

## Exhibit A



January 27, 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 initial production focused primarily on your three prioritization requests.

Relevant NSCAI staff were provided with your prioritization requests and tasked with identifying records based on your prioritization requests, which resulted in an initial set of 175 records—comprising 6,689 pages—for review. Due to the size of the initial set of records, NSCAI is still continuing its review. However, NSCAI is producing today:

- Six records responsive to your three prioritization requests, as described in your November 5, 2019 letter; and
- Three records responsive to your September 11, 2019 FOIA request within the set of 175 records.

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 one record NSCAI is withholding in full under FOIA exemption (b)(5).

Of the remaining 165 records, 91 are still under review. NSCAI has determined that the remaining 74 records are 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. If you wish to obtain the 74 publicly available records, NSCAI will provide you hyperlinks to them upon request. Alternatively, if you instead prefer that the records be produced in the same fashion as today's production, please notify NSCAI of your preference.

NSCAI will continue to process the records identified to date and to search for records potentially responsive to your FOIA request. If you have any questions or wish to discuss 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', with a long horizontal flourish extending to the right.

Michael Lueptow  
General Counsel  
NSCAI

## Exhibit B



January 27, 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:

This is to re-acknowledge receipt of your Freedom of Information Act (FOIA) request dated September 11, 2019, which was originally acknowledged by the National Security Commission on Artificial Intelligence (NSCAI) on September 12, 2019. Your FOIA request seeks: "All records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents which were made available to or prepared for or by the National Security Commission on Artificial Intelligence or any subcomponent thereof." The Commission has approved your FOIA request, it has been given the processing number EPIC-2019-001.

The records you seek require searches of a voluminous amount of records and consultation with other Federal agencies, and so your request falls within "unusual circumstances." *See* 5 U.S.C. 552 § (a)(6)(B)(ii)-(iii). Because of these unusual circumstances, NSCAI needs to extend the time limit to respond to your request beyond the ten additional days provided by the statute. For your information, the time needed to complete our work on your request will necessarily depend on a variety of factors, including the complexity of our records search, and the volume and complexity of any material located.

In an effort to speed up our process, you may wish to narrow the scope of your request to limit the number of potentially responsive records so that it can be more quickly completed. You can also agree to an alternative time frame for processing, should records be located; or you may wish to await the completion of our records search to discuss either of these options. You may also contact the Office of Government Information Services (OGIS) of the National Archives and Records Administration to inquire into the FOIA mediation services they provide. OGIS can be contacted at the following:

Office of Government Information Services  
National Archives and Records Administration  
Room 2510  
8601 Adelphi Road

College Park, MD 20740-6001  
Telephone: (202) 741-5770  
Facsimile: (202) 741-5769  
Toll-Free: (877) 684-6448  
Email: [ogis@nara.gov](mailto:ogis@nara.gov)

You have requested expedited processing of your request. NSCAI will grant your request for expedited processing, however, as noted above, due to the size and scope of your request, processing will require significant time and resources to complete. We have also determined that you, and your organization, qualify for a fee waiver.

I regret the necessity of this delay, but I assure you that your request will be processed as soon as possible. If you have any questions or wish to discuss reformulation of 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,

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Michael Lueptow  
General Counsel  
NSCAI