



INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY  
WASHINGTON, DC 20511

October 29, 2018

VIA ELECTRONIC TRANSMISSION

The Honorable Charles E. Grassley  
Chairman  
Committee on the Judiciary  
U.S. Senate  
Washington, DC 20510

Dear Chairman Grassley:

(U) As requested in your letter dated October 15, 2018, and as previously requested in your letters dated April 14, 2014, and April 5, 2017, enclosed are two Congressional Notifications prepared by the Office of the Inspector General of the Intelligence Community (ICIG), dated March 28, 2014, and March 31, 2014 (collectively, the Congressional Notifications). As discussed further below, at my request in response to your most recent letter, the Congressional Notifications have been deemed unclassified and re-marked accordingly for public release. As you know, the United States Senate confirmed me as the Inspector General of the Intelligence Community on May 14, 2018. As a result, I was not involved in responding to your requests to declassify the Congressional Notifications until I received your most recent letter two weeks ago.

(U) As background, as stated in the Congressional Notification dated March 28, 2014, during routine and permissible counterintelligence monitoring of agency networks, the Central Intelligence Agency (CIA) obtained email communications between congressional staff and the former Executive Director of the ICIG's Whistleblowing & Source Protection Office. According to the Congressional Notifications, most of the email communications concerned pending and developing whistleblower complaints.

(U) It is my understanding that, in response to your letter in April 2014, elements of the Intelligence Community provided a classified briefing related to the underlying factual issues contained in the Congressional Notifications. Your most recent letter also referenced such a briefing. Based on my review of the records, it appears to me that personnel from ICIG and the Office of the Director of National Intelligence (ODNI) believed that the security briefing had resolved your request, and they continued to share that belief even after you sent your second letter in April 2017. After reviewing your most recent letter dated October 15, 2018, however, it became apparent to me that you do not believe the security briefing sufficiently resolved your request.

(U//FOUO) As a result, I directed my staff to seek expedited consideration of your declassification request for the Congressional Notifications. They, in turn, requested that authorized ODNI personnel, as an Original Classification Authority, process your declassification request. ODNI informed the ICIG that ODNI was unable to exercise its Original Classification Authority to declassify the documents because some of the material contained in the Congressional Notifications

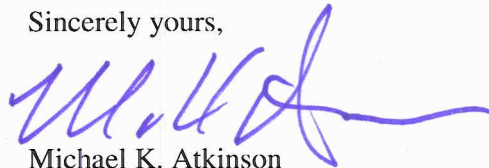
originated with the CIA. Pursuant to ODNI's established processes, ODNI referred the documents to the CIA for a formal classification review of the CIA's equities. CIA completed its review, and ODNI has also conducted a review of its own equities in the documents. As a result of both reviews, the attached versions of the Congressional Notifications have been deemed unclassified and releasable to the public, with one small redaction pursuant to 50 U.S.C. § 3033.

(U) I share your concerns about the legal and policy implications raised by the information contained in the Congressional Notifications. I will work with you, the Committee, the Intelligence Oversight Committees, ODNI, and the Intelligence Community Inspectors General Forum, which as you know consists of the twelve statutory and administrative inspectors general with oversight responsibility for an element of the Intelligence Community, to ensure that the Intelligence Community respects our nation's laws and appropriately protects the confidentiality of whistleblower communications while conducting counterintelligence monitoring of agency networks.

(U) Although I understand your concerns and frustration with the length of time it took to respond to your initial two letters regarding the Congressional Notifications, leading you to request an investigation of the ICIG's earlier deliberative processes, I hope you will agree with my assessment that such an investigation is not necessary at this time. As you probably know, there has been substantial turnover among the ICIG's senior management prior to and after my confirmation as the Inspector General of the Intelligence Community. Since my confirmation, the ICIG has made numerous changes, which include acquiring the services of a dedicated classification management expert. Going forward, consistent with our response to your most recent letter, the ICIG will make every effort to ensure these types of requests receive timely responses, as required by our laws and regulations, and that Congress and any other interested parties are informed should delays be encountered.

(U) Please contact me or the ICIG Legislative Counsel, Melissa Wright, at 571-204-8149, with any questions.

Sincerely yours,



Michael K. Atkinson  
Inspector General  
of the Intelligence Community

cc: The Honorable Daniel Coats  
The Honorable Richard Burr  
The Honorable Mark Warner  
The Honorable Dianne Feinstein  
The Honorable Devin Nunes  
The Honorable Adam Schiff

Enclosures:

- (1) Congressional Notification from (former) Inspector General of the Intelligence Community, I. Charles McCullough, III, dated March 28, 2014
- (2) Congressional Notification from (former) Inspector General of the Intelligence Community, I. Charles McCullough, III, dated March 31, 2014