

Congress of the United States
House of Representatives
Washington, DC 20515-1803

November 2, 2021

Mayor Muriel Bowser
1350 Pennsylvania Avenue NW # 406
Washington, DC 20004

Mayor Bowser,

Based on the various hearings that the House Committee on Oversight and Reform has conducted on the security failures that occurred at the United States Capitol on January 06, 2021, it has been uncovered that your office had specific operational coordination and information sharing communications with various entities within Congress and the United States National Guard. To further investigate these security failures, I submitted an official Freedom of Information Act (F.O.I.A.) request to the District of Columbia government on July 7, 2021 (2021-FOIA-06742) requesting the following data:

- All communications Dec 30th, 2021 through Jan 8th, 2021 (Telephone or Virtual meeting logs, transcripts, summaries, notes, and emails and/or correspondence) pertaining to all actions and requests taken by the Mayor's Office in preparation for or in response to various intelligence reports regarding potential January 6, 2021 protests and/or the Jan 6th, 2021 associated security missions.
- Specifically, those communications between the Mayor or her staff and the following recipients between the dates of 12/30/2020 To 01/08/2021:
 1. United States House of Representatives Leadership
 2. United States Senate Leadership
 3. United States Capitol Police (USCP), including the USCP's Intelligence and Interagency Coordination Division (IICD)
 4. United States Architect of the Capitol
 5. DC National Guard

Your office acknowledged receipt of this request on July 7, 2021 and set an estimated date for delivery of August 12, 2021. As of the date of this letter this request has not been fulfilled. According to DC Code §§ 2-531-539 it is the:

“public policy of the District of Columbia is that all persons are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees.”

Further, DC Code § 2-532 (c)(1) outlines that a “public body, upon request reasonably describing any public record, shall within 15 days (except Saturdays, Sundays, and legal public holidays) f receipt of any such request either make the requested public record accessible or notify the person making such request of its determination not to make the requested public record or any part thereof accessible and the reasons thereof.” While § 2-532 (d)(1) provides for an extension of the 15-day deadline, no such request was made on behalf of the DC government.

In accordance with the laws of D.C. I officially demand a full accounting of why my F.O.I.A. request has not been complied with. In anticipation of your response to this letter, I officially request an administrative appeal of any decision that has been made or will be made to deny my initial request. Please respond to this letter by November 19, 2021.

Respectfully,

A handwritten signature in blue ink that reads "Clay Higgins". The signature is written in a cursive style with a large initial "C".

Clay Higgins
Member of Congress

CC: Mayor's Office of Legal Counsel
FOIA Appeal
1350 Pennsylvania Ave, NW
Suite 407
Washington, DC 20004