

EXHIBIT A

Instructions for Responding to a Statement of Reasons

1. The Statement of Reasons (SOR) is based on unfavorable information revealed in investigation(s) into your personal history, and/or received through other means, such as your organization's security office. Specific security concerns about your conduct or background are listed in the SOR.
2. These instructions are intended to help you provide the most accurate and relevant information as to why the preliminary decision should be reversed. However, it is only a guide. You should provide whatever information you wish to be considered by the DoD CAF in reaching a final decision.
3. If you decide to challenge the preliminary decision, you should address each area of security concern listed in the SOR as completely as possible. It is in your best interest to provide a timely response, including complete and accurate information with pertinent details and supporting documentation.

- a. Preparing your response

- (1) The SOR package and these instructions provide specific requirements and deadlines for compliance. You should carefully read the SOR to determine if the findings are accurate and whether there are circumstances that were not included which might have a favorable bearing in your case.

- (2) On the *Statement of Reasons Receipt and Statement of Intent* attached to the SOR, you must notify the DoD CAF, via your organization's Security Management Office (SMO) and/or Sensitive Compartmented Information (SCI) SMO, within ten (10) calendar days as to whether you intend to respond. If you choose to respond, your response must be submitted to your SMO and/or SCI SMO within thirty (30) calendar days from the date you received the SOR unless you requested and were granted an extension of time.

- (3) If you choose to respond, you should gather any documentation that supports your case. Your response and supporting documentation should be organized in the same order as the security concerns presented in the SOR. The documents that have the most impact will be those that refute, correct, explain, extenuate, mitigate, or update the unfavorable information presented in the SOR. Examples of documentation include: copies of court records with details or dispositions of arrests and status of probation; transcripts of court testimony taken under oath; probation reports; copies of negotiated plea bargains; releases from judgment or wage attachment; statements of account or letters from creditors verifying the status of delinquent accounts; receipts or copies of canceled checks for payment on debts; certificates of completion for alcohol/drug abuse rehabilitation programs; etc. Mere statements such as "I didn't do it," "It wasn't my fault," or "I paid those bills" will not carry as much weight as supporting documentation. You may provide statements from co-workers, supervisors, your commander, friends, neighbors and others concerning your judgment, reliability and trustworthiness, and any other information that you think should be considered before a final decision is made.

- (4) Seek assistance from your local security office on this matter. By separate memorandum, your SMO has been requested to provide any assistance you need in understanding this process. If they cannot answer your questions, they can request assistance from higher authority. The process is designed so Subjects can represent themselves. You may obtain legal counsel or other assistance in preparing your response; however, if you obtain private assistance, it must be obtained at your own expense. Remember it is up to you to decide

whether to respond or not. You are responsible for the substance of your response and it must be signed by you.

b. Writing your response

(1) Your response should be submitted in writing, via your SMO and/or Sensitive Compartmented Information (SCI) SMO, to the DoD CAF. It must be submitted before the expiration of the response deadline. You should address each item cited in the SOR separately. You should also admit or deny each item in the SOR and provide an explanation for each response.

(2) Attach all supporting documentation, to include any available documentation that explains, refutes, corrects, extenuates, mitigates or updates each item cited in the SOR. Organize supporting documents in the order that they are cited in your response and enclose copies with your response. You may use dividers or tabs to help you assemble the supporting documentation in order.

(3) The impact of your response will depend on the extent to which you can specifically refute, correct, extenuate, mitigate, or update security concerns cited in the SOR. If you believe that the unfavorable information in the SOR presents an incomplete picture of the situation or circumstances, you should provide information that explains your case. Bear in mind that the information you provide will be considered, but it also may be verified through additional investigation.

(4) The National Security Adjudicative Guideline(s) pertinent to security concerns in your case are listed in Attachment 5. The guideline(s) provide a framework for weighing all available information, both favorable and unfavorable that is of security concern. The Guideline(s) aid in making a common-sense decision based upon all that is known about a Subject's personal history.

(5) When you have completed your written response, ensure you sign and date it. Place your response and supporting documents in a single envelope or package and forward to the DoD CAF, via your organization's SMO and/or SCI SMO. Be sure to meet the time deadline for submission. When a final decision is made, you will be notified in writing, via your organization's SMO and/or SCI SMO. If the decision is favorable, your access eligibility will be granted or restored. If not, you may appeal the decision to higher authority.

EXHIBIT B



DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY

27130 TELEGRAPH ROAD
QUANTICO, VA 22134-2253

March 25, 2022

National Security Law Firm
Attn: Brett John O'Brien
1250 Connecticut Avenue
Suite 700
Washington, DC 20036

Re: Deen Nimer Haleem

Dear Mr. O'Brien:

This is in reference to Deen Namir Haleem's request that a copy of their background investigations, standard forms and interagency/intra-agency records/correspondence be provided to your office. Two requests were received by the Department of Defense, Defense Counterintelligence and Security Agency (DCSA), Freedom of Information and Privacy Act (FOI/PA) office on March 8, 2022 and March 14, 2022.

We are unable to make an accurate search of our records for "interagency and intra-agency correspondence" without additional information from you. Please submit a new request and describe the type of correspondence you seek.

We have provided a complete copy of Mr. Haleem's investigative file. We reviewed the enclosed documents in accordance with the Freedom of Information Act (FOIA) and the Privacy Act of 1974, as amended.

At the time of Deen Namir Haleem's background investigation, we obtained information from the Naval Criminal Investigative Service. To obtain these records, he may submit a Privacy Act request by following the procedures on their website, <https://www.ncis.navy.mil/Resources/FOIA/>, or by writing to: NCISHQ, Code OOLJF, Russell-Knox Building, 27130 Telegraph Road, Quantico, VA 22134.

Deen Namir Haleem's investigative file also contains information that is the property of the Federal Bureau of Investigation (FBI). We referred this information and a copy of the request for an access decision and the FBI will respond directly to you. We enclosed a copy of our correspondence to the FBI. You may contact them at that address for information about this referral or refer to their website for additional information:
<https://www.fbi.gov/services/information-management/foipa/requesting-fbi-records>.

Deen Namir Haleem's investigative file contains information that originated with the Army Investigative Records Repository (AIRR). The DCSA FOIP Office for Adjudications will coordinate the referral of this information and that agency will respond to you directly.

At the time of Deen Namir Haleem's background investigation, the investigative file contained information on Nargiss Nimer Abdelmuti, Haleem Nimer Nofa, Abdelrazak Abdelhaleem and Noha Abuswalim that originated with another federal agency. We withheld this information pursuant Privacy Act exemption (k)(2) and FOIA exemptions (b)(6) and (b)(7)(C). Privacy Act

National Security Law Firm
Attn: Brett John O'Brien
Deen Nimer Haleem

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exemption (k)(2) protects investigatory material compiled for law enforcement purposes that, if released, might interfere with a civil or administrative action, or investigation, and result in the unwarranted invasion of personal privacy of others. FOIA exemptions (b)(6) and (b)(7)(C) protect information from release that could reasonably be expected to cause an unwarranted invasion of privacy to third-parties.

We cannot consider release of this information until we receive a written statement from the above referenced individual(s) authorizing the release of this information directly to you. The statement must contain either an original notarized authorization or an unsworn declaration in accordance with 28 U.S.C. 1746, in the following format: I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. The declaration must contain a signature and date executed.

An original notarized authorization or declaration can be mailed to: Defense Counterintelligence and Security Agency, Attn: FOI/P Office, P.O. Box 618, 1137 Branchton Road, Boyers, PA 16018-0618. A declaration may be sent via unsecure fax to 724-794-4590 or emailed as an attachment to dcsa.boyers.dcsa.mbx.inv-foip@mail.mil. Please ensure that the security of your email system is adequate before transmitting your request, which contains personally identifiable information (full name, social security number, date of birth, etc.).

We withheld information from document(s) 371 in accordance with FOIA exemption (b)(3) and Privacy Act exemption (j)(1). Exemption (b)(3) protects those records specifically exempt from release by statute, which in this case is Section 102A(i)(1) of the National Security Act of 1947, as amended. Exemption (j)(1) applies to systems of records maintained by the Central Intelligence Agency

You/ Deen Namir Haleem have the right to appeal this response by submitting a written request to the Defense Counterintelligence and Security Agency, ATTN: Office of General Counsel, 27130 Telegraph Road, Quantico, VA 22134. Clearly mark the outside of the envelope and your written appeal letter: "Privacy/FOIA Appeal". Your/his appeal must be received by DCSA within ninety (90) calendar days from the date of this letter to be considered timely. Your written appeal letter should include the reasons why the requested information should be released and why this action may be in error. Include with your appeal letter a copy of your original request and this response letter. Please reference tracking number DCSA-B 22-04594.

On behalf of the Financial Crimes Enforcement Network (FinCEN), we withheld document(s) 126-129, 260-368 and also portions of document(s) 1, 2, 4, 8, 9, 100, 130, 131, 133, 135, 136 and 138 in accordance with FOIA exemption (b)(3) and Privacy Act exemptions (j)(2) and (k)(2). Exemption (b)(3) protects those records that are specifically exempt from release by statute, which in this case is 31 U.S.C 5319. Privacy Act exemption (j)(2) allows for withholding information maintained by an agency or agency component whose main function pertains to enforcing criminal laws. Exemption (k)(2) protects investigative material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under federal programs.

National Security Law Firm
Attn: Brett John O'Brien
Deen Nimer Haleem

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Deen Namir Haleem's may appeal FinCEN's action by submitting a written request to the following address within 90 days from the date of this letter: Financial Crimes Enforcement Network, Disclosure Office, P.O. Box 39, Vienna, VA 22183. Deen Namir Haleem's appeal should include the reasons why the requested information should be released and why this action may be in error. Attach a copy of his original request and this response letter and clearly mark the letters and the outside envelope, "FOIA Appeal." You may refer to their website for additional information: <https://www.fincen.gov/filing-privacy-act-request>.

On behalf of the Federal Bureau of Investigation (FBI), we withheld information on document(s) 3, 4, 6, 83, 85, 132, 137, 369 and 371 in accordance with Privacy Act exemption (j)(2) and FOIA exemption (b)(7)(E). Exemption (j)(2) allows for withholding information maintained by an agency or agency component whose main function pertains to enforcing criminal laws. Exemption (b)(7)(E) protects information that "would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law."

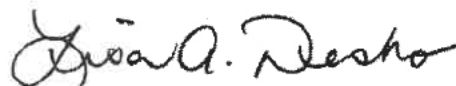
Appeals of the FBI's (j)(2), (b)(7)(E) redactions directly to the Department of Justice by submitting a written request to the Office of Information Policy, Sixth Floor, 441 G Street, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. The appeal must be received by OIP within ninety (90) days from the date of this letter to be considered timely. The envelope and letter should be marked "Freedom of Information Appeal."

The Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. You may contact OGIS in any of the following ways:

U.S. National Archives and Records Administration	Phone: 202-741-5770
Office of Government Information Services	Toll-Free: 1-877-684-6448
8601 Adelphi Road - OGIS	Fax: 202-741-5769
College Park, MD 20740-6001	Email: ogis@nara.gov

If you have any questions regarding this response, contact the Freedom of Information and Privacy office at 724-794-5612 ext. 7000 and reference tracking number DCSA-B 22-04594.

Sincerely,



Lisa A. Desko
Government Information Specialist

Enclosures

EXHIBIT C



DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY
27130 TELEGRAPH ROAD
QUANTICO, VA 22134-2253

May 26, 2022
DCSA-M 22-04366

Mr. Brett O'Brien
National Security Law Firm
1250 Connecticut Avenue, NW
Suite 700
Washington, DC 20036

RE: Haleem, Deen N.

Dear Mr. O'Brien:

This is in response to your amended Freedom of Information/Privacy Act request (FOI/PA) dated February 21, 2022, on behalf of your client, Mr. Deen N. Haleem, wherein you requested all interagency and intra-agency correspondence, records, and standard forms pertaining to Mr. Haleem; a complete copy of investigative interview with the Department of Defense investigator; a copy of the Office of Personnel Management, Tier 5 Reinvestigation, Case #1920623247 - January 8, 2020; and the Office of Personnel Management, Single Scope Background Investigation-Periodic Reinvestigation, Case #1220440232 - August 1, 2012. Your request, including Mr. Haleem's Authorization, was received in the Defense Counterintelligence and Security Agency (DCSA) Freedom of Information and Privacy Office for Adjudications on March 9, 2022. We conducted a search for records pertaining to Mr. Haleem.

Our search revealed the attached documents, which we are authorized to release to you. We also identified a responsive record or records, consisting of four pages total, which we have withheld under the provisions of the *Privacy Act of 1974*, Title 5 U.S.C. § 552(a), exemption (d)(5), and the *Freedom of Information Act* (FOIA), Title 5 U.S.C. § 552, exemptions (b)(5), (b)(6), (b)(7)(C), and (b)(7)(E). Privacy Act exemption (d)(5) protects disclosure of information that is compiled in reasonable anticipation of civil action or proceedings, court proceedings or quasi-judicial administrative hearings. FOIA exemption (b)(5) protects inter-and intra-agency documents which are deliberative in nature, and part of the decision making process. Portions of the records contain privacy-related information about a party other than your client. Thus, Mr. Haleem is not entitled to third party information under the provisions of the Privacy Act. This information is also withheld per the Freedom of Information Act, Title 5 U.S.C. § 552, exemptions (b)(6) and (b)(7)(C), as disclosure of the information would constitute a clearly unwarranted invasion of the personal privacy of the individuals involved. FOIA exemption (b)(7)(E) applies to records or information which could disclose investigative techniques and procedures.

Records which fall under the release authority of the Department of the Army, the U.S. Army Intelligence and Security Command, and the Defense Counterintelligence and Security Agency DCSA, FOIA and Privacy Office for Investigations, were located. We do not have release authority for those records; thus, we are referring your request and responsive records to their Privacy Offices, for action and direct response to you. Since the DCSA, FOIA

and Privacy Office for Investigations responded to your request, (reference, DCSA 22-04594), we will take no further referral action.

Mr. Haleem has the right to appeal this response by submitting a written request to the: Defense Counterintelligence and Security Agency, ATTN: Office of General Counsel, 27130 Telegraph Road, Quantico, VA 22134-2253. Clearly mark the outside of the envelope and the written appeal letter: "*Privacy/FOIA Appeal.*" The appeal must be received by DCSA within ninety (90) calendar days from the date of this letter to be considered timely. The written appeal letter should include the reasons why the requested information should be released and why this action may be in error. Include with the appeal letter a copy of the original request and this response letter. Please reference FOI/PA tracking number DCSA-M 22-04366 in all communications.

Your client may seek dispute resolution services from the HQ DCSA FOIA Office or the Office of Government Information Services (OGIS). The HQ DCSA FOIA Office may be contacted by emailing dcsa.quantico.dcsa-hq.mbx.foia@mail.mil. OGIS was created to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. OGIS may be contacted in any of the following ways:

U.S. National Archives and Records Administration	Phone: 202-741-5770
Office of Government Information Services	Toll-Free: 1-877-684-6448
8601 Adelphi Road – OGIS	Fax: 202-741-5769
College Park, MD 20740-6001	Email: ogis@nara.gov

No other records were located responsive to your request. We hope this information is helpful, and appreciate the opportunity to assist you in this matter.

Sincerely,

M. Munoz

Digitally signed by
M. Munoz
Date: 2022.05.26 09:53:52
-04'00'

for/

Joy F. Greene
Chief, FOI/PA Office for Adjudications
Defense Counterintelligence and Security Agency

Attachments:
As stated

EXHIBIT D

National Security Law Firm

1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036

202-600-4996
Fax 202-545-6318

Info@NationalSecurityLawFirm.com

**Admitted in New Jersey, New York, Hawaii, California, Ohio, and Washington D.C*

April 6, 2022

Department of Justice
Office of Information Policy
Sixth Floor, 441 G. Street, NW
Washington DC 20530-0001
Freedom of Information Appeal

RE: Our Client: MSG Deen N. Haleem

[REDACTED]
Revocation of Security Clearance for Classified Information

Dear Sir/Madam:

Please be advised that I have been retained to represent MSG Deen N. Haleem. On his behalf, I am requesting all records pertaining to MSG Haleem held by the Federal Bureau of Investigations. On March 22, 2022, the Defense Counterintelligence and Security Agency forwarded to your office certain information that was redacted from their response to our FOIA request. (See copy of letter dated March 22, 2022 and March 23, 2022 letter indicating information that was redacted concerning the FBI)

If it is determined that any of the documents are classified, we are requesting an immediate declassification review.

I am forwarding this letter as an expedited request for processing. Please note that our office requires the expedited request under the expedited processing regulation noted as (iii) the loss of substantive due process rights.

Description of Records Sought:

- 1) All interagency and intra-agency correspondence pertaining to the above.
- 2) All interagency and intra-agency records related to the individual.
- 3) All investigation and standard forms pertaining to the above.

MSG Deen Haleem's verification of identity:

Full Name: Deen Haleem

Social Security No: [REDACTED]

Date of Birth: [REDACTED]

Place of Birth: [REDACTED]

Address: [REDACTED]

Agreement to pay fees:

My office agrees to pay all applicable fees in accordance with federal law.

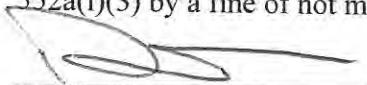
Preferred delivery method:

Please send all disclosures to 1250 Connecticut Avenue, Suite 700, Washington, DC 20036

MSG Deen Haleem's authorization for release:

I authorize information pertaining to me to be released to the National Security Law Firm, my legal counsel in this matter. I understand that I will not be furnished a duplicate copy of any disclosures. Pursuant to 5 USC 552a(b), I authorize the Department of Justice to release my records to the National Security Law Firm.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, that I am the person described above. I understand that any falsification of this statement is punishable under the provisions of 18 USC 1001 by a fine of not more than \$10,000, or by imprisonment for not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 USC 552a(i)(3) by a fine of not more than \$5,000.



MSG Deen Haleem

3/6/22
Date

I hereby certify that the foregoing statements made by me in this request are true and correct. I am aware that if any statement made by me is willfully false, I am subject to punishment. **I would ask that you grant our request for the expedited processing on the aforementioned FOIA request.** Thank you for your assistance in this matter.

Very truly yours,
Brett John O'Brien
Brett John O'Brien

BO/yml

Cc: Deen Haleem



DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY
27130 TELEGRAPH ROAD
QUANTICO, VA 22134-2253

March 25, 2022

National Security Law Firm
Attn: Brett John O'Brien
1250 Connecticut Avenue
Suite 700
Washington, DC 20036

Re: Deen Nimer Haleem

Dear Mr. O'Brien:

This is in reference to Deen Namir Haleem's request that a copy of their background investigations, standard forms and interagency/intra-agency records/correspondence be provided to your office. Two requests were received by the Department of Defense, Defense Counterintelligence and Security Agency (DCSA), Freedom of Information and Privacy Act (FOI/PA) office on March 8, 2022 and March 14, 2022.

We are unable to make an accurate search of our records for "interagency and intra-agency correspondence" without additional information from you. Please submit a new request and describe the type of correspondence you seek.

We have provided a complete copy of Mr. Haleem's investigative file. We reviewed the enclosed documents in accordance with the Freedom of Information Act (FOIA) and the Privacy Act of 1974, as amended.

At the time of Deen Namir Haleem's background investigation, we obtained information from the Naval Criminal Investigative Service. To obtain these records, he may submit a Privacy Act request by following the procedures on their website, <https://www.ncis.navy.mil/Resources/FOIA/>, or by writing to: NCISHQ, Code OOLJF, Russell-Knox Building, 27130 Telegraph Road, Quantico, VA 22134.

Deen Namir Haleem's investigative file also contains information that is the property of the Federal Bureau of Investigation (FBI). We referred this information and a copy of the request for an access decision and the FBI will respond directly to you. We enclosed a copy of our correspondence to the FBI. You may contact them at that address for information about this referral or refer to their website for additional information:
<https://www.fbi.gov/services/information-management/foipa/requesting-fbi-records>.

Deen Namir Haleem's investigative file contains information that originated with the Army Investigative Records Repository (AIRR). The DCSA FOIP Office for Adjudications will coordinate the referral of this information and that agency will respond to you directly.

At the time of Deen Namir Haleem's background investigation, the investigative file contained information on Nargiss Nimer Abdelmuti, Haleem Nimer Nofa, Abdelrazak Abdelhaleem and Noha Abuswalim that originated with another federal agency. We withheld this information pursuant Privacy Act exemption (k)(2) and FOIA exemptions (b)(6) and (b)(7)(C). Privacy Act

National Security Law Firm
Attn: Brett John O'Brien
Deen Nimer Haleem

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exemption (k)(2) protects investigatory material compiled for law enforcement purposes that, if released, might interfere with a civil or administrative action, or investigation, and result in the unwarranted invasion of personal privacy of others. FOIA exemptions (b)(6) and (b)(7)(C) protect information from release that could reasonably be expected to cause an unwarranted invasion of privacy to third-parties.

We cannot consider release of this information until we receive a written statement from the above referenced individual(s) authorizing the release of this information directly to you. The statement must contain either an original notarized authorization or an unsworn declaration in accordance with 28 U.S.C. 1746, in the following format: I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. The declaration must contain a signature and date executed.

An original notarized authorization or declaration can be mailed to: Defense Counterintelligence and Security Agency, Attn: FOI/P Office, P.O. Box 618, 1137 Branchton Road, Boyers, PA 16018-0618. A declaration may be sent via unsecure fax to 724-794-4590 or emailed as an attachment to dcsa.boyers.dcsa.mbx.inv-foip@mail.mil. Please ensure that the security of your email system is adequate before transmitting your request, which contains personally identifiable information (full name, social security number, date of birth, etc.).

We withheld information from document(s) 371 in accordance with FOIA exemption (b)(3) and Privacy Act exemption (j)(1). Exemption (b)(3) protects those records specifically exempt from release by statute, which in this case is Section 102A(i)(1) of the National Security Act of 1947, as amended. Exemption (j)(1) applies to systems of records maintained by the Central Intelligence Agency

You/ Deen Namir Haleem have the right to appeal this response by submitting a written request to the Defense Counterintelligence and Security Agency, ATTN: Office of General Counsel, 27130 Telegraph Road, Quantico, VA 22134. Clearly mark the outside of the envelope and your written appeal letter: "Privacy/FOIA Appeal". Your/his appeal must be received by DCSA within ninety (90) calendar days from the date of this letter to be considered timely. Your written appeal letter should include the reasons why the requested information should be released and why this action may be in error. Include with your appeal letter a copy of your original request and this response letter. Please reference tracking number DCSA-B 22-04594.

On behalf of the Financial Crimes Enforcement Network (FinCEN), we withheld document(s) 126-129, 260-368 and also portions of document(s) 1, 2, 4, 8, 9, 100, 130, 131, 133, 135, 136 and 138 in accordance with FOIA exemption (b)(3) and Privacy Act exemptions (j)(2) and (k)(2). Exemption (b)(3) protects those records that are specifically exempt from release by statute, which in this case is 31 U.S.C 5319. Privacy Act exemption (j)(2) allows for withholding information maintained by an agency or agency component whose main function pertains to enforcing criminal laws. Exemption (k)(2) protects investigative material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under federal programs.

National Security Law Firm
Attn: Brett John O'Brien
Deen Nimer Haleem

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Deen Namir Haleem's may appeal FinCEN's action by submitting a written request to the following address within 90 days from the date of this letter: Financial Crimes Enforcement Network, Disclosure Office, P.O. Box 39, Vienna, VA 22183. Deen Namir Haleem's appeal should include the reasons why the requested information should be released and why this action may be in error. Attach a copy of his original request and this response letter and clearly mark the letters and the outside envelope, "FOIA Appeal." You may refer to their website for additional information: <https://www.fincen.gov/filing-privacy-act-request>.

On behalf of the Federal Bureau of Investigation (FBI), we withheld information on document(s) 3, 4, 6, 83, 85, 132, 137, 369 and 371 in accordance with Privacy Act exemption (j)(2) and FOIA exemption (b)(7)(E). Exemption (j)(2) allows for withholding information maintained by an agency or agency component whose main function pertains to enforcing criminal laws. Exemption (b)(7)(E) protects information that "would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law."


Appeals of the FBI's (j)(2), (b)(7)(E) redactions directly to the Department of Justice by submitting a written request to the Office of Information Policy, Sixth Floor, 441 G Street, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. The appeal must be received by OIP within ninety (90) days from the date of this letter to be considered timely. The envelope and letter should be marked "Freedom of Information Appeal."

The Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. You may contact OGIS in any of the following ways:

U.S. National Archives and Records Administration	Phone: 202-741-5770
Office of Government Information Services	Toll-Free: 1-877-684-6448
8601 Adelphi Road - OGIS	Fax: 202-741-5769
College Park, MD 20740-6001	Email: ogis@nara.gov

If you have any questions regarding this response, contact the Freedom of Information and Privacy office at 724-794-5612 ext. 7000 and reference tracking number DCSA-B 22-04594.

Sincerely,



Lisa A. Desko
Government Information Specialist

Enclosures



DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY
27130 TELEGRAPH ROAD
QUANTICO, VA 22134-2253

March 22, 2022

Federal Bureau of Investigation
Attn: Initial Processing Operations Unit
Record/Information Dissemination Section
200 Constitution Drive
Winchester, VA 22602

Re: DEEN NIMER HALEEM
[REDACTED]

Dear Sir/Madam:

In response to the FOIA/Privacy Act request we received from the above individual, we are forwarding information that belongs to your agency for your direct response to the requester (Enclosure A). We notified the requester of this action.

If you have any questions regarding this response, contact the Freedom of Information and Privacy office at 724-794-5612 ext. 7000 and reference tracking number DCSA-B 22-04594.

Sincerely,

A handwritten signature in cursive script, reading "Lisa A. Desko".

Lisa A. Desko
Government Information Specialist

Enclosures

EXHIBIT E



U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

April 8, 2022

MR. BRETT JOHN O'BRIEN, ESQUIRE
NATIONAL SECURITY LAW FIRM
SUITE 700
1250 CONNECTICUT AVENUE, NORTHWEST
WASHINGTON, DC 20036

FOIPA Request No.: 1531095-000
DCSA Tracking No.: 22-04594
Subject: HALEEM, DEEN N.

Dear Mr. O'brien:

While processing your Freedom of Information/Privacy Acts (FOIPA) request, the Defense Counterintelligence and Security Agency (DCSA) located FBI information in their records. This material was referred to the FBI for direct response to you.

The enclosed documents were reviewed under the FOIPA, Title 5, United States Code, Section(s) 552/552a as noted below. Below you will find check boxes under the appropriate statute headings which indicate the types of exemptions asserted to protect information which is exempt from disclosure. The appropriate exemptions are noted on the enclosed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely and identify which exemptions were applied. The checked exemptions boxes used to withhold information are further explained in the enclosed Explanation of Exemptions.

Section 552		Section 552a
<input type="checkbox"/> (b)(1)	<input type="checkbox"/> (b)(7)(A)	<input type="checkbox"/> (d)(5)
<input type="checkbox"/> (b)(2)	<input type="checkbox"/> (b)(7)(B)	<input checked="" type="checkbox"/> (j)(2)
<input type="checkbox"/> (b)(3)	<input type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (k)(1)
_____	<input type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (k)(2)
_____	<input checked="" type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(3)
_____	<input type="checkbox"/> (b)(7)(F)	<input type="checkbox"/> (k)(4)
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(8)	<input type="checkbox"/> (k)(5)
<input type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(9)	<input type="checkbox"/> (k)(6)
<input type="checkbox"/> (b)(6)		<input type="checkbox"/> (k)(7)

2 pages were reviewed and 2 pages are being released.

The FBI withheld information compiled for law enforcement purposes per Privacy Act exemption (j)(2) and FOIA exemption (b)(7)(E), law enforcement techniques and procedures.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. "Part 1" of the Addendum includes standard responses that apply to all requests. "Part 2" includes additional standard responses that apply to all requests for records about yourself or any third party individuals. "Part 3" includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

For questions regarding our determinations, visit the 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; 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. 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

Enclosures

FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.
- (ii) **Intelligence Records.** To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records about any Individual—Witness Security Program Records.** The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.
- (iii) **Requests for Records for Incarcerated Individuals.** The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

- (i) **Record Searches.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems or locations where responsive records would reasonably be found. A standard search normally consists of a search for main files in the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. Unless specifically requested, a standard search does not include references, administrative records of previous FOIPA requests, or civil litigation files. For additional information about our record searches, visit www.fbi.gov/services/information-management/foipa/requesting-fbi-records.
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigative "FBI file." An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.
- (iv) **National Name Check Program (NNCP).** The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private Citizens cannot request a name check.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.



FEDERAL BUREAU OF INVESTIGATION

Records Management Division
National Name Check Program



(U//FOUO) DISCLAIMER INFORMATION

(U//FOUO) This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency. It and its contents are not to be distributed outside your agency.

(U//FOUO) This reply is a result of a check of the FBI investigative files only. To check criminal history records, a request must be submitted to the FBI Criminal Justice Information Services Division. Fingerprints are necessary for a positive check.

(U//FOUO) Information provided in response to name check requests is derived from various FBI data sources to include internal databases and paper records. The FBI may not be able to produce all records in paper format due to their inherently electronic nature found and maintained within FBI databases.

(U//FOUO) Information provided to your agency may include information from a previous investigation conducted by the FBI. The FBI has not attempted to update such records. Accordingly, it is recommended that your agency take appropriate action to ensure that it maintains all records used in making any determination about any individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination.

(U//FOUO) Agency: U.S. OPM - Fed. Investigative Services

(U//FOUO) Request Date: 4/20/2019 1:00 AM

(U//FOUO) Submission ID: OPM1-190420-010038BA

(U//FOUO) Response Package Created Date: 7/22/2019 1:25 PM

(U//FOUO) SUBJECT INFORMATION (Customer Agency Provided)

(U//FOUO) Name: HALEEM, DEEN NIMER (U//FOUO) CIDN: J120623247 (U//FOUO) CIDN Ext: 0

(U//FOUO) POB: KUWAIT (U//FOUO) Sex: Male (U//FOUO) Race: Unknown

(U//FOUO) Aliases: [REDACTED] (U//FOUO) SOCs: [REDACTED] (U//FOUO) DOBs: 19640924

(U//FOUO) Miscellaneous: N/A

(U//FOUO) Employers:

Name	City	State	Country	From Year	To Year
TIQA LLC	PORTLAND	ME	NOT ON TABLE	2014	2019

(U//FOUO) Residences:

Street Number	Street Name	City	State	Country	From Year	To Year
172	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	2019
6	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	2014
10	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	2012

Federal Bureau of Investigation
Records Management Division
National Name Check Program

C120440232



Official Name Check Response



j2
b7E

Response to an Automated Indices Record Check
Does Not Include a Fingerprint Check

AGENCY: OPM1
TAPE: XXXXXX
RUNDATE: 02/29/2012
PRINTDATE:
-CIDN: C120440232
NAME: HALEEM, DEEN NIMER
POB: KUW
SEX:
RACE:
D [REDACTED]
S [REDACTED]
AKA: [REDACTED]

EMPLOYMENT: From: 2010 To: 2012
DST RETIREMENT SOLUTIONS [REDACTED], PA
QUINCY MA [REDACTED] RY



j2
b7E

This reply is a result of a check of the FBI Headquarters investigative files only. To check arrest records, request must be submitted to FBI Criminal Justice Information Services Division. Fingerprints are necessary for a positive check.

EXHIBIT F



U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

April 25, 2022

MR. BRETT JOHN O'BRIEN
NATIONAL SECURITY LAW FIRM
SUITE 700
1250 CONNECTICUT AVENUE NORTHWEST
WASHINGTON, DC 20036

FOIPA Request No.: 1540081-000
Subject: HALEEM, DEEN NIMER

Dear Mr. O'Brien:

This acknowledges receipt of your Freedom of Information/Privacy Acts (FOIPA) request to the FBI. Below you will find check boxes and informational paragraphs about your request, as well as specific determinations required by these statutes. Please read each one carefully.

- Your request has been received at FBI Headquarters for processing.
- You submitted your request via the FBI's eFOIPA system.
 - We have reviewed your request and determined it is consistent with the FBI eFOIPA terms of service. Future correspondence about your FOIPA request will be provided in an email link unless the record's file type is not supported by the eFOIPA system.
 - We have reviewed your request and determined it is not consistent with the FBI eFOIPA terms of service. Future correspondence about your FOIPA request will be sent through standard mail.
- The subject of your request is currently being processed and documents will be released to you upon completion.
- Release of responsive records will be posted to the FBI's electronic FOIA Library (The Vault), <http://vault.fbi.gov>, and you will be contacted when the release is posted.
- Your request for a public interest fee waiver is under consideration and you will be advised of the decision if fees are applicable. If your fee waiver is not granted, you will be responsible for applicable fees per your designated requester fee category below.
- For the purpose of assessing any fees, we have determined:
 - As a commercial use requester, you will be charged applicable search, review, and duplication fees in accordance with 5 USC § 552 (a)(4)(A)(ii)(I).
 - As an educational institution, noncommercial scientific institution or representative of the news media requester, you will be charged applicable duplication fees in accordance with 5 USC § 552 (a)(4)(A)(ii)(II).
 - As a general (all others) requester, you will be charged applicable search and duplication fees in accordance with 5 USC § 552 (a)(4)(A)(ii)(III).

Please check the status of your FOIPA request at www.fbi.gov/foia by clicking on **FOIPA Status** and entering your FOIPA Request Number. Status updates are adjusted weekly. The status of newly assigned requests may not be available until the next weekly update. If the FOIPA has been closed the notice will indicate that appropriate correspondence has been mailed to the address on file.

For questions regarding our determinations, visit the 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; 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. 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

EXHIBIT G



U.S. Department of Justice

Federal Bureau of Investigation
 Washington, D.C. 20535

August 3, 2022

MR. BRETT JOHN O'BRIEN
 NATIONAL SECURITY LAW FIRM
 SUITE 700
 1250 CONNECTICUT AVENUE NORTHWEST
 WASHINGTON, DC 20036

Request No.: 1540081-000
 Subject: HALEEM, DEEN NIMER

Dear Mr. O'brien:

This is in response to your Freedom of Information/Privacy Acts (FOIPA) request. Based on the information you provided, we conducted a main entity record search of the Central Records System (CRS) per our standard search policy. However, we were unable to identify records subject to the FOIPA that are responsive to your request. Therefore, your request is being closed. If you have additional information pertaining to the subject of your request, please submit a new request providing the details, and we will conduct an additional search. For more information about records searches and the standard search policy, see the enclosed FBI FOIPA Addendum General Information Section.

Please see the paragraphs below for relevant information that may be specific to your request. Only checked boxes contain corresponding paragraphs relevant to your request. If no boxes are checked, the corresponding information does not apply.

- Please be advised that your request was reopened based on the additional information you provided. A new search was conducted, and we were unable to identify records subject to the FOIPA that are responsive to your request.
- Records potentially responsive to your request were destroyed. Since this material could not be reviewed, it is not known if it was responsive to your request. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA) according to Title 44 United States Code Section 3301, Title 36 Code of Federal Regulations (CFR) Chapter 12 Sub-chapter B Part 1228, and 36 CFR 1229.10. Please be advised that the General Records Schedule (GRS) disposition authority for FOIPA records is DAA-GRS-2016-0002-0001 (GRS 4.2, Item 020).
- Records potentially responsive to your request were transferred to the National Archives and Records Administration (NARA). If you wish to review these records, file a FOIPA request with NARA at the following address:

National Archives and Records Administration
 Special Access and FOIA
 8601 Adelphi Road, Room 5500
 College Park, MD 20740-6001
- Potentially responsive records were identified during the search. However, we were advised that they were not in their expected locations. An additional search for the missing records also met with unsuccessful results. Since we were unable to review the records, we were unable to determine if they were responsive to your request.
- The identification records requested are maintained by the FBI's Criminal Justice Information Services (CJIS) Division; therefore, we have forwarded a portion of your request to CJIS for processing. To check the status of this request, please contact CJIS directly at (304) 625-5590. For additional information, see the enclosed FBI FOIPA Addendum General Information Section.
- Requests for expedited processing are not applicable when a final response is issued within ten calendar days.

- ┌ Police departments should be aware that the search conducted was limited to FBI records. Requests for criminal history records or rap sheets should be directed to Criminal Justice Information Services (CJIS). Information regarding CJIS is listed in the enclosed FBI FOIPA Addendum General Information Section.
- ┌ Records potentially responsive to your request were transferred to the National Personnel Records Center - Civilian Personnel Records (NPRC-CPR). In order to obtain information on a file located at the NPRC, your request must be mailed to the following address:

National Archives and Records Administration
ATTN: Archival Programs
P.O. Box 38757
St. Louis, MO 63138

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. "Part 1" of the Addendum includes standard responses that apply to all requests. "Part 2" includes additional standard responses that apply to all requests for records about yourself or any third party individuals. "Part 3" includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

For questions regarding our determinations, visit the 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 emailing the FBI's FOIA Public Liaison at foipaquestions@fbi.gov. 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. You may also contact 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; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



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

Enclosures

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.
- (ii) **Intelligence Records.** To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records about any Individual—Witness Security Program Records.** The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.
- (iii) **Requests for Confidential Informant Records.** The FBI can neither confirm nor deny the existence of confidential informant records pursuant to FOIA exemptions (b)(7)(D), (b)(7)(E), and (b)(7)(F) [5 U.S.C. §§ 552 (b)(7)(D), (b)(7)(E), and (b)(7)(F)] and Privacy Act exemption (j)(2) [5 U.S.C. § 552a (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records would reveal confidential informant identities and information, expose law enforcement techniques, and endanger the life or physical safety of individuals. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

- (i) **Record Searches and Standard Search Policy.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems, such as the Central Records System (CRS), or locations where responsive records would reasonably be found. The CRS is an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. The standard search policy is a search for main entity records in the CRS. Unless specifically requested, a standard search does not include a search for reference entity records, administrative records of previous FOIPA requests, or civil litigation files.
 - a. *Main Entity Records* – created for individuals or non-individuals who are the subjects or the focus of an investigation
 - b. *Reference Entity Records*- created for individuals or non-individuals who are associated with a case but are not known subjects or the focus of an investigation
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Foreseeable Harm Standard.** As amended in 2016, the Freedom of Information Act provides that a federal agency may withhold responsive records only if: (1) the agency reasonably foresees that disclosure would harm an interest protected by one of the nine exemptions that FOIA enumerates, or (2) disclosure is prohibited by law (5 United States Code, Section 552(a)(8)(A)(i)). The FBI considers this foreseeable harm standard in the processing of its requests.
- (iv) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigative “FBI file.” An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.

EXPLANATION OF EXEMPTIONS**SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552**

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.



U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

August 3, 2022

MR. BRETT JOHN O'BRIEN
NATIONAL SECURITY LAW FIRM
SUITE 700
1250 CONNECTICUT AVENUE NORTHWEST
WASHINGTON, DC 20036

FOIPA Request No.: 1540081-000
Subject: HALEEM, DEEN NIMER

Dear Mr. O'brien:

This is in reference to your letter to the FBI, in which you requested expedited processing for the above-referenced Freedom of Information/Privacy Acts (FOIPA) request. Under Department of Justice (DOJ) standards for expedited processing, it can only be granted in the following situations:

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 exists possible questions about the government's integrity which affects public confidence."

You have not provided enough information concerning the statutory requirements permitting expedition; therefore, your request is denied.

For questions regarding our determinations, visit the 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 emailing the FBI's FOIA Public Liaison at foipaquestions@fbi.gov. 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. You may also contact 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; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

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

EXHIBIT H

National Security Law Firm

1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036

202-600-4996
Fax 202-545-6318

Info@NationalSecurityLawFirm.com

Admitted in New Jersey, New York, Hawaii, California, Ohio, Minnesota, and Washington D.C

March 15, 2023

Via USPS

Defense Counterintelligence and Security Agency
ATTN: Office of General Counsel
27130 Telegraph Road
Quantico, VA 22134-2253

Re: Privacy / FOIA Appeal
IMO: Deen Haleem

Dear Sir/Madam:

As you know, this office has been retained to represent MSG Deen N. Haleem. We are requesting the following documents under the FOIA and Privacy Act.

I am forwarding this letter as an expedited request for processing. Please note that our office requires the expedited request under the expedited processing regulation noted as (iii) the loss of substantial due process rights. We further request that if any of the documents are classified, there is an immediate declassification review.

We also demand an immediate declassification review for any documents related to our request.

Description of Records Sought:

1. Responsive records consisting of four pages related to Deen Haleem, which are being withheld under FOIA exemptions (b)(5), (b)(6), (b)(7)(C), and (b)(7)(E) and Privacy Act exemption (d)(5).
2. A review of the redactions asserted by DCSA

You state that the documents were determined to be partially releasable and withheld under the provisions of *Privacy Act of 1974*, Title 5 U.S.C § 552(a), exemption (d)(5), and the *Freedom of Information Act (FOIA)*, Title 5 U.S.C. § 552, exemptions (b)(5), (b)(6), and (b)(7)(C).

Privacy Act exemption (d)(5) prevents the disclosure of information compiled in reasonable anticipation of civil action or proceeding. Mr. Haleem is not seeking any civil action or proceeding, and the assertion of this exemption is befuddling unless the assertion of the exemption is used as proof of the abusive, retaliatory behavior of the Defendants and that they want to force Mr. Haleem to seek judicial recourse.

MSG Deen Haleem's verification of identity:

Full Name: M eem
Social Security No: [REDACTED]

Date of Birth: [REDACTED]

Place of Birth: [REDACTED]

Address: [REDACTED]

Agreement to pay fees:

My office agrees to pay all applicable fees in accordance with federal law.

Preferred delivery method:

Please send all disclosures to 1250 Connecticut Avenue, Suite 700, Washington, DC 20036.

MSG Deen Haleem's authorization for release:

I authorize information pertaining to me to be released to the National Security Law Firm, my legal counsel in this matter. I understand that I will not be furnished a duplicate copy of any disclosures. Pursuant to 5 USC 552a(b), I authorize the Department of Justice to release my records to the National Security Law Firm.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, that I am the person described above. I understand that any falsification of this statement is punishable under the provisions of 18 USC 1001 by a fine of not more than \$10,000, or by imprisonment for not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 USC 552a(i)(3) by a fine of not more than \$5,000.


MSG Deen Haleem

3/15/23
Date

I hereby certify that the foregoing statements made by me in this request are true and correct. I am aware that if any statement made by me is willfully false, I am subject to punishment. **I would ask that you grant our request for the expedited processing on the aforementioned FOIA request.** Thank you for your assistance in this matter.

Very truly yours,
Brett John O'Brien
Brett John O'Brien

BO/ymf
Cc: Deen Haleem

The withholding of documents is the loss of substantial due process rights for our client. Mr. Haleem should be allowed to review all records used as the underlying reason for his Statement of Reasons. Therefore, we request that the withheld documents be granted and the underlying materials forwarded as the statute provides.

If you wish to discuss this matter further, please do not hesitate to contact the undersigned.

Very truly yours,

/s/ Brett J. O'Brien

Brett J. O'Brien

BO/slg
Attachments

USPS Tracking[®]

[FAQs >](#)

Tracking Number:

[Remove X](#)

7021197000018453934

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item has been delivered to an agent for final delivery in QUANTICO, VA 22134 on March 23, 2023 at 2 01 pm

Get More Out of USPS Tracking:

[USPS Tracking Plus[®]](#)

Delivered to Agent

Delivered to Agent for Final Delivery

QUANTICO, VA 22134

March 23, 2023, 2:01 pm

[See All Tracking History](#)

Feedback

[Text & Email Updates](#) 

[USPS Tracking Plus[®]](#) 

[Product Information](#) 

[See Less ^](#)

Track Another Package

Enter tracking or barcode numbers

EXHIBIT I



Yolande Liddy <yolande@nationalsecuritylawfirm.com>

IMO: Deen Haleem-FOIA Request Appeal - DCSA-M-22-04366

1 message

Yolande Liddy <yolande@nationalsecuritylawfirm.com>

Tue, Mar 14, 2023 at 11:05 AM

To: Michael Heaton - FOIA INSCOM - NEW EMAIL AS OF JUNE 2022 <usarmy.meade.usacic.mbx.inscom-foia-service-center@army.mil>

Cc: Brett O'Brien <brett@nationalsecuritylawfirm.com>, Cara Sliger <cara@nationalsecuritylawfirm.com>, Stephanie Gangloff <stephanie@nationalsecuritylawfirm.com>

Sir/Madam: As you know this office represents Deen Haleem. Attached please find an appeal to the FOIA request relating to your response to our initial request of February 21, 2022. Please acknowledge receipt of this email and the attached appeal request. Thank you.

Yolande M. Liddy

Paralegal

National Security Law Firm

1250 Connecticut Avenue, NW

Suite 700

Washington, DC 20036

Phone: 202-600-4996

Fax: 202-545-6318

Email: yolande@nationalsecuritylawfirm.com**3.14.23-Haleem - Appeal to INSCOM.docx.pdf**

2066K

National Security Law Firm

1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036

202-600-4996
Fax 202-545-6318

Info@NationalSecurityLawFirm.com

Admitted in New Jersey, New York, Hawaii, California, Ohio, Minnesota, and Washington D.C

March 14, 2023

Via Email usarmy.meade.902-mi-grp.mbx.inscom-foia-service-center@mail.mil

Department of the Army
United States Army Intelligence and Security Command
Freedom of Information/Privacy Office
Fort George G. Meade, MD 20755-5995

Re: Privacy / FOIA Request
IMO: Deen Haleem

Dear Sir/Madam:

As you know, this office has been retained to represent MSG Deen N. Haleem. We are requesting the following documents under the FOIA and Privacy Act.

I am forwarding this letter as an expedited request for processing. Please note that our office requires the expedited request under the expedited processing regulation noted as (iii) the loss of substantial due process rights. We further request that if any of the documents are classified, there is an immediate declassification review.

We also demand an immediate declassification review for any documents related to our request.

Description of Records Sought:

1. Army investigation with MSG Deen Haleem as the subject of the investigation, dated September 23, 2008.
2. The 113 pages that have been withheld. Those pages include all withheld pages, but they are not limited by the following page numbers: 28-35; 38-49; 54-65; 221-223; 225; 226; and any other pages of the investigation being withheld.
3. A review of the redactions asserted by INSCOM

Therefore, Privacy Act exemption (k)(2) states that “if any individual is denied any right, privilege, or benefit that he would otherwise be entitled by Federal law, or for which he would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual...” 5 U.S.C. § 552a(k)(2) Therefore, subsection (k)(2) does not include material compiled solely for the purpose of a routine background security investigation of a job applicant. *See Vymetalik v. FBI*, 785 F.2d 1090, 1093-98 (D.C. Cir. 1986) (noting applicability of narrower subsection (k)(5) to such material and ruling that “specific allegations of illegal activities” must be involved in order for subsection (k)(2) to apply).

n [Redacted]
Date of Birth: 12/07 September 27
Place of Birth: [Redacted]
Address: [Redacted]

Agreement to pay fees:

My office agrees to pay all applicable fees in accordance with federal law

Preferred delivery method:

Please send all disclosures to | 250 Connecticut Avenue, Suite 700, Washington, DC
20036

MSG Deen Haleem's authorization for release:

I authorize information pertaining to me to be released to the National Security Law Firm, my legal counsel in this matter. I understand that I will not be furnished a duplicate copy of any disclosures. Pursuant to 5 USC 552a(b), I authorize the Department of Justice to release my records to the National Security Law Firm.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, that I am the person described above. I understand that any falsification of this statement is punishable under the provisions of 18 USC 1001 by a fine of not more than \$10,000, or by imprisonment for not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 USC 552a(i)(3) by a fine of not more than \$5,000.



MSG Deen Haleem

3/15/23

Date

I hereby certify that the foregoing statements made by me in this request are true and correct. I am aware that if any statement made by me is willfully false, I am subject to punishment. **I would ask that you grant our request for the expedited processing on the aforementioned FOIA request.** Thank you for your assistance in this matter.

Very truly yours,
Brett John O'Brien
Brett John O'Brien

BO/ymf
Cc: Deen Haleem

The withholding of documents is the loss of substantial due process rights for our client. Mr. Haleem should be allowed to review all records used as the underlying reason for his Statement of Reasons. We are therefore requesting that the withheld documents be granted and the underlying materials forwarded as provided by statute.

I would ask that you grant our request for the expedited processing on the aforementioned FOIA request. Thank you for your assistance in this matter.

Very truly yours,
Brett John O'Brien
Brett John O'Brien

BO/slg

Cc: MSG Deen Haleem

EXHIBIT J



DEPARTMENT OF THE ARMY
UNITED STATES ARMY INTELLIGENCE AND SECURITY COMMAND
FREEDOM OF INFORMATION AND PRIVACY ACT OFFICE 8825 BEULAH STREET
FORT MEADE MARYLAND 20755-5995
March 24, 2023

Freedom of Information/
Privacy Act Office

National Security Law Firm
Attention: Mr. Brett J. O'Brien
1250 Connecticut Avenue, Northwest
Suite 700
Washington, D.C. 20036

This responds to your Privacy Act (PA) request dated March 14, 2023, on behalf of your client Mr. Deen Haleem, requesting documents related to: 1) "Army investigation as the subject of this investigation dated September 23, 2008"; 2) "The 113 pages that have been withheld. Those pages include all withheld pages, but they are limited by the following page numbers: 28-35, 38-49, 54-65; 221-223; 225; 226; and any other pages of the investigation being withheld"; and 3) "A review of the redactions asserted by INSCOM." Additionally, you "Demand an immediate declassification review for any documents related to our request." Your request was received by this office, via email, on March 21, 2023.

After review, I have determined on February 21, 2022, your office, on behalf of your client, submitted a PA request for the same records, and on October 5, 2022, our office provided your office with all releasable records under the purview of this Command (reference U.S. Army Intelligence and Security Command (INSCOM) case number 0143P-22). As per our letter dated September 29, 2022, you were also informed certain information/records were also referred to the U.S. Army Reserve Command for review and direct reply to you.

You will note in our final response letter to you no exemptions were cited pursuant to 5 U.S.C. 552a, (k)(1) or 5 U.S.C. 552, (b)(1) - information which is currently and properly classified pursuant to an executive order. The aforementioned exemptions were not cited as part of the October 5, 2022, release as a declassification review was completed, and the records released to you were declassified and regraded UNCLASSIFIED.

As you previously received all the records related to your this request under the control and purview of this office, we consider this a duplicate effort and are denying your request pursuant to agency rules as outlined in the Department of Defense Manual 5400.07, 6.3.b(8) and Army Regulation 25-55, 5-8.h.

In addition to serving as the INSCOM's delegated Initial Denial Authority, I also serve as the Director of the U.S. Army Intelligence Records Repository (IRR). The IRR serves as the central repository for all Army counterintelligence (CI) and security record as outlined in Army Regulation 381-45. Under this authority, the IRR is also responsible for providing records under its' custodial care with other Department of Defense and Government agencies consistent with applicable system of record notices routine uses. Based on an audit I can affirm only eight (8), redacted pages related to Mr. Deen Haleem's investigation dated 23 September 2008, were provided to the National Background Investigation Bureau (NBIB); once in 2012 and again in 2019. The same documents were provided to you and your client in our October 5, 2023 release; pages 2-9. It is important to note the 113 pages originally withheld, as referenced in your most recent request, were never provided to either NBIB or the Defense Counterintelligence and Security Agency for use or consideration in their security investigative or adjudicative processes. To ensure sensitive investigative techniques and procedures are protected, it is the IRR's standard procedure to only release a limited, investigative summary to third party agencies.

This denial response related to your duplicate request of records is made on behalf of General Laura A. Potter, The Deputy Chief of Staff, G-2, who is the Denial Authority for Army intelligence investigative and security records under the PA. You may appeal this decision to the Secretary of the Army. If you wish to file an appeal, you should forward it to this office. Your appeal must be post marked no later than 90 calendar days from the date of our letter. After the 90-day period, the case may be considered closed; however, such closure does not preclude you from filing litigation in the courts. You should state the basis for your disagreement with the response and you should provide justification for an additional administrative search to be conducted or reconsideration of the denial. An appeal may not serve as a request for additional or new information. An appeal may only address information denied in this response. Your appeal is to be made to this office to the below listed address for forwarding, as appropriate, to the Secretary of the Army, Office of the General Counsel.

Commander
U.S. Army Intelligence and Security Command
Freedom of Information/Privacy Office
2600 Ernie Pyle Street, Room 3S02-B
Fort George G. Meade, Maryland 20755-5995

If your client has any questions regarding this action, he should feel free to contact this office at 1-866-548-5651, or email the INSCOM FOIA office at: usarmy.meade.usacic.mbx.inscom-foia-service-center@army.mil and refer to case 0142P-23. Your client may also contact the INSCOM FOIA Public Liaison, Mrs. Arleen Colon, for any further assistance and to discuss any aspect of your request at 301-677-7856. Additionally, your client may contact the Office of Government Information

-3-

Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, email at ogis@nara.gov, telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

HEATON.MICHAEL
L.TODD.11609220
75

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HEATON.MICHAEL.TODD.1160
922075
Date: 2023.03.23 15:38:13
-04'00'

Michael T. Heaton
GG-15, Director
Freedom of Information/Privacy Act Office

EXHIBIT K

1250 Connecticut Avenue, NW

Suite 700

Washington, D.C. 20036

202-600-4996

Fax 202-545-6318

Info@NationalSecurityLawFirm.com

**Admitted in New Jersey, New York, Hawaii, California, Ohio, and Washington D.C*

March 28, 2023

Via Certified Mail

Commander

US Army Intelligence and Security Command

Freedom of Information/Privacy Office

2600 Ernie Pyle Street, Room 3S02-B

Fort George g. Meade, MD 20755-5995

Copy to: (Via Email)

Michael T. Heaton

% usarmy.meade.usacic.mbx.inscom-foia-service-center@army.mil

RE: Our Client: MSG Deen N. Haleem

SS#: [REDACTED]

Revocation of Security Clearance for Classified Information

APPEAL - March 24, 2023 Response to FOIA Request

Dear Sir/Madam:

As you know this office represents MSG Deen Haleem in connection with the revocation of security clearance for classified information.

This office forwarded a FOIA request on March 14, 2023 as evidenced in the attached. (Exhibit A). On March 24, 2023 this office received a response in which it was noted that *“based on an audit I can affirm only eight, redacted pages related to Mr. Deen Haleem’s investigation dated 23 September, 2008, were provided to the National background Investigation Bureau (NBIB); once in 2012 and again in 2019. The same documents were provided to you on October 5, 2023.”* It was further stated that the *“113 pages originally withheld, as referenced in your most recent request, were never provided to either NBIB or DCSA for use or consideration in their security investigative or adjudicative processes”*.

It is our client’s position that regardless of whether the aforementioned 113 pages of documents were, or were not, provided to NBIB or DCSA, he is entitled to review any and all documents which are related to his background investigation.

Therefore, our office once again is requesting the release of the 113 pages listed in our prior FOIA requests. Further, we are once again requesting immediate declassification review of these documents.

If you wish to discuss this matter further, please do not hesitate to contact the undersigned.

Very truly yours,
Brett John O'Brien
Brett John O'Brien

BO/yml

Cc: Deen Haleem

EXHIBIT L



DEPARTMENT OF THE ARMY
UNITED STATES ARMY INTELLIGENCE AND SECURITY COMMAND
FREEDOM OF INFORMATION AND PRIVACY ACT OFFICE
2600 ERNIE PYLE STREET
FORT MEADE, MD 20755-5995

March 3, 2023

Freedom of Information/
Privacy Office

National Security Law Firm
Attention: Mr. Brett J. O'Brien
1250 Connecticut Avenue, Northwest
Suite 700
Washington, D.C. 20036

Dear Mr. O'Brien:

This responds to your Privacy Act (PA) appeal of March 29, 2023, on behalf of your client Mr. Deen Haleem appealing our withholding of 113 pages of information. Your clients appeal was received in this office on March 30, 2023.

Your clients appeal and a copy of this letter have been forwarded to the Secretary of the Army, Office of the General Counsel, for appropriate action and direct reply to them.

If your client has any questions regarding this action, they should feel free to contact this office at 1-866-548-5651, or email the INSCOM FOIA office at: usarmy.meade.usac.ic.mbx.inscom-foia-service-center@army.mil and refer to case #0153P-23. Your client may also contact the Public Liaison, Ms. Crystle Poge, for any further assistance and to discuss any aspect of their request at (571) 515-0306 or at her email address: usarmy.belvoir.hqda-oaaahs.mbx.rmda-foia-public-liaison@army.mil. Additionally, your client may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, email at ogis@nara.gov, telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

HEATON.MICH Digitally signed by
AEL.TODD.116 HEATON.MICHAEL.TODD.
0922075 1160922075
Date: 2023.04.03 10:31:55
-04'00'

Michael T. Heaton
GG-15, Director
Freedom of Information/Privacy Office

EXHIBIT M

1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036

202-600-4996

Fax 202-545-6318

Info@NationalSecurityLawFirm.com

**Admitted in New Jersey, New York, Hawaii, California, Ohio, Minnesota and Washington D.C*

March 14, 2023

Via OIP's FOIA STAR portal: www.justice.gov/oip/submit-and-track-request-or-appeal

Director, Office of Information Policy (OIP)

US Department of Justice

441 G Street, NW, 6th Floor

Washington, DC 20530

RE: Our Client: MSG Deen N. Haleem

SS#: [REDACTED]

[REDACTED] ty Clearance for Classified Information

Appeal of FOIA Determination - Request No: 1540081-000

Dear Sir/Madam:

As you know this office has been retained to represent MSG Deen N. Haleem. On April 6, 2022, this office filed a FOIA Request for certain information which was redacted from documentation received from the Defense Counterintelligence and Security Agency response to our FOIA request. A copy of the original FOIA request dated April 6, 2022 is attached as Exhibit A.

On August 3, 2022 this office received the attached letter from the U.S. Department of Justice, Federal Bureau of Investigation indicating that "we were unable to identify records subject to the FOIPA that are responsive to your request". As clearly noted in our April 6, 2022 letter to the Federal Bureau of Investigation, the Defense Counterintelligence and Security Agency forwarded directly to your office a letter dated March 22, 2022 that certain information identified in their files was through your agency and that your agency would need to release those documents. A copy of the letter dated March 22, 2022 and a subsequent letter dated March 25, 2022 to this office is attached as Exhibit B.

In light of the attached, please note that this office is once again requesting that the information forwarded to you from the Defense Counterintelligence and Security Agency be released on an expedited matter. As noted in your letter of August 3, 2022, there are conditions which allow for the expedited release of information, namely, **28 C.F.R. §16.5 (e)(1)(iii) "the loss of substantial due process of rights"**. There is currently pending a Revocation of Security Clearance for Classified Information on behalf of our client and the requested documents are necessary in our defense of MSG Haleem.

If it is determined that any of the documents are classified, we are requesting an immediate declassification review.

Description of Records Sought:

- 1) All interagency and intra-agency correspondence pertaining to the above.
- 2) All interagency and intra-agency records related to the individual.
- 3) All investigation and standard forms pertaining to the above.
- 4) All documents forwarded to the Federal Bureau of Investigation on March 22, 2022 by the Defense Counterintelligence and Security Agency.

Furthermore, the refusal to release such information can be justified only when the confirmation or denial of the existence of responsive records would, in and of itself, reveal exempt information. See *FOIA Update*, Spring 1983, at 5. This response, colloquially known as a “Glomar denial” or “Glomarization” was first judicially recognized in the national security context, see *Phillippi v. CIA*, 546 F.2d 1009, 1013 (D.C. Cir. 1976). However, a “Glomar denial” is not possible since the record has been identified by another agency. Therefore, the federal government has established that the record exists so you must rely upon Privacy Act exemptions in order to continue to withhold the documents.

Please note that should the documents not be released in an expedited fashion, our office will seek to file a lawsuit in Federal court to protect our client’s due process rights.

Please be guided accordingly.

Very truly yours,
Brett John O’Brien
Brett John O’Brien

BO/yml
Cc: Deen Haleem

National Security Law Firm

1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036

202-600-4996
Fax 202-545-6318

Info@NationalSecurityLawFirm.com

**Admitted in New Jersey, New York, Hawaii, California, Ohio, and Washington D.C.*

April 6, 2022

Department of Justice
Office of Information Policy
Sixth Floor, 441 G. Street, NW
Washington DC 20530-0001
Freedom of Information Appeal

RE: Our Client: MSG Deen N. Haleem
SS#: [REDACTED]
Revocation of Security Clearance for Classified Information

Dear Sir/Madam:

Please be advised that I have been retained to represent MSG Deen N. Haleem. On his behalf, I am requesting all records pertaining to MSG Haleem held by the Federal Bureau of Investigations. On March 22, 2022, the Defense Counterintelligence and Security Agency forwarded to your office certain information that was redacted from their response to our FOIA request. (See copy of letter dated March 22, 2022 and March 23, 2022 letter indicating information that was redacted concerning the FBI)

If it is determined that any of the documents are classified, we are requesting an immediate declassification review.

I am forwarding this letter as an expedited request for processing. Please note that our office requires the expedited request under the expedited processing regulation noted as (iii) the loss of substantive due process rights.

Description of Records Sought:

- 1) All interagency and intra-agency correspondence pertaining to the above.
- 2) All interagency and intra-agency records related to the individual.
- 3) All investigation and standard forms pertaining to the above.

MSG Deen Haleem's verification of identity:

Full Name: Deen Haleem

Social Security No: [REDACTED]

Date of Birth: [REDACTED]

Place of Birth: [REDACTED]

Address: [REDACTED]

Agreement to pay fees:

My office agrees to pay all applicable fees in accordance with federal law.

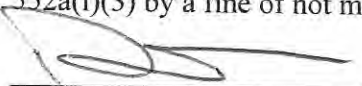
Preferred delivery method:

Please send all disclosures to 1250 Connecticut Avenue, Suite 700, Washington, DC 20036

MSG Deen Haleem's authorization for release:

I authorize information pertaining to me to be released to the National Security Law Firm, my legal counsel in this matter. I understand that I will not be furnished a duplicate copy of any disclosures. Pursuant to 5 USC 552a(b), I authorize the Department of Justice to release my records to the National Security Law Firm.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, that I am the person described above. I understand that any falsification of this statement is punishable under the provisions of 18 USC 1001 by a fine of not more than \$10,000, or by imprisonment for not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 USC 552a(i)(3) by a fine of not more than \$5,000.



MSG Deen Haleem

3/6/22

Date

I hereby certify that the foregoing statements made by me in this request are true and correct. I am aware that if any statement made by me is willfully false, I am subject to punishment. **I would ask that you grant our request for the expedited processing on the aforementioned FOIA request.** Thank you for your assistance in this matter.

Very truly yours,
Brett John O'Brien
Brett John O'Brien

BO/yml

Cc: Deen Haleem



DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY
27130 TELEGRAPH ROAD
QUANTICO, VA 22134-2253

March 25, 2022

National Security Law Firm
Attn: Brett John O'Brien
1250 Connecticut Avenue
Suite 700
Washington, DC 20036

Re: Deen Nimer Haleem

Dear Mr. O'Brien:

This is in reference to Deen Namir Haleem's request that a copy of their background investigations, standard forms and interagency/intra-agency records/correspondence be provided to your office. Two requests were received by the Department of Defense, Defense Counterintelligence and Security Agency (DCSA), Freedom of Information and Privacy Act (FOI/PA) office on March 8, 2022 and March 14, 2022.

We are unable to make an accurate search of our records for "interagency and intra-agency correspondence" without additional information from you. Please submit a new request and describe the type of correspondence you seek.

We have provided a complete copy of Mr. Haleem's investigative file. We reviewed the enclosed documents in accordance with the Freedom of Information Act (FOIA) and the Privacy Act of 1974, as amended.

At the time of Deen Namir Haleem's background investigation, we obtained information from the Naval Criminal Investigative Service. To obtain these records, he may submit a Privacy Act request by following the procedures on their website, <https://www.ncis.navy.mil/Resources/FOIA/>, or by writing to: NCISHQ, Code OOLJF, Russell-Knox Building, 27130 Telegraph Road, Quantico, VA 22134.

Deen Namir Haleem's investigative file also contains information that is the property of the Federal Bureau of Investigation (FBI). We referred this information and a copy of the request for an access decision and the FBI will respond directly to you. We enclosed a copy of our correspondence to the FBI. You may contact them at that address for information about this referral or refer to their website for additional information:
<https://www.fbi.gov/services/information-management/foipa/requesting-fbi-records>.

Deen Namir Haleem's investigative file contains information that originated with the Army Investigative Records Repository (AIRR). The DCSA FOIP Office for Adjudications will coordinate the referral of this information and that agency will respond to you directly.

At the time of Deen Namir Haleem's background investigation, the investigative file contained information on Nargiss Nimer Abdelmuti, Haleem Nimer Nofa, Abdelrazak Abdelhaleem and Noha Abuswalim that originated with another federal agency. We withheld this information pursuant Privacy Act exemption (k)(2) and FOIA exemptions (b)(6) and (b)(7)(C). Privacy Act

National Security Law Firm
Attn: Brett John O'Brien
Deen Nimer Haleem

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exemption (k)(2) protects investigatory material compiled for law enforcement purposes that, if released, might interfere with a civil or administrative action, or investigation, and result in the unwarranted invasion of personal privacy of others. FOIA exemptions (b)(6) and (b)(7)(C) protect information from release that could reasonably be expected to cause an unwarranted invasion of privacy to third-parties.

We cannot consider release of this information until we receive a written statement from the above referenced individual(s) authorizing the release of this information directly to you. The statement must contain either an original notarized authorization or an unsworn declaration in accordance with 28 U.S.C. 1746, in the following format: I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. The declaration must contain a signature and date executed.

An original notarized authorization or declaration can be mailed to: Defense Counterintelligence and Security Agency, Attn: FOI/P Office, P.O. Box 618, 1137 Branchton Road, Boyers, PA 16018-0618. A declaration may be sent via unsecure fax to 724-794-4590 or emailed as an attachment to dcsa.boyers.dcsa.mbx.inv-foip@mail.mil. Please ensure that the security of your email system is adequate before transmitting your request, which contains personally identifiable information (full name, social security number, date of birth, etc.).

We withheld information from document(s) 371 in accordance with FOIA exemption (b)(3) and Privacy Act exemption (j)(1). Exemption (b)(3) protects those records specifically exempt from release by statute, which in this case is Section 102A(i)(1) of the National Security Act of 1947, as amended. Exemption (j)(1) applies to systems of records maintained by the Central Intelligence Agency

You/ Deen Namir Haleem have the right to appeal this response by submitting a written request to the Defense Counterintelligence and Security Agency, ATTN: Office of General Counsel, 27130 Telegraph Road, Quantico, VA 22134. Clearly mark the outside of the envelope and your written appeal letter: "Privacy/FOIA Appeal". Your/his appeal must be received by DCSA within ninety (90) calendar days from the date of this letter to be considered timely. Your written appeal letter should include the reasons why the requested information should be released and why this action may be in error. Include with your appeal letter a copy of your original request and this response letter. Please reference tracking number DCSA-B 22-04594.

On behalf of the Financial Crimes Enforcement Network (FinCEN), we withheld document(s) 126-129, 260-368 and also portions of document(s) 1, 2, 4, 8, 9, 100, 130, 131, 133, 135, 136 and 138 in accordance with FOIA exemption (b)(3) and Privacy Act exemptions (j)(2) and (k)(2). Exemption (b)(3) protects those records that are specifically exempt from release by statute, which in this case is 31 U.S.C 5319. Privacy Act exemption (j)(2) allows for withholding information maintained by an agency or agency component whose main function pertains to enforcing criminal laws. Exemption (k)(2) protects investigative material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under federal programs.

National Security Law Firm
Attn: Brett John O'Brien
Deen Nimer Haleem

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Deen Namir Haleem's may appeal FinCEN's action by submitting a written request to the following address within 90 days from the date of this letter: Financial Crimes Enforcement Network, Disclosure Office, P.O. Box 39, Vienna, VA 22183. Deen Namir Haleem's appeal should include the reasons why the requested information should be released and why this action may be in error. Attach a copy of his original request and this response letter and clearly mark the letters and the outside envelope, "FOIA Appeal." You may refer to their website for additional information: <https://www.fincen.gov/filing-privacy-act-request>.

On behalf of the Federal Bureau of Investigation (FBI), we withheld information on document(s) 3, 4, 6, 83, 85, 132, 137, 369 and 371 in accordance with Privacy Act exemption (j)(2) and FOIA exemption (b)(7)(E). Exemption (j)(2) allows for withholding information maintained by an agency or agency component whose main function pertains to enforcing criminal laws. Exemption (b)(7)(E) protects information that "would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law."

Appeals of the FBI's (j)(2), (b)(7)(E) redactions directly to the Department of Justice by submitting a written request to the Office of Information Policy, Sixth Floor, 441 G Street, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. The appeal must be received by OIP within ninety (90) days from the date of this letter to be considered timely. The envelope and letter should be marked "Freedom of Information Appeal."

The Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. You may contact OGIS in any of the following ways:

U.S. National Archives and Records Administration	Phone: 202-741-5770
Office of Government Information Services	Toll-Free: 1-877-684-6448
8601 Adelphi Road - OGIS	Fax: 202-741-5769
College Park, MD 20740-6001	Email: ogis@nara.gov

If you have any questions regarding this response, contact the Freedom of Information and Privacy office at 724-794-5612 ext. 7000 and reference tracking number DCSA-B 22-04594.

Sincerely,



Lisa A. Desko
Government Information Specialist

Enclosures



DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY
27130 TELEGRAPH ROAD
QUANTICO, VA 22134-2253

March 22, 2022

Federal Bureau of Investigation
Attn: Initial Processing Operations Unit
Record/Information Dissemination Section
200 Constitution Drive
Winchester, VA 22602

Re: DEEN NIMER HALEEM
[REDACTED]

Dear Sir/Madam:

In response to the FOIA/Privacy Act request we received from the above individual, we are forwarding information that belongs to your agency for your direct response to the requester (Enclosure A). We notified the requester of this action.

If you have any questions regarding this response, contact the Freedom of Information and Privacy office at 724-794-5612 ext. 7000 and reference tracking number DCSA-B 22-04594.

Sincerely,

A handwritten signature in cursive script, reading "Lisa A. Desko".

Lisa A. Desko
Government Information Specialist

Enclosures



U.S. Department of Justice

Federal Bureau of Investigation
 Washington, D.C. 20535

August 3, 2022

MR. BRETT JOHN O'BRIEN
 NATIONAL SECURITY LAW FIRM
 SUITE 700
 1250 CONNECTICUT AVENUE NORTHWEST
 WASHINGTON, DC 20036

Request No.: 1540081-000
 Subject: HALEEM, DEEN NIMER

Dear Mr. O'brien:

This is in response to your Freedom of Information/Privacy Acts (FOIPA) request. Based on the information you provided, we conducted a main entity record search of the Central Records System (CRS) per our standard search policy. However, we were unable to identify records subject to the FOIPA that are responsive to your request. Therefore, your request is being closed. If you have additional information pertaining to the subject of your request, please submit a new request providing the details, and we will conduct an additional search. For more information about records searches and the standard search policy, see the enclosed FBI FOIPA Addendum General Information Section.

Please see the paragraphs below for relevant information that may be specific to your request. Only checked boxes contain corresponding paragraphs relevant to your request. If no boxes are checked, the corresponding information does not apply.

- Please be advised that your request was reopened based on the additional information you provided. A new search was conducted, and we were unable to identify records subject to the FOIPA that are responsive to your request.
- Records potentially responsive to your request were destroyed. Since this material could not be reviewed, it is not known if it was responsive to your request. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA) according to Title 44 United States Code Section 3301, Title 36 Code of Federal Regulations (CFR) Chapter 12 Sub-chapter B Part 1228, and 36 CFR 1229.10. Please be advised that the General Records Schedule (GRS) disposition authority for FOIPA records is DAA-GRS-2016-0002-0001 (GRS 4.2, Item 020).
- Records potentially responsive to your request were transferred to the National Archives and Records Administration (NARA). If you wish to review these records, file a FOIPA request with NARA at the following address:

National Archives and Records Administration
 Special Access and FOIA
 8601 Adelphi Road, Room 5500
 College Park, MD 20740-6001
- Potentially responsive records were identified during the search. However, we were advised that they were not in their expected locations. An additional search for the missing records also met with unsuccessful results. Since we were unable to review the records, we were unable to determine if they were responsive to your request.
- The identification records requested are maintained by the FBI's Criminal Justice Information Services (CJIS) Division; therefore, we have forwarded a portion of your request to CJIS for processing. To check the status of this request, please contact CJIS directly at (304) 625-5590. For additional information, see the enclosed FBI FOIPA Addendum General Information Section.
- Requests for expedited processing are not applicable when a final response is issued within ten calendar days.

Police departments should be aware that the search conducted was limited to FBI records. Requests for criminal history records or rap sheets should be directed to Criminal Justice Information Services (CJIS). Information regarding CJIS is listed in the enclosed FBI FOIPA Addendum General Information Section.

Records potentially responsive to your request were transferred to the National Personnel Records Center - Civilian Personnel Records (NPRC-CPR). In order to obtain information on a file located at the NPRC, your request must be mailed to the following address:

National Archives and Records Administration
ATTN: Archival Programs
P.O. Box 38757
St. Louis, MO 63138

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. "Part 1" of the Addendum includes standard responses that apply to all requests. "Part 2" includes additional standard responses that apply to all requests for records about yourself or any third party individuals. "Part 3" includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

For questions regarding our determinations, visit the 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 emailing the FBI's FOIA Public Liaison at foipaquestions@fbi.gov. 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. You may also contact 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; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



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

Enclosures

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.
- (ii) **Intelligence Records.** To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records about any Individual—Witness Security Program Records.** The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.
- (iii) **Requests for Confidential Informant Records.** The FBI can neither confirm nor deny the existence of confidential informant records pursuant to FOIA exemptions (b)(7)(D), (b)(7)(E), and (b)(7)(F) [5 U.S.C. §§ 552 (b)(7)(D), (b)(7)(E), and (b)(7)(F)] and Privacy Act exemption (j)(2) [5 U.S.C. § 552a (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records would reveal confidential informant identities and information, expose law enforcement techniques, and endanger the life or physical safety of individuals. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

- (i) **Record Searches and Standard Search Policy.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems, such as the Central Records System (CRS), or locations where responsive records would reasonably be found. The CRS is an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. The standard search policy is a search for main entity records in the CRS. Unless specifically requested, a standard search does not include a search for reference entity records, administrative records of previous FOIPA requests, or civil litigation files.
 - a. *Main Entity Records* – created for individuals or non-individuals who are the subjects or the focus of an investigation
 - b. *Reference Entity Records*- created for individuals or non-individuals who are associated with a case but are not known subjects or the focus of an investigation
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Foreseeable Harm Standard.** As amended in 2016, the Freedom of Information Act provides that a federal agency may withhold responsive records only if: (1) the agency reasonably foresees that disclosure would harm an interest protected by one of the nine exemptions that FOIA enumerates, or (2) disclosure is prohibited by law (5 United States Code, Section 552(a)(8)(A)(i)). The FBI considers this foreseeable harm standard in the processing of its requests.
- (iv) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigative “FBI file.” An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

August 3, 2022

MR. BRETT JOHN O'BRIEN
NATIONAL SECURITY LAW FIRM
SUITE 700
1250 CONNECTICUT AVENUE NORTHWEST
WASHINGTON, DC 20036

FOIPA Request No.: 1540081-000
Subject: HALEEM, DEEN NIMER

Dear Mr. O'brien:

This is in reference to your letter to the FBI, in which you requested expedited processing for the above-referenced Freedom of Information/Privacy Acts (FOIPA) request. Under Department of Justice (DOJ) standards for expedited processing, it can only be granted in the following situations:

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 exists possible questions about the government's integrity which affects public confidence."

You have not provided enough information concerning the statutory requirements permitting expedition; therefore, your request is denied.

For questions regarding our determinations, visit the 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 emailing the FBI's FOIA Public Liaison at foipaquestions@fbi.gov. 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. You may also contact 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; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

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