



U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

*Suite 5.400, 3CON Building
175N Street, NE
Washington, DC 20530*

(202) 252-6020

October 21, 2022

VIA E-mail
William Fernandes
MuckRock News DEPT MR 133100, 263 Huntington Ave
Boston, MA 02115
133100-61814884@requests.muckrock.com

Re: Request Number: EOUSA-2022-002797

Subject of Request: For the year 2020, I was seeking copies of any ethics disclosures filed by any employees of the United States Attorney's offices 'globally' provided to the USAO Ethics Offices which cited a 'potential conflict of interest' in relation to a relationship of a sexual nature with any employees of other DOJ entities including but limited to subordinates or USAO coworkers.

Dear Mr. Fernandes:

This letter acknowledges receipt of your Freedom of Information Act/Privacy Act (FOIA/PA) request in the Executive Office for United States Attorneys (EOUSA). Your request has been assigned tracking number EOUSA-2022-002797. Please refer to this number in any future correspondence with this Office.

The records you seek require a search in one or more field offices and potentially involves voluminous records and/or requires consultation with another agency/component with a substantial interest in the subject-matter and therefore falls within "unusual circumstances." *See* 5 U.S.C.S § 552(a)(6)(B)(i)-(iii). Accordingly, we are extending the time limit to respond to our request beyond the ten additional days provided by the statute. The time needed to process your request will necessarily depend on the complexity of our records search and on the volume and complexity of any records located. For your information, this Office assigns incoming requests to one of three tracks: simple, complex, or expedited. Each request is then handled on a first-in, first-out basis in relation to other requests in the same track. Simple requests usually receive a response in approximately 30 business days, whereas complex requests necessarily take longer. At this time, your request has been assigned to the complex track.

Under FOIA and Department of Justice regulations you may be required to pay certain costs associated with processing your request, including, searching for, reviewing, and duplicating requested records. Consequently, you may incur those costs, unless you have requested and been granted a waiver or reduction in fees. If you have requested a fee waiver, we have not yet made a decision on your request. We will do so after we determine whether the

processing of your request will result in any assessable fees. In most instances, the first 100 pages to duplicate and the first two hours to search for records responsive to your request, will be provided to you free of charge. If after making those allowances, we determine that the cost to process your request will amount to more than \$25.00, we will notify you in writing at a later date.¹ Requests that are specific, concrete and of limited scope (in time and/or subject matter) generally enable us to respond to you more quickly and possibly assess lower fees. To avoid delay and reduce any potential fees, we respectfully request that you modify and narrow the scope of your request (*See Attachment*).

You may contact our FOIA Public Liaison at the Executive Office for United States Attorneys (EOUSA) for any further assistance and to discuss any aspect of your request. The contact information for EOUSA is 175 N Street, NE, Suite 5.400, Washington, DC 20530; telephone at 202-252-6020. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is 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,



Kevin Krebs
Assistant Director

Attachment

¹ Search and review fees by professional personnel are charged at \$40 per hour and duplication fees are assessed at five cents per page.

THIS IS NOT A BILL. DO NOT SEND MONEY

Requester: William Fernandes

Request No. EOUSA-2022-002797

CHOOSE ONE

I wish to narrow my request in an attempt to obtain a faster response and/or reduce fees as follows:

I understand that I am entitled to the first 100 pages and two hours of search time for free. Please do not search beyond two hours, nor duplicate beyond 100 pages.

I agree to pay up to the following amount for duplication and search time: \$ 100.00.
I understand that this payment is required even if no documents are located or released to me. In the event that documents are located and released to me, I understand that I may be charged duplication fees in addition to search fees.

I wish to withdraw my request.

/s/
William Fernandes

10/23/2022

Signature

Date

Please return to:
EOUSA
FOIA/PA
175 N Street, NE, 5th Floor, FOIA Suite
Washington, DC 20530

Fee Waiver/Abeyance
Public Interest Disclosure
Non-billable



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

INVESTIGATIVE SUMMARY | 22-030

Findings of Misconduct by a Senior FBI Official for Failure to Timely Report a Romantic Relationship with a Subordinate, Lack of Candor, and Related Misconduct; and by another (now Retired) Senior FBI Official for Failure to Take Proactive Measures Necessary to Mitigate Adverse Consequences of the Romantic Relationship

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated an investigation after receiving information from the Federal Bureau of Investigation's (FBI) Inspection Division (INSD), alleging that a Senior FBI Official engaged in a romantic relationship with a subordinate employee that resulted in the Senior FBI Official's violation of FBI policies.

The OIG investigation substantiated the allegations that the Senior Official engaged in a romantic relationship with a subordinate and failed to timely report the relationship, in violation of FBI policy. The OIG also found that the Senior Official violated FBI policy by participating in two hiring or organizational decisions involving the subordinate without receiving prior approval. In addition, the OIG found that the Senior Official allowed the relationship to negatively affect a professional and appropriate supervisor-subordinate relationship, adversely affect the FBI's mission, and disrupt workplace morale, by, among other things, causing the subordinate to believe that the subordinate's career was being impacted due to missed opportunities and sending text messages and emails to the subordinate that disparaged the subordinate's immediate supervisor and the Senior Official's other subordinates, all in violation of FBI policy. The OIG further found that the Senior Official misused FBI property and official time by using FBI communications systems to pursue the relationship with the subordinate. Further, the OIG found that the Senior Official interfered with a local police department's response to a traffic incident involving the subordinate with whom the Senior Official was romantically involved, and that the Senior Official lacked candor during interviews with the FBI regarding the traffic incident and with the OIG regarding both the traffic incident and the Senior Official's participation in the hiring and organizational decisions referenced above.

During the course of the investigation, the OIG also examined potential misconduct by another (now Retired) Senior Official who was the supervisor of the Senior Official described above. The OIG found that the now Retired Senior Official, after being told about the romantic relationship described above, did not take proactive measures necessary to mitigate adverse consequences of the supervisor-subordinate relationship, in violation of FBI policy.

Criminal prosecution of the Senior Official was declined.

The now Retired Senior Official retired from the FBI before the OIG initiated this investigation.

The OIG has completed its investigation and provided its report to the FBI.

The FBI advised the OIG that, following its receipt and review of the OIG's report, the FBI immediately removed and reassigned the Senior Official to a nonsupervisory role pending disciplinary action based on the results of the OIG's investigation.



Unless otherwise noted, the OIG applies the preponderance of the evidence standard in determining whether DOJ personnel have committed misconduct.