



U.S. Department of Justice

Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

VIA Electronic Mail

April 9, 2021

Austin Evers, Esq.
American Oversight
Suite B255
1030 15th Street, NW
Washington, DC 20005
foia@americanoversight.org

Request Nos. CRM-300800736, 300800745
American Oversight v. U.S. Department of
Justice, 19-cv-3540 (D.D.C)

Dear Mr. Evers:

This serves as the eighth and final response to your Freedom of Information Act requests dated October 4, 2019, for records concerning Rudy Giuliani, as well as other specified individuals and search terms. Your request is currently in litigation, American Oversight v. U.S. Department of Justice, 19-cv-3540 (D.D.C). You should refer to this case number in any future correspondence with this Office.

Please be advised that a search has been conducted in the appropriate section, and we have completed our review of potentially responsive records.

After carefully reviewing the remaining records responsive to this request, I have determined that three (3) pages are appropriate for release in part, pursuant to 5 U.S.C. § 552(b)(6), which concerns material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties; and 5 U.S.C. § 552(b)(7)(C), which concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties.

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.

For any further assistance and to discuss any aspect of your request, you may contact Trial Attorney Andrew F. Freidah by phone at (202) 305-0879, by email at Andrew.f.freidah@usdoj.gov, or by mail at Civil Division, Federal Programs Branch, 1100 L Street N.W., Room #12308, Washington, D.C. 20005.

Although I am aware that your request is the subject of ongoing litigation and that appeals are not ordinarily acted on in such situations, I am required by statute and regulation to inform you of your right to an administrative appeal of this determination. If you are not satisfied with the Criminal Division's determination in 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 on the following website: <https://foiastar.doj.gov>. 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,



Amanda Marchand Jones
Chief
FOIA/PA Unit

Cc: Andrew Freidah (andrew.f.freidah@usdoj.gov)
Daniel McGrath – American Oversight (daniel.mcgrath@americanoversight.org)

Benczkowski, Brian (CRM)

From: Benczkowski, Brian (CRM)
Sent: Tuesday, September 10, 2019 4:01 PM
To: (b) (6), (b) (7)(C) CRM
Cc: Driscoll, Kevin (CRM) (b) (6), (b) (7)(C)@CRM.USDOJ.GOV
Subject: FW: Meeting

From: Balatan, Joseph A. EOP/NSC [mailto:(b) (6), (b) (7)(C) Per NSC]
Sent: Tuesday, September 10, 2019 3:16 PM
To: Eisenberg, John A. EOP/WHO (b) (6), (b) (7)(C) Per NSC; Benczkowski, Brian (CRM)
(b) (6), (b) (7)(C)@CRM.USDOJ.GOV>
Cc: Driscoll, Kevin (CRM) (b) (6), (b) (7)(C)@CRM.USDOJ.GOV>
Subject: RE: Meeting

Duplicate Record

Duplicate Record

Benczkowski, Brian (CRM)

From: Benczkowski, Brian (CRM)
Sent: Tuesday, September 10, 2019 4:15 PM
To: Balatan, Joseph A. EOP/NSC; Eisenberg, John A. EOP/WHO
Cc: Driscoll, Kevin (CRM); (b) (6), (b) (7)(C) (CRM)
Subject: RE: Meeting

Joe—

That works. CC'ing my assistant (b) (6), (b) (7)(C) for any necessary additional coordination. See you tomorrow.
BAB

From: Balatan, Joseph A. EOP/NSC [mailto:(b) (6), (b) (7)(C) Per NSC]
Sent: Tuesday, September 10, 2019 3:16 PM
To: Eisenberg, John A. EOP/WHO (b) (6), (b) (7)(C) Per NSC; Benczkowski, Brian (CRM)
(b) (6), (b) (7)(C) i@CRM.USDOJ.GOV>
Cc: Driscoll, Kevin (CRM) (b) (6), (b) (7)(C) i@CRM.USDOJ.GOV>
Subject: RE: Meeting

Brian,

Does 3:30pm work for you tomorrow? If so, below is the WAVES link. The meeting will be in John's office (b) (6), (b) (7)(C) Per NSC

(b) (6), (b) (7)(C) Per NSC

Thanks,

Joe

Joseph A. Balatan
Special Assistant
National Security Council
Office (b) (6), (b) (7)(C) Per NSC
Mobile: (b) (6), (b) (7)(C) Per NSC
Secure (b) (6), (b) (7)(C) Per NSC
(b) (6), (b) (7)(C) Per NSC

From: Eisenberg, John A. EOP/WHO (b) (6), (b) (7)(C) Per NSC
Sent: Tuesday, September 10, 2019 2:59 PM
To: Benczkowski, Brian (CRM) (b) (6), (b) (7)(C) i@usdoj.gov>
Cc: Driscoll, Kevin (CRM) (b) (6), (b) (7)(C) i@usdoj.gov>; Balatan, Joseph A. EOP/NSC (b) (6), (b) (7)(C) Per NSC
Subject: Re: Meeting

Nice talking, Bencz. Joe, can you find a time that works for Michael and me tomorrow? I'm really hoping to be in tomorrow.

Thanks,

John

John A. Eisenberg

Office: (b) (6), (b) (7)(C) Per NSC

Cell: (b) (6), (b) (7)(C) Per NSC

On Sep 10, 2019, at 2:55 PM, Benczkowski, Brian (CRM) <(b) (6), (b) (7)(C) @usdoj.gov> wrote:

John-

Good catching up this afternoon. Hope you are feeling better soon.

Was hoping to schedule a time that Kevin Driscoll and I could come over and meet with you on the issue we discussed.

My schedule is free from 130-4pm tomorrow. I think we would need no more than 30 minutes.

Let me know what works. We also can look at times on Thursday as well if that might work better for your schedule.

All best,
BAB

Brian A. Benczkowski
Assistant Attorney General, Criminal Division
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

P: (b) (6), (b) (7)(C)

E: (b) (6), (b) (7)(C) @usdoj.gov