

January 8, 2021  
Department of the Interior  
Office of the Secretary  
Via FOIAonline

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. This request seeks expedited processing.

#### REQUESTER INFORMATION

Name: Jason Leopold  
Position: Investigative Reporter  
Address: 1669 Benedict Canyon Dr., Beverly Hills, CA 90210  
Email: [jasonleopold@gmail.com](mailto:jasonleopold@gmail.com)

I request disclosure from the Department of the Interior, Office of the Secretary the following records:

1. All records, such as emails, text messages, memos, letters, directives, talking points, damage assessments, Situation Reports, threat assessments, the Secretary of the Interior’s call log and briefing book, suspicious activity reporting, intelligence reports and intelligence bulletins and assessments and intelligence products, mentioning or referring to the **planning** of protests in Washington, DC on January 6, 2021 by supporters of President Donald Trump referred to as SAVE AMERICA RALLY and STOP THE STEAL and MARCH FOR TRUMP and First Amendment demonstrations and OPERATION FIRST AMENDMENT. Please be sure this search includes any correspondence sent and received by fusion centers, data centers and joint terrorism task forces; FBI, the White House, Office of the President and Vice President and the Executive Office of the President; Department of Justice, US

Marshals Service, Washington, DC Mayor's Office and Metropolitan Police Department; Department of Interior; Department of Defense and National Guard Bureau in DC; any individual Senator and Congressman/Congresswoman and any House and Senate committee; the US Capitol Police. The timeframe for this part of my request is December 1, 2020 through the date the search for responsive records is located.

2. All records, such as emails, text messages, memos, letters, reports, after action reports, intelligence assessments and bulletins, intelligence memoranda mentioning or referring to the January 6, 2021 protests in Washington, DC, the speech by President Donald Trump at this protest and the insurrection, the siege, STORM THE CAPITOL, that took place at the Capitol building in Washington, DC on January 6, 2021. The timeframe for this part of my request is January 6, 2021 through the date the search for responsive records is conducted.

3. Photographs and audio and video of these January 6, 2021 protests and the siege/insurrection that took place at the Capitol building.

4. All records, as described in part 1, mentioning or referring to Million MAGA March.

5. All records mentioning or referring to tweets by Donald Trump that contain the words PROTESTS, RALLY, RALLIES ELECTION FRAUD, FRAUD, JANUARY SIXTH.

#### 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.

An unprecedented crisis is brewing as is the peaceful transfer of power in this country. The president of the United States incited a mob to attack the US capitol building during a protest in Washington, DC on January 6, 2021 where he falsely claimed the 2020 election was stolen from him. At least six people are dead. The president has been parroting conspiracy theories, will likely be impeached a second time and now faces the very real possibility of being removed from office. At the same time, this grave breach of the Capitol raises questions about why law enforcement was not prepared, what it knew and when it knew it and the records I seek will provide insight into these matters.

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 that threatens the safety of lawmakers and the public. There are reports that armed militias are planning violence in the days leading up to the inauguration of President-elect Joe Biden. The public has also not received briefings from any federal official about the protests and the siege at the Capitol since January 6, 2021.

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 100 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.

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. . . .

NPS 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 (for purposes of this search DHS components" refers to the components within DHS that have been identified as having responsive records)

1. Instructions Regarding "Leads":

As required by the relevant case law, the DHS components should follow any leads it discovers during the conduct of its searches and perform additional searches when said leads indicate that records may be located in another system. Failure to follow clear leads is a violation of FOIA.

2. Request for Public Records:

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

3. 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.

4. Request for Search of Filing Systems, Indices, and Locations:

I request that the DHS components search all of its offices and components, which are likely to contain responsive records.

5. 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 DHS components maintain 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.

6. 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.

7. Request to Search Emails:

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

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

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

9. Regarding Destroyed Records

If any records responsive or potentially responsive to my request have been destroyed, my request includes, but is not limited to, any and all records relating or referring to the destruction of those records. This includes, but is not limited to, any and all records relating or referring to the events leading to the destruction of those records.

## INSTRUCTIONS REGARDING SCOPE AND BREADTH OF REQUESTS

Please interpret the scope of this request broadly. The DHS components are instructed to interpret the scope of this request in the most liberal manner possible short of an interpretation that would lead to a conclusion that the request does not reasonably describe the records sought.

## 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 to 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.**





Jason Leopold <jasonleopold@gmail.com>

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## FOIA Request - DOI-OS-2021-001756 - Search contacts

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Jason Leopold <jasonleopold@gmail.com>  
Reply-To: jasonleopold@gmail.com  
To: osfoia@email.doi.gov

Fri, Jan 29, 2021 at 2:38 PM

Hi Cindy,  
Please search the following offices for responsive records:

Secretary  
Deputy Secretary  
Director, Office of Civil Rights  
Office of Law Enforcement and Security  
Assistant Secretary, Fish Wildlife & Parks  
Office of Legislative Affairs/Congressional Liaison  
Deputy Assistant Secretary, Public Safety, Resource Protection and Emergency Services  
Office of Communications

You may omit news clippings and press releases from the search.

I hope you have a great weekend!

Best,  
Jason

Jason Leopold  
BuzzFeed News  
Senior Investigative Reporter  
(213) 270-4334 (Signal)  
@jasonleopold  
6824 Lexington Avenue  
Los Angeles, CA 90038  
Send me documents and tips, securely and anonymously: [tips.buzzfeed.com](https://tips.buzzfeed.com)  
PGP fingerprint: ACE4 2447 7163 6F94 4466 3591 5E7A E882 D89B DFFB  
<https://www.buzzfeednews.com/author/jasonleopold>

On Fri, Jan 29, 2021, 2:14 PM <osfoia@email.doi.gov> wrote:

Dear Mr. Leopold,

We are reaching out to you to let you know that we will be searching in Office of Communications (OCO), former Sec. Bernhardt, and Office of Law Enforcement & Security (OLES). If we do not hear back from you within two weeks with additional names or offices that you would like for us to search, then we will assume that you are ok with us only searching these offices. Hope that you have a wonderful afternoon!

Thanks,

Cindy



## United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

IN REPLY REFER TO:  
7202.4-DOI-OS-2021-001756

February 4, 2021

Via email: [jasonleopold@gmail.com](mailto:jasonleopold@gmail.com)

Jason Leopold  
Investigative Reporter  
1669 Benedict Canyon Drive  
Beverly Hills, CA 90210

Dear Mr. Leopold:

The Office of the Secretary FOIA office received your Freedom of Information Act (FOIA) request, dated January 11, 2021, on January 11, 2021 and assigned it control number **DOI-OS-2021-001756**. Please cite this number in any future communications with our office regarding your request.

- All records, such as emails, text messages, memos, letters, directives, talking points, damage assessments, Situation Reports, threat assessments, the Secretary of the Interior's call log and briefing book, suspicious activity reporting, intelligence reports and intelligence bulletins and assessments and intelligence products, mentioning or referring to the planning of protests in Washington, DC on January 6, 2021 by supporters of President Donald Trump referred to as Save America Rally And Stop The Steal And March For Trump And First Amendment Demonstrations And Operation First Amendment. Please Be Sure This Search Includes Any Correspondence Sent And Received By Fusion Centers, Data Centers And Joint Terrorism Task Forces; FBI, The White House, Office Of The President and Vice President and the Executive Office of the President; Department of Justice, US Marshals Service, Washington, DC Mayor's Office and Metropolitan Police Department; Department of Interior; Department of Defense and National Guard Bureau in DC; any individual Senator and Congressman/Congresswoman and any House and Senate committee; the US Capitol Police. The timeframe for this part of my request is December 1, 2020 through the date the search for responsive records is located.
- All records, such as emails, text messages, memos, letters, reports, after action reports, intelligence assessments and bulletins, intelligence memoranda mentioning or referring to the January 6, 2021 protests in Washington, DC, the speech by President Donald Trump at this protest and the insurrection, the siege, STORM THE CAPITOL, that took place at the Capitol building in Washington, DC on January 6, 2021. The timeframe for this part of my request is January 6, 2021 through the date the search for responsive records is conducted.
- Photographs and audio and video of these January 6, 2021 protests and the siege/insurrection that took place at the Capitol building.
- All records, as described in part 1, mentioning or referring to Million MAGA March.

Mr. Jason Leopold

2

- All Records Mentioning Or Referring To Tweets By Donald Trump That Contain The Words Protests, Rally, Rallies Election Fraud, Fraud, January Sixth.

On January 29, 2021, you clarified your request to following:

[P]lease search the following offices for responsive records:

Secretary, Deputy Secretary, Director, Office of Civil Rights, Office of Law Enforcement and Security, Assistant Secretary, Fish Wildlife & Parks, Office of Legislative Affairs/Congressional Liaison, Deputy Assistant Secretary, Public Safety, Resource Protection and Emergency Services, Office of Communications.

You may omit news clippings and press releases from the search.

### **Fee Category**

We have classified you as a representative of the news media. As such, we may charge you for some of our duplication costs, but we will not charge you for our search or review costs; you also are entitled to up to 100 pages of photocopies (or an equivalent volume) for free. See [43 C.F.R. § 2.39](#). If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we will not bill you because the cost of collection would be greater than the fee collected. See [43 C.F.R. § 2.37\(g\)](#)

### **Fee Waiver**

You have requested a fee waiver for this request. As a “news media” requester, we believe that your fee category entitlements will result in a fee less than \$50. We do not bill requesters for FOIA processing fees when their fees are less than \$50.00, because the cost of collection would be greater than the fee collected. See [43 C.F.R. § 2.37\(g\)](#). Because of this, we believe your request for a fee waiver may be moot. Therefore, we do not anticipate that there will be a billable fee for the processing of this request. Should this change during the course of processing your request, and anticipate a fee being charged, we will provide a formal determination of your fee waiver request.

### **Expedited Processing**

You have asked for expedited processing of your FOIA request. The Department’s FOIA regulations state that a bureau will provide expedited processing when a requester demonstrates a compelling need for the records by explaining in detail how the request meets one or both of the criteria below and certifying the explanation is true and correct to the best of the requester’s knowledge and belief. The two criteria are as follows:

1. Failure to expedite the request could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or
2. There is an urgency to inform the public about an actual or alleged government activity and the request is made by a person primarily engaged in disseminating information. (The requested information must be the type of information that has particular value that will be lost if not disseminated quickly; this ordinarily refers to a breaking news story that concerns a matter of public exigency. Information of historical interest only or information sought

for litigation or commercial activities would not qualify, nor would a news media deadline unrelated to breaking news.) 43 C.F.R. § 2.20.

Your request does not contain enough evidence to support either of these criteria because you do not show that failure to expedite the request could reasonably be expected to pose an imminent threat to the life or physical safety of an individual, nor do you provide evidence that there is an urgency to inform the public of some activity that would lose its particular value if not expedited in release. Your request for expedited processing therefore has been denied.

### **Appeals**

You may appeal this response to the Department's FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal as soon as possible after this communication. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

**Your appeal must be made in writing.** You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe this response is in error. You must also include with your appeal copies of all correspondence between you and the Office of the Secretary concerning your FOIA request, including your original FOIA request and this response. Failure to include with your appeal all correspondence between you and the Office of the Secretary will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

#### *DOI FOIA/Privacy Act Appeals Office Contact Information*

Department of the Interior  
Office of the Solicitor  
1849 C Street, N.W.  
MS-6556 MIB  
Washington, DC 20240  
Attn: FOIA/Privacy Act Appeals Office  
Telephone: (202) 208-5339  
Fax: (202) 208-6677  
Email: [FOIA.Appeals@sol.doi.gov](mailto:FOIA.Appeals@sol.doi.gov)

Mr. Jason Leopold

4

**Agreement to Pay**

You have agreed to pay up to \$20.00 for the processing of your request. If we find that this will not cover the cost of processing your request, we will stop processing your request at the point this amount has been reached and will let you know before we incur additional charges. You can then either agree to pay the additional amount needed or narrow the scope of your request

**Processing Track**

We use Multitrack Processing to process FOIA requests. The Simple track is for requests that would generally take one to five workdays to process. The Normal track is for requests that would generally take six to twenty workdays to process. The Complex track is for requests that would generally take twenty-one to sixty workdays to process. The Extraordinary track is for requests that would generally take more than sixty workdays to process. The Expedited track is for requests that have been granted expedited processing, which are processed as soon as practicable. Within each track, requests are usually processed on a first-in, first-out basis.


Your request falls into the Normal processing track. See [43 C.F.R. §§ 2.14, .15](#)

**Format of Records**

You have asked for copies of agency records. According to our regulations, you may choose the format of disclosure for such records. Unless you specify otherwise, the Office of the Secretary will provide copies of responsive records electronically via email or CD-ROM as scanned PDF images when the responsive records exceed 50 pages.

If you have any questions regarding the status of your request, or any of the issues discussed in this letter, you may contact Cynthia Sweeney by phone at (202) 513-0765, by fax at (202) 219-2374, by e-mail at [os\\_foia@ios.doi.gov](mailto:os_foia@ios.doi.gov) or by mail at U.S. Department of the Interior, 1849 C St, N.W., MS-7328 MIB, Washington, D.C. 20240. Contact information for the Department's FOIA Public Liaison, who you may also seek dispute resolution services from, is available at <https://www.doi.gov/foia/foiacenters>.

Sincerely,

**CYNTHIA  
SWEENEY**Cynthia Sweeney  
Office of the Secretary  
FOIA Office Digitally signed by  
CYNTHIA SWEENEY  
Date: 2021.02.04 16:02:15  
-05'00'



## United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240

IN REPLY REFER TO:  
7202.4-DOI-OS-2021-001756

February 9, 2021

Via email: [jasonleopold@gmail.com](mailto:jasonleopold@gmail.com)

Jason Leopold  
Investigative Reporter  
1669 Benedict Canyon Drive  
Beverly Hills, CA 90210

Dear Mr. Leopold:

The Office of the Secretary FOIA office received your Freedom of Information Act (FOIA) request, dated January 11, 2021, on January 11, 2021 and assigned it control number **DOI-OS-2021-001756**. Please cite this number in any future communications with our office regarding your request.

- All records, such as emails, text messages, memos, letters, directives, talking points, damage assessments, Situation Reports, threat assessments, the Secretary of the Interior's call log and briefing book, suspicious activity reporting, intelligence reports and intelligence bulletins and assessments and intelligence products, mentioning or referring to the planning of protests in Washington, DC on January 6, 2021 by supporters of President Donald Trump referred to as Save America Rally And Stop The Steal And March For Trump And First Amendment Demonstrations And Operation First Amendment. Please Be Sure This Search Includes Any Correspondence Sent And Received By Fusion Centers, Data Centers And Joint Terrorism Task Forces; Fbi, The White House, Office Of The President and Vice President and the Executive Office of the President; Department of Justice, US Marshals Service, Washington, DC Mayor's Office and Metropolitan Police Department; Department of Interior; Department of Defense and National Guard Bureau in DC; any individual Senator and Congressman/Congresswoman and any House and Senate committee; the US Capitol Police. The timeframe for this part of my request is December 1, 2020 through the date the search for responsive records is located.
- All records, such as emails, text messages, memos, letters, reports, after action reports, intelligence assessments and bulletins, intelligence memoranda mentioning or referring to the January 6, 2021 protests in Washington, DC, the speech by President Donald Trump at this protest and the insurrection, the siege, STORM THE CAPITOL, that took place at the Capitol building in Washington, DC on January 6, 2021. The timeframe for this part of my request is January 6, 2021 through the date the search for responsive records is conducted.
- Photographs and audio and video of these January 6, 2021 protests and the siege/insurrection that took place at the Capitol building.

Mr. Jason Leopold

2

- All records, as described in part 1, mentioning or referring to Million MAGA March.
- All Records Mentioning Or Referring To Tweets By Donald Trump That Contain The Words Protests, Rally, Rallies Election Fraud, Fraud, January Sixth.

On January 29, 2021, you clarified your request to following:

[P]lease search the following offices for responsive records:  
Secretary, Deputy Secretary, Director, Office of Civil Rights, Office of Law Enforcement and Security, Assistant Secretary, Fish Wildlife & Parks, Office of Legislative Affairs/Congressional Liaison, Deputy Assistant Secretary, Public Safety, Resource Protection and Emergency Services, Office of Communications.

You may omit news clippings and press releases from the search.

### **Processing Track**

Your request falls into the Normal processing track. *See* [43 C.F.R. §§ 2.14, .15](#)

You may narrow the scope of your request to obtain quicker processing in your currently-assigned track or move the request into a different track (which may have the effect of reducing the cost of processing your request and having it processed more quickly).” If you have any questions about this, please contact us.

### **10-Workday Extension**

Because we will need to search for and collect requested records from field facilities or other units that are separate from the office processing the request, we are taking a 10-workday extension under [43 C.F.R. § 2.19](#).

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. *See* [5 U.S.C. 552\(c\)](#). This response is limited to those records that are subject to the requirements of FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation.

You may contact OGIS in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road - OGIS

Mr. Jason Leopold

3

College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Web: <https://www.archives.gov/ogis>  
Telephone: 202-741-5770  
Fax: 202-741-5769  
Toll-free: 1-877-684-6448


If you have any questions about this letter extending the due date, you may contact us by phone at 202- 513-0765, by fax at 202-219-2374, by email at [os\\_foia@ios.doi.gov](mailto:os_foia@ios.doi.gov) , or by mail at U.S. Department of the Interior, 1849 C Street, NW, MS-7328, Washington, D.C. 20240.

Contact information for the Department's FOIA Public Liaison, who you may also seek dispute resolution services from, is available at <https://www.doi.gov/foia/foiacenters>.

Sincerely,

**CYNTHIA  
SWEENEY**

Cynthia Sweeney  
Office of the Secretary  
FOIA Office

 Digitally signed by  
CYNTHIA SWEENEY  
Date: 2021.02.09 16:37:45  
-05'00'



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**Re: FOIA Request DOI-OS-2021-001756**

1 message

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**Jason Leopold** <jasonleopold@gmail.com>  
Reply-To: jasonleopold@gmail.com  
To: osfoia@email.doi.gov  
Bcc: eun@loevy.com

Fri, Feb 19, 2021 at 5:38 PM

Michelle,  
Please provide me with an estimated date of completion for this request.

Best,  
Jason

On Thu, Feb 4, 2021 at 1:16 PM <osfoia@email.doi.gov> wrote:

Dear Mr. Leopold,

Please find attached an Acknowledgment letter for FOIA Request DOI-OS-2021-001756.

Michelle McBryde

--  
**BuzzFeed News**

**Jason Leopold** | **BuzzFeed News** | [Senior Investigative Reporter](#) | (213) 270-4334 | @jasonleopold  
[6824 Lexington Avenue, Los Angeles, CA 90038](#)

**Signal:** (213) 270-4334 and (646) 379-1975

**Send me documents and tips, anonymously and securely:** [tips.buzzfeed.com](https://tips.buzzfeed.com)

[My personal PGP](#)

My BuzzFeed PGP fingerprint: 46DB 0712 284B 8C6E 40FF 7A1B D3CD 5720 694B 16F0



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## FOIA Request DOI-OS-2021-001756

1 message

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**OS, OS FOIA** <osfoia@ios.doi.gov>  
To: jasonleopold@gmail.com <jasonleopold@gmail.com>

Wed, Feb 24, 2021 at 7:58 AM

Dear Mr. Leopold,

At this time, we are still waiting on a few program offices to send us all potentially responsive records for the request that you inquired about as we do not retain records in the OS FOIA office. Once we have those records, we can begin processing them. While we cannot provide you a timeline at this point, please be assured we are working to complete your request as promptly as we can.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road - OGIS  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Web: <https://www.archives.gov/ogis>  
Telephone: 202-741-5770  
Fax: 202-741-5769  
Toll-free: 1-877-684-6448

If you have any questions about our response to your request, you may contact our office using the information below. Contact information for the Department's FOIA Public Liaison, who you may also seek dispute resolution services from, is available at <https://www.doi.gov/foia/foiacenters>.

Thanks,  
Cindy Sweeney

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Department of the Interior  
Office of the Secretary, FOIA Office  
1849 C Street, NW, MS-7328  
Washington, D.C. 20240  
[os\\_foia@ios.doi.gov](mailto:os_foia@ios.doi.gov)  
(202) 513-0765 - phone  
(202) 219-2374 - fax

January 8, 2021

NPS

Via FOIAonline

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. This request seeks expedited processing.

#### REQUESTER INFORMATION

Name: Jason Leopold

Position: Investigative Reporter

Address: 1669 Benedict Canyon Dr., Beverly Hills, CA 90210

Email: [jasonleopold@gmail.com](mailto:jasonleopold@gmail.com)

I request disclosure from the National Park Service the following records:

1. All records, such as emails, text messages, memos, letters, directives, damage assessments, Situation Reports, threat assessments, suspicious activity reporting, intelligence reports and intelligence bulletins and assessments and intelligence products, social media postings, collected by NPS and its National Capital Region personnel, legal opinions, legal guidance, legal memos mentioning or referring to the **planning** of protests in Washington, DC on January 6, 2021 by supporters of President Donald Trump referred to as SAVE AMERICA RALLY and STOP THE STEAL and MARCH FOR TRUMP and First Amendment demonstrations and OPERATION FIRST AMENDMENT. Please be sure this search includes any correspondence sent and received by fusion centers, data centers and joint terrorism task forces; FBI, the White House, Office of the President and Vice President and the Executive Office of the President; Department of Justice, US Marshals Service,

Washington, DC Mayor's Office and Metropolitan Police Department; Department of Interior; Department of Defense and National Guard Bureau in DC; any individual Senator and Congressman/Congresswoman and any House and Senate committee; the US Capitol Police. The timeframe for this part of my request is December 1, 2020 through the date the search for responsive records is located.

2. All records, such as emails, text messages, memos, letters, reports, after action reports, intelligence assessments and bulletins, intelligence memoranda, social media postings, mentioning or referring to the January 6, 2021 protests in Washington, DC, the speech by President Donald Trump at this protest and the insurrection, the siege, STORM THE CAPITOL, that took place at the Capitol building in Washington, DC on January 6, 2021. The timeframe for this part of my request is January 6, 2021 through the date the search for responsive records is conducted.

3. Photographs and audio and video of these January 6, 2021 protests and the siege/insurrection that took place at the Capitol building.

4. All records, as described in part 1, mentioning or referring to Million MAGA March.

5. All records mentioning or referring to tweets by Donald Trump that contain the words PROTESTS, RALLY, RALLIES ELECTION FRAUD, FRAUD, JANUARY SIXTH.

6. A copy of each assessment, report, and product provided to NPS from the National Capital Region Threat Intelligence Consortium. You may limit this request to records providing risk assessments, warnings, alerts, emails, after-action reports, and other documents regarding marches, protests, rallies, mob action, riots, break-ins, or other similar

activity within Washington, DC. Please interpret this request BROADLY.

- Please conduct searches in Region 1, National Capital Area, the Offices of the Director, Chief of Staff, Deputy Director, Congressional & External Relations, Office of Legislative and Congressional Affairs, Deputy Director, Operations.

#### 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.

An unprecedented crisis is brewing as is the peaceful transfer of power in this country. The president of the United States incited a mob to attack the US capitol building during a protest in Washington, DC on January 6, 2021 where he falsely claimed the 2020 election was stolen from him. At least six people are dead. The president has been parroting conspiracy theories, will likely be impeached a second time and now faces the very real possibility of being removed from office. At the same time, this grave breach of the Capitol raises questions about why law enforcement was not prepared, what it knew and when it knew it and the records I seek will provide insight into these matters.

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 that threatens the safety of lawmakers and the public. There are reports that armed militias are planning violence

in the days leading up to the inauguration of President-elect Joe Biden. The public has also not received briefings from any federal official about the protests and the siege at the Capitol since January 6, 2021.

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 100 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.

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. . . .

DOI 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 (for purposes of this search DHS components” refers to the components within DHS that have been identified as having responsive records)

1. Instructions Regarding “Leads”:

As required by the relevant case law, the DHS components should follow any leads it discovers during the conduct of its searches and perform additional searches when said leads indicate that records may be located in another system. Failure to follow clear leads is a violation of FOIA.

2. Request for Public Records:

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

3. 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.

4. Request for Search of Filing Systems, Indices, and Locations:

I request that the DHS components search all of its offices and components, which are likely to contain responsive records.

5. 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 DHS components maintain 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.

6. 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.

7. Request to Search Emails:



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

8. Request for Search of Records Transferred to Other Agencies:  
I request that in conducting its search, the DHS components disclose releasable records even if they are available publicly through other sources outside the DHS components, such as NARA.

9. Regarding Destroyed Records

If any records responsive or potentially responsive to my request have been destroyed, my request includes, but is not limited to, any and all records relating or referring to the destruction of those records. This includes, but is not limited to, any and all records relating or referring to the events leading to the destruction of those records.

#### INSTRUCTIONS REGARDING SCOPE AND BREADTH OF REQUESTS

Please interpret the scope of this request broadly. The DHS components are instructed to interpret the scope of this request in the most liberal manner possible short of an interpretation that would lead to a conclusion that the request does not reasonably describe the records sought.

#### 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 to 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.**



## United States Department of the Interior

NATIONAL PARK SERVICE  
12795 W. Alameda Parkway  
P.O. Box 25287  
Denver, Colorado 80225-0287

January 13, 2021

A7221

Mr. Jason Leopold  
1669 Benedict Canyon Drive  
Beverly Hills, CA 90210

Dear Mr. Leopold:

Reference: DOI-NPS-2021-001753

Subject: Freedom of Information Act (FOIA) request

Your request has been received and has been assigned tracking number DOI-NPS-2021-001753. All future correspondence relating to this request should reference this tracking number.

At this we are not anticipating that the costs to process your request will exceed our \$50 minimum threshold for assessing fees. Accordingly, currently consider your fee waiver request to be moot.

You have also asked for expedited processing of your FOIA request. The Department's FOIA regulations ([43 C.F.R § 2.20](#)) state that a bureau will provide expedited processing when a requester demonstrates a compelling need for the records by explaining in detail how the request meets one or both of the criteria below and certifying the explanation is true and correct to the best of the requester's knowledge and belief. The two criteria are as follows:

- (1) Failure to expedite the request could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or*
- (2) There is an urgency to inform the public about an actual or alleged government activity and the request is made by a person primarily engaged in disseminating information. (The requested information must be the type of information that has particular value that will be lost if not disseminated quickly; this ordinarily refers to a breaking news story that concerns a matter of public exigency. Information of historical interest only or information sought for litigation or commercial activities would not qualify, nor would a news media deadline unrelated to breaking news.)*

Your request does not contain enough evidence to support either of these criteria. You provided no information demonstrating that a failure to expedite the processing of your request could pose a threat to anyone's life or physical safety. Your request covers a wide range of records that are not related to NPS or other government actions, and thus does not demonstrate urgency to inform the public about government activity, as opposed to other events. Additionally, you provided no information showing how the value of the information you have requested would be lost if not disseminated quickly. Your request for expedited processing therefore has been denied.

You have the right to appeal this denial of your request for expedited processing. You may file an appeal by writing to:

Freedom of Information Act Appeals Officer  
Office of the Solicitor  
U.S. Department of the Interior  
1849 C Street, NW  
MS-6556-MIB,  
Washington, D.C. 20240.

Your appeal must be received as soon as possible after the date of this denial. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of all correspondence with the National Park Service. You should also include an explanation of why you believe the National Park Service's decision was in error. Appeals arriving on or delivered after 5 p.m. ET., Monday through Friday, will be deemed received on the next workday.

Also, as part of the 2007 OPEN Government Act FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation.

You may contact OGIS in any of the following ways:

Office of Government Information Services (OGIS)  
National Archives and Records Administration  
Room 2510  
8601 Adelphi Road  
College Park, MD 20740-6001

E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Phone: 301-837-1996  
Fax: 301-837-0348  
Toll-free: 1-877-684-6448

In accordance with 43 CFR 2.15 the National Park Service processes requests on a first-in, first-out basis within several processing tracks. Your request has been placed in the complex track. There are currently 2 expedited, 7 simple, 118 normal, and 38 complex requests ahead of this request in the processing queue.

Our response is due by February 12, 2021. If you do not receive our response by that date you may file an appeal by writing to:

Freedom of Information Act Appeals Officer  
Office of the Solicitor  
U.S. Department of the Interior  
1849 C Street, NW  
MS-6556-MIB,  
Washington, D.C. 20240  
[foia.appeals@sol.doi.gov](mailto:foia.appeals@sol.doi.gov)

Your failure-to-timely-respond appeal may be filed any time after the estimated response date provided above and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Your request is being processed under the provisions of the Freedom of Information Act (5 U.S.C. §552); United States Department of the Interior (43 CFR Part 2). It is the policy of the National Park Service (NPS) to: (1) make records of the NPS available to the public to the greatest extent possible in keeping with the spirit of FOIA; (2) make available documents requested under the FOIA at the earliest possible date while, at the same time, protecting the rights of the individuals involved and the administrative processes surrounding such rights; (3) withhold documents falling within one of the FOIA exemptions only if disclosure is prohibited by statute or Executive Order, or in those cases where the agency reasonably foresees that disclosure would be harmful to an interest protected by exemption or other sound grounds exist for invoking an exemption.

Please do not hesitate to contact me with any further questions or concerns. I can be reached at the address above or by phone at 303-969-2959. I can also be reached via e-mail at [npsfoia@nps.gov](mailto:npsfoia@nps.gov).

Sincerely,

**CHARIS  
WILSON**

Digitally signed by  
CHARIS WILSON  
Date: 2021.01.13  
13:28:00 -07'00'

Charis Wilson  
FOIA Officer



Jason Leopold <jasonleopold@gmail.com>

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## 21-1753 Leopold Jan 6 events FOIA - search options

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FOIA, NPS <npsfoia@nps.gov>

Thu, Jan 14, 2021 at 11:09 AM

To: "jasonleopold@gmail.com" <jasonleopold@gmail.com>

Mr. Leopold,

I will add the terms "riot" and "national guard" to the search parameters. Since the single word "Capitol" would also return results with the phrase "Capitol Hill", since that phrase includes the word Capitol.

Thank you for getting back to me.

C.

---

Ms. Charis Wilson, PhD., CRM  
NPS FOIA Officer  
[12795 W. Alameda Parkway](#)  
PO Box 25287  
Denver, CO 80225-0287  
303-969-2959  
Fax: 303-969-2557  
1-855-NPS-FOIA  
[NPSFOIA@nps.gov](mailto:NPSFOIA@nps.gov)

\*\*\*\*\* PLEASE NOTE Until further notice materials sent via facsimile, physical mail, or packages sent via Fed Ex or UPS may be delayed as our office is closed. Please send materials electronically\*\*\*\*\*

---

**From:** Jason Leopold <jasonleopold@gmail.com>

**Sent:** Thursday, January 14, 2021 11:38 AM

**To:** FOIA, NPS <npsfoia@nps.gov>

**Subject:** [EXTERNAL] Re: 21-1753 Leopold Jan 6 events FOIA - search options

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Charis,

I am willing to narrow my request to narrow the search for responsive records to GS-15 and Senior Executive Service employees, and political appointees. I accept the timeframe of the search for the request you proposed and the search terms but I would add "CAPITOL HILL AND RIOT AND NATIONAL GUARD AND CAPITOL HILL."

Exhibit 8

You may omit news clippings and mass distribution emails.

Best,  
Jason

On Thu, Jan 14, 2021 at 10:28 AM FOIA, NPS <npsfoia@nps.gov> wrote:

Mr. Leopold,

[DOI FOIA Bulletin 19-01](#) establishes criteria for when we can use the Department's electronic Enterprise Records and Document Management System (eERDMS) to conduct consolidated searches when processing FOIA requests. Your request, as currently written does not meet that criteria because it does not specify custodians (either by name, title, or email address). It also did not specify a date range for the entire request. Your request also did not clearly identify keywords or search terms.

However, if you agree to the following proposed search parameters, we will be able to conduct a consolidated search for potentially responsive records using the eERDMS system rather than having to coordinate multiple searches, by multiple staff, within multiple offices. I am proposing the following:

**Custodians:**

Margaret Everson, Counselor to the Secretary, Exercising the Delegated Authority of the Director, National Park Service  
Lena McDowall, Deputy Director, Management and Administration  
Shawn Benge, Deputy Director, Operations  
Charles Lauder, Assistant Director for Legislative and Congressional Affairs  
Susan Farinelli, Acting Chief of Staff  
Lisa Mendelson-Ielmini, Acting Director Region 1, National Capital Area

**Date Range:**

December 1, 2020 - Date of Search

**Keywords:**

Capitol and any of the following:

- o "Save America Rally"
- o "Stop the Steal"
- o "March for Trump"
- o "Operation First Amendment"
- o "Million MAGA March"
- o siege
- o storm
- o marches
- o protests
- o rallies
- o "mob action"
- o riots
- o "break-ins"

Additionally, I am proposing that the initial mailing of news clips or other mass-distribution emails would be considered non-responsive. However, if one of the specified officials subsequently forwarded a mass-distribution news clip email to another individual with his or her own commentary, that forwarded message and subsequent replies, or discussions would be considered responsive to this request and would be processed accordingly.

Please let me know if the above parameters are acceptable to you. Feel free to contact me with any questions you may have.

Sincerely,

C.

---

Ms. Charis Wilson, PhD., CRM  
NPS FOIA Officer  
[12795 W. Alameda Parkway](#)  
PO Box 25287  
Denver, CO 80225-0287  
303-969-2959  
Fax: 303-969-2557  
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--  
**BuzzFeed News**

**Jason Leopold**  
| **BuzzFeed News**  
|

[Senior Investigative Reporter](#) | (213) 270-4334 | [@jasonleopold](#)

[6824 Lexington Avenue, Los Angeles, CA 90038](#)  
**Signal:** (213) 270-4334 and (646) 379-1975

**Send me documents and tips, anonymously and securely:** [tips.buzzfeed.com](https://tips.buzzfeed.com)

[My personal PGP](#)

My BuzzFeed PGP fingerprint:

46DB 0712 284B 8C6E 40FF 7A1B D3CD 5720 694B 16F0



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## Request for estimated date of completion

1 message

---

**Jason Leopold** <jasonleopold@gmail.com>  
Reply-To: jasonleopold@gmail.com  
To: "FOIA, NPS" <npsfoia@nps.gov>  
Bcc: eun@loevy.com

Fri, Feb 19, 2021 at 5:42 PM

Charis,

I am formally requesting an estimated date of completion for this request.

Best,  
Jason

On Thu, Jan 14, 2021 at 11:09 AM FOIA, NPS <npsfoia@nps.gov> wrote:

Mr. Leopold,

I will add the terms "riot" and "national guard" to the search parameters. Since the single word "Capitol" would also return results with the phrase "Capitol Hill", since that phrase includes the word Capitol.

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**Sent:** Thursday, January 14, 2021 11:38 AM  
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**Subject:** [EXTERNAL] Re: 21-1753 Leopold Jan 6 events FOIA - search options

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