



May 30, 2017

Mr. Kevin Krebs
Assistant Director
FOIA/Privacy Staff
Executive Office for United States Attorneys
U.S. Department of Justice
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Washington, DC 20530-0001
Telephone: (202) 252-6020

United States Attorney's Office
555 4th Street, NW
Washington, DC 20530
dc.outreach@usdoj.gov

Re: Freedom of Information Act Request

Dear Sir/Madam:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. 552, and regulations promulgated thereunder, we hereby request from the U.S. Department of Justice's Criminal Division which is organized under the U.S. Department of Justice, all documents that refer or relate in any way to each of the specific requests stated below, each request considered separately:

DEFINITIONS

For the purpose of this Freedom of Information Act request –

The term "document" is hereby defined expansively to include any or all of the following, whether existing as electronic, digital, or computer data, in electronic or digital form, or in paper form: correspondence, letters, memoranda, recommendations, records, orders, plans, proposals, meeting agendas, minutes of meetings, briefing materials, progress reports, weekly reports, talking points, briefing papers, requests for action, telephone logs, telephone message books, notes of phone messages or visits, routing slips, buck slips, standard government forms containing information filled in on lines or blank spaces, slide presentations, "card decks" (for presentations at meetings), power-point presentations, facsimiles (faxes), notes, handwritten notes, notes to the file, requests for decision, requests for authorization, tape recordings, video recordings, electronic mail

(email) messages, summaries, briefs, orders, written decisions, applications, , and/or other documents and things. In addition, with regard to payments to persons or vendors, documents also include all invoices, bills, contracting records, commitment of funds, obligation of funds, or disbursement records.

FREEDOM OF INFORMATION REQUESTS

For the purposes of this FOIA request, communication includes any form of communication, such as by letter, by facsimile, by note, by telephone text message, by email or by any other means.

Records are requested (regardless of who authored or created the record) which are in the possession, custody, or control of the Office of the U.S. Attorney for the District of Columbia, the current U.S. Attorney as of this writing being Channing Phillips (appointed by President Barack Obama on October 8, 2015), whose principal offices are at 555 4th Street, NW, Washington, D.C. 20530. This is hereinafter referred to as "the U.S. Attorney's Office."

For the purposes of this FOIA request, the time period for records that we request is all records created or authored on or after January 1, 2015, through May 30, 2017, regardless of when they came into the possession, custody or control of the U.S. Attorney's Office. Please consider any communication including email, text, fax, letter, cable, etc. to be created on the date that it was sent unless marked on its face with a different date indicating its date of creation and/or authorship.

For the purpose of this Freedom of Information Act Request, you must consider each of the following requests independently and separately. Please note that a document that has been altered with the addition of handwritten notes or other information added is not the same document as the unaltered original.

For the purposes of this FOIA request, Seth Rich refers to a man who was shot in city of Washington, District of Columbia, on or about July 10, 2016, and/or who was employed by the Democratic National Committee headquarters in the District of Columbia including during the year 2016.

For the purpose of this Freedom of Information Act Request, "hacking" refers to any act of obtaining unauthorized access to information stored in a computer, computer storage device, computer hard drive, and/or computer network, by whatever technique.

Request # 1: Any and all communications to or from Congresswoman Debbie Wasserman Schultz.

Request # 2: Any and all communications to or from the Democratic National Committee.

- Request # 3: Any and all communications to or from the Republican National Committee.
- Request # 4: Any and all communications to or from Congressman Adam Schiff.
- Request # 5: Any and all communications to or from John Brennan.
- Request # 6: Any and all communications to or from James Clapper.
- Request # 7: Any and all communications to or from then White House Chief of Staff Denis McDonough.
- Request # 8: Any and all communications to or from Brad Bauman.
- Request # 9: Any and all communications to or from John Podesta.
- Request # 10: Any and all communications to or from Susan Rice.
- Request # 11: Any and all communications to or from Hillary Clinton.¹
- Request # 12: Any and all communications to or from William Jefferson Clinton a/k/a Bill Clinton.
- Request # 13: Any and all communications to or from the Mayor of the District of Columbia.
- Request # 14: Any and all communications to or from Attorney General Loretta Lynch relating to Hillary Clinton's election campaign for President of the United States.
- Request # 15: Any and all communications to or from former Attorney General Eric Holder relating to Hillary Clinton's election campaign for President of the United States.
- Request # 16: Any and all communications to or from a company named Crowdstrike. [For your assistance in searching only and not as any limitation on records requested, Crowdstrike is a private company specialized in cyber security.]
- Request # 17: Any and all communications to or from the family of Seth Rich,

¹ Please recall that the requestor has carefully identified a time period for records during which Hillary Clinton and Bill Clinton were no longer federal officials and there should be no official governmental communications during this time period.

including his parents Joel Rich and/or Mary Rich, and/or his brother Aaron Rich, and/or his cousin Jonathan Rich.

Request # 18: Any and all communications to or from Rod Wheeler. [For your assistance in searching only and not as any limitation on records requested, Rod Wheeler is a private investigator who is a former D.C. police homicide detective.]

Request # 19: Any and all communications to or from Donna Brazile.

Request # 20: Any and all communications to or from U.S. Senator Chuck Schumer.

Request # 21: Any and all communications to or from Joseph Ingrisano of the law firm Katuk Rock.

Request # 22: Any and all communications to or from former British or English spy Christopher Steele.

Request # 23: Any and all communications to or from attorney Michael Sussman.

Request # 24: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to Seth Rich.

Request # 25: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to the Democratic National Committee.

Request # 26: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to the Republican National Committee.

Request # 27: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to Wikileaks.

Request # 28: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to hacking of the computers of the Democratic National Committee.

Request # 29: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to any suspected whistleblower employed by the Democratic

National Committee, whether a person known by name or an unknown suspect or unknown subject.

Request # 30: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to journalist Gavin MacFayden.

Request # 31: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to Julian Assange.

Request # 32: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to the death of Seth Rich in July 2016.

Request # 33: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to any investigation of the death of Seth Rich.

Request # 34: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to any computer or computer storage device or hard drive owned by Seth Rich.

Request # 35: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to any hacking of the computers of the Democratic National Committee and/or any investigation thereof.

Request # 36: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to any hacking of the computers of the Republican National Committee and/or any investigation thereof.

Request # 37: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to any emails or documents obtained from the Democratic National Committee without authorization, illegally and/or through hacking.

Request # 38: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to any emails or documents obtained from the Republican National Committee without authorization, illegally and/or through hacking.

Request # 39: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to the extent of cooperation from the Democratic National Committee in investigating any hacking of the Democratic National Committee's computers.

Request # 40: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to Dennis Montgomery.

Request # 41: Any and all documents, records, or communications which report, discuss, describe, explain, refer to, communicate or relate in any way to Larry Klayman.

LEGAL GUIDELINES

We note that the Obama Administration has announced its policy of compliance with FOIA and directed Federal agencies to comply with the following policy:

President Obama and Attorney General Holder have directed agencies to apply a presumption of openness in responding to FOIA requests. The Attorney General specifically called on agencies not to withhold information just because it technically falls within an exemption and he also encouraged agencies to make discretionary releases of records. The Attorney General emphasized that the President has called on agencies to work in a spirit of cooperation with FOIA requesters. The Office of Information Policy at the Department of Justice oversees agency compliance with these directives and encourages all agencies to fully comply with both the letter and the spirit of the FOIA. President Obama has pledged to make this the most transparent Administration in history.

<http://www.foia.gov/about.html>

Similarly, President Clinton instructed agencies in October, 1993, to ensure compliance with both the spirit as well as the letter of the Act. *See* President Clinton's FOIA Memorandum, U.S. Department of Justice, FOIA Update, Summer/Fall 1993, at 3.

In addition, Attorney General Reno issued a FOIA Memorandum in October, 1993, which *inter alia* states "I strongly encourage your FOIA officers to make 'discretionary disclosures' whenever possible under the Act," and orders "a presumption of disclosure."

See Attorney General Reno's FOIA Memorandum , U.S. Department of Justice, FOIA Update, Spring 1994, at 1-2.

In accordance with FOIA regulations and precedents directing that the FOIA focuses on information, not documents, we request maximum disclosure of information, including any segregable portions of documents if some portions are withheld due to a claim of privilege.

If any documents are withheld subject to any claim of privilege, we request complete information about each document withheld, including which paragraph of the request to which the document is responsive; the author and title of the document; an explanation of the applicability of the claimed exemption to the contents of the document; and the name and title of each person responsible for the denial.

Furthermore, as to any claim that documents will be withheld on the basis of any deliberative process privilege we draw your attention to the legal requirements that the deliberative process exemption does not permit withholding of --

- (a) facts which are segregable from deliberations
- (b) opinions about such facts which merely convey or further describe factual information;
- (c) any deliberations unrelated to any actual decision;
- (d) any deliberations in areas where there are allegations of governmental misconduct, and
- (e) deliberations, opinions, or recommendations that are incorporated into a final decision and/or which serve to explain a final decision by the government.

We therefore demand production of all documents in unredacted form notwithstanding any possible claim of the deliberative process exemption.

REQUEST FOR FEE WAIVER

The requesters also respectfully request a blanket fee waiver on behalf of the public interest, to which it is entitled under 5 U.S.C. § 552(a)(4)(A); *see also*, *Larson v. Central Intelligence Agency*, 843 F.2d 1482, 1483 (D.C.Cir. 1988); *National Sec. Archive v. U.S. Dept. of Defense*, 880 F.2d 1381, 1385-87 (D.C.Cir. 1989); *see also*, *Judicial Watch, Inc. v. United States Dep't. of Commerce*, No. 95-0133 (D.D.C. May 16, 1995) (order granting Judicial Watch USA, Inc.'s request for fee waiver with regard to all responsive documents in proceeding).

Requester Freedom Watch USA, Inc. is a non-profit, non-partisan, tax-exempt 501(c)(3) organization which as a public interest law firm specializes in deterring, monitoring, uncovering, and addressing public corruption in government. Freedom Watch USA has and will hold Republicans, Democrats, and Independents equally accountable to ethical and legal standards for honest and open government.

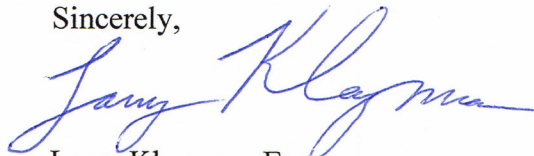
The requesters have no commercial purpose as a 501(c)(3) non-profit organization organized exclusively to improve the ethical and legal standards in government, accountability of government officials to the rule of law, and public understanding of government operations.

Freedom Watch USA and the other requesters will also use the requested material to promote accountable government as a representative of the news media and the public in accordance with 5 U.S.C. § 552(a)(4)(A)(ii)(II) and *National Sec. Archive v. U.S. Dept. of Defense*, 880 F.2d 1381, 1385-87 (D.C.Cir. 1989), by disseminating relevant information which may be uncovered. Information will benefit the public by identifying areas for future reform as well as deterring future abuses that could otherwise proliferate without scrutiny.

The subject of this request is information concerning the operations and activities of the government. Past experience demonstrates the success of Freedom Watch USA in uncovering important facts about government activities, integrity and operations, of broad concern to the public. This request is likely to “contribute significantly” to the public’s understanding of the operations of their government, satisfying the requirements of FOIA fee waiver provisions.

Immediate release of the requested information is in the public interest, including for promoting confidence in an honest democratic system, and furthering the integrity of the American national government by deterring and/or sanctioning corrupt activities. The failure to do so will likely result in the further compromise of important interests of the American people.

Sincerely,



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