

FEDERAL BUREAU OF INVESTIGATION
 FOI/PA
 DELETED PAGE INFORMATION SHEET
 20th Interim Release
 Civil Action# 18-cv-1833, FOIA 1404359-0

Total Withheld Page(s) = 36

Bates Page Reference	Reason for Withholding (i.e., exemptions with coded rationale, duplicate, sealed by order of court, etc.)
18-cv-1833 - 7185-7220	(b)(5)-Per DOJ/CRM and DOJ/NSD

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 X Deleted Page(s) X
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 X For this Page X
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Oconnell, Sasha C. (DO) (FBI)

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Wednesday, December 23, 2015 12:19 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: FW: Priority Request for Assistance: WH Request re: Tech Product Challenges for Investigations
Importance: High

FYSA. DD spoke with [] this is re: WC trip...

b6 -1
b7C -1

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Wednesday, December 23, 2015 10:38 AM
To: Steinbach, Michael B. (CTD) (FBI); Trainor, James C. (CYD) (FBI); Campbell, Joseph S. (CID) (FBI); Priestap, E W. (NY) (FBI)
Cc: Coleman, Randall C. (CD) (FBI); [] (CD) (FBI); Giacalone, John (DO) (FBI); [] (OGC) (FBI); Hess, Amy S. (DO) (FBI); Richardson, Stephen E. (OTD) (FBI); [] (DO) (FBI); Baker, James A. (OGC) (FBI); Anderson, Trisha B. (OGC) (FBI); Giuliano, Mark F (DO) (FBI); Rybicki, James E. (DO) (FBI); [] (DO) (FBI); [] (CTD) (FBI); [] (CYD) (FBI); Wendel, Jennifer C. (CID) (FBI); [] (DO) (FBI)
Subject: Priority Request for Assistance: WH Request re: Tech Product Challenges for Investigations
Importance: High

b6 -1
b7C -1

All,

For reasons that I am happy to explain when we have a chance to talk in person, the WH has asked for the Director's input re: our organizational priority asks from tech companies in terms of the need for increased assistance to aid in investigations. The WH has requested this information by 1/1/16 and, while there is the potential that that deadline may get pushed, I am going to need to ask for your assistance over the next week so that we can ensure the Deputy and Director have time to consider all of the input prior to the final deadline.

The good news is that as part of the Going Dark Initiative we have worked closely with OTD and reps from many of your offices and have put together a working draft "top 7" products we need assistance with due to the impact they are having on operations. I will be sending that document to you high side shortly. The Deputy has asked that if you could please take a look at that list and provide to me (happy to take this information in a meeting, on a call, in writing) any and all additional thoughts you have from your division's perspective that would be extremely helpful. If it is easier to work on this low side please let me know and I will get an annotated version to you.

In terms of scope please note:

1) This need not be limited to end to end encryption issues or even any of the other specified Going Dark problems (anonymization, mobility, over the top apps etc). If there is an ongoing technical assistance issue that is repeatedly hampering your investigations we want to include it on the list for the DD and D's consideration to include as a priority ask.

2) At this time we do not need detailed technical explanations and/or detailed examples. What we do need is the product/company; nature of the issue (ie lack of access with a warrant; timeliness; data retention; engineering resources to assist etc); and a short explanation of the scope/impact the issue is having (ie

hampering broad ranging investigations or hampering priority investigations).

While the information need not be detailed, due to the nature of the request we do need to be sure it is thoughtful and accurately reflects your perspective so I would ask for your personal assistance with approvals no later than Wednesday, 12/30.

Thank you again for your assistance with this. I am in today, available by Samsung throughout the holiday and back in the office next Tues/Wed/Thurs and happy to coordinate in whatever way makes sense.

Best,

Sasha

(o

(c



b7E -3

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Tuesday, May 03, 2016 6:23 PM
To: Lan, Iris (ODAG) (JMD); Oconnell, Sasha C. (DO) (FBI)

Hi Iris - Sasha O'Connell (cc'd here) tells me you're now the DAG's point person on Going Dark. Cool! Since I'm working with Sasha and the rest of Jim C's crew on the issue, I suspect our paths will cross (or at least our emails), and I look forward to it. Now that classes at Columbia are ending, I'm hoping to ramp up my contributions to the effort.

best

dan richman

Lan, Iris (ODAG)

From: Lan, Iris (ODAG)
Sent: Tuesday, May 03, 2016 10:28 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: Re:

Thanks for your note, Dan. It's good to hear from you and I look forward to working with you too.

> On May 3, 2016, at 6:23 PM, Richman, Daniel C. (DO) (OGA) wrote:

b7E -3

>

> Hi Iris - Sasha O'Connell (cc'd here) tells me you're now the DAG's point person on Going Dark. Cool! Since I'm working with Sasha and the rest of Jim C's crew on the issue, I suspect our paths will cross (or at least our emails), and I look forward to it. Now that classes at Columbia are ending, I'm hoping to ramp up my contributions to the effort.

> best

> dan richman

Ceresney, Andrew

From: Ceresney, Andrew
Sent: Wednesday, June 08, 2016 7:15 AM
To: Richman, Daniel C. (DO) (OGA)
Subject: Re: smart phones

Hi Dan - wanted to reach out on something related to ECPA, and see whether you guys could help. Are you free for a quick call today?

Original Message

From: Richman, Daniel C. (DO) (OGA)
Sent: Sunday, October 11, 2015 6:12 PM
To: Ceresney, Andrew
Subject: RE: smart phones

Wh ended up backing Jim as an official. But gosh that's a big building _____

From: Ceresney, Andrew [REDACTED]@SEC.GOV]
Sent: Sunday, October 11, 2015 10:00 AM
To: Richman, Daniel C. (DO) (OGA)
Subject: Re: smart phones

b6 Per SEC

Let's just say NY should not be judged by Times. Assume you are having trouble w Wh

Original Message

From: Richman, Daniel C. (DO) (OGA)
Sent: Sunday, October 11, 2015 9:42 AM
To: Ceresney, Andrew
Subject: RE: smart phones

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From: Ceresney, Andrew [REDACTED]@SEC.GOV]
Sent: Sunday, October 11, 2015 9:13 AM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: smart phones

b6 Per SEC

Dan - Surprising article in NYT on WH position re encryption. Am sure you guys are not happy. Andrew

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

From: Richman, Daniel C. (DO) (OGA) [REDACTED]
Sent: Wednesday, October 07, 2015 08:39 PM Eastern Standard Time

b7E -3

To: Ceresney, Andrew
Cc: Oconnell, Sasha C. (DO) (FBI); Boujoukos, Jeffrey; [REDACTED]
Subject: RE: smart phones

b6 Per SEC

Thanks. More generally, even though it's always a challenge to clarify how a precluded line of investigation affected a case, and a particular challenge for an enforcement agency sensitive to disclosure risks, we'd appreciate hearing about other cases where password protection and encryption have stymied you Thx for being so quick on this Dan r

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b6 Per SEC

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b5 Per SEC

b6 Per SEC

[REDACTED] our sense is the case with ultimately resolve -- hopefully in our favor -- without us getting the chance to challenge it. And we are seeking other ways to try to get the info from the phone. I have cc'd Jeff Boujoukos and [REDACTED] who are in our Philly office and closest to the matter. They can provide more info. Andrew

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From: Richman, Daniel C. (DO) (OGA) [REDACTED]
Sent: Wednesday, October 07, 2015 07:07 PM Eastern Standard Time
To: Ceresney, Andrew
Cc: Oconnell, Sasha C. (DO) (FBI)
Subject: smart phones

b7E -3

Hi Andrew -- I'm working these days with Jim Comey and his crew on, among other things, the "Going Dark" problem. I don't know the extent to which the attached EDPa case -- about SEC access to a password protected smartphone -- is on your radar. But I (and Sasha O'Connell, the policy point person in the Director's office -- cc'd here) would love to get more information about the extent to which the problem is affecting your work, in this case and others.

thx
dan richman

Ceresney, Andrew

From: Ceresney, Andrew
Sent: Wednesday, June 08, 2016 8:47 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: Re: smart phones

Thanks Dan. Mary Jo spoke to Jim today and he said he would see what your folks could do to help us with our cause. Happy to speak when you have a chance [redacted] at the end of the month, so would love any guidance you have. b6 Per SEC

Original Message

From: Richman, Daniel C. (DO) (OGA)
Sent: Wednesday, June 8, 2016 3:48 PM
To: Ceresney, Andrew
Subject: Re: smart phones

sorry for the delayed response. Just got back from Iceland a few hours ago . Happy to chat today. Also will be in DC (at bu) next tues & wed

From: Ceresney, Andrew [redacted]@SEC.GOV>
Sent: Wednesday, June 8, 2016 7:15 AM
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Original Message

From: Richman, Daniel C. (DO) (OGA)
Sent: Sunday, October 11, 2015 9:42 AM
To: Ceresney, Andrew

FBI 18-CV-1833-6586

Subject: RE: smart phones

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b6 Per SEC

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Subject: RE: smart phones

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b7E -3

Sent: Wednesday, October 07, 2015 08:39 PM Eastern Standard Time

To: Ceresney, Andrew

Cc: Oconnell, Sasha C. (DO) (FBI); Boujoukos, Jeffrey; [REDACTED]

b6 Per SEC

Subject: RE: smart phones

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b6 Per SEC

Sent: Wednesday, October 07, 2015 7:10 PM

To: Richman, Daniel C. (DO) (OGA)

Cc: Oconnell, Sasha C. (DO) (FBI); Boujoukos, Jeffrey; [REDACTED]

Subject: RE: smart phones

Sure. Good to hear from you Dan. Glad to hear you are doing Gods work. I know about the case.

b5 Per SEC

b6 Per SEC

[REDACTED] but our sense is the case with ultimately resolve -- hopefully in our favor -- without us getting the chance to challenge it. And we are seeking other ways to try to get the info from the phone. I have cc'd Jeff Boujoukos and [REDACTED] who are in our Philly office and closest to the matter. They can provide more info. Andrew

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b7E -3

Sent: Wednesday, October 07, 2015 07:07 PM Eastern Standard Time

To: Ceresney, Andrew

Cc: Oconnell, Sasha C. (DO) (FBI)

Subject: smart phones

Hi Andrew -- I'm working these days with Jim Comey and his crew on, among other things, the "Going

FBI 18-CV-1833-6587

Dark" problem. I don't know the extent to which the attached EDPa case -- about SEC access to a password protected smartphone -- is on your radar. But I (and Sasha O'Connell, the policy point person in the Director's office -- cc'd here) would love to get more information about the extent to which the problem is affecting your work, in this case and others.

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dan richman

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Sent: Sunday, October 11, 2015 9:13 AM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: smart phones

b6 Per SEC

FBI 18-CV-1833-6589

Dan - Surprising article in NYT on WH position re encryption. Am sure you guys are not happy. Andrew

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

From: Richman, Daniel C. (DO) (OGA) [REDACTED]
Sent: Wednesday, October 07, 2015 08:39 PM Eastern Standard Time
To: Ceresney, Andrew
Cc: Oconnell, Sasha C. (DO) (FBI); Boujoukos, Jeffrey; [REDACTED]
Subject: RE: smart phones

b7E -3

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b6 Per SEC

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dan richman

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Thursday, June 09, 2016 9:34 AM
To: Ceresney, Andrew
Subject: Re: smart phones

when would be a good time to chat today or tomorrow?

From: Ceresney, Andrew [REDACTED]@SEC.GOV>
Sent: Wednesday, June 8, 2016 8:47 PM
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Sent: Sunday, October 11, 2015 10:00 AM
To: Richman, Daniel C. (DO) (OGA)

b6 Per SEC

FBI 18-CV-1833-6591

Subject: Re: smart phones

Let's just say NY should not be judged by Times. Assume you are having trouble w Wh

Original Message

From: Richman, Daniel C. (DO) (OGA)
Sent: Sunday, October 11, 2015 9:42 AM
To: Ceresney, Andrew
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From: Richman, Daniel C. (DO) (OGA) [REDACTED]
Sent: Wednesday, October 07, 2015 08:39 PM Eastern Standard Time
To: Ceresney, Andrew
Cc: Oconnell, Sasha C. (DO) (FBI); Boujoukos, Jeffrey; [REDACTED]
Subject: RE: smart phones

b7E -3

b6 Per SEC

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Subject: RE: smart phones

b6 Per SEC

b5 Per SEC

b6 Per SEC

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From: Richman, Daniel C. (DO) (OGA) [REDACTED]

b7E -3

Sent: Wednesday, October 07, 2015 07:07 PM Eastern Standard Time

To: Ceresney, Andrew

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Subject: smart phones

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From: Ceresney, Andrew
Sent: Thursday, June 09, 2016 9:36 AM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: smart phones

Can talk now if you can -- [redacted]

b6 Per SEC

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FBI 18-CV-1833-6595

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[REDACTED] b6 Per SEC
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Oconnell, Sasha C. (DO) (FBI)

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Wednesday, June 15, 2016 12:47 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: FW: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

From: [redacted] (OGC) (FBI)
Sent: Wednesday, June 15, 2016 12:33 PM
To: Oconnell, Sasha C. (DO) (FBI)
Subject: FW: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

b6 -1
b7C -1
b7E -3

FYI

[redacted]
Deputy General Counsel
Investigative & Administrative Law Branch
Federal Bureau of Investigation
935 Pennsylvania Ave, NW
Washington, D.C. 20535

Confidentiality Statement:

This message is transmitted to you by the Office of the General Counsel of the Federal Bureau of Investigation. The message, along with any attachments, may be confidential and legally privileged. If you are not the intended recipient of this message, please destroy it promptly without further retention or dissemination (unless otherwise required by law). Please notify the sender of the error by a separate e-mail or by calling [redacted]

b3 Per ODNI
b6 -1,2 and Per ODNI
b7C -1,2

From: Alexander W Joel [redacted]
Sent: Wednesday, June 15, 2016 12:29 PM
To: DNI-CLPO; Rebecca J Richards; [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); Brown Lee, Erika (ODAG) (JMD) [redacted] Karen Neuman; Chung joo.v.chung2.civ@mail.mil
Subject: Fwd: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

I'm forwarding the below to you from my mobile device, so don't have everyone's emails handy. Please share with your colleagues. Registration is on a first come first served basis. Discussion at conference is on the record.

Sent from Divide managed by MobileIron

----- Forwarded Message -----

From: [redacted]
Date: Jun 15, 2016 8:46:41 AM
Subject: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

b3 Per ODNI
b6 Per ODNI

To: [redacted], Alexander W Joel [redacted]
[redacted] CIV USARMY NGIC
(US) [redacted] "Jesse Crump
(jessc.k.crump.civ@mail.mil)" <jessc.k.crump.civ@mail.mil>
[redacted]@iftf.org> [redacted]

CC: [redacted] b3 Per ODNI
b6 -2,5 and Per DHS, ODNI, and ARMY INTEL
b7C -2,5

Our office is sponsoring a workshop at the National Academies next week that might be of interest to you (see below). The topic of authorized government access has considerable public and White House interest, and views on how to address this issue vary widely. If you are interested in attending, please register online at: http://sites.nationalacademies.org/CSTB/CurrentProjects/CSTB_172886

Sincerely,

[redacted]

b3 Per ODNI
b6 Per ODNI

Senior S&T Advisor
Office of the Director of National Intelligence
Acquisition, Technology and Facilities/Science and Technology

[redacted]

National Academies of Sciences, Engineering, and Medicine
Computer Science and Telecommunications Board

Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

June 23-24, 2016

**Keck Center of the National Academies of Sciences, Engineering, and Medicine,
Washington DC**

Experts from academia, industry, and government will provide perspectives and knowledge to help inform and advance the national dialogue around encryption. The workshop will

focus on technical approaches for and implications of authorized government access to plaintext information. Workshop panels will address the following topics:

- (1) The current encryption landscape
- (2) Encryption use cases and the feasibility of segmenting encryption policies
- (3) Security risks of architectures for enabling access to plaintext
- (4) Technical mitigations for inaccessible plaintext
- (5) Forecasting encryption practices in light of national policies

The workshop will be open to the public. A rapporteur-authored summary of the workshop discussions will be published by the National Academies Press.

If you wish to attend this workshop, you may register

here: http://sites.nationalacademies.org/CSTB/CurrentProjects/CSTB_172886

For more information about this event, please contact at

b6 -2
b7c -2

Note: The workshop is organized by the Computer Science and Telecommunications Board of the National Academies of Sciences, Engineering, and Medicine and is sponsored by the Office of the Director for National Intelligence.

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Thursday, June 16, 2016 11:38 AM
To: Oconnell, Sasha C. (DO) (FBI)
Subject: Re: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

Lovely seeing you. As I look at the organizer list (and see [redacted]), I worry about a serious skew in the panels. Is there any way someone with tech credibility from the Bu - could be there? Or at least someone from another agency -- Kiran, or NSA -- [redacted]

b5 -1
b6 -2
b7C -2

[redacted] Heck, even Commerce. However skewed the NAS is, it carries serious weight among those open to persuasion

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Wednesday, June 15, 2016 12:47 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: FW: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

From: [redacted] (OGC) (FBI)
Sent: Wednesday, June 15, 2016 12:33 PM
To: Oconnell, Sasha C. (DO) (FBI)
Subject: FW: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

b6 -1
b7C -1
b7E -3

FYI

[redacted]
Deputy General Counsel
Investigative & Administrative Law Branch
Federal Bureau of Investigation
935 Pennsylvania Ave, NW
Washington, D.C. 20535
[redacted]

Confidentiality Statement:

This message is transmitted to you by the Office of the General Counsel of the Federal Bureau of Investigation. The message, along with any attachments, may be confidential and legally privileged. If you are not the intended recipient of this message, please destroy it promptly without further retention or dissemination (unless otherwise required by law). Please notify the sender of the error by a separate e-mail or by calling [redacted]

b3 Per ODNI
b6 -1,2 and Per ODNI
b7C -1,2

From: Alexander W Joel [redacted]
Sent: Wednesday, June 15, 2016 12:29 PM
To: DNI-CLPO; Rebecca J Richards; [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); Brown Lee, Erika (ODAG) (JMD); [redacted] Karen Neumar; Chung joo.v.chung2.civ@mail.mil
Subject: Fwd: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

FBI 18-CV-1833-6621

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Sent from Divide managed by MobileIron

----- Forwarded Message -----

b3 Per ODNI
b6 -2,5 and Per DHS, ODNI and Army Intel
b7C -2,5

From: [Redacted]

Date: Jun 15, 2016 8:46:41 AM

Subject: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

To: [Redacted] Alexander W Joel [Redacted] [Redacted]

[Redacted] CIV USARMY NGIC

(US)" [Redacted] "Jesse Crump

(jesse.k.crump.civ@mail.mil)" <jesse.k.crump.civ@mail.mil> [Redacted]

[Redacted] @iff.org> [Redacted]

[Redacted]

CC: [Redacted]

Our office is sponsoring a workshop at the National Academies next week that might be of interest to you (see below). The topic of authorized government access has considerable public and White House interest, and views on how to address this issue vary widely. If you are interested in attending, please register online at: http://sites.nationalacademies.org/CSTB/CurrentProjects/CSTB_172886

Sincerely,

[Redacted Signature]

b3 Per ODNI
b6 Per ODNI

Senior S&T Advisor
Office of the Director of National Intelligence
Acquisition, Technology and Facilities/Science and Technology

[Redacted Address]

**National Academies of Sciences, Engineering, and Medicine
Computer Science and Telecommunications Board**

**Workshop on Encryption and Mechanisms for Authorized Government Access to
Plaintext**

June 23-24, 2016

**Keck Center of the National Academies of Sciences, Engineering, and Medicine,
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Experts from academia, industry, and government will provide perspectives and knowledge to help inform and advance the national dialogue around encryption. The workshop will focus on technical approaches for and implications of authorized government access to plaintext information. Workshop panels will address the following topics:

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- (2) Encryption use cases and the feasibility of segmenting encryption policies
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For more information about this event, please contact at

b6 -2
b7C -2

Note: The workshop is organized by the Computer Science and Telecommunications Board of the National Academies of Sciences, Engineering, and Medicine and is sponsored by the Office of the Director for National Intelligence.

Oconnell, Sasha C. (DO) (FBI)

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Thursday, June 16, 2016 11:40 AM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

10 4 yes Burrell is coming with me!
Great to see you as well hope the train ride home was smooth!!

----- Original message -----

From: "Richman, Daniel C. (DO) (OGA)" [redacted]
Date: 06/16/2016 11:37 AM (GMT-05:00)
To: "Oconnell, Sasha C. (DO) (FBI)" [redacted]
Subject: Re: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

b5 -1
b6 -2
b7C -2
b7E -3

Lovely seeing you. As I look at the organizer list (and see [redacted]) I worry about a serious skew in the panels. Is there any way someone with tech credibility from the Bu - could be there? Or at least someone from another agency -- Kiran, or NSA -- [redacted]
[redacted] Heck, even Commerce. However skewed the NAS is, it carries serious weight among those open to persuasion

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Wednesday, June 15, 2016 12:47 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: FW: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

From: [redacted] (OGC) (FBI)
Sent: Wednesday, June 15, 2016 12:33 PM
To: Oconnell, Sasha C. (DO) (FBI)
Subject: FW: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

b6 -1
b7C -1
b7E -3

FYI

[redacted]
Deputy General Counsel
Investigative & Administrative Law Branch
Federal Bureau of Investigation
935 Pennsylvania Ave, NW
Washington, D.C. 20535
[redacted]

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b7E -3

b3 Per ODNI
b6 -1,2 and Per ODNI
b7C -1,2

From: Alexander W Joel [redacted]
Sent: Wednesday, June 15, 2016 12:29 PM
To: DNI-CLPO; Rebecca J Richards [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); Brown Lee, Erika (ODAG) (JMD); [redacted] Karen Neuman; Chung joo.y.chung2.civ@mail.mil
Subject: Fwd: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext

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Sent from Divide managed by Mobilicron

----- Forwarded Message -----

b3 Per ODNI
b6 -2,5 and Per DHS, ODNI, and ARMY INTEL
b7C -2,5

From: [redacted]
Date: Jun 15, 2016 8:46:41 AM
Subject: Workshop on Encryption and Mechanisms for Authorized Government Access to Plaintext
To: [redacted], Alexander W Joel [redacted]
[redacted] CIV USARMY NGIC
(US)" [redacted] "Jesse Crump
(jesse.k.crump.civ@mail.mil)" <jesse.k.crump.civ@mail.mil> [redacted]
[redacted]@iff.org> [redacted]
CC: [redacted]

Our office is sponsoring a workshop at the National Academies next week that might be of interest to you (see below). The topic of authorized government access has considerable public and White House interest, and views on how to address this issue vary widely. If you are interested in attending, please register online at: http://sites.nationalacademies.org/CSTB/CurrentProjects/CSTB_172886

Sincerely,

[redacted]

b3 Per ODNI
b6 Per ODNI

Senior S&T Advisor
Office of the Director of National Intelligence
Acquisition, Technology and Facilities/Science and Technology

[redacted]

**National Academies of Sciences, Engineering, and Medicine
Computer Science and Telecommunications Board**

**Workshop on Encryption and Mechanisms for Authorized Government Access to
Plaintext**

June 23-24, 2016

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here: http://sites.nationalacademies.org/CSTB/CurrentProjects/CSTB_172886

For more information about this event, please contact at

b6 -2
b7c -2

Note: The workshop is organized by the Computer Science and Telecommunications Board of the National Academies of Sciences, Engineering, and Medicine and is sponsored by the Office of the Director for National Intelligence.

Oconnell, Sasha C. (DO) (FBI)

Subject: HOLD FOR COFFEE WITH

b6 -2
b7C -2

Start: Monday, September 26, 2016 2:00 PM

End: Monday, September 26, 2016 3:00 PM

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Oconnell, Sasha C. (DO) (FBI)

Required Attendees: Raj, Kiran; Richman, Daniel C. (DO) (OGA)

Would this work? Let me know and I can reach out to Turns out Burrell will be traveling on the 26th but I will set up a call.

Oconnell, Sasha C. (DO) (FBI)

Subject: Canceled: HOLD FOR COFFEE WITH [REDACTED]
Start: Monday, September 26, 2016 2:00 PM
End: Monday, September 26, 2016 3:00 PM
Recurrence: (none)
Meeting Status: Accepted
Organizer: Oconnell, Sasha C. (DO) (FBI)
Required Attendees: Raj, Kiran; Richman, Daniel C. (DO) (OGA)
Importance: High

b6 -2
b7C -2

Would this work? Let me know and I can reach out to [REDACTED] Turns out Burrell will be traveling on the 26th but I will set up a call.

Oconnell, Sasha C. (DO) (FBI)

Subject: Raj/Burrell/Richman/O'Connell Going Dark catch up
Location: JEH (call in for Burrell from travel)

Start: Monday, September 26, 2016 9:30 AM
End: Monday, September 26, 2016 10:30 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Oconnell, Sasha C. (DO) (FBI)
Required Attendees: Burrell, James C. (OTD) (FBI); Richman, Daniel C. (DO) (OGA);
Raj, Kiran

Oconnell, Sasha C. (DO) (FBI)

Subject: Raj/Burrell/Richman/O'Connell Going Dark catch up
Location: see internal note

Start: Monday, September 26, 2016 3:30 PM
End: Monday, September 26, 2016 4:30 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Oconnell, Sasha C. (DO) (FBI)
Required Attendees: Burrell, James C. (OTD) (FBI); Richman, Daniel C. (DO) (OGA); Raj, Kiran

d\cbpat3\plain\f0

d\cbpat3\plain All,

d\cbpat3\plain Kiran will be at HQ at 3:30--Jim can this work to chat? Dan--I will still meet you at the JEF Starbucks at 9:30

d\cbpat3\plain

Richman, Daniel C. (DO) (OGA)

Subject: Accepted: Raj/Burrell/Richman/O'Connell Going Dark catch up
Location: JEH (call in for Burrell from travel)

Start: Monday, September 26, 2016 9:30 AM
End: Monday, September 26, 2016 10:30 AM

Recurrence: {none}

Organizer: Richman, Daniel C. (DO) (OGA)
Required Attendees: Oconnell, Sasha C. (DO) (FBI)

Raj, Kiran

From: Raj, Kiran
Sent: Wednesday, September 14, 2016 4:40 PM
To: Oconnell, Sasha C. (DO) (FBI); Richman, Daniel C. (DO) (OGA)
Subject: RE: HOLD FOR COFFEE WITH [REDACTED]

b6 -2
b7C -2

Sasha -

I can make after 3:30 work on Monday, Sept. 26.

Best,

Kiran

-----Original Appointment-----

From: Oconnell, Sasha C. (DO) (FBI) [mailto:[REDACTED]]
Sent: Wednesday, September 14, 2016 1:42 PM
To: Raj, Kiran; Richman, Daniel C. (DO) (OGA)
Subject: HOLD FOR COFFEE WITH [REDACTED]
When: Monday, September 26, 2016 2:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where:

b6 -2
b7C -2
b7E -3

Would this work? Let me know and I can reach out to [REDACTED] Turns out Burrell will be traveling on the 26th but I will set up a call.

Oconnell, Sasha C. (DO) (FBI)

Subject: Canceled: HOLD FOR COFFEE WITH

b6 -2
b7C -2

Start: Monday, September 26, 2016 2:00 PM

End: Monday, September 26, 2016 3:00 PM

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Oconnell, Sasha C. (DO) (FBI)

Required Attendees: Raj, Kiran; Richman, Daniel C. (DO) (OGA)

Importance: High

Would this work? Let me know and I can reach out to Turns out Burrell will be traveling on the 26th but I will set up a call.

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Wednesday, September 21, 2016 4:00 PM
To: Oconnell, Sasha C. (DO) (FBI); Raj, Kiran
Subject: Re: HOLD FOR COFFEE WITH [REDACTED]

b6 -2
b7C -2

sounds good to me

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Wednesday, September 21, 2016 2:58 PM
To: Raj, Kiran; Richman, Daniel C. (DO) (OGA)
Subject: Canceled: HOLD FOR COFFEE WITH [REDACTED]
When: Monday, September 26, 2016 2:00 PM-3:00 PM.
Where:

b6 -2
b7C -2

Would this work? Let me know and I can reach out to [REDACTED] Turns out Burrell will be traveling on the 26th but I will set up a call.

Lan, Iris (ODAG)

Subject: FW: Meeting (Confirmed - International)

Location: ODAG Conference Room 4133

Start: Monday, September 26, 2016 10:00 AM

End: Monday, September 26, 2016 10:30 AM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Lan, Iris (ODAG)

Required Attendees: Richman, Daniel C. (DO) (OGA); Baker, James A. (OGC) (FBI); Downing, Richard; Gauhar, Tashina (ODAG); Hardee, Christopher (NSD); Ibrahim, Anitha; Lynch, John; Oconnell, Sasha C. (DO) (FBI); [REDACTED] (NSD); Swartz, Bruce; Wiegmann, Brad (NSD) b6 Per DOJ/NSD

-----Original Appointment-----

From: Lan, Iris (ODAG) [mailto:Iris.Lan3@usdoj.gov] **On Behalf Of** Lan, Iris (ODAG)

Sent: Monday, September 19, 2016 9:27 AM

b6 Per DOJ/NSD

To: Lan, Iris (ODAG); Baker, James A. (OGC) (FBI); Downing, Richard; Gauhar, Tashina (ODAG); Hardee, Christopher (NSD); Ibrahim, Anitha; Lynch, John; Oconnell, Sasha C. (DO) (FBI); [REDACTED] (NSD); Swartz, Bruce; Wiegmann, Brad (NSD)

Subject: Meeting (Confirmed - International)

When: Monday, September 26, 2016 10:00 AM-10:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: ODAG Conference Room 4133

This is the meeting rescheduled from 9/19. Thanks.

Oconnell, Sasha C. (DO) (FBI)

Subject: FW: Meeting (Confirmed - International)
Location: ODAG Conference Room 4133

Start: Monday, September 26, 2016 10:00 AM
End: Monday, September 26, 2016 10:30 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Oconnell, Sasha C. (DO) (FBI)
Required Attendees: Richman, Daniel C. (DO) (OGA)

-----Original Appointment-----

From: Lan, Iris (ODAG) [mailto:Iris.Lan3@usdoj.gov] **On Behalf Of** Lan, Iris (ODAG)

Sent: Monday, September 19, 2016 9:27 AM

To: Lan, Iris (ODAG); Baker, James A. (OGC) (FBI); Downing, Richard; Gauhar, Tashina (ODAG); Hardee, Christopher (NSD); Ibrahim, Anitha; Lynch, John; Oconnell, Sasha C. (DO) (FBI); [REDACTED] (NSD); Swartz, Bruce; Wiegmann, Brad (NSD)

b6 Per DOJ/NSD

Subject: Meeting (Confirmed - International)

When: Monday, September 26, 2016 10:00 AM-10:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: ODAG Conference Room 4133

This is the meeting rescheduled from 9/19. Thanks.

Richman, Daniel C. (DO) (OGA)

Subject: Accepted: Meeting (Confirmed - International)

Location: ODAG Conference Room 4133

Start: Monday, September 26, 2016 10:00 AM

End: Monday, September 26, 2016 10:30 AM

Recurrence: {none}

Organizer: Richman, Daniel C. (DO) (OGA)

Required Attendees: Lan, Iris (ODAG)

Lan, Iris (ODAG)

From: Lan, Iris (ODAG)
Sent: Sunday, September 25, 2016 4:54 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: Re: Accepted: Meeting (Confirmed - International)

Dan, Would you like to grab a quick coffee while you are in town? I have not been in NYC recently - otherwise, I would have reached out. Hope all is well

> On Sep 23, 2016, at 5:26 PM, Richman, Daniel C. (DO) (OGA) <[REDACTED]> wrote:
>
> <meeting.ics>

b7E -3

Oconnell, Sasha C. (DO) (FBI)

Subject: Raj/Burrell/Richman/O'Connell Going Dark catch up

Location: see internal note

Start: Monday, September 26, 2016 3:30 PM

End: Monday, September 26, 2016 4:30 PM

Show Time As: Tentative

Recurrence: (none)

Organizer: Oconnell, Sasha C. (DO) (FBI)

Required Attendees: Burrell, James C. (OTD) (FBI); Richman, Daniel C. (DO) (OGA); Raj, Kiran

d\cbpat3\plain\f0

d\cbpat3\plain All,

d\cbpat3\plain Kiran will be at HQ at 3:30--Jim can this work to chat? Dan--I will still meet you at the JEF Starbucks at 9:30

d\cbpat3\plain

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Tuesday, September 27, 2016 11:35 AM
To: Lan, Iris (ODAG) (JMD)
Subject: Re: Accepted: Meeting (Confirmed - International)

Darn! My limited email access & travel schedule meant I didn't see this until today. (This double life is complicated:)). So please don't think me rude, as it would have been great to chat. I do hope we can work something else out. I expect to be in DC more this Fall, but would love to chat by phone or in NYC best
dan richman

From: Lan, Iris (ODAG) <Iris.Lan3@usdoj.gov>
Sent: Sunday, September 25, 2016 4:54 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: Re: Accepted: Meeting (Confirmed - International)

Dan, Would you like to grab a quick coffee while you are in town? I have not been in NYC recently - otherwise, I would have reached out. Hope all is well!

> On Sep 23, 2016, at 5:26 PM, Richman, Daniel C. (DO) (OGA) wrote:
>
> <meeting.ics>

b7E -3

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Tuesday, September 27, 2016 3:38 PM
To: [redacted] (DO) (OGA); Oconnell, Sasha C. (DO) (FBI)
Subject: "I can show you the world"

b5 -1
b6 -1
b7C -1
b7E -6

I just want to make sure [redacted] that you get the D to [redacted]

[redacted]

[redacted] This morning I picked up

low-side email I got from Iris L but didn't see until today. She had wanted to get coffee sometime yesterday. Oh well. But if I do connect with her and [redacted] I'd love to be able to prod her.

thx
d

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Tuesday, September 27, 2016 3:40 PM
To: Oconnell, Sasha C. (DO) (FBI)
Subject: Re: "I can show you the world"

no, you \$*(&\$(*#@_
It's Aladdin

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, September 27, 2016 3:38 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: "I can show you the world"

Um, did you just cite the little mermaid? Made my day!!

----- Original message -----

From: "Richman, Daniel C. (DO) (OGA)" [redacted]
Date: 09/27/2016 3:37 PM (GMT-05:00)
To: [redacted] (DO) (OGA)" [redacted] "Oconnell, Sasha C. (DO) (FBI)"
[redacted]
Subject: "I can show you the world"

b5 -1
b6 -1
b7C -1
b7E -3, 6

I just want to make sure [redacted] that you get the D to [redacted]
[redacted]
[redacted] This morning I picked up
low-side email I got from Iris L but didn't see until today. She had wanted to get coffee sometime
yesterday. Oh well. But if I do connect with her and [redacted] I'd
love to be able to prod her.

thx
d

Oconnell, Sasha C. (DO) (FBI)

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, September 27, 2016 3:39 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: "I can show you the world"

Um, did you just cite the little mermaid? Made my day!!

--

----- Original message -----

From: "Richman, Daniel C. (DO) (OGA)" [redacted]
Date: 09/27/2016 3:37 PM (GMT-05:00)
To: [redacted] (DO) (OGA)" [redacted], "Oconnell, Sasha C. (DO) (FBI)"
[redacted]
Subject: "I can show you the world"

b5 -1
b6 -1
b7C -1
b7E -3,6

I just want to make sure, [redacted] that you get the D to [redacted]

[redacted]

[redacted] This morning I picked up low-side email I got from Iris L but didn't see until today. She had wanted to get coffee sometime yesterday. Oh well. But if I do connect with her and [redacted] I'd love to be able to prod her.

thx
d

[redacted] (DO) (OGA)

b5 -1
b6 -1
b7C -1

From: [redacted] (DO) (OGA)
Sent: Tuesday, September 27, 2016 3:41 PM
To: Richman, Daniel C. (DO) (OGA); Oconnell, Sasha C. (DO) (FBI)
Subject: RE: "I can show you the world"

Thanks, I'll try to ping the Director when things calm down (he's on the Hill twice today and again tomorrow)

From iris this morning on [redacted]

FYI - after the meetings this morning, I reached out to ask folks to start the process of preparing something on this front. So I wanted to let you know so you weren't wondering. We'll be back in touch when there is an update.

From: Richman, Daniel C. (DO) (OGA)
Sent: Tuesday, September 27, 2016 3:38 PM
To: [redacted] (DO) (OGA); Oconnell, Sasha C. (DO) (FBI)
Subject: "I can show you the world"

b5 -1
b6 -1
b7C -1
b7E -6

I just want to make sure, [redacted] that you get the D to [redacted]
[redacted]

[redacted] This morning I picked up low-side email I got from Iris L but didn't see until today. She had wanted to get coffee sometime yesterday. Oh well. But if I do connect with her and [redacted] I'd love to be able to prod her.

thx
d

Oconnell, Sasha C. (DO) (FBI)

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, September 27, 2016 3:44 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: "I can show you the world"

Oh crap! Right! I think I just lost my mom card!!

--

----- Original message -----

From: "Richman, Daniel C. (DO) (OGA)" [redacted]
Date: 09/27/2016 3:39 PM (GMT-05:00)
To: "Oconnell, Sasha C. (DO) (FBI)" [redacted]
Subject: Re: "I can show you the world"

b7E -3

no, you \$*(&\$(*#@_
It's Aladdin

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, September 27, 2016 3:38 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: "I can show you the world"

Um, did you just cite the little mermaid? Made my day!!

--

----- Original message -----

From: "Richman, Daniel C. (DO) (OGA)" [redacted]
Date: 09/27/2016 3:37 PM (GMT-05:00)
To: [redacted] (DO) (OGA)" [redacted] "Oconnell, Sasha C. (DO) (FBI)"
[redacted]
Subject: "I can show you the world"

b5 -1
b6 -1
b7C -1
b7E -3,6

I just want to make sure, [redacted] that you get the D to [redacted]
[redacted]
[redacted] This morning I picked up
low-side email I got from Iris L but didn't see until today. She had wanted to get coffee sometime
yesterday. Oh well. But if I do connect with her and the international work still needs to be done, I'd

love to be able to prod her.

thx

d

Oconnell, Sasha C. (DO) (FBI)

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, September 27, 2016 5:41 PM
To: [REDACTED] (DO) (OGA)
Cc: Richman, Daniel C. (DO) (OGA)
Subject: RE: UPDATED House Homeland Report on Encryption

b6 -1
b7C -1

I like the legal standards chart on the last page. Important piece many people need a refresher on.

--

----- Original message -----

From: [REDACTED] (DO) (OGA)" [REDACTED]
Date: 09/27/2016 4:17 PM (GMT-05:00)
To: "Oconnell, Sasha C. (DO) (FBI)" [REDACTED] "Lan, Iris (ODAG) (JMD)" <Iris.Lan3@usdoj.gov>
Cc: "Richman, Daniel C. (DO) (OGA)" [REDACTED]
Subject: RE: UPDATED House Homeland Report on Encryption

b5 -1
b6 -1
b7C -1
b7E -3

Thanks for passing along, Sasha.

Note that Section III of this report does a cursory international legislative survey of countries (with the exception of Israel) at the forefront of the encryption discussion. [REDACTED]

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, September 27, 2016 3:56 PM
To: [REDACTED] (DO) (OGA)
Subject: Fwd: UPDATED House Homeland Report on Encryption

b6 -1
b7C -1

--

----- Original message -----

From: "Beers, Elizabeth R. (DO) (FBI)" [REDACTED]
Date: 09/27/2016 3:54 PM (GMT-05:00)
To: "Oconnell, Sasha C. (DO) (FBI)" [REDACTED] (DO) (FBI)" [REDACTED] "Burrell, James C. (OTD) (FBI)" [REDACTED]
Cc: "Herring, Jason V. (CD) (FBI)" [REDACTED]
Subject: UPDATED House Homeland Report on Encryption

b6 -1
b7C -1
b7E -3

I haven't reviewed this yet -- just wanted to pass it along

BT

[REDACTED]

From: House Homeland Security Press <House.Homeland@mail.house.gov>
Date: Tuesday, September 27, 2016 at 11:33 AM
To: House Homeland Security Press <House.Homeland@mail.house.gov>
Subject: Homeland Security Committee Releases Updated Encryption Report

[redacted] (DO) (OGA)

b5 -1
b6 -1
b7C -1

From: [redacted] (DO) (OGA)
Sent: Tuesday, September 27, 2016 4:18 PM
To: Oconnell, Sasha C. (DO) (FBI); Lan, Iris (ODAG) (JMD)
Cc: Richman, Daniel C. (DO) (OGA)
Subject: RE: UPDATED House Homeland Report on Encryption

Thanks for passing along, Sasha.

Note that Section III of this report does a cursory international legislative survey of countries (with the exception of Israel) at the forefront of the encryption discussion. [redacted]

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, September 27, 2016 3:56 PM
To: [redacted] (DO) (OGA)
Subject: Fwd: UPDATED House Homeland Report on Encryption

b6 -1
b7C -1

----- Original message -----

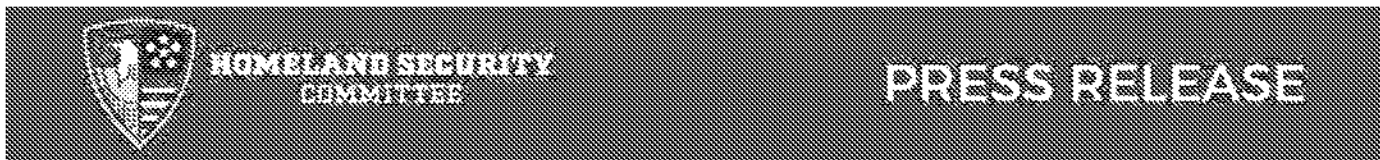
From: "Beers, Elizabeth R. (DO) (FBI)" [redacted]
Date: 09/27/2016 3:54 PM (GMT-05:00)
To: "Oconnell, Sasha C. (DO) (FBI)" [redacted] (DO) (FBI)" [redacted] "Burrell, James C. (OTD) (FBI)" [redacted]
Cc: "Herring, Jason V. (CD) (FBI)" [redacted]
Subject: UPDATED House Homeland Report on Encryption

b6 -1
b7C -1
b7E -3

I haven't reviewed this yet - just wanted to pass it along

[redacted]

From: House Homeland Security Press <House.Homeland@mail.house.gov>
Date: Tuesday, September 27, 2016 at 11:33 AM
To: House Homeland Security Press <House.Homeland@mail.house.gov>
Subject: Homeland Security Committee Releases Updated Encryption Report



FOR IMMEDIATE RELEASE
September 27, 2016

MEDIA CONTACT
Susan Phalen

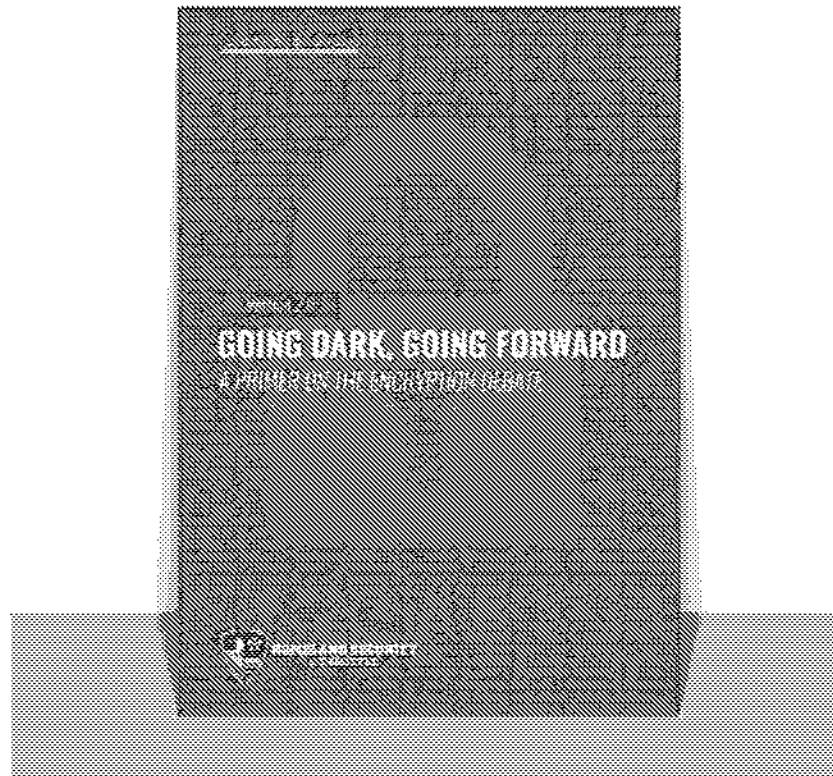
Homeland Security Committee Releases Updated Encryption Report

WASHINGTON, D.C. – The Chairman of the House Homeland Security Committee, Michael McCaul today released an update to the committee's report on encryption and its impact on law enforcement and counterterrorism efforts. The original report, entitled "Going Dark, Going Forward," was produced by the Majority Staff of the House Homeland Security Committee and released in June 2016.

Terror attacks in Paris, Brussels, and Nice prompted significant developments on the topic of encryption with respect to legislative

proposals taken by European nations, further illustrating the point that without a robust, fact-based dialogue on the encryption question, legislators world-wide will continue to struggle with the best possible response. Based on these developments and continued engagement with stakeholders, today the Committee published an updated version of this report.

Chairman McCaul: *"The recent developments in this area highlight that the encryption issue is not going away. On the contrary, it continues to be a major challenge to law enforcement and the intelligence community around the world. The United States should be leading efforts to develop a sustainable, sensible solution. Instead, we are sitting on our hands and doing nothing. A National Commission would bring the key players to the table to develop recommendations for maintaining privacy and digital security, while also finding ways to keep criminals and terrorists from exploiting these technologies to escape justice. Now is the time for action – before the next attack."*



NOTE: This first Congressional in-depth analysis of the issue summarizes the Committee's findings, based on more than 100 meetings and briefings Committee staff and Members have held with key stakeholders over the past year. In addition to providing insight into arguments on all sides of the encryption debate, the report lays the groundwork for a **National Commission on Digital Security and Technology Challenges** proposed by Homeland Security Chairman Michel McCaul (R-TX) and Senator Mark Warner (D-VA) on February 29, 2016.

Read the full report, [here](#).

###

Homeland Security Committee
(202) 226-6477



[redacted] (DO) (OGA)

b6 -1
b7C -1

From: [redacted] (DO) (OGA)
Sent: Thursday, September 29, 2016 10:19 AM
To: Richman, Daniel C. (DO) (OGA); Oconnell, Sasha C. (DO) (FBI)
Subject: RE: "I can show you the world"

We'll have to speak more about this when you are back in the building.

From: Richman, Daniel C. (DO) (OGA)
Sent: Tuesday, September 27, 2016 3:38 PM
To: [redacted] (DO) (OGA); Oconnell, Sasha C. (DO) (FBI)
Subject: "I can show you the world"

b5 -1
b6 -1
b7C -1
b7E -6

I just want to make sure [redacted] that you get the D to [redacted]

[redacted]
[redacted] This morning I picked up low-side email I got from Iris L but didn't see until today. She had wanted to get coffee sometime yesterday. Oh well. But if I do connect with her and the international work still needs to be done, I'd love to be able to prod her.

thx
d

Lan, Iris (ODAG)

From: Lan, Iris (ODAG)
Sent: Tuesday, September 27, 2016 9:09 PM
To: [redacted] (DO) (OGA)
Cc: Oconnell, Sasha C. (DO) (FBI); Richman, Daniel C. (DO) (OGA)
Subject: Re: UPDATED House Homeland Report on Encryption
Attachments: image001.jpg; image002.jpg; image003.png; image004.png; image005.png; image006.png; image007.png

b6 -1
b7C -1

Thanks, [redacted] Much appreciated, and will convey to relevant folks here working on this.

On Sep 27, 2016, at 4:18 PM, [redacted] (DO) (OGA) [redacted] wrote:

b5 -1
b6 -1
b7C -1
b7E -3

Thanks for passing along, Sasha.

Note that Section III of this report does a cursory international legislative survey of countries (with the exception of Israel) at the forefront of the encryption discussion. [redacted]
[redacted]

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, September 27, 2016 3:56 PM
To: [redacted] (DO) (OGA)
Subject: Fwd: UPDATED House Homeland Report on Encryption

b6 -1
b7C -1

--

----- Original message -----

From: "Beers, Elizabeth R. (DO) (FBI)" [redacted]
Date: 09/27/2016 3:54 PM (GMT-05:00)
To: "Oconnell, Sasha C. (DO) (FBI)" [redacted]
[redacted] (DO) (FBI)" [redacted]
[redacted] (DO) (FBI)" [redacted]
Cc: "Herring, Jason V. (CD) (FBI)" [redacted]
Subject: UPDATED House Homeland Report on Encryption
I haven't reviewed this yet - just wanted to pass it along

b6 -1
b7C -1
b7E -3

Beth Beers
FBI Office of Congressional Affairs
[redacted]

From: House Homeland Security Press <House.Homeland@mail.house.gov<mailto:House.Homeland@mail.house.gov>>

Date: Tuesday, September 27, 2016 at 11:33 AM

To: House Homeland Security Press <House.Homeland@mail.house.gov<mailto:House.Homeland@mail.house.gov>>

Subject: Homeland Security Committee Releases Updated Encryption Report

<image001.jpg><<https://homeland.house.gov/press/homeland-security-committee-releases-updated-encryption-report/>>

FOR IMMEDIATE RELEASE

September 27, 2016

MEDIA CONTACT

Susan Phalen<mailto:>

b6 -5
b7C -5

Homeland Security Committee Releases Updated Encryption Report

WASHINGTON, D.C. - The Chairman of the House Homeland Security Committee, Michael McCaul today released an update to the committee's report on encryption and its impact on law enforcement and counterterrorism efforts. The original report, entitled "Going Dark, Going Forward," was produced by the Majority Staff of the House Homeland Security Committee and released in June 2016.

Terror attacks in Paris, Brussels, and Nice prompted significant developments on the topic of encryption with respect to legislative proposals taken by European nations, further illustrating the point that without a robust, fact-based dialogue on the encryption question, legislators world-wide will continue to struggle with the best possible response. Based on these developments and continued engagement with stakeholders, today the Committee published an updated version<<https://homeland.house.gov/wp-content/uploads/2016/09/Staff-Report-Going-Dark-Going-Forward-Version-2.0.pdf>> of this report.

Chairman McCaul: "The recent developments in this area highlight that the encryption issue is not going away. On the contrary, it continues to be a major challenge to law enforcement and the intelligence community around the world. The United States should be leading efforts to develop a sustainable, sensible solution. Instead, we are sitting on our hands and doing nothing. A National Commission would bring the key players to the table to develop recommendations for maintaining privacy and digital security, while also finding ways to keep criminals and terrorists from exploiting these technologies to escape justice. Now is the time for action - before the next attack."

<image002.jpg><<https://homeland.house.gov/wp-content/uploads/2016/09/Staff-Report-Going-Dark-Going-Forward-Version-2.0.pdf>>

NOTE: This first Congressional in-depth analysis of the issue summarizes the Committee's findings, based on more than 100 meetings and briefings Committee staff and Members have held with key

FBI 18-CV-1833-7000

stakeholders over the past year. In addition to providing insight into arguments on all sides of the encryption debate, the report lays the groundwork for a National Commission on Digital Security and Technology Challenges<<https://homeland.house.gov/mccaul-warner-commission-2/>> proposed by Homeland Security Chairman Michel McCaul (R-TX) and Senator Mark Warner (D-VA) on February 29, 2016.

Read the full report, [here](#).

###

Homeland Security Committee
(202) 226-8477

<image003.png><homeland.house.gov><image004.png><<https://twitter.com/HouseHomeland>><image005.png><<https://www.facebook.com/HouseHomeland>><image006.png><<https://www.youtube.com/channel/UChdT2snPVx2m8n4VDdMag>><image007.png><<https://www.flickr.com/photos/househomeland/>>

Oconnell, Sasha C. (DO) (FBI)

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Friday, September 30, 2016 12:40 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: Fwd: International Leg

...

----- Original message -----

From: "Lan, Iris (ODAG)" <Iris.Lan3@usdoj.gov>
Date: 09/30/2016 12:04 PM (GMT-05:00)
To: "Oconnell, Sasha C. (DO) (FBI)" [REDACTED]
Cc: [REDACTED] (DO) (OGA)" [REDACTED]
Subject: International Leg

b6 -1
b7C -1
b7E -3

To help scope the international leg project, I've connected with folks here to come up with a preliminary list

[REDACTED]

[REDACTED] I plan to circle back to folks COB Mon, and if you have any thoughts before then, it would be great to get feedback. Thanks.

b5 Per OIP

[REDACTED]

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Friday, September 30, 2016 3:41 PM
To: Oconnell, Sasha C. (DO) (FBI)
Subject: Re: International Leg

I think this list is just right, for a start at least

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Friday, September 30, 2016 12:39 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: Fwd: International Leg

----- Original message -----

From: "Lan, Iris (ODAG)" <Iris.Lan3@usdoj.gov>
Date: 09/30/2016 12:04 PM (GMT-05:00)
To: "Oconnell, Sasha C. (DO) (FBI)" [REDACTED]
Cc: [REDACTED] (DO) (OGA)" [REDACTED]
Subject: International Leg

b6 -1
b7C -1
b7E -3

To help scope the international leg project, I've connected with folks here to come up with a preliminary list

[REDACTED]

[REDACTED] I plan to circle back to folks COB Mon, and if you have any thoughts before then, it would be great to get feedback. Thanks.

b5 Per OIP

[REDACTED]

Oconnell, Sasha C. (DO) (FBI)

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, November 15, 2016 3:26 PM
To: Richman, Daniel C. (DO) (OGA)
Cc: Raj, Kiran
Subject: 12/9

Dan,
Kiran is interested in participating 12/9 but needs an official email invite to get clearance. would you mind providing?

--

Oconnell, Sasha C. (DO) (FBI)

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Wednesday, November 16, 2016 4:05 PM
To: Richman, Daniel C. (DO) (OGA); Raj, Kiran
Subject: RE: 12/9

Thank you Dan!!

--

----- Original message -----

From: "Richman, Daniel C. (DO) (OGA)" [redacted]
Date: 11/16/2016 12:57 PM (GMT-06:00)
To: "Oconnell, Sasha C. (DO) (FBI)" [redacted] "Raj, Kiran" [redacted]
Subject: Re: 12/9

b6 Per DHS
b7E -3

but off course. Please consider this Highly Official:

Dear Kiran -

b6 -2
b7C -2

On behalf of the Columbia University Data Sciences Institute Cybersecurity group, [redacted] and we are writing to invite you to a closed (non-public, and strictly not-for-attribution) conversation on Friday, December 9 with FBI officials from its Science and Technology Branch -- including Jim Burrell, just stepping down as Deputy Assistant Director in the Operational Technology Division. The general topic will be security, public safety and privacy in the current cryptographic environment, with particular emphasis on current debates about what FBI Director Comey has called the "Going Dark" problem.

This is a special opportunity for direct dialog, and the hope is that this will be the beginning of a longer-term and productive relationship that, down the road, can include more public settings and perhaps even research collaborations.

The discussion will take place from 10:00-12:30 in the Columbia Law School Annex, which is located next to Faculty House. If you are interested in attending, please RSVP to [redacted] cc'd above. For those who don't know where the CLS Annex is, [redacted] can also provide instructions and a map.

b6 -2
b7C -2

We hope to see you there,

[redacted] & Dan

[redacted]
Liviu Librescu Professor of Law, Columbia Law School
Cybersecurity Center Co-Chair, Columbia Data Science Institute

Daniel Richman
Paul J. Kellner Professor of Law, Columbia Law School

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, November 15, 2016 3:25 PM
To: Richman, Daniel C. (DO) (OGA)
Cc: Raj, Kiran
Subject: 12/9

Dan,
Kiran is interested in participating 12/9 but needs an official email invite to get clearance. would you mind providing?

--

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Wednesday, November 16, 2016 1:58 PM
To: Oconnell, Sasha C. (DO) (FBI); Raj, Kiran
Subject: Re: 12/9

but off course. Please consider this Highly Official:

Dear Kiran -

On behalf of the Columbia University Data Sciences Institute Cybersecurity group [redacted] and we are writing to invite you to a closed (non-public, and strictly not-for-attribution) conversation on Friday, December 9 with FBI officials from its Science and Technology Branch -- including Jim Burrell, just stepping down as Deputy Assistant Director in the Operational Technology Division. The general topic will be security, public safety and privacy in the current cryptographic environment, with particular emphasis on current debates about what FBI Director Comey has called the "Going Dark" problem.

b6 -2
b7C -2

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b6 -2
b7C -2

We hope to see you there,

[redacted] & Dan

[redacted]
Liviu Librescu Professor of Law, Columbia Law School
Cybersecurity Center Co-Chair, Columbia Data Science Institute

Daniel Richman
Paul J. Kellner Professor of Law, Columbia Law School

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, November 15, 2016 3:25 PM
To: Richman, Daniel C. (DO) (OGA)
Cc: Raj, Kiran
Subject: 12/9

Dan,
Kiran is interested in participating 12/9 but needs an official email invite to get clearance. would you mind providing?

FBI 18-CV-1833-7126

Raj, Kiran

From: Raj, Kiran
Sent: Thursday, November 17, 2016 8:47 AM
To: Richman, Daniel C. (DO) (OGA); Oconnell, Sasha C. (DO) (FBI)
Subject: RE: 12/9

Thanks, Dan!

Kiran

From: Richman, Daniel C. (DO) (OGA) [mailto:]
Sent: Wednesday, November 16, 2016 1:58 PM
To: Oconnell, Sasha C. (DO) (FBI); Raj, Kiran
Subject: Re: 12/9

b6 Per DHS
b7E -3

but off course. Please consider this Highly Official:

Dear Kiran -

On behalf of the Columbia University Data Sciences Institute Cybersecurity group, [] and we are writing to invite you to a closed (non-public, and strictly not-for-attribution) conversation on Friday, December 9 with FBI officials from its Science and Technology Branch -- including Jim Burrell, just stepping down as Deputy Assistant Director in the Operational Technology Division. The general topic will be security, public safety and privacy in the current cryptographic environment, with particular emphasis on current debates about what FBI Director Comey has called the "Going Dark" problem.

b6 -2
b7C -2

This is a special opportunity for direct dialog, and the hope is that this will be the beginning of a longer-term and productive relationship that, down the road, can include more public settings and perhaps even research collaborations.

The discussion will take place from 10:00-12:30 in the Columbia Law School Annex, which is located next to Faculty House. If you are interested in attending, please RSVP to [] cc'd above. For those who don't know where the CLS Annex is, [] can also provide instructions and a map.

b6 -2
b7C -2

We hope to see you there,

[] & Dan

[]
Liviu Librescu Professor of Law, Columbia Law School
Cybersecurity Center Co-Chair, Columbia Data Science Institute

Daniel Richman
Paul J. Kellner Professor of Law, Columbia Law School

From: Oconnell, Sasha C. (DO) (FBI)

FBI 18-CV-1833-7128

Sent: Tuesday, November 15, 2016 3:25 PM
To: Richman, Daniel C. (DO) (OGA)
Cc: Raj, Kiran
Subject: 12/9

Dan,
Kiran is interested in participating 12/9 but needs an official email invite to get clearance. would you mind providing?

--

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Friday, November 18, 2016 5:09 PM
To: Raj, Kiran
Subject: Re: 12/9

Hey Kiran - This afternoon I had a fascinating conversation with [redacted] who just retired, in part because he wanted to work full time on the "extraordinary access" issue and regrets the lack of interest that crypto people have generally shown in the problem. [redacted] - who's name I was given by Rich Littlehale from the TennBI - is currently working on "a proposal for balancing public and personal security requirements," and would like to both present it at our 12/9 gathering. He said this is a presentation he just gave to NAS. I told him that would be perfect.

b6 -2
b7C -2

[redacted] very much thinks that projects along his lines will come out of our meeting and suggested that I try to get a DARPA program officer to attend. [redacted]

b5 -1
b6 -2
b7C -2

[redacted] And this would be the perfect time for them to start focusing.

thx for considering
dan r

From: Raj, Kiran [redacted]
Sent: Thursday, November 17, 2016 8:46 AM
To: Richman, Daniel C. (DO) (OGA); Oconnell, Sasha C. (DO) (FBI)
Subject: RE: 12/9

b6 Per DHS

Thanks, Dani

Kiran

From: Richman, Daniel C. (DO) (OGA) [mailto:[redacted]]
Sent: Wednesday, November 16, 2016 1:58 PM
To: Oconnell, Sasha C. (DO) (FBI) [redacted] Raj, Kiran [redacted]
Subject: Re: 12/9

b6 Per DHS
b7E -3

but off course. Please consider this Highly Official:

Dear Kiran -

On behalf of the Columbia University Data Sciences Institute Cybersecurity group, [redacted] and we are writing to invite you to a closed (non-public, and strictly not-for-attribution) conversation on Friday, December 9 with FBI officials from its Science and Technology Branch -- including Jim Burrell, just stepping down as Deputy Assistant Director in the Operational Technology Division. The general topic will be security, public safety and privacy in the current cryptographic environment, with particular emphasis on current debates about what FBI Director Comey has called the "Going Dark" problem.

b6 -2
b7C -2

This is a special opportunity for direct dialog, and the hope is that this will be the beginning of a longer-term and productive relationship that, down the road, can include more public settings and perhaps even research

collaborations.

The discussion will take place from 10:00-12:30 in the Columbia Law School Annex, which is located next to Faculty House. If you are interested in attending, please RSVP to [redacted] cc'd above. For those who don't know where the CLS Annex is, [redacted] can also provide instructions and a map.

b6 -2
b7c -2

We hope to see you there,

[redacted] & Dan

[redacted]
Liviu Librescu Professor of Law, Columbia Law School
Cybersecurity Center Co-Chair, Columbia Data Science Institute

Daniel Richman
Paul J. Kellner Professor of Law, Columbia Law School

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, November 15, 2016 3:25 PM
To: Richman, Daniel C. (DO) (OGA)
Cc: Raj, Kiran
Subject: 12/9

Dan,
Kiran is interested in participating 12/9 but needs an official email invite to get clearance. would you mind providing?

..

Raj, Kiran

From: Raj, Kiran
Sent: Friday, November 18, 2016 5:15 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: 12/9

Hi Dan --

That sounds like a very good idea. Let me see if I can track someone down.

Have a great weekend!

Kiran

From: Richman, Daniel C. (DO) (OGA) [mailto:] b6 -2 and Per DHS
Sent: Friday, November 18, 2016 5:09 PM b7C -2
To: Raj, Kiran b7E -3
Subject: Re: 12/9

Hey Kiran - This afternoon I had a fascinating conversation with []
[] who just retired, in part because he wanted to work full time on the "extraordinary access" issue and regrets
the lack of interest that crypto people have generally shown in the problem. [] - who's name I was given by Rich
Littlehaie from the TennBI - is currently working on "a proposal for balancing public and personal security
requirements," and would like to both present it at our 12/9 gathering. He said this is a presentation he just gave to
NAS. I told him that would be perfect.

[] very much thinks that projects along his lines will come out of our meeting and suggested that I try to get a
DARPA program officer to attend. []

b5 -1
b6 -2
b7C -2

[] And this would be the perfect time for them to start focusing.

thx for considering
dan r

From: Raj, Kiran [] b6 Per DHS
Sent: Thursday, November 17, 2016 8:46 AM
To: Richman, Daniel C. (DO) (OGA); Oconnell, Sasha C. (DO) (FBI)
Subject: RE: 12/9

Thanks, Dan!

Kiran

From: Richman, Daniel C. (DO) (OGA) [mailto:]
Sent: Wednesday, November 16, 2016 1:58 PM

b7E -3

FBI 18-CV-1833-7146

To: Oconnell, Sasha C. (DO) (FBI)

Raj, Kiran

b6 Per DHS
b7E -3

Subject: Re: 12/9

but off course. Please consider this Highly Official:

Dear Kiran -

On behalf of the Columbia University Data Sciences Institute Cybersecurity group, [redacted] and we are writing to invite you to a closed (non-public, and strictly not-for-attribution) conversation on Friday, December 9 with FBI officials from its Science and Technology Branch -- including Jim Burrell, just stepping down as Deputy Assistant Director in the Operational Technology Division. The general topic will be security, public safety and privacy in the current cryptographic environment, with particular emphasis on current debates about what FBI Director Comey has called the "Going Dark" problem.

b6 -2
b7C -2

This is a special opportunity for direct dialog, and the hope is that this will be the beginning of a longer-term and productive relationship that, down the road, can include more public settings and perhaps even research collaborations.

The discussion will take place from 10:00-12:30 in the Columbia Law School Annex, which is located next to Faculty House. If you are interested in attending, please RSVP to [redacted] cc'd above. For those who don't know where the CLS Annex is [redacted] can also provide instructions and a map.

b6 -2
b7C -2

We hope to see you there,

[redacted] & Dan

[redacted]
Liviu Librescu Professor of Law, Columbia Law School
Cybersecurity Center Co-Chair, Columbia Data Science Institute

Daniel Richman
Paul J. Kellner Professor of Law, Columbia Law School

From: Oconnell, Sasha C. (DO) (FBI)
Sent: Tuesday, November 15, 2016 3:25 PM
To: Richman, Daniel C. (DO) (OGA)
Cc: Raj, Kiran
Subject: 12/9

Dan,
Kiran is interested in participating 12/9 but needs an official email invite to get clearance. would you mind providing?

..

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Friday, November 18, 2016 5:18 PM
To: Raj, Kiran
Subject: Re: 12/9

you too dude
thx

From: Raj, Kiran [redacted]
Sent: Friday, November 18, 2016 5:14 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: 12/9

b6 Per DHS

Hi Dan --

That sounds like a very good idea. Let me see if I can track someone down.

Have a great weekend!

Kiran

From: Richman, Daniel C. (DO) (OGA) [mailto:[redacted]]
Sent: Friday, November 18, 2016 5:09 PM
To: Raj, Kiran [redacted]
Subject: Re: 12/9

b6 Per DHS
b7E -3

Hey Kiran - This afternoon I had a fascinating conversation with [redacted] who just retired, in part because he wanted to work full time on the "extraordinary access" issue and regrets the lack of interest that crypto people have generally shown in the problem. [redacted] - who's name I was given by Rich Littlehale from the TennBI - is currently working on "a proposal for balancing public and personal security requirements," and would like to both present it at our 12/9 gathering. He said this is a presentation he just gave to NAS. I told him that would be perfect.

b6 -2
b7C -2

[redacted] very much thinks that projects along his lines will come out of our meeting and suggested that I try to get a DARPA program officer to attend. [redacted]

b5 -1
b6 -2
b7C -2

[redacted] And this would be the perfect time for them to start focusing.

thx for considering
dan r

From: Raj, Kiran [redacted]
Sent: Thursday, November 17, 2016 8:46 AM
To: Richman, Daniel C. (DO) (OGA); Oconnell, Sasha C. (DO) (FBI)

b6 Per DHS

Subject: RE: 12/9

Thanks, Dan!

Kiran

From: Richman, Daniel C. (DO) (OGA) [mailto: [REDACTED]]

Sent: Wednesday, November 16, 2016 1:58 PM

To: Oconnell, Sasha C. (DO) (FBI) [REDACTED] Raj, Kiran [REDACTED]

Subject: Re: 12/9

b6 Per DHS
b7E -3

but off course. Please consider this Highly Official:

Dear Kiran -

On behalf of the Columbia University Data Sciences Institute Cybersecurity group, [REDACTED] and we are writing to invite you to a closed (non-public, and strictly not-for-attribution) conversation on Friday, December 9 with FBI officials from its Science and Technology Branch -- including Jim Burrell, just stepping down as Deputy Assistant Director in the Operational Technology Division. The general topic will be security, public safety and privacy in the current cryptographic environment, with particular emphasis on current debates about what FBI Director Comey has called the "Going Dark" problem.

b6 -2
b7C -2

This is a special opportunity for direct dialog, and the hope is that this will be the beginning of a longer-term and productive relationship that, down the road, can include more public settings and perhaps even research collaborations.

The discussion will take place from 10:00-12:30 in the Columbia Law School Annex, which is located next to Faculty House. If you are interested in attending, please RSVP to [REDACTED], cc'd above. For those who don't know where the CLS Annex is [REDACTED] can also provide instructions and a map.

b6 -2
b7C -2

We hope to see you there,
Matt & Dan

[REDACTED]
Liviu Librescu Professor of Law, Columbia Law School
Cybersecurity Center Co-Chair, Columbia Data Science Institute

Daniel Richman
Paul J. Kellner Professor of Law, Columbia Law School

From: Oconnell, Sasha C. (DO) (FBI)

Sent: Tuesday, November 15, 2016 3:25 PM

To: Richman, Daniel C. (DO) (OGA)

Cc: Raj, Kiran

Subject: 12/9

Dan,

FBI 18-CV-1833-7149

Kiran is interested in participating 12/9 but needs an official email invite to get clearance. would you mind providing?

--

[redacted] (DO) (OGA)

b6 -1
b7C -1

From: [redacted] (DO) (OGA)
Sent: Friday, January 06, 2017 11:59 AM
To: Richman, Daniel C. (DO) (OGA)
Subject: FW: Going Dark - the International Legal Landscape
Attachments: International GD Legal Landscape 01.05.17 (final).pdf; International GD Legal Landscape 01.05.17 (final).docx

b6 -1 Per DOJ/CRM and DOJ/NSD
b7C -1 Per DOJ/NSD
b7E -3

From: Downing, Richard [redacted]@usdoj.gov
Sent: Friday, January 06, 2017 11:55 AM
To: Gauhar, Tashina (ODAG) (JMD) <Tashina.Gauhar2@usdoj.gov>; Wiegmann, Brad (NSD) (JMD) <Brad.Wiegmann@usdoj.gov>; Downing, Richard (CRM) [redacted]@usdoj.gov>; Swartz, Bruce (CRM) [redacted]@usdoj.gov>; Hardee, Christopher (NSD) (JMD) <Christopher.Hardee@usdoj.gov>; Ibrahim, Anitha (CRM) [redacted]@usdoj.gov>; Cooper, Aaron (CRM) [redacted]@usdoj.gov>; [redacted] (DO) (OGA) [redacted] Lan, Iris (ODAG) (JMD) <Iris.Lan3@usdoj.gov>; Ahmad, Zainab (CRM) [redacted]@usdoj.gov>; [redacted] Goldfoot, Josh (CRM) [redacted]@usdoj.gov>; Rees, Albert (CRM) [redacted]@usdoj.gov>; O'Neil, Erica (CRM) [redacted]@usdoj.gov>; Stawasz, Michael (CRM) [redacted]@usdoj.gov>; Lynch, John (CRM) [redacted]@usdoj.gov>; Baker, James A. (OGC) (FBI) [redacted] (OGC) (FBI) [redacted]
Subject: Going Dark - the International Legal Landscape

All:

As a result of a helpful suggestion some months ago, a team comprised of CRM and NSD attorneys and staff has been working to put together a resource regarding how other countries' laws deal with the Going Dark issues. Attached is their work.

The plan is also to put the document on a sharepoint site so that it can be easily accessible and to update it over time as developments occur.

Thanks to everyone on the team who put in the effort to make this happen.

Richard.

RICHARD W. DOWNING
Deputy Assistant Attorney General (Acting)
Criminal Division
United States Department of Justice
[redacted]

b6 Per DOJ/CRM
b7C Per DOJ/CRM

Lan, Iris (ODAG)

From: Lan, Iris (ODAG)
Sent: Friday, January 06, 2017 12:00 PM
To: Cofield, Valerie M. (DO) (FBI); Richman, Daniel C. (DO) (OGA)
Cc: [redacted] (DO) (OGA)
Subject: FW: Going Dark - the International Legal Landscape
Attachments: International GD Legal Landscape 01.05.17 (final).pdf; International GD Legal Landscape 01.05.17 (final).docx

b6 -1
b7C -1

Fyi, and Happy New Year.

b6 -1 and Per DOJ/CRM and DOJ/NSD
b7C -1 and Per DOJ/CRM
b7E -3

From: Downing, Richard
Sent: Friday, January 06, 2017 11:55 AM
To: Gauhar, Tashina (ODAG) <tagauhar@jmd.usdoj.gov>; Wiegmann, Brad (NSD) <bwiegmann@jmd.usdoj.gov>; Downing, Richard [redacted]; Swartz, Bruce [redacted]@CRM.USDOJ.GOV>; Hardee, Christopher (NSD) <cnhardee@jmd.usdoj.gov>; Ibrahim, Anitha [redacted]@CRM.USDOJ.GOV>; Cooper, Aaron [redacted]@CRM.USDOJ.GOV> [redacted] (DO) (OGA) (FBI) [redacted] Lan, Iris (ODAG) <irlan@jmd.usdoj.gov>; Ahmad, Zainab (CRM) [redacted]@CRM.USDOJ.GOV>; [redacted] Goldfoot, Josh (CRM) [redacted]@CRM.USDOJ.GOV>; Rees, Albert [redacted]@CRM.USDOJ.GOV>; O'Neil, Erica (CRM) [redacted]@CRM.USDOJ.GOV>; Stawasz, Michael [redacted]@CRM.USDOJ.GOV>; Lynch, John [redacted]@CRM.USDOJ.GOV>; Baker, James A. (OGC) (FBI) [redacted] (OGC) (FBI) [redacted]
Subject: Going Dark - the International Legal Landscape

All:

As a result of a helpful suggestion some months ago, a team comprised of CRM and NSD attorneys and staff has been working to put together a resource regarding how other countries' laws deal with the Going Dark issues. Attached is their work.

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Richard.

RICHARD W. DOWNING

Deputy Assistant Attorney General (Acting)
Criminal Division
United States Department of Justice

[redacted]

b6 Per DOJ/CRM
b7C Per DOJ/CRM

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Friday, January 06, 2017 12:34 PM
To: Lan, Iris (ODAG) (JMD)
Cc: [REDACTED] (DO) (OGA)
Subject: Re: Going Dark - the International Legal Landscape

b6 -1
b7C -1

As I think about this [REDACTED]
[REDACTED] I recall that Sasha O'C had a pretty good relationship with them.

b5 -1

From: Lan, Iris (ODAG) <Iris.Lan3@usdoj.gov>
Sent: Friday, January 6, 2017 12:21 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: Going Dark - the International Legal Landscape

b5 Per DOJ/OIP

Thanks, Dan. Let's definitely discuss next steps soon - [REDACTED]
[REDACTED] I don't have a sense yet of where things are going to land post-transition with respect to Commerce, but also glad to get a feel, to the extent we are looking to include. Look forward to catching up again soon either way.

From: Richman, Daniel C. (DO) (OGA) [mailto:[REDACTED]]
Sent: Friday, January 06, 2017 12:17 PM
To: Lan, Iris (ODAG) <irlan@jmd.usdoj.gov>; Cofield, Valerie M. (DO) (FBI) [REDACTED]
Cc: [REDACTED] (DO) (OGA) (FBI) [REDACTED]
Subject: Re: Going Dark - the International Legal Landscape

b6 -1
b7C -1
b7E -3

Happy New Year and thanks for this. It's nicely done. The next, and even more challenging step, is to

b5 -1

[REDACTED]
dan r

From: Lan, Iris (ODAG) <Iris.Lan3@usdoj.gov>
Sent: Friday, January 6, 2017 11:59 AM
To: Cofield, Valerie M. (DO) (FBI); Richman, Daniel C. (DO) (OGA)
Cc: [REDACTED] (DO) (OGA)
Subject: FW: Going Dark - the International Legal Landscape

b6 -1
b7C -1

FYI, and Happy New Year.

From: Downing, Richard
Sent: Friday, January 06, 2017 11:55 AM
To: Gauhar, Tashina (ODAG) <tagauhar@jmd.usdoj.gov>; Wiegmann, Brad (NSD) <bwiegmann@jmd.usdoj.gov>; Downing, Richard [REDACTED]@CRM.USDOJ.GOV>; Swartz, Bruce

b6 Per DOJ/CRM
b7C Per DOJ/CRM

FBI 18-CV-1833-7258

[redacted]@CRM.USDOJ.GOV>; Hardee, Christopher (NSD) <cnhardee@jmd.usdoj.gov>; Ibrahim, Anitha
[redacted]@CRM.USDOJ.GOV>; Cooper, Aaron [redacted]@CRM.USDOJ.GOV>
(DO) (OGA) (FBI) [redacted]; Lan, Iris (ODAG) <irlan@jmd.usdoj.gov>; Ahmad, Zainab (CRM)
[redacted]@CRM.USDOJ.GOV>; [redacted] Goldfoot, Josh
(CRM) [redacted]@CRM.USDOJ.GOV>; Rees, Albert [redacted]@CRM.USDOJ.GOV>; O'Neil, Erica (CRM)
[redacted]@CRM.USDOJ.GOV>; Stawasz, Michael [redacted]@CRM.USDOJ.GOV>; Lynch, John
[redacted]@CRM.USDOJ.GOV>; Baker, James A. (OGC) (FBI) [redacted]
(OGC) (FBI) [redacted]

Subject: Going Dark - the International Legal Landscape

b6 -1 and Per DOJ/CRM and DOJ/NSD
b7C -1 and Per DOJ/CRM
b7E -3

All:

As a result of a helpful suggestion some months ago, a team comprised of CRM and NSD attorneys and staff has been working to put together a resource regarding how other countries' laws deal with the Going Dark issues. Attached is their work.

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Richard.

RICHARD W. DOWNING

Deputy Assistant Attorney General (Acting)
Criminal Division
United States Department of Justice

[redacted]

b6 Per DOJ/CRM
b7C Per DOJ/CRM

[redacted] (DO) (OGA)

b6 -1
b7C -1

Subject: FW: HOLD for Sensitive Tools Working Group Discussion
Location: JEH Conference Room 10304 and Dial In

Start: Tuesday, January 10, 2017 1:00 PM
End: Tuesday, January 10, 2017 2:00 PM

Recurrence: (none)

Meeting Status: Accepted

b6 -1 and Per DOJ/NSD
b7C -1

Organizer: [redacted] (DO) (OGA)

Required Attendees: Richman, Daniel C. (DO) (OGA); [redacted] (DO) (FBI);
[redacted] (DO) (FBI); [redacted]
[redacted] (OTD) (FBI); [redacted]
(OGC) (FBI); [redacted] (OGC) (FBI); [redacted]
[redacted] (OGC) (FBI); Goldfoot, Josh (CRM); Ferber, Scott
(ODAG) (JMD); Meyers, Brian S. (USAEO); Smith, David L.
(USAEO); [redacted]
[redacted] Ohr, Bruce (ODAG) (JMD); Ibrahim, Anitha
(CRM); Grocki, Steve (CRM); [redacted]
[redacted]
(CTD) (FBI); Cofield, Valerie M. (DO) (FBI); Devall, Patrick N.
(OTD) (FBI); [redacted] (FD) (FBI); [redacted]
[redacted] (DO) (FBI); [redacted] (FD) (FBI); Lan, Iris
(ODAG) (JMD)

Sensitive tools workshop dial in.

-----Original Appointment-----

b6 -1 and Per DOJ/NSD
b7C -1

From: [redacted] (DO) (OGA)

Sent: Thursday, December 29, 2016 10:31 AM

To: [redacted] (DO) (OGA); [redacted] (DO) (FBI); [redacted] (DO) (FBI); [redacted]
[redacted] (OTD) (FBI); [redacted] (OGC) (FBI); [redacted]
[redacted] (OGC) (FBI); [redacted] (OGC) (FBI); Goldfoot, Josh (CRM); Ferber, Scott (ODAG) (JMD);
Meyers, Brian S. (USAEO); Smith, David L. (USAEO); [redacted]
[redacted] Ohr, Bruce (ODAG) (JMD); Ibrahim, Anitha (CRM); Grocki, Steve (CRM); [redacted]
[redacted] (CTD) (FBI); Cofield, Valerie M. (DO)
(FBI); Devall, Patrick N. (OTD) (FBI); [redacted] (FD) (FBI); [redacted] (DO) (FBI);
[redacted] (FD) (FBI); Lan, Iris (ODAG) (JMD)

Subject: HOLD for Sensitive Tools Working Group Discussion

When: Tuesday, January 10, 2017 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: JEH Conference Room 10304 and Dial In

All sites please dial [redacted]
Conference ID# [redacted]

b7E -3

[redacted] (DO) (OGA)

b6 -1
b7C -1

Subject: FW: HOLD for Sensitive Tools Working Group Discussion
Location: JEH Conference Room 10304 and Dial In

Start: Tuesday, January 10, 2017 1:00 PM
End: Tuesday, January 10, 2017 2:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: [redacted] (DO) (OGA)
Required Attendees: Richman, Daniel C. (DO) (OGA)

Sensitive tools workshop dial in.

-----Original Appointment-----

b6 -1 and Per DOJ/NSD
b7C -1

From: [redacted] (DO) (OGA)

Sent: Thursday, December 29, 2016 10:31 AM

To: [redacted] (DO) (OGA); [redacted] (DO) (FBI); [redacted] (DO) (FBI); [redacted] (OTD) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); [redacted] (OGC) (FBI); Goldfoot, Josh (CRM); Ferber, Scott (ODAG) (JMD); Meyers, Brian S. (USAE0); Smith, David L. (USAE0); [redacted] Ohr, Bruce (ODAG) (JMD); Ibrahim, Anitha (CRM); Grocki, Steve (CRM) [redacted] [redacted] (CTD) (FBI); Cofield, Valerie M. (DO) (FBI); Devall, Patrick N. (OTD) (FBI); [redacted] (FD) (FBI); [redacted] (DO) (FBI); [redacted] (FD) (FBI); Lan, Iris (ODAG) (JMD)

Subject: HOLD for Sensitive Tools Working Group Discussion

When: Tuesday, January 10, 2017 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: JEH Conference Room 10304 and Dial In

All sites please dial [redacted]
Conference ID# [redacted]

b7E -3

[redacted] (DO) (OGA)

b6 -1
b7C -1

From: [redacted] (DO) (OGA)
Sent: Saturday, January 14, 2017 6:09 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: Fwd: WhatsApp

Perhaps an issue to raise with the cryptologists.

--

--

----- Original message -----

From: [redacted] (CRM)" [redacted]
Date: 01/14/2017 9:10 AM (GMT-05:00)
To: [redacted] (DO) (OGA)" [redacted]
Subject: Fwd: WhatsApp

b6 -1 and Per DOJ/CRM
b7C -1 and Per DOJ/CRM
b7E -3

Begin forwarded message:

From: "Pak, Andrew (CRM)" [redacted]@CRM.USDOJ.GOV<[redacted]@CRM.USDOJ.GOV>>
Date: January 13, 2017 at 10:02:32 PM EST
To: "CRM - Attorneys in Computer Crimes and Intellectual Property Section (CRM)"
[redacted]@CRM.USDOJ.GOV<[redacted]@CRM.USDOJ.GOV>>
Subject: WhatsApp

b6 Per DOJ/CRM
b7C Per DOJ/CRM

<https://www.technologyreview.com/s/603373/whatsapp-small-security-flaw-is-the-price-of-convenience/>

Andrew S. Pak
U.S. Department of Justice, Criminal Division
Computer Crime & Intellectual Property Section
Tel: [redacted]
[redacted]@usdoj.gov<mailto:[redacted]@usdoj.gov>

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Sunday, January 15, 2017 1:44 PM
To: [redacted] (DO) (OGA)
Subject: Re: WhatsApp

b6 -1
b7C -1

Yes, I saw the Guardian article. Of course [redacted] will just say: This what i mean when i keep telling how hard crypto is and why the govt should make our job harder with new access demands.

From: [redacted] (DO) (OGA)
Sent: Saturday, January 14, 2017 6:08 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: Fwd: WhatsApp

b6 -1
b7C -1

Perhaps an issue to raise with the cryptologists.

----- Original message -----

From: [redacted] (CRM)" [redacted]
Date: 01/14/2017 9:10 AM (GMT-05:00)
To: [redacted] (DO) (OGA)" [redacted]
Subject: Fwd: WhatsApp

b6 -1 and Per DOJ/CRM
b7C -1 and Per DOJ/CRM
b7E -3

Begin forwarded message:

From: "Pak, Andrew (CRM)" [redacted]@CRM.USDOJ.GOV-[redacted]@CRM.USDOJ.GOV>>
Date: January 13, 2017 at 10:02:32 PM EST
To: "CRM - Attorneys in Computer Crimes and Intellectual Property Section (CRM)" [redacted]@CRM.USDOJ.GOV<mailto:[redacted]@CRM.USDOJ.GOV>>
Subject: WhatsApp

b6 Per DOJ/CRM
b7C Per DOJ/CRM

<https://www.technologyreview.com/s/603373/whatsapps-small-security-flaw-is-the-price-of-convenience/>

Andrew S. Pak
U.S. Department of Justice, Criminal Division
Computer Crime & Intellectual Property Section
Tel [redacted]
[redacted]@usdoj.gov<mailto:[redacted]@usdoj.gov>

FBI 18-CV-1833-7357

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Thursday, February 02, 2017 3:16 PM
To: [redacted] (DO) (OGA)
Subject: Re: new [redacted] draft on encryption

b6 -1,2
b7C -1,2

i forgot to include Iris. Just did

From: [redacted] (DO) (OGA)
Sent: Thursday, February 2, 2017 3:15 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: new [redacted] draft on encryption

b6 -1,2
b7C -1,2

Great, I'll let them know.

From: Richman, Daniel C. (DO) (OGA)
Sent: Thursday, February 02, 2017 3:15 PM
To: [redacted] (DO) (OGA) [redacted]
Subject: Re: new [redacted] draft on encryption

b6 -1,2
b7C -1,2
b7E -3

more than happy. And they really should feel free to pass on comments thru me to [redacted]

From: [redacted] (DO) (OGA)
Sent: Thursday, February 2, 2017 3:09 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: new [redacted] draft on encryption

b6 -1,2
b7C -1,2

Would you be okay if I shared with CCIPS? (Happy to keep it to us if not.)

From: Richman, Daniel C. (DO) (OGA)
Sent: Thursday, February 02, 2017 3:08 PM
To: [redacted] (DO) (OGA) [redacted] Littlehaie, Richard
[redacted] Cofield, Valerie M. (DO) (FBI) [redacted]
[redacted]
Subject: new [redacted] draft on encryption

b6 -1,2
b7C -1,2
b7E -3

Attached is a draft on encryption work arounds that [redacted] just sent me. It's preliminary and can't be quoted but [redacted] is OK with my sharing it with you and would love to hear your comments. I've not read it and can't yet comment on its quality etc. But since so many courts look to [redacted] work for guidance, this is worth reading regardless
dan r

Lan, Iris (ODAG)

From: Lan, Iris (ODAG)
Sent: Thursday, February 02, 2017 4:10 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: new [redacted] draft on encryption

b6 -2
b7C -2

Thanks, Dan, and nice to hear from you. I have been meaning to reach out to catch up by phone. Are you free sometime next week? Hope all's well.

From: Richman, Daniel C. (DO) (OGA) [mailto:[redacted]]
Sent: Thursday, February 02, 2017 3:16 PM
To: Lan, Iris (ODAG) (IMD) <Iris.Lan3@usdoj.gov>
Subject: Fw: new [redacted] draft on encryption

b6 -2
b7C -2
b7E -3

Attached is a draft on encryption work arounds that [redacted] just sent me. It's preliminary and can't be quoted but [redacted] is OK with my sharing it with you and would love to hear your comments. I've not read it and can't yet comment on its quality etc. But since so many courts look to [redacted] work for guidance, this is worth reading regardless
dan r

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Thursday, February 02, 2017 3:15 PM
To: Lan, Iris (ODAG) (JMD)
Subject: Fw: new [redacted] draft on encryption
Attachments: Encryption WorkaroundsJanDraft.pdf

b6 -2
b7C -2

Attached is a draft on encryption work arounds that [redacted] just sent me. It's preliminary and can't be quoted but [redacted] is OK with my sharing it with you and would love to hear your comments. I've not read it and can't yet comment on its quality etc. But since so many courts look to [redacted] work for guidance, this is worth reading regardless
dan r

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Thursday, February 02, 2017 6:00 PM
To: Lan, Iris (ODAG) (JMD)
Subject: Re: new [redacted] draft on encryption

b6 -2
b7C -2

next week would be great. Would either mon or wed later afternoon work?

From: Lan, Iris (ODAG) <Iris.Lan3@usdoj.gov>
Sent: Thursday, February 2, 2017 4:10 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: new [redacted] draft on encryption

b6 -2
b7C -2

Thanks, Dan, and nice to hear from you. I have been meaning to reach out to catch up by phone. Are you free sometime next week? Hope all's well.

From: Richman, Daniel C. (DO) (OGA) [mailto:[redacted]]
Sent: Thursday, February 02, 2017 3:16 PM
To: Lan, Iris (ODAG) (JMD) <Iris.Lan3@usdoj.gov>
Subject: Fw: new [redacted] draft on encryption

b6 -2
b7C -2
b7E -3

Attached is a draft on encryption work arounds that [redacted] just sent me. It's preliminary and can't be quoted but [redacted] is OK with my sharing it with you and would love to hear your comments. I've not read it and can't yet comment on its quality etc. But since so many courts look to [redacted] work for guidance, this is worth reading regardless
dan r

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Friday, February 03, 2017 1:27 PM
To: [REDACTED] (DO) (OGA); Lan, Iris (ODAG) (JMD); Cofield, Valerie M. (DO) (FBI)
Subject: apple and india

b6 -1
b7c -1

we should keep our eyes open as these 2 stories converge

<https://www.bloomberg.com/news/articles/2016-09-13/india-wants-apple-and-google-phones-to-use-government-encryption>

<http://money.cnn.com/2017/02/03/technology/apple-india-manufacturing-bangalore/>

Lan, Iris (ODAG)

From: Lan, Iris (ODAG)
Sent: Friday, February 03, 2017 1:27 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: apple and india

10-4 -- thank you.

From: Richman, Daniel C. (DO) (OGA) [mailto: [REDACTED]]
Sent: Friday, February 03, 2017 1:27 PM
To: [REDACTED] (DO) (OGA) (FBI) [REDACTED] Lan, Iris (ODAG) (JMD)
<Iris.Lan3@usdoj.gov>; Cofield, Valerie M. (DO) (FBI) [REDACTED]
Subject: apple and india

b6 -1
b7C -1
b7E -3

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<https://www.bloomberg.com/news/articles/2016-09-13/india-wants-apple-and-google-phones-to-use-government-encryption>

<http://money.cnn.com/2017/02/03/technology/apple-india-manufacturing-bangalore/>

Lan, Iris (ODAG)

From: Lan, Iris (ODAG)
Sent: Tuesday, December 06, 2016 9:28 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: Connecting

Hi Dan,

As you may have heard from Sasha, there is a chance I may make it to your event on Friday. If so, I look forward to seeing you! But if not, do you happen to know when you are next in DC? It would be great to connect over coffee when you are next in town if possible. I would also be glad to try to schedule another catch-up with the same group you met before.

Can you also re-send me your Columbia contact info? I recall you prefer to communicate on that email address, as you check the account more frequently. But I can't seem to find the email in which you sent me that address.

Thanks,
Iris

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Saturday, December 10, 2016 4:24 PM
To: Lan, Iris (ODAG) (JMD)
Subject: Going Dark gathering yesterday

looking forward to chatting. But in the meantime, a post-workshop thought: My initial (wildly optimistic) hope was that, faced with the usual techno-talking points about how any incremental reduction of darkness would lead to unacceptable levels of insecurity, unaligned academic cryptotypes would roll their eyes and think of this as a technical challenge like any other. The conversation yesterday (small sample issues aside) went otherwise. Whether because of ideological preference or professional discipline, the starting point of most of the academics was a concern about "system failure" that, almost definitionally will invariably (1) lead to skepticism about the large scale introduction of precisely the sort of feature needed to address the GD problem, and (2) lead them to, when presented with even a particularized proposal like [redacted] which [redacted] can tell you about), to shrug their shoulders and demand, even for general discussion purposes, a hyper-clarity that can't, at the concept stage, be provided.

b6 -1,2
b7C -1,2

In an alternative universe, a combination of concern about public safety and intellectual curiosity would spur academics into looking for mini or maxi GD solutions. But ivory tower acceptance of "normal" bad things (like murder and terrorism) happening and more salient (because more intellectually important) concerns about cyber catastrophic failure dominating, makes the likelihood of academic progress suboptimal. My current guess is that the most likely way forward will be through a combination of serious legislative pressure that will make technical proposals financially rewarding (because the big firms will have to comply with some general mandate) and continued engagement with the tech community as it comes up with a class of compliant designs (no reason for their to be just one -- don't want a replay of Clipper Chip). Innovation will come when its rewarded.

dan r

Lan, Iris (ODAG)

From: Lan, Iris (ODAG)
Sent: Saturday, December 10, 2016 5:03 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: Re: Going Dark gathering yesterday

b5 Per DOJ/OIP

Dan - Great to hear from you. Thank you for these thoughts, esp on a weekend day. Very interesting, and I look very much forward to chatting further this coming week, particularly regarding [REDACTED]

On Dec 10, 2016, at 4:24 PM, Richman, Daniel C. (DO) (OGA) [REDACTED]

b7E -3

[REDACTED] wrote:

looking forward to chatting. But in the meantime, a post-workshop thought: My initial (wildly optimistic) hope was that, faced with the usual techno-talking points about how any incremental reduction of darkness would lead to unacceptable levels of insecurity, unaligned academic cryptotypes would roll their eyes and think of this as a technical challenge like any other. The conversation yesterday (small sample issues aside) went otherwise. Whether because of ideological preference or professional discipline, the starting point of most of the academics was a concern about "system failure" that, almost definitionally will invariably (1) lead to skepticism about the large scale introduction of precisely the sort of feature needed to address the GD problem, and (2) lead them to, when presented with even a particularized proposal like [REDACTED] (which [REDACTED] can tell you about), to shrug their shoulders and demand, even for general discussion purposes, a hyper-clarity that can't, at the concept stage, be provided.

b6 -1,2
b7C -1,2

In an alternative universe, a combination of concern about public safety and intellectual curiosity would spur academics into looking for mini or maxi GD solutions. But ivory tower acceptance of "normal" bad things (like murder and terrorism) happening and more salient (because more intellectually important) concerns about cyber catastrophic failure dominating, makes the likelihood of academic progress suboptimal. My current guess is that the most likely way forward will be through a combination of serious legislative pressure that will make technical proposals financially rewarding (because the big firms will have to comply with some general mandate) and continued engagement with the tech community as it comes up with a class of compliant designs (no reason for their to be just one -- don't want a replay of Clipper Chip). Innovation will come when its rewarded.

dan r

[redacted] (DO) (OGA)

b6 -1
b7C -1

From: [redacted] (DO) (OGA)
Sent: Thursday, January 05, 2017 8:53 AM
To: Richman, Daniel C. (DO) (OGA)
Subject: FW: Going Dark Comparative Approaches

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

From: Lan, Iris (ODAG) [mailto:Iris.Lan3@usdoj.gov]
Sent: Thursday, January 05, 2017 8:53 AM
To: [redacted] (DO) (OGA) [redacted]
Subject: RE: Going Dark Comparative Approaches

b5 Per DOJ/OIP
b6 -1
b7C -1
b7E -3

So sorry for the delayed response. Thanks so much. I hadn't seen, so very much appreciate the flag. [redacted]

[redacted]

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

From: [redacted] (DO) (OGA) [mailto:[redacted]]
Sent: Tuesday, January 03, 2017 4:28 PM
To: Lan, Iris (ODAG) <irlan@jmd.usdoj.gov>
Subject: Going Dark Comparative Approaches

b6 -1
b7C -1
b7E -3

You may have already seen this comparative GD report, but featured on USAbook today.

[redacted]

Richman, Daniel C. (DO) (OGA)

From: Richman, Daniel C. (DO) (OGA)
Sent: Friday, January 06, 2017 12:17 PM
To: Lan, Iris (ODAG) (JMD); Cofield, Valerie M. (DO) (FBI)
Cc: [redacted] (DO) (OGA)
Subject: Re: Going Dark - the International Legal Landscape

b6 -1
b7C -1

Happy New Year and thanks for this. It's nicely done. The next, and even more challenging step, is to

[redacted]

b5 -1

dan r

From: Lan, Iris (ODAG) <Iris.Lan3@usdoj.gov>
Sent: Friday, January 6, 2017 11:59 AM
To: Cofield, Valerie M. (DO) (FBI); Richman, Daniel C. (DO) (OGA)
Cc: [redacted] (DO) (OGA)
Subject: FW: Going Dark - the International Legal Landscape

b6 -1
b7C -1

FYI, and Happy New Year.

b6 -1 and Per DOJ/CRM and DOJ/NSD
b7C -1 and Per DOJ/CRM
b7E -3

From: Downing, Richard
Sent: Friday, January 06, 2017 11:55 AM
To: Gauhar, Tashina (ODAG) <tagauhar@jmd.usdoj.gov>; Wiegmann, Brad (NSD) <bwiegmann@jmd.usdoj.gov>; Downing, Richard [redacted]@CRM.USDOJ.GOV>; Swartz, Bruce [redacted]@CRM.USDOJ.GOV>; Hardee, Christopher (NSD) <cnhardee@jmd.usdoj.gov>; Ibrahim, Anitha [redacted]@CRM.USDOJ.GOV>; Cooper, Aaron [redacted]@CRM.USDOJ.GOV>; [redacted] (DO) (OGA) (FBI) [redacted] Lan, Iris (ODAG) <irian@jmd.usdoj.gov>; Ahmad, Zainab (CRM) [redacted]@CRM.USDOJ.GOV>; [redacted] Goldfoot, Josh (CRM) [redacted]@CRM.USDOJ.GOV>; Rees, Albert [redacted]@CRM.USDOJ.GOV>; O'Neil, Erica (CRM) [redacted]@CRM.USDOJ.GOV>; Stawasz, Michael [redacted]@CRM.USDOJ.GOV>; Lynch, John [redacted]@CRM.USDOJ.GOV>; Baker, James A. (OGC) (FBI) [redacted] (OGC) (FBI) [redacted]
Subject: Going Dark - the International Legal Landscape

All:

As a result of a helpful suggestion some months ago, a team comprised of CRM and NSD attorneys and staff has been working to put together a resource regarding how other countries' laws deal with the Going Dark issues. Attached is their work.

The plan is also to put the document on a sharepoint site so that it can be easily accessible and to update it over time as developments occur.

Thanks to everyone on the team who put in the effort to make this happen.

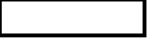
Richard.

RICHARD W. DOWNING

Deputy Assistant Attorney General (Acting)

Criminal Division

United States Department of Justice



b6 Per DOJ/CRM
b7C Per DOJ/CRM

Lan, Iris (ODAG)

From: Lan, Iris (ODAG)
Sent: Friday, January 06, 2017 12:22 PM
To: Richman, Daniel C. (DO) (OGA)
Subject: RE: Going Dark - the International Legal Landscape

b5 Per DOJ/OIP

Thanks, Dan. Let's definitely discuss next steps soon -- [redacted]
[redacted] I don't have a sense yet of where things are going to land post-transition with respect to Commerce, but also glad to get a feel, to the extent we are looking to include. Look forward to catching up again soon either way.

From: Richman, Daniel C. (DO) (OGA) [mailto:[redacted]]
Sent: Friday, January 06, 2017 12:17 PM
To: Lan, Iris (ODAG) <irlan@jmd.usdoj.gov>; Cofield, Valerie M. (DO) (FBI) [redacted]
Cc: [redacted] (DO) (OGA) (FBI) [redacted]
Subject: Re: Going Dark - the International Legal Landscape

b6 -1
b7C -1
b7E -3

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b5 -1

dan r

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Cc: [redacted] (DO) (OGA)
Subject: FW: Going Dark - the International Legal Landscape

b6 -1
b7C -1

FYI, and Happy New Year.

b6 -1 and Per DOJ/CRM and DOJ/NSD
b7C -1 and Per DOJ/CRM
b7E -3

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Sent: Friday, January 06, 2017 11:55 AM
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Subject: Going Dark - the International Legal Landscape

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Thanks to everyone on the team who put in the effort to make this happen.

Richard.

RICHARD W. DOWNING

Deputy Assistant Attorney General (Acting)

Criminal Division

United States Department of Justice



b6 Per DOJ/CRM
b7C Per DOJ/CRM