

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**FREEDOM WATCH, Inc.
2020 Pennsylvania Ave. NW, Suite 345
Washington, DC 20006**

Plaintiff,

v.

**U.S. DEPARTMENT OF STATE
2201 C Street NW
Washington, D.C. 20520**

and

**OFFICE OF THE DIRECTOR OF NATIONAL
INTELLIGENCE
1500 Tysons McLean Dr,
McLean, VA 22102**

and

**NATIONAL SECURITY AGENCY
9800 Savage Road, Suite 6932
Ft. George G. Meade, Maryland 20755-6932**

and

**FEDERAL BUREAU OF INVESTIGATION
170 Marcel Drive
Winchester, VA 22602-4843**

and

**DEFENSE INTELLIGENCE AGENCY
200 MacDill Boulevard
Washington, DC 20340-5100**

and

**CENTRAL INTELLIGENCE AGENCY
Office of Public Affairs
Information and Privacy Coordinator
Washington, D.C. 20505**

Civil Action No. _____

Defendants.

COMPLAINT

Plaintiff Freedom Watch, Inc. brings this action against the U.S. DEPARTMENT OF STATE, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, NATIONAL SECURITY AGENCY, FEDERAL BUREAU OF INVESTIGATION, CENTRAL INTELLIGENCE AGENCY, to compel compliance with the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, *et. seq.* As grounds therefor, Plaintiff alleges as follows.

JURISDICTION AND VENUE

1. The Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. §1331.

2. Venue is proper in this district pursuant to 28 U.S.C. §1391(e) because the Defendants have headquarters and offices in this judicial district, which is their primary location. Plaintiff Freedom Watch, Inc. ("Freedom Watch") is incorporated and located in this judicial district as well.

PARTIES

3. Plaintiff Freedom Watch is a non-profit, public interest foundation organized under the laws of the District of Columbia with offices at 2020 Pennsylvania Ave., NW Suite 345, Washington, DC, 20006. Plaintiff seeks to promote openness within the federal government and their actions and inform the public of the actions of their government and the information available to their government through its operations.

4. The Defendants are agencies of the United States Government, with its headquarters within the District of Columbia.

5. Defendants have possession, custody, and control of records to which Plaintiff seeks access in the public interest.

STATEMENT OF FACTS

6. On about March 11 and 12, 2020, the Defendants received the attached Freedom of Information Act (“FOIA”) requests from the Plaintiff requester Freedom Watch, Inc. at the fax numbers, email addresses and postal addresses which each of the Defendants has individually published and announced as the proper means for receiving FOIA requests

7. On the above dates, Plaintiff sent a FOIA request, via facsimile and later by the mail, to each of the Defendants seeking records as set forth below and attached as Exhibit 1.

8. The FOIA requests sent to each of the Defendants were identical in the substance of the requested documents.

9. The FOIA requests sent to each of the Defendants requested the production of responsive documents

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.

10. Specifically, Plaintiff requested documents and records between January 1, 2017, and March 5, 2020 meeting the following criteria:

Request # 1: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the extent of China's compliance with the "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction."*

Request # 2: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to China's Major General Chen Wei and/or her activities, assignments, statements, reports, or communications.*

(Note for purposes of identification that Chen Wei's rank of Major General was awarded in 2015, but Chen Wei worked with coronaviruses back to the 2003 SARS outbreak.)

The time period for this request is January 1, 2012, through March 5, 2020.

Request # 3: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the origins and/ or creation and/or source of coronavirus.*

Request # 4: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the origins and/ or creation and/or source of SARS-CoV-2.*

Request # 5: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the origins and/ or creation and/or source of COVID-19.*

Request # 6: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the development of biological weapons or biological warfare by China during the time period stated for these requests.*

Request # 7: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to a bioresearch laboratory in or near Wuhan, China.*

Request # 8: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to a microbiology laboratory in or near Wuhan, China.*

Request # 9: *Any and all documents, records, or communications of any type in*

your Department's possession, custody, or control relating in any way to a biological weapons research laboratory in or near Wuhan, China.

Request # 10: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control* relating in any way to China's Wuhan Institute of Virology.

Request # 11: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control* of discussions, analyses, investigations, opinions, debates, or comments upon the possibility that the coronavirus (also known as COVID-19 and/or SARS-CoV-2) was created by China's government (including its military) as a biological warfare weapon.

Request # 12: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control* relating in any way to whether coronavirus (also known as COVID-19 and/or SARS-CoV-2) was created in a laboratory in China.

Request # 13: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control* relating in any way to whether cultures of coronavirus (also known as COVID-19 and/or SARS-CoV-2) was bred, grown, or cultured in a laboratory in China (even if the virus was found occurring naturally).

Request # 14: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control* relating in any way to whether samples or cultures of coronavirus (also known as COVID-19 and/or SARS-CoV-2) were stockpiled or stored in a laboratory in China (regardless of its origins).

Request # 15: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control* discussing, analyzing, investigating, responding to, debating, commenting upon, or giving opinions about a newspaper article by Stephen M. Mosher, "**Don't buy China's story: The coronavirus may have leaked from a lab,**" The New York Post, February 22, 2020. The time period for this request is February 1, 2020, through March 5, 2020.

Request # 16: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control* discussing, analyzing, investigating, responding to, debating, commenting upon or giving opinions about the declaration in early 2020 by Shi Zhengli, director at the Wuhan Institute of Virology "I, Shi

Zhengli, use my life to guarantee, the virus has no relation with the lab.” The time period for this request is January 1, 2020, through March 5, 2020.

11. The Plaintiff requested expedited treatment of the FOIA request:

REQUEST FOR EXPEDITED TREATMENT

Freedom Watch requests expedited processing of this request because time is of the essence in the events at issue. Freedom Watch requests that you provide the requested documents within ten (10) days of receipt of this request.

12. It is in bad faith that the Defendants have not already compiled, reviewed, and analyzed most or all of the requested documents for other purposes.

13. Pursuant to 5 U.S.C. § 552 (a)(6)(A) Defendants was required respond timely to Plaintiff's FOIA request.

14. As of the date of this Complaint, Defendants, each and every one of them individually, have failed to produce any records responsive to the request or demonstrative that the responsive records are exempt from production.

15. As of the date of this Complaint, Defendants have not indicated whether or when any responsive records will be produced.

16. As of the date of this Complaint, Defendants have not indicated whether a fee waiver will be granted.

17. In sum, the Defendants have failed to respond to the requests in any substantive manner.

18. The only exception is that the Office of the Director of National Intelligence (ODNI)'s FOIA officer responded that they did not know what the term “relating in any way to” and asked for clarification.

19. This lone communication is disingenuous and dilatory because the ODNI has responded to FOIA requests from the same Plaintiff before and the term “relating in any way to” is a common term used in FOIA requests and discovery in litigation.

20. In accordance with the posted directions and regulations of the Defendants, submission of the FOIA request by Fax is fully effective and compliant for submitting a FOIA request, and therefore the earliest date on which the Defendants received the FOIA request is the actual date of submission for measuring the timing of the Defendants’ response. Defendants had 10 days under Plaintiff’s expedited request to produce the requested documents and records, and failed to do so. This is particularly egregious under the circumstances of the growing severe national crisis caused by the Communist Chinese government.

21. Thus, the records Plaintiff seeks are of urgent importance and are in the extreme public interest.

22. The American people need to be informed expeditiously through disseminations by Freedom Watch of the requested records and documents, as it affects their immediate well being, their health, economically and otherwise.

23. Plaintiff requested a fee waiver in accordance with the procedures set forth under the regulations of the agency.

24. Because Defendants failed to comply with the time limits set forth in 5 U.S.C. §552(a)(6)(C), Plaintiff is deemed to have exhausted any and all administrative remedies with respect of its FOIA requests, pursuant to 5 U.S.C. § 552(a)(6)(C).

COUNT 1
Freedom of Information Act
5 U.S.C § 552, et. seq.

25. Plaintiff realleges paragraphs 1 through 23 and incorporates the allegations of those paragraphs as if fully stated herein.

26. Defendants are unlawfully withholding records and documents requested by Plaintiff pursuant to 5 U.S.C. § 552, et. seq.

27. Plaintiff and the public for which it acts is being irreparably harmed by reason of Defendants's unlawful withholding of requested records and documents , and Plaintiff will continue to be irreparably harmed unless Defendants are compelled to conform to the requirements of this law.

28. The public looks to and supports Freedom Watch, among other things, for its efforts to inform the public of government activities, especially where other sources of news are perceived to avoid covering certain news and information in furtherance of their goals.

29. Freedom Watch also requested a waiver of all fees for this request under 5. U.S.C. § 552(a)(4)(A)(iii) and 22 C.F.R. §171.15(b) or (c).

30. Freedom Watch, as a non-profit public interest organization has consistently been determined for FOIA purposes to be operating in the interest disseminating this type of information about government activities to journalists and the public. Freedom Watch engages in the active dissemination of public information as is evident by our ongoing public interest legal and media work.

31. Larry Klayman, who is Freedom Watch's General Counsel, founder, and CEO (and also the founder of Judicial Watch), writes a weekly column to inform the public. Larry Klayman frequently appears on radio and television to disseminate the information to the public, including on topics and revelations ignored by news outlets. Freedom Watch releases information to the public through regular press releases and its website.

32. Disclosure of the requested information to Freedom Watch is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not in any commercial interest. Freedom Watch's website, www.freedomwatchusa.org and its radio show and podcasts and social media sites serve to disseminate information, and is seen by millions of people annually.

WHEREFORE, Plaintiff respectfully requests that the Court: (1) Order Defendants to conduct expedited searches for any and all responsive records to Plaintiff's FOIA requests and demonstrate that they employed search methods reasonably likely to lead to the discovery of records and documents responsive to Plaintiff's FOIA request; (2) Order Defendants to expeditiously produce, by a date certain, any and all non-exempt records responsive to Plaintiff's FOIA request and a Vaughn index of any responsive records withheld under claim of exemption; (3) Enjoin Defendants from continuing to withhold any and all non-exempt records responsive to Plaintiff's FOIA request; (4) Grant Plaintiff an award of attorney's fees and other litigation costs reasonably incurred in this action pursuant to 5 U.S.C. § 552(a)(4)(E); and (5) grant Plaintiff any other relief as the Court deems just or proper.

Dated: March 23, 2020

Respectfully Submitted,

/s/ Larry Klayman

Larry Klayman, Esq.
D.C. Bar No. 334581
Chairman & Chief Counsel
Freedom Watch
2020 Pennsylvania Ave. NW, Suite 345
Washington, DC 20006
Tel: (561) 558-5336
Email: leklayman@gmail.com

EXHIBIT 1



FREEDOM WATCH

► www.FreedomWatchUSA.org

► **World Headquarters** 2020 Pennsylvania Avenue, N.W., Suite 345, Washington, DC 20006-1811 ► (310) 595-0800 ► leklayman@gmail.com

March 11, 2020

Information and Privacy Coordinator
ATTN: Freedom of Information Act (FOIA) Contact
U.S. Department of State, SA-2
515 Twenty-Second Street, N.W.
Washington, DC 20522-6001

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 State, all documents that refer or relate in any way to each of the specific requests stated below, each request considered separately:

Freedom Watch, Inc. hereby requests that that the U.S. Department of State produce all documents including correspondence, memoranda, documents, reports, records, statements, audits, lists of names, applications, diskettes, letters, expense logs and receipts, calendar or diary logs, facsimile logs, telephone records call sheets, tape recordings, video/movie recordings, notes, examinations, opinions, folders, files, books, manuals, pamphlets, forms, drawings, charts, photographs, electronic mail, and other documents and things that refer or relate to the following in any way, as set forth below:

REQUEST FOR EXPEDITED TREATMENT

Freedom Watch requests expedited processing of this request because time is of the essence in the events at issue. Freedom Watch requests that you provide the requested documents within ten (10) days of receipt of this request.

FREEDOM OF INFORMATION REQUESTS

For the purposes of these FOIA requests, you are to search and produce any responsive documents or records that are within the Department of State's possession, custody, or control regardless of who authored or created the document or record.

For the purposes of these FOIA requests, any reference to the country commonly known as "China" includes the country officially known as the "People's Republic of China" which is in the Chinese language: 中华人民共和国.

For the purposes of these FOIA requests, any reference to a laboratory is to be interpreted

in its broadest possible meaning and includes all possible connotations or meanings of a laboratory, including any facility, research center, work site, scientific center, office, and/or building or part of a building set up and operated for engineering, research, scientific, and/or medical experiments, research, investigations, and/or testing.

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.

The term email refers to electronic mail, a now commonplace system of transmitting written text messages through computers over the internet or other computer network.

For the purposes of these FOIA requests, the term "correspondence" includes any form of communication, such as by letter, by facsimile, by note, by telephone text message, by electronic mail (email), computer messaging service, or by any other means.

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.

As to any claim that documents might 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 about facts or other matters
- (b) opinions about such facts which merely convey or further describe factual information, rather than government deliberations.
- (c) any deliberations unrelated to any actual decision arrived at;
- (d) any 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.

Requests for the Production of Documents

Unless specifically identified differently for a specific request, the time period for records is creation at any time **between January 1, 2017, and March 5, 2020**. However, include any communications, emails, memoranda, reports, presentations, or analyses created during that time period which forward, restate, or attach reports or memoranda that are older but responsive but for the date.

- Request # 1: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the extent of China's compliance with the "**Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.**"*
- Request # 2: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to China's Major General Chen Wei and/or her activities, assignments, statements, reports, or communications.*
- (Note for purposes of identification that Chen Wei's rank of Major General was awarded in 2015, but Chen Wei worked with coronaviruses back to the 2003 SARS outbreak.)*
- The time period for this request is January 1, 2012, through March 5, 2020.
- Request # 3: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the origins and/ or creation and/or source of coronavirus.*
- Request # 4: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the origins and/ or creation and/or source of SARS-CoV-2.*
- Request # 5: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the origins and/ or creation and/or source of COVID-19.*
- Request # 6: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the development of biological weapons or biological warfare by China during the time period stated for these requests.*
- Request # 7: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to a bioresearch laboratory in or near Wuhan, China.*

- Request # 8: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to a microbiology laboratory in or near Wuhan, China.*
- Request # 9: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to a biological weapons research laboratory in or near Wuhan, China.*
- Request # 10: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to China's Wuhan Institute of Virology.*
- Request # 11: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control of discussions, analyses, investigations, opinions, debates, or comments upon the possibility that the coronavirus (also known as COVID-19 and/or SARS-CoV-2) was created by China's government (including its military) as a biological warfare weapon.*
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- Request # 14: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to whether samples or cultures of coronavirus (also known as COVID-19 and/or SARS-CoV-2) were stockpiled or stored in a laboratory in China (regardless of its origins).*
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Request # 16: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control discussing, analyzing, investigating, responding to, debating, commenting upon or giving opinions about the declaration in early 2020 by Shi Zhengli, director at the Wuhan Institute of Virology "I, Shi Zhengli, use my life to guarantee, the virus has no relation with the lab."* The time period for this request is January 1, 2020, through March 5, 2020.

LEGAL GUIDELINES

We note that the Department is directed to give full compliance with these FOIA requests:

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>

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.

REQUEST FOR FEE WAIVER

We 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).

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.

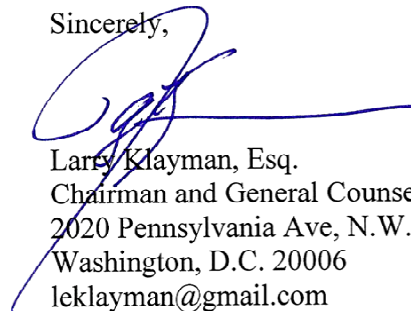
The requesters have no commercial purpose as a 501(c)(3) non-profit organization organized exclusively to improve the ethical and legal standards in government, accountability of government officials to the rule of law, and public understanding of government operations.

Freedom Watch USA 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 and of public events of concern to the American people. Past experience of 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,

A handwritten signature in blue ink, appearing to read 'L. Klayman', with a long horizontal flourish extending to the right.

Larry Klayman, Esq.
Chairman and General Counsel
2020 Pennsylvania Ave, N.W., Suite 345
Washington, D.C. 20006
leklayman@gmail.com



FREEDOM WATCH

► www.FreedomWatchUSA.org

► **World Headquarters** 2020 Pennsylvania Avenue, N.W., Suite 345, Washington, DC 20006-1811 ► (310) 595-0800 ► leklayman@gmail.com

March 12, 2020

Ms. Patricia Gaviria
Director, Information Management Division
ATTN: FOIA/PA
Office of the Director of National Intelligence
Washington, D.C. 20511
E-mail: dni-foia@dni.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 Office of the Director of National Intelligence, all documents that refer or relate in any way to each of the specific requests stated below, each request considered separately:

Freedom Watch, Inc. hereby requests that that the Office of the Director of National Intelligence produce all documents including correspondence, memoranda, documents, reports, records, statements, audits, lists of names, applications, diskettes, letters, expense logs and receipts, calendar or diary logs, facsimile logs, telephone records call sheets, tape recordings, video/movie recordings, notes, examinations, opinions, folders, files, books, manuals, pamphlets, forms, drawings, charts, photographs, electronic mail, and other documents and things that refer or relate to the following in any way, as set forth below:

REQUEST FOR EXPEDITED TREATMENT

Freedom Watch requests expedited processing of this request because time is of the essence in the events at issue. Freedom Watch requests that you provide the requested documents within ten (10) days of receipt of this request.

FREEDOM OF INFORMATION REQUESTS

For the purposes of these FOIA requests, you are to search and produce any responsive documents or records that are within the Office of the Director of National Intelligence's possession, custody, or control regardless of who authored or created the document or record.

For the purposes of these FOIA requests, any reference to the country commonly known as "China" includes the country officially known as the "People's Republic of China" which is

in the Chinese language: 中华人民共和国.

For the purposes of these FOIA requests, any reference to a laboratory is to be interpreted in its broadest possible meaning and includes all possible connotations or meanings of a laboratory, including any facility, research center, work site, scientific center, office, and/or building or part of a building set up and operated for engineering, research, scientific, and/or medical experiments, research, investigations, and/or testing.

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.

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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.

As to any claim that documents might 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 about facts or other matters
- (b) opinions about such facts which merely convey or further describe factual information, rather than government deliberations.
- (c) any deliberations unrelated to any actual decision arrived at;
- (d) any 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.

Requests for the Production of Documents

Unless specifically identified differently for a specific request, the time period for records is creation at any time **between January 1, 2017, and March 5, 2020**. However, include any communications, emails, memoranda, reports, presentations, or analyses created during that time period which forward, restate, or attach reports or memoranda that are older but responsive but for the date.

Request # 1: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the extent of China's compliance with the "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction."*

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(Note for purposes of identification that Chen Wei's rank of Major General was awarded in 2015, but Chen Wei worked with coronaviruses back to the 2003 SARS outbreak.)

The time period for this request is January 1, 2012, through March 5, 2020.

Request # 3: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the origins and/ or creation and/or source of coronavirus.*

Request # 4: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the origins and/ or creation and/or source of SARS-CoV-2.*

Request # 5: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the origins and/ or creation and/or source of COVID-19.*

Request # 6: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the development of biological weapons or biological warfare by China during the time period stated for these requests.*

- Request # 7: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to a bioresearch laboratory in or near Wuhan, China.*
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- Request # 11: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control of discussions, analyses, investigations, opinions, debates, or comments upon the possibility that the coronavirus (also known as COVID-19 and/or SARS-CoV-2) was created by China's government (including its military) as a biological warfare weapon.*
- Request # 12: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to whether coronavirus (also known as COVID-19 and/or SARS-CoV-2) was created in a laboratory in China.*
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York Post, February 22, 2020. The time period for this request is February 1, 2020, through March 5, 2020.

Request # 16: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control* discussing, analyzing, investigating, responding to, debating, commenting upon or giving opinions about the declaration in early 2020 by Shi Zhengli, director at the Wuhan Institute of Virology “I, Shi Zhengli, use my life to guarantee, the virus has no relation with the lab.” The time period for this request is January 1, 2020, through March 5, 2020.

LEGAL GUIDELINES

We note that the Department is directed to give full compliance with these FOIA requests:

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>

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.

REQUEST FOR FEE WAIVER

We 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).

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.

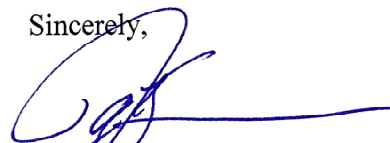
The requesters have no commercial purpose as a 501(c)(3) non-profit organization organized exclusively to improve the ethical and legal standards in government, accountability of government officials to the rule of law, and public understanding of government operations.

Freedom Watch USA 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 and of public events of concern to the American people. Past experience of 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,

A handwritten signature in blue ink, appearing to be 'L. Klayman', with a long horizontal flourish extending to the right.

Larry Klayman, Esq.
Chairman and General Counsel
2020 Pennsylvania Ave, N.W., Suite 345
Washington, D.C. 20006
leklayman@gmail.com



FREEDOM WATCH

► www.FreedomWatchUSA.org

► **World Headquarters** 2020 Pennsylvania Avenue, N.W., Suite 345, Washington, DC 20006-1811 ► (310) 595-0800 ► leklayman@gmail.com

March 11, 2020

Attn: FOIA/PA Office
National Security Agency
9800 Savage Road, Suite 6932
Ft. George G. Meade, Maryland 20755-6932
Facsimile: (443) 479-3612

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 National Security Agency, all documents that refer or relate in any way to each of the specific requests stated below, each request considered separately:

Freedom Watch, Inc. hereby requests that that the National Security Agency produce all documents including correspondence, memoranda, documents, reports, records, statements, audits, lists of names, applications, diskettes, letters, expense logs and receipts, calendar or diary logs, facsimile logs, telephone records call sheets, tape recordings, video/movie recordings, notes, examinations, opinions, folders, files, books, manuals, pamphlets, forms, drawings, charts, photographs, electronic mail, and other documents and things that refer or relate to the following in any way, as set forth below:

REQUEST FOR EXPEDITED TREATMENT

Freedom Watch requests expedited processing of this request because time is of the essence in the events at issue. Freedom Watch requests that you provide the requested documents within ten (10) days of receipt of this request.

FREEDOM OF INFORMATION REQUESTS

For the purposes of these FOIA requests, you are to search and produce any responsive documents or records that are within the National Security Agency's possession, custody, or control regardless of who authored or created the document or record.

For the purposes of these FOIA requests, any reference to the country commonly known as "China" includes the country officially known as the "People's Republic of China" which is in the Chinese language: 中华人民共和国.

For the purposes of these FOIA requests, any reference to a laboratory is to be interpreted in its broadest possible meaning and includes all possible connotations or meanings of a laboratory, including any facility, research center, work site, scientific center, office, and/or building or part of a building set up and operated for engineering, research, scientific, and/or medical experiments, research, investigations, and/or testing.

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.

The term email refers to electronic mail, a now commonplace system of transmitting written text messages through computers over the internet or other computer network.

For the purposes of these FOIA requests, the term "correspondence" includes any form of communication, such as by letter, by facsimile, by note, by telephone text message, by electronic mail (email), computer messaging service, or by any other means.

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.

As to any claim that documents might 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 about facts or other matters
- (b) opinions about such facts which merely convey or further describe factual information, rather than government deliberations.
- (c) any deliberations unrelated to any actual decision arrived at;
- (d) any 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.

Requests for the Production of Documents

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We 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*

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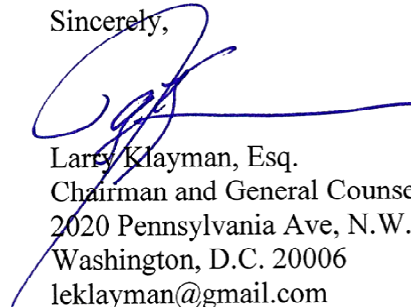
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Immediate release of the requested information is in the public interest, including for promoting confidence in an honest democratic system, and furthering the integrity of the American national government by deterring and/or sanctioning corrupt activities.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

Sincerely,



Larry Klayman, Esq.
Chairman and General Counsel
2020 Pennsylvania Ave, N.W., Suite 345
Washington, D.C. 20006
leklayman@gmail.com



FREEDOM WATCH

► www.FreedomWatchUSA.org

► **World Headquarters** 2020 Pennsylvania Avenue, N.W., Suite 345, Washington, DC 20006-1811 ► (310) 595-0800 ► leklayman@gmail.com

March 11, 2020

Federal Bureau of Investigation
Attn: FOI/PA Request
Record/Information Dissemination Section
170 Marcel Drive
Winchester, VA 22602-4843
Fax: (540) 868-4391/4997
E-mail: foiparequest@ic.fbi.gov

Re: Freedom of Information Act Request

Dear Sir/Madam:

Freedom Watch, Inc. hereby submits this request for information from the Federal Bureau of Investigation (“FBI”) in terms of the documents described herein pursuant to the Freedom of Information Act (“FOIA”) (5 U.S.C. § 552) and U.S. Department of Justice (“DoJ”) FOIA regulations at 28 C.F.R. § 16.1, *et seq.*

Freedom Watch, Inc. hereby requests that that the Federal Bureau of Investigation produce all documents including correspondence, memoranda, documents, reports, records, statements, audits, lists of names, applications, diskettes, letters, expense logs and receipts, calendar or diary logs, facsimile logs, telephone records call sheets, tape recordings, video/movie recordings, notes, examinations, opinions, folders, files, books, manuals, pamphlets, forms, drawings, charts, photographs, electronic mail, and other documents and things that refer or relate to the following in any way, as set forth below:

REQUEST FOR EXPEDITED TREATMENT

Freedom Watch requests expedited processing of this request pursuant to 28 C.F.R. § 16.5(e) because time is of the essence in the events at issue. Freedom Watch requests that you provide the requested documents within ten (10) days of receipt of this request.

FREEDOM OF INFORMATION REQUESTS

For the purposes of these FOIA requests, you are to search and produce any responsive documents or records that are within the Federal Bureau of Investigation's possession,

custody, or control regardless of who authored or created the document or record.

For the purposes of these FOIA requests, any reference to the country commonly known as "China" includes the country officially known as the "People's Republic of China" which is in the Chinese language: 中华人民共和国.

For the purposes of these FOIA requests, any reference to a laboratory is to be interpreted in its broadest possible meaning and includes all possible connotations or meanings of a laboratory, including any facility, research center, work site, scientific center, office, and/or building or part of a building set up and operated for engineering, research, scientific, and/or medical experiments, research, investigations, and/or testing.

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.

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As to any claim that documents might 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 --

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

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- (Note for purposes of identification that Chen Wei's rank of Major General was awarded in 2015, but Chen Wei worked with coronaviruses back to the 2003 SARS outbreak.)*
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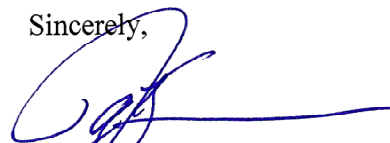
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Larry Klayman, Esq.
Chairman and General Counsel
2020 Pennsylvania Ave, N.W., Suite 345
Washington, D.C. 20006
leklayman@gmail.com



FREEDOM WATCH

► www.FreedomWatchUSA.org

► **World Headquarters** 2020 Pennsylvania Avenue, N.W., Suite 345, Washington, DC 20006-1811 ► (310) 595-0800 ► leklayman@gmail.com

March 11, 2020

Defense Intelligence Agency
ATTN:DAN-1A (FOIA)
200 MacDill Boulevard
Washington, DC 20340-5100

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 Defense Intelligence Agency, all documents that refer or relate in any way to each of the specific requests stated below, each request considered separately:

Freedom Watch, Inc. hereby requests that that the Defense Intelligence Agency produce all documents including correspondence, memoranda, documents, reports, records, statements, audits, lists of names, applications, diskettes, letters, expense logs and receipts, calendar or diary logs, facsimile logs, telephone records call sheets, tape recordings, video/movie recordings, notes, examinations, opinions, folders, files, books, manuals, pamphlets, forms, drawings, charts, photographs, electronic mail, and other documents and things that refer or relate to the following in any way, as set forth below:

REQUEST FOR EXPEDITED TREATMENT

Freedom Watch requests expedited processing of this request because time is of the essence in the events at issue. Freedom Watch requests that you provide the requested documents within ten (10) days of receipt of this request.

FREEDOM OF INFORMATION REQUESTS

For the purposes of these FOIA requests, you are to search and produce any responsive documents or records that are within the Defense Intelligence Agency's possession, custody, or control regardless of who authored or created the document or record.

For the purposes of these FOIA requests, any reference to the country commonly known as "China" includes the country officially known as the "People's Republic of China" which is in the Chinese language: 中华人民共和国.

For the purposes of these FOIA requests, any reference to a laboratory is to be interpreted in its broadest possible meaning and includes all possible connotations or meanings of a laboratory, including any facility, research center, work site, scientific center, office, and/or building or part of a building set up and operated for engineering, research, scientific, and/or medical experiments, research, investigations, and/or testing.

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.

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As to any claim that documents might 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 about facts or other matters
- (b) opinions about such facts which merely convey or further describe factual information, rather than government deliberations.
- (c) any deliberations unrelated to any actual decision arrived at;
- (d) any 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.

Requests for the Production of Documents

Unless specifically identified differently for a specific request, the time period for records is creation at any time **between January 1, 2017, and March 5, 2020**. However, include any communications, emails, memoranda, reports, presentations, or analyses created during that time period which forward, restate, or attach reports or memoranda that are older but responsive but for the date.

- Request # 1: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to the extent of China's compliance with the "**Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.**"*
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- (Note for purposes of identification that Chen Wei's rank of Major General was awarded in 2015, but Chen Wei worked with coronaviruses back to the 2003 SARS outbreak.)*
- The time period for this request is January 1, 2012, through March 5, 2020.
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- Request # 12: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to whether coronavirus (also known as COVID-19 and/or SARS-CoV-2) was created in a laboratory in China.*
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- Request # 14: *Any and all documents, records, or communications of any type in your Department's possession, custody, or control relating in any way to whether samples or cultures of coronavirus (also known as COVID-19 and/or SARS-CoV-2) were stockpiled or stored in a laboratory in China (regardless of its origins).*
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We note that the Department is directed to give full compliance with these FOIA requests:

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.

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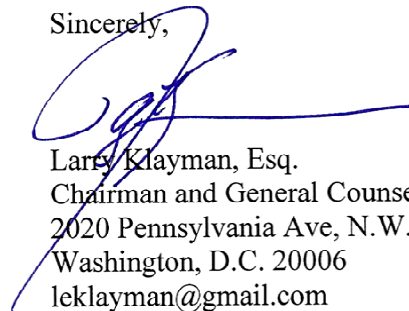
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► **World Headquarters** 2020 Pennsylvania Avenue, N.W., Suite 345, Washington, DC 20006-1811 ► (310) 595-0800 ► leklayman@gmail.com

March 11, 2020

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505
Facsimile: (703) 613-3007

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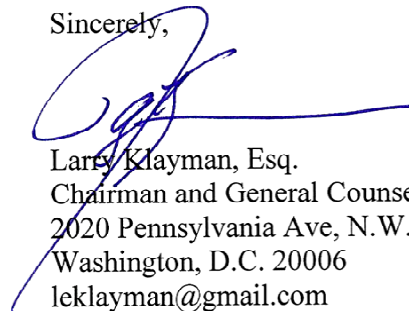
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