



United States Department of State

Washington, D.C. 20520

FEB 1, 2017

Dear Requester,

RE: Records regarding Sergei Magnitsky, Magnitsky Act and the business and political activities of William F. Browder

This is in response to your request dated 01/30/2017, which was received on 01/31/2017. We have assigned Case Control Number F-2017-01551 and will begin the processing of your request based upon the information provided in your communication.

The cut-off date is the date the search is initiated unless you have provided a specific timeframe.

We have considered your request for a fee waiver. Based upon the information provided in your letter, your request for a fee waiver has been granted; therefore, your request will be processed at no charge to you.

Our published regulations regarding expedition, 22 C.F.R. § 171.11(f), require a specific showing of a compelling need. **Expedited processing is granted only in the following situations: (1) imminent threat to the life or physical safety of an individual; (2) urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal Government activity and the information is urgently needed in that a particular value of the information would be lost if not disseminated quickly; (3) substantial humanitarian reasons; or (4) loss of substantial due process rights.** Your request does not meet any of the established criteria. Regrettably, I must advise that you have not provided adequate justification for expedition. However, you may be assured that we will make every effort to process your request in as timely a manner as possible. For your convenience, I have enclosed a copy of the Department's expeditious processing criteria.

If you wish to appeal the denial of expedition, you may write to the Requester Liaison Division, at the address below, within 90 calendar days of the date of this letter.

Unusual circumstances (including the number and location of Department components involved in responding to your request, the volume of requested records, etc.) may arise that would require additional time to process your request.

We will notify you as soon as responsive material has been retrieved and reviewed. Should you want to contact us, you may call our FOIA Requester Service Center at (202) 261-8484 or send an email to FOIAstatus@state.gov. Please refer to the Case Control Number in any communication.

Sincerely,

Requester Communications Branch  
Office of Information Programs & Services



DEPARTMENT OF THE TREASURY  
WASHINGTON, D.C. 20220

AUG 15 2017

Lucy Komisar  
100 West 12th Street  
New York, NY 10011

RE: FOIA Appeal No. 2017-06-049A

Dear Ms. Komisar:

This responds to your Freedom of Information Act ("FOIA") appeal, dated July 24, 2017 and received via U.S. mail on August 2, 2017, seeking reconsideration of the Department of the Treasury ("Treasury"), Office of Foreign Assets Control's ("OFAC") denial of your request for expedited processing under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. As discussed below, I have considered your arguments and have decided to deny your appeal.

Your FOIA request, dated June 4, 2017, sought the following information regarding the Magnitsky Act:

- (1) The standards OFAC uses to determine which individuals should be designated under The Magnitsky Act;
- (2) The individuals who have been designated under the Magnitsky Act;
- (3) The evidence justifying Magnitsky Act designations;
- (4) Attempts by any individuals designated under the Magnitsky Act to be removed from the Specially Designated Nationals and Blocked Persons list, including the claims or evidence they provided; and
- (5) OFAC's responses to the requests described above in paragraph (4).

In your request, you indicated that you were seeking expedited processing of your FOIA request because you are a member of the media writing a story on this topic and your "story is completed for all but this information, which [you] have been unable to obtain through normal Treasury press relations sources." Besides these statements, you did not provide any additional information to support the basis for your expedited processing request.

In its July 24, 2017 acknowledgment of your FOIA request, OFAC informed you that it was denying your request for expedited processing. Specifically, OFAC determined that the request did not meet the requirements for granting expedited processing, explaining: "First, you have not demonstrated that failure to process your request expeditiously will pose an imminent threat to the life or physical safety of an individual. Second, you have not demonstrated that there is an



urgency to inform the public of an actual or alleged government activity. In other words, you have not demonstrated that failure to process the records expeditiously will compromise a significant or recognized interest to and throughout the American public.” Accordingly, OFAC denied the expedited processing request.

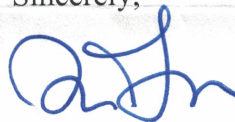
In your appeal, you argue that the current “hostilities” between the United States and Russia may lead to war and then there will be “lots of threats to life.” You also argue that there is an urgency to inform the public about the Magnitsky Act as the current “fake news generated as part of the Magnitsky Act” is raising the threat of a conflict between the United States and Russia.

Treasury’s expedited processing regulations require expedited processing to be granted, where: (1) failure to obtain the requested records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or (2) with respect to a request made by a person engaged in disseminating information, there is an “urgency to inform the public concerning actual or alleged Federal Government activity.”<sup>1</sup> The “urgency to inform” standard requires that the record requested “pertain to a matter of current exigency to the American public” and that delaying a response to a request for records would compromise a “significant recognized interest to and throughout the American general public.”<sup>2</sup> Furthermore, Treasury’s FOIA regulations likewise provide that the determination of whether to grant or deny a request for expedited processing must be made solely on the information contained in the initial letter requesting expedited treatment.<sup>3</sup>

I have reviewed your FOIA request and have determined that you did not provide a justification for expedited treatment, and therefore did not meet this standard. Furthermore, I have also reviewed your argument on appeal, and have determined that your subsequent justification for expedited treatment likewise does not meet the standard. Accordingly, I hereby deny your appeal.

Judicial review of my decision is available in the district court of the United States in the district in which you reside or have a principal place of business, in which the agency records are situated, or in the District of Columbia, in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,



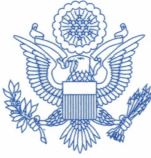
Andrea Gacki  
Acting Director  
Office of Foreign Assets Control

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<sup>1</sup> 31 C.F.R. § 1.5(e)(2).

<sup>2</sup> 31 C.F.R. § 1.5(e)(2).

<sup>3</sup> 31 C.F.R. § 1.5(e)(4).



United States Department of State

Washington, D.C. 20520

JAN 18 2018

Dear Requester,

INR

RE: Cables /emails/related correspondence between William Browder, Robert Otto and John P. Williams regarding death of Sergei Magnitsky

This is in response to your request dated 01-13-2018, which was received on 01-16-2018. We have assigned Case Control Number F-2018-00330 and will begin the processing of your request based upon the information provided in your communication.

The cut-off date is the date the search is initiated unless you have provided a specific timeframe.

Our published regulations regarding expedition, 22 C.F.R. § 171.11(f), require a specific showing of a compelling need. **Expedited processing is granted only in the following situations: (1) imminent threat to the life or physical safety of an individual; (2) urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal Government activity and the information is urgently needed in that a particular value of the information would be lost if not disseminated quickly; (3) substantial humanitarian reasons; or (4) loss of substantial due process rights.** Your request does not meet any of the established criteria. Regrettably, I must advise that you have not provided adequate justification for expedition. However, you may be assured that we will make every effort to process your request in as timely a manner as possible. For your convenience, I have enclosed a copy of the Department's expeditious processing criteria.

If you wish to appeal the denial of expedition, you may write to the Requester Liaison Division, at the address below, within 90 calendar days of the date of this letter.

We have considered your request for a fee waiver. A waiver or reduction of fees may be appropriate when the disclosure of records is in the public interest because the disclosure is likely to contribute significantly to public understanding of the operations or activities of the Government and is not primarily in the interest of the requester. See 22 C.F.R. § 171.16. In light of the information supplied in your request, we will now defer our decision to grant or deny your request for a fee waiver until we are able to determine whether the disclosure of any records responsive to your request is in the public interest, consistent with the application of 22 C.F.R. § 171.16.

Unusual circumstances (including the number and location of Department components involved in responding to your request, the volume of requested records, etc.) may arise that would require additional time to process your request.

We will notify you as soon as responsive material has been retrieved and reviewed. Should you want to contact us, you may call our FOIA Requester Service Center at (202) 261-8484 or send an email to FOIAstatus@state.gov. Please refer to the Case Control Number in any communication.

Sincerely,

 Requester Communications Branch  
Office of Information Programs & Services

Office of Information Programs and Services  
U.S. Department of State, SA-2  
Washington, DC 20522-8100  
Website: [www.foia.state.gov](http://www.foia.state.gov)

Inquiries:  
Phone: 1-202-261-8484  
FAX: 1-202-261-8579  
E-mail: FOIAstatus@state.gov





UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION

STATION PLACE  
100 F STREET, NE  
WASHINGTON, DC 20549-2465

Office of FOIA Services

March 26, 2020

Ms. Lucy Komisar  
100 West 12th Street  
New York, NY 10011

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552  
Request No. **19-00011-FIFO (19-02588-FOIA)**

Dear Ms. Komisar:

This is a follow up to your FOIA request for records from September 2007 to the present concerning Trading in Threshold Securities, to include depositions, testimony, discovery and other documents.

We advised you by letter dated July 17, 2019, that it had been placed in our chronological system waiting processing and that there would be a substantial delay in processing your request. As of this date, there are still a number of requests ahead of yours. We estimate that it will be twelve months or more before we can begin to process your FOIA request.

We are following up to determine if you would like to stay on our chronological list for eventual processing. Please check the appropriate box below, sign this letter, and return it by no later than **April 7, 2020**. If we do not hear from you by this date, we will assume that you are no longer interested and withdraw your request from our pending caseload.

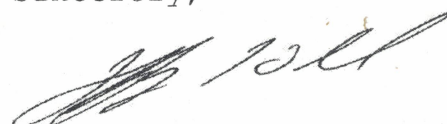
- I am still interested; please retain my FOIA request on your chronological list.
- I am no longer interested in receiving the information and hereby withdraw my FOIA request.

Lucy Komisar  
(Signature)

March 26, 2020  
(Date)

Thank you for your cooperation and patience. If you have any questions, please contact me at (202) 551-6376.

Sincerely,

  
Jeffery Ovall  
FOIA Branch Chief



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION

STATION PLACE  
100 F STREET, NE  
WASHINGTON, DC 20549-2465

Office of FOIA Services

February 25, 2021

Ms. Lucy Komisar  
100 West 12th Street  
New York, NY 10011

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552  
Request No. **19-00011-FIFO (19-02588-FOIA)**

Dear Ms. Komisar:

This is a follow up to your FOIA request for records regarding Records from September 2007 to the present concerning Trading in Threshold Securities, to include depositions, testimony, discovery and other documents.

We are following up with you since our last follow-up letter sent on March 26, 2020 to determine if you would like to stay on our chronological list for eventual processing. As of this date, there are still a number of requests ahead of yours. We estimate that it will be twelve months or more before we can begin to process your FOIA request.

Please check the appropriate box below, sign this letter, and return it by no later than **March 29, 2021**. If we do not hear from you by this date, we will assume that you are no longer interested and withdraw your request from our pending caseload.

- I am still interested; please retain my FOIA request on your chronological list.
- I am no longer interested in receiving the information and hereby withdraw my FOIA request.

Lucy Komisar  
(Signature)

Feb 25 2021  
(Date)

Ms. Lucy Komisar

19-00011-FIFO

Thank you for your cooperation and patience. If you have any questions, please contact me at (202) 551-3504.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kay Reid".

Kay Reid  
Lead Research Specialist