CREW

CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

September 5, 2024

VIA: FOIA.gov

Michael G. Seidel, Section Chief
Record/Information Dissemination Section
Records Management Division
Federal Bureau of Investigation
Department of Justice

Douglas Hibbard
Chief, Initial Request Staff
Office of Information Policy
Department of Justice

Arla Witte-Simpson
FOIA Public Liaison
Executive Office for United States Attorneys
Department of Justice

RE: Freedom of Information Act Request

Dear FOIA Officers:

Citizens for Responsibility and Ethics in Washington ("CREW") makes this request for records pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and U.S. Department of Justice ("DOJ") regulations.

> Specifically, CREW requests all records related to the now-closed investigation conducted by DOJ and the Federal Bureau of Investigation ("FBI") concerning a $10 million withdrawal from the National Bank of Egypt which aligned with classified U.S. intelligence indicating that Egyptian President Abdel Fatah El-Sisi sought to give $10 million to support former President Donald Trump's 2016 presidential campaign.

The above request excludes agency records consisting solely of court filings, news articles, press clippings, and other publicly-available material. Please search for responsive

records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, and anyone who was cc'ed or bcc'ed on any emails. If it is your position any portion of the requested records is exempt from disclosure, CREW requests that you provide it with an index of those documents as required under Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir. 1973). If some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. See 5 U.S.C. § 552(b). If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. See Mead Data Central v. U.S. Dep't of the Air Force, 566 F.2d 242, 261 (D.C. Cir. 1977).

Please be advised that CREW intends to pursue all legal remedies to enforce its rights under FOIA. Accordingly, because litigation is reasonably foreseeable, the agency should institute an agency wide preservation hold on all documents potentially responsive to this request.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A) and agency regulations, CREW requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures likely will contribute to a better understanding of relevant government procedures by CREW and the general public in a significant way. See id. § 552(a)(4)(A)(iii). Moreover, the request primarily and fundamentally is for non-commercial purposes. See, e.g., McClellan Ecological v. Carlucci, 835 F.2d 1282, 1285 (9th Cir. 1987).

Recent reporting from *The Washington Post* indicates that in 2019, Attorney General Bill Barr shut down a DOJ investigation into whether then-candidate Trump violated federal campaign finance law by accepting funds from Egypt. If Barr caused the DOJ investigation to be closed down, reportedly for insufficient evidence, his decision prevented DOJ prosecutors and investigators from pursuing key evidence, including critical bank records that could have shed light on exactly what had transpired, at a critical point in the investigation.[1] Without those records, questions surrounding Trump's decision to infuse $10 million into his presidential campaign in its last days could not be answered by investigators. During the Trump administration, U.S. foreign policy became friendlier towards Egypt – dispersing

[1] https://www.washingtonpost.com/investigations/2024/08/02/trump-campaign-egypt-investigation/

billions of dollars in military aid – despite the well documented instances of human rights abuses under President Sisi's regime.[2] Given the recent conviction of former Senator Bob Menedez for accepting bribes and acting as a foreign agent for Egypt while serving as chairman of the Senate Foreign Relations Committee or as its ranking Democrat, it is clear that all attempts by foreign countries to illegally influence U.S. policy through any government official, including the president, must be thoroughly investigated.

CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public's right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and working to reduce the influence of money on politics. CREW uses a combination of research, litigation, and advocacy to advance its mission. CREW intends to analyze the information responsive to this request and to share its analysis with the public through reports, press releases, or other means. In addition, CREW will disseminate any documents it acquires from this request to the public through its website, www.citizensforethics.org. The release of information obtained through this request is not in CREW's financial interest.

CREW further requests that it not be charged search or review fees for this request pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II) because CREW qualifies as a member of the news media. *See Nat'l Sec. Archive v. U.S. Dep't of Defense*, 880 F.2d 1381, 1386 (D.C. Cir. 1989) (holding non-profit a "representative of the news media" and broadly interpreting the term to include "any person or organization which regularly publishes or disseminates information to the public").

CREW routinely disseminates information obtained through FOIA to the public in several ways. For example, CREW's website receives hundreds of thousands of page views every month. The website includes blogposts that report on and analyze newsworthy developments regarding government ethics, corruption, and money in politics, as well as numerous reports CREW has published to educate the public about these issues. These reports frequently rely on government records obtained through FOIA. CREW also posts the documents it obtains through FOIA on its website. Under these circumstances, CREW satisfies fully the criteria for a fee waiver.

Conclusion

If you have any questions about this request or foresee any problems in fully releasing the requested records, please email me at [redacted] and foia@citizensforethics.org or call me at (202) 408-5565. Also, if CREW's request for a fee waiver is denied, please contact our office immediately upon making such a determination.

[2] *Id.*

Where possible, please produce records in electronic format. Please send the requested records to [redacted] and foia@citizensforethics.org or by mail to Laura Iheanachor, Citizens for Responsibility and Ethics in Washington, [redacted] Thank you for your assistance in the matter.

Sincerely,

Laura Iheanachor
Senior Counsel