



September 16, 2024

**Via OSD/JS Public Access Link (PAL)**

OSD/JS FOIA Requester Service Center  
Office of Freedom of Information  
1155 Defense Pentagon  
Washington, DC 20301-1155

**Freedom of Information Act Request: Ryan Wesley Routh**

Dear FOIA Officer:

America First Legal Foundation is a national, nonprofit organization working to promote the rule of law in the United States, prevent executive overreach, and ensure due process and equal protection for all Americans, all to promote public knowledge and understanding of the law and individual rights guaranteed under the Constitution and laws of the United States. To that end, we file Freedom of Information Act requests on issues of pressing public concern, then disseminate the information we obtain, making documents broadly available to the public, scholars, and the media. Using our editorial skills to turn raw materials into distinct work, we distribute that work to a national audience through traditional and social media platforms. AFL's X page has 271,000 followers X, and the X page of our Founder and President has over 729,000 followers.

**I. Records Request**

On Sunday, September 15, 2024, former President Donald J. Trump faced yet another apparent "attempted assassination,"<sup>1</sup> this time, while he was golfing at the Trump International Golf Course in West Palm Beach.<sup>2</sup> Reportedly, his Secret Service detail spotted Ryan Wesley Routh pointing a high-powered rifle from approximately 300 to 500 yards away.<sup>3</sup> Routh had a decades-long criminal history, publicly offered to

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<sup>1</sup> Press Release, FBI Statement on Incident in West Palm Beach, Florida (Sept. 15, 2024), <https://perma.cc/K73Z-WG6W> ("The FBI has responded to West Palm Beach, Florida, and is investigating what appears to be an attempted assassination of former President Donald Trump.").

<sup>2</sup> Kerry Breen & Anna Schecter, *What's Known About Ryan Wesley Routh, Suspect in Possible Trump Assassination Attempt on Florida Golf Course*, CBS NEWS (Sept. 16, 2024), <https://perma.cc/5NB3-UAAT>.

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

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facilitate deploying foreign fighters to Ukraine, and vocally criticized President Trump online—even immediately after the first assassination attempt.<sup>4</sup> Because it is unclear to what extent Federal authorities had previously identified Routh as a potential threat to President Trump, pursuant to 5 U.S.C. § 552, we request all records regarding **Ryan Wesley Routh**. The relevant time period for this request is from January 21, 2021, to the present.

## II. Custodians

### Office of the Secretary of Defense (OSD)

1. Lloyd J. Austin III, Secretary of Defense
2. Derek Chollet, Chief of Staff
3. Kelly E. Magsamen, former Chief of Staff
4. Kathleen Hicks, Deputy Secretary of Defense
5. Christopher Maier, ASD for Special Operations & Low Intensity Conflict
6. Mary Beth Morgan, Deputy Assistant Secretary of Defense for Homeland Defense Integration and Defense Support of Civil Authorities
7. Heather King, former Deputy Assistant Secretary of Defense for Homeland Defense Integration and Defense Support of Civil Authorities

### Joint Chiefs of Staff

1. Gen. Charles Q. Brown, Jr., Chairman
2. Adm. Christopher W. Grady, Vice Chairman
3. Lt. Gen. Douglas A. Sims II, Director for the Joint Staff
4. Lt. Gen. Dimitri Henry, Director for Intelligence, J2
5. David Kostelancik, Foreign Policy Advisor to the Chairman

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<sup>4</sup> *Id.*; see also Curt Devine et al., *Man Detained in Apparent Assassination Attempt on Trump Criticized Former President on Social Media*, CNN (Sept. 15, 2024), <https://perma.cc/U4HJ-B7PP>.

### III. Fee Waiver

AFL requests a waiver of all search and duplication fees associated with this request under 5 U.S.C. § 552(a)(4)(A)(iii) and 32 C.F.R. § 286.12(l). First, AFL is a qualified non-commercial public education and news media requester. Our officials routinely appear on national television and use social media platforms to disseminate the information it has obtained about federal government activities. In this case, AFL will make your records and your responses publicly available for the benefit of citizens, scholars, and others, and the public's understanding of your policies and practices will be enhanced through AFL's analysis and publication of the requested records. As a nonprofit organization, AFL does not have a commercial purpose, and releasing the requested information is not in AFL's financial interest. We note that the Department of Defense has granted us fee waivers in the past.

### IV. Expedited Processing

Department of Defense regulations require the grant of expedited processing for a FOIA request "when the requester demonstrates a compelling need for the information," *i.e.*, when "(A) [t]he failure to obtain requested records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual, or (B) [t]he information is urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning an actual or alleged government activity." 32 C.F.R. § 286.8(e).

There is a compelling need for expedited processing under *both* criteria. Multiple attempts have been made to assassinate the former President of the United States and the frontrunner in the upcoming presidential election—one of which resulted in the death of an innocent bystander—and expedited treatment is necessary to ensure the safety of the former President and other innocent bystanders. Now, more than ever, the public deserves to know what the Department of Defense knew about this attempted assassin, who was reportedly facilitating the deployment of foreign fighters to an active war zone.<sup>5</sup> As discussed above, America First Legal is a qualifying news media distributor, and has been recognized as such by many agencies. This manifest attack on our political process is of paramount and urgent interest to the media and all Americans.

### V. Conclusion

If you have any questions about how to construe this request for records or believe further discussions regarding search and processing would facilitate more efficient production of records of interest to AFL, please do not hesitate to contact me at

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<sup>5</sup> See, *e.g.*, Curt Devine et al., *Man Detained in Apparent Assassination Attempt on Trump Criticized Former President on Social Media*, CNN (Sept. 15, 2024), <https://perma.cc/U4HJ-B7PP>.

FOIA@aflegal.org. Finally, if AFL's request for a fee waiver is not granted in full, please contact us immediately upon making that determination.

Sincerely,

/s/ Julia Z. Haller

America First Legal Foundation