



July 16, 2024

Via Email Only

Freedom of Information Act Office
Directorate of Human Resources
Attn: AMIM-LIH-AF
4-2175 Rock Merritt Avenue, Stop A
Fort Liberty, NC 28310-5000
usarmy.liberty.usag.mbx.dhr-foia@army.mil

IMCOM FOIA Requester Service Center (AMIM-HRA-A)
US Army Installation Management Command
2405 Gun Shed Road
Fort Sam Houston, TX 78234-1223
usarmy.jbsa.imcom-hq.mbx.foia-requester-service-center@army.mil

RE: FOIA Request regarding terrorist slides at Fort Liberty.

Dear FOIA Officer:

This letter is a request (“Request”) in accordance with the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 *et seq.*, and the corresponding department/agency implementing regulations. The Request is made by the American Center for Law and Justice (“ACLJ”).¹

Background

Pursuant to DoD FOIA regulation 32 C.F.R. §286.5 (a), this Background addresses “the date, title or name, author, recipient, and subject matter of the record[s]” requested, to the extent known.

On July 10, 2024, this slide was posted on X²:

¹The 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.

² Shoe (@samosaur), X (July 10, 2024, 8:37 PM), <https://x.com/samosaur/status/1811198101522391419>.



Subsequently, on Fort Liberty’s official social media Twitter account the following post³ was made:

³ @FtLibertyNC, X (July 11, 2024, 1:07 PM)
https://x.com/FtLibertyNC?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor.

← **Fort Liberty**
328 posts

⋮ Follow

Fort Liberty

@FtLibertyNC

Welcome to our official Fort Liberty, NC Twitter page.
UPDATES by The US Army Garrison Fort Liberty Public Affairs Office.

📍 Fort Liberty, NC [🔗 home.army.mil/liberty/index....](https://home.army.mil/liberty/index...)

📅 Joined November 2022

74 Following 138 Followers

Not followed by anyone you're following

Posts

Replies

Media



Fort Liberty @FtLibertyNC · 2h

⋮

Antiterrorism slides shown on social media were not vetted by the appropriate approval authorities and do not reflect the views of [@18airborne corps](#), Fort Liberty and [@DeptofDefense](#).

See full statement on our Facebook page:
facebook.com/share/p/WUDvMw...



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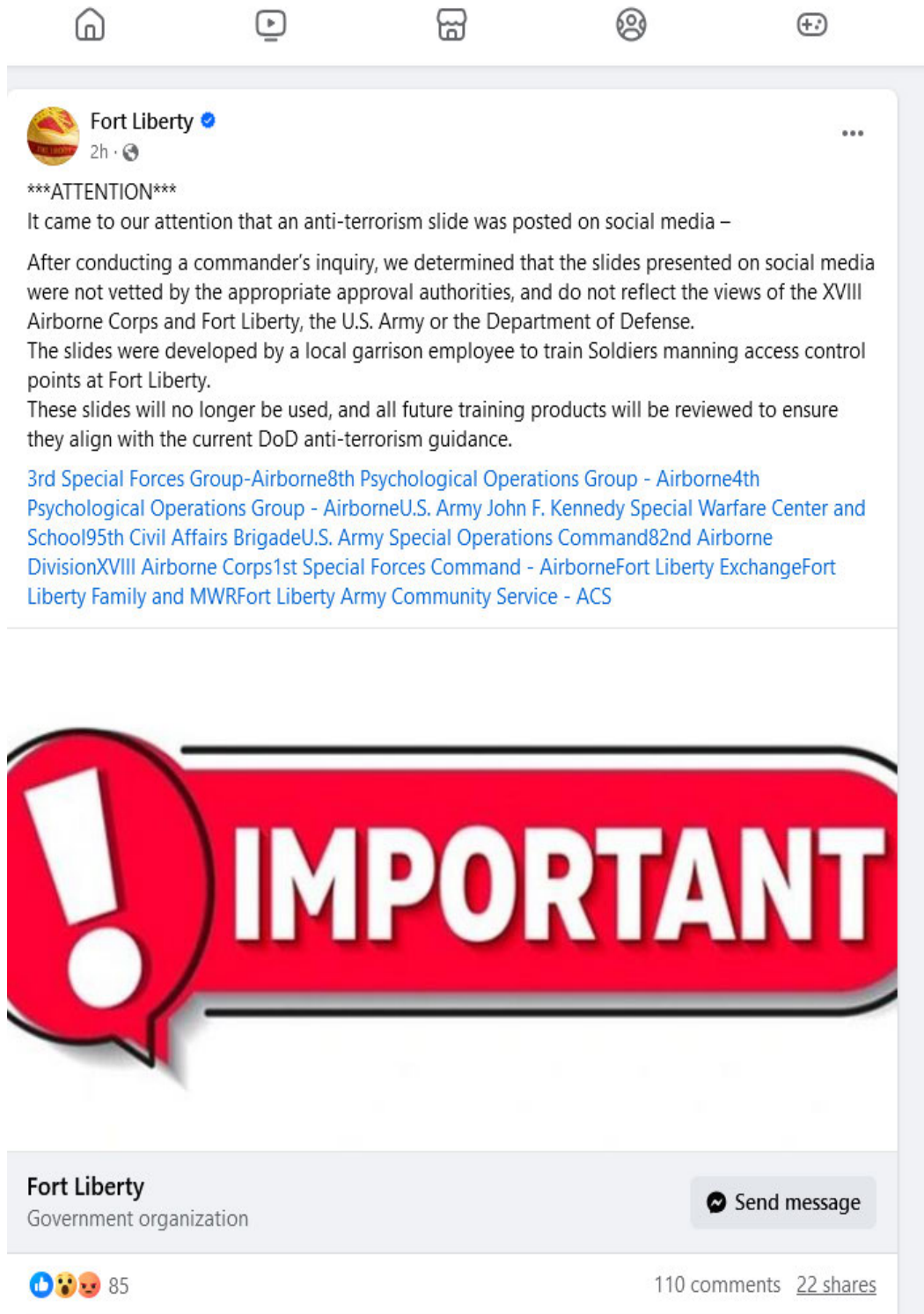
↻ 1

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📊 685

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The referenced Facebook statement⁴ is:



The image shows a screenshot of a Facebook post from the official page of Fort Liberty. At the top, there are navigation icons for home, video, marketplace, profile, and groups. The post is from 'Fort Liberty' (verified), posted 2 hours ago. The text of the post is as follows:

ATTENTION

It came to our attention that an anti-terrorism slide was posted on social media –

After conducting a commander’s inquiry, we determined that the slides presented on social media were not vetted by the appropriate approval authorities, and do not reflect the views of the XVIII Airborne Corps and Fort Liberty, the U.S. Army or the Department of Defense.

The slides were developed by a local garrison employee to train Soldiers manning access control points at Fort Liberty.

These slides will no longer be used, and all future training products will be reviewed to ensure they align with the current DoD anti-terrorism guidance.

3rd Special Forces Group-Airborne8th Psychological Operations Group - Airborne4th Psychological Operations Group - AirborneU.S. Army John F. Kennedy Special Warfare Center and School95th Civil Affairs BrigadeU.S. Army Special Operations Command82nd Airborne DivisionXVIII Airborne Corps1st Special Forces Command - AirborneFort Liberty ExchangeFort Liberty Family and MWRFort Liberty Army Community Service - ACS

Below the text is a large red graphic with a white exclamation mark inside a speech bubble on the left and the word 'IMPORTANT' in large white capital letters on a red background to the right.

At the bottom of the post, it shows 'Fort Liberty' as a 'Government organization' with a 'Send message' button. Engagement statistics show 85 reactions (likes, love, wow, sad, angry), 110 comments, and 22 shares.

⁴ Fort Liberty, FACEBOOK (July 11, 2024), (<https://www.facebook.com/FortLibertyPublicAffairs/posts/pfbid02Y61a3R5ahNYj4AFZuqfCUXrAtwGs3p83GC7dtQ2Yo1XLSEu5L1bfPvXZFWCo2j7hl?rddid=dRYDnndNFOXjszp>).

This FOIA seeks further information on the actions mentioned above.

Records Requested

For purposes of this Request, the term “record” is “any information” that qualifies under 5 U.S.C. § 552(f). 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.”).

When this Request names a person or an office, it includes any alias or pseudonym name and any electronic communication account any such official might use.

For purposes of this Request, and unless otherwise indicated, the timeframe of records requested herein is July 10, 2024 to the date this Request is processed.

Pursuant to FOIA, 5 U.S.C. § 552 *et seq.*, ACLJ hereby requests that the DoD produce the following:

1. The slides referenced in the social media posts.
2. Records of any communications about the slides with the FBI.
3. Records of any communications about the slides with the North Carolina State Bureau of Investigation.
4. The records of the “Commander’s Inquiry” referenced above.
5. All records of communications regarding the creation, distribution, or response to the slides referenced.
6. All emails or communications to or from the individual who created this slide that include "pro-life," abortion, anti-abortion, National Right to Life, Operation Rescue, or license plate(s).
7. All records about the "social media" posts referenced above.
8. All records containing the words: "pro-life," abortion, anti-abortion, National Right to

Life, Operation Rescue, Crisis Pregnancy Center, CPC or pro-life license plate(s).

9. All records regarding the views of XVIII Airborne Corps and Fort Liberty, the U.S. Army or the Department of Defense on: "pro-life," anti-abortion, National Right to Life, Operation Rescue, and Choose Life matters.

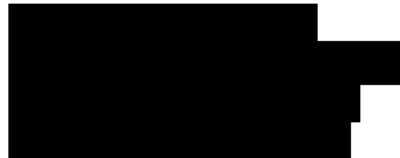
Each request seeks records which include, but are not limited to, any record located on backup tapes, archives, any other recovery, backup, storage or retrieval system, DoD electronic mail or message accounts, non-DoD electronic mail or message accounts, personal electronic mail or message accounts, DoD servers, non-DoD servers, and personal servers, as well as any electronic mail or message carbon copied to agency account recipients, any electronic mail or message carbon copied to non-agency account recipients, any electronic mail or message forwarded to agency account recipients, any electronic mail or message forwarded to non-agency account recipients, and attachments to any electronic mail or message.

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



I affirm that the foregoing request and attached documentation are true and correct to the best of my knowledge and belief.

Respectfully submitted,

Handwritten signature of Jordan Sekulow in blue ink.

Jordan Sekulow
Executive Director

Handwritten signature of John A. Monaghan in blue ink.

John A Monaghan
Senior Litigation Counsel