July 28, 2021

SENT BY ELECTRONIC MAIL

Nikhel S. Sus
Citizens for Responsibility and 
Ethics in Washington
1101 K St. NW, Suite 201
Washington, DC  20005

Re: 1:21-cv-00572 (2021-HQFO-00392/2021-HQLI-00020)
CREW v. DHS
Second Interim Release

Dear Mr. Sus:

This is our second response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated January 10, 2021.

For this month’s production, DHS reviewed 346 pages, of which 17 pages are released in full, 21 pages are withheld in part pursuant to FOIA exemptions (b)(6), (b)(7)(e), and 308 pages are duplicates or non-responsive. The 38 pages for release are bates stamped DHS-001-0572-000129 to DHS-001-0572-000166.

If you have any questions regarding this release, please contact Trial Attorney Bradley Craigmyle, Federal Programs Branch, Civil Division, U.S. Department of Justice, by email at Bradley.t.craigmyle@usdoj.gov.

Sincerely,

[Signature]

Eric A. Neuschaeffer
Senior Director, FOIA Litigation, Appeals, Policy, and Training (Acting)

Enclosure: 38 pages
Sir – FPS reported FPS contingent was just released from the US Capitol. They are returning to original duties. Trying to ascertain USSS status.

Christopher J. Tomney
Director, DHS Office of Operations Coordination
DHS Continuity Coordinator
Good morning Mr. Secretary and senior leaders. Please find below this morning’s summary of civil unrest. Washington, DC and Portland OR were the only locations that experienced unrest. Kenosha, WI remained peaceful despite the Kenosha District Attorney announcing on Tuesday there will be no charges made against the police officer involved in an August 2020 domestic incident response shooting.

BLUF: There were NO incidents of criminal or illegal activity directed at federal facilities or personnel and NO events where DHS law enforcement were deployed.

Washington, DC: In DC, approximately 3,000 gathered in Freedom Plaza during the day and into the night. Speakers addressed the crowd and protests remained peaceful until dark. The crowd began to dissipate after dark, but there were numerous altercations near BLM plaza. MPD deployed pepper spray while keeping opposing groups separated during the march / demonstration.

- MPD made at least six arrests during the unrest. Two were for firearm charges, two for possession of carrying unregistered ammunition / magazines, one for simple assault, and one for possession of a prohibited weapon (taser).
- There were no reported injuries.
Roughly 26 demonstration permits were approved by the US Park Police for 5 to 7 January including Freedom Plaza, Washington Monument, the National Mall Area and the Capitol. Permit application estimates indicate there could be approximately 30,000 people in attendance. At least 55 additional demonstrations have been mentioned on social media for 6 January, but it is unclear whether any are permitted, or if they are subgroups associated with larger demonstrations. Committed attendees for these smaller events appears to be minimal.

POTUS is scheduled to speak at 1100 EST 6 January at a permitted Women for America First event to be held on the White House Ellipse. Per National Park Service, expected attendance is around 5,000 participants. The event is scheduled from 0900 to 1200 EST; USPP is the lead federal agency for the event and USSS is in support.

**Portland, OR:** About 50 people marched to the Portland Police Bureau (PPB) North Precinct. Violent Opportunists threw glass bottles, paint and other objects toward police, blocked traffic with two dumpsters lit on fire, spray-painted graffiti on multiple store fronts, damaged police vehicle tires using spikes, and repeatedly moved temporary fencing in place outside the precinct.
- PPB deployed several times to clear roads, restore the fencing, and keep agitators back from the precinct entrance.
- PPB gave several warnings and made five arrests but did not declare an unlawful assembly or use non-lethal munitions.
- There were no reported injuries.

The FPS force laydown in Portland for Tuesday evening was (n/c).

**Kenosha, WI:** The Kenosha District Attorney announced there will be no charges made against the police officer involved in a 23 Aug 2020 domestic incident response shooting. Ensuing demonstrations remained peaceful, peaking at around 60 protesters.

There are (n/c) National Guard Personnel in GA, WI and DC who remain activated or on standby for civil unrest. The DC National Guard has activated (n/c) of the planned (n/c) personnel, with additional activations possible today.

As of today, DHS OPS and National Operations Center coordinated with Federal departments and agencies to identify any additional precautionary actions for enhanced security postures and stood up the DHS Virtual Situation Room effective 0600 EST, 5 Jan to facilitate department and interagency communication and coordination. There are currently no unmet needs.

v/r

Chris
This communication is intended to provide timely information to homeland security partners for their situational awareness in executing their law enforcement and/or national security missions.

The information marked FOUO/LES in this document is FOR OFFICIAL USE ONLY (FOOU)/LAW ENFORCEMENT SENSITIVE (LES) and may be exempt from public release under the Freedom of Information Act. This information is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official.

DHS does not profile, target, or discriminate against any individual for exercising his or her First Amendment rights. Moreover, DHS will maintain no record describing how an individual exercises rights guaranteed by the First Amendment unless pertinent to and within the scope of an authorized law enforcement activity.
Sir - Attached are the overnight developments slides for the 6 Jan 0900 morning brief.

v/r Mike Arnold
Duty Director
DHS Office of Operations Coordination
National Operations Center
Comm: [redacted]
Secure: [redacted] NOC.NDD@hq.dhs.gov

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0900 Daily Operations Briefing

Call in instructions: Call *(b)(7)(E)*

*PLEASE place your phone on mute* Adobe Connect

Link: *(b)(7)(E)*

Use your HSIN login name and password. If logging in as a Guest, use your first and last name and office/agency.
6 January
CAT COVID Update – 6 January 21

• Johns Hopkins University is reporting a worldwide total of over 86M Cases and over 1.8M Deaths
The United Kingdom (UK) recorded 58,784 new COVID-19 cases on Monday - the highest daily increase since the beginning of the pandemic and the 7th day in a row in which the UK has recorded more than 50K new cases CDC is reporting over 20.7M cases and over 352K deaths across the U.S. Over 173K cases and 1,800 deaths over the past 24 hours.

CDC - Vaccination Update: 17,020,575 Doses of COVID-19 Vaccines have been distributed across the Nation; 4,836,469 Doses of the Vaccines have been administered to the US Population as of 5 Jan 21. The new, more contagious variant of COVID-19 first observed in the United Kingdom has now been reported in Georgia; the new variant is now present in five states (CA, CO, FL, GA, NY) across the US. NYC officials are proposing 5 Mass Vaccination Sites to be established across the city by this weekend. Sites would be open 24/7 and available to anyone in the specified categories.

DHS Personnel Impacts: A total of 15,588 DHS employees tested positive for COVID-19 since the crisis began. 3,179 employees are actively positive with COVID-19. Since the last report, (+451) new cases have been reported. 2,363 employees have recovered from the virus after testing positive, (+377) since the last report. 46 employees have died as a result of COVID-19, (+1) since the last report. A total of 5,239 (-6) DHS employees are self-quarantined/self-monitoring.
Kenosha, WI Announcement

Civil Unrest
Produced on: 05 JAN 2021
Prepared by: DHS National Operations Center
Source: ESRI, Nat Geo

Metra Kenosha Station

Kenosha County Courthouse

Facility Location
Train Station
Road Closure

UNCLASSIFIED//FOR OFFICIAL USE ONLY
Overnight Developments 6 January

Leadership Notifications: NOC Note: USCIS Employee Death - New York, NY
Senior Leader Calls: None

Principal Locations: POTUS: NCR (RON) VPOTUS: NCR (RON) AS1: Manama, Bahrain > Doha, Qatar (RON) AS2: NCR (RON)
OPS Front Office / Division Director Updates

- CODNOCIAGCDMSD
- JCCGDeputy Chiefs
- of StaffChief of
- StaffDeputy
- DirectorDirector
Civil unrest report for yesterday.

From: Tomney, Christopher
Sent: Wednesday, January 6, 2021 6:28 AM
To: 'AS1CFW' [b](6) 'AS2KTC' [b](6) MORGAN, MARK A

Subject: FW: (U/LES) National Civil Unrest Summary for 6 January 2021
Good morning Mr. Secretary and senior leaders. Please find below this morning's summary of civil unrest. Washington, DC and Portland OR were the only locations that experienced unrest. Kenosha, WI remained peaceful despite the Kenosha District Attorney announcing on Tuesday there will be no charges made against the police officer involved in an August 2020 domestic incident response shooting.

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v/r

Chris
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From: Filippone, Michelle
Sent: 7 Jan 2021 01:47:04 +0000
To: Heinz, Todd; OPS Advisor; DiFalco, Frank
Subject: RE: (U/FOUO) AS2 Brief on Civil Unrest in the NOC - 0800 EST 7 Jan

Thanks Todd.

From: Heinz, Todd
Sent: Wednesday, January 6, 2021 8:23 PM
To: OPS Advisor <OPSAdvisor@HQ.DHS.GOV>; DiFalco, Frank
Subject: Fwd: (U/FOUO) AS2 Brief on Civil Unrest in the NOC - 0800 EST 7 Jan

Fysa. I will adjust the calendar.

Todd Heinz
Chief of Staff
Office of Operations Coordination

From: Tomney, Christopher
Sent: Wednesday, January 6, 2021 8:19:34 PM
To: SALZGABER, WAYNE
Cc: Phillips, Shawn; Heinz, Todd; McGough, Daniel
Subject: RE: (U/FOUO) AS2 Brief on Civil Unrest in the NOC - 0800 EST 7 Jan

Thanks to all

From: SALZGABER, WAYNE
Sent: Wednesday, January 6, 2021 8:11 PM
To: Tomney, Christopher
Cc: Phillips, Shawn; Heinz, Todd; McGough, Daniel
Subject: RE: (U/FOUO) AS2 Brief on Civil Unrest in the NOC - 0800 EST 7 Jan

Thank you Sir. See you in the morning.

From: Tomney, Christopher
Sent: Wednesday, January 6, 2021 8:11 PM
To: SALZGABER, WAYNE
Cc: Phillips, Shawn; Heinz, Todd; McGough, Daniel
Subject: RE: (U/FOUO) AS2 Brief on Civil Unrest in the NOC - 0800 EST 7 Jan

Wayne – No issues with pushing the daily back to 1000
Director,

Shawn, Dan and I just went over the game plan and everything has started to move toward the objective. I would like to request a delay in tomorrow's stand-up brief until 10 am to lessen the tight turn on the NDD/Watch in preparing the materials for both briefs.

Please let me know if this request can be considered.

V/r,
Wayne

---

All, Director Tomney was contacted by AS2's office.

AS2 has requested a briefing in the NOC tomorrow morning at 0800 on the latest developments of events in the NCR.

- Need to prepare a briefing that provides the events that transpired today in and around the NCR
  - Shooting at USCP
  - DHS Response to USCP and our current force laydown and standby posture
  - Federal building closed (I only know of the RRB at this time and the US Capitol
  - Status of additional LE folks in DC
  - DC NG and other NG augmentation
  - Actions of local and state governments
  - Summary of significant suspicious items (pipe bombs)
  - Additional known demonstrations/protests for Thursday
  - Status of DHS HQ augmentation across the federal partners.
- AS2 is also looking for a briefing by USSS on how the USSS protected the VP and what that looked like. Dir Tomney is reaching out to USSS to provide this.
- Attendees will be AS2, AS2 COS, OPS Dir, OPS DCOS, COD Dir, NOC Dir. The briefer will be the NDD on duty.
• Select the location for the brief, either on the floor in a conf room...recommend on the floor and use the BDS.
• Need to be prepared to conference in a callers from USSS and FPS into the brief,
• Will need to prepare the National Civil Unrest roll-up per normal and can use this as the base document for the briefing along with one or two visual slides, BUT the brief to AS2 should be more detailed than what is in the roll-up. (he needs for both media interviews and WH briefs).

Please provide draft brief NLT 0500 EST 7 Jan for review. Would like to do short walk through approx. 0700. The Director will meet AS2 and AS2 COS and escort them to the NOC NLT 0800.

Please let me know if you have any questions or concerns.

v/r

Shawn

Shawn A. Phillips
Deputy Chief of Staff (Operations)
Office of Operations Coordination (OPS)
Department of Homeland Security
(b)(6) mobile
Sir - Attached are the overnight developments slides for the 6 Jan 0900 morning brief.

v/r Mike Arnold
Duty Director
DHS Office of Operations Coordination
National Operations Center
Comm:(b)(6)
Secure:
NOC.NDD@hq.dhs.gov

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Civil Unrest – 6 Jan Update
Overnight Developments 6 January

Leadership Notifications: NOC Note: USCIS Employee Death - New York, NY
Senior Leader Calls: None

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VPOTUS: NCR (RON)
AS1: Manama, Bahrain > Doha, Qatar (RON)
AS2: NCR (RON)
OPS Front Office / Division Director Updates

- CODNOCJIALGCDMSD
- JCCGDeputy Chiefs
- of StaffChief of
- StaffDeputy
- DirectorDirector
Mayor Bowser is continuing preparations for this week’s First Amendment activities. She had previously directed the DC Homeland Security and Emergency Management Agency (HSEMA) to stand up the District’s Emergency Operations Center (EOC) beginning Monday, January 4, to coordinate the response for the upcoming First Amendment demonstrations, permitted by the National Park Service, scheduled for January 5 and January 6. The EOC serves as the coordination hub between District agencies and regional and federal partners. On Tuesday, the Metropolitan Police Department (MPD) begins its full activation with all staff reporting for response on Tuesday and Wednesday.

Mayor Bowser instructed District agencies to create a comprehensive public safety response to ensure residents’ safety. Additionally, HSEMA and MPD are conducting event overviews for the Council of the District of Columbia, faith leaders, and the downtown business community. Residents are encouraged to report suspicious activity by making a report through iwatchdc.org or by calling 911 for immediate threats or emergencies.

“MPD and HSEMA are coordinating among District agencies and with federal authorities to ensure our residents and businesses remain safe,” said Mayor Muriel Bowser. “I am asking Washingtonians and those who live in the region to stay out of the downtown area on Tuesday and Wednesday and not to engage with demonstrators who come to our city seeking confrontation, and we will do what we must to ensure all who attend remain peaceful.”
Members of the public and anyone attending the events are reminded that District law prohibits anyone from carrying a firearm within 1,000 feet of any First Amendment activity. Under federal law, it is illegal to possess firearms on the U.S. Capitol grounds and on National Park Service areas, such as Freedom Plaza, the Ellipse, and the National Mall. Additionally, members of the public are reminded that the District of Columbia does not have reciprocity with other states’ concealed pistol licenses; unless a person has been issued a concealed pistol license by the District of Columbia, they cannot conceal carry a firearm in the city. Finally, it is illegal to open carry firearms in the District.

Residents and commuters are encouraged to register for important alerts from the District by signing up for AlertDC at alertdc.dc.gov.

A comprehensive list of traffic adjustments and street closures in effect Tuesday, January 5, and Wednesday, January 6 can be found at https://mpdc.dc.gov/release/traffic-advisory-first-amendment-activity-Jan5.

While the Metropolitan Police Department does not anticipate additional street closures on Tuesday, January 5, 2021 and Wednesday, January 6, 2021, there is the potential for intermittent closures in the downtown area. Additionally, while the Metropolitan Police Department does not anticipate street closures on Thursday, January 7, 2021, there is the potential for intermittent closures in the downtown area. Any decision to close a street will be based upon public safety. For timely traffic information, visit: twitter.com/DCPoliceTraffic

The public should expect parking restrictions along the street and should be guided by the posted emergency no parking signage. All vehicles that are parked in violation of the emergency no parking signs will be ticketed and towed.

*Motorists could encounter possible delays if operating in the vicinity of downtown area and may wish to consider alternative routes. The Metropolitan Police Department and the District Department of Transportation also wishes to remind motorists in the vicinity of this event to proceed with caution as increased pedestrian traffic can be anticipated.*

Click Here to update your profile.
To stop receiving future email notifications from this organization unsubscribe here.
Ok no problem!

Thank You!

Executive Assistant
Office of Operations Coordination Front Office
Department of Homeland Security

Sorry, yes....I'll come in for the meeting

Sir,

Just pinging you again on this so I can get back to Mr.Roth.

Thank You!

Executive Assistant
Office of Operations Coordination Front Office
Department of Homeland Security

DHS-001-0572-000159
Good Morning Sir,

No schedule changes or additions today. Please see request below from the Mil Adv’s office. Let me know if you would like to participate your schedule is open at that time currently.

Good morning Ashley,

On Thursday at 1130, RDML McPherson will have a SVTC with the Deputy Director, Joint Training, Joint Staff J7, Brigadier General Liszewski. The goal of this meeting is to connect the Joint Staff J7 with DHS and determine what level of participation the Joint Staff would like DHS to have in the Globally Integrated Exercise (GIE) 21. This is also an opportunity to further tie together DoD and DHS exercise programs that relate to great power competition and attacks on the Homeland that would required a DHS and DoD response. Would Dir. Tomney be available to participate in the this SVTC? We’ll be doing it from the OPA SCIF on the 3rd floor of the center building. Thanks!

Thank You!

(b)(6)
Executive Assistant
Office of Operations Coordination Front Office
Department of Homeland Security
(b)(6)
Great. Just wanted to firm it up. Thanks.

Hi Yes! I’ve had good comms with and the Director has been sent talking points and bios. I’ll forward you the traffic.

Good evening:

Director Tomney wanted to join everyone in the OPA SCIF for tomorrow’s meeting. I was unsure if you were notified of this. Is this ok for him to do so?

Thank you,

OPS Front Office

Great will do! Could you pass Dir. Tomney’s bio?

Very Respectfully,

LT Steve Roth, USCG
Special Assistant to the Military Advisor
Office of the Secretary of Homeland Security
Desk.
Good Afternoon.  

Sorry for the delay many things happening 😊  

He is able to come in for that meeting tomorrow. Please include him on the invitation if already sent.

Let us know if you require anything further.

Thank You!

Executive Assistant
Office of Operations Coordination Front Office
Department of Homeland Security

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Very Respectfully,
From: Tomney, Christopher  
Sent: 7 Jan 2021 02:23:47 +0000  
To: AS1CFW; 'AS2KTC'  
Cc: Gountanis, John; Erickson, Scott; ALFONSO-ROYALS, ANGELICA; Phillips, Shawn  
Subject: (UHLES) OPS-NOC Watch Update - Security Incident - Washington DC (NOC 0378-20)

Sir

Below is an update of activity surrounding events in the NCR.

I did want to let you know that I spoke with Rich Donoghue, Acting DAG. Rich was still at the Capitol and is preparing to depart shortly past 8pm DC time. He says there is ample security inside the Capitol and the perimeter is being secured with National Guard and LE. He doesn't see a need for additional DHS LEOs tonight at the Capitol. I explained our focus tonight is on securing federal facilities with FPS who will have a mobile field force and that we had additional CBP and ICE personnel at the RRB and ICE HQ available to augment FPS if additional manning is required in securing federal facilities. He said that sounded like a sound plan. Thus, no “ask” for additional DHS LEOs from Rich. I’ve been unable to reach Dave Bowdich with the FBI but will continue to try.

FPS recently reported that their forces up at the Capitol were released to return to their original duties.

USSS reports the additional uniformed division officers were just released shortly after 9pm DC time. K-9 teams remain for now. Protectees on location at the Capitol have their standard detail team with them.

At its peak, there were 207 participants in the DHS Virtual SITROOM, many from our interagency partners and there was great real time information sharing that assisted all the LE components and agencies.

There are no current reports of major groups of protesters in the city. Various traffic cameras and LE reporting are showing large continents of law enforcement and military personnel with only small groups of civilians in various pockets. The Capitol Grounds are reported as secured.

The watch will be preparing a normal morning civil unrest roll up report to document overnight activities.

UNCLASSIFIED // LAW ENFORCEMENT SENSITIVE

The Incident at the U.S Capitol began around 1450 ET 6 Jan. The NOC transitioned from NOC Watch Updates to an Initial LIMDIS notification and three NOC Notes. The
NOC also produced two Awareness reports. The DHS HQ SITROOM was also used to provide real time information to components and interagency.

1450 ET, Open source media is reporting protesters crossed barriers and entered the Capitol Building while Congress was in session. USCP reports all capitol building are on lock down. USCP has requested support from other federal law enforcement agencies. DHS Acting Deputy Secretary authorized support for USCP from DHS law enforcement agencies.

1514 ET, The NOC received information of shots fired in the chamber of the US House of Representatives at the US Capitol Building in Washington DC. Reports of one injury due to a gunshot wound. The NOC received information from the U.S. Capitol Police.

1718 ET, The one individual who was reported shot passed away. The individual was a civilian who was part of the protest group. FPS and USSS deployed LE assets in support of the request by U.S. Capitol Police. The DC National Guard was activated. The DC mayor established a curfew for tonight beginning at 1800. The MD Gov and the VA Gov have authorized their state police and national guard to assist DC Police and US Capitol Police. NJ State Police also sent state troopers to assist.

Media reported a possible explosive device outside of RNC HQ which was later rendered safe by LE. A second possible device was reported on the grounds of the U.S. Capitol and later rendered safe.

1850 ET, The U.S. Capitol Police confirmed the U.S. Capitol is cleared and secured. The Mayor of DC has ordered a District-wide curfew commencing tonight, January 6, 2021, at 6:00 pm and ending at 6:00 am on Thursday, January 7, 2021. During the hours of the curfew, no person, other than persons designated by the Mayor, shall walk, bike, run, loiter, stand, ride a scooter, or motor by car or other mode of transport upon any street, alley, park, or other public place within the District.

The Governor of VA has instituted a curfew from 1800 ET to 0600 ET on January 6-January 7 in Alexandria City and Arlington County. Governor Northam also announced plans to issue a State of Emergency in Virginia.

MPD JOC confirmed there are 136 National Guard troops on the U.S. Capitol Grounds.

2000 ET, Congress is back in session to certify election results.
The Supreme Court

Report of Gunshots

Washington, DC

United States Capitol

Security Incident

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DHS-001-0572-000166