



U.S. Department of Justice
Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

Date: May 10, 2011

MEMORANDUM

TO: Lanny A. Breuer
Assistant Attorney General
Criminal Division
Room 2107 - MAIN Bldg.
ATTN: Paul Rosen

FROM: Paul O'Brien, Director
Office of Enforcement Operations (OEO)
Criminal Division (CRM)
Through: Rena Y. Kim, Chief
Freedom of Information and Privacy Act Unit
Office of Enforcement Operations

SUBJECT: FOIA Request #201100296F Sharyl Attkisson

“SEE ATTACHED LETTER”

We have received a Freedom of Information Act (FOIA) Request for Criminal Division records.

- Please:
- (1) Review the attached request,
 - (2) Search all records and file systems in your Section, and
 - (3) Respond on the attached sheet advising us of any files located pertaining to the subject matter of this request, including records stored at the Federal Records Center(s) (FRC(s)) and/or with the Records Officer.
 - (4) Please make copies of all records located and attach said copies to your response



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MEMORANDUM

TO: FOIA/PA Unit
FROM:
SUBJECT: Section/Office Response

1) We conducted a search for responsive records and provide the following response. (Check all that apply.)

- We located no records responsive to this request.
- We identified records responsive to this request stored in the FRC(s) and/or with the Records Officer. (The Criminal Division is required to pull such records.) The location(s)/file number(s) is/are:

- We located records responsive to this request in our office. They are attached. We have reviewed the attached FOIA exemptions and have indicated our recommendations as to any applicable exemption(s).
- We located records responsive to this request but they are voluminous (i.e., 3 copy boxes or more). Please contact the FOIA/PA Unit for further direction.
- We have located records but these records are part of an ongoing investigation. (Such records would be covered by Exemption 7(A).) Please provide the following information:

Agencies involved in the investigation: _____

District Location: _____

Can we acknowledge existence of the investigation? Yes or No

- 2) Description of Search Efforts. (If the description of your search requires more space, please append it on a separate page.)

Location(s) Searched (i.e. office files, computer files/databases):

Search Term(s):

- 3) I confirm that the search for records responsive to the request was conducted and results of the search reflected above are accurate.

Employee Who Conducted the Search:

Printed Name

Signature

Date

Section Chief/Deputy/Designee:

Printed Name

Signature

Date

The FOIA/PA Unit will make the final determination regarding the applicability of a FOIA exemption(s). If our determination differs from the Section's/Office's recommendations, the FOIA/PA Unit will consult with the Section/Office prior to the issuance of a response to the requester. If you have any questions, the FOIA/PA Unit is available for both FOIA training and guidance. Please call the Criminal Division FOIA/PA Unit at (202) 616-0307.



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MEMORANDUM

TO: FOIA/PA Unit

FROM:

SUBJECT: Explanation of FOIA Exemptions, 5 U.S.C. § 552(b)

- (b)(1) - Allows withholding of information specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and which is in fact properly classified pursuant to such an Executive Order.
- (b)(2) - Allows withholding of information related solely to the internal personnel rules and practices of an agency.
- (b)(3) - Allows withholding of information prohibited from disclosure by another statute. The statute is _____.
- (b)(4) - Trade secrets and commercial or financial information obtained from a person and privileged or confidential.
- (b)(5) - Inter-agency or intra-agency memos or letters constituting deliberative material, attorney work product, or attorney-client material.
- (b)(6) - Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.
- (b)(7) - Applies to information compiled for law enforcement purposes, the release of which:
 - (A) - could be expected to interfere with enforcement proceedings;
 - (B) - would deprive a person of a fair trial;
 - (C) - could be expected to constitute an unwarranted invasion of personal privacy;
 - (D) - could be expected to disclose the identity of a confidential source and if the information is compiled by a law enforcement authority in the course of a criminal investigation, information supplied by a confidential source;
 - (E) - would disclose law enforcement techniques and procedures or guidelines for law enforcement investigations and which could be expected to risk circumvention of law; or
 - (F) - could be expected to endanger the life or safety of any individual.
- (b)(8) - Applies to material pertaining to the regulation or supervision of financial institutions.
- (b)(9) - applies to geological and geophysical information.

OIP (SMO)

201100296F

From: Attkisson, Sharyl [SAC@cbsnews.com]
Sent: Monday, April 11, 2011 5:13 PM
To: DOJ.OIP.Initial Requests (SMO)
Cc: Attkisson, Sharyl; Scholl, Chris
Subject: DOJ FOI #2/CBS News

RECEIVED

APR 13 2011

Justice Dept. #2

Office of Information & Privacy

Under Freedom of Information law, I request the following:

All communications, documents and records including but not limited to emails, memos, audio recordings and notes referring to or involving Project Gunrunner (whether by direct or indirect reference) from January 1, 2010 to present; in which DOJ Attorney General Eric Holder and/or DOJ employees Lanny Breuer and/or Kevin Carwile and/or Bruce Schwarz and/or Kenneth Blanco were party to.

As you know, if you claim any exemptions from public release, the exempted materials must be described and/or logged with the claimed exemption(s) explained; and non-exempt portions must be provided.

As a member of the news media, I request expedited processing as this matter is of public interest and safety, and the materials provided could be used in ongoing news reporting on the topic.

Sharyl Attkisson
CBS News Investigative Correspondent
202-457-4306

