



February 28, 2020  
Re: EPIC-2019-001

Mr. John Davisson, Counsel  
Ms. Enid Zhou, Open Government Counsel  
Electronic Privacy Information Center  
1519 New Hampshire Avenue NW  
Washington, DC 20036  
[davisson@epic.org](mailto:davisson@epic.org)  
[zhou@epic.org](mailto:zhou@epic.org)  
**VIA EMAIL**

Dear Mr. Davisson and Ms. Zhou:

Per your Freedom of Information Act (FOIA) request dated September 11, 2019—assigned processing number EPIC-2019-001—and your three prioritization requests as described in your letter to me on November 5, 2019, the National Security Commission on Artificial Intelligence (NSCAI) is providing you with the attached second production.

As discussed in our January 27, 2020 letter accompanying our first record production, NSCAI staff identified an initial set of 175 records—comprising 6,691 pages—for review which may be responsive to your prioritization requests. Ten of these records were processed for our initial production, with nine records produced and one withheld in full under FOIA exemption (b)(5). In addition, we informed you that 74 of the records had been identified as publicly available documents created by other organizations—such as academic research papers, think tank reports, and newspaper articles—that were obtained by, or provided to, Commission staff. In the time following our initial letter, two additional publicly available documents have been identified, bringing the total to 76 records comprising 4,808 pages. As we stated in our prior letter, NSCAI is willing to provide you with either PDF files or hyperlinks for these records upon request. Please notify me of your preference.

NSCAI has also reviewed another 60 documents—comprising 562 pages—that have been determined to be non-responsive to both your initial FOIA request and your three prioritization requests. Five additional documents—comprising 313 pages—were identified as duplicates and also removed from processing.

NSCAI is producing today five records responsive to your request. The produced records are primarily emails among NSCAI staff circulating research and publications concerning artificial intelligence. Please see the attached Vaughn Index for information about the redactions in the records produced to you today, including the two records NSCAI is withholding in full under FOIA exemption (b)(5).

Of the remaining 17 records originally determined to be potentially responsive to your prioritization request, 11 documents—comprising 660 pages—are Department of Defense records or contain Department of Defense equities. These documents have been referred to the Department of Defense for review.

NSCAI will continue to process the records identified to date and records potentially responsive to your FOIA request. If you have any questions or wish to discuss a more efficient approach to satisfying your request, you may contact me by telephone at (571) 220-2701, by email at [mjl@nscai.gov](mailto:mjl@nscai.gov), or by letter at National Security Commission on Artificial Intelligence, 2530 Crystal Drive, Box 45, Arlington, VA 22202.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Lueptow', followed by a long horizontal line extending to the right.

Michael Lueptow  
General Counsel  
NSCAI