

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.



February 28, 2013

MS. GENELLE MYRA DENZIN
2379 ADAMS AVENUE
COLUMBUS, OH 43202

FOIPA Request No.: 1219601-000
Subject: INDYMEDIA (LAS VEGAS 2003-2006)

Dear Ms. Denzin:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Explanation of Exemptions:

Section 552		Section 552a
<input type="checkbox"/> (b)(1)	<input type="checkbox"/> (b)(7)(A)	<input type="checkbox"/> (d)(5)
<input type="checkbox"/> (b)(2)	<input type="checkbox"/> (b)(7)(B)	<input type="checkbox"/> (j)(2)
<input type="checkbox"/> (b)(3)	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (k)(1)
_____	<input type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (k)(2)
_____	<input type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(3)
_____	<input type="checkbox"/> (b)(7)(F)	<input type="checkbox"/> (k)(4)
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(8)	<input type="checkbox"/> (k)(5)
<input type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(9)	<input type="checkbox"/> (k)(6)
<input checked="" type="checkbox"/> (b)(6)		<input type="checkbox"/> (k)(7)

3 pages were reviewed and 3 pages are being released.

Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:

- referred to the OGA for review and direct response to you.
- referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

In accordance with standard FBI practice and pursuant to FOIA exemption (b)(7)(E) and Privacy Act exemption (j)(2) [5 U.S.C. § 552/552a (b)(7)(E)/(j)(2)], this response neither confirms nor denies the existence of your subject's name on any watch lists.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. Enclosed for your information is a copy of the Explanation of Exemptions.

You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information Policy (OIP), U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <http://www.justice.gov/oip/efoia-portal.html>. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be easily identified.

The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

See additional information which follows.

Sincerely,



David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

In response to your Freedom of Information Act (FOIA) request to the Records Management Division at Winchester, VA, a cross-reference was located wherein Indymedia is mentioned in a file concerning another individual, organization, event, activity, or the like. Enclosed is a processed copy of the Las Vegas Field Office file 100A-LV-38067-FISUR (Serial 2). In processing the cross-reference, the pages considered for possible release included only those pages which mention Indymedia by name and any additional pages showing the context in which the name Indymedia was mentioned. This material is being provided to you at no charge.

100A-LV-38067

[redacted]

On July 7, 2004 at approximately 6:15 P.M. SA [redacted] arrived at the COFFEE BEAN AND TEAL LEAF, 4450 S Maryland Pkwy, Las Vegas, Nevada, 89119. After taking a seat in the back room of the coffee shop the following observations were made:

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[redacted] and an unidentified female (UNSUB 1) were sitting at a table towards the rear of the coffee shop talking and playing chess. [redacted] and was wearing

[redacted] UNSUB 1 was a [redacted] female with [redacted] hair, approximately 5'7" with a [redacted] body frame. She wore [redacted] and carried a tin clipboard filled with papers.

UNSUB 1 mentioned how she had [redacted] from the [redacted] commented that this was good because it "won't benefit Bush." Next, UNSUB 1 asked [redacted] if he was looking for a lawyer. She told him that he could find one by going to the Nevada State Bar on-line. [redacted] responded that he had a list of people to call 24 hours a day. UNSUB 1 asked if this list was confiscated when he was arrested and [redacted] replied that he didn't carry it because he knew he was going to get arrested.

At approximately 6:35 P.M. another individual, later identified as [redacted] joined [redacted] and UNSUB 1 at their table. Throughout the night everyone referred to [redacted] as [redacted] or [redacted] was wearing a blue hooded sweatshirt, approximately [redacted] build, had [redacted] hair hanging in his face, and wore a [redacted] He told [redacted] that five more people were coming. Next, he started complaining that the police had taken his knife.

At approximately 6:40 P.M. five more individuals joined [redacted] UNSUB 1, and [redacted] at the coffee shop. One of these individuals (UNSUB 2) was a white female [redacted] with short [redacted] hair, [redacted] build, and [redacted] on her [redacted] When she arrived, she stated that she wanted to sit next to [redacted] The other four individuals were young males. Three of the four males appeared to be [redacted] However, the fourth individual looked older, may have been [redacted] and was wearing a red baseball hat. One of the [redacted] male [redacted] introduced himself as [redacted] a.k.a. [redacted]"

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At this point, a total of eight people were sitting at the table. [redacted] asked the group if they had heard of "Indymedia"? He then described the organization as a "collection of autonomous groups that publish what is really going on." He

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Serial : 2

[redacted]

claims that Indymedia exists in 70 different cities and he wants to get one started in Las Vegas, Nevada. [redacted] said that he was considering adding constant video feeds to the Indymedia web site. UNSUB 2 stated that she wanted to talk about police brutality. At this point in the conversation, the three juvenile males stated that they wanted to go get some beer. The older male in the red baseball hat told them he would give them money. At approximately 6:45 P.M., all four of the males that had arrived five minutes earlier left the coffee shop. This left [redacted] UNSUB 1, and UNSUB 2 at the table.

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At this point UNSUB 2 started talking about how she had been harassed by the police at a tattoo parlor. Then, [redacted] stated that he went to a party with a "bunch of Nazis" and when he told them that he didn't agree with their ideologies they wanted to beat him up.

[redacted] began talking about how they didn't have their own server. Then he expressed concern since [redacted] was [redacted] was afraid that he might get in trouble for [redacted]. The conversation moved on to how the cops can look like anyone else and [redacted] complaining that the cops had taken his hat. Next, [redacted] mentioned that the "Indymedia" website didn't require a "www". [redacted] suggested trying to track those individuals who visit the website, but [redacted] told him that trying to do that would get you in trouble with the FBI.

[redacted] mentioned that someone tried to firebomb an apartment. [redacted] stated maybe that is why "they are following us", and [redacted] responded by saying that he hoped "they didn't try to blame us." [redacted] began talking about the group meetings and how they were meeting the first and third Monday of the month. However, they are looking for more people to attend the meetings before he wants to do anything to the website. Additionally, UNSUB 1 and [redacted] discussed how "Indymedia" needed to develop an editorial policy which could then be developed into an operational policy. [redacted] pointed out that since there were only four of them at the meeting, there was no rush.

[redacted] began discussing the ticket he received from the cops and how he was surprised that they let him sign his ticket. [redacted] commented that he thought it was funny that "the detective" knows who they are. Also, [redacted] stated that if "they had seen him on the top of the escalator, he would have been arrested." Next, [redacted] showed [redacted] something on paper and [redacted] said, "Department of Homeland Security...no way!" At this point they started to transfer back and forth notes and paperwork. [redacted] told [redacted] that he was not overly worried about the police, that they just monitor all protesters. He then showed [redacted] a piece of paper. [redacted] responded by saying "what is this name?" [redacted] said, "just write it down, I will tell you later".

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The group concluded their meeting by discussing the injustices that are occurring at Guantanamo Bay. At approximately 8:00 P.M. the group left the COFFEE BEAN AND TEA LEAF coffee shop. [redacted] and [redacted] headed southeast through the

parking lot.

