



**Judicial
Watch**[®]
*Because no one
is above the law!*

January 30, 2013

VIA CERTIFIED MAIL & FASCIMILE (703-614-6287)

FOIA/PA Manager (Code ARSF)
Commandant of the Marine Corps
Headquarters, U.S. Marine Corps
3000 Marine Corps Pentagon
WASHINGTON DC 20350-3000

Re: Freedom of Information Act Request

Dear Sir/Madam:

Pursuant to the provisions of the Freedom of Information Act (FOIA), 5 U.S.C. § 552, Judicial Watch, Inc. hereby requests that the U.S. Marine Corps produce, within twenty (20) business days:

1. Any and all recordings made in preparation of or for the 2013 Presidential Inauguration Ceremony of Beyonce Knowles-Carter signing the *Star Spangled Banner*, Kelly Clarkson singing *My Country 'Tis of Thee*, James Taylor signing *America the Beautiful*, and/or the "President's Own" Marine Band. Such recording include both those played and not played during the 2013 Presidential Inauguration Ceremony.
2. Any and all documents concerning, regarding, or relating to the use of recordings during the 2013 Presidential Inauguration Ceremony. Such records include, but are not limited to, contingency plans for a decision by Beyonce Knowles-Carter, Kelly Clarkson, or James Taylor to "lip sync" their performance during the 2013 Presidential Inauguration Ceremony.
3. Any and all correspondence between any employee, official or officer of the U.S. Marine Band and the Presidential Inaugural Committee, Beyonce Knowles-Carter, Kelly Clarkson, or James Taylor concerning, regarding, or relating to the use of recordings during the 2013 Presidential Inauguration Ceremony.

If any responsive record or portion thereof is claimed to be exempt from production under FOIA, please provide sufficient identifying information with respect to each allegedly exempt record or portion thereof to allow us to assess the propriety of the claimed exemption. *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974). In addition, any reasonably segregable portion of a responsive record must be provided, after redaction of any allegedly exempt material. 5 U.S.C. § 552(b).

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Judicial Watch requests that the responsive records be furnished without any charge or at a charge below the fees established because disclosure of the information contained in responsive records will contribute significantly to public understanding of the operations or activities of the government. 5 U.S.C. § 552(a)(4)(A)(iii). Judicial Watch is a 501(c)(3), not-for-profit, educational organization, and, by definition, it has no commercial purpose. Judicial Watch exists to educate the public about the operations and activities of government, as well as to increase public understanding about the importance of ethics and the rule of law in government. The particular records requested herein are sought as part of Judicial Watch's ongoing efforts to document the operations and activities of the federal government and to educate the public about these operations and activities. Once Judicial Watch obtains the requested records, it intends to analyze them and disseminate the results of its analysis, as well as the records themselves.

Given these circumstances, Judicial Watch is entitled to a public interest fee waiver of both search costs and duplication costs. Nonetheless, in the event our request for a waiver of search and/or duplication costs is denied, Judicial Watch is willing to pay up to \$350.00 in search and/or duplication costs. Judicial Watch however requests that it be contacted before any such costs are incurred, in order to prioritize search and duplication efforts.

In an effort to facilitate production of responsive records within the statutory time limit, Judicial Watch is willing to accept records in electronic format. When necessary, it will also accept the "rolling production" of responsive records.

If you do not understand this request or any portion thereof, or if you feel you require clarification of this request or any portion thereof, please contact us immediately at 202-646-5172 or mbekesha@judicialwatch.org. Thank you for your cooperation.

Sincerely,



Michael Bekesha
Judicial Watch, Inc.