

July 26, 2018

BY FACSIMILE: 202-261-8579

U.S. Department of State
Office of Information Programs and Services
A/GIS/IPS/RL
SA-2, Suite 8100

Re: Freedom of Information Act Request

Dear FOIA Office:

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 State regulations.

First, CREW requests from the Office of International Religious Freedom all external and internal communications from January 1, 2018 to the present mentioning the British citizen Stephen Christopher Yaxley-Lennon, commonly known as “Tommy Robinson.”

Second, CREW requests from the Office of International Religious Freedom all communications from January 1, 2018 to the present from or to any email addresses ending in “@breitbart.com.”

Third, CREW requests from the Office of International Religious Freedom all communications from January 1, 2018 to the present from or to Stephen Bannon and/or Raheem Kassam.

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, as well as emails to which the subjects of this request were cc’ed or bcc’ed.

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).

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A) and State Department 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* 5 U.S.C. § 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).

Reuters recently reported that Sam Brownback, the United States' Ambassador-at-Large for International Religious Freedom, complained about the United Kingdom's treatment of British right-wing activist Tommy Robinson at a June meeting with British Ambassador to the United States Sir Kim Darroch.¹ Ambassador Brownback reportedly informed Ambassador Darroch that the Trump administration might criticize the U.K. if Robinson, who is currently in prison after being found guilty of contempt of court, is not treated more sympathetically.² According to a follow-up report from *Reuters*, Ambassador Brownback's advocacy on Robinson's behalf followed "multiple direct contacts" on the topic between his office and people associated with the right-wing news and opinion website Breitbart.com, which has protested Robinson's imprisonment.³

In a response to the initial report, a State Department spokesman said that the story's sources had provided *Reuters* with "completely false" characterizations of Ambassador Brownback's meeting with Ambassador Darroch. In a response to the follow-up story, a State Department spokesman denied that Ambassador Brownback had urged the U.K. government to act on the issue of Tommy Robinson's imprisonment.

The requested records would clarify whether *Reuters*' characterization of Ambassador Brownback's actions is, indeed, false. If *Reuters*' allegations are accurate, however, then the requested records could reveal why a U.S. Ambassador advocated in favor of a foreign far-right activist who has been convicted of multiple crimes, including assault, and whose supporters have

¹ Mark Hosenball, [Trump's ambassador lobbied Britain on behalf of jailed right-wing activist Tommy Robinson](https://www.reuters.com/article/us-usa-trump-britain-robinson/trumps-ambassador-lobbied-britain-on-behalf-of-jailed-right-wing-activist-tommy-robinson-idUSKBN1K331J), *Reuters*, July 13, 2018, available at <https://www.reuters.com/article/us-usa-trump-britain-robinson/trumps-ambassador-lobbied-britain-on-behalf-of-jailed-right-wing-activist-tommy-robinson-idUSKBN1K331J>

² *Id.*

³ Mark Hosenball, [Breitbart lobbying prompted U.S. envoy to raise Tommy Robinson case with British](https://www.reuters.com/article/us-usa-trump-britain-robinson/breitbart-lobbying-prompted-u-s-envoy-to-raise-tommy-robinson-case-with-british-idUSKBN1K6252), *Reuters*, July 16, 2018, available at <https://www.reuters.com/article/us-usa-trump-britain-robinson/breitbart-lobbying-prompted-u-s-envoy-to-raise-tommy-robinson-case-with-british-idUSKBN1K6252>; James Delingpole, [Delingpole: The Martyrdom of Tommy Robinson](https://www.breitbart.com/london/2018/06/04/delingpole-martyrdom-tommy-robinson/), *Breitbart*, June 4, 2018, available at <https://www.breitbart.com/london/2018/06/04/delingpole-martyrdom-tommy-robinson/>; Victoria Friedman, [Tommy Robinson: Trials, Protests, a Media Blackout, and Global Attention](https://www.breitbart.com/london/2018/05/31/tommy-robinson-trials-protests-media-blackout-global-attention/), *Breitbart*, May 31, 2018, available at <https://www.breitbart.com/london/2018/05/31/tommy-robinson-trials-protests-media-blackout-global-attention/>

been associated with anti-immigrant violence and Nazi imagery.⁴ It is in the American public's interest to know what kind of reasoning informs our country's representation abroad.

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"). The records could help alleviate widespread concerns that President Trump's family separation and zero tolerance policies were hastily drafted without sufficient consideration of their practical ramifications.

CREW routinely and systematically disseminates information to the public in several ways. CREW's website receives tens 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. In addition, CREW posts documents it receives under the FOIA its website, which has been visited hundreds of thousands of times.

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 contact me at (202) 408-0687 or elee@citizensforethics.org. Also, if CREW's request for a fee waiver is not granted in full, please contact our office immediately upon making such a determination.

Where possible, please produce records in electronic format. Please send the requested records to me either at elee@citizensforethics.org or at Eli Lee, Citizens for Responsibility and

⁴ EDL Leader Stephen Lennon, AKA Tommy Robinson, Jailed for 10 Months For False Passport, *Huffington Post UK*, July 1, 2013, available at https://www.huffingtonpost.co.uk/2013/01/07/edl-leader-stephen-lennon-jailed-false-passport_n_2423750.html?guccounter=1; Lizzie Dearden, Tommy Robinson supporters perform Nazi salutes at violent London protest, amid warnings of return to racist street movements, *The Independent*, June 11, 2018, available at <https://www.independent.co.uk/news/uk/crime/tommy-robinson-free-protest-nazi-salutes-london-violence-police-arrests-attacks-prison-a8393566.html>

Ethics in Washington, 455 Massachusetts Ave., N.W., Washington, D.C. 20001. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eli Lee', written in a cursive style.

Eli Lee
Research Associate, CREW