



Nancy Pelosi
Speaker of the House

January 17, 2021

Mr. Christopher C. Miller
Acting Secretary
U.S. Department of Defense
Washington, D.C. 20301

Dear Acting Secretary Miller:

I am writing to follow up on my phone conversation with you earlier today, during which I expressed my deep concern about the irregularities involved in the selection of the General Counsel of the National Security Agency (NSA). I ask that you immediately cease plans to improperly install Michael Ellis as the new NSA General Counsel. Additionally, with a copy of this letter to the Acting Inspector General, I am also requesting an investigation into the circumstances of the NSA General Counsel selection process. I have serious concerns about your statement that this process was free from political interference.

Public reporting indicates that Mr. Ellis, a relatively recent law school graduate with a limited resume, was selected due to interference by the White House, and was chosen over much more qualified candidates. Moreover, Mr. Ellis has been reportedly involved in highly questionable activities that are disqualifying – including the infamous 2017 “midnight run” to launder intelligence information through Rep. Devin Nunes and with efforts to shield information about President Trump’s July 2019 call with the President of Ukraine.

The NSA General Counsel, which involves supervising many intelligence community attorneys and interacting with intelligence agencies, is a highly sensitive career position for which candidates are selected, based on merit and free from political influence. If Mr. Ellis did go through the traditional civil service hiring process, I request a detailed account of that process, to understand how someone with his credentials was chosen over other qualified candidates.

The circumstances and timing – immediately after President Trump’s defeat in the election – of the selection of Mr. Ellis, and this eleventh-hour effort to push this placement in the last three days of this Administration are highly suspect. Further, the efforts to install him or “burrow” him into a highly sensitive intelligence position 72 hours prior to the beginning of a new Administration manifest a disturbing disregard for our national security. Therefore, this placement should not move forward.

Thank you for your attention to this matter.

best regards,

NANCY PELOSI
Speaker of the House

cc: Department of Defense Acting Inspector General Sean O’Donnell