



U.S. Department of Justice

Office of Legal Counsel

Washington, D.C. 20530

August 1, 2022

Austin R. Evers
Executive Director
American Oversight
foia@americanoversight.org

**Re: FOIA Tracking No. FY21-069;
Am. Oversight v. DOJ, D.D.C. No. 21-cv-624**

Dear Mr. Evers:

This letter partially responds to your January 11, 2021 Freedom of Information Act (“FOIA”) request to the Office of Legal Counsel (“OLC”), among others, in which you sought two categories of records “regarding events at the U.S. Capitol, U.S. National Mall, or surrounding grounds in Washington D.C. on January 6, 2021,” “from December 31, 2020, through January 7, 2021.” As you know, the request is a subject of the above-captioned litigation.

Since our last letter in this matter, we have processed 247 pages of responsive records.

We have referred 45 pages to the Department of Defense, Office of the Secretary of Defense and Joint Staff (“DOD-OSD/JS”). DOD-OSD/JS may be reached as follows: OSD/JS FOIA Requester Service Center, Freedom of Information Division, 1155 Defense Pentagon, Washington, DC 20301-1155, Fax (571) 372-0500, Tel (866) 574-4790.

We have withheld the remaining 202 pages in full pursuant to FOIA Exemption Five, 5 U.S.C. § 552(b)(5). For your information, Exemption Five exempts material protected by the attorney-client, deliberative process, and presidential communications privileges, as well as the attorney work product doctrine and other privileges. We have determined that none of the withheld material is appropriate for discretionary release. We are continuing to process responsive records.

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.

Your counsel may contact Lee Reeves of the Civil Division, at 202-616-0773 or at Lee.Reeves2@usdoj.gov, to discuss any aspect of your request.

Sincerely,



Jared Kaprove
FOIA and Records Management Attorney

cc: Lee Reeves, Trial Attorney
Civil Division, Federal Programs Branch