

EXHIBIT 11

From: [USDOJ-Office of Legal Counsel \(SMO\)](#)
To: [Jankowski, Roman](#)
Cc: [USDOJ-Office of Legal Counsel \(SMO\)](#)
Subject: RE: New FOIA Request
Date: Friday, September 1, 2023 1:52:48 PM
Attachments: [Response 23-119 & 23-120.pdf](#)

Attached please find a letter responding to the below request and to another request submitted the same day.

Jared Kaprove

FOIA and Records Management Attorney
Office of Legal Counsel
U.S. Department of Justice

From: Jankowski, Roman <Roman.Jankowski@heritage.org>
Sent: Friday, August 18, 2023 11:50 AM
To: USDOJ-Office of Legal Counsel (SMO) <Ex_OLC@jmd.usdoj.gov>
Subject: [EXTERNAL] New FOIA Request

Attached is a new FOIA request from the Heritage Foundation/The Daily Signal.

Roman Jankowski

Senior Investigative Counsel, Oversight Project, Government Relations
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
202-608-1503

heritage.org



U.S. Department of Justice

Office of Legal Counsel

Washington, D.C. 20530

September 1, 2023

Mike Howell
Senior Advisor and Author
The Daily Signal
The Heritage Foundation
oversightproject@heritage.org

Re: FOIA Tracking Nos. FY23-119 and FY23-120

Dear Mr. Howell:

This letter responds to your August 15, 2023 Freedom of Information Act (“FOIA”) requests to the Office of Legal Counsel (“OLC”), among others, in which you sought:

- **FY23-119:** “All records relied upon by Attorney General Merrick B. Garland in the [listed] public statements.”
- **FY23-120:** “All records relied upon by David Weiss in the [listed] statements.”

We received your requests on August 18, 2023, and they were assigned the tracking numbers indicated above.

As you are aware, the Department of Justice has a decentralized system for processing FOIA requests. FOIA requests seeking documents that originated in the Office of the Attorney General, as well as other leadership offices, are processed by the Office of Information Policy (“OIP”), and FOIA requests seeking documents that originated in the United States Attorney’s Office for the District of Delaware are processed by the Executive Office for United States Attorneys (“EOUSA”). It is our understanding that OIP and EOUSA already have received copies of your requests and will be responding to you directly. Nevertheless, should you need to reach them, OIP and EOUSA may be contacted respectively as follows:

Douglas Hibbard
Chief, Initial Request Staff
Office of Information Policy
Department of Justice
6th Floor
441 G St NW
Washington, DC 20530
Phone: (202) 514-3642

Arla Witte-Simpson
FOIA Public Liaison
Executive Office for United States Attorneys
Department of Justice
175 N Street, N.E.
Suite 5.400
Washington, DC 20530-0001
Phone: (202) 252-6036

Although OLC now deems your misdirected requests to be closed, for any further assistance and to discuss any aspect of your requests, you may contact Melissa Golden, OLC's FOIA Public Liaison, at usdoj-officeoflegalcounsel@usdoj.gov, (202) 514-2053, or at Office of Legal Counsel, United States Department of Justice, 950 Pennsylvania Ave., N.W., Room 5517, Washington, DC 20530.

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; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

You have the right to an administrative appeal. 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 90 days of the date of my response to your requests. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



Jared Kaprove
FOIA and Records Management Attorney