

Exhibit G



January 4, 2018

VIA ELECTRONIC MAIL AND ONLINE PORTAL

Sarah Isgur Flores
Director of Public Affairs
Office of Public Affairs
Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530-0001

Re: Request for Expedition of Currently Pending FOIA Requests

Dear Ms. Flores:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the implementing regulations of the Department of Justice (DOJ), 28 C.F.R. § 16.5(e)(1)(iv), American Oversight makes the following request to have the processing of several currently pending FOIA requests expedited.

On December 13, 2017, American Oversight submitted four FOIA requests to various DOJ components relating to DOJ's decision to release Peter Strzok and Lisa Page's text messages to Congress and the media. Those requests bore internal tracking numbers DOJ-17-0577, DOJ-17-0578, DOJ-17-0579, and DOJ-17-0580. American Oversight has received the following DOJ tracking numbers for these requests:

- DOJ-2018-001444, which has also received the following corresponding numbers:
 - o DOJ-2018-001530
 - o DOJ-2018-001531
 - o DOJ-2018-001532
 - o OIG: 18-OIG-079
 - o FBI: 1391669-000

- DOJ-2018-001445, which has also received the following corresponding numbers:
 - o DOJ-2018-001533
 - o DOJ-2018-001534
 - o DOJ-2018-001535
 - o OIG: 18-OIG-080
 - o FBI: 1391669-000 (same as above)

- DOJ-2018-001446, which has also received the following corresponding numbers:
 - o DOJ-2018-001536

- 18-OIG-081



Then, on December 19, 2017, American Oversight submitted two additional, related FOIA requests to the Office of Legal Counsel, bearing internal tracking numbers DOJ-17-0582 and DOJ-17-0583. American Oversight has not yet received OLC tracking numbers for those two requests.

For the reasons that follow, American Oversight now seeks to expedite the processing of the six FOIA requests described above pursuant to 5 U.S.C. § 552(a)(6)(E) and 28 C.F.R. § 16.5(e)(1)(iv).

I certify to be true and correct to the best of my knowledge and belief, that there is widespread and exceptional media interest in the subject of these FOIA requests and that there exist possible questions concerning the government's integrity that affect public confidence.¹

As explained in our initial FOIA requests themselves, news reports have revealed that last month, DOJ released to both reporters and certain members of Congress a number of private text messages exchanged between Peter Strzok (a member of the team investigating Secretary Clinton's email use) and Lisa Page (an FBI lawyer) that were critical of then-candidate Donald Trump.² This move has been described as "highly unusual," and has received widespread media attention.³ Much

¹ 28 C.F.R. § 16.5(e)(1)(iv).

² See Natasha Bertrand, *In 'Highly Unusual' Move, DOJ Secretly Invited Reporters to View Texts Sent By Ousted FBI Agents*, BUS. INSIDER, Dec. 13, 2017, <http://www.businessinsider.com/peter-strzok-page-texts-mueller-russia-trump-2017-12>; Shannon Bream (@ShannonBream), TWITTER (Dec. 12, 2017, 6:29 PM), <https://twitter.com/ShannonBream/status/940770703317585921> ("Our @FoxNews producer @JakeBGibson has obtained 10K texts between Peter Strzok and Lisa Page").

³ See, e.g., *supra* note 2; Josh Gerstein, *In Texts, FBI Agents on Russia Probe Called Trump an 'Idiot'*, POLITICO (Dec. 12, 2017, 11:00 PM), <https://www.politico.com/story/2017/12/12/fbi-agents-trump-mueller-texts-294156>; Devlin Barrett, *FBI Texts Reveal Anti-Trump, Pro-Clinton Comments*, WASH. POST, Dec. 12, 2017, https://www.washingtonpost.com/world/national-security/fbi-texts-reveal-anti-trump-pro-clinton-comments/2017/12/12/e0685f80-dfa4-11e7-bbd0-9dfb2e37492a_story.html?utm_term=.2f9c33070c58; Brett Samuels, *Ex-DOJ Spokesman Rips Meeting for Reporters to View Texts Sent by Ousted FBI Agents*, THE HILL (Dec. 13, 2017, 12:13 PM), <http://thehill.com/policy/national-security/364700-ex-doj-spokesman-rips-meeting-for-reporters-to-view-texts-sent-by>; CBS News, *FBI Agent Peter Strzok's Texts with Lisa Page Disparage Trump Throughout Campaign*, CBS NEWS (Dec. 13, 2017, 5:05 AM), <https://www.cbsnews.com/news/peter-strzok-lisa-page-texts-trump-idiot/>; John Fritze, *Rod Rosenstein Defends Russia Probe After Anti-Trump Text Messages Released, Denies 'Witch Hunt'*, BALTIMORE SUN (Dec. 13, 2017, 5:40 PM), <http://www.baltimoresun.com/news/maryland/politics/blog/bs-md-rosenstein-congress-20171213-story.html>; Darren Samuelsohn, *Democrats Want to Know Why Justice Department Released FBI Texts*, POLITICO (Dec. 14, 2017, 9:53 PM), <https://www.politico.com/story/2017/12/14/fbi-agents-text-message-justice-department-congress-democrats-297737>; Natasha Bertrand, *Congressman: DOJ Was 'Forced' to Release FBI Agents' Private Texts 'Because Devin Nunes Was About to Subpoena Them'*, BUS. INSIDER (Dec. 15, 2017, 9:53 AM),

of that coverage has focused on the propriety of DOJ's decision to publicly release private correspondences that were the subject of an ongoing investigation by the DOJ's inspector general.⁴ And indeed, it was later revealed that some text messages had been exchanged with the media even before the messages were shared with members of Congress, in a move that DOJ later admitted was "not authorized by the department."⁵

In the wake of the intense media scrutiny into these events, DOJ's own Office of Inspector General (OIG) confirmed in writing in a letter to watchdog group Citizens for Ethics and Responsibility in Washington (CREW) that DOJ "did not consult with the OIG in order to determine whether releasing the text messages met applicable ethical and legal standards before providing them to Congress [or the press]."⁶ The apparent failure of the agency to consult with its own OIG before taking such an unprecedented action raises serious questions about the agency's internal decisionmaking process.

The public deserves to know what led the DOJ to take this unusual step, including whether proper authorization was sought, and, if it was, what justification was given to support the release of the text messages. In the midst of numerous ongoing investigations into potential wrongdoings by campaign and government officials, it is crucial that the public have its questions answered to restore (or at least inform) public confidence in the integrity of government officials.

American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information it gathers from FOIA requests—and its analysis of it—to educate the public through reports, press releases, and other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms,

<http://www.businessinsider.com/matt-gaetz-peter-strzok-texts-fbi-released-2017-12>; David Shortell, *DOJ Says No Wrongdoing In Release of FBI Agent's Texts*, CNN (Dec. 16, 2017, 10:39 AM), <http://www.cnn.com/2017/12/14/politics/nadler-writes-doj-fbi-texts/index.html>; Bob Brigham, *Department of Justice Dodges Questions About Release of Politically-Charged FBI Text Messages*, RAW STORY (Dec. 20, 2017, 5:29 PM), <https://www.rawstory.com/2017/12/department-of-justice-dodges-questions-about-release-of-politically-charged-fbi-text-messages/>; Natasha Bertrand, *The DOJ Hasn't Answered a Key Question About Its 'Highly Unusual' Decision to Release FBI Agents' Private Texts*, BUS. INSIDER (Dec. 21, 2017, 8:57 AM), <http://www.businessinsider.com/peter-strzok-lisa-page-text-srelease-doj-lingering-question-2017-12>.

⁴ See, e.g., Bertrand, *supra* note 2; Samuels, *supra* note 3; Brigham, *supra* note 3; Samuelsohn, *supra* note 3; Shortell, *supra* note 3; Bertrand, *supra* note 3.

⁵ See Natasha Bertrand, *DOJ Now Says Early Release of FBI Agents' Private Texts to Reporters Was 'Not Authorized' by the Department*, BUS. INSIDER (Dec. 15, 2017, 9:17 AM), <http://www.businessinsider.com/doj-says-early-release-of-fbi-agents-texts-was-not-authorized-2017-12>.

⁶ See Press Release, *CREW Sues Department of Justice Over FBI Texts* (Jan. 3, 2018), available at <https://www.citizensforethics.org/press-release/crew-sues-department-justice-fbi-texts/> (quoting OIG letter).

such as Facebook and Twitter.⁷ Accordingly, release of the requested materials to American Oversight would ensure swift and widespread dissemination to the public, so as to best inform the ongoing public debate about the government's actions at issue in these requests.⁸

Conclusion

For the reasons stated above, we request that DOJ expedite the processing of these FOIA requests. If you have any questions about the underlying requests or this request for expedition, please contact Sara Creighton at foia@americanoversight.org or 202.869.5246.

Sincerely,



Austin R. Evers
Executive Director
American Oversight

⁷ American Oversight currently has approximately 11,700 page likes on Facebook and 38,500 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Jan. 4, 2018); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Jan. 4, 2018).

⁸ And indeed, DOJ recently granted expedition under prong (iv) for very similar requests filed by Citizens for Responsibility and Ethics in Washington (CREW). See Letter from Vanessa Brinkmann, Senior Counsel, DOJ, to Anne Weismann, CREW (Jan. 3, 2018), available at <https://s3.amazonaws.com/storage.citizenforethics.org/wp-content/uploads/2018/01/03212603/DOC010318-01032018162259.pdf>.