UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELECTRONIC PRIVACY INFORMATION CENTER	)	
	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 17-163
	)	
OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE	)	
	)	
	)	
Defendant.	)	

DECLARATION OF DUSTIN RAZSI, VICE CHAIRMAN, NATIONAL INTLLIGENCE COUNCIL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

Pursuant to 28 U.S.C. § 1746, I, Dustin Razsi, declare under penalty of perjury that the foregoing is true and correct:

1. I currently serve as the Vice Chairman of the National Intelligence Council (NIC) of the Office of the Director of National Intelligence (ODNI). I have held this position since April of 2017. The NIC is a key ODNI component responsible for leading analysis across the Intelligence community (IC) to inform immediate and long-term policy deliberations. As Vice Chairman, I lead the NIC's strategic analysis, policy support, and analytic outreach.

2. Prior to joining the NIC, I served as Executive Director of the Homeland Security Intelligence Council of the Department of Homeland Security (DHS) from 2015 through April 2017. As Executive Director, I led the strategic integration of DHS's nine Intelligence Components.

3. In prior roles, I served within DHS as Research Director for the Office of Intelligence and Analysis, Senior Intelligence Advisor to the Under Secretary for Intelligence and Analysis, and Chief of WMD and Health Security Analysis, and other senior analytic positions between 2004 and 2015. I also served ODNI as a Presidential Daily Briefer and at the ODNI National Counterproliferation Center.

4. Prior to joining the Intelligence Community, I worked WMD defense, nonproliferation, and infectious disease issues in support of the US Army and Centers for Disease Control and Prevention. I hold a Ph.D. from George Mason University, an M.P.A. from American University, M.A. from The Catholic University of America, and a B.S. from Emory University.

5. I have read the classified and declassified versions of the Intelligence Community Assessment (ICA) entitled "Assessing Russian Activities and Intentions in Recent U.S. Elections." I am familiar with the contents of both of these documents and the basis for the classification determinations associated with their contents. I am also familiar with the differences in content between these two documents. It is my understanding that the civil action for which I am submitting this declaration concerns a Freedom of Information Act request for the public release of the classified version of the ICA.

6. I make this declaration to supplement the declaration submitted in connection with this same matter by Edward Gistaro, Deputy Director of National Intelligence for Intelligence Integration.

7. As described by Mr. Gistaro, the process of creating the declassified ICA involved the painstaking review of the classified version in order to identify any and all information that could be released to the public without harming national security.

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8. Based upon my review of the classified and declassified versions of the ICA, I can attest that the substance of the unclassified verbiage contained within the body of the classified report was included in the declassified report, though the unclassified content of the classified report does not always appear *verbatim* in the declassified report. This is because the unclassified content, once robbed of the substantive and compositional context provided by the classified material, would not effectively communicate all of the releasable information to the American public. Accordingly, certain editorial changes (e.g. compositional, punctuation, etc.) were made in order to provide narrative continuity to the declassified ICA and to ensure that the American public would receive the full benefit of all information that could be publicly released.

9. Then-Director of National Intelligence James Clapper (DNI Clapper), who held declassification authority by virtue of his position, directed production of a declassified version of the ICA, in accordance with the direction of the President. As part of the declassification process, the ODNI carefully considered intelligence sources and methods and identified some of the classified ICA's SECRET and TOP SECRET contents for inclusion in the declassified report that present the classified ICA's conclusions without full supporting information that would reveal sources and methods. In declassifying this information, the DNI implicitly determined that security risks associated with the public release could be mitigated. One of the elements of this mitigation is the fact that a reader of the declassified ICA cannot readily distinguish between unclassified content and declassified content. This is a relevant point because if the Russian Government understood which portions had been declassified, they would be able to use this knowledge to identify which information the U.S. derived from

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human intelligence (HUMINT), signals intelligence (SIGINT), or other *classified* sources.

10. Based on my 13 years of experience working in the Intelligence Community, I can attest that the classified information in the classified ICA that was <u>not</u> declassified for inclusion in the declassified ICA remains properly classified as SECRET and TOP SECRET for several reasons. First, the language and the portion marks of the classified ICA plainly reveal whether specific SECRET and TOP SECRET intelligence was gathered from human, signals, or other classified sources. If the Russian Government was armed with this understanding, they would then be able to look at the specific nature of the information contained in the ICA to identify:

    a. Which Russian agencies, bureaus, activities, or geographic regions host persons who are providing the IC with information;

    b. Which Russian agencies, bureaus, activities, geographic regions, or modes of communication are being successfully targeted by the IC for signal intelligence gathering; <u>and</u>

    c. The over-all quality and maturity of U.S. human intelligence operations within Russia and the over-all quality and maturity of our current signal interception capabilities.
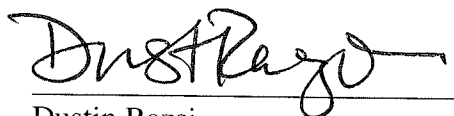
Revealing any of the above-three types of information would constitute an exceptionally grave danger to national security and the IC's on-going intelligence-gathering activities because it would readily inform the Russians where they need to improve their counter-intelligence capabilities.

11. Second, within the sections that have been classified as SECRET or TOP SECRET, the factual details provided by the narrations reveal even greater insight into the three areas listed above: Where human intelligence is presented, the specific facts and details would assist the Russian's in narrowing their search for the human sources. If a specific piece of information is tied to HUMINT, the Russians will be able to identify who within their ranks is likely to possess such information and to then hunt those ranks for the U.S. source(s). This would place U.S. intelligence assets in extreme, and probably fatal, jeopardy. Similarly, if a specific detail is revealed to have been obtained by the U.S. via SIGINT, using the same process of backtracking the information, the Russians would not only be able to more accurately identify which of their communications have been compromised, but also to identify the possible locations (i.e. listening stations) or modes (e.g. taps) that the U.S. is relying on. In short, the IC has legitimate reasons for not disclosing the extent of our understanding of specific Russian activities: Such disclosure would immediately assist the Russians in identifying our active sources, methods, and specific operations/activities in order to defeat them. Perhaps more importantly, the various sources, methods, and activities that would be placed at risk are serving purposes far greater than matters related to Russian interference with our election; these same sources, methods, and activities are used across the entire panoply of U.S. intelligence gathering against the Russian Government. If exposed, the negative effects would manifest across a broad spectrum of national security concerns, including nuclear proliferation, terrorism, Russian military aggression, and other areas of vital importance.

12. Finally, in reviewing the classified and declassified ICAs side-by-side, and considering how much of the classified ICA's unclassified and declassified content would have to be

removed in order to avoid illustrating factual associations and relationships between classified and unclassified portions, it is plainly evident that by proactively releasing the unclassified version, the DNI provided the public with far more information than a redacted version of the classified report could ever convey. Accordingly, if the classified report is released in redacted form – including a fully redacted form that, for all practical purposes, only reveals the total number of pages of the classified report – the American public will learn nothing further about Russian interference with the 2016 election. The Russian Government, on the other hand, which is already armed with the declassified report, would be able to better estimate the amount of intelligence the IC has managed to gather on Russian interference with the 2016 election, and from that, the relative strength and maturity of U.S. intelligence activities – including signal intelligence and human intelligence capabilities. Providing the Russian Government with this knowledge and understanding would represent a significant blow to American intelligence, would hinder on-going and future intelligence activities, and would pose a serious, and *completely unnecessary*, threat to national security.

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

Executed this _22nd_ day of August, 2017.

Dustin Razsi
Vice Chairman
National Intelligence Council
Office of the Director of National Intelligence