

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, October 18, 2021 3:55 PM
To: foipaquestions@fbi.gov; ic_complaints@fbi.gov

Subject: **Oct 2, 2021 FOIA request -- responded-to by two FBI letters dated Oct. 7, 2021, with two different numbers: #1506312-000 & #15060307-000**

Attachments: [10-2-21-foia-to-fbi.pdf](#);
[Investigative Manual 200.00.pdf](#);
[10-7-21-fbi-foia-fbi-procedures-complaints-10-18-21.pdf](#);
[10-7-21-fbi-foia-10-16-20-public-corruption-complaint-10-18-21.pdf](#)

TO: FBI FOIA -- & Catherine Bruno, Assistant Director of the FBI's Office of Integrity and Compliance

In response to the below September 24, 2021 instruction of the FBI's Office of Integrity and Compliance, I filed a request, electronically, *via* the indicated [FBI FOIA portal](#), on October 2, 2021. A copy of that October 2, 2021 FOIA request and its attachment is above-attached. The FOIA request stated:

"Pursuant to FOIA, I request the following:

(1) the FBI's manual and/or written rules and procedures for intake, investigation, and tracking of complaints received from members of the public -- such as set forth in the attached Section 200 of the Investigative Manual of the New York City Department of Investigation entitled 'Complaint Intake: Opening and Tracking Procedures';

(2) the FBI's manual and/or written rules and procedures specific to public corruption complaints involving a state's highest elected officers and the appointed judges of its highest court, such as requiring their forwarding to the Public Integrity Section of the U.S. Justice Department's Criminal Division and/or to the designated agency ethics officials of the FBI and/or local U.S. Attorney offices for evaluation as to whether local FBI and U.S. Attorney offices should be recused for conflicts of interest (see, *inter alia*, Public Integrity Section's Annual Report to Congress for 2019: 'Recusals by United States Attorneys' Offices' (at pp. 1-2); Justice Manual, Section 1-4.000 'Standards of Conduct');

(3) any records available to me as to the FBI's handling of the FULLY-DOCUMENTED public corruption complaint I filed, via the FBI's website portal, TIPS.FBI.GOV, at 2:38 pm on Friday, October 16, 2020 -- including a copy of that complaint and the tracking number assigned.

Thank you."

I also requested an expedited response, giving as the "Reason":

"The requested records are germane to a September 3, 2021 complaint against the FBI (& NYS' acting U.S. Attorneys) that I filed with Justice Department Inspector General Michael Horowitz and, on September 10, 2021, also filed with the FBI's designated agency ethics official, Catherine Bruno -- so that they could investigate what has happened to the

FULLY-DOCUMENTED public corruption complaint I filed with the FBI on October 16, 2020, without response from the FBI or from NYS' four acting U.S. Attorneys to whom I turned for oversight. You can access these complaints from the website of the Center for Judicial Accountability, Inc., the nonpartisan, nonprofit citizens' organization of which I am director & co-founder. Go to www.judgewatch.org, click on the top panel 'Latest News', and then scroll to the link: 'Bringing In The Feds...'. Upon receipt of the requested records I will furnish them to both Inspector General Horowitz and FBI ethics official Bruno, who is additionally assistant director of the FBI's Office of Integrity and Compliance. Thank you."

By mailed letters from the FBI, both dated October 7, 2021 and auto-signed by Michael Seidel, Chief of the Record/Information Dissemination Section of the Information Management Division, I received two different FOIPA request numbers. The letters, as completed and signed by me, are above-attached and are:

- a letter for "Request No.: 1506312-000", whose "Subject" is erroneously identified as "FBI Procedures for Filing Complaints".

As reflected by my #1 and #2, I did NOT request "FBI Procedures for Filing Complaints", nor was there any need for me to do so as I had already filed the [October 16, 2020 FBI complaint](#) reflected by #3. The indicated "Subject" should have been "FBI Procedures for Intake, Investigation, and Tracking of Complaints"—and this is what I now AGAIN request, especially as I have found NOTHING in your "Vault" that is responsive.

I take this opportunity to ADD to #1 and #2, a specific request for:

- "The Attorney General's Guidelines for Domestic FBI Operations"; and
- "The FBI's Domestic Investigations and Operations Guide".

Both of these are referred to at page 23 of Inspector General Horowitz' June 2018 report "[A Review of Various Actions by the Federal Bureau of Investigation and Department of Justice in Advance of the 2016 Election](#)", with the relevance of "The FBI's Domestic Investigations and Operations Guide" being clear from the report's page 40, under the heading "FBI's Decision to Open a Criminal Investigation", identifying that it has a category called "Sensitive Investigative Matter (SIM)" which includes:

“an investigative matter involving the activities of a domestic public official or domestic political candidate (involving corruption or a threat to the national security) as well as ‘any other matter which, in the judgment of the official authorizing

an Assessment, should be brought to the attention of FBI [Headquarters] and other DOJ officials.”

Page 40 further states that this designation is “typically given to investigations involving sensitive categories of persons such as attorneys, judges...and politicians, and that that SIM investigations are overseen more closely by FBI management and the FBI Office of General Counsel than other investigations”. My [October 16, 2020 FBI complaint](#) plainly fits within that category;

- a letter for “Request No.: 1506307-000, whose “Subject” is correctly identified as “(October 16, 2020 Public Corruption Complaint)”, but goes on to erroneously state that “my letter did not contain sufficient information to conduct an accurate search of the Central Records System”.

I submitted NO letter. Rather, I utilized the indicated FBI website portal for FOIA requests, furnishing ALL the information I was asked to supply for my request, which I had indicated as being on behalf of an organization – Center for Judicial Accountability, Inc. The information which you are now requesting, for me personally, is now furnished by my answers on your above-attached October 7, 2021 letter for Request No.: 1506307-000.

Thank you.

Elena Sassower, Director
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From: IC_COMPLAINTS@FBI.GOV <IC_COMPLAINTS@FBI.GOV>

Sent: Friday, September 24, 2021 12:17 PM

To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Subject: Re: [EXTERNAL EMAIL] - Sept. 3, 2021 complaint vs the FBI, filed with the Inspector General -- & request for info & for records, pursuant to FOIA

Dear Director Sassower,

On behalf of the Office of Integrity and Compliance I am confirming receipt of your September 20, 2021, email and attachment.

To submit a Freedom of Information Act request please visit the

FBI's new eFOIPA submission portal at: [FBI Records: Freedom of Information/Privacy Acts \(FOIPA\)](#). This system is designed to allow requesters to submit and receive responses to Freedom of Information Act and Privacy Act (FOIPA) requests electronically.

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Friday, September 10, 2021 8:55 PM

To: IC_COMPLAINTS <IC_COMPLAINTS@FBI.GOV>

Subject: [EXTERNAL EMAIL] - Sept. 3, 2021 complaint vs the FBI, filed with the Inspector General -- & request for info & for records, pursuant to FOIA

TO: FBI Acting Deputy Designated Agency Ethics Official Catherine Bruno

This follow up my voice messages for you (202-324-9482) at 9:23 am and 1:53 pm today, upon discovering, from [Section 1-4.000 of the Justice Manual \("Standards of Conduct"\)](#), that each "component" of the Justice Department has a "designated agency ethics official" – and that you serve in that capacity for the FBI: <https://www.justice.gov/jmd/ethics-officials>. At 2:35 pm, your assistant Marilyn returned my call, furnishing me with your e-mail address so that I could provide you with my September 3, 2021 complaint against the FBI, filed with Justice Department Inspector General Horowitz.

The complaint, with live links to the referred-to substantiating EVIDENCE, is above-attached. Further EVIDENCE is accessible from the webpage I created for the complaint: <http://www.judgewatch.org/web-pages/searching-federal/complaint-sept-3-2021-doj-inspector-general.htm>, to which I alerted the Inspector General on September 4, 2021.

[At issue is what the FBI did upon receipt of the FULLY-DOCUMENTED public corruption complaint I filed with it, electronically, on October 16, 2020](#) against "NYS Governor Cuomo, Lt. Governor Hochel, Attorney General James, Comptroller DiNapoli, NYS Senators and Assembly Members, NYS Court of Appeals & other Albany judges -- & NYS' 62 county D.A.s, beginning with Albany County D.A. Soares" for "Fraud and larceny...involving their OWN pay raises... & the NYS budget"

As I briefly discussed with Marilyn, the FBI should have referred the October 16, 2020 complaint to "main Justice" and, specifically, to the Public Integrity Section of the Justice Department's Criminal Division, consistent with the Justice Department's annual reports to Congress on the activities and operations of the Public Integrity Section, which state:

"Public corruption cases tend to raise unique problems of public perception that are generally absent in more routine criminal cases. An investigation of alleged corruption by a government official, whether at the federal state, or local level, or someone associated with such an official, always has the potential of becoming a high-profile case simply because its focus is on the conduct of a public official. In addition, these cases are often politically sensitive because their ultimate targets tend to be politicians or government officials appointed by politicians.

A successful public corruption prosecution requires both the appearance and the reality of fairness and impartiality. This means that a successful corruption case involves not just a conviction but public perception that the conviction was warranted, not the

result of improper motivation by the prosecutor, and is free of conflicts of interest. In a case in which the local conflict of interest is substantial, the local office is removed from the case by a procedure called recusal. Recusal occurs when the local office either asks to step aside, or is asked to step aside by Department headquarters, as primary prosecutor. Federal cases involving corruption in which the conflict is substantial are usually referred to the Public Integrity Section either for prosecution or direct operational supervision.” ([latest annual report, for 2019, at pp. 1-2](#))

Surely there are written rules, protocols, and procedures instructing the FBI about how to handle public corruption complaints, such as mine – perhaps requiring, preliminarily, consultation with the “designated agency ethics official” as to the appropriate course. Were they followed? And were you consulted, including by any of NY’s four acting U.S. Attorneys to whom I turned for oversight as to the status of the FBI’s investigation of my October 16, 2020 public corruption complaint – first by [my November 4, 2020 complaint to Acting U.S. Attorney Antoinette Bacon \(NDNY\)](#) and then by [my December 19, 2020 complaint to NY’s other three acting U.S. Attorneys \(SDNY\), \(EDNY\), \(WDNY\)](#)?

Please advise, furnishing the answers, as well, to Inspector General Horowitz.

Meantime – and pursuant to the Freedom of Information Act – I request the FBI’s written rules, protocols and procedures for handling public corruption complaints of the type described by the Justice Department’s annual reports to Congress on the activities and operations of the Public Integrity Section – and any records, available to me, as to the FBI’s handling of my October 16, 2020 public corruption complaint.

Thank you.

Elena Sassower, Director
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