

Exhibit 3

U.S. Department of Justice



Federal Bureau of Investigation
Washington, D.C. 20535

June 14, 2021



FOIPA Request No.: 1496945-000
Subject:

Dear

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. 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 exemption 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 checked="" type="checkbox"/> (b)(3)	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (k)(1)	
<u>50 U.S.C. § 3024(i)(1)</u>	<input type="checkbox"/> (b)(7)(D)	<input checked="" 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 checked="" type="checkbox"/> (k)(5)	
<input checked="" type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(9)	<input checked="" type="checkbox"/> (k)(6)	
<input checked="" type="checkbox"/> (b)(6)		<input type="checkbox"/> (k)(7)	

8 pages were reviewed and 8 pages are being released.

Please see the paragraphs below for relevant information specific to your request as well as the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

- Document(s) were located which originated with, or contained information concerning, other Government Agency (ies) [OGA].
- This information has been referred to the OGA(s) for review and direct response to you.
- We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.

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.

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



FD-1036 (Rev. 10-16-2009)

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Import Form

Form Type: FD-1057 - Electronic Communication

Date: 05/12/2021

Title: (UNCLASSIFIED) Serialize_Adj_Docs

Approved By:

Drafted By:

Case ID #: (U)

b6
b7C
Third Party

Synopsis: (UNCLASSIFIED) The purpose of this EC is to advise that the captioned candidate has been deemed not suitable for FBI employment based on a Tier 5 background investigation and has not been authorized to be briefed for access to classified information at the Top Secret level. The candidate currently does not meet eligibility for Sensitive Compartmented Information (SCI) access.

Enclosure(s): Enclosed are the following items:

- 1. (UNCLASSIFIED) Records Check



UNCLASSIFIED

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

HQ Records Checks

05/12/2021

Candidate: [REDACTED]

Assigned Analyst: [REDACTED] (SECD) (FE b6 b7C)

File Number: [REDACTED]

BUDED: N/A

Third Party

Position: OPERATIONAL SUPPORT TECHNICIAN

PCD: 08/31/2020

Check Type	Subject	Records Check Text/Result Information	Result Code	Completed
Sentinel	[REDACTED]	<p>Applicant files</p> <p>Please enter the Subject's [Alias] and any other information pertinent to the record check.</p> <p>SSN: [REDACTED] DOB: [REDACTED] POB: [REDACTED]</p> <p>Phone: [REDACTED]</p> <p>Email: [REDACTED]</p> <p>Passport: [REDACTED]</p>	Record	07-OCT-20
UNI	[REDACTED]	<p>Applicatn file</p> <p>Please enter the Subject's [Alias] and any other information pertinent to the record check.</p> <p>SSN: [REDACTED] DOB: [REDACTED] POB: Philadelphia, PA United States</p>	Record	07-OCT-20
Fingerprint	[REDACTED]	<p>Civil 7XTCJFPAP</p> <p>Please enter the Subject's [Alias] and any other information pertinent to the record check.</p> <p>SSN: [REDACTED] DOB: [REDACTED] POB: [REDACTED]</p>	Record	09-JUL-20
C/S (Name Check)	[REDACTED]	<p>Civil 7XTCJFPAP</p> <p>Please enter the Subject's [Alias] and any other information pertinent to the record check.</p> <p>[REDACTED] [REDACTED] POB: [REDACTED]</p>	Record	15-JUL-20
ECF	[REDACTED]	<p>Please enter the Subject's [Alias] and any other information pertinent to the record check.</p> <p>SSN: [REDACTED] DOB: [REDACTED] POB: [REDACTED]</p>	No Record	07-OCT-20

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

05/12/2021

HQ Records Checks

Candidate: [REDACTED]

Assigned Analyst: [REDACTED] (SECD) (FE b6 b7C

File Number: [REDACTED]

BUDED: N/A

Third Party

Position: OPERATIONAL SUPPORT TECHNICIAN

PCD: 08/31/2020

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b7E

[REDACTED]				
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CVS/JPAS/OPM	[REDACTED]	Please enter the Subject's [Alias] and any other information pertinent to the record check. SSN: [REDACTED] DOB: [REDACTED] POB: [REDACTED]	No Record	15-JUL-20
NCIC	[REDACTED]	Please enter the Subject's [Alias] and any other information pertinent to the record check. SSN: [REDACTED] DOB: [REDACTED] POB: [REDACTED]	No Record	15-JUL-20

[REDACTED]				
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[REDACTED]				
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DC-II	[REDACTED]	Please enter the Subject's [Alias] and any other information pertinent to the record check. SSN: [REDACTED] DOB: [REDACTED] POB: [REDACTED]	No Record	16-JUL-20
DPRIS	[REDACTED]	Please enter the Subject's [Alias] and any other information pertinent to the record check. SSN: [REDACTED] DOB: [REDACTED] POB: [REDACTED]	No Record	29-JUL-20
Credit	[REDACTED]	Please enter the Subject's [Alias] and any other information pertinent to the record check. SSN: [REDACTED] DOB: [REDACTED] POB: [REDACTED]	Record	29-JUL-20

UNCLASSIFIED (U)

FD-1057 (Rev. 5-8-10)

FEDERAL BUREAU OF INVESTIGATION

Electronic Communication

Title: [REDACTED] - Suitability Discontinuance EC

Date: 05/12/2021

From: Security

Contact: [REDACTED] (SECD) (FBI)

Approved By: [REDACTED] (SECD) (FBI) 05/10/2021

[REDACTED] (SECD) (FBI) 05/12/2021

Drafted By: [REDACTED] (SECD) (FBI)

Case ID #: [REDACTED]

[REDACTED]

D/POB: [REDACTED]

United States

POSITION: OPERATIONAL SUPPORT TECHNICIAN
HIRING ENTITY: PHILADELPHIA
PFO: PHILADELPHIA

b6
b7C
Third Party

Synopsis: The purpose of this EC is to advise that the captioned candidate has been deemed not suitable for FBI employment based on a Tier 5 background investigation and has not been authorized to be briefed for access to classified information at the Top Secret level. The candidate currently does not meet eligibility for Sensitive Compartmented Information (SCI) access.

UNCLASSIFIED (U)

UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

HQ Records Checks

05/12/2021

Candidate: [REDACTED]

Assigned Analyst: [REDACTED] (SECD) (FE^{b6})

File Number: [REDACTED]

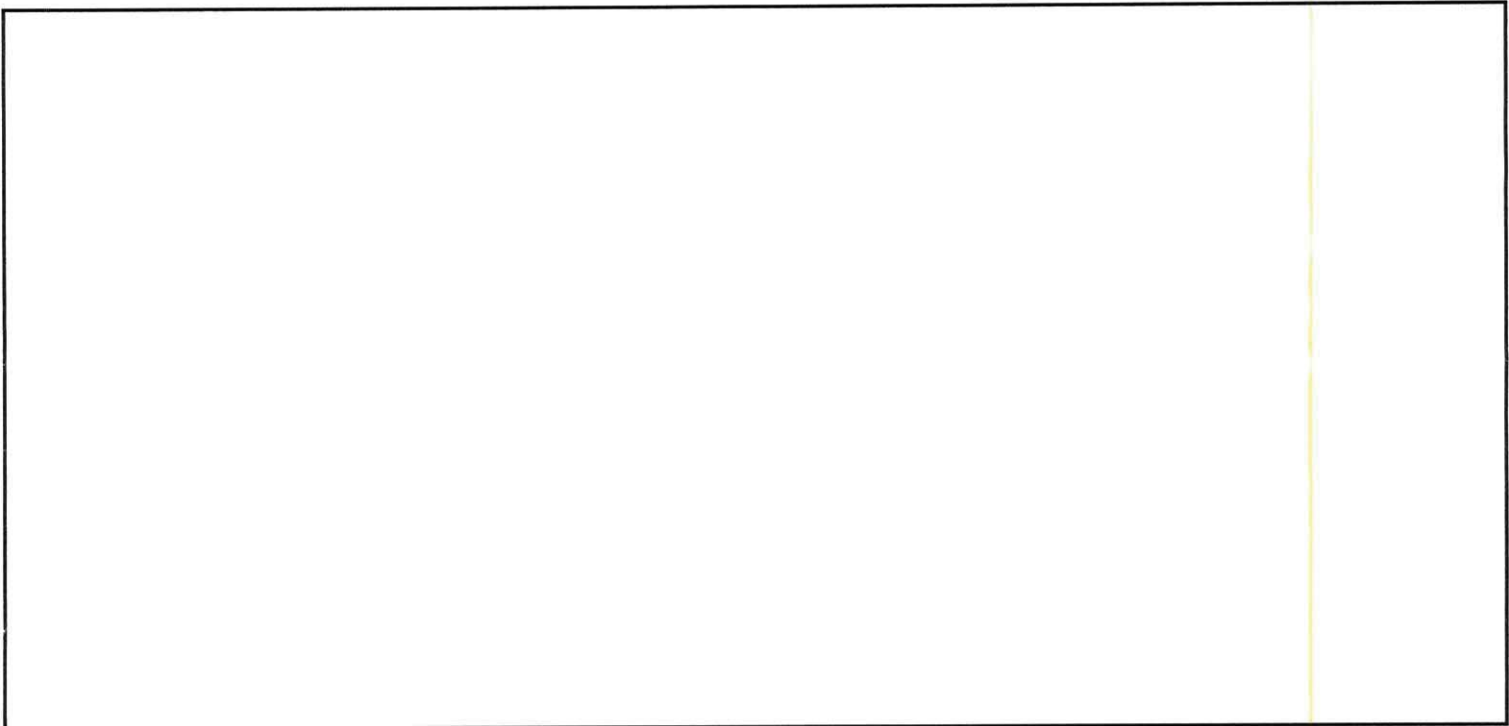
BUDED: N/A

b7C
Third Party

Position: OPERATIONAL SUPPORT TECHNICIAN

PCD: 08/31/2020

j2
b7E



UNCLASSIFIED

DISSEMINATION CAVEAT: THE INFORMATION CONTAINED IN THIS EC SHOULD NOT BE USED AS THE SOLE BASIS FOR ADJUDICATION AND SHOULD ONLY BE USED FOR LEAD PURPOSES. ALL INFORMATION MUST BE INDEPENDENTLY CORROBORATED FOR USE IN ANY INVESTIGATION OUTSIDE THE FBI.

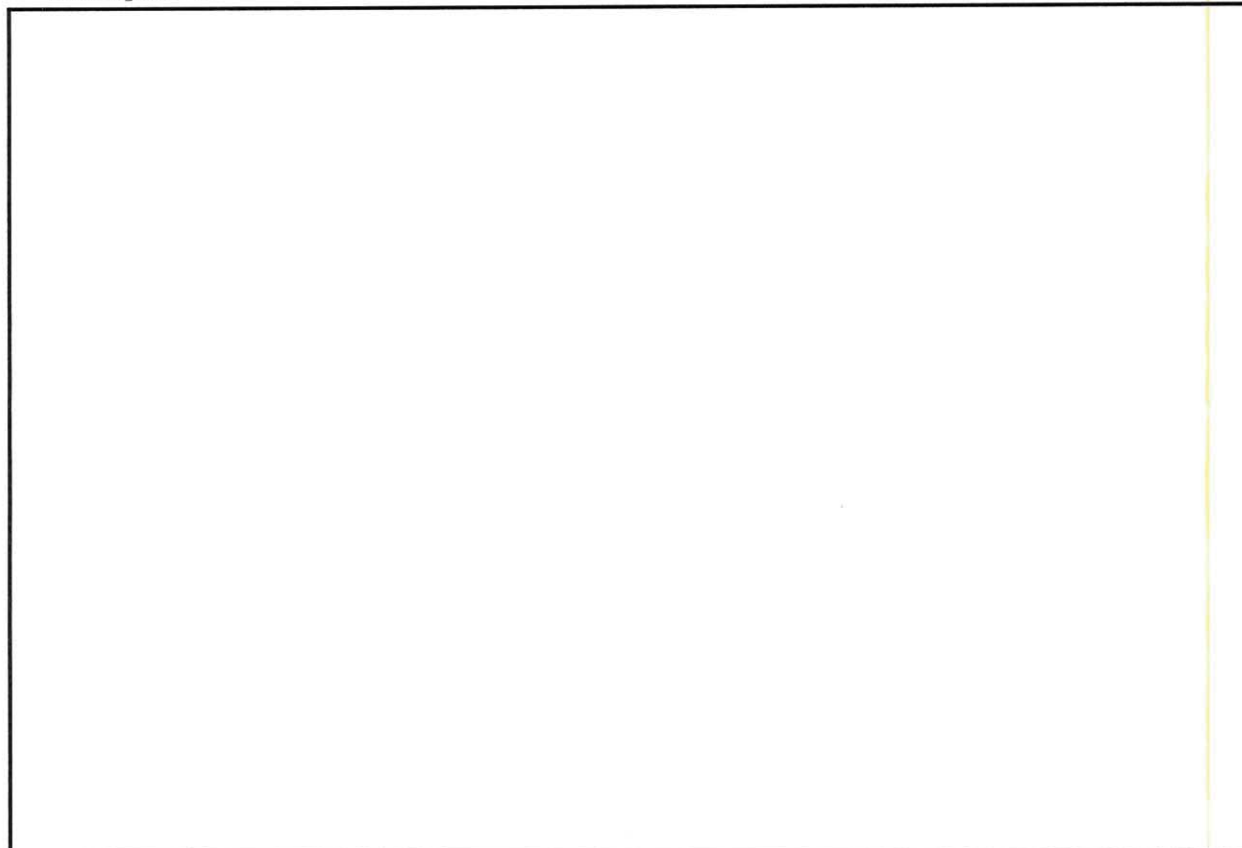
Suitability and/or security adjudications have been conducted in accordance with Security Executive Agent Directive 4 (SEAD 4), dated 06/08/2017, and the adjudicative guidelines established for individuals who require access to classified information.

Tier 5 Background Investigation

SUITABILITY ADJUDICATIVE GUIDELINES:

1. Failure to Provide Pertinent and/or Accurate Information or Relevant Facts
2. Use of Intoxicants
3. Criminal Behavior
4. Personal Conduct and Miscellaneous Issues
5. Financial Considerations
6. Employment History
7. Illegal Drug Use/Anabolic Steroid Use/Abuse or Misuse of Prescription Drugs

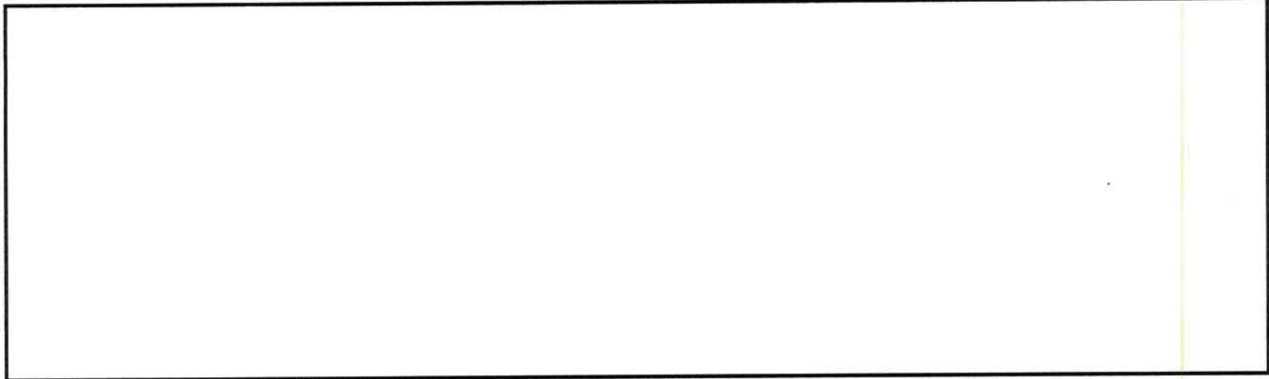
The following suitability concerns were noted and could not be mitigated:



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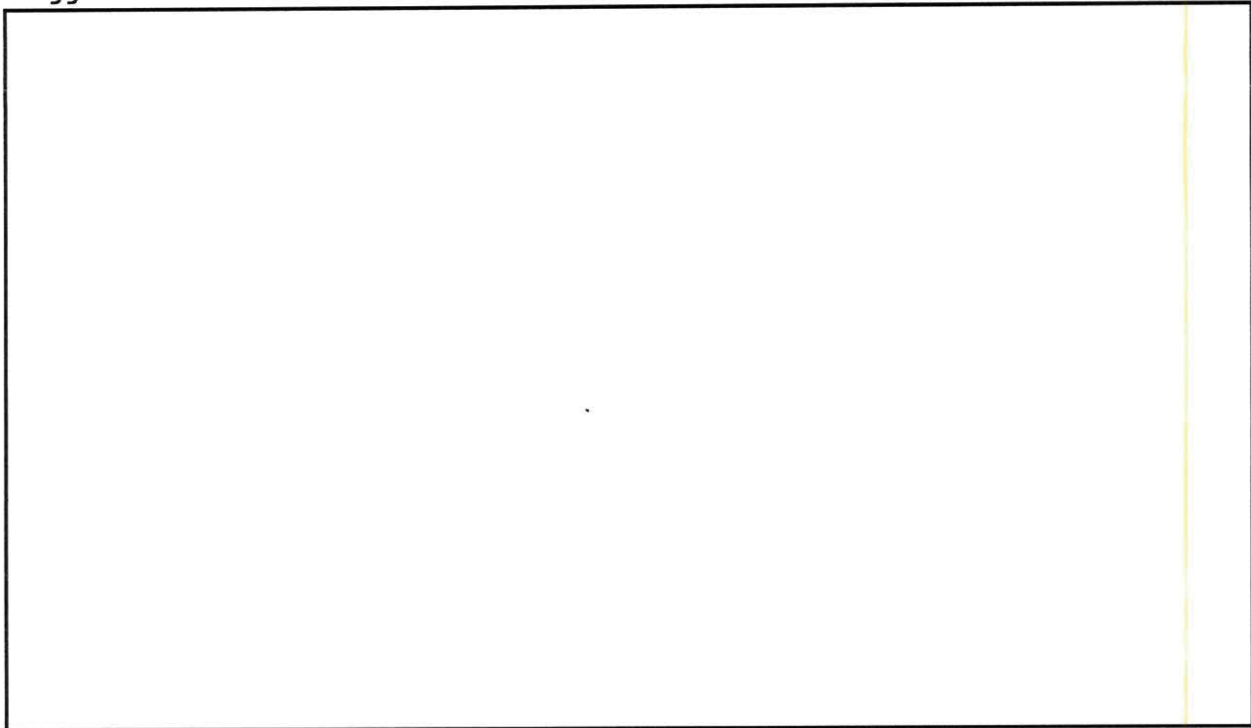
UNCLASSIFIED

UNCLASSIFIED



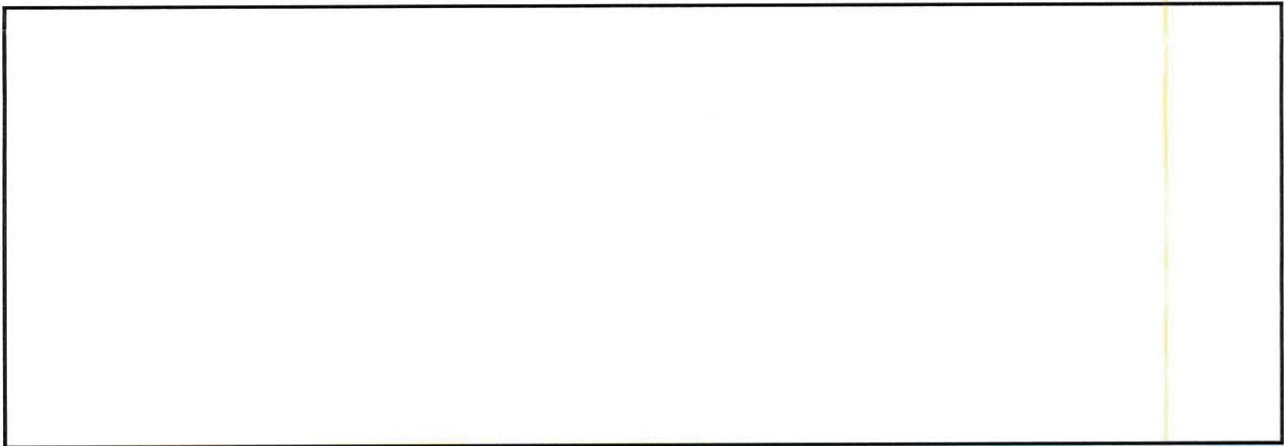
b5
b7E

Aggravation:



b5
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Aggravation:



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UNCLASSIFIED

UNCLASSIFIED

RECOMMENDATION

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UNCLASSIFIED

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.

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.