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February 11, 2019

MR. JOHN GREENEWALD JR.  
SUITE 1203  
27305 WEST LIVE OAK ROAD  
CASTAIC, CA 91384

FOIPA Request No.: 1415970-000  
Subject: FOIA Request Letters that Pertain to  
Uranium One

Dear Mr. Greenewald:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Below you will find check boxes under the appropriate statute headings which indicate the types of exemptions asserted to protect information which is exempt from disclosure. The appropriate exemptions are noted on the enclosed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely and identify which exemptions were applied. The checked exemptions boxes used to withhold information are further explained in the enclosed Explanation of Exemptions.

<b>Section 552</b>		<b>Section 552a</b>	
<input type="checkbox"/> (b)(1)	<input type="checkbox"/> (b)(7)(A)	<input type="checkbox"/> (d)(5)	
<input type="checkbox"/> (b)(2)	<input type="checkbox"/> (b)(7)(B)	<input type="checkbox"/> (j)(2)	
<input type="checkbox"/> (b)(3)	<input type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (k)(1)	
_____	<input type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (k)(2)	
_____	<input checked="" type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(3)	
_____	<input type="checkbox"/> (b)(7)(F)	<input type="checkbox"/> (k)(4)	
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(8)	<input type="checkbox"/> (k)(5)	
<input type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(9)	<input type="checkbox"/> (k)(6)	
<input checked="" type="checkbox"/> (b)(6)		<input type="checkbox"/> (k)(7)	

26 pages were reviewed and 26 pages are being released.

Below you will also find additional informational paragraphs about your request. Where applicable, check boxes are used to provide you with more information about the processing of your request. Please read each item carefully.

- Document(s) were located which originated with, or contained information concerning, other Government Agency [OGA].
  - This information has been referred to the OGA(s) for review and direct response to you.
  - We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.

- In accordance with standard FBI practice and pursuant to FOIA exemption (b)(7)(E) and Privacy Act exemption (j)(2) [5 U.S.C. § 552/552a (b)(7)(E)/(j)(2)], this response neither confirms nor denies the existence of your subject's name on any watch lists.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the Freedom of Information Act (FOIA). See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. Enclosed for your information is a copy of the Explanation of Exemptions.

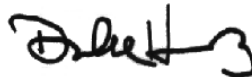
For questions regarding our determinations, visit the [www.fbi.gov/foia](http://www.fbi.gov/foia) website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following website: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing [ogis@nara.gov](mailto:ogis@nara.gov). Alternatively, you may contact the FBI's FOIA Public Liaison by emailing [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

- The enclosed material is from the main investigative file(s), meaning the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown such additional references, if identified to the same subject of the main investigative file, usually contain information similar to the information processed in the main file(s). As such, we have given priority to processing only the main investigative file(s) given our significant backlog. If you would like to receive any references to the subject(s) of your request, please submit a separate request for the reference material in writing. The references will be reviewed at a later date, as time and resources permit.
- See additional information which follows.

Sincerely,



David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section  
Information Management Division

Enclosure(s)

The enclosed documents represent the final release of information responsive to your Freedom of Information/Privacy Acts (FOIPA) request.

This material is being provided to you at no charge.

## EXPLANATION OF EXEMPTIONS

### SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information ( A ) could reasonably be expected to interfere with enforcement proceedings, ( B ) would deprive a person of a right to a fair trial or an impartial adjudication, ( C ) could reasonably be expected to constitute an unwarranted invasion of personal privacy, ( D ) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, ( E ) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or ( F ) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

### SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

---START MESSAGE--- Subject: eFOIA Request Received Sent: 2016-11-03T13:14:36.165609+00:00 Status: pending Message:

### Individual Information

Prefix

First Name

Middle Name

Last Name

Suffix

Email

Phone

Location

b6

### Domestic Address

Address Line 1

Address Line 2

City

State

Postal

b6

### Agreement to Pay

How you will pay

I am requesting a fee waiver for my request and have reviewed the FOIA reference guide. If my fee waiver is denied, I am willing to pay additional fees and will enter that maximum amount in the box below.

b7E

9/12/2018

Allow up to \$

100

## Proof Of Affiliation for Fee Waiver

**Waiver Explanation**

I am an individual doing independent research and I believe the information will be valuable to the American public at large.

**Documentation Files**

## Non-Individual FOIA Request

**Request Information**

Involvement of Clinton Foundation in regards to Uranium one over the time period of 2009 to 2016.

## Expedite

**Expedite Reason**

the request is made by a person primarily engaged in disseminating information to the public and the information is urgently needed to inform the public concerning some actual or alleged federal government activity; or

----END MESSAGE----

---START MESSAGE--- Subject: eFOIA Request Received Sent: 2017-10-17T17:13:37.150671+00:00 Status: pending Message:

### Individual Information

Prefix

First Name

Middle Name

Last Name

Suffix

Email

b6

Phone

Location

### Non-Domestic Address

Address Line 1

Address Line 2

City

State

Postal

Country

b6

### Agreement to Pay

How you will pay

b7E

9/12/2018

I am requesting a fee waiver for my request and have reviewed the FOIA reference guide. If my fee waiver is denied, I would like to limit my request to the two free hours of searching and 100 duplicated pages.

## Proof Of Affiliation for Fee Waiver

### Waiver Explanation

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 30 business days, as the statute requires.

There is a clear public interest case in having these files released.

### Documentation Files

## Non-Individual FOIA Request

### Request Information



Any and all files you hold on Uranium One.

On July 5, 2006, Southern Cross Resources Inc. and Alliance Gold and Uranium Resources Ltd announced that they would be merging under the name SXE Uranium One Inc.

In 2007 Uranium One acquired a controlling interest in UrAsia Energy, a Canadian firm with headquarters in Vancouver, from Frank Giustra. UrAsia Energy has interests in rich uranium operations in Kazakhstan. UrAsia Energy's acquisition of its Kazakhstan uranium interests from Kazatomprom followed a trip to Almaty in 2005 by Giustra and former U.S. President Bill Clinton where they met with Nursultan Nazarbayev, the leader of Kazakhstan. Substantial contributions to the Clinton Foundation by Giustra followed. The Podesta Group then lobbied on behalf of Uranium One. The Podesta Group is run by Tony Podesta, the brother of John Podesta who was Hillary Clinton's 2016 campaign manager.

In June 2009, the Russian uranium mining company ARMZ Uranium Holding Co. (ARMZ), a part of Rosatom, acquired 16.6% of shares in Uranium One in exchange for a 50% interest in the Karatau uranium mining project, a joint venture with Kazatomprom. In June 2010, Uranium One acquired 50% and 49% respective interests in southern Kazakhstan-based Akbastau and Zarechnoye uranium mines from ARMZ. In exchange, ARMZ increased its stake in Uranium One to 51%. The acquisition resulted in a 60% annual production increase at Uranium One, from approximately 16 million to 16 million lb. The deal was subject to anti-trust and other conditions and was not finalized until the companies received Kazakh regulatory approvals, approval under Canadian investment law, clearance by the US Committee on Foreign Investments, and approvals from both the Toronto and Johannesburg stock exchanges. The deal was finalized by the end of 2010. Uranium One paid its minority shareholders a significant dividend of 1.06 United States Dollars at the end of 2010.

ARMZ took complete control of Uranium One in January 2013 in a transaction which was reviewed by the Committee on Foreign Investment in the United States. In December 2013 an internal reorganization of Rosatom extinguished the interest of ARMZ making Uranium One a direct subsidiary of Rosatom.

Please conduct a search of the Central Records System, including but not limited to the ELSUR Records System, the Microphone Surveillance (MISUR) Indices, the Physical Surveillance (PISUR) Indices, and the Technical Surveillance (TESUR) Indices, for both main-file records and cross-reference records for all relevant names, individuals, agencies and companies.

[https://en.wikipedia.org/wiki/Uranium\\_One](https://en.wikipedia.org/wiki/Uranium_One)

---END MESSAGE---



October 25, 2017

David M. Hardy, Chief  
Record/Information Dissemination Section  
Records Management Division  
Federal Bureau of Investigation  
Department of Justice  
170 Marcel Drive  
Winchester, VA 22602-4843  
Phone: (540) 868-4500  
Fax: (540) 868-4997

**RE: FOIA Request for Records Regarding Uranium One and CFIUS Approving  
Transfer of Control of Twenty Percent of American Uranium to Russian Company**

Dear Mr. Hardy:

This letter is a request ("Request") in accordance with the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and the corresponding department/agency implementing regulations.

The Request is made by the American Center for Law and Justice (ACLJ)<sup>1</sup> on behalf of our members who have signed our petition to demand the truth about the previous Administration's approval of the transfer of 20% of American uranium production capacity to a Russian-owned energy conglomeration given what we now know through news reports. The ACLJ respectfully seeks expedited processing and a waiver of fees related to this Request as set forth in an accompanying memorandum.

To summarize, the numbered requests contained herein seek any and all records concerning approval by the Committee on Foreign Investments in the United States (CFIUS) of the sale of a controlling stake in Uranium One to Rosatom, a Russian energy conglomerate in 2010 (resulting in a total takeover by 2013); and what the CFIUS members knew when they voted to approve the transfer in light of the fact that: (1) the FBI was investigating bribes, kickbacks and racketeering by the Russian conglomerate's American subsidiary calculated to compromise contractors in the American nuclear energy industry and the Attorney General's representative sat on the CFIUS; (2) "Russian nuclear officials" were "rout[ing] millions of dollars to the" Clinton Foundation and

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<sup>1</sup>The ACLJ is a not-for-profit 501(c)(3) organization dedicated to the defense of constitutional liberties secured by law. The ACLJ regularly monitors governmental activity with respect to international affairs, and works to inform the public of such affairs. The ACLJ and its global affiliated organizations are committed to ensuring the ongoing viability of freedom and liberty in the United States and around the world.

then-Secretary Clinton's representative sat on the CFIUS; and (3) then-Secretary Clinton's husband received \$500,000 from the Russian government for a speech in Moscow.

### Background

Pursuant to DOJ FOIA regulation 28 C.F.R. §16.3(b), this Background addresses "the date, title or name, author, recipient, subject matter of the record[s]" requested, to the extent known.

According to The Hill:

Before the Obama administration approved a controversial deal in 2010 giving Moscow control of a large swath of American uranium, the FBI had gathered substantial evidence that Russian nuclear industry officials were engaged in bribery, kickbacks, extortion and money laundering designed to grow Vladimir Putin's atomic energy business inside the United States, according to government documents and interviews.<sup>2</sup>

According to the report,

Federal agents used a confidential U.S. witness working inside the Russian nuclear industry to gather extensive financial records, make secret recordings and intercept emails as early as 2009 that showed Moscow had compromised an American uranium trucking firm with bribes and kickbacks in violation of the Foreign Corrupt Practices Act, FBI and court documents show.<sup>3</sup>

The transfer of a controlling interest in Uranium One to Russian state-owned ARMZ, (a wholly owned subsidiary of Rosatom) was approved by the Committee on Foreign Investments in the United States (CFIUS), which consists of leadership from multiple government agencies, including the Attorney General, the Secretary of State and the Secretary of the Treasury. The approval is believed to have occurred on October 22, 2010. Its CFIUS case number is 10-40.

As to the significance of the deal, one article

detailed how the Russian atomic energy agency, Rosatom, had taken over a Canadian company with uranium-mining stakes stretching from Central Asia to the American West. The deal made Rosatom one of the world's largest uranium producers and brought Mr. Putin closer to his goal of controlling much of the global uranium supply chain.<sup>4</sup>

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<sup>2</sup> John Solomon & Alison Spann, *FBI Uncovered Russian Bribery Plot Before Obama Administration Approved Controversial Nuclear Deal with Moscow*, THE HILL (Oct. 17, 2017, 6:00 AM), <http://thehill.com/policy/national-security/355749-fbi-uncovered-russian-bribery-plot-before-obama-administration>.

<sup>3</sup> *Id.*

<sup>4</sup> Jo Becker & Mike McIntire, *Iran Air Takes Its First A330-200 as Fleet Upgrade Continues*, THE N.Y. TIMES (Apr. 23, 2015), <https://www.nytimes.com/2015/04/24/us/cash-flowed-to-clinton-foundation-as-russians-pressed-for-control-of-uranium-company.html>.

And according to the New York Times in 2015:

[T]he untold story behind that story is one that involves not just the Russian president, but also a former American president and a woman who would like to be the next one.

At the heart of the tale are several men, leaders of the Canadian mining industry, who have been major donors to the charitable endeavors of former President Bill Clinton and his family. Members of that group built, financed and eventually sold off to the Russians a company that would become known as Uranium One.

Beyond mines in Kazakhstan that are among the most lucrative in the world, the sale gave the Russians control of one-fifth of all uranium production capacity in the United States. Since uranium is considered a strategic asset, with implications for national security, the deal had to be approved by a committee composed of representatives from a number of United States government agencies. Among the agencies that eventually signed off was the State Department, then headed by Mr. Clinton's wife, Hillary Rodham Clinton.

As the Russians gradually assumed control of Uranium One in three separate transactions from 2009 to 2013, Canadian records show, a flow of cash made its way to the Clinton Foundation.<sup>5</sup>

Newsweek reports the number of dollars given to the Clinton Foundation by "those linked to Uranium One or UrAsia," another company involved in the series of transactions at issue, at \$145 million.<sup>6</sup>

Also noteworthy,

In March 2010, to push the Obama "reset" agenda, Secretary Clinton traveled to Russia, where she met with Putin and Dimitri Medvedev . . . . Soon after, it emerged that Renaissance Capital, a regime-tied Russian bank, had offered Bill Clinton \$500,000 to make a single speech — far more than the former president's usual haul in what would become one of his biggest paydays ever. Renaissance was an aggressive promoter of Rosatom. The Clinton speech took place in Moscow in June.<sup>7</sup>

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<sup>5</sup> *Id.*

<sup>6</sup> Greg Price, *Did Russia Send Money to Bill Clinton's Foundation Like Trump Says? Fact-Checking the President's Claim*, NEWSWEEK (Oct. 19, 2017, 11:19 AM), <http://www.newsweek.com/fact-check-clintons-russia-trump-688592>.

<sup>7</sup> Andrew C. McCarthy, *The Obama Administration's Uranium One Scandal*, NATIONAL REVIEW (Oct. 21, 2017, 4:00 AM), <http://www.nationalreview.com/article/452972/uranium-one-deal-obama-administration-doj-hillary-clinton-racketeering>.

Making numerous headlines now, however, is the revelation that “at the time the administration approved the transfer, it knew that Rosatom’s American subsidiary [Tenam USA] was engaged in a lucrative racketeering enterprise that had already committed felony extortion, fraud, and money-laundering offenses”<sup>8</sup> as part of a concerted effort to “compromise[] the American companies that paid the bribes, rendering players in U.S. nuclear energy — a sector critical to national security — vulnerable to blackmail by Moscow.”<sup>9</sup>

Rather than bring immediate charges in 2010, however, the Department of Justice (DOJ) continued investigating the matter for nearly four more years, essentially leaving the American public and Congress in the dark about Russian nuclear corruption on U.S. soil during a period when the Obama administration made two major decisions benefiting Putin’s commercial nuclear ambitions.<sup>10</sup>

Those two decisions were the CFIUS approval in 2010 for Uranium One to take partial control over Uranium (and its 20% of American uranium). The second decision was came in 2011 when “the administration gave approval for Rosatom’s Tenex subsidiary to sell commercial uranium to U.S. nuclear power plants in a partnership with the United States Enrichment Corp. Before then, Tenex had been limited to selling U.S. nuclear power plants reprocessed uranium recovered from dismantled Soviet nuclear weapons.”<sup>11</sup>

As reported by the Hill, even though

[t]hen-Attorney General Eric Holder was among the Obama administration officials joining Hillary Clinton on the Committee on Foreign Investment in the United States at the time the Uranium One deal was approved[,] [m]ultiple current and former government officials told The Hill they did not know whether the FBI or DOJ ever alerted committee members to the criminal activity they uncovered.<sup>12</sup>

“In 2010, the State Department’s representative was former Assistant Secretary of State for Economic, Energy and Business Affairs Jose W. Fernandez . . . . The Treasury Department was represented by Marisa Lago, Assistant Secretary of Treasury for International Markets and Development.”<sup>13</sup> The National Security Division (NSD) of the Department of Justice “serves as

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<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> Solomon & Spann, *supra* n. 2.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> Michael Patrick Leahy, *Clinton Cash Uranium Deal Approved by Foreign Investment Committee 52 Days After Shareholders Finalized Takeover*, BREITBART (May 4, 2015), <http://www.breitbart.com/big-government/2015/05/04/clinton-cash-uranium-deal-approved-by-foreign-investment-committee-52-days-after-shareholders-finalized-takeover/>.

the staff-level DOJ representative on the CFIUS,”<sup>14</sup> but then-Attorney General Eric Holder was DOJ’s cabinet-level official who sat on the committee.<sup>15</sup>

### Records Requested

For purposes of this Request, the term “record” is “any information” that qualifies under 5 U.S.C. § 552(f), and includes, but is not limited to, the original or any full, complete and unedited copy of any log, chart, list, memorandum, note, correspondence, writing of any kind, policy, procedure, guideline, agenda, handout, report, transcript, set of minutes or notes, video, photo, audio recordings, or other material. The term “record” also includes, but is not limited to, all relevant information created, stored, received or delivered in any electronic or digital format, e.g., electronic mail, instant messaging or Facebook Messenger, iMessage, text messages or any other means of communication, and any information generated, sent, received, reviewed, stored or located on a government or private account or server, consistent with the holdings of *Competitive Enterprise Institute v. Office of Science and Technology Policy*, No. 15-5128 (D.C. Cir. July 5, 2016)<sup>16</sup> (rejecting agency argument that emails on private email account were not under agency control, and holding, “If a department head can deprive the citizens of their right to know what his department is up to by the simple expedient of maintaining his departmental emails on an account in another domain, that purpose is hardly served.”).

For purposes of this Request, the term “briefing” includes, but is not limited to, any in-person meeting, teleconference, electronic communication, or other means of gathering or communicating by which information was conveyed to one or more person(s).

For purposes of this Request, the term “FBI official” includes, but is not limited to, any person who is (1) employed by or on behalf of the FBI in any capacity; (2) contracted for services by or on behalf of the FBI in any capacity; or (3) appointed by the President of the United States to serve in any capacity at the FBI, all without regard to the component or office in which that person serves.

For purposes of this Request, all sources, documents, letters, reports, briefings, articles and press releases cited in this Request are incorporated by reference as if fully set forth herein.

**For purposes of this Request, the timeframe of records requested herein is July 1, 2010, to the date this Request is processed, unless otherwise indicated.**

Pursuant to FOIA, 5 U.S.C. § 552, ACLJ hereby requests that the FBI respond to the following numbered requests and produce all responsive records:

#### **I. Records Regarding FBI Records**

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<sup>14</sup> U.S. DEP’T OF JUSTICE, NAT’L SEC. DIV., PERFORMANCE BUDGET CONGRESSIONAL SUBMISSION, FISCAL YEAR 2016 (2016),

[https://www.justice.gov/sites/default/files/jmd/pages/attachments/2015/02/01/6.\\_national\\_security\\_division\\_nsd.pdf](https://www.justice.gov/sites/default/files/jmd/pages/attachments/2015/02/01/6._national_security_division_nsd.pdf).

<sup>15</sup> Solomon & Span, *supra* n. 2.

<sup>16</sup> *Competitive Enter. Inst. v. Office of Sci. & Tech. Policy*, 827 F.3d 145 (D.C. Cir. 2016).

All records, communications or briefings created, generated, forwarded, transmitted, sent, shared, saved, received, or reviewed by any FBI official from any other FBI or DOJ official or employee referencing or regarding in any way Uranium One, UrAsia, Rosatom, Tenex, Tenam USA, Vidim Mikarin or Frank Giustra, an FBI investigation of Vidim Mikarin, or the issue of whether the CFIUS should, would or did approve the transfer of control in October 2010, CFIUS case no. 10-40, all as referenced in the Background section above, including but not limited to any record located on backup tapes, archives, any other recovery, backup, storage or retrieval system, FBI electronic mail or message accounts, non-FBI electronic mail or message accounts, personal electronic mail or message accounts, FBI servers, non-FBI servers, and personal servers, as well as any electronic mail or message carbon copied to agency account recipients, any electronic mail or message carbon copied to non-agency account recipients, any electronic mail or message forwarded to agency account recipients, any electronic mail or message forwarded to non-agency account recipients, and attachments to any electronic mail or message.

## **2. Records Regarding FBI Communications with Officials from Other Agencies**

All records, communications or briefings created, generated, forwarded, transmitted, sent, shared, saved, received, or reviewed by any FBI official from any other agency official or employee referencing or regarding in any way Uranium One, UrAsia, Rosatom, Tenex, Tenam USA, Vidim Mikarin or Frank Giustra, an FBI investigation of Vidim Mikarin, or the issue of whether the CFIUS should, would or did approve the transfer of control in October 2010, CFIUS case no. 10-40, all as referenced in the Background section above, including but not limited to any record located on backup tapes, archives, any other recovery, backup, storage or retrieval system, FBI electronic mail or message accounts, non-FBI electronic mail or message accounts, personal electronic mail or message accounts, FBI servers, non-FBI servers, and personal servers, as well as any electronic mail or message carbon copied to agency account recipients, any electronic mail or message carbon copied to non-agency account recipients, any electronic mail or message forwarded to agency account recipients, any electronic mail or message forwarded to non-agency account recipients, and attachments to any electronic mail or message.

## **3. Records Regarding FBI Records From Non-Governmental Person or Entity**

All records, communications or briefings created, generated, forwarded, transmitted, sent, shared, saved, received, or reviewed by any FBI official from any non-U.S. government person or entity referencing or regarding in any way Uranium One, UrAsia, Rosatom, Tenex, Tenam USA, Vidim Mikarin or Frank Giustra, an FBI investigation of Vidim Mikarin, or the issue of whether the CFIUS should, would or did approve the transfer of control in October 2010, CFIUS case no. 10-40, all as referenced in the Background section above, including but not limited to any record located on backup tapes, archives, any other recovery, backup, storage or retrieval system, FBI electronic mail or message accounts, non-FBI electronic mail or message accounts, personal electronic mail or message accounts, FBI servers, non-FBI servers, and personal servers, as well as any electronic mail or message carbon copied to agency account recipients, any electronic mail or message carbon copied to non-agency account recipients, any electronic

mail or message forwarded to agency account recipients, any electronic mail or message forwarded to non-agency account recipients, and attachments to any electronic mail or message.

CONCLUSION

If this Request is denied in whole or in part, ACLJ requests that, within the time requirements imposed by FOIA, you support all denials by reference to specific FOIA exemptions and provide any statutorily or judicially required explanatory information, including but not limited to a *Vaughn* Index.

Moreover, as explained in an accompanying memorandum, the ACLJ is entitled to expedited processing of this Request as well as a waiver of all fees associated with it. The ACLJ reserves the right to appeal a decision to withhold any information sought by this request and/or to deny the separate application for expedited processing and waiver of fees.

Thank you for your prompt consideration of this Request. Please furnish all applicable records and direct any responses to:

Jordan Sekulow, Executive Director  
Carly F. Gammill, Senior Litigation Counsel  
Benjamin P. Sisney, Senior Litigation Counsel  
American Center for Law and Justice  
201 Maryland Ave., NE  
Washington, D.C. 20002-5703  
(202) 546-8890  
(202) 546-9309 (fax)



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I affirm that the foregoing request and attached documentation are true and correct to the best of my knowledge and belief.

Respectfully submitted,

Handwritten signature of Jordan Sekulow in black ink.

Jordan Sekulow  
Executive Director

Handwritten signature of Carly F. Gammill in black ink.

Carly F. Gammill  
Senior Litigation Counsel

Handwritten signature of Benjamin P. Sisney in black ink.

Benjamin P. Sisney  
Senior Litigation Counsel





October 25, 2017

David M. Hardy, Chief  
Record/Information Dissemination Section  
Records Management Division  
Federal Bureau of Investigation  
Department of Justice  
170 Marcel Drive  
Winchester, VA 22602-4843  
Phone: (540) 868-4500  
Fax: (540) 868-4997

**RE: FOIA Request for Records Regarding Uranium One and CFIUS Approving  
Transfer of Control of Twenty Percent of American Uranium to Russian Company**

**MEMORANDUM IN SUPPORT OF REQUESTED FEE WAIVER AND EXPEDITED PROCESSING**

The American Center for Law and Justice ("ACLJ") respectfully submits this Memorandum in Support of Fee Waiver and Expedited Processing of its Freedom of Information Act ("FOIA") Request (hereinafter "Request") to the Federal Bureau of Investigation ("FBI").

**I. FEE WAIVER REQUEST**

The ACLJ is a not-for-profit 501(c)(3) organization dedicated to the defense of constitutional liberties secured by law. The ACLJ's mission is to educate, promulgate, conciliate, and, where necessary, litigate to ensure that those rights are protected under the law. The ACLJ regularly monitors governmental activity with respect to governmental accountability. The ACLJ stands for the principles of separation of powers, a strong national security and defense, and the sanctity of the individual liberties recognized and secured by the Constitution. The ACLJ and its globally affiliated organizations are committed to ensuring the ongoing viability of freedom and liberty in the United States and around the world. By focusing on U.S. constitutional law and international law, the ACLJ and its affiliated organizations are dedicated to the concept that freedom and liberty are universal, God-given, and inalienable rights that must be protected. Additionally, the ACLJ and its affiliated organizations support training law students from around the world in order to protect religious liberty and safeguard human rights and dignity.

The ACLJ requests a fee waiver under 5 U.S.C. § 552(a)(4)(A)(iii). Under this section, fees related to a FOIA request may be waived or reduced if: the requester falls within certain specified categories, which include a "representative of the news media." § (a)(4)(A)(ii)(II),

\*

and/or “disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester,” § (a)(4)(A)(iii). The ACLJ qualifies for a fee waiver as a “representative of the news media,” § (a)(4)(A)(ii)(II), and because the information sought is “not for a commercial purpose,” § (a)(4)(A)(iii). Moreover, the ACLJ intends to widely disseminate to the public the information obtained because, as explained in detail *infra*, “it is likely to contribute significantly to the public understanding of the operations or activities of the government,” *id.*, including specifically the agency and actors referenced in the Request.

#### **A. The ACLJ Qualifies as a News Media Representative.**

The ACLJ qualifies as a “representative of the news media,” as defined in 5 U.S.C. § 552(a)(4)(A)(ii), because the ACLJ, for the purposes explained above, “gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience.” *Id.* The ACLJ’s audience is generally comprised of those interested in our mission and legal activities as described above. The ACLJ reaches a vast audience through a variety of media outlets, including the Internet (World Wide Web page, [www.aclj.org](http://www.aclj.org)), radio, television, press releases, and direct mailings to our supporters.

For example, the ACLJ’s Internet site received an average of 822,000 unique visitors per month in 2015, with 22,000,000 page views. Our current email list holds 1,050,000 active names (actual list size is 2,340,690). In 2015, the ACLJ sent 278,000,000 emails.

The ACLJ’s radio audience consists of more than 1,150,000 estimated daily listeners on more than 1,050 radio stations nationwide, including SiriusXM satellite radio. Additionally, the ACLJ hosts a weekly television program, *Sekulow*, broadcast on eight networks: Cornerstone Television, Daystar Television Network, AngelOne, KAZQ, TBN, VTN, The Walk TV, and HisChannel. See <http://aclj.org/radio-tv/schedule> (listing schedule).

The ACLJ also disseminates news and information to over 1,000,000 addresses on its mailing lists. In 2015, the ACLJ sent 15,000,000 pieces of mail.

Moreover, our Chief Counsel, Jay Sekulow, has regularly appeared on various news and talk show programs to discuss the issues and events important to the ACLJ and its audiences. These include shows on FOX News, MSNBC, CNN, ABC, CBS, and NBC. In addition to television programs, Jay Sekulow has also appeared on national radio broadcasts. Beyond broadcast outlets, Jay Sekulow’s comments appear regularly in the nation’s top newspapers, in print and online editions, including but not limited to the Wall Street Journal, New York Times, Washington Times, Washington Post, L.A. Times, and USA Today. His comments also appear in major national newswire services that include, but are not limited to, Associated Press, Reuters, and Bloomberg.

**B. The ACLJ's FOIA Request Meets Fee Waiver Standards Set Forth Under DOJ Regulations Promulgated Under FOIA.**

Under 28 C.F.R. § 16.10(c)(1)(i), “[r]equests made by educational institutions, noncommercial scientific institutions, or representatives of the news media are not subject to search fees.” And, “[n]o search fees will be charged for requests by educational institutions (unless the records are sought for a commercial use), noncommercial scientific institutions, or representatives of the news media.” § 16.10(d). Moreover:

Records responsive to a request shall be furnished without charge or at a reduced rate below the rate established under paragraph (c) of this section, where a component determines, based on all available information, that the requester has demonstrated that:

- (i) Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government, and
- (ii) Disclosure of the information is not primarily in the commercial interest of the requester.

§ 16.10(k)(1).

The DOJ considers the following four factors in determining “whether disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of operations or activities of the government”:

- (i) The subject of the request must concern identifiable operations or activities of the Federal Government, with a connection that is direct and clear, not remote or attenuated.
- (ii) Disclosure of the requested records must be meaningfully informative about government operations or activities in order to be “likely to contribute” to an increased public understanding of those operations or activities. The disclosure of information that already is in the public domain, in either the same or a substantially identical form, would not contribute to such understanding where nothing new would be added to the public’s understanding.
- (iii) The disclosure must contribute to the understanding of a reasonably broad audience of persons interested in the subject, as opposed to the individual understanding of the requester. A requester’s expertise in the subject area as well as the requester’s ability and intention to effectively convey information to the public shall be considered. It shall be presumed that a representative of the news media will satisfy this consideration.

(iv) The public's understanding of the subject in question must be enhanced by the disclosure to a significant extent. However, components shall not make value judgments about whether the information at issue is "important" enough to be made public.

§ 16.10(k)(2)(i)-(iv).

The DOJ considers the following two factors in determining "whether disclosure of the requested information is primarily in the commercial interest of the requester":

(i) The existence and magnitude of a commercial interest, i.e., whether the requester has a commercial interest that would be furthered by the requested disclosure; and, if so,

(ii) The primary interest in disclosure, i.e., whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requester.

§ 16.10(k)(3). As the U.S. Court of Appeals for the D.C. Circuit has noted, "Congress amended FOIA to ensure that it is 'liberally construed in favor of waivers for noncommercial requesters.'" *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1312 (D.C. Cir. 2003) (citing *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1284 (9th Cir. 1987) (quoting 132 CONG. REC. 27, 190 (1986) (Sen. Leahy))).

The ACLJ's Request meets the DOJ's factors as listed above, qualifying the ACLJ for a waiver of fees, as set forth below.

**§ 16.10(k)(2)(i): The subject of the Request concerns identifiable operations and activities of the Federal Government.**

Releasing the requested records to the ACLJ will contribute significantly to the public's understanding of United States Government operations and activities. The ACLJ has requested information and records specifically concerning approval by the Committee on Foreign Investments in the United States (CFIUS) of the sale of a controlling stake in Uranium One to Rosatom, a Russian energy conglomerate in 2010 (resulting in a total takeover by 2013); and what the CFIUS members knew when they voted to approve the transfer in light of the fact that: (1) the FBI was investigating bribes, kickbacks and racketeering by the Russian conglomerate's American subsidiary calculated to compromise contractors in the American nuclear energy industry and the Attorney General's representative sat on the CFIUS; (2) Russian nuclear officials were routing millions of dollars to the Clinton Foundation and then-Secretary Clinton's representative sat on the CFIUS; and (3) then-Secretary Clinton's husband received \$500,000 from the Russian government for a speech in Moscow. This information is required to determine what the relevant U.S. government actors knew when CFIUS approved this tremendously significant and controversial transfer. Within this request, all communications by the FBI and

any of its personnel, and all other FBI actions related thereto, are relevant to shed light on identifiable activities of the government.

**§ 16.10(k)(2)(ii): Disclosure of the requested records will be meaningfully informative about government operations or activities and will be “likely to contribute” to an increased public understanding of those operations or activities.**

The ACLJ’s request will contribute and provide meaningful understanding of United States Government operations or activities undertaken by and within the FBI. The Request will reveal records indicating why FBI officials and other government actors made certain decisions leading to the CFIUS approval while an FBI investigation was ongoing and while a CFIUS member was financially benefiting from the transfer. Responsive records will also reveal the involvement, if any, of any other governmental agencies or officials in these decisions. This information will allow the American public to hold its government officials accountable if it is discovered that FBI officials engaged in activities and/or communications and/or arrived at decisions inconsistent with the desires of the American public.

**§ 16.10(k)(2)(iii): The disclosure will contribute to the understanding of a reasonably broad audience of persons interested in the subject, as opposed to the individual understanding of the requester. The requester has expertise in the subject area as well as the ability and intention to effectively convey information to the public. It shall be presumed that a representative of the news media will satisfy this consideration.**

Releasing the requested information to the ACLJ will contribute “significantly” to the public’s understanding of United States Government operations and activities. The ACLJ has researched and litigated to uphold governmental transparency and accountability. The ACLJ is qualified to analyze and assess the adequacy or propriety of FBI officials’ actions and decisions at issue.

The ACLJ intends to release the information, once analyzed and assessed, to the public through its numerous media outlets. Those outlets include but are not limited to its Internet website ([www.aclj.org](http://www.aclj.org)), email list, radio programs, television programs, press releases, and regular mailing list, as described above. The ACLJ has been disseminating relevant information concerning fundamental and constitutional freedoms and governmental accountability, since its founding in 1990, and has since then expanded its work and notoriety on an international level, achieving credibility in a wide range of media outlets, as described above.

**§ 16.10(k)(2)(iv): The public’s understanding of the subject in question will be enhanced by the disclosure to a significant extent. Components shall not make value judgments about whether the information at issue is “important” enough to be made public.**

Releasing the information described above will significantly contribute to the public’s understanding through ACLJ review and assessment of the materials and information, and

subsequent dissemination of the information to the public. Such review, assessment, and dissemination will help the public understand what actions FBI officials took in connection with the CFIUS approval concerning Uranium One.

**§ 16.10(k)(3)(i): The requester has no commercial interest, as defined in paragraph (b)(1) of this section, that would be furthered by the requested disclosure.**

As explained and described throughout this Memorandum, the ACLJ is a not-for-profit 501(c)(3) organization dedicated to the defense of constitutional liberties secured by law and the public dissemination of information by way of its numerous media platforms. The information sought by the ACLJ is in furtherance of its not-for-profit mission statement. The ACLJ has no commercial interest in the information sought or its dissemination thereof. This is especially so because the ACLJ cannot operate for a commercial purpose under its grant of 501(c)(3) tax-exempt status.

**§ 16.10(k)(3)(ii): A waiver or reduction of fees is justified because the requester had no commercial interest in disclosure. Components ordinarily shall presume that where a news media requester has satisfied the public interest standard, the public interest will be the interest primarily served by disclosure to that requester.**

Again, the ACLJ has no commercial interest in the information sought or its dissemination thereof. Rather, its interest is purely to further its not-for-profit mission. Therefore, its interest cannot be founded “primarily” in a commercial interest. This is especially so because the ACLJ cannot operate for a commercial purpose under its grant of 501(c)(3) tax-exempt status.

For these reasons, the ACLJ is entitled to a fee waiver and respectfully requests that a waiver be granted.

## **II. EXPEDITED PROCESSING REQUEST**

The ACLJ seeks expedited processing of its Request under 5 U.S.C. § 552(a)(6)(E), and the DOJ/FBI’s attendant regulation, 28 C.F.R. § 16.5(e). As defined by statute, a “compelling need” is one “with respect to a request made by a person primarily engaged in disseminating information,” where there is an “urgency to inform the public concerning actual or alleged Federal Government activity.” 5 U.S.C. § 552(a)(6)(E)(v)(II). According to 28 C.F.R. § 16.5(e)(1):

(e) Expedited processing. (1) Requests and appeals shall be processed on an expedited basis whenever it is determined that they involve:

....

(ii) An urgency to inform the public about an actual or alleged Federal Government activity, if made by a person who is primarily engaged in disseminating information;

....

(iv) A matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity that affect public confidence.

§§ 16.5(e)(1)(ii), (iv). The regulation further provides:

A requester who seeks expedited processing must submit a statement, certified to be true and correct, explaining in detail the basis for making the request for expedited processing. For example, under paragraph (e)(1)(ii) of this section, a requester who is not a full-time member of the news media must establish that the requester is a person whose primary professional activity or occupation is information dissemination, though it need not be the requester's sole occupation. Such a requester also must establish a particular urgency to inform the public about the government activity involved in the request—one that extends beyond the public's right to know about government activity generally. The existence of numerous articles published on a given subject can be helpful in establishing the requirement that there be an "urgency to inform" the public on the topic. As a matter of administrative discretion, a component may waive the formal certification requirement.

§ 16.5(e)(3).

The ACLJ's primary professional activity or occupation is information dissemination, though it is not the requester's sole occupation. As detailed above, *see supra* Section I(A) (concerning the ACLJ's qualification as a news media representative):

- (1) The ACLJ reaches a vast audience through a variety of media outlets, including the Internet (World Wide Web page, [www.aclj.org](http://www.aclj.org)), radio, television, press releases, and direct mailings to our supporters.
- (2) The ACLJ's Internet site received an average of 822,000 unique visitors per month in 2015, with 22,000,000 page views. Our current email list holds 1,050,000 active names (actual list size is 2,340,690). In 2015, the ACLJ sent 278,000,000 emails.
- (3) The ACLJ's radio audience consists of more than 1,150,000 estimated daily listeners on more than 1,050 radio stations nationwide, including SiriusXM satellite radio. Additionally, the ACLJ hosts a weekly television program, *Sekulow*, broadcast on eight networks: Cornerstone Television, Daystar Television Network, AngelOne, KAZQ, TBN, VTN, The Walk TV, and HisChannel. *See* <http://aclj.org/radio-tv/schedule> (listing schedule).
- (4) The ACLJ also disseminates news and information to over 1,000,000 addresses on its mailing lists. In 2015, the ACLJ sent 15,000,000 pieces of mail.

- (5) ACLJ Chief Counsel, Jay Sekulow, has regularly appeared on various news and talk show programs to discuss the issues and events important to the ACLJ and its audiences. These include shows on FOX News, MSNBC, CNN, ABC, CBS, and NBC. In addition to television programs, Jay Sekulow has also appeared on national radio broadcasts. Beyond broadcast outlets, Jay Sekulow's comments appear regularly in the nation's top newspapers, in print and online editions, including but not limited to the Wall Street Journal, New York Times, Washington Times, Washington Post, L.A. Times, and USA Today. His comments also appear in major national newswire services that include, but are not limited to, Associated Press, Reuters, and Bloomberg.

The U.S. District Court for the District of Columbia found that a non-profit public interest group, not unlike the ACLJ, qualified as a "representative of the news media" where the group disseminated an electronic newsletter and published books. *Elec. Privacy Info. Ctr. v. Dep't of Def.*, 241 F. Supp. 2d 5, 10–15 (D.D.C. 2003).

Clearly, the ACLJ satisfies the requirement of being one "whose primary professional activity or occupation is information dissemination." 28 C.F.R. § 16.5(e)(3).

Also pursuant to the DOJ/FBI regulation, the requester "must establish a particular urgency to inform the public about the government activity involved in the request—one that extends beyond the public's right to know about government activity generally." *Id.* Notably, "[t]he existence of numerous articles published on a given subject can be helpful in establishing the requirement that there be an 'urgency to inform' the public on the topic." *Id.*

The ACLJ's Request qualifies as compelling under the second statutory definition above, as well as under the DOJ/FBI regulation, because it has an urgency to inform the public about United States government activity in connection with the CFIUS approval concerning Uranium One. The requested information has a particular value that will be lost if not disseminated quickly because issues related to this topic are currently being reported and are thus currently before the public. As one district court explained, the required "compelling need" and "urgency to inform" are determined by three factors:

- (1) [W]hether the request concerns a matter of current exigency to the American public;
- (2) whether the consequences of delaying a response would compromise a significant recognized interest; and
- (3) whether the request concerns federal government activity.

*ACLU v. United States DOJ*, 321 F. Supp. 2d 24, 29 (D.D.C. 2004) (citing *Al-Fayed v. CIA*, 254 F.3d 300, 310 (2002)).

The Request is based upon an urgency to inform the American public because a delay in review of the information would compromise the integrity of the public's confidence in the nation's law enforcement offices. As referenced in the Request, which is incorporated by reference as if fully set forth herein, the press is currently reporting on these very issues.



Without the immediate release of the information requested, the American public will remain in the dark with respect to its own government's actions with respect to the CFIUS approval concerning Uranium One. An expedited response will allow the FBI to swiftly provide explanations for whether the CFIUS knew about the ongoing FBI investigation and/or the financial gain one CFIUS member enjoyed from the approval. Thus, governmental accountability in honoring international obligations and commitments, justice, and integrity serve as significant public interests at stake. The requested documents must be released *now* so that the American people can decide if the government's decisions were acceptable and its response is adequate.

Clearly, "the request concerns a matter of current exigency to the American public"; "the consequences of delaying a response would compromise a significant recognized interest"; and "the request concerns federal government activity." *ACLU*, 321 F. Supp. 2d at 29.

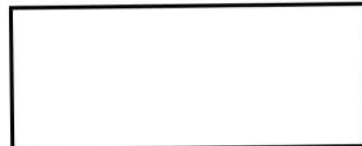
Accordingly, ACLJ respectfully submits a request for waiver of fees and expedited processing of its contemporaneously submitted FOIA Request.

### III. CERTIFICATION

In satisfaction of certification requirements under 5 U.S.C. § 552(a)(6)(E)(vi) and corresponding regulations, and in support thereof, the ACLJ incorporates by reference herein all relevant facts and information as stated in the ACLJ's FOIA Request and certifies that the information provided and stated herein is true and correct to the best of the undersigned's knowledge and belief.

Thank you for your prompt consideration of this Request. Please furnish all applicable records and direct any responses to:

Jordan Sekulow, Executive Director  
Carly F. Gammill, Senior Litigation Counsel  
Benjamin P. Sisney, Senior Litigation Counsel  
American Center for Law and Justice  
201 Maryland Ave., NE  
Washington, D.C. 20002-5703  
(202) 546-8890  
(202) 546-9309 (fax)



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Respectfully submitted,

Handwritten signature of Jordan Sekulow in black ink.

Jordan Sekulow  
Executive Director

Handwritten signature of Carly F. Gammill in black ink.

Carly F. Gammill  
Senior Litigation Counsel

Handwritten signature of Benjamin P. Sisney in black ink.

Benjamin P. Sisney  
Senior Litigation Counsel

# FOIA/PA REQUESTS

**John Greenewald, Jr.**  
**Owner/Founder**  
**The Black Vault**

<http://www.theblackvault.com>

**Toll Free: (800) 456-2228**  
**International: 1 (818) 655-0474**  
**Fax: (818) 659-7688**

**NOV 16 2017**

To whom it may concern,

This is a non-commercial request made under the provisions of the Freedom of Information Act 5 U.S.C. S 552. My FOIA requester status as a "representative of the news media." I am a freelance television producer often working on documentaries related to my FOIA requests, my work is commonly featured throughout major news organizations, and I freelance writer for news sites as well. Examples can be given, if needed.

I prefer electronic delivery of the requested material either via email to

FAX 1-818-659-7688 or via CD-ROM or DVD via postal mail. Please contact me should this FOIA request should incur a charge.

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I respectfully request a copy of all documents, electronic or otherwise, that pertain to or mention: Uranium One is a Canadian uranium mining company with headquarters in Toronto, Ontario. It has operations in Australia, Canada, Kazakhstan, South Africa and the United States. In January 2013 Rosatom, the Russian state-owned uranium monopoly, through its subsidiary ARMZ Uranium Holding, purchased the company at a value of \$1.3 billion. The purchase of the company by Russian interests is, as of October 2017, under investigation by the United States House Permanent Select Committee on Intelligence.

Please include records dated 2005 through to the date of processing this request.

To be clear, I am requesting copies of the above files and I am also requesting you to search your automated, manual, ELSUR, National Name Check Program (NNCP), and "June Mail" indices for any other records that may pertain to my subject and thus be responsive to my request, and this includes a search of all field offices. I also ask that you include all documentation responsive to the above, that may have originated with other government agencies.

Thank you so much for your time, and I am very much looking forward to your response.

Sincerely,

John Greenewald, Jr.

FAX 1-818-659-7688

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---START MESSAGE--- Subject: eFOIA Request Received Sent: 2017-11-07T18:38:24.830767+00:00 Status: pending Message:

## Organization Representative Information

Organization Name

Prefix

First Name

Middle Name

Last Name

Suffix

Email

Phone

Location

b6

## Domestic Address

Address Line 1

Address Line 2

City

State

Postal

b6

## Agreement to Pay

How you will pay

b7E

I am requesting a fee waiver for my request and have reviewed the FOIA reference guide. If my fee waiver is denied, I am willing to pay additional fees and will enter that maximum amount in the box below.

Allow up to \$ 350

## Proof Of Affiliation for Fee Waiver

### Waiver Explanation

We are entitled to a waiver of search fees because we are a § representative of the news media. See 5 U.S.C. § 552(a)(4)(A)(iii)(II); see also Cause of Action v. Federal Trade Comm., 799 F.3d 1199 (D.C. Cir. 2015); Nat'l Sec. Archive v. U.S. Dep't of Defense, 890 F.2d 1391 (D.C. Cir. 1999). For more than twenty years, Judicial Watch has used FOIA and other investigative tools to gather information about the operations and activities of government, a subject of undisputed public interest. Our personnel, which includes experienced journalists and professional writers on staff and under contract, use their editorial skills to turn this raw information into distinct works that are disseminated to the public via our monthly newsletter, which has a circulation of over 300,000, weekly email update, which has over 600,000 subscribers, investigative bulletins, special reports, www.judicialwatch.org website, Corruption Chronicles blog, and social media, including Facebook and Twitter, among other distribution channels. We have authored several books, including Corruption Chronicles by Tom Fitton (Threshold Editions, July 24, 2012), and Clean House by Tom Fitton (Threshold Editions, Aug. 30, 2016). In 2012, we produced a documentary film, DC District of Corruption, directed by Stephen K. Bannon. Our § news media status has been confirmed in court rulings. See, e.g., Judicial Watch, Inc. v. U.S. Dep't of Defense, 2006 U.S. Dist. LEXIS 44003, \*1 (D.D.C. June 28, 2006); Judicial Watch, Inc. v. U.S. Dep't of Justice, 133 F. Supp.2d 52 (D.D.C. 2000). As a tax exempt, 501(c)(3) non-profit corporation, we have no commercial interests and do not seek the requested records for any commercial use. Rather, we intend to use the requested records as part of our on-going investigative journalism and public education efforts to promote integrity, transparency, and accountability in government and fidelity to the rule of law.

Judicial Watch also is entitled to a waiver of both search fees and duplication fees because § disclosure of the information is in the public interest. See 5 U.S.C. § 552(a)(4)(A)(iii). Disclosure of the requested records undoubtedly will shed light on § the operations or activities of the government. See Cause of Action, 799 F.3d at 1115 (quoting 5 U.S.C. § 552(a)(4)(A)(iii)). Disclosure also is § likely to contribute significantly to the public understanding of those operations or activities because, among other reasons, Judicial Watch intends to disseminate both the records and its findings to § a reasonably broad audience of persons interested in the subject § via its newsletter, email updates, investigative bulletins, website, blog, and its other, regular distribution channels. Cause of Action, 799 F.3d at 1116 (quoting Carney v. U.S. Dep't of Justice, 19 F.3d 997, 815 (2d Cir. 1994)).

Documentation Files

## Non-Individual FOIA Request

**Request information**

1. Any and all records regarding, concerning, or related to the investigation of Vadim Mikerin, a former Russian government official.

2. Any and all records regarding, concerning, or related to any investigation related to the acquisition of Toronto-based mining company Uranium One by the Rosatom State Atomic Energy Corporation (Rosatom) subsidiary URNG Uranium Holding Company.

For purposes of clarification, Mr. Mikerin was sentenced to 48 months in prison in December 2015 for Money Laundering Conspiracy Involving Foreign Corrupt Practices Act Violations.

----END MESSAGE----