



U.S. Department of Justice  
Civil Rights Division

AW:ADB  
FOI/PA No. 25-00034-F

Freedom of Information/PA Unit –4CON  
950 Pennsylvania Ave., NW  
Washington, DC 20530

Via Electronic Mail Only  
Michael Ding  
[michael.ding@aflegal.org](mailto:michael.ding@aflegal.org)

April 03, 2025

Dear Mr. Ding:

This is in further response to your October 21, 2024, Freedom of Information Act request seeking access to all communications with the 65 Project, including emails with specific domains, terms, and Department of Justice custodians. The date range of your request is January 21, 2021, to October 21, 2024.

A request under the FOIA must be one that reasonably describes [the requested] records.” 5 U.S.C. 552(a)(3). Courts have explained that the rationale for this rule was not intended to reduce government agencies to full-time investigators on behalf of requesters, or to allow requesters to conduct “fishing expeditions” through agency files. *Immanuel v. Sec’y of the Treasury*, No. 94-884, 1995 WL 464141, at 1 (D. Md. Apr. 4, 1995), aff’d 81 F. 3d 150 (4th Cir. 1996). *AFGE v. US. Dep’t of Commerce*, 907 F.2d 203, 209 (D.C. Circ. 1990) (holding that while plaintiffs requests might identify the documents requested with sufficient precision to enable the agency to identify them...it is clear that these requests are so broad as to impose an unreasonable burden upon the agency, because the agency would have to locate, review and redact a vast quantity of material.)

In addition to the "reasonably described" inquiry, courts have held that agencies are not required to conduct wide-ranging "unreasonably burdensome" searches for records. *AFGE v. US. Dep’t of Commerce*, 907 F.2d 203, 209 (D.C. Circ. 1990). While seeking specific domains, names and terms, the breadth and nature of parts of your request, specifically the request for records from custodians that include “All other DOJ personnel under the authority of Assistant A.G. Clarke” would encompass more than 800 employees, excluding contractors (e.g. senior management, attorneys, non-attorneys, paralegals, clerical, other professional staff, students and volunteers). To search, collect and review the records of over 800 employees spanning almost 4 years would be unreasonably burdensome.

You may therefore wish to narrow your list of custodians to those who would most likely possess the records you are looking for. Based on your suggested keywords and other listed custodians, CRT recommends a narrowing to all political appointees or front office leadership. If you would like to discuss narrowing your request, please contact **Andrea Banks** at [CRT.FOIArequests@usdoj.gov](mailto:CRT.FOIArequests@usdoj.gov) . Please reference the FOIA/PA No. above in any communications with the Civil Rights Division about your request.

We note that no documents are being denied currently under this request. Upon receipt of this additional information, we will search our files for information responsive to your request.

Thank you for your patience as we work to respond to your request.

Sincerely,

*Angela Winters*

Angela Winters, Attorney  
Freedom of Information/Privacy Acts Unit  
Civil Rights Division