



DEPARTMENT OF HOMELAND SECURITY
UNITED STATES SECRET SERVICE
WASHINGTON, D.C. 20223

Freedom of Information Act Program
Communications Center
245 Murray Lane, S.W., Building T-5
Washington, D.C. 20223

Date: NOV 05 2019

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SCANNED: 11-8-19
SAVED TO DIRECTORY: 10201
RECEIVED BY FOIA Apped
SUITTER AXLAND, PLLC
NOV 08 2019
Roger Moore

File Number: 20161493 & 20161494

Dear Requester:

DOCKET DATE: JCT
ATTORNEYS: JCT
REQUEST originally received

This is the final response to your Freedom of Information Act (FOIA) request, originally received by the United States Secret Service (Secret Service) on July 29, 2016, for information pertaining to:

File Number 20161493: all documents/records that, directly or indirectly, show, report, record, memorialize, discuss, evidence or concern Timothy James McVeigh, from 1993 – 1996; and

File Number 20161494: all documents/records that, directly or indirectly, show, report, record, memorialize, discuss, evidence or concern Richard Lee Guthrie, Jr., from 1993-1996.

Enclosed are documents responsive to your request. In an effort to provide you with the greatest degree of access authorized by law, we have considered this material under the FOIA statute, Title 5 U.S.C. § 552. Pursuant to this Act, exemptions have been applied where deemed appropriate. The exemptions cited are marked below.

In addition, approximately 599 page(s) were released, and approximately 71 page(s) were withheld in their entirety. An enclosure to this letter explains the exemptions in more detail.

If this box is checked, deletions were made pursuant to the exemptions indicated below.

Section 552 (FOIA)

- | | | | | |
|---|---|---|---|--------------------------------------|
| <input type="checkbox"/> (b) (1) | <input type="checkbox"/> (b) (2) | <input checked="" type="checkbox"/> (b) (3) Statute: 18 U.S.C. § 2510 | <input type="checkbox"/> (b) (7) (A) | <input type="checkbox"/> (b) (7) (B) |
| <input type="checkbox"/> (b) (4) | <input checked="" type="checkbox"/> (b) (5) | <input checked="" type="checkbox"/> (b) (6) | <input checked="" type="checkbox"/> (b) (7) (F) | <input type="checkbox"/> (b) (8) |
| <input checked="" type="checkbox"/> (b) (7) (C) | <input checked="" type="checkbox"/> (b) (7) (D) | <input checked="" type="checkbox"/> (b) (7) (E) | | |

The following checked item(s) also apply to your request:

Some documents originated with the Federal Bureau of Investigation. Those documents were referred to that agency(s) for review and direct response to you.

Fees: In the processing of this FOIA request, no fees are being assessed.

Other:

If you deem our decision an adverse determination, you may exercise your appeal rights. Should you wish to file an administrative appeal, your appeal should be made in writing and received within ninety (90) days of the date of this letter, by writing to: Freedom of Information Appeal, Deputy Director, U.S. Secret Service, Communications Center, 245 Murray Lane, S.W., Building T-5, Washington, D.C. 20223. If you choose to file an administrative appeal, please explain the basis of your appeal and reference the case number listed above.

Additionally, you have the 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. Please note that contacting the Secret Service's FOIA Program and/or OGIS **is not** an alternative to filing an administrative appeal and **does not** stop the 90-day appeal clock. You may contact OGIS at: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001. You may also reach OGIS via e-mail at ogis@nara.gov, telephone at 202-741-5770/toll free at (877) 684-6448, or facsimile at (202) 741-5769.

If you need any further assistance, or would like to discuss any aspect of your requests, please contact our FOIA Public Liaison Kevin Tyrrell, at (202) 406-6370. Alternatively, you may send an e-mail to foia@uss.dhs.gov.

FOIA/PA File No.'s 20161493 and 20161494 are assigned to your requests. Please refer to these file numbers in all future communication with this office.

Sincerely,



Kevin L. Tyrrell
Freedom of Information Act Officer
Office of Intergovernmental and Legislative Affairs

Enclosure(s)

FREEDOM OF INFORMATION ACT
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

Provisions of the Freedom of Information Act do not apply to matter that are:

- (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 pursuant to such Executive order;
- (b) (2) related solely to the internal personnel rules and practices any agency;
- (b) (3) specifically exempted from disclosure by statute (other than section 552b of this title), if that statute: (A)(i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (ii) establishes particular criteria for withholding or refers to particular types of matters to be withheld; and (B) is established after the date of enactment of the OPEN FOIA Act of 2009;
- (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; provided that the deliberative process privilege shall not apply to records created 25 years or more before the date on which the records were requested;
- (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 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 a 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 a 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; (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 regulation or supervision of financial institutions;
- (b) (9) geological and geophysical information and data, including maps, concerning wells.

PRIVACY ACT
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

The provisions of the Privacy Act do not apply to:

- (d) (5) material compiled in reasonable anticipation of civil action or proceeding;
- (j) (2) material reporting investigative efforts pertaining to enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k) (1) material is currently and properly classified pursuant to an Executive Order in the interest of national defense or foreign policy;
- (k) (2) material compiled during investigations for law enforcement purposes;
- (k) (3) material maintained in connection with providing protective services to the President of the United States or other individuals pursuant to section 3056 of Title 18;
- (k) (5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or for access to classified information, but only to the extent that the disclosure of such material would reveal the identity of the person who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to the September 27, 1975, under an implied promise that the identity of the source would be held in confidence;
- (k) (6) testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process;



11/8/19
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0/6201.1/FOIA Appeal/Koger Moore/Moore FOIAS/
Secret Service/ResponsiveDocs