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## RESUBMITTING/Request for records under the Freedom of Information Act (expedited processing)

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OVW.FOIA <OVW.FOIA@usdoj.gov>  
To: "jasonleopold@gmail.com" <jasonleopold@gmail.com>

Tue, Feb 2, 2021 at 9:57 AM

Dear Requester Leopold,

This is to acknowledge receipt of your Freedom of Information Act request (expedited processing) dated January 11, 2021 and received in the Office on Violence Against Women (OVW) of the United States Department of Justice (DOJ) on January 11, 2021 in which you requested records regarding:

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

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 20 business days, whereas complex requests necessarily take longer. At this time, your request has been assigned to the simple 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.

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.

This Office has adopted a first in/first out practice of processing all incoming requests but notes the request for expedited processing. Your request will be handled as quickly as possible. If you have any questions regarding the status of your request, you may contact me by telephone at 202-514-5430 or you may write to me at [Catherine.poston@usdoj.gov](mailto:Catherine.poston@usdoj.gov) or United States Department of Justice, Office on Violence Against Women, 145 N Street, NE, Suite 10W.121, Washington, D.C. 20530.

You may contact our FOIA Public Liaison at 202-514-5430 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, [8601 Adelphi Road](#)-OGIS, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

Catherine M. Poston

Attorney Advisor

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**FOIA Request F21-00044**

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OPR NO-REPLY <NO-REPLY.OPR@usdoj.gov>  
To: Jason Leopold <jasonleopold@gmail.com>

Mon, Feb 8, 2021 at 10:36 AM

Mr. Leopold,

We received your January 11, 2021 Freedom of Information Act (FOIA) request to the Office of Professional Responsibility (OPR) seeking:

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, December 1, 2020 through the date the search;
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, January 6, 2021 through the date the search;
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; and
5. The call logs and briefing books for the directors of each Department of Justice component this request is addressed, January 6, 2021.

Your request has been assigned request number **F21-00044**. Please refer to that number in any correspondence pertaining to this matter.

You have requested expedited processing of your request pursuant to the Department's standard permitting expedition for requests involving "[a]n urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information." 28 C.F.R. § 16.5(e)(1)(ii) (2019). Based on the information you have provided, OPR has determined that your request for expedited processing should be granted. Accordingly, OPR has assigned your request to our Government Information Specialist who will begin a search for records responsive to your request. We will respond to your request as soon as practicable.

If you need any further assistance or would like to discuss any aspect of your request please do not hesitate to contact OPR's FOIA Public Liaison at the telephone number and address listed below.

Thank you,

OPR FOIA





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## NSD FOIA #21-092

1 message

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**Mallory, Arnetta (NSD)** <Arnetta.Mallory@usdoj.gov>  
To: jasonleopold@gmail.com <jasonleopold@gmail.com>

Tue, Feb 23, 2021 at 9:45 AM

Jason Leopold

1669 Benedict Canyon Drive

Beverly Hills, CA 90210-2002

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

Re: FOIA/PA #21-092

Dear Mr. Leopold:

This is to acknowledge your email dated January 11, 2021 for information pertaining 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. Our FOIA office received your Freedom of Information Act request on January 11, 2021.

In response to the COVID-19 public health emergency, the NSD FOIA staff is teleworking full time. Our FOIA operations have been diminished while we are teleworking and our FOIA intake and FOIA processing will be slower than normal.

Our policy is to process FOIA requests on a first-in, first-out basis. Consistent with this policy, every effort will be made to respond to your request as quickly as possible. The actual processing time will depend upon the complexity of the request, whether it involves sensitive or voluminous records, and whether consultations with other agencies or agency components are appropriate. Also, the National Security Division does not handle Delegation of Authority.

You have requested expedited processing of your request under the Department of Justice standards permitting expedition when a requester demonstrates a "compelling need." A compelling need is defined as follows:

1. Failure to obtain requested records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or
2. With respect to a request made by a person primarily engaged in disseminating information, urgency to inform the public concerning actual or alleged Federal Government activity.

Exhibit 19

You have demonstrated that there is a particular urgency to inform the public about an actual or alleged federal government activity. Therefore, we have determined that your request for expedited processing is granted.

You may contact our Government Information Specialist, Arnetta Mallory, for any further assistance and to discuss any aspect of your request at:

U.S. Department of Justice  
Records and FOIA Unit  
3 Constitution Square  
175 N Street N.E. 12th Floor  
Washington, DC 20530  
(202) 233-2639

Sincerely,

Arnetta Mallory  
Government Information Specialist



**U.S. Department of Justice**

Criminal Division

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*Office of Enforcement Operations*

*Washington, D.C. 20530*

**VIA Electronic Mail**

February 26, 2021

Mr. Jason Leopold  
BuzzFeed News  
1669 Benedict Canyon Drive  
Beverly, CA 90038  
[jasonleopold@gmail.com](mailto:jasonleopold@gmail.com)

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

Dear Mr. Leopold:

This responds to your status inquiry dated February 19, 2021 concerning your pending Freedom of Information Act/Privacy Unit (FOIA/PA) request received on January 11, 2021 for records concerning the above-mentioned subject.

Please be advised that your request is being processed on the complex track. On average, it takes the FOIA/PA Unit 301 days to process a complex request. At this time, your request has been pending for 30 business days. A search for responsive records is pending.

You have also requested an estimated date of completion for this request. As stated above, your request has been assigned to the complex track. At this time, we estimate that this request will be completed within 6 months. Please be advised that this is a preliminary estimate that will likely be modified as our searching is completed, and the volume and complexity of the material is evaluated. We will be able to provide you with a more specific estimate after we have completed our search for responsive records.

Your continued patience is appreciated and we apologize for the delays in the processing of your request. Please feel free to follow up with the FOIA/PA Unit in sixty days if you would like another status update on your request.

Sincerely,

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

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**City**

**State**

**Postal**

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## Agreement to Pay

**How you will pay**

I am requesting a fee waiver for my request and have reviewed the FOIA reference guide. If my fee waiver is denied, I am willing to pay additional fees and will enter that maximum amount in the box below.

**Allow up to \$**

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## Proof Of Affiliation for Fee Waiver

**Waiver Explanation**

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

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

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

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**Documentation Files**

## Non-Individual FOIA Request

**Request Information**

I request disclosure from the FBI of the following INVESTIGATIVE and NON INVESTIGATIVE records. In addition to an ECF, TEXT, CRS and ELSUR and Cross Reference search, I request the FBI search the following offices for

responsive records. I will limit the search to the heads of each office and their immediate aides:

Office of the Director, Deputy Director, Associate Director,  
National Security Branch  
Intelligence Branch  
Criminal, Cyber Branch

#### RECORDS SOUGHT

1. All photographs, videos, audio in possession of the bureau relating or referring to the STOP THE STEAL protest and the riot/INSURRECTION at the Capitol building in Washington, DC on January 6, 2021.

2. All photographs, video, audio in possession of the FBI relating or referring to STOP THE STEAL, INSURRECTION, and the riot at the Capitol building in Washington, DC in which pro-Trump protesters stormed the Capitol building.

3. All records, such as emails, memos, letters, directives, talking points, intelligence bulletins, reports, copies of social media postings, collected by the bureau, mentioning or referring to STOP THE STEAL protest, the riot/INSURRECTION at the Capitol building on January 6, 2021. Please be sure any search for responsive records also includes records and emails sent and received to the following domains: [eop.gov](mailto:eop.gov), [usdoj.gov](mailto:usdoj.gov), [usss.dhs.gov](mailto:usss.dhs.gov), [dhs.gov](mailto:dhs.gov), [senate.gov](mailto:senate.gov), [house.gov](mailto:house.gov), [dod.mil](mailto:dod.mil) or any Defense Department domain.

4. All records from the offices and officials identified in this request relating or referring to a speech by President Donald Trump at the STOP THE STEEL protest in Washington, DC on January 6, 2021; any and all tweets made by the @realdonaldtrump twitter account on January 6, 2021; any records exchanged between the bureau and Facebook and Twitter on January 6, 2021 relating or referring to President Donald Trump's Twitter account.

5. Director Christopher Wray's call log and briefing book for January 6, 2021.

By law, the FBI cannot cite b7a to withhold a vast swath of records without conducting a document by document search to determine what is segregable.

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. . . .

FBI should not fail to meet the requirements of Section 552(a)(8) when processing my request and release responsive records to me in full or at least in part.

## Expedite

### Expedite Reason

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

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

A potential crisis is brewing as is the peaceful transfer of power. The president of the United States incited a mob to attack the US capitol building. Four people are dead. The president has been parroting conspiracy theories 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.

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.

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Please be advised that [efoia@subscriptions.fbi.gov](mailto:efoia@subscriptions.fbi.gov) is a no-reply email address. Questions regarding your FOIA request may be directed to [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you have received a FOIPA request number, please include this in all correspondence concerning your request. Please note eFOIPA requests are processed in the order that they are received. If you have not received a FOIPA request number, your request is in the process of being opened at which time it will be assigned a FOIPA request number and correspondence will be forthcoming.

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Upon receipt of your FOIPA request number, you may check the status of your FOIPA request on the FBI's electronic FOIA Library (The Vault) on the FBI's public website, <http://vault.fbi.gov> by clicking on the "Check Status of Your FOI/PA Request tool" link. Status updates are performed on a weekly basis. If you receive a comment that your FOIPA request number was not located in the database, please check back at a later date.



U.S. Department of Justice

Federal Bureau of Investigation  
Washington, D.C. 20535

January 21, 2021

MR. JASON LEOPOLD  
1669 BENEDICT CANYON DRIVE  
BEVERLY HILLS, CA 90210

FOIPA Request No.: 1486989-000  
Subject: Stop the Steal  
(Et All)

Dear Mr. Leopold:

Please be advised that "unusual circumstances" apply to the processing of your request. See 5 U.S.C. § 552 (a)(6)(B)(iii). "Unusual circumstances" include one or more of the following scenarios:

There is a need to search for and collect records from field offices and/or other offices that are separate from the FBI Record/Information Dissemination Section (RIDS).

There is a need to search for, collect, and examine a voluminous amount of separate and distinct records.

There is a need for consultation with another agency or two or more DOJ components.

These "unusual circumstances" will delay our ability to make a determination on your request within 20 days (excluding weekend and legal public holidays). Additionally, the payment of pertinent fees may apply to your request. See 5 U.S.C. § 552 (a)(4)(A)(viii).

The application of "unusual circumstances" is not a determination of how the FBI will respond to your substantive request, this letter provides notice that these "unusual circumstances" apply to processing and delay the determination of your request. See 5 U.S.C. §§ 552 (a)(6)(A)(viii); (a)(6)(B).

You have the opportunity to reduce the scope of your request; this will accelerate the process and could potentially place your request in a quicker processing queue. This may also reduce search and duplication costs and allow for a more timely receipt of your information. The FBI uses a multi-queue processing system to fairly assign and process new requests. Simple request queue cases (50 pages or less) usually require the least time to process.

Please advise in writing if you would like to discuss reducing the scope of your request. Provide a telephone number, if one is available, where you can be reached between 8:00 a.m. and 5:00 p.m., Eastern Standard Time. Mail your response to: **Work Process Unit; Record/Information Dissemination Section; Information Management Division; Federal Bureau of Investigation; 170 Marcel Drive; Winchester, VA 22602.** You may also fax your response to: 540-868-4997, Attention: Work Process Unit.

For questions regarding our determinations, visit the [www.fbi.gov/foia](http://www.fbi.gov/foia) website under "Contact Us." The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

If you are not satisfied with the Federal Bureau of Investigation'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 following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (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 cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,



Michael G. Seidel  
Section Chief  
Record/Information  
Dissemination Section  
Information Management Division





U.S. Department of Justice

Federal Bureau of Investigation  
Washington, D.C. 20535

January 25, 2021

MR. JASON LEOPOLD  
1669 BENEDICT CANYON DRIVE  
BEVERLY HILLS, CA 90210

FOIPA Request No.: 1486989-000  
Subject: Stop the Steal  
(Et All)

Dear Mr. Leopold:

This is in reference to your letter directed to the Federal Bureau of Investigation (FBI), in which you requested expedited processing for the above-referenced Freedom of Information/Privacy Acts (FOIPA) request. Pursuant to the Department of Justice (DOJ) standards permitting expedition, expedited processing can only be granted when it is determined that a FOIPA request involves one or more of the below categories.

You have requested expedited processing according to:

- 28 C.F.R. §16.5 (e)(1)(i): "Circumstances in which the lack of expedited treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual."
- 28 C.F.R. §16.5 (e)(1)(ii): "An urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information."
- 28 C.F.R. §16.5 (e)(1)(iii): "The loss of substantial due process of rights."
- 28 C.F.R. §16.5 (e)(1)(iv): "A matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence."

You have provided enough information concerning the statutory requirements permitting expedition; therefore, your request is approved.

For questions regarding our determinations, visit the [www.fbi.gov/foia](http://www.fbi.gov/foia) website under "Contact Us." The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

If you are not satisfied with the Federal Bureau of Investigation'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 following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (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 cite the FOIPA Request Number assigned to your request so it may be easily identified.



You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,

A handwritten signature in black ink, appearing to read "M. G. Seidel".

Michael G. Seidel  
Section Chief  
Record/Information  
Dissemination Section  
Information Management Division



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**RE: [EXTERNAL EMAIL] - Request for estimated date of completion 1486989-000**

1 message

**FOIPAQUESTIONS** <FOIPAQUESTIONS@fbi.gov>  
To: jasonleopold@gmail.com <jasonleopold@gmail.com>

Mon, Feb 22, 2021 at 6:37 AM

Good morning,

Thank you for your inquiry regarding the status of your Freedom of Information Act/Privacy (FOIPA) request. A review of your request has determined the following:

The request is presently in Initial Processing, where the assigned analyst is searching for, retrieving and reviewing potentially responsive records.

Requests are processed in the order in which they are received through our multi-track processing system. Requests are divided into two primary tracks--simple (under 50 pages of potentially responsive documents) and complex (over 50 pages of potentially responsive documents). Complex requests are further divided into medium, large, and extra-large sub-tracks based upon request size. Simple track requests typically require the least amount of time to process. Currently, simple track cases average approximately 106 days from the date of receipt for processing. Our complex requests in the medium processing track are currently averaging 785 days, large processing track are currently averaging approximately 1,695 days, and extra-large processing track are currently averaging 2,088 days for processing.

The search for responsive records is ongoing for your request, so we do not yet know into which track it will fall. The estimated date of completion is therefore based on the average processing time of complex requests in the large processing track. Accordingly, the estimated date on which the FBI will complete action on your request is 1,695 days from the date the FBI opened your request. Once the search has been completed, you may request an updated estimated date of completion.

Additional information regarding the Freedom of Information Act/Privacy is available at <http://www.fbi.gov/> or <http://www.fbi.gov/foia/>. If you require additional assistance please contact [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov).

Please check the status of your request online at <http://vault.fbi.gov> by clicking on the "Check Status of Your FOI/PA Request" link. Status updates are performed on a weekly basis. If your request does not yet appear in the system, please check back later in the week.

Respectfully,

Public Information Officer

FBI - Information Management Division

170 Marcel Drive

Winchester, VA 22602

O: (540) 868-4593

E: [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov)

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**From:** Jason Leopold <[jasonleopold@gmail.com](mailto:jasonleopold@gmail.com)>  
**Sent:** Friday, February 19, 2021 6:46 PM  
**To:** FOIPAQUESTIONS <[FOIPAQUESTIONS@FBI.GOV](mailto:FOIPAQUESTIONS@FBI.GOV)>  
**Subject:** [EXTERNAL EMAIL] - Request for estimated date of completion 1486989-000

To Whom It May Concern,

I am formally requesting an estimated date of completion for this request which is 1486989-000

Best,

Jason

On Thu, Jan 7, 2021 at 2:28 PM <[efoia@subscriptions.fbi.gov](mailto:efoia@subscriptions.fbi.gov)> wrote:

## Individual Information

**Prefix** [ ] **First Name** Jason **Middle Name** [ ] **Last Name** Leopold **Suffix** [ ] **Email** [jasonleopold@gmail.com](mailto:jasonleopold@gmail.com) **Phone** 2132704334  
**Location** United States

## Domestic Address

**Address Line 1** 1669 benedict canyon drive **Address Line 2** [ ] **City** beverly hills **State** California **Postal** 90210

## Agreement to Pay

### How you will pay

I am requesting a fee waiver for my request and have reviewed the FOIA reference guide. If my fee waiver is denied, I am willing to pay additional fees and will enter that maximum amount in the box below.

Allow up to \$ 25

## Proof Of Affiliation for Fee Waiver

### Waiver Explanation

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. Â§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.â€ Disclosure in this case meets the statutory criteria, as the records sought detail the operations and activities of government. This request is also not primarily in my commercial request, as I am seeking the records as a journalist to analyze and freely release to members of the public.

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

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

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#### Documentation Files

## Non-Individual FOIA Request

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#### Request Information

I request disclosure from the FBI of the following INVESTIGATIVE and NON INVESTIGATIVE records. In addition to an ECF, TEXT, CRS and ELSUR and Cross Reference search, I request the FBI search the following offices for responsive records. I will limit the search to the heads of each office and their immediate aides:

Office of the Director, Deputy Director, Associate Director,

National Security Branch

Intelligence Branch

Criminal, Cyber Branch

#### RECORDS SOUGHT

1. All photographs, videos, audio in possession of the bureau relating or referring to the STOP THE STEAL protest and the riot/INSURRECTION at the Capitol building in Washington, DC on January 6, 2021.

2. All photographs, video, audio in possession of the FBI relating or referring to STOP THE STEAL, INSURRECTION, and the riot at the Capitol building in Washington, DC in which pro-Trump protesters stormed the Capitol building.

3. All records, such as emails, memos, letters, directives, talking points, intelligence bulletins, reports, copies of social media postings, collected by the bureau, mentioning or referring to STOP THE STEAL protest, the riot/INSURRECTION at the Capitol building on January 6, 2021. Please be sure any search for responsive records also includes records and emails sent and received to the following domains: [eop.gov](http://eop.gov), [usdoj.gov](http://usdoj.gov), [usss.dhs.gov](http://usss.dhs.gov), [dhs.gov](http://dhs.gov), [senate.gov](http://senate.gov), [house.gov](http://house.gov), [dod.mil](http://dod.mil) or any Defense Department domain.

4. All records from the offices and officials identified in this request relating or referring to a speech by President Donald Trump at the STOP THE STEEL protest in Washington, DC on January 6, 2021; any and all tweets made by the @realdonaldtrump twitter account on January 6, 2021; any records exchanged between the bureau and Facebook and Twitter on January 6, 2021 relating or referring to President Donald Trump's Twitter account.

5. Director Christopher Wray's call log and briefing book for January 6, 2021.

By law, the FBI cannot cite b7a to withhold a vast swath of records without conducting a document by document search to determine what is segregable.

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. . . .

FBI should not fail to meet the requirements of Section 552(a)(8) when processing my request and release responsive records to me in full or at least in part.

## Expedite

### Expedite Reason

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

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

A potential crisis is brewing as is the peaceful transfer of power. The president of the United States incited a mob to attack the US capitol building. Four people are dead. The president has been parroting conspiracy theories 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.

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.

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Please be advised that [efoia@subscriptions.fbi.gov](mailto:efoia@subscriptions.fbi.gov) is a no-reply email address. Questions regarding your FOIA request may be directed to [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you have received a FOIPA request number, please include this in all correspondence concerning your request. Please note eFOIPA requests are processed in the order that they are received. If you have not received a FOIPA request number, your request is in the process of being opened at which time it will be assigned a FOIPA request number and correspondence will be forthcoming.

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Upon receipt of your FOIPA request number, you may check the status of your FOIPA request on the FBI's electronic FOIA Library (The Vault) on the FBI's public website, <http://vault.fbi.gov> by clicking on the "Check Status of Your FOI/PA Request tool" link. Status updates are performed on a weekly basis. If you receive a comment that your FOIPA request number was not located in the database, please check back at a later date.

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

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