



Request for records under the Freedom of Information Act

Jason Leopold <jasonleopold@gmail.com>

Mon, Jan 11, 2021 at 2:18 PM

Reply-To: jasonleopold@gmail.com

To: antitrust.foia@usdoj.gov, foiamail@atf.gov, Civil.routing.FOIA@usdoj.gov, "FOIArequests, CRT (CRT)" <CRT.FOIArequests@usdoj.gov>, CRS.FOIA@usdoj.gov, CRM FOIA <crm.foia@usdoj.gov>, "DEA.FOIA" <DEA.FOIA@usdoj.gov>, FOIARouting.ENRD@usdoj.gov, EOIR.FOIARequests@usdoj.gov, ocdef.foia@usdoj.gov, USTP FOIA Requests <USTP.FOIA.Requests@usdoj.gov>, OGC Electronic Freedom of Information <ogc_efoia@bop.gov>, info.fcsc@usdoj.gov, Interpol-USNCB FOIA <Interpol-USNCB.FOIA@usdoj.gov>, "JMDfoia (JMD)" <JMDFOIA@usdoj.gov>, "NSDFOIA (NSD)" <nsdfoia@usdoj.gov>, COPS FOIA <COPS.FOIA@usdoj.gov>, USPC.FOIA@usdoj.gov, "USMS FOIA (USMS)" <usms.foia@usdoj.gov>, "FOIAPA, TaxDiv (TAX)" <TaxDiv.FOIAPA@usdoj.gov>, "FOIA, PRAO" <PRAO.FOIA@usdoj.gov>, "OVW.FOIA" <OVW.FOIA@usdoj.gov>, OSGFOIA@usdoj.gov, oigfoia <oigfoia@usdoj.gov>, "US Pardon Attorney(imailagent)" <PardonAttorneyFOIA@usdoj.gov>, OPR.FOIA@usdoj.gov, "USDOJ-Office of Legal Counsel (SMO)" <usdoj-officeoflegalcounsel@usdoj.gov>, Office of the General Counsel <FOIAOJP@usdoj.gov>, MRUFOIA Requests <MRUFOIA.Requests@usdoj.gov>

Antitrust Division
Chief, FOIA/PA Unit
Antitrust Division
Department of Justice
Liberty Square Building
Suite 1000, 450 5th Street, N.W.
Washington, DC 20530-0001

Bureau of Alcohol, Tobacco, Firearms and Explosives
Bureau of Alcohol, Tobacco, Firearms, and Explosives
Department of Justice
Room 4.E-301
99 New York Avenue, N.E.
Washington, DC 20226

Civil Division
FOIA, Records, and E-Discovery Office
Civil Division
Department of Justice
Room 8020
1100 L Street, NW
Washington, DC 20530-0001

Civil Rights Division
FOIA/PA Branch
Civil Rights Division
Department of Justice
BICN Bldg., Room 3234
950 Pennsylvania Avenue, NW
Washington, DC 20530

Community Relations Service
FOIA/PA Coordinator
Community Relations Service
Department of Justice
Suite 6000, 600 E Street, N.W.
Washington, DC 20530-0001

Criminal Division
Acting Chief, FOIA/PA Unit
Criminal Division

Department of Justice
Suite 1127, Keeney Building
950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001

Drug Enforcement Administration
Freedom of Information/Privacy Act Unit
FOI/Records Management Section
Drug Enforcement Administration
8701 Morrisette Drive
Springfield, Virginia 22152

Environment and Natural Resources Division
FOIA Coordinator
Law and Policy Section
Environment and Natural Resources Division
P.O. Box 7415, Ben Franklin Station
Washington, DC 20044-7415

Executive Office for Immigration Review
Senior Associate General Counsel
Office of the General Counsel
Executive Office for Immigration Review
Department of Justice
Suite 1903, 5107 Leesburg Pike
Falls Church, VA 22041

Executive Office for Organized Crime Drug Enforcement Task Forces
OCDETF Executive Office
601 D Street, NW
Suite 9218
Washington, DC 20530
Arlington, VA 22202

Executive Office for U.S. Attorneys
FOIA/Privacy Unit
Executive Office for United States Attorneys
Department of Justice
Room 7300, 600 E Street, N.W.
Washington, DC 20530-0001

Executive Office for U.S. Trustees
Office of the General Counsel
Executive Office for United States Trustees
Department of Justice
441 G Street, NW, Suite 6150
Washington, DC 20530

Federal Bureau of Investigation
David M. Hardy, Chief
Record/Information Dissemination Section
Records Management Division
Federal Bureau of Investigation
Department of Justice
170 Marcel Drive

Federal Bureau of Prisons
FOIA/Privacy Act Requests
Federal Bureau of Prisons
Department of Justice
Room 924, HOLC Building
320 First Street, N.W.
Washington, DC 20534

Foreign Claims Settlement Commission of the U.S.

Chief Administrative Counsel
Foreign Claims Settlement Commission
Department of Justice
Room 6002, 600 E Street, N.W.
Washington, DC 20579-0001

INTERPOL (U.S. National Central Bureau)
Government Information Specialist
Office of General Counsel
INTERPOL-United States National Central Bureau
Department of Justice
Washington, DC 20530

Justice Management Division
Justice Management Division
Department of Justice
Room 1111 RFK, 950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001

National Security Division
Arnetta Mallory
FOIA Initiatives Coordinator
National Security Division
Department of Justice
Room 6150, 950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001

Office of Community Oriented Policing Services
FOIA Officer
Legal Division
Office of Community Oriented Policing Services
Department of Justice
Two Constitution Square
145 N Street, N.E., #11E 129
Washington, DC 20530-0001

Office of Information Policy
Chief, Initial Request Staff
Office of Information Policy
Department of Justice
Suite 11050
1425 New York Avenue, N.W.
Washington, DC 20530-0001

Office of Justice Programs
Government Information Specialist
Office of Justice Programs
Department of Justice
Room 5400, 810 7th Street, N.W.
Washington, DC 20531

Office of Legal Counsel
Lead Paralegal and FOIA Specialist
Department of Justice
Room 5511, 950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001

Office of Legal Policy
Chief, Initial Request Staff
Office of Information Policy
Department of Justice
Suite 11050
1425 New York Avenue, N.W.
Washington, DC 20530-0001

Office of Legislative Affairs
Chief, Initial Request Staff
Office of Information Policy
Department of Justice
Suite 11050
1425 New York Avenue, N.W.
Washington, DC 20530-0001

Office of Professional Responsibility
Department of Justice
950 Pennsylvania Avenue, N.W.
Suite 3529
Washington, D.C. 20530

Office of Public Affairs
Chief, Initial Request Staff
Office of Information Policy
Department of Justice
Suite 11050
1425 New York Avenue, N.W.
Washington, DC 20530-0001

Office of the Associate Attorney General
Chief, Initial Request Staff
Office of Information Policy
Department of Justice
Suite 11050
1425 New York Avenue, N.W.
Washington, DC 20530-0001

Office of the Attorney General
Chief, Initial Request Staff
Office of Information Policy
Department of Justice
Suite 11050
1425 New York Avenue, N.W.
Washington, DC 20530-0001

Office of the Deputy Attorney General
Chief, Initial Request Staff
Office of Information Policy
Department of Justice
Suite 11050
1425 New York Avenue, N.W.
Washington, DC 20530-0001

Office of the Inspector General
Government Information Specialist
Office of the Inspector General
Department of Justice
Room 4726
950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001

Office of the Pardon Attorney
Department of Justice
145 N Street NE
#5E. 508
Washington, DC 20530

Office of the Solicitor General
FOIA Officer and Executive Officer
Office of the Solicitor General
Department of Justice
950 Pennsylvania Avenue, N.W., Room 6627

Washington, DC 20530-0001

Office of Tribal Justice
Assistant Director
FOIA/Privacy Unit
Executive Office for United States Attorneys
Department of Justice
Room 7300, 600 E Street, N.W.
Washington, DC 20530-0001

Office on Violence Against Women
Attorney Advisor
145 N Street NE
Suite 10W.121
Washington, D.C. 20530

Professional Responsibility Advisory Office
Attorney Advisor
Professional Responsibility Advisory Office
Department of Justice
Suite 12000, 1425 New York Avenue, N.W
Washington, D.C. 20530

Tax Division
Division Counsel for FOIA and PA Matters
Tax Division
Department of Justice
Post Office Box 227
Ben Franklin Station
Washington, DC 20044

U.S. Attorneys
FOIA/Privacy Unit
Executive Office for United States Attorneys
Department of Justice
Room 7300, 600 E Street, N.W.
Washington, DC 20530-0001

U.S. Marshals Service

Associate General Counsel
U.S. Marshals Service
Office of General Counsel
CG-3 R1594
Washington, DC 20530-0001

U.S. Parole Commission
FOIA/PA Specialist
United States Parole Commission
Department of Justice
90 K Street NE
3rd Floor
Washington, DC 20530

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

I request disclosure of the following records from the Department of Justice components this request is addressed to:

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

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

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

5. The call logs and briefing books for the directors of each Department of Justice component this request is addressed. Please limit this search to January 6, 2021.

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.



FOIA-2021-00565

Requester: Leopold, Jason

Status: In Progress

Request

Request Information

Request Type	Request	Agency	OIP
Request Date	01/11/2021	Document Delivery Method	Email

Requester Information

Salutation	Mr.	Address Type	Home
First Name	Jason	Country	United States
Middle Name		Address Line 1	1669 benedict av
Last Name	Leopold	Address Line 2	
Email Address	jasonleopold@gmail.com	City	beverly hills
Organization	BuzzFeed News	State	California
Register Number		Zip/Postal Code	90210
Phone Number	2132704334		
Fax Number			
Other Information			

Description of Request

Description	<p>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.</p> <p>REQUESTER INFORMATION Name: Jason Leopold Position: Investigative Reporter Address: 1669 Benedict Canyon Dr., Beverly Hills, CA 90210 Email: jasonleopold@gmail.com</p> <p>I request disclosure of records from the Department of Justice components this request is addressed to: The Attorney General Public Affairs The Deputy Attorney General Legal Policy The Associate Attorney General Information Policy Legislative Affairs</p> <p>1. All records, such as emails, text messages, memos, letters, directives, intelligence bulletins and intelligence assessments, threat assessments, situation reports, legal opinions, talking points, mentioning or referring to the 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 to 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; 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.</p> <p>2. All records, such as emails, text messages, memos, letters, reports,</p>
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... records, such as emails, text messages, after action reports, intelligence assessments and bulletins, intelligence memoranda, social media postings, mentioning or referring to the January 6, 2021 speech by President Donald Trump at the Washington, DC protest and the subsequent insurrection and siege and STORM THE CAPITOL, that took place at the Capitol building in Washington, DC on that date. The timeframe for this part of my request is January 6, 2021 through the date the search for responsive records is conducted.

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

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

5. The call logs and briefing books for the directors of each Department of Justice component this request is addressed. Please limit this search to January 6, 2021.

6. All records and legal opinions mentioning or referring to impeachment and the 25th and 14th Amendments. The timeframe for this part of my request is January 6, 2021 through the date the search for responsive records is conducted

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.

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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.

File Type 1

File 1

File Type 2

File 2

File Type 3

File 3

Expedited Processing Information

Expedited Processing Requested?	Yes	Expedited Justification
Expedited Processing Request Date	01/11/2021	
Standards for Expedition	1. Circumstances in which the lack of expedited processing could reasonably be expected to pose an imminent threat to the life or physical safety of an individual. 2. An urgency to inform the public about an actual or alleged Federal Government activity, if made by a person who is primarily engaged in disseminating information. 4. A matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity that affect public confidence.	

EXPEDITED PRO
I ask that my requ
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As senior investig
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/s/ _____ JL_
Jason Leopold

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Fee Information

Will Pay Up To	\$25	Fee Waiver Justification	FEE CATEGORY
Fee Category	Representative of the news media		I am the senior inv senior investigativ Additionally, my re Street Journal, Th Angeles Times, Th America.
Fee Waiver Requested?	Yes		I request a comple request for a waiv of the news media Under 5 U.S.C. §5 any charge ... if di because it is likel the operations or commercial intere statutory criteria, activities of govern commercial reque analyze and freely If I am not granted member of the new reasonable duplic request. I will appeal any d the courts if neces



U.S. Department of Justice

Civil Division

Washington, DC 20530

Via Email

January 14, 2021

Mr. Jason Leopold
Senior Investigative Reporter
BuzzFeed News
1669 Benedict Canyon Dr.
Beverly Hills, CA 90210
jasonleopold@gmail.com

Request No. 145-FOI-17574
ES:HDK

Dear Mr. Ayele:

This letter is the response of the Civil Division, Department of Justice to your Freedom of Information Act (FOIA) request for records mentioning or referring to the protests in Washington, DC on January 6, 2021 by supporters of President Donald Trump. This Office received your request on January 11, 2021.

The Civil Division located two pages responsive to your request. These two pages are being referred to the Justice Management Division (JMD) for review and direct response to you. See 28 C.F.R. § 16.4 (2019). If you have any questions concerning the status of this referral, please contact JMD directly using the information provided at <https://www.justice.gov/oip/find-foia-contact-doj/list>.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that we give to all our requesters. You should not take it as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison at 202-514-2319 for any further assistance and to discuss any aspect of your request. 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, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the Civil Division's determination in response to your request for expedited processing, you may administratively appeal by writing to the Director, Office of

Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIA STAR portal by creating an account on the following website: <https://foiastar.doj.gov>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to read "Hirsh D. Kravitz", with a long, sweeping horizontal line extending to the right.

Hirsh D. Kravitz
Senior Supervisory FOIA Counsel
Office of FOIA, Records, and E-discovery



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

January 14, 2021

Jason Leopold
jasonleopold@gmail.com

Subject: Freedom of Information/Privacy Act Request [21-OIG-095]

Dear Mr. Leopold:

Your request for information relating to the above-cited subject was received in this office on January 11, 2021.

Your request will be handled under the provisions of the Freedom of Information Act (5 U.S.C. §552) and the Privacy Act (5 U.S.C. §552a). It has been assigned the following control number: 21-OIG-095. Please cite this number in any further inquiry about this request.

You have requested expedited processing of your request. I have determined that your request for expedited processing should be granted. Accordingly, your request has been assigned to an analyst in this office and our processing of it has been initiated.

I must advise you that fees may be charged for searching for records sought at the respective clerical, professional, and/or managerial rates of \$4.00/\$7.00/\$10.25 per quarter hour, and for duplication of copies at the rate of \$.10 per copy. The first 100 copies and two hours of search time are not charged, and the remaining combined charges for search and duplication must exceed \$14.00 before we will charge you any fees. Most requests do not require any fees; however, if fees are required we will notify you beforehand.

We will answer your request as quickly as possible. If you have further questions, please address your inquiry to U.S. Department of Justice, Office of the Inspector General, 950 Pennsylvania Avenue, N.W., Suite 4726, Washington, D.C. 20530 or to check the status of your request contact us at (202) 616-0646.

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, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448.

Sincerely,

Kim Kochurka

Government Information Specialist
Office of the General Counsel



U.S. Department of Justice

Office of Legal Counsel

Washington, D.C. 20530

January 15, 2021

Jason Leopold
Investigative Reporter
BuzzFeed News
jasonleopold@gmail.com

Re: FOIA Tracking No. FY21-070

Dear Mr. Leopold:

This letter acknowledges receipt of your January 11, 2021 Freedom of Information Act ("FOIA") request to the Office of Legal Counsel ("OLC"), among others, in which you sought five categories of records regarding "the protests in Washington, DC on January 6, 2021 by supporters of President Donald Trump" and/or "the January 6, 2021 speech by President Donald Trump at the Washington, DC protest." We received your request on January 11, 2021, and it has been assigned tracking number **FY21-070**. For your information, consistent with 28 C.F.R. § 16.4(a), we construe items (1) and (2) of your request as seeking records from the start dates you provided, to the date a search is begun.

Your request for expedited processing has been granted and your request has been assigned to the "expedited" processing track. Because of the considerable number of FOIA requests received by OLC prior to your request, including other previously expedited requests, we likely will be unable to comply with the twenty-day statutory deadline for responding to your request. Please also be advised that due to necessary operational changes as a result of the national emergency concerning the novel coronavirus disease (COVID-19) outbreak, there may be some additional delay in the processing of your request. I regret the necessity of this delay, but I assure you that your request will be processed as soon as practicable.

We have not yet made a decision on your request for a fee waiver. We will do so after we determine whether fees will be assessed for this request.

In the meantime, if you have any questions or wish to discuss your request, you may contact Melissa Golden, OLC's FOIA Public Liaison, at usdoj-officeoflegalcounsel@usdoj.gov, (202) 514-2053, or at Office of Legal Counsel, United States Department of Justice, 950 Pennsylvania Ave., N.W., Room 5511, Washington, DC 20530.

Sincerely,

A handwritten signature in black ink, appearing to read "Jared Kaprove", is written over a horizontal line.

Jared Kaprove
FOIA and Records Management Attorney



U.S. Department of Justice

Tax Division

*Civil Trial Section, Eastern Region
P.O. Box 227
Ben Franklin Station
Washington, D.C. 20044*

Facsimile No. (202) 514-6866

January 15, 2021

CMB:DFITZGER
FOIPA/TAX # 11423

Sent by E-Mail: jasonleopold@gmail.com

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

Dear Mr. Leopold:

This responds to your request for expedited process of your Freedom of Information Act request dated January 11, 2021. The Tax Division's Freedom of Information Act (FOIA) and Privacy Act (PA) Unit received your request on January 11, 2021.

We understand from your request that you seek the following information:

1. All records, such as emails, text messages, memos, letters, directives, intelligence bulletins and intelligence assessments, threat assessments, situation report, mentioning or referring to the 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; 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

Jason Leopold
FOIPA/TAX # 11423
Sent by E-Mail: jasonleopold@gmail.com

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 speech by President Donald Trump at the Washington, DC protest and the subsequent insurrection and siege and STORM THE CAPITOL, that took place at the Capitol building in Washington, DC on that date. The timeframe for this part of my request is January 6, 2021 through the date the search for responsive records is conducted.

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

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

5. The call logs and briefing books for the directors of each Department of Justice component this request is addressed. Please limit this search to January 6, 2021. Pursuant to 28 C.F.R. §§ 16.5(a), (e)(3), the Tax Division grants your request for expedited processing treatment.

Pursuant to 28 C.F.R. §§ 16.5(a), (e)(3), the Tax Division grants your request for expedited processing treatment.

If you seek to narrow the scope of your request, or would like to otherwise inquire about your request, please refer to the tracking number located on the upper left-hand corner of this letter. Your communications should be directed to Ms. Debbie Fitzgerald of the FOIA and PA Unit. She can be reached by any of the following ways:

- by telephone at 202 307-6423;
- by regular mail addressed to her at the Freedom of Information Act (FOIA) and Privacy Act (PA) Unit, Tax Division, U. S. Department of Justice, P. O. Box 227, Ben Franklin Station, Washington, D. C. 20044;

Jason Leopold
FOIPA/TAX # 11423
Sent by E-Mail: jasonleopold@gmail.com

- by fax, 202 514-6866; or
- e-mail at TaxDiv.FOIAPA@usdoj.gov.

Sincerely yours,

CARMEN BANERJEE

Digitally signed by CARMEN BANERJEE
DN: c=US, o=U.S. Government, ou=Dept of Justice, ou=TAX,
cn=CARMEN BANERJEE,
0.9.2342.19200300.100.1.1=15001000302597
Date: 2021.01.15 16:43:16 -05'00'

Carmen M. Banerjee
Senior Division Counsel
for FOIA and PA Matters



U.S. Department of Justice

Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

VIA Electronic Mail

January 19, 2021

Mr. Jason Leopold
1669 Benedict Canyon Drive
Beverly Hills, CA 90210
jasonleopold@gmail.com

Request No. CRM-301613021
Subject: Records pertaining to protests in
Washington, DC on January 6, 2021

Dear Mr. Leopold:

This acknowledges receipt of your Freedom of Information Act request dated January 11, 2021 seeking records maintained by the Criminal Division. Your request was received in this Office on January 11, 2021. The request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

- Your request has been received by the Freedom of Information Act/Privacy Act Unit and we are searching the section(s) most likely to maintain responsive records.
- Because your request presents “unusual circumstances” (See 5 U.S.C. § 552(a)(6)(B)(i)-(iii)), we are extending the time limit to respond to your request an additional ten days as provided by the statute.
- We have not yet made a decision on your request for a fee waiver. We will do so after we determine whether the processing of your request will result in any assessable fees.
- We have not yet made a decision on your request for preferred fee status. We will do so after we determine whether the processing of your request will result in any assessable fees.
- Your request for expedited treatment has been:
 - Granted. Accordingly, your request has been assigned to a Government Information Specialist in this Office and we will respond to your request as soon as practicable.
 - Denied. You have not established that your request fits within any of the four U.S. Department of Justice standards for expedited treatment. If you are not satisfied with the Criminal Division’s determination in response to this request, you may administratively

appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account on the following website: <https://foiastar.doj.gov>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Please be advised that due to necessary operational changes as a result of the national emergency concerning the novel coronavirus disease (COVID-19) outbreak, there may be some delay in the processing of your request. I regret the necessity of this delay, but I assure you that your request will be processed as soon as possible. If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, you may contact me by telephone at (202) 616-0307, by email at crm.foia@usdoj.gov, or by mail at the Criminal Division, U.S. Department of Justice, Room 803, Keeney Building, NW, Washington, DC 20530-0001.

You may contact our FOIA Public Liaison at the telephone number listed above for any further assistance and to discuss any aspect of your request. 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, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

FOIA/PA Unit
Criminal Division
U.S. Department of Justice



U.S. Department of Justice

Office of Justice Programs

Office of the General Counsel

Washington, D.C. 20531

January 19, 2021

VIA Electronic Mail

jasonleopold@gmail.com

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

Re: OJP FOIA No. 21-FOIA-00096

Dear Mr. Leopold:

This is to acknowledge receipt of your January 11, 2021, Freedom of Information Act/Privacy Act (FOIA/PA) request, which was received in the Office of Justice Programs (OJP), Office of the General Counsel, on January 12, 2021. A copy of your request is attached for your convenience.

The records you seek require a search in another OJP office and so your request falls within "unusual circumstances." See 5 U.S.C. § 552(a)(6)(B)(i)-(iii) (2018). Because of these unusual circumstances, we are extending the time limit to respond to your request beyond the ten additional days provided by the statute. We have not yet completed a search to determine whether there are records within the scope of your request. The time needed to process your request will necessarily depend on the complexity of our records search and on the volume and complexity of any records located. For your information, this office assigns incoming requests to one of three tracks: simple, complex, or expedited. Each request is then handled on a first-in, first-out basis in relation to other requests in the same track. Simple requests usually receive a response in approximately one month, whereas complex requests necessarily take longer. At this time, your request has been assigned to the expedited track. You may wish to narrow the scope of your request to limit the number of potentially responsive records or agree to an alternative time frame for processing, should records be located; or you may wish to await the completion of our records search to discuss either of these options.

We have not yet made a decision on your request for a fee waiver. We will do so after we determine whether the processing of your request will result in any assessable fees.

Please be advised that your request for expedited processing has been granted. The request has been assigned to a Government Information Specialist in this Office for processing and a records search has been initiated in the appropriate office. If you have any questions or wish to discuss

reformulation of your request, you may contact the Office of the General Counsel at (202) 307-6235, via email at FOIAOJP@usdoj.gov, or you may write to this office at:

US DOJ, Office of Justice Programs
Office of the General Counsel
810 7th Street, NW, Room 5400
Washington, D.C. 20531
Attn: FOIA

Due to the COVID-19 pandemic, OJP's FOIA Office has adjusted its normal operations to balance the need of completing its mission as effectively and efficiently as possible while also adhering to the recommended social distancing for the safety of our staff. As a result, you may experience a delay in receiving an initial acknowledgment as well as a substantive response to your FOIA request. We will be able to acknowledge requests made electronically more quickly than by mail. You may reach out to our FOIA Requester Service Center and FOIA Public Liaison at the telephone number above to discuss any aspect of your request. Please include the above-referenced OJP FOIA number. We apologize for this inconvenience and appreciate your understanding and patience.

Thank you,

FOIAOJP