



May 29, 2025

VIA WEBSITE ONLY

Michael G. Seidel, Section Chief
Record/Information Dissemination Section
Records Management Division
Federal Bureau of Investigation
Department of Justice
200 Constitution Drive
Winchester, VA 22602
<https://efoia.fbi.gov>

RE: FOIA Request pertaining to the FBI surveillance of religious organizations and Americans

Dear Mr. Seidel:

This letter is a request (“Request”) in accordance with the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and the corresponding department/agency implementing regulations. The Request is made by the American Center for Law and Justice (“ACLJ”)¹ on behalf of its supporters. To summarize, this Request seeks records pertaining to the FBI’s surveillance of religious organizations and Americans.

BACKGROUND

Pursuant to DOJ FOIA regulation 28 C.F.R. §16.3(b), this Background addresses “the date, title or name, author, recipient, subject matter of the record[s]” requested, to the extent known.

¹ The ACLJ is a not-for-profit 501(c)(3) organization dedicated to the defense of constitutional liberties secured by law. The ACLJ regularly monitors governmental activity and works to inform the public of such affairs. The ACLJ and its global affiliated organizations are committed to ensuring governmental accountability and the ongoing viability of freedom and liberty in the United States and around the world.

The FBI has monitored religious organizations. For example, it has conducted surveillance on traditionalist Catholics² and Muslim communities.³

According to the FBI's Domestic Investigations and Operations Guide:

Undercover operations must be conducted in conformity with *The Attorney General's Guidelines on Federal Bureau of Investigation Undercover Operations (AGG-UCO)* in investigations relating to activities in violation of federal criminal law that do not concern threats to the national security or foreign intelligence. In investigations that concern threats to the national security or foreign intelligence, undercover operations involving religious or political organizations must be reviewed and approved by FBI Headquarters, with participation by the NSD in the review process. (AGG-Dom, Part V.A.7) Other undercover operations involving threats to the national security or foreign intelligence are reviewed and approved pursuant to FBI policy as described herein.

Additionally, the booklet "US Violent Extremist Mobilization Indicators,"⁴ which is based on "information derived from dozens of FBI terrorism investigations peer-reviewed academic studies, and analytic exchanges among Intelligence Community and law enforcement professionals," uses many "mobilization indicators" that are "constitutionally protected activities."⁵ The booklet clarifies:

RISK FACTORS

It is important to consider the totality of an individual's circumstances when observing potential indicators because some factors may increase the risk that the individual could mobilize to violence in a given situation. The following risk factors should be considered in conjunction with the indicators of mobilization to violence, as each risk factor may be insignificant on its own and no one factor appears to be more significant than another. Some of these risk factors may involve constitutionally protected activities. Risk factors may include:⁶

In the interests of brevity, the list of risk factors is not included here.

The purpose of this Request is to investigate how and why religious organizations and Americans are under surveillance.

² See, for example, Ewan Palmer, *FBI Under Pressure for Targeting Catholics in Leaked Document*, NEWSWEEK (Feb. 10, 2023, 7:46 AM), <https://www.newsweek.com/fbi-memo-catholics-radical-traditional-leaked-1780379>

³ Operation Vulgar Betrayal, <https://www.bloomberg.com/news/articles/2018-10-18/why-did-the-fbi-watch-this-chicago-suburb>

⁴ NCTC, FBI & DHS, U.S. VIOLENT EXTREMIST MOBILIZATION INDICATORS, (2021) https://www.dni.gov/files/NCTC/documents/news_documents/Mobilization_Indicators_Booklet_2021.pdf

⁵ *Id.*

⁶ *Id.*

RECORDS REQUESTED

For purposes of this Request, the term “record” means “any information” that qualifies under 5 U.S.C. § 552(f), and includes, but is not limited to, the original or any full, complete and unedited copy of any log, chart, list, memorandum, note, correspondence, writing of any kind, policy, procedure, guideline, agenda, handout, report, transcript, set of minutes or notes, video, photo, audio recordings, or other material. The term “record” also includes, but is not limited to, all relevant information created, stored, received or delivered in any electronic or digital format, e.g., electronic mail, instant messaging or Facebook Messenger, iMessage, text messages or any other means of communication, and any information generated, sent, received, reviewed, stored or located on a government *or private* account or server, consistent with the holdings of *Competitive Enter. Inst. v. Office of Sci. & Tech. Policy*, 827 F.3d 145 (D.C. Cir. 2016) (rejecting agency argument that emails on private email account were not under agency control, and holding, “If a department head can deprive the citizens of their right to know what his department is up to by the simple expedient of maintaining his departmental emails on an account in another domain, that purpose is hardly served.”).

For purposes of this Request, the term “aides” used herein has the definition as “a person whose job is to help someone important, such as a member of a government or a military officer of high rank.”

For purposes of this Request, the term “staff” used herein has the definition as “a group of people who work for an organization for a special purpose, or who work for a manager within an organization.”

For purposes of this Request, all terms otherwise used herein have the definitions given by FOIA, 5 U.S.C. § 552 *et seq.*

For purposes of this Request, and unless otherwise indicated, the timeframe of records requested herein is January 1, 2020, to the date this request is processed.

The ACLJ hereby requests the FBI to produce the following records.

1. All records of communications in the custody of the FBI’s Director, Deputy Director, Chief of Staff, General Counsel, or any of their senior staff or assistants, or of any other FBI official of a GS-14 or appointee or Capstone level or of the Senior Executive Service or higher, containing the words: “religion,” “religious organization,” “Christian,” “church,” “AGG-Dom, Part V.A.7,” “AGG-Dom, Part V.A.7 approval,” “racially and ethnically motivated violent extremists,” or “RMVE,” “‘Nihilistic Violent Extremist,’ “NVE,” or “‘CALEA’ and ‘religious.’”
2. All records of communications in the custody of the Executive Assistant Director of the FBI who directs the National Security Division (NSD), or any of his/her senior staff or aides, or in the custody of the Senior Executive Service agent who reports to the Executive Assistant Director of the FBI, containing the words: “religion,” “religious organization,” “Christian,” “church,” “AGG-Dom, Part V.A.7,” “AGG-Dom, Part

V.A.7 approval,” “racially and ethnically motivated violent extremists,” or “RMVE,” ““Nihilistic Violent Extremist,” “NVE,” or “‘CALEA’ and ‘religious.’”

REQUEST FOR WAIVER OF FEES

The ACLJ requests a waiver of all fees for this request. Disclosure of the requested information to us is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in our commercial interest. The documents requested are to provide transparency on the perceived politicization of the FBI. Thank you for your consideration of this request.

REQUEST FOR EXPEDITED PROCESSING

The ACLJ seeks expedited processing of its request. Under 5 U.S.C. § 552(a)(6)(E), expedited processing will be granted where there is a “compelling need” defined as “a request made by a person primarily engaged in disseminating information, urgency to inform the public concerning actual or alleged Federal Government activity.” 5 U.S.C. § 552(a)(6)(E)(v).

The ACLJ is primarily engaged in the dissemination of information and has urgency to inform the public concerning Federal Government activity.

For example, the ACLJ’s website received 4,365,493 unique visitors in 2024, with 13,054,539 page views. Our current email list holds over 1,500,000. In 2024, the ACLJ sent more than 714,000,000 emails. The ACLJ’s radio audience consists of more than 1,150,000 estimated daily listeners on nearly 850 radio stations nationwide, including SiriusXM satellite radio, and the broadcast livestreams on Facebook, YouTube, Rumble, and ACLJ.org. Additionally, the ACLJ hosts a weekly television program, Sekulow, broadcast on multiple networks including: Cornerstone Television, TBN, KAZQ TV-32, SON Broadcasting, VTN, WTGL TV-45, and The Dove. See <http://aclj.org/radio-tv/schedule> (listing schedule).

The ACLJ also disseminates news and information to over 1,000,000 addresses on its mailing lists. In 2024, the ACLJ sent 12,408,528 pieces of mail.

Moreover, our Executive Director, Jordan Sekulow, and other senior ACLJ attorneys have regularly appeared on various news and talk show programs to discuss the issues and events important to the ACLJ and its audiences. These include shows on FOX News, MSNBC, CNN, OANN, Newsmax, ABC, CBS, and NBC. In addition to television programs, Jordan Sekulow has also appeared on national radio broadcasts. Beyond broadcast outlets, Jordan Sekulow’s comments have appeared in the nation’s top newspapers, in print and online editions, including but not limited to the Wall Street Journal, New York Times, Washington Times, Washington Post, L.A. Times, and USA Today. Their comments also appear in major national newswire services that include, but are not limited to, Associated Press, Reuters, and Bloomberg.

The ACLJ’s request is based upon an urgency to inform the American public because a delay in review of the information would compromise the integrity of United States government officials and actors.

Without the immediate release of the information requested, the American public will remain in the dark with respect to the FBI's surveillance of religious organizations or people, a matter that the FBI concedes concerns their constitutional rights.

Moreover, a delay in releasing the information delays justice and serves only to further embarrass the FBI in the United States, and confuse the public, as delay likely indicates an attempt to cover up embarrassing or unpopular or *ultra vires* actions, or negligence, or to shift or avoid blame or culpability. Thus, governmental accountability in honoring obligations and commitments, justice, and integrity serve as significant public interests at stake. The requested documents must be released now so that the American people can decide if the government's decisions were acceptable and its response is adequate.

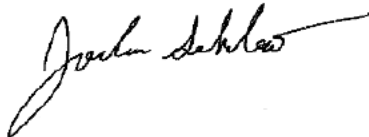
CONCLUSION

If this Request is denied in whole or in part, the ACLJ requests that, within the time requirements imposed by FOIA, you support all denials by reference to specific FOIA exemptions and provide any judicially required explanatory information, including but not limited to, a *Vaughn* Index.

Thank you for your prompt consideration of this Request. Please furnish all applicable records and direct any responses to:

Jordan Sekulow, Executive Director
John A. Monaghan, Senior Litigation Counsel
American Center for Law and Justice

Respectfully submitted,



Jordan Sekulow
Executive Director



John A Monaghan
Senior Litigation Counsel