist) would meaningfully inform the public as to the truthfulness or falsity of Mr. Trump’s public explanation for the apparent seizure of numerous highly classified records from that location.

This request is also primarily and fundamentally for non-commercial purposes. ACLUM is a not-for-profit, non-partisan organization dedicated to the principles of liberty and equality. As the Massachusetts affiliate of the national ACLU, a not-for-profit, non-partisan organization,

² <https://www.nytimes.com/2022/08/14/us/politics/trump-documents-explanations.html?smid=tw-share>

ACLUM distributes information both within and outside of Massachusetts. Gathering and disseminating current information to the public is a critical and substantial component of ACLUM's mission and work. ACLUM publishes newsletters, news briefings, reports and other materials that are disseminated to the public, including through ACLUM's website³ and regular posts on social media sites such as Facebook and Twitter. These materials are widely available to everyone, including tax-exempt organizations, not-for-profit groups, and law students and faculty, at no cost. Accordingly, ACLUM qualifies for a fee waiver.

Conclusion

If you have any questions regarding how to construe this request for records, please do not hesitate to contact me at any time by email at dmcfadden@aclum.org.

Sincerely,

/s/ Dan McFadden
Daniel L. McFadden
Staff Attorney
ACLU Foundation of Massachusetts

³ www.aclum.org

EXHIBIT E

From Fax Number: (617) 451-0009

ACLU of MA

Fax

To: FOIA/PA Office

From: ACLU of MA

Fax: (443) 479-3612

Subject: Freedom of Information Act Request

Phone:

Date: 08-16-2022

Comments:



August 15, 2022

VIA ELECTRONIC SUBMISSION

National Security Agency
Attn: FOIA/PA Office
9800 Savage Road, Suite 6932
Fort George G. Meade, MD 20755-6932

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552 *et seq.*, the American Civil Liberties Union of Massachusetts, Inc. (“ACLUM”) requests the records described below.

According to court documents, on August 8, 2022, federal law enforcement agents searched premises located at 1100 South Ocean Boulevard, Palm Beach, Florida, pursuant to a Search and Seizure Warrant issued by the United States District Court for the Southern District of Florida. This property is the Mar-a-Lago Club, which (according to its website) is a club and hotel operated by the Trump Organization, under the control of Former President of the United States Donald J. Trump. Mr. Trump occupied the office of President from January 20, 2017, until January 20, 2021.

According to court documents, the August 8, 2022 search of Mar-a-Lago resulted in the seizure of classified records, including “Various classified/TS/SCI documents,” “Miscellaneous Top Secret Documents,” “Miscellaneous Secret Documents,” and “Miscellaneous Confidential Documents.”

After the search, Mr. Trump reportedly issued a statement, which was read aloud on “Fox News” cable television, asserting that, while President, he “often took documents, including classified documents, to the residence” and “had a standing order that documents removed from the Oval Office and taken to the residence were deemed to be declassified the moment he removed them” (the “Alleged Declassification Standing Order”).¹ Subsequently, John Bolton, who served as National Security Advisor during the Trump administration, reportedly stated that he was “never

¹ <https://twitter.com/Acyn/status/1558261235883311106>

briefed on any such order, procedure, [or] policy when [he] came in” and that the Alleged Declassification Standing Order is “almost certainly a lie.”²

Requested Records

ACLUM requests that the National Security Agency (“NSA”) produce the following records:

1. The Alleged Declassification Standing Order.
2. Any written transmittal of the Alleged Declassification Standing Order from the Executive Office of the President of the United States to NSA, including by letter, memoranda, or email.
3. All records created by NSA that were declassified pursuant to the Alleged Declassification Standing Order.

For Requests 1 & 2, please provide all responsive records from January 20, 2017, through January 20, 2021.

For Request 3, please provide all responsive records declassified from January 20, 2017, through January 20, 2021.

Fee Waiver Request

ACLUM requests a waiver of fees associated with processing this request. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the general public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes.

Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of government. The requested records will help ACLUM and the general public understand the Trump administration’s policies, procedures, and activities in the fields of national security and records management. The Trump administration’s policies, procedures, and activities in this regard are the subject of significant public and press interest, including intense media and public attention following the recent search of Mar-a-Lago by federal law enforcement agents. The requested records (or a response that no such records exist) would meaningfully inform the public as to the truthfulness or falsity of Mr. Trump’s public explanation for the apparent seizure of numerous highly classified records from that location.

This request is also primarily and fundamentally for non-commercial purposes. ACLUM is a not-for-profit, non-partisan organization dedicated to the principles of liberty and equality. As the Massachusetts affiliate of the national ACLU, a not-for-profit, non-partisan organization,

² <https://www.nytimes.com/2022/08/14/us/politics/trump-documents-explanations.html?smid=tw-share>

ACLUM distributes information both within and outside of Massachusetts. Gathering and disseminating current information to the public is a critical and substantial component of ACLUM's mission and work. ACLUM publishes newsletters, news briefings, reports and other materials that are disseminated to the public, including through ACLUM's website³ and regular posts on social media sites such as Facebook and Twitter. These materials are widely available to everyone, including tax-exempt organizations, not-for-profit groups, and law students and faculty, at no cost. Accordingly, ACLUM qualifies for a fee waiver.

Conclusion

If you have any questions regarding how to construe this request for records, please do not hesitate to contact me at any time by email at dmcfadden@aclum.org.

Sincerely,

/s/ Dan McFadden
Daniel L. McFadden
Staff Attorney
ACLU Foundation of Massachusetts

³ www.aclum.org

EXHIBIT F

From Fax Number: (617) 451-0009

ACLU of MA

Fax

To: National Reconnaissance Office **From:** ACLU of MA
Fax: (703) 745-0833 **Subject:** Freedom of Information Act Request
Phone: **Date:** 08-16-2022

Comments:



August 16, 2022

VIA FAX

National Reconnaissance Office
Attn: COMM/Information Review and Release Group
14675 Lee Road
Chantilly, VA 20151-1715
Fax: 703-745-0833

Re: Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552 *et seq.*, the American Civil Liberties Union of Massachusetts, Inc. (“ACLUM”) requests the records described below.

According to court documents, on August 8, 2022, federal law enforcement agents searched premises located at 1100 South Ocean Boulevard, Palm Beach, Florida, pursuant to a Search and Seizure Warrant issued by the United States District Court for the Southern District of Florida. This property is the Mar-a-Lago Club, which (according to its website) is a club and hotel operated by the Trump Organization, under the control of Former President of the United States Donald J. Trump. Mr. Trump occupied the office of President from January 20, 2017, until January 20, 2021.

According to court documents, the August 8, 2022 search of Mar-a-Lago resulted in the seizure of classified records, including “Various classified/TS/SCI documents,” “Miscellaneous Top Secret Documents,” “Miscellaneous Secret Documents,” and “Miscellaneous Confidential Documents.”

After the search, Mr. Trump reportedly issued a statement, which was read aloud on “Fox News” cable television, asserting that, while President, he “often took documents, including classified documents, to the residence” and “had a standing order that documents removed from the Oval Office and taken to the residence were deemed to be declassified the moment he removed them” (the “Alleged Declassification Standing Order”).¹ Subsequently, John Bolton, who served as National Security Advisor during the Trump administration, reportedly stated that he was “never

¹ <https://twitter.com/Acyn/status/1558261235883311106>

briefed on any such order, procedure, [or] policy when [he] came in” and that the Alleged Declassification Standing Order is “almost certainly a lie.”²

Requested Records

ACLUM requests that the National Reconnaissance Office (“NRO”) produce the following records:

1. The Alleged Declassification Standing Order.
2. Any written transmittal of the Alleged Declassification Standing Order from the Executive Office of the President of the United States to the NRO, including by letter, memoranda, or email.
3. All records created by the NRO that were declassified pursuant to the Alleged Declassification Standing Order.

For Requests 1 & 2, please provide all responsive records from January 20, 2017, through January 20, 2021.

For Request 3, please provide all responsive records declassified from January 20, 2017, through January 20, 2021.

Fee Waiver Request

ACLUM requests a waiver of fees associated with processing this request. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the general public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes.

Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of government. The requested records will help ACLUM and the general public understand the Trump administration’s policies, procedures, and activities in the fields of national security and records management. The Trump administration’s policies, procedures, and activities in this regard are the subject of significant public and press interest, including intense media and public attention following the recent search of Mar-a-Lago by federal law enforcement agents. The requested records (or a response that no such records exist) would meaningfully inform the public as to the truthfulness or falsity of Mr. Trump’s public explanation for the apparent seizure of numerous highly classified records from that location.

This request is also primarily and fundamentally for non-commercial purposes. ACLUM is a not-for-profit, non-partisan organization dedicated to the principles of liberty and equality. As

² <https://www.nytimes.com/2022/08/14/us/politics/trump-documents-explanations.html?smid=tw-share>

the Massachusetts affiliate of the national ACLU, a not-for-profit, non-partisan organization, ACLUM distributes information both within and outside of Massachusetts. Gathering and disseminating current information to the public is a critical and substantial component of ACLUM's mission and work. ACLUM publishes newsletters, news briefings, reports and other materials that are disseminated to the public, including through ACLUM's website³ and regular posts on social media sites such as Facebook and Twitter. These materials are widely available to everyone, including tax-exempt organizations, not-for-profit groups, and law students and faculty, at no cost. Accordingly, ACLUM qualifies for a fee waiver.

Conclusion

If you have any questions regarding how to construe this request for records, please do not hesitate to contact me at any time by email at dmcfadden@aclum.org.

Sincerely,

/s/ Dan McFadden

Daniel L. McFadden

Staff Attorney

ACLU Foundation of Massachusetts

³ www.aclum.org

EXHIBIT G



NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY

7500 GEOINT Drive
Springfield, Virginia 22150

NGA-2022-FOIA-00055

September 8, 2022

Mr. Daniel L. McFadden
Staff Attorney
ACLU Foundation of Massachusetts
dmcfadden@aclum.org

RE: Freedom of Information Act (FOIA) Request **NGA-2022-FOIA-00055**

Dear Mr. Daniel L. McFadden:

This letter is in response to your Freedom of Information Act (FOIA) request, submitted to the National Geospatial-Intelligence Agency (NGA) dated 15 August 2022, in which you requested: ***“ACLU requests that the National Geospatial-Intelligence Agency (“NGA”) produce the following records:***

- 1. The Alleged Declassification Standing Order.***
 - 2. Any written transmittal of the Alleged Declassification Standing Order from the Executive Office of the President of the United States to NGA, including by letter, memoranda, or email.***
 - 3. All records created by NGA that were declassified pursuant to the Alleged Declassification Standing Order.***
- For Requests 1 & 2, please provide all responsive records from January 20, 2017, through January 20, 2021.***
- For Request 3, please provide all responsive records declassified from January 20, 2017, through January 20, 2021.”***

Our extensive search of National Geospatial-Intelligence Agency records failed to identify any documents in our files that are responsive to your request.

If you consider this **no-record** response to be a denial of your request, you may appeal our determination in writing. Appeals to this determination should be made in writing within 90 calendar days from the date of this letter. In the appeal, you should reference FOIA case **NGA-2022-FOIA-00055** detailing your reasons for reconsideration and include a copy of this letter. Your appeal should be mailed to the National Geospatial-Intelligence Agency, FOIA/Privacy Act Program Office, Mail Stop N22-SISM, 7500 GEOINT Drive, Springfield, VA 22150.

UNCLASSIFIED

Mr. Daniel L. McFadden
NGA-2022-FOIA-00055
Page 2

If you have any questions or concerns regarding this request, please contact Charles Melton, Branch Chief, FOIA/PA & Declass Management Program, SISMD at 571-557-4141, or via e-mail, at FOIANGA@nga.mil. Additionally, the NGA FOIA Public Liaison is available to you at 571-558-8286 for any concerns or disputes you may have related to your FOIA request.

Finally, you may also seek information and resolution regarding your request through the Office of Government Information Services (OGIS) at (202) 741-5770 or via email at ogis@nara.gov.

Sincerely,

Augustus Simms

Charles R. Melton
Branch Chief, FOIA/PA & Declass Management Program, SISMD

EXHIBIT H



**Homeland
Security**

Privacy Office, Mail Stop 0655

September 12, 2022

Dan McFadden
American Civil Liberties Union of Massachusetts
211 Congress Street
Boston, MA 02110

Re: **2022-HQFO-01539**

Dear Dan McFadden:

This is the [electronic] final response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated August 15, 2022, and received by this office on August 15, 2022. You are seeking 1. The Alleged Declassification Standing Order.

2. Any written transmittal of the Alleged Declassification Standing Order from the Executive Office of the President of the United States to DHS, including by letter, memoranda, or email.
3. All records created by DHS that were declassified pursuant to the Alleged Declassification Standing Order..

We conducted a comprehensive search of files within the The Office of the Executive Secretary (ESEC) and the Office of the Chief Information Officer (OCIO) for records that would be responsive to your request. Unfortunately, we were unable to locate or identify any responsive records.

While an adequate search was conducted, you have the right to appeal this determination that no records exist within OCIO or ESEC that would be responsive to your request. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to: Privacy Office, Attn: FOIA Appeals, U.S. Department of Homeland Security, 2707 Martin Luther King Jr. Avenue, SE, Mail Stop 0655, Washington, D.C. 20528-0655, following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.5(e)(2). Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS FOIA regulations are available at www.dhs.gov/foia.

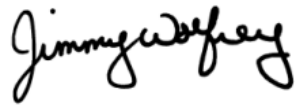
If you need any further assistance or would like to discuss any aspect of your request, please contact the analyst below who processed your request and refer to **2022-HQFO-01539**.

You may send an e-mail to foia@hq.dhs.gov, call 202-343-1743 or toll free 1-866-431-0486, or you may contact our FOIA Public Liaison in the same manner. Additionally, you have a right to right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is

considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Provisions of FOIA allow DHS to charge for processing fees, up to \$25, unless you seek a waiver of fees. In this instance, because the cost is below the \$25 minimum, there is no charge.

Sincerely,

A handwritten signature in black ink, appearing to read "Jimmy Wolfrey". The signature is written in a cursive, flowing style.

Jimmy Wolfrey
Senior Director, FOIA Operations and Management
(Acting)

EXHIBIT I

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC

January 13, 2023

Daniel McFadden
Staff Attorney
ACLU of Massachusetts
One Center Plaza, Suite 850
Boston, MA 02108

Reference: Litigation Civil Action No. 22-cv-11532; ODNI FOIA Case DF-2022-00377

Mr. McFadden,

This is a response provided by the Office of the Director of National Intelligence (ODNI) to your Freedom of Information Act (FOIA) request dated 15 August 2022. Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, as amended, you requested:

1. The Alleged Declassification Standing Order;
2. Any written transmittal of the Alleged Declassification Standing Order from the Executive Office of the President of the United States to ODNI; and
3. All records created by ODNI that were declassified pursuant to the Alleged Declassification Standing Order.

The specified time frame for all three requests was January 20, 2017, through January 20, 2021.

This request was processed under the FOIA, 5 U.S.C. § 552, as amended.

In coordination with the Federal Bureau of Investigation (FBI), a federal law enforcement agency, we can neither confirm nor deny whether we possess records responsive to your request pursuant to FOIA Exemption (b)(7)(A) [5 U.S.C. §552 (b)(7)(A)]. A confirmation that we have or do not have responsive records would be tantamount to acknowledging the existence or nonexistence of aspects of an ongoing investigation that the FBI has not previously acknowledged. The FBI has advised that 1) if the requested records exist, they would be relevant to the FBI's ongoing investigation and 2) confirmation by ODNI as to the existence or nonexistence of such records could reasonably be expected to interfere with the ongoing investigation. Accordingly, ODNI neither confirms nor denies the existence of records pursuant to FOIA Exemption (b)(7)(A) [5 U.S.C. §552 (b)(7)(A)].

Please direct any further inquiries about this case to Attorney Julia Heiman of the Department of Justice at (202) 616-8480 or via e-mail at Julia.heiman@usdoj.gov.

Although your request is in litigation, the FBI is required by law to provide you the following information:

If you are not satisfied with the Federal Bureau of Investigation's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor,

Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website:

<https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by emailing the FBI's FOIA Public Liaison at foipaquestions@fbi.gov. The subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified. You may also contact the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory Koch', with a small 'fb.' written to the left of the signature.

Gregory Koch
Chief, Information Management Office
FOIA Public Liaison

EXHIBIT J



**DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600**

Mr. Daniel McFadden
dmcfadden@aclum.org

Ref: 22-F-1246

Through Counsel

Jan 13, 2023

Dear Mr. McFadden,

This is the final response to your Freedom of Information Act (FOIA) request to the U.S. Department of Defense dated August 15, 2022, which was assigned FOIA case number 22-F-1246 and is one of the subjects of the ongoing litigation *ACLU v. CIA, et. al.*, No. 22-11532 (D. Mass.).

In coordination with the Federal Bureau of Investigation (FBI), a federal law enforcement agency, we can neither confirm nor deny whether we possess records responsive to your request pursuant to FOIA Exemption (b)(7)(A) [5 U.S.C. §552 (b)(7)(A)]. A confirmation that we have or do not have responsive records would be tantamount to acknowledging the existence or nonexistence of aspects of an ongoing investigation that the FBI has not previously acknowledged. The FBI has advised that 1) if the requested records exist, they would be relevant to the FBI's ongoing investigation and 2) confirmation by the Department of Defense (DoD) as to the existence or nonexistence of such records could reasonably be expected to interfere with the ongoing investigation. Accordingly, DoD neither confirms nor denies the existence of records pursuant to FOIA Exemption (b)(7)(A) [5 U.S.C. §552 (b)(7)(A)].

Please direct any further inquiries about this case to Attorney Julia Heiman of the Department of Justice at (202) 616-8480 or via e-mail at Julia.heiman@usdoj.gov.

Although your request is in litigation, the FBI is required by law to provide you the following information:

If you are not satisfied with the Federal Bureau of Investigation's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be



postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by emailing the FBI's FOIA Public Liaison at foipaquestions@fbi.gov. The subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified. You may also contact the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Mark H. Herrington, Esq.
Associate Deputy General Counsel
Office of Litigation Counsel

EXHIBIT K



NATIONAL SECURITY AGENCY
FORT GEORGE G. MEADE, MARYLAND 20755-6000

FOIA Case: 114765A
17 January 2023

DANIEL L MCFADDEN
ACLU OF MASSACHUSETTS
ONE CENTER PLAZA SUITE 850
BOSTON MA 02108

Dear Daniel McFadden:

This is a final response to your Freedom of Information Act (FOIA) request dated 15 August 2022. As stated in our initial response letter to you, dated 12 September 2022, your request was assigned Case Number 114765. Because there are no assessable fees for this request, we did not address your fee category or your request for a fee waiver. Your request has been processed under the provisions of the FOIA.

In coordination with the Federal Bureau of Investigation (FBI), a federal law enforcement agency, we can neither confirm nor deny whether we possess records responsive to your request pursuant to FOIA Exemption (b)(7)(A) [5 U.S.C.§552 (b)(7)(A)]. A confirmation that we have or do not have responsive records would be tantamount to acknowledging the existence or nonexistence of aspects of an ongoing investigation that the FBI has not previously acknowledged. The FBI has advised that 1) if the requested records exist, they would be relevant to the FBI's ongoing investigation and 2) confirmation by the National Security Agency (NSA) as to the existence or nonexistence of such records could reasonably be expected to interfere with the ongoing investigation. Accordingly, NSA neither confirms nor denies the existence of records pursuant to FOIA Exemption (b)(7)(A) [5 U.S.C.§552 (b)(7)(A)].

As this matter is currently in litigation, we are omitting our standard appeal process notification in this letter. If you have any further inquiries about this case, please contact Attorney Julia Heiman of the Department of Justice at (202) 616-8480 or via e-mail at Julia.heiman@usdoj.gov.

Sincerely,

A handwritten signature in cursive script that reads "Paula A. Gill".

PAULA A. GILL
Chief, FOIA/PA Division
NSA Initial Denial Authority

EXHIBIT L

Central Intelligence Agency



Washington, D.C. 20505

23 January 2023

Daniel McFadden
ACLU of Massachusetts
One Center Plaza, Suite 850
Boston, MA 02108

Reference: F-2022-01725; Civil Action No. 22-cv-11532

Dear Mr. McFadden:

This letter is a final response to your 15 August 2022 Freedom of Information Act (FOIA) request, and subsequent litigation, for:

- 1. The Alleged Declassification Standing Order.**
- 2. Any written transmittal of the Alleged Declassification Standing Order from the Executive Office of the President of the United States to the CIA, including by letter, memoranda, or email.**
- 3. All records created by the CIA that were declassified pursuant to the Alleged Declassification Standing Order.**

In coordination with the Federal Bureau of Investigation (FBI), a federal law enforcement agency, the CIA can neither confirm nor deny whether we possess records responsive to your request pursuant to FOIA Exemption (b)(7)(A), 5 U.S.C. §552 (b)(7)(A). A confirmation that we have or do not have responsive records would be tantamount to acknowledging the existence or nonexistence of aspects of an ongoing investigation that the FBI has not previously acknowledged. The FBI has advised that 1) if the requested records exist, they would be relevant to the FBI's ongoing investigation and 2) confirmation by CIA as to the existence or nonexistence of such records could reasonably be expected to interfere with the ongoing investigation. Accordingly, CIA neither confirms nor denies the existence of records pursuant to FOIA Exemption (b)(7)(A).

Please direct any further inquiries about this case to Attorney Julia Heiman of the Department of Justice at (202) 616-8480 or via e-mail at Julia.heiman@usdoj.gov.

This completes our response to the above referenced case.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony J. Capitos".

Anthony J. Capitos

Information and Privacy Coordinator

EXHIBIT M

From: Daniel McFadden <DmcFadden@aclum.org>
Sent: Thursday, August 18, 2022 10:14 AM
To: FOIA@nro.mil
Subject: RE: NRO FOIA Request F-2022-00174

Thank you for this correspondence, and for granting the fee waiver.

We do not necessarily agree with your office's conclusion regarding Request 3. However, as you propose, we will sit tight for the moment on Request 3, understanding that it might become moot if no records are located in response to Requests 1 & 2. We understand from your email that, if we wait for your office's final response to the FOIA request as a whole, your office will not contend that we have waived any rights to seek administrative or judicial review (which, in all events, we reserve the right to do at any time as we deem appropriate).

We appreciate that your office is responding to Requests 1 & 2 as soon as you can, and we hope to receive a response to those portions of the FOIA request as soon as possible.

Best regards,
Dan McFadden

Dan McFadden
Pronouns: he, him, his

Staff Attorney
American Civil Liberties Union Foundation of Massachusetts
617.482.3170 x171 | dmcfadden@aclum.org
aclum.org



From: FOIA@nro.mil <FOIA@nro.mil>
Sent: Thursday, August 18, 2022 7:13 AM
To: Daniel McFadden <DmcFadden@aclum.org>
Cc: FOIA@nro.mil
Subject: NRO FOIA Request F-2022-00174

Dear Mr. McFadden,

We received your recent FOIA request dated 16 August 2022 for: "ACLUM requests that the National Reconnaissance Office ("NRO") produce the following records:

1. The Alleged Declassification Standing Order.
2. Any written transmittal of the Alleged Declassification Standing Order from the Executive Office of the President of the United States to the NRO, including by letter, memoranda, or email.
3. All records created by the NRO that were declassified pursuant to the Alleged Declassification Standing Order.

For requests 1 & 2, please provide all responsive records from January 20, 2017, through January 20, 2021.

For request 3, please provide all responsive records declassified from January 20, 2017, through January 20, 2021."

We have assigned tracking number F-2022-00174 to your request. We will limit our search to NRO-originated records.

Parts 1 and 2 have been accepted for processing. Part 3 of your request is being denied because we can only search for existing records which have been requested with sufficient specificity (as to their type, origin, relationship to NRO functions, etc.) to conduct an organized non-random search of our records systems. Based on the information you have provided, and in the context of the NRO's mission and organizational functions, we are unable to conduct an organized, non-random search for records relevant to the subject of your request; therefore, we can take no further action on part 3 of your request.

Since we may be unable to provide a response within the 20 working days stipulated by the Act, you have the right to consider this a denial and may appeal on this basis to the NRO Appellate Authority, 14675 Lee Road, Chantilly, VA 20151-1715 after the initial 20 working day period has elapsed; doing so, however, would exhaust your administrative appeal rights. To preserve these rights, we recommend that you allow us sufficient time to continue processing your request and respond as soon as we can. You will then have the right to appeal any denial of information after you receive a final response from us. Unless we hear otherwise from you, we will assume that you agree and will continue processing your FOIA requests on this basis.

The FOIA authorizes federal agencies to assess fees for record services. Based on the information provided, you have been placed in the "other" category of requesters. Requesters in this category are responsible for the cost of search time exceeding two hours (\$48.00/hour) and duplication fees (\$.15 per page) exceeding 100 pages. Additional information about fees can be found in the Department of Defense Fees section of the electronic Code of Federal Regulations (e-cfr) at <https://ecfr.io/title-32/se232.2.286.112>. In your request, you asked for a waiver of fees. Fee waivers or reductions are granted when there is a public interest in disclosure of information, which will contribute significantly to the public's understanding of the operations or activities of the NRO. After reviewing your request, and in the context of the NRO's mission and functions, we have determined that NRO records responsive to your request, if they exist, would meet this criterion. Your request for a waiver of all fees has been granted.

If you have any questions, please email FOIA@NRO.mil or call the Requester Service Center at 703-745-0600.

Sincerely,

National Reconnaissance Office
Information Review and Release Group

EXHIBIT N



NATIONAL RECONNAISSANCE OFFICE

14675 Lee Road
Chantilly, VA 20151-1715

24 February 2023

Daniel McFadden
dmcfadden@aclum.org

REF: NRO Case Number F-2022-00174

Dear Mr. McFadden:

This is in response to your request dated 16 August 2022 and received on 17 August 2022 in the National Reconnaissance Office (NRO). Pursuant to the Freedom of Information Act (FOIA), you requested, **"ACLUM requests that the National Reconnaissance Office ("NRO") produce the following records:**

- 1. The Alleged Declassification Standing Order.**
- 2. Any written transmittal of the Alleged Declassification Standing Order from the Executive Office of the President of the United States to the NRO, including by letter, memoranda, or email.**
- 3. All records created by the NRO that were declassified pursuant to the Alleged Declassification Standing Order."**

We have processed your request in accordance with the FOIA, 5 U.S.C. § 552, as amended. After a thorough search of our records and databases, we located no NRO-originated records responsive to your request.

You have the right to appeal this determination to the NRO Appellate Authority, 14675 Lee Road, Chantilly, VA 20151-1715, within 90 days of the above date. You may also submit an appeal electronically through the National FOIA Portal at www.foia.gov or via email to FOIA@nro.mil. Please include an explanation of the reason(s) for your appeal as part of your submission. The FOIA also provides that you may seek dispute resolution for any adverse determination through the NRO FOIA Public Liaison and/or through the Office of Government Information Services (OGIS). Please refer to the OGIS public web page at www.archives.gov/ogis for additional information.

If you have any questions, please call the Requester Service Center at (703) 745-0600 and reference case number **F-2022-00174**.

Sincerely,


Carol Krumm
FOIA Public Liaison

EXHIBIT O



DONALD J. TRUMP

June 19, 2022

The Honorable Debra Steidel Wall
Acting Archivist of the United States
U.S. National Archives and Records Administration
Washington, D.C.

Dear Ms. Wall,

I write to designate two individuals – Kash Patel and John Solomon – as my representatives for access to Presidential records of my administration, pursuant to the Presidential Records Act, 44 U.S.C. §§ 2201 – 2207, and 36 C.F.R. § 1270.44(a)(4).

Kashyap Pramod “Kash” Patel can be reached at (b) (6) and (b) (6). John Solomon can be reached at (b) (6) and (b) (6). Both individuals meet the requirements for access to records under 36 C.F.R. § 1270.44(a)(4).

Thank you for your attention to this request.

Sincerely,

A handwritten signature in black ink, appearing to be "Donald Trump", written in a cursive style.

cc: Mr. Gary M. Stern
Mr. John Laster