

EXHIBIT D

NSD FOIA 17-153 Wittes

NSDFOIA (NSD) <NSDFOIA@usdoj.gov>
To: Caroline McKay <caroline.mckay@protectdemocracy.org>
Cc: Justin Florence <justin.florence@protectdemocracy.org>

Mon, May 1, 2017 at 12:53 PM

Benjamin Wittes
Senior Fellow in Governance Studies
The Brookings Institution
1175 Massachusetts Ave. N.W.
Washington, D.C. 20036

Re: FOIA/PA #17-153

Dear Mr. Wittes:

This is to acknowledge your letter dated April 17, 2017 pertaining to 1. All records, including but not limited to emails, notes, and memoranda, reflecting any data or

information relating to the nationality or country of origin of individuals convicted of terrorism related offenses (domestic or international) from 2001 until the date that a search is conducted for records responsive to this FOIA request. 2. All records reflecting communications (including but not limited to emails, telephone call logs, calendar entries, meeting agendas, or text messages) between the Department of Justice and the Executive Office of the President relating to data concerning the nationality or country of origin of anyone convicted of terrorist crimes or terrorism-related crimes (domestic or international). The timeframe for this request is from January 1, 2016 until the date that a search is conducted for records responsive to this request. 3. All records, including but not limited to emails, notes, and memoranda, in preparation for or in reaction to the President's address to a Joint Session of Congress on February 28, 2017, specifically, those records referring to the President's characterization of data provided by, or originating from, the Department of Justice. The timeframe for this request is from January 20, 2017 until the date that a search is conducted for records responsive to this request. 4. All records reflecting communications (including but not limited to emails, telephone call logs, calendar entries, meeting agendas, or text messages) between the Department of Justice and the Executive Office of the President in preparation for or in reaction to the President's address to a Joint Session of Congress on February 28, 2017, specifically those records referring to the President's characterization of data provided by, or originating from, the Department of Justice. The timeframe for this request is from January 20, 2017 until the date that a search is conducted for records responsive to this request. 5. In addition to the records requested above, I also request records describing the processing of this request, including records sufficient to identify search terms used and locations and custodians searched and any tracking sheets used to track the processing of this request. If your agency uses FOIA questionnaires or certifications completed by individual custodians or components to determine whether they possess responsive materials or to describe how they conducted searches, I also request any such records prepared in connection with the processing of this request. Our FOIA office received your Freedom of Information Act request on April 17, 2017.

Our policy is to process FOIA requests on a first-in, first-out basis. Consistent with this policy, every effort will be made to respond to your request as quickly as possible. The actual processing time will depend upon the complexity of the request, whether it involves sensitive or voluminous records, and whether consultations with other agencies or agency components are appropriate.

Also, you requested a waiver of processing fees, this is under consideration. We will notify you once a decision has been made. You may contact our office at (202) 233-0754 if you have any questions regarding your request.

Sincerely,

Arnetta Mallory

Government Information Specialist

From: Caroline McKay [mailto:caroline.mckay@protectdemocracy.org]
Sent: Friday, April 14, 2017 11:28 PM
To: NSDFOIA (NSD) <Ex_NSDFoia@jmd.usdoj.gov>
Cc: Justin Florence <justin.florence@protectdemocracy.org>
Subject: Freedom of Information Act Request

To Whom It May Concern:

Please see the attached Freedom of Information Act request.

Justin Florence (cc'd), Legal Director at Protect Democracy, can answer any questions about the request.

Sincerely,

Caroline McKay

The Protect Democracy Project