

This is a request for records under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 and the Privacy Act, 5 U.S.C. § 552a. This request should be considered under both statutes to maximize the release of records.

REQUESTER INFORMATION

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Position: Investigative Reporter

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RECORDS SOUGHT

I request disclosure of the following records from the General Services Administration.

1. All communications and correspondence, which includes emails, text messages, letters, memos, directives, talking points, reports, sent and received by GSA Administrator Emily Murphy, the deputy administrator, her chief of staff, that mentions or refers to the 2020 presidential election, the results of the 2020 presidential election, the certification of the 2020 presidential election, legal challenges by the Trump campaign to challenge the results of the 2020 presidential election, President-Elect Joe Biden, Vice President-Elect Kamala Harris, President Donald Trump, and the Presidential Transition Act. Please be sure the search for responsive records includes any correspondence between Ms. Murphy and the Executive Office of the President or the White House. That search should also include records received by Ms. Murphy from the eop.gov and who.eop.gov domains.
2. All communications and correspondence, which includes emails, text messages, letters, memos, directives, talking points, reports, sent and received by the heads of the following GSA offices that

mentions or refers to the 2020 presidential election, the results of the 2020 presidential election, the certification of the 2020 presidential election, legal challenges by the Trump campaign to challenge the results of the 2020 presidential election, President-Elect Joe Biden, Vice President-Elect Kamala Harris, President Donald Trump, and the Presidential Transition Act: **Office of General Counsel, Strategic Communication, Government-Wide Policy, Congressional and Intergovernmental Affairs, and Chief Information Officer**. Please be sure the search for responsive records includes any correspondence between Ms. Murphy and the Executive Office of the President or the White House. That search should also include records received by Ms. Murphy from the eop.gov and who.eop.gov domains.

3. All records/paperwork prepared by GSA for the Presidential Transition of President-Elect Joe Biden, Vice President-Elect Kamala Harris.
4. All records prepared by GSA reflecting any decision/ascertainment by the agency not to authorize President-Elect Joe Biden and Vice President-Elect Kamala Harris's transition team not to begin its work.

The timeframe for this search is November 1, 2020 through the date the search for responsive records is conducted.

REQUEST FOR EXPEDITED PROCESSING

I ask that my request be given expedited processing because there is an urgency to inform the public about an actual or alleged federal government activity, and I am a person primarily engaged in disseminating information.

As senior investigative reporter at BuzzFeed News, I am a full-time member of the news media. I therefore qualify as a person primarily

engaged in disseminating information.

A potential crisis is brewing as is the peaceful transfer of power. Over the weekend of November 7, 2020, the 2020 presidential election was called for Joseph Biden, who surpassed 270 electoral votes. President Donald Trump has refused to concede the election to and has invented conspiracy theories about widespread voter fraud, claiming, without evidence that he is the rightful winner of the presidential election. It has also been reported that GSA has thus far refused to sign a letter allowing President-Elect Biden's transition team to begin its work. This threatens to disrupt the transfer of power. There are serious questions about why GSA has thus far refused to sign this letter and allow the Biden's transition team's work to begin. There are also questions that the public needs answers about partisan loyalties by top GSA officials.

It is crucial that my request be granted expedited treatment and records produced to me **on an expedited basis** so that I may inform the public about these matters.

These records are not being requested for commercial purposes. I intend to use these records to write news stories and inform the public about actual government activity, concerning the novel coronavirus global pandemic.

BuzzFeed News is a global news organization with more than 200 journalists stationed in North America, South America, Europe, Asia and the Pacific. BuzzFeed News has been recognized as a "representative of the news media" for fee assessment purposes by every federal agency that has received our FOIA requests. Thank you for your consideration of this request.

I certify the foregoing to be true and correct to the best of my knowledge and belief.

/s/ _____ JL _____
Jason Leopold

The very purpose of the FOIA is to lessen the public's dependency on official government statements and open the underlying documents to public scrutiny. This is clearly an instance in which expedited processing of a FOIA request is warranted.

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BuzzFeed News is a global news organization with more than 200 journalists stationed in North America, South America, Europe, Asia and the Pacific. BuzzFeed News has been recognized as a "representative of the news media" for fee assessment purposes by every federal agency that has received our FOIA requests. Thank you for your consideration of this request.

As applicable Department regulations provide, I will anticipate your determination within ten (10) calendar days. I certify this statement to be true and correct.--JASON LEOPOLD

Reasonably Foreseeable Harm. The FOIA Improvement Act of 2016 amended the FOIA as follows (5 USC 552(a)(8)):

(A) An agency shall—

(i) withhold information under this section only if—

(I) the agency reasonably foresees that disclosure would harm an interest protected by an exemption described in subsection (b); or

(II) disclosure is prohibited by law; and

(ii) (I) consider whether partial disclosure of information is possible whenever the agency determines that a full disclosure of a requested record is not possible; and

(II) take reasonable steps necessary to segregate and release nonexempt information. . . .

GSA should not fail to comply with this mandatory part of the FOIA as recently amended by Congress. The Agency is required to identify what reasonably foreseeable harm would flow from release of the information withheld, nor did it consider a partial disclosure of the information, taking reasonable steps to segregate and release nonexempt information.

INSTRUCTIONS REGARDING SEARCH

1. Request for Public Records:

Please search for any records even if they are already publicly available.

2. Request for Electronic and Paper/Manual Searches:

I request that searches of all electronic and paper/manual indices, filing systems, and locations for any and all records relating or referring to the subject of my request be conducted. I further request that the agencies conduct a search of its "soft files" as well as files in its locked cabinets.

3. Request regarding Photographs and other Visual Materials:

I request that any photographs or other visual materials responsive to my request be released to me in their original or comparable forms, quality, and resolution. For example, if a photograph was taken digitally, or if the agencies maintains a photograph digitally, I request disclosure of the original digital image file, not a reduced resolution version of that image file nor a printout and scan of that image file. Likewise, if a photograph was originally taken as a color photograph, I request disclosure of that photograph as a color image, not a black and white image. Please contact me for any clarification on this point.

4. Request for Duplicate Pages:

I request disclosure of any and all supposedly “duplicate” pages. Scholars analyze records not only for the information available on any given page, but also for the relationships between that information and information on pages surrounding it. As such, though certain pages may have been previously released to me, the existence of those pages within new context renders them functionally new pages. As such, the only way to properly analyze released information is to analyze that information within its proper context. Therefore, I request disclosure of all “duplicate” pages.

5. Request to Search Emails:

Please search for emails relating to the subject matter of my request.

6. Request for Search of Records Transferred to Other Agencies:

I request that in conducting its search, the agencies disclose releasable records even if they are available publicly through other sources outside the agencies, such as NARA.

FORMAT

I request that any releases stemming from this request be provided to me in digital format (soft-copy) on a compact disk or other like media.

FEE CATEGORY AND REQUEST FOR A FEE WAIVER

I am the senior investigative reporter for BuzzFeed News and formerly senior investigative reporter and on-air correspondent for VICE News. Additionally, my reporting has been published in The Guardian, The Wall Street Journal, The Financial Times, Salon, CBS Marketwatch, The Los Angeles Times, The Nation, Truthout, Al Jazeera English and Al Jazeera America.

I request a complete waiver of all search and duplication fees. If my request for a waiver is denied, I request that I be considered a member of the news media for fee purposes.

Under 5 U.S.C. §552(a)(4)(A)(iii), “Documents shall be furnished without any charge ... if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” Disclosure in this case meets the statutory criteria, as the records sought detail the operations and activities of government. This request is also not primarily in my commercial request, as I am seeking the records as a journalist to analyze and freely release to members of the public.

If I am not granted a complete fee waiver, I request to be considered a member of the news media for fee purposes. I am willing to pay all reasonable duplication expenses incurred in processing this FOIA request.

I will appeal any denial of my request for a waiver administratively and to the courts if necessary.

Please do not hesitate to contact me if you have any questions concerning this request.

Thank you. I appreciate your time and attention to this matter.