

February 26, 2021
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
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—the National Security Commission on Artificial Intelligence (NSCAI) is providing you with the attached fourteenth production.

Pursuant to our agreement via email on October 29, 2020, NSCAI began identifying and processing records responsive to your narrowed FOIA request. Specifically, you requested:

1. All financial and ethics disclosure documents submitted by (or on behalf of) members of the Commission;
2. All emails and other written communications from Commissioners Eric Schmidt, Safra Catz, Eric Horvitz, Andy Jassy, and Andrew Moore; and
3. All records concerning the drafting of the "Marshal Global AI Cooperation" (pp. 44–47) and "Considerations on Ethical and Trustworthy AI" (pp. 48–49) sections of the Commission's November 2019 Interim Report.

During the month of February, NSCAI reviewed 24 records—comprising 302 pages. The records reviewed this month included the conclusion of the records that were identified as potentially responsive to the second subpart of your request. In addition, NSCAI reviewed all records identified as potentially responsive to the third subpart of your request. Please note, when identifying records potentially responsive to the third subpart, the Commission determined that the bulk of the responsive materials were already processed and produced or withheld in response to your November 2019 prioritization request. Only “new” records that were not previously processed are included in these totals.

5 records—comprising 76 pages—were determined to be either earlier in chain emails that are captured within records produced in this production or exact copies that resulted from other NSCAI staff members being copied on the message. These records were marked as duplicates

and removed from processing. 5 records—comprising 26 pages—have been referred to another government agency for consultation.

For this fourteenth production, NSCAI is producing today 10 records—comprising 153 pages—responsive to your narrowed FOIA request. In addition, NSCAI is also producing 1 record—comprising 2 pages—that was previously sent to another agency for consultation as part of the November 2020 production. Please see the attached Vaughn Index for information about the redactions in the records produced to you today, including 4 records—comprising 47 pages—NSCAI is withholding in full under applicable FOIA exemptions.

With this month's production, NSCAI has concluded our processing of all records identified as potentially responsive to your FOIA request as modified. The only outstanding records that have not been released or withheld are those where the Commission is in the process of consulting other federal agencies on the releasability of their agency information. The Commission will continue to work with those agencies and we will respond to you with regard to those records as our consultations are completed. Moving forward, the Commission will also send a monthly update email providing a status update on the remaining consultations.

If you have any questions, you may contact me by telephone at (571) 220-2701, by email at mjl@nscai.gov, or by letter at National Security Commission on Artificial Intelligence, 2530 Crystal Drive, Box 45, Arlington, VA 22202.

Sincerely,

Michael Lueptow
General Counsel
NSCAI