

UPDATE REGARDING THE DECLASSIFICATION REVIEW PURSUANT TO SECTION 2(C) OF EXECUTIVE ORDER 14040

December 30, 2021

Today, in carrying out the directive in Executive Order 14040, the Federal Bureau of Investigation (FBI) released over 300 additional declassified documents, totaling over 800 pages, from the FBI's investigation of the 9/11 terrorist attacks. With today's release, the U.S. Government has now declassified and released more than 400 documents, totaling more than 1,500 pages, in furtherance of the Executive Order's directive to maximize transparency regarding information collected and generated during the investigation. The declassification review remains ongoing, and hundreds of additional pages are expected to be released in 2022.

The President issued Executive Order 14040 on September 3, 2021, directing the Department of Justice and other Departments and Agencies to conduct a declassification review of certain documents concerning the terrorist attacks of September 11, 2001. Since then, Departments and Agencies have stood up teams of experts to conduct a rigorous declassification review. The declassification review process is resource-intensive and time-consuming. As noted in the Executive Order, the indiscriminate release of classified information could jeopardize the national security, including the U.S. Government's efforts to protect against future acts of terrorism. At the same time, the Executive Order directed Departments and Agencies conducting this review to ensure that the U.S. Government relies on classification only when narrowly tailored and necessary. Therefore, each document must be carefully reviewed, often by multiple federal agencies and sometimes by one or more foreign government partners.

As the review proceeded, and the number of responsive documents identified increased, the FBI, and other Departments and Agencies, have continued to add resources to the team reviewing the documents in accordance with the process set out in the Executive Order:

- As directed in Section 2(a) of the Executive Order, on September 11, 2021, FBI released an electronic communication dated April 4, 2016, from the subfile investigation described in chapter V of the 2015 Report of the Congressionally-directed 9/11 Review Commission to the Director of the FBI. This electronic communication had previously been withheld in full in the associated litigation.
- As directed in Section 2(b) of the Executive Order, on November 2, 2021, FBI released over 100 documents totaling over 750 pages that were previously withheld as classified in full or in part in the litigation.

Section 2(c) requires a declassification review of "all interview reports, analytical documents, documents reporting investigative findings, or other substantive records (including phone records and banking records, if any) from the FBI's initial investigation of the 9/11 terrorist attacks—known as the Pentagon/Twin Towers Bombings (PENTTBOM)

investigation—that reference the individual subjects of the subfile investigation and may be found through search terms, keyword identifiers, and other diligent means.” The universe of documents responsive to Section 2(c) significantly exceeds those responsive to Section 2(b). Over the last few months, Departments and Agencies have coordinated diligently to review this set of documents, applying the standards set out in the Executive Order.

In an effort to ensure that as much information as possible can be disclosed to the public within the first four months after the Executive Order, the FBI, working in close coordination with other Departments and Agencies, is today releasing publicly a tranche of documents specified in Section 2(c) that is similar in size to the release of the documents specified in Section 2(b) of the Executive Order. FBI anticipates releasing the remaining Section 2(c) documents by the deadline specified in Section 2(d). These remaining Section 2(c) documents will be part of the additional pages that will be released in 2022.