



U.S. Department of Justice

Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

VIA Electronic Mail

June 26, 2020

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 second interim 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 are continuing to review and process potentially responsive records.

After carefully reviewing records responsive to this request, I have determined that two (2) pages are appropriate for release in full, copies of which are enclosed. Additionally, six (6) pages are appropriate for release in part, and four (4) pages are exempt from disclosure pursuant to:

5 U.S.C. § 552(b)(5), which concerns certain inter- and intra-agency communications protected by the deliberative process privilege;

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.

Further, we have located thirty-eight (38) pages of potentially responsive records, which originated with the Office of Information Policy (OIP) and sixty (60) pages of potentially responsive records that originated with the Executive Office for United States Attorneys (EOUSA). In accordance with 28 C.F.R. § 16.4(d) (2019), this Office has referred that material to OIP and EOUSA for processing and direct response to you.

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. Friedah by phone at (202) 305-0879, by email at Andrew.f.friedah@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)

From: [Benczkowski, Brian \(CRM\)](#)
To: [Wong, Candice \(CRM\)](#)
Subject: Draft Feinstein Response OLA - 2019-12-17 (BAB revision (b) (5))
Date: Monday, December 30, 2019 11:31:00 AM
Attachments: [Draft Feinstein Response OLA - 2019-12-17 \(BAB revision \(b\) \(5\)\)](#).docx

Contains my revisions to the (b) (5).

From: [Wong, Candice \(CRM\)](#)
To: [Benczkowski, Brian \(CRM\)](#)
Subject: FW: PIN Revisions to Draft Feinstein Response
Date: Monday, December 30, 2019 10:09:27 AM
Attachments: [Draft Feinstein Response OLA - 2019-12-17 \(PIN Revisions 2\).docx](#)

From: Amundson, Corey (CRM)
Sent: Thursday, December 19, 2019 5:55 PM
To: Wong, Candice (CRM) (b) (6) @CRM.USDOJ.GOV>
Cc: Cronan, John (CRM) (b) (6) @CRM.USDOJ.GOV>; Hodge, Jennifer (CRM) (b) (6) @CRM.USDOJ.GOV>
Subject: PIN Revisions to Draft Feinstein Response

Candice,

Please find attached a document reflecting proposed revisions to the draft OLA response to Senator Feinstein's letter. (b) (5)

(b) (6) Please let me know if you have any questions or need additional information. Have a great holiday.

Best, Corey

Corey R. Amundson

Chief, Public Integrity Section

Criminal Division

U.S. Department of Justice

Washington, D.C. 20530

(b) (6) (d)

(b) (6) (c)

From: [Wong, Candice \(CRM\)](#)
To: [Hodge, Jennifer \(CRM\)](#); [Amundson, Corey \(CRM\)](#)
Cc: [Cronan, John \(CRM\)](#)
Subject: OLA Feinstein Letter
Date: Tuesday, December 17, 2019 2:29:35 PM
Attachments: [Draft Feinstein Response OLA - 2019-12-17.docx](#)
[2019.10.10 SJC to AAG Benczkowski.pdf](#)

Jennifer and Corey,

OLA drafted the attached response to a letter from Sen. Feinstein, (b) (5)
Can you
please take a look at the attached and let us know if there are any concerns/edits to pass on?

Thanks,
Candice

Candice C. Wong
Chief of Staff and Counselor (Acting)
Criminal Division
Office: (b) (6)
Cell: (b) (6)

From: [Benczkowski, Brian \(CRM\)](#)
To: [Carr, Peter \(OPA\)](#)
Cc: [Miner, Matthew \(CRM\)](#); [Cronan, John \(CRM\)](#)
Subject: Re: Giuliani Mixes His Business With Role as Trump's Lawyer
Date: Sunday, October 20, 2019 9:58:07 AM

Thank you Peter.

Brian A. Benczkowski
Assistant Attorney General
Criminal Division
United States Department of Justice

> On Oct 20, 2019, at 9:57 AM, Carr, Peter (OPA) <pcarr@jmd.usdoj.gov> wrote:
>

From: [Benczkowski, Brian \(CRM\)](#)
To: [Carr, Peter \(OPA\)](#)
Subject: Re: Giuliani Mixes His Business With Role as Trump's Lawyer
Date: Sunday, October 20, 2019 11:26:39 AM

OK. Can we talk briefly?

Brian A. Benczkowski
Assistant Attorney General
Criminal Division
United States Department of Justice

> On Oct 20, 2019, at 11:11 AM, Carr, Peter (OPA) <pcarr@jmd.usdoj.gov> wrote:
>

From: [Benczkowski, Brian \(CRM\)](#)
To: [Kupec, Kerri \(OPA\)](#)
Cc: [Carr, Peter \(OPA\)](#); [Cronan, John \(CRM\)](#); [Rabbitt, Brian \(OAG\)](#)
Subject: Re: Matt Z. at WaPo
Date: Monday, November 25, 2019 6:15:35 PM

Got it (b) (5), (b) (6), (b) (7)(C)

[REDACTED]

Brian A. Benczkowski
Assistant Attorney General
Criminal Division
United States Department of Justice

On Nov 25, 2019, at 6:13 PM, Kupec, Kerri (OPA) <kkupec@jmd.usdoj.gov> wrote:

Thanks. (b) (5)

[REDACTED]

Happy to discuss over the phone.

On Nov 25, 2019, at 3:34 PM, Benczkowski, Brian (CRM) (b) (6) [\[REDACTED\]@crm.usdoj.gov](mailto:[REDACTED]@crm.usdoj.gov) wrote:

Kerri and Peter:

FYI, I got a text this afternoon from Matt Zapotosky at WaPo. It reads:
"You got a second? Want to ask you about this Rudy (b) (6), (b) (7)(C) meeting"

(b) (5)

For OPA to handle as you see fit.

Regards,
Brian

Brian A. Benczkowski

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

P: (b) (6)

E: (b) (6) [@usdoj.gov](mailto:(b)(6)@usdoj.gov)

From: [Benczkowski, Brian \(CRM\)](#)
To: [Cronan, John \(CRM\)](#); [Zink, Robert](#); [Kahn, Daniel \(CRM\)](#)
Subject: Reuters story
Date: Wednesday, January 22, 2020 7:50:49 AM

FYI: <https://www.reuters.com/article/us-venezuela-politics-guaido-giuliani-idUSKBN1ZL1AR>

(b)(5)

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

P: (b)(6)

E: (b)(6)