



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

www.atf.gov

September 26, 2022

REFER TO: 2022-00495
FOIA Litigation 21-cv-2153

VIA Email: foia@americanoversight.org

Dear Mr. Evers:

This responds to your Freedom of Information Act (FOIA) request. While processing your FOIA/Privacy Act request dated June 4, 2020, for records concerning the following:

1. All records reflecting any presidential directive or order placing Attorney General Barr in charge of leading, directing, or coordinating the federal response to protests or purportedly unlawful activity following the May 25, 2020 police killing of George Floyd. Records reflecting all order, directives, and guidance issued by Attorney General Barr in the course of his role in leading the federal response to protests or purportedly unlawful activity following the May 25, 2020 police killing of George Floyd. In addition to formal orders or memoranda, email and text message records of high-ranking aides to the Attorney General communicating or memorializing directives and orders from the Attorney General are also responsive to this request.
2. Records sufficient to identify all federal police forces, national guard forces, and/or military forces deployed domestically in response to protests or purportedly unlawful activity following the May 25, 2020 police killing of George Floyd. Spreadsheets and information documents used to inform the Attorney General and his staff of the status and location of such deployments, as well as the number of personnel and assets deployed are responsive to this request.

The Office of Information Policy ("OIP") referred 7 pages of records to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for processing and direct response to you. The documents were received by ATF on February 8, 2022.

We have reviewed the 7 pages that OIP sent us.

At this time, the investigation is ongoing. Therefore, your request is denied pursuant to 5 U.S.C. § 552(b)(7)(A). Exemption (b)(7)(A) authorizes agencies to withhold investigatory records or information compiled for law enforcement purposes, the release of which could reasonably be expected to interfere with enforcement proceedings. Please be advised that we considered the

Mr. Austin Evers

foreseeable harm standard when reviewing records and applying FOIA exemptions.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison, Zina Kornegay, at (202) 648-7390, for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,



Adam C. Siple
Chief
Information and Privacy Governance Division

Enclosure

Situation Report



August 28, 2020

Prepared by the Office of Field Operations
Field Management Staff
Frontline Investigative Support Branch

Arson-related ATF events since last comprehensive Situation Report on 8/10/20

ARSONS:

National total to date: 940

City	Arsons	Date
Portland, OR	2	8/20/20
Kenosha, WI	7	8/23/20
Kenosha, WI	9	8/24/20
Kenosha, WI	12	8/25/20
Kenosha, WI	3	8/26/20
Minneapolis, MN	5	8/27/20

ATF Arson-Related Events:

(b) (7)(A) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

(b) (7)(A) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On August 21, 2020, ATF arrested two suspects in **Minneapolis, Minnesota**. The suspects intentionally set fire to a Wells Fargo bank during civil unrest in that city. The suspects were charged with violating federal arson laws. The National Response Team and local ATF agents conducted this investigation.

(b) (7)(A) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

(b) (7)(A) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

- (b) (7)(A) [REDACTED]
[REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

(b) (7)(A) [REDACTED]
[REDACTED]
[REDACTED].



Civil Unrest Arson Data

ATF National and Specific Location Arson Data
Related to 2020 Civil Unrest

FMS 8/28/20

National Incident Data – Arson May 26, 2020 – August 28, 2020



