

EXHIBIT H



United States Department of the Interior

NATIONAL PARK SERVICE UNITED STATES PARK POLICE

Headquarters
1100 Ohio Drive, S.W.
Washington, D.C. 20024

November 8, 2021

Mr. Eric Westervelt
National Public Radio, Inc. (NPR)
2815 Acton Street
Berkeley, CA 94702
Dear Mr. Westervelt:

On June 24, 2021, the United States Park Police FOIA office received your Freedom of Information Act (FOIA) request dated the same date, and assigned it control number **NPS-2021-004686**. Please cite this number in any future communications with our office regarding your request.

Your request was for the U.S. Park Police to make available for inspection and copying the following records:

All records, including, but not limited to audio and electronic records, related to operations conducted between 9 a.m. ET May 30th, 2020, and 11 p.m. ET on June 1st, 2020, in and around Lafayette Square in Washington, D.C.

This request specifically includes, but is not limited to, the following example and categories of records:

1. Audio recordings, communications logs, emails, texts and phone call transcripts in the possession of the U.S. Park Police pertaining to operations conducted in and around Lafayette Square during that time period. These records may involve internal agency communications, or communications between the U.S. Park Police and other agencies such as the FBI, the D.C. National Guard, and the D.C. Metropolitan Police.
2. We specifically request audio recordings, communications logs, emails, texts and phone call transcripts involving U.S. Park Police incident commanders related to efforts to contain protesters in and around Lafayette Square.
3. We also specifically request audio recordings, communications logs, emails, texts and phone call transcripts involving officials at the FBI Washington Field Office related to operations to clear protesters in and around Lafayette Square.

Please be advised that we have released material related to May 2020 to June 2020 in response to other FOIA requests pertaining to Lafayette Park. We have released this material that may be responsive to your request on the National Park Service reading room at <http://www.nps.gov>. Additional responsive material is being reviewed and will be added to the reading room once it becomes available. We anticipate releasing approximately 500 pages to the room each month.

Janeen Tyler, U.S. Park Police, FOIA Officer is responsible for this response.

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\(g\)](#). Therefore, there is no billable fee for the processing of this request.

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 **no later than 90 workdays** from the date of this letter. 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 the NPS's response is in error. You must also include with your appeal copies of all correspondence between you and NPS concerning your FOIA request, including your original FOIA request and NPS's response. Failure to include with your appeal all correspondence between you and NPS 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

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
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: 202-741-5770

Fax: 202-741-5769
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

We appreciate your interest in the U.S. Park Police. If you have any questions about our response to your request, you may contact Janeen Tyler by phone at 202-619-7385, by email at janeen_tyler@nps.gov, or by mail at 1100 Ohio Dr. S.W. Washington, D.C., 20024.

Sincerely,

**GREGORY
MONAHAN**  Digitally signed by
GREGORY MONAHAN
Date: 2021.11.08
10:14:36 -05'00'

FOR/Pamela A. Smith
Chief of Police

Bcc:

USPP Planning
USPP-FOIA - Tyler
DOI-SOL- Blackman

Prepared: JCTyson: JCT: 6/29/2021: NPS-2021-004686: Westervelt; FOIA