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Description of document: Department of Homeland Security (DHS) Emails from Office of Legislative Affairs (OLA) Staff containing any of these words: "CAPITAL," "CAPITOL," "POLICE," "ATTACK," "MOB," "VIOLENCE," or "TRUMP.", January 2021

Requested date: 24-January-2021

Release date: 08-September-2021

Posted date: 14-June-2022

Source of document: Freedom of Information Act Request
Privacy Office, Mail Stop 0655
Department of Homeland Security
2707 Martin Luther King Jr. AVE SE
Washington, DC 20528-065
Fax: 202-343-4011
E-mail: foia@hq.dhs.gov
[DHS FOIA Public Access Portal \(PAL\)](#)

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**Homeland
Security**

Privacy Office, Mail Stop 0655

September 8, 2021

SENT BY ELECTRONIC MAIL

Re: 2021-HQFO-00558

This is the electronic final response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated January 24, 2021, and received by this office on February 17, 2021. You are seeking emails from OLA staff which contains any of the following words: "CAPITAL," "CAPITOL," "POLICE," "ATTACK," "MOB," "VIOLENCE," or "TRUMP." Limit this request to emails sent/received on January 6 and January 7th, 2021. (Date Range for Record Search: From 1/6/2021 To 1/7/2021).

A search of the Office of the Chief Information Officer (OCIO) for documents responsive to your request produced a total of 10 pages. Portions of these pages are partially releasable pursuant to Title 5 U.S.C. § 552 (b)(5) (b)(6) and (b)(7)(E), FOIA Exemptions 5, 6 and b7(E).

FOIA Exemption 5 protects from disclosure those inter- or intra-agency documents that are normally privileged in the civil discovery context. The three most frequently invoked privileges are the deliberative process privilege, the attorney work-product privilege, and the attorney-client privilege. After carefully reviewing the responsive documents, we determined that portions of the responsive documents qualify for protection under the Deliberative Process Privilege. The deliberative process privilege protects the integrity of the deliberative or decision-making processes within the agency by exempting from mandatory disclosure opinions, conclusions, and recommendations included within inter-agency or intra-agency memoranda or letters. The release of this internal information would discourage the expression of candid opinions and inhibit the free and frank exchange of information among agency personnel.

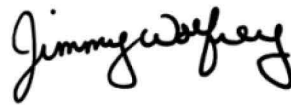
FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

Exemption 7(E) protects records compiled for law enforcement purposes, the release of which would disclose techniques and/or 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. I determined that disclosure of law enforcement information could reasonably be expected to risk circumvention of the law. Additionally, the techniques and procedures at issue are not well known to the public.

You have a right to appeal the above withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to: Privacy Office, Attn: FOIA Appeals, U.S. Department of Homeland Security, 245 Murray Lane, SW, Mail Stop 0655, Washington, D.C. 20528-0655, following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.8. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS FOIA regulations are available at www.dhs.gov/foia.

If you need any further assistance or would like to discuss any aspect of your request, please contact the analyst below who processed your request and refer to **2021-HQFO-00558**. You may send an e-mail to foia@hq.dhs.gov, call 202-343-1743 or toll free 1-866-431-0486, or you may contact our FOIA Public Liaison in the same manner. Additionally, you have a right to right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

A handwritten signature in black ink, appearing to read "Jimmy Wolfrey". The signature is fluid and cursive, with the first name "Jimmy" and last name "Wolfrey" clearly distinguishable.

Jimmy Wolfrey
Senior Director, FOIA Operations and Management
(Acting)

Enclosures: 10 pages

| | |
|------------------|---|
| From: | ARDITTI, AVI </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (b)(6)> |
| | SPIVEY, BETH </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> |
| | Hymowitz, Emily </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> |
| To: | Lamote, Jason </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> |
| | GOAD, ROBERT </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> |
| | ROBERT.GOAD>; WIESE, ERIC </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> |
| | Lange, John </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> |
| Subject: | RE: US Capitol Threats |
| Date: | 2021/01/06 15:41:34 |
| Priority: | Normal |
| Type: | Note |

@PressSec just tweeted:

At President @realDonaldTrump's direction, the National Guard is on the way along with other federal protective services.

We reiterate President Trump's call against violence and to remain peaceful.

3:36 PM – Jan. 6, 2021

From: (b)(6)
Sent: Wednesday, January 6, 2021 3:41 PM
To: SPIVEY, BETH (b)(6); Hymowitz, Emily (b)(6); Lamote, Jason (b)(6); ARDITTI, AVI <(b)(6)>; GOAD, ROBERT <(b)(6)>; WIESE, ERIC (b)(6); Lange, John (b)(6)
Subject: RE: US Capitol Threats

All – if you have some time, I can give this group a very quick operational update via teleconference in ~45 minutes. Please let me know if you'd like me to set this up.

(b)(6)

From: SPIVEY, BETH <(b)(6)>
Sent: Wednesday, January 6, 2021 3:40 PM
To: (b)(6); Hymowitz, Emily

(b)(6); Lamote, Jason
<(b)(6)> ARDITTI, AVI <(b)(6)> GOAD, ROBERT
(b)(6) WIESE, ERIC (b)(6) Lange, John
(b)(6)

Subject: Re: US Capitol Threats

I received the same request.

From: (b)(6)
Sent: Wednesday, January 6, 2021 3:38:06 PM
To: Hymowitz, Emily <(b)(6)>
Lamote, Jason <(b)(6)>; SPIVEY, BETH <(b)(6)> ARDITTI, AVI
(b)(6) GOAD, ROBERT <(b)(6)> WIESE, ERIC
(b)(6) Lange, John <(b)(6)>
Subject: RE: US Capitol Threats

Thanks, Jason. I received the attached inquiry from HSGAC minority moments ago.

Other than that, just general calls from CHS staffers requesting any salient updates relating to the breach.

(b)(6)
Office of Legislative Affairs
U.S. Department of Homeland Security
Federal Protective Service | Policy, Communications, and Engagement

(b)(6)

From: Hymowitz, Emily <(b)(6)>
Sent: Wednesday, January 6, 2021 3:26 PM
To: (b)(6) Lamote, Jason <(b)(6)>; SPIVEY, BETH <(b)(6)> ARDITTI, AVI
(b)(6) GOAD, ROBERT <(b)(6)> WIESE, ERIC
(b)(6) Lange, John <(b)(6)>
Subject: Re: US Capitol Threats

Thank you, both. Lots of information coming and if the HQ Team has some additional inquiries, etc., we'll get them to everyone on this chain.

Emily Hymowitz
Office of Legislative Affairs
Department of Homeland Security
(b)(6)

From: (b)(6)
Sent: Wednesday, January 6, 2021 3:20:42 PM
To: Lamote, Jason <(b)(6)>; SPIVEY, BETH <(b)(6)>; Hymowitz, Emily <(b)(6)>; ARDITTI, AVI <(b)(6)>; GOAD, ROBERT <(b)(6)>; WIESE, ERIC <(b)(6)>; Lange, John <(b)(6)>
Subject: RE: US Capitol Threats

Jason <(b)(6)> Please see attached.

Will continue to provide info to this group.

(b)(6)

From: Lamote, Jason <(b)(6)>
Sent: Wednesday, January 6, 2021 3:19 PM
To: SPIVEY, BETH <(b)(6)>; Hymowitz, Emily <(b)(6)>; ARDITTI, AVI <(b)(6)>; GOAD, ROBERT <(b)(6)>; WIESE, ERIC <(b)(6)>; Lange, John <(b)(6)>
Subject: US Capitol Threats

Putting everyone on the same email. Given FPS, USSS, and potentially other Component operations on or near Capitol Hill today, please keep everyone updated on if DHS's operational posture changes, Congressional inquiries, etc. I am tracking earlier today Congressional Leadership staff requested to stay updated on DHS operations related to (b)(7)(E)

(b)(7)(E)

FYSA - I just heard on TV that Speaker's Office and Mayor's office has asked for the National Guard to support Congressional security operations. DOD is apparently processing the request now according to media reports.

Jason Lamote

Director - Cyber, Intelligence, Operations
Office of Legislative Affairs
Department of Homeland Security

(b)(6)

| | |
|-------------------|---|
| Sender: | ARDITTI, AVI </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (b)(6)> |
| | (b)(6) |
| Recipient: | SPIVEY, BETH </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> |
| | Hymowitz, Emily </O=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> |
| | Lamote, Jason </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> |
| | (b)(6) |

| | |
|------------------------|--|
| | GOAD, ROBERT </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6) WIESE, ERIC </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6) Lange, John </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6) |
| Sent Date: | 2021/01/06 15:41:33 |
| Delivered Date: | 2021/01/06 15:41:34 |

| | |
|------------------|---|
| From: | (b)(6) |
| | Hymowitz, Emily </o=ExchangeLabs/ou=Exchange Administrative Group |
| | (b)(6) |
| | Lamote, Jason </o=ExchangeLabs/ou=Exchange Administrative Group |
| | (b)(6) |
| | ARDITTI, AVI </o=ExchangeLabs/ou=Exchange Administrative Group |
| To: | (b)(6) |
| | GOAD, ROBERT </o=ExchangeLabs/ou=Exchange Administrative Group |
| | (b)(6) |
| | WIESE, ERIC </o=ExchangeLabs/ou=Exchange Administrative Group |
| | (b)(6) |
| | Lange, John </o=ExchangeLabs/ou=Exchange Administrative Group |
| | (b)(6) |
| Subject: | RE: DHS Deployment to Capital |
| Date: | 2021/01/06 18:02:58 |
| Priority: | Normal |
| Type: | Note |

Update from MPD:

Inside the Capitol has been deemed clear of protestors. USCP has started to announce over their loud speakers for protestors to leave their grounds. MPD will begin to push protestors from 1st street to Constitution and Independence.

Senate and House members that are in non-leadership positions are being bussed off Capitol grounds.

House and Senate in leadership will see if they can reconvene at 1800 with continuing the electoral count.

MPD has 1000 bodies on ground. Several local police departments are here as well as the National Guard is in route.

From: (b)(6)
Sent: Wednesday, January 6, 2021 5:32 PM
To: (b)(6); Hymowitz, Emily
(b)(6); Lamote, Jason <(b)(6)>; ARDITTI, AVI
(b)(6); GOAD, ROBERT <(b)(6)>; WIESE, ERIC
(b)(6); Lange, John <(b)(6)>
Subject: RE: DHS Deployment to Capital

All,

As discussed, please see information below which was provided to AS1 and the FO. This is provided for your awareness:

(b)(5); (b)(7)(E)

-----Original Appointment-----

From: (b)(6)

Sent: Wednesday, January 6, 2021 3:47 PM

To: (b)(6) Hymowitz, Emily; Lamote, Jason; ARDITTI, AVI; GOAD, ROBERT;
WIESE, ERIC; Lange, John

Subject: DHS Deployment to Capital

When: Wednesday, January 6, 2021 4:30 PM-5:00 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6) nited States, Washington DC

Phone Conference ID: (b)(6)

[Find a local number](#) | [Reset PIN](#)



***** U.S. Department of Homeland Security *****

[Learn More](#) | [Meeting options](#)

| | |
|------------------------|---|
| Sender: | (b)(6) |
| | Hymowitz, Emily </o=ExchangeLabs/ou=Exchange Administrative Group |
| Recipient: | (b)(6) |
| | Lamote, Jason </o=ExchangeLabs/ou=Exchange Administrative Group |
| | (b)(6) |
| | ARDITTI, AVI </o=ExchangeLabs/ou=Exchange Administrative Group |
| | (b)(6) |
| | GOAD, ROBERT </o=ExchangeLabs/ou=Exchange Administrative Group |
| | (b)(6) |
| | WIESE, ERIC </o=ExchangeLabs/ou=Exchange Administrative Group |
| Sent Date: | (b)(6) |
| | 2021/01/06 18:02:57 |
| Delivered Date: | 2021/01/06 18:02:58 |

| | |
|------------------|---|
| From: | (b)(6) |
| To: | Hymowitz, Emily </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> |
| CC: | SPIVEY, BETH </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> ARDITTI, AVI </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> Lamote, Jason </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> GOAD, ROBERT </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> WIESE, ERIC </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> Lange, John </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6)> |
| Subject: | Re: DHS Capitol Assistance: Senate Approps Inquiry |
| Date: | 2021/01/06 18:20:58 |
| Priority: | Normal |
| Type: | Note |

All

This is perfect. Will provide back to Scott and let you know if he has any questions.

(b)(6)

From: Hymowitz, Emily <(b)(6)>
Sent: Wednesday, January 6, 2021 6:11:05 PM
To: (b)(6)
Cc: SPIVEY, BETH <(b)(6)>
(b)(6); ARDITTI, AVI <(b)(6)> Lamote, Jason
(b)(6); GOAD, ROBERT <(b)(6)> WIESE, ERIC
(b)(6); Lange, John <(b)(6)>
(b)(6)

Subject: Re: DHS Capitol Assistance: Senate Approps Inquiry

Thanks, (b)(6) do you have what you need now to respond to Scott?

Emily Hymowitz
Office of Legislative Affairs
Department of Homeland Security
(b)(6)

From: (b)(6)
Sent: Wednesday, January 6, 2021 6:06:47 PM
To: Hymowitz, Emily <(b)(6)>
Cc: SPIVEY, BETH <(b)(6)>
<(b)(6)> ARDITTI, AVI <(b)(6)> Lamote, Jason
<(b)(6)> GOAD, ROBERT <(b)(6)> WIESE, ERIC
<(b)(6)> Lange, John <(b)(6)>
(b)(6)
Subject: RE: DHS Capitol Assistance: Senate Approps Inquiry

Emily,

DHS did not receive a request for augmentation or additional Law Enforcement support from any federal, state or local organizations prior to the incident at the Capitol today.

(b)(6)

From: Hymowitz, Emily <(b)(6)>
Sent: Wednesday, January 6, 2021 5:59 PM
To: (b)(6)
Cc: SPIVEY, BETH <(b)(6)>
ARDITTI, AVI <(b)(6)> Lamote, Jason <(b)(6)>; GOAD,
ROBERT <(b)(6)> WIESE, ERIC <(b)(6)> Lange, John
(b)(6)
(b)(6)
Subject: DHS Capitol Assistance: Senate Approps Inquiry
Importance: High

Hi (b)(6)

Please see below from (b)(6) in CFO/Budget. She is requesting assistance with getting back to Scott Nance from Senate Approps. Including (b)(6) from CFO in case you want to speak with them before reaching out to Scott.

Thanks,

Emily Hymowitz
Office of Legislative Affairs
Department of Homeland Security

(b)(6)

From: (b)(6)
Sent: Wednesday, January 6, 2021 5:52 PM
To: Hymowitz, Emily <(b)(6)>
Cc: SPIVEY, BETH <(b)(6)> GOAD,
ROBERT <(b)(6)>
Subject: Fwd: LE Question

Emily

Need your help please. Received the below question from Scott Nance. I have sent to FPS but Scott clarified he wants to know about all LE agencies in DHS. Can you reach out to OPS for an answer? I am not sure who to ask.

Thanks

(b)(6)

From: Nance, Scott (Appropriations) <Scott_Nance@appro.senate.gov>

Sent: Wednesday, January 6, 2021 17:45

To: (b)(6)

Subject: LE Question

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact your component SOC with questions or concerns.

(b)(6) following up on our back and forth yesterday. Can you check to see if the Capitol Police or MPD asked for any assistance prior to today? And if so, what support was on standby.

Sent from my iPhone

| | |
|------------------------|---|
| Sender: | (b)(6) |
| | Hymowitz, Emily </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6) |
| Recipient: | SPIVEY, BETH </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6) |
| | ARDITTI, AVI </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6) |
| | Lamote, Jason </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6) |
| | GOAD, ROBERT </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6) |
| | WIESE, ERIC </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6) |
| | Lange, John </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6) |
| | Baden, Beth </o=ExchangeLabs/ou=Exchange Administrative Group (b)(6) |
| | |
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| | |
| Sent Date: | 2021/01/06 18:20:57 |
| Delivered Date: | 2021/01/06 18:20:58 |