

# **EXHIBIT 10**



**U.S. Department of Justice**

Civil Division

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*Washington, DC 20530*

Via Email

August 30, 2023

Mr. Mike Howell  
The Heritage Foundation  
214 Massachusetts Avenue, NE  
Washington, DC 20002  
oversightproject@heritage.org

Request No. 145-FOI-19513

Dear Mr. Howell:

This letter is the response of the Civil Division, Department of Justice to your Freedom of Information Act (FOIA) request for records relied upon by Attorney General Merrick Garland in certain statements he made concerning the investigation of Hunter Biden. We received your request on August 18, 2023.

Please note that the Civil Division does not maintain records for the Office of the Attorney General. We understand you have also filed a request with the Office of Information Policy. That component will respond directly to you, as it processes requests on behalf of the Office of the Attorney General. This completes the Civil Division's action on your request.

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

You may contact our FOIA Public Liaison at 202-514-2319 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the Civil Division's determination in response to 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, 6<sup>th</sup> Floor, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIA STAR portal by creating an account on the following website: <https://foiastar.doj.gov>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal

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by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

FOIA and Privacy Office  
Civil Division