

Subject: FW: Ref: F-2021-02216, Freedom of Information Act Acknowledgement
Date: Monday, January 4, 2021 at 1:56:17 PM Eastern Standard Time
From: Erik Zimmerman
To: Ben Sisney, Abby Southerland

From: A_FOIAacknowledgement@groups.state.gov
Sent: Monday, January 4, 2021 1:49:54 PM (UTC-05:00) Eastern Time (US & Canada)
To: Jay Sekulow Supreme Court
Subject: Ref: F-2021-02216, Freedom of Information Act Acknowledgement

****THIS EMAIL BOX IS NOT MONITORED, PLEASE DO NOT REPLY TO THIS EMAIL.****

Mr. Sekulow:

This email acknowledges receipt of your December 16, 2020, Freedom of Information Act (FOIA) (5 U.S.C. § 552) request received by the U.S. Department of State, Office of Information Programs and Services on December 28, 2020, regarding Christine Fang or Rep. Eric Swalwell from January 1, 2011, to the present. Unless you advise otherwise, we will treat as non-responsive any compilations of publicly available news reports and any publicly available documents not created by the U.S. government, such as mass-distribution emails from news media. This Office assigned your request the subject reference number and placed it in the complex processing track where it will be processed as quickly as possible. See 22 CFR § 171.11(h).

You requested a waiver for all fees associated with the processing of your request. Please be advised this Office will make a determination regarding a fee waiver at a later date.

Also, you requested expedited processing of this request. According to 22 CFR § 171.11(f), requests shall receive expedited processing when a requester demonstrates a “compelling need” for the information exists for one of the following reasons: (1) failure to obtain the requested information on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; (2) the information is urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal government activity; or (3) failure to release the information would impair substantial due process rights or harm substantial humanitarian interests. Your request does not demonstrate a “compelling need” for the requested information. Therefore, this Office denies your request for expedited processing.

If you are not satisfied with this Office’s determination in response to your request for expedited processing, you may administratively appeal to: Appeals Officer, Office of Information Programs and Services, U.S. Department of State, 2201 C Street, NW, Room B266, Washington, D.C. 20520; or facsimile at 202-485-1718. Your appeal must be postmarked or electronically transmitted within 90 days of the date of this email.

This Office will not be able to respond within the 20 days provided by the statute due to “unusual circumstances.” See 5 U.S.C. § 552(a)(6)(B)(i)-(iii). In this instance, the unusual circumstances include the need to search for and collect requested records from other Department offices or Foreign

Service posts.

If you have any questions regarding your request, would like to narrow the scope or arrange an alternative time frame to speed its processing, or would like an estimated date of completion, please contact our FOIA Requester Service Center or our FOIA Public Liaison by email at FOIAstatus@state.gov or telephone at 202-261-8484. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

/s/ Nicholas J. Cormier

Nicholas J. Cormier
Chief, Requester Communications Branch
Office of Information Programs and Services

****THIS EMAIL BOX IS NOT MONITORED, PLEASE DO NOT REPLY TO THIS EMAIL.****