



November 21, 2023

Via FOIA Portal

Mr. Douglas Hibbard, Chief, Initial Request Staff
Office of Information Policy
U.S. Department of Justice
6th Floor, 441 G Street, NW
Washington, DC 20530

Re: Anti-Jewish Hate Crimes

Dear Mr. Hibbard:

America First Legal Foundation (“AFL”) is a national, nonprofit organization. AFL works to promote the rule of law in the United States, prevent executive overreach, ensure due process and equal protection for all Americans, and promote 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 (FOIA) 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 account has over 185,000 followers, and the X account of our Founder and President has over 543,000 followers

I. Background

Hamas’s orgy of rape, murder, and kidnapping in southern Israel on October 7, 2023, was immediately supported on the streets and campuses of the United States by a coordinated campaign of anti-American violence, vandalism, and intimidation. American Jews have lived safely and worshipped freely in the United States for generations. They have served in our military, defended our freedom, and helped build our Nation. Now, they are being subjected to ethnically and religiously motivated attacks with unprecedented frequency and ferocity.

The evidence is that many of the post-October 7 attackers are either persons with origins and citizenship in the Middle East, Pakistan, and North Africa and/or supporters of designated foreign terrorist organizations. Yet, the Department of Justice

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has been silent. The contrast between the very public mobilization of the Department's components (including the Federal Bureau of Investigation) and authorities against American parents protesting at school board meetings and its supine response to the illegal and anti-American activities of Hamas's supporters in the United States, and to the targeted harassment of the American Jewish community and supporters of Israel generally, is disturbing. It is difficult to understand how the Biden Administration, which has devoted massive resources to fighting alleged "hate crimes," including the appointment of Saeed Mody as its "Anti-Hate Crimes Resources Coordinator," has found nothing hateful or criminal in pro-Hamas assaults on American citizens and monuments, material support for terrorism, and public calls for genocide.

Therefore, pursuant to the Freedom of Information Act, 5 U.S.C. § 552, AFL requests the following records.

II. Requested Records

All records **excluding news articles and judicial opinions** containing any of the following words or phrases: (1) Israel, (2) Jew, (3) Gaza, (4) Muslim, (5) anti-Semitism, (6) Islamophobia, (7) hate crime, (8) Hamas, (9) CAIR, (10) California, (11) Palestine, (12) Palestinian, (13) Arab, (14) Michigan, (15) alien, or (16) visa. The time frame for this request is October 1, 2023, through the date of processing.

III. Custodians

- A. Saeed Mody
- B. Vanita Gupta
- C. Ben Mizer
- D. Jeremy Maltby
- E. Joshua Revesz
- F. Kristen Clarke

IV. Fee Waiver

Per 5 U.S.C. § 552(a)(4)(A)(iii) and 28 CFR § 16.10, AFL requests a waiver of all search and duplication fees. AFL has a demonstrated ability and intention to effectively convey the information broadly to the public, and it has been granted fee waivers by the Departments of State, Defense, Education, Energy, Health and Human Services, Justice, Interior, and Homeland Security. As a non-profit organization, AFL has no commercial interest in this request, which is made entirely to serve the public

interest. Finally, 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 of government operations. We are, of course, available to provide additional information in writing or offline to support this request. If AFL's request for a fee waiver is not granted in full, please contact us immediately.

Processing should strictly comply with the processing guidance in the Attorney General's Memorandum on Freedom of Information Act Guidelines.¹ If you have any questions about our request or believe further discussions regarding search and processing would facilitate the more efficient production of requested records, please contact me at FOIA@aflegal.org.

V. Conclusion

To accelerate your release of responsive records, AFL welcomes production on an agreed rolling basis. Please provide responsive records in an electronic format by email. Alternatively, please provide responsive records in native or PDF format on a USB drive to America First Legal Foundation, 611 Pennsylvania Ave SE #231, Washington, DC 20003.

Thank you in advance for your cooperation.

Sincerely yours,

/s/ Reed D. Rubinstein

Reed D. Rubinstein

America First Legal Foundation

¹ U.S. DEP'T OF JUST. (Mar. 15, 2022), <https://bit.ly/3zvpxb6>.