

EXHIBIT 64

8. I read each Institution Supplement when it came out, and relied upon it for information about how I would be reviewed for possible transfer from the CMU.
9. I requested transfer from the CMU at my August 25, 2008 program review, and was told I would not be eligible for transfer until I had achieved 18 months of clear conduct.
10. I requested transfer from the CMU at my February 10, 2009 program review, and was told I would not be eligible for transfer until I had achieved 18 months of clear conduct.
11. I requested transfer from the CMU at my August 4, 2009 program review, and was told I would not be eligible for transfer until I had achieved 18 months of clear conduct.
12. I was never informed that my transfer out of the CMU was denied at any point because of the nature of my communications with environmental activists and groups.
13. When I was finally transferred out of the CMU in October 2010, I was not told why, nor was I told what I needed to do to avoid being transferred back.
14. I did not receive an incident report, nor any disciplinary process, for my alleged circumvention of mail monitoring procedures that led to my second designation to the CMU.

Executed on this 11 day of April 2014.



DANIEL MCGOWAN
New York, New York

EXHIBIT 65

NOTICE TO INMATE OF TRANSFER TO COMMUNICATION MANAGEMENT UNIT

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Inmate Name (Last, First, Middle): McGowan, Daniel	Register Number: 63794-053
Warden (print and signature): Lisa J. W. Hollingsworth, Warden	Institution: USP Marion, Illinois

NOTICE: This notice informs you of your transfer to a Federal Bureau of Prisons (Bureau) facility that allows greater management of your communication with persons in the community through more effective monitoring of your telephone use, written correspondence, and visiting. Your communication by these methods may be limited as necessary to allow effective monitoring. Your general conditions of confinement in this unit may also be restricted as necessary to provide greater management of your communications. Your transfer to this unit, by itself, will have no effect on the length of your incarceration. You will continue to earn good-conduct sentence credit in accordance with Bureau policy.

Your transfer to this facility under these conditions is based on the following specific information:

Your offense conduct included acts of arson, destruction of an energy facility, attempted arson, and conspiracy to commit arson. You have been identified as a member and leader in the Earth Liberation Front (ELF) and Animal Liberation Front (ALF), groups considered domestic terrorist organizations. Your offense conduct included communicating in code and teaching others how to commit crimes of arson. Your actions had the primary purpose to influence and affect the conduct of government, commerce, private business and others in the civilian population by means of force, violence, sabotage, destruction of property, intimidation and coercion. Your contact with persons in the community requires heightened controls and review.

Based on this information, your transfer to this facility for greater communication management is necessary to the safe, secure, and orderly operation of Bureau institutions, or protection of the public. Your continued designation to this facility will be reviewed regularly by your Unit Team under circumstances providing you notice and an opportunity to be heard, in accordance with the Bureau's policy on Classification and Program Review of Inmates.

OPPORTUNITY TO APPEAL TRANSFER DECISION - You may appeal this transfer decision, or any conditions of your confinement, through the Bureau's Administrative Remedy Program, 28 C.F.R. §§ 542.10 through 542.19, and corresponding policy. A member of your Unit Team will provide you with the necessary form upon request.

INSTRUCTIONS TO STAFF - Provide the inmate a copy of this form and complete the following information documenting delivery.


Staff Member Name and Position (printed): J.S. Wilson	Staff Member (signature): 	Date Issued: 9/3/08
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EXHIBIT 66

NOTICE TO INMATE OF TRANSFER TO COMMUNICATION MANAGEMENT UNIT

U. S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Inmate Name (Last, First, Middle): (P-1)	Register Number: (P-1)
Warden (print and signature): B. R. Jett, Warden	Institution: FCI Terre Haute, Indiana

NOTICE: This notice informs you of your transfer to a Federal Bureau of Prisons (Bureau) facility that allows greater management of your communication with persons in the community through more effective monitoring of your telephone use, written correspondence, and visiting. Your communication by these methods may be limited as necessary to allow effective monitoring. Your general conditions of confinement in this unit may also be restricted as necessary to provide greater management of your communications. Your transfer to this unit, by itself, will have no effect on the length of your incarceration. You will continue to earn good-conduct sentence credit in accordance with Bureau policy.

Your transfer to this facility under these conditions is based on the following specific information:

Your offense conduct included acts of arson, destruction of an energy facility, attempted arson, use of explosives and incendiary devices, interference with interstate commerce, sabotage, and intimidation. You have been identified as a member and leader in the Earth Liberation Front (ELF) and Animal Liberation Front (ALF), groups considered domestic terrorist organizations. Your offense conduct included communicating in code, writing material detailing the design and assembly of incendiary devices, and teaching others how to commit crimes of arson. You have admitted that the primary purposes of your conduct were to influence and affect the conduct of government, commerce, private business and others in the civilian population by means of force, violence, sabotage, destruction of property, intimidation and coercion. Your contact with persons in the community requires heightened controls and review.

Based on this information, your transfer to this facility for greater communication management is necessary to the safe, secure, and orderly operation of Bureau institutions, or protection of the public. Your continued designation to this facility will be reviewed regularly by your Unit Team under circumstances providing you notice and an opportunity to be heard, in accordance with the Bureau's policy on Classification and Program Review of Inmates.

OPPORTUNITY TO APPEAL TRANSFER DECISION - You may appeal this transfer decision, or any conditions of your confinement, through the Bureau's Administrative Remedy Program, 28 C.F.R. §§ 542.10 through 542.19, and corresponding policy. A member of your Unit Team will provide you with the necessary form upon request.

INSTRUCTIONS TO STAFF - Provide the inmate a copy of this form and complete the following information documenting delivery.

SUBJECT TO ATTORNEY'S EYES ONLY PROTECTIVE ORDER

BOP CMU 060176


Staff Member Name and Position (printed):	Staff Member (signature):	Date Issued:
C. SHEPHERD		5/6/09

EXHIBIT 67

U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: McGowan, Daniel G. 63794-053 C.M.U. USP-Marion
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

I contend that my placement in the Communications Management Unit (CMU) violates my constitutional rights. The CMU was established in violation of Federal regulations and thus, subjects me to due process violations. I request that the Communications Management Unit be terminated or brought into compliance of proper Federal Regulations and that I be transferred to a low-security prison.

9/11/08

DATE

Daniel McGowan

SIGNATURE OF REQUESTER

Part B- RESPONSE

See Attached Response

SEP 11 11:08 AM '08

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

FIRST COPY: WARDEN'S ADMINISTRATIVE REMEDY FILE

CASE NUMBER: 508242-F1

CASE NUMBER: _____

Part C- RECEIPT

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: 15HM/13HM Request to be placed in CP Unit

9/12/08
DATE

[Signature]
RECIPIENT'S SIGNATURE (STAFF MEMBER)

USP LVN



BP-229(13)
APRIL 1982

**U.S. Department of Justice
Federal Bureau of Prisons**

**Administrative Remedy
Part B - Response**

Admin Remedy Number: 508242-F1

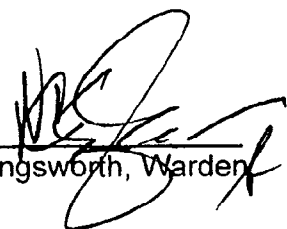
This is in response to your Request for Administrative Remedy received September 12, 2008, wherein you claim your placement in the Communication Management Unit (CMU) at USP Marion violates your constitutional rights and request to be placed in a low security institution.

According to our records, you were transferred to the CMU at the United States Penitentiary in Marion, Illinois, on August 22, 2008. Your transfer to the CMU allows greater management of your communication with persons in the community through more effective monitoring of your telephone use, written correspondence, and visiting. Your communication by these methods may be limited as necessary to allow effective monitoring. Your general conditions of confinement in this unit may also be restricted as necessary to provide greater management of your communications. Your transfer to this unit, by itself, has no effect on the length of your incarceration. You will continue to earn good-conduct sentence credit in accordance with Bureau policy. Therefore, your placement in the CMU does not violate your constitutional rights.

Your transfer to this unit was approved by the Correctional Programs Division, Central Office, Federal Bureau of Prisons. Your continued housing in this unit will be reviewed during each Program Review conducted by your unit team. Your next Program Review is scheduled for February 2009.

Accordingly, your Request for Administrative Remedy is denied. In the event you are not satisfied with this response and wish to appeal, you may do so within 20 calendar days of this response by submitting a BP-230(13) to the Regional Director, Federal Bureau of Prisons, North Central Regional Office, Gateway Complex, Tower II, 8th Floor, 400 State Avenue, Kansas City, Kansas 66101-2492.

9.17.08
Date



Lisa J. W. Hollingsworth, Warden

**Administrative Remedy - Informal Resolution
 Marion, Illinois**

Inmate's Name: DANIEL MCGOWAN Reg. No. 63794053 Unit: CMU Date: 9/4/08

NOTICE: You are advised that prior to filing a Request for Administrative Remedy [BP-9], you **MUST** attempt to informally resolve your complaint through your counselor. Please follow the three (3) steps listed below.

1. State your specific complaint: I contend that my placement in the "communication management unit" violates my constitutional rights and is in violation of federal law.

2. State what efforts you have made to informally resolve your complaint: I have spoken to Mr. Rivas about my placement at the CMU at intake.

3. State what resolution you request: I wish to be placed in general population at a low-security prison and for the CMU to be closed.

Inmate's Signature: Daniel McGowan Date: 9/4/08

4. Correctional Counselor's Comments (Steps to Resolve): You were transferred to the CMU at USP Marion to allow for greater management of your communication. Your transfer to this unit by itself, will have no effect on your length of incarceration and is not in any violation of your constitutional rights.

Counselor's Signature: [Signature] Date: 9/8/08

Unit Manager's Review: [Signature] Date: 9/8/08

	Received by Counselor from inmate	Attempted informal with inmate by Counselor	BP-9 given to inmate	BP-9 Delivered to Admin. Remedy Clerk
Date	9/5/08	9/9/08	9/10/08	9/12/08
Time	2:45 PM	2:45 PM	2:00 PM	10:00 AM
Counselor	SW	SW	SW	SW

Attachment 1

**FCI/USP Marion
DEPARTMENT HEAD DOCUMENTATION - ATTEMPT AT INFORMAL RESOLUTION**

REMEDY # 508242-F1

Inmate's Name: McGowan, David Registration #: 62794-053 Housing Unit I

TO BE COMPLETED BY THE DEPARTMENT HEAD ASSIGNED A BP-09:

1. Briefly state the inmate's complaint and requested corrective actions.

Inmate McGowan claims his placement in the CMU violates his constitutional rights because it is in violation of Federal regulations.

2. Document your efforts to resolve the matter to include policies reviewed. Note any reasons an informal resolution could not be achieved.

I spoke to McGowan and each inmate in this unit has informed me that they are exhausting the Adm. Remedy process so they can file a law suite together to terminate the CMU unit.

Department Head Signature: [Signature] Date: 7/16/16

Department Head Name Printed: T. G. Weirich

If not informally resolved, forward this form with the BP-229 packet to the Admin Remedy Coordinator.

U.S. Department of Justice

Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: McGowan, Daniel G 63744-053 C.M.U. Malden
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

The Bureau of Prisons placement of me in the "Communications Management Unit" (CMU) violates my constitutional rights. I wish to be placed in general population at a low-security prison.

9/28/08
DATE

Daniel G McGowan
SIGNATURE OF REQUESTER

Part B - RESPONSE

SEE ATTACHED RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

THIRD COPY: WARDEN'S ADMINISTRATIVE REMEDY FILE

CASE NUMBER: 508242

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL

USP LVN

BP-230(13)
JUNE 2002

U.S. Department of Justice
Federal Bureau of Prisons
North Central Regional Office

Regional Administrative Remedy Appeal
Part B - Response

Administrative Remedy Number: 508242-R1

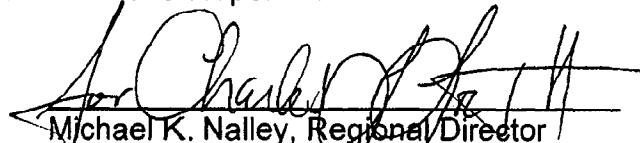
This is in response to your Regional Administrative Remedy Appeal received in this office on October 7, 2008, in which you allege your placement in the Communication Management Unit (CMU) violates your constitutional rights. You request placement in a low security facility.

We have reviewed your appeal and the Warden's response dated September 17, 2008. The Bureau of Prisons has the authority to make designation assignments they deem appropriate and necessary to ensure the safe and orderly operation of its facilities and the protection of the public. You were transferred to the CMU so that additional monitoring of your communication could be accomplished. This was deemed necessary due to your current offense, which includes acts of arson, destruction of an energy facility, attempted arson, and conspiracy to commit arson. Additionally, you have been identified as a member and leader of groups which are considered domestic terrorist organizations. Accordingly, your placement in the CMU is deemed appropriate, and further transfer is not warranted. You have provided insufficient evidence that your rights are being violated in any way.

Based on the above information, your Regional Administrative Remedy Appeal is denied.

If you are dissatisfied with this response, you may appeal to the Office of General Counsel, Federal Bureau of Prisons, 320 First Street, NW, Washington, DC 20534. Your appeal must be received in the Office of General Counsel within 30 days from the date of this response.

11/5/08
Date


Michael K. Nalley, Regional Director

U.S. Department of Justice
Bureau of Prisons

Central Office Administrative Remedy Appeal

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-DIR-9 and BP-DIR-10, including any attachments must be submitted with this appeal.

From: McGowan, Daniel G. 63744-053 C.M.U. MARION
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

The placement of me by the Bureau of Prisons in the Communication Management Unit (CMU) at USP Marion is a violation of my constitutional rights. Despite the Regional Director's generic response, my placement here is not appropriate. My request is that you close this unit and transfer me to a low-security facility that is appropriate for my security (6 points) and proximity to family (in the Northeast region). Thank you for your time.

2/14/09

DATE


SIGNATURE OF REQUESTOR

Part B - RESPONSE

RECEIVED

MAR 12 2009

Administrative Remedy Section
Federal Bureau of Prisons

DATE

FIRST COPY: WASHINGTON FILE COPY

GENERAL COUNSEL

CASE NUMBER: 504242-A1

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL

BP-DIR-11
April 1982

Administrative Remedy Number 508242-A1
Part B - Response


This is in response to your Central Office Administrative Remedy in which you protest the decision by Bureau of Prisons' officials to designate you to the Communication Management Unit (CMU).

Our review of this matter reveals that the Warden and Regional Director have adequately addressed your concerns. The Bureau of Prisons has the authority to make housing unit and institution assignments which are believed to be in the best interests of the correctional environment. The CMU was established to house inmates who, by virtue of the nature of their offense, criminal conduct or other information, require increased monitoring of communication between inmates and persons in the community in order to protect the safety, security, and orderly running of the institution and the public. The CMU is an administrative unit which can house all security levels and provides for greater management of your communication.

Your designation to the Communication Management Unit was based on the nature of your criminal behavior as outlined in the PreSentence Report. Your offense conduct included acts of arson, destruction of an energy facility, attempted arson, and conspiracy to commit arson. You have been identified as a member and leader in the Earth Liberation Front and Animal Liberation Front, groups considered domestic terrorist organizations. Your offense conduct included communicating in code and teaching others how to commit crimes of arson. Your actions had the primary purpose to influence and affect the conduct of government, commerce, private business and others in the civilian population by means of force, violence, sabotage, destruction of property, intimidation and coercion. Your contact with persons in the community requires heightened controls and review. You were designated to the CMU in order that additional monitoring of your communication could be accomplished. Your designation to the CMU is warranted and appropriate.

Your appeal is denied.

June 25, 2009
Date



Harrell Watts, Administrator
National Inmate Appeals

EXHIBIT 68

**Administrative Remedy - Informal Resolution
Marion, Illinois**

Inmate's Name: Daniel McGowan Reg. No. 63774-053 Unit: CMU Date: 9/11/08

NOTICE: You are advised that prior to filing a Request for Administrative Remedy [BP-9], you **MUST** attempt to informally resolve your complaint through your counselor. Please follow the three (3) steps listed below.

1. State your specific complaint: (See attached)

2. State what efforts you have made to informally resolve your complaint: I have spoken to both Mr. Rivas and Mr. Wilson about my placement at the C.M.U. and the "notice to inmate of transfer to CMU"

3. State what resolution you request: I want issues a bit that I have outlined removed from the "notice to inmate of transfer to CMU" as they are false. I also request to have the information that was used to substantiate all claims made in this notice provided to me. My placement here is wholly inappropriate and I should be transferred immediately to a low-security prison.

Inmate's Signature: [Signature] Date: 9/11/08

4. Correctional Counselor's Comments (Steps to Resolve): You were designated to the CMU due to the need for greater management of your communication. Your plea agreement court documents and PSI indicates you were guilty of conspiracy to commit arson and destruction of an energy facility. Your pre-sentence report clearly indicates you were part of a criminal conspiracy in which yourself and others identified themselves as ALF and ELF. Your pre-sentence report also indicates, you, along with others, met with others to formalize the training of the criminal participants.

Counselor's Signature: [Signature] Date: 9/15/08

Unit Manager's Review: [Signature] Date: 9/15/08

	Received by Counselor from inmate	Attempted informal with inmate by Counselor	BP-9 given to inmate	BP-9 Delivered to Admin. Remedy Clerk
Date	<u>9/12/08</u>	<u>9/15/08</u>	<u>9/15/08</u>	<u>9/23/08</u>
Time	<u>11:45 AM</u>	<u>2:30 PM</u>	<u>2:45 PM</u>	-
Counselor	<u>SW</u>	<u>SW</u>	<u>SW</u>	<u>SW</u>

DEPOSITION EXHIBIT

7
DATE: 7/18/08 CLS

Administrative Remedy- Informal Resolution BP-8

Daniel McGowan, b3794-053, C.M.U., 9/11/08

1) I reviewed my "Notice to inmate of transfer to Communications Management Unit" (dated 9/3/08 and signed by warden Hollingsworth). It informed me that I was placed in said unit for the following reasons that I contend:

- a) That my offense conduct included "destruction of an energy facility."
- b) The allegation that I am a member and leader in both the Earth Liberation Front (ELF) and Animal Liberation Front (ALF).
- c) That I taught others how to commit arson.

Furthermore, the Bureau of Prisons contends that my contact with persons in the community requires heightened control and review. Issues a, b + c are false and are not supported by facts. As to the latter portion of this complaint, a large majority of inmates could easily fit the standard of a need for "heightened control + review". The information in this notice, which I contend, has led me to placement at this C.M.U. which has led to hardship and unfair treatment and conditions of incarceration.

U.S. Department of Justice
Federal Bureau of Prisons

Administrative Remedy
Part B - Response

Admin Remedy Number: 509775-F2

This is in response to your Request for Administrative Remedy received on October 1, 2008, wherein you claim there are errors on your Notice of Transfer and request to have them removed. Further, you request an immediate transfer to general population in a low security facility.

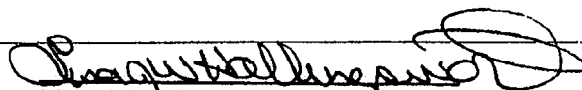
You have received a copy of your Notice of Transfer to Communication Management Unit that indicates the reasons for your placement in the CMU. If you are seeking information pertaining to Federal Bureau of Prisons records related to your placement in the CMU, you may file a request under the Freedom of Information Act (FOIA). You may direct your request to the following location:

Director, Federal Bureau of Prisons
ATTN: FOI/PA Request
320 First Street N.W.
Washington, D.C. 20534

With regard to your request to be transferred to a low security facility, your placement in the CMU is commensurate with your security needs and you will not be transferred at this time.

Accordingly, your request for Administrative Remedy is denied. In the event you are not satisfied with this response and wish to appeal, you may do so within 20 calendar days of this response by submitting a BP-230(13) to the Regional Director, Federal Bureau of Prisons, North Central Regional Office, Gateway Complex, Tower II, 8th Floor, 400 State Avenue, Kansas City, Kansas 66101-2492.

10/6/08
Date


Lisa J. W. Hollingsworth, Warden

U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: McGowan, Daniel G. 63794-053 C.M.U. Marion
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

I filed a BP8 regarding errors in my "Notice to inmate of transfer to CMU". I have not received evidence of the three

Claims made in the notice as listed below:

- 1) That my offense conduct included the "destruction of an energy facility"
- 2) The allegation that I am a member and leader in the Earth Liberation Front (ELF) and Animal Liberation Front (ALF)
- 3) That I taught others how to commit arson.

I am requesting a) evidence of these claims b) removal of claims from my "notice to inmate of transfer to CMU" c) immediate transfer to the general population of a low-security prison.

9/19/08
DATE

Thank you.

[Signature]
SIGNATURE OF REQUESTER

Part B- RESPONSE

See attached Response

509
OCT 1 12:43 PM '08
OCT 1 12:41 PM '08

OCT 23 11:03 AM '08

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

FIRST COPY: WARDEN'S ADMINISTRATIVE REMEDY FILE

CASE NUMBER: 509775-FA

CASE NUMBER: _____

Part C- RECEIPT

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

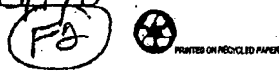
INSTITUTION

SUBJECT: 15km 252m Reg trans out of CMU

9/24/08 10/1/08
DATE

[Signature]
RECIPIENT'S SIGNATURE (STAFF MEMBER)

USP LVN



BP-229(13)
APRIL 1982

U.S. Department of Justice

Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: <u>McGowan, Daniel G.</u>	<u>63744-053</u>	<u>C.M.U.</u>	<u>MARION</u>
LAST NAME, FIRST, MIDDLE INITIAL	REG. NO.	UNIT	INSTITUTION

Part A - REASON FOR APPEAL

The response to my Bp9 regarding issues with my "notice to inmate of transfer to CMU" was inadequate. Three parts of that notice are inaccurate. They are:

- 1) That my offense conduct involves "destruction of an energy facility"
- 2) The allegation that I am a member and leader in the Earth Liberation Front (ELF) + Animal Liberation Front (ALF)
- 3) That I taught others to commit arson.

The response to this was for me to file a FOIA request. I'm asking for evidence of these claims and for these claims to be removed from my "notice to inmate of transfer to CMU".

Additionally, I am requesting that I be transferred to a low security prison and be placed in general population (as I was, without incident from 7/2/07 - 5/12/08 at MDC Brooklyn + FCI Sandstone). Specifically, I am requesting to be moved to FCI Fort Dix which is where I received a judicial recommendation for housing and is one hour from my release residency.

10/9/08
DATE

Thank you.

[Signature]
SIGNATURE OF REQUESTER

Part B - RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: _____

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____	_____	_____	_____
LAST NAME, FIRST, MIDDLE INITIAL	REG. NO.	UNIT	INSTITUTION

SUBJECT: _____

U.S. Department of Justice
Federal Bureau of Prisons
North Central Regional Office

Regional Administrative Remedy Appeal
Part B - Response

Administrative Remedy Number: 509775-R1

This is in response to your Regional Administrative Remedy Appeal received in this office on October 17, 2008, in which you allege you were inappropriately transferred to the Communication Management Unit (CMU) based on inaccurate information. You request removal of that information and transfer to the Federal Correctional Institution in Fort Dix, New Jersey.

We have reviewed your appeal and the Warden's response dated October 6, 2008. Although you allege the information contained in Attachment A, Notice to Inmate of Transfer to Communication Management Unit, is incorrect, both your involvement in arson and your association with the Earth Liberation Front and Animal Liberation Front is documented in your Pre-Sentence Investigation Report. Your allegation that you are inappropriately housed in the CMU is repetitive of Administrative Remedy 508242, and will not be responded to again at this level.

Based on the above information, your Regional Administrative Remedy Appeal is denied.

If you are dissatisfied with this response, you may appeal to the Office of General Counsel, Federal Bureau of Prisons, 320 First Street, NW, Washington, DC 20534. Your appeal must be received in the Office of General Counsel within 30 days from the date of this response.

11/17/08
Date


Michael K. Nalley, Regional Director

U.S. Department of Justice
Bureau of Prisons

Central Office Administrative Remedy Appeal

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-DIR-9 and BP-DIR-10, including any attachments must be submitted with this appeal.

From: McGowan, Daniel G. 63794-053 CMU Mason
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A-REASON FOR APPEAL

The response from the Regional Office is incomplete and fails to address my claims. Attached

A the 'Notice to Inmate of Transfer to CMU', includes inaccurate claims about me, specifically:

- 1) That my offense conduct involved "destruction of an energy facility"
- 2) That I am a member + leader in both the ELF + ALF.
- 3) That I taught others to commit arson.

This information is inaccurate + I ask that it be removed from the notice and case file. Please supply me with actual evidence of these claims (I have already sent a letter per FOIA to get evidence of this from BOP's national office). The Regional office in their response ignores the 3 claims I made above and failed to even address them or provide evidence. I respectfully

2/18/09
DATE

request attention on this matter.

Daniel McGowan
SIGNATURE OF REQUESTOR

Part B-RESPONSE

DATE

GENERAL COUNSEL

ORIGINAL: RETURN TO INMATE

CASE NUMBER: _____

Part C-RECEIPT

CASE NUMBER: _____

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: _____

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL

BP-DIR-11
April 1982

Administrative Remedy No. 509775-A1
Part B - Response

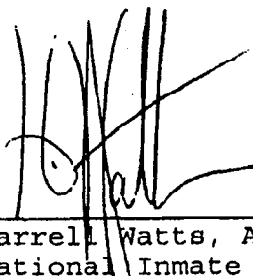
This is in response to your Central Office Administrative Remedy in which you appeal the decision by Bureau of Prisons Officials to classify and designate you to a Communications Management Unit (CMU). You request this decision be reversed. In addition, you claim it violates your rights.

The Bureau of Prisons has the authority to make housing unit and institution assignments that support the security and orderly operation of the institution. The CMU was established to house inmates that due to their current offense, offense conduct, or other information, required increased monitoring of communication between inmates and persons in the community in order to protect the safety, security, and orderly running of the institution and the public. The CMU is an administrative unit that can house all security levels and provides for greater management of your communication.

Institution staff advised you that your transfer to the Communication Management Unit was based on your involvement in arson and your association with the Earth Liberation Front and Animal Liberation Front documented in your Pre-Sentence Investigation Report.

As noted by the Warden, you were transferred to the CMU so that additional monitoring of your communication could be accomplished. You have been appropriately designated to the CMU. We therefore concur with the responses provided. Accordingly, your appeal is denied.

May 13, 2009
Date



Harrell Watts, Administrator
National Inmate Appeals

EXHIBIT 69

SSTP6 535*08 *
PAGE 001 *

FEDERAL BUREAU OF PRISONS
INMATE TRANSIT DATA FORM

* 05-07-2008
* 07:18:49

NAME.....: MCGOWAN, DANIEL GERARD
REGISTER NO: 63794-053
RACE / SEX.: WHITE / MALE
RESIDENCE..: NEWYORK, NY 10007

DOB (AGE): 05-02-1974 (34)
ETHNIC...: OTHER THAN HISP
RSP OF...: SST A-DES

DESTINATION: ~~MAR~~ MAR USM w/w

LEVEL/CUSTODY: LOW /IN
PROJ REL DATE: 06-05-2013

ESCAPE.....: NONE
VIOLENCE...: NONE

DETAINEES.....: NO
NOTIFICATIONS: NO
PSYCH ALERT...: NO

HGT.: 507 HAIR: BN
WGT.: 165 EYES: HL

OFFN/CHG RMKS: 18:371 & 844; CONSP TO COMMIT ARSON/DESTRUCTION OF ENERGY FACL
& ARSON/ATTEMPTED ARSON - 84MOS W/3 YRS SR CR06-60124-1-AA

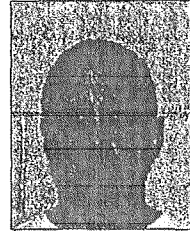
NOTE SENSITIVE-LIMITED OFFICIAL USE CMC AND SEPARATEE HARDCOPY DATA ATTACHED

GENERAL PHYSICAL APPEARANCE (COMMENTS):
White Male Height: 5'07" Weight: 16
Hair: Brown Eyes: Hazal

Last Name
MCGOWAN
First Name
DANIEL
Middle Name
GERARD

Suffix

05-15-2008



Ht. 5'7" Wt. 165

Hr. BRO Ey. HAZ

REG# 63794-053 THA

03794-053 MCGOWAN

LIST ANY NON-ROUTINE SECURITY NEEDS:
CIM Concern: Separation
Routine Security for IN Custody

NAME OF NEAREST RELATIVE OF INMATE: Dan
CITY AND STATE OF RELATIVE.....: Oys.

ADDITIONAL COMMENTS: McGowan is serving a 84 month sentence for Conspiracy to Commit Arson and Destruction of Energy Facility and 2 Arson and Attempted Arson. His prior criminal history includes Disorderly Conduct. He has no history of escape or violence. He has maintained clear conduct and is respectful towards staff. He is being transferred to USP Marion, for Program Participation. His PRD is 06-05-2013

NOTE: STATEMENT TO TRANSPORTING OFFICER:
"SENSITIVE - LIMITED OFFICIAL USE DOCUMENT - SECURITY MUST BE MAINTAINED."

TRANSPORTING OFFICER: _____ AGENCY: _____

PREPARED BY: J. JUGASEK *Jugasek* TITLE: CASE MANAGER DATE: 5/7/08

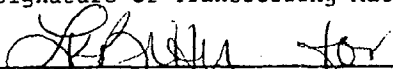
Return to MAR when writ is complete

BP-S399.058 **TRANSFER ORDER** CDFRM
MAY 94

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

In accordance with authority provided in Title 18, U.S. Code, Section 3621, and the authority delegated to me by the Director of the Bureau of Prisons, I hereby order transfer of:

Name of Inmate MCGOWAN, Daniel Gerard	Register No. 63794-053
From (Name of Institution and Location) FCI Sandstone, Minnesota	
To (Name of Institution and Location) Marion USP-CMU, Illinois	
Reason for Transfer Program Participation	Transfer Code 324
Parole Status N/A	Custody Classification Low / In
Health Status Cleared for Transfer	Central Inmate Monitoring Case <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes-CIMC Assignment Separation
Signature of Transferring Authority 	Title of Transferring Authority Dwight L. Fondren, Warden
Date 5/7/08	

RETURN OF SERVICE - Pursuant hereto, I have this _____ day of _____, 20____, executed the above order and committed the inmate to the institution indicated.

Signature	Name
Title	Agency

For transfer to CTC's, complete the following:

Projected release date 06-05-2013	Type of release Good Conduct Time Release
Scheduled date and time of departure and transportation information	Scheduled date and time of arrival

Record Copy - J & C; Copy - Central File

(This form may be replicated via WP)

Replaces BP-399(58) of OCT 88

FREEDOM OF INFORMATION ACT

REQUEST OF RECORDS OR DOCUMENTS

NAME: Daniel McGowan
REGISTER NUMBER: 63794-053
ADDRESS: USP Marion, PO Box 1000
CITY: Marion
STATE: IL
ZIPCODE: 62959

DOB 5-2-1974
POB Brooklyn, New York
SS# 108-64-8468

NAME OF AGENCY: Federal Bureau of Prisons
ADDRESS: 320 First Street N.W.
CITY: Washington
STATE: DC
ZIPCODE: 20534

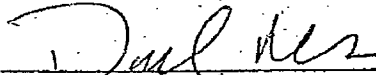
TO WHOM IT MAY CONCERN:

I HEREBY REQUEST OF YOUR AGENCY THE FOLLOWING RECORDS OR DOCUMENTS RELATIVE TO MYSELF AND THE FOLLOWING DESCRIBED MATTERS:

All relevant documents and information related to my designation and transfer to the Communications Management Unit (CMU) at USP Marion (Illinois).

THIS REQUEST IS BROUGHT PURSUANT TO THE FREEDOM OF INFORMATION ACT, 5 U.S.C. § 552, AS AMENDED.

DATED: October 9, 2008, ~~2008~~ 2008


SIGNATURE OF REQUESTER

NOTARY PUBLIC

I, Daniel McGowan, declare, under penalty of perjury that the above information is true and correct. Dated the 9th day of October, 2008.




EXHIBIT 70

HAZ2G *
PAGE

PROGRESS REPORT

* 04-16-2007
11:05:37

RSP OF: HAZ HAZELTON USP
SKY VIEW DRIVE
BRUCETON MILLS, WV 26525
304 379-5000

US DEPARTMENT OF JUSTICE BUREAU OF PRISONS

NAME: TWITTY, AVON

REG NO: 00281-000 AGE(DOB): 51/02-22-1955

INMATE REVIEWED/SIGNATURE Copy forwarded to inmate	DATE 4/20/07	STAFF SIGNATURE 
---	-----------------	--

TYPE OF PROGRESS REPORT:

INITIAL ___ SIH ___ TRIENNIAL ___ PRE-RELEASE ___ TRANSFER X OTHER: ___

PRESENT SECURITY/CUSTODY LEVEL:

HIGH /IN

OFFENSE/VIOLATOR OFFENSE:
SENTENCE IMPOSED AND TERM OF SUPERVISION:

22-2101, MURDER 1 WHILE ARMED.
LIFE

22-3204 CARRYING A PISTOL WITHOUT A LICENSE
10 YEARS

DATE COMPUTATION BEGAN: 03-07-1984

DAYS FSGT/WSGT/DGCT: 0 /0 /0	DAYS GCT OR EGT/SGT: 704 / 0	MONTHS SERVED: + JAIL CREDIT - INOP TIME M: 264 D: 10 + 462 JC - 0 INOP
---------------------------------	---------------------------------	--

PROJECTED RELEASE DATE: UNKNOWN | PROJECTED RELEASE METHOD: LIFE

DETAINERS/PENDING CHARGES:

NONE ON FILE

CO-DEFENDANTS: None

DISTRIBUTION: ORIGINAL TO INMATE, COPY TO USPO, COPY TO USPC
CENTRAL FILE - SECTION TWO

BP-CLASS-3

NAME: TWITTY, AVON

REG NO: 00281-000

----- INSTITUTIONAL ADJUSTMENT -----

Inmate Twitty arrived at USP Hazelton on August 31, 2005, as a transfer designation. He is currently assigned to the Kitchen P.M. Detail as a cook. Inmate Twitty is receiving Good work performance ratings from his supervisor. Inmate Twitty is not considered a management problem and has a good rapport with staff and inmates.

A. PROGRAM PLAN: Inmate Twitty met with members of his Unit Team for Program Review on September 22, 2005. At this review the following recommendations were made: maintain clear conduct, maintain satisfactory cell sanitation, participate in recreation weekly, and enroll in an Adult Continuing Education Program prior to his next review.

B. WORK ASSIGNMENTS: Work reports indicate that Inmate Twitty is receiving Good work report evaluations from his supervisor. He is a cook on the Kitchen P. M. Work Detail. During the last work evaluation period, Inmate Twitty received a bonus for his assistance in increasing the level of sanitation in the cook preparation area.

INST	WORK ASSIGNMENT	START DATE	STOP DATE
HAZ	KITCHEN PM KITCHEN PM DETAIL	11-14-2005	CURRENT
HAZ	DINING PM DINING ROOM PM DETAIL	10-06-2005	11-14-2005
HAZ	TMP UNT PENDING WORK CHANGE	09-30-2005	10-06-2005
HAZ	DETENTION USP INMATE IN DETENTION	09-27-2005	09-30-2005
HAZ	KITCHEN PM KITCHEN PM DETAIL	09-27-2005	09-27-2005
HAZ	FS TRAIN FOOD SERVICE TRAINING DETAIL	09-27-2005	09-27-2005
HAZ	TMP UNT PENDING WORK CHANGE	09-09-2005	09-27-2005
HAZ	A&O USP INMATE IN A&O	08-31-2005	09-09-2005
ATL	DCU UNASSG DETENTION CENTER UNASSIGNED	07-19-2005	08-09-2005
LVN	FS AM COOK COOK AM	08-15-2003	06-16-2005
LVN	ACH2 UTIL UTILITY TEMPORARY ASSIGNMENT	08-13-2003	08-15-2003
LVN	DCH UNASSG UNASSIGNED DUTY	07-23-2003	08-13-2003
LVN	FS AM COOK COOK AM	07-23-2003	07-23-2003
LVN	FS AM DIN FOOD SVC AM DINING	07-22-2003	07-23-2003
LVN	ACH2 UTIL UTILITY TEMPORARY ASSIGNMENT	07-17-2003	07-22-2003
LVN	SEG UNASSG UNASSIGNED DUTY	05-29-2003	07-17-2003
LVN	FS AM COOK COOK AM	02-05-2003	05-29-2003

C. EDUCATIONAL/VOCATIONAL PARTICIPATION:

----- EDUCATION INFORMATION -----

FACL	ASSIGNMENT DESCRIPTION	START DATE/TIME	STOP DATE/TIME
HAZ	ESL HAS ENGLISH PROFICIENT	09-12-1991 1340	CURRENT
HAZ	GED DN DROPPED GED NON-PROMOTABLE	12-06-2005 1525	CURRENT
HAZ	GED UNSAT GED PROGRESS UNSATISFACTORY	11-04-2002 1406	CURRENT

----- EDUCATION COURSES -----

SUB-FACL	DESCRIPTION	START DATE	STOP DATE	EVNT	AC	LV	HRS
HAZ	PG M INTRO TO ARABIC	01-11-2006	CURRENT				
LVN	LIFE SKILLS USP	02-11-2004	12-21-2005	P	C	P	1

D. COUNSELING PROGRAMS: Inmate Twitty is not currently enrolled in any counseling programs, however, he does see his counselor on an as needed basis.

E. INCIDENT REPORTS: Inmate Twitty has maintained clear conduct since September 27, 2005.

 UDC HEARING DATE/TIME: 09-30-2005 1310 INCIDENT DATE/TIME: 09-27-2005 1530

NAME: TWITTY, AVON

REG NO: 00281-000

320 FAILING TO STAND COUNT - FREQ: 1
LP COMM / 30 DAYS / CS

COMP: LAW: LOSS OF COMMISSARY
EXPIRES 10-30-2005

321 INTERFERING WITH TAKING COUNT - FREQ: 1
LP OTHER / 30 DAYS / CS / SUSPENDED 180 DAYS

COMP: LAW: LOSS OF TELEPHONE
SUSPENDED 180 DAYS

F. INSTITUTIONAL MOVEMENT:

INSTITUTION	ASSIGNMENT	REASON FOR MOVEMENT	EFFECTIVE DATE
HAZ	A-DES	TRANSFER RECEIVED	08-31-2005

G. PHYSICAL AND MENTAL HEALTH: Inmate Twitty is currently classified as regular duty with medical restrictions of no lifting weight over 15 pounds, and Orthopedic shoes authorized.

H. PROGRESS ON FINANCIAL RESPONSIBILITY PLAN:

FRP ASSIGNMENT	START DATE
COMPLT FINANC RESP-COMPLETED	07-23-1988

I. RELEASE PREPARATION PROGRAM & RELEASE PLANS: Inmate Twitty is not currently eligible for CCC Placement due to his Life Sentence.

CMA ASSIGNMENT (REL PREP)	START DATE
RPP INELIG RELEASE PREP PGM INELIG	N/A

PRE-RELEASE PREP DATE: N/A, Has a life sentence.

RESIDENCE: TLA Final Touch Home Improvement (boarding)
1605 Kenlinworth Avenue
Washington, DC 20001
(202) 489-7334

EMPLOYMENT: TLA Final Touch Home Improvement
5616 Hawthorne Street
Cheverly, MD 20785
(301) 772-1835

USPO: Sharon Barnes-Durbin, SCSA
CSS Data Management Group
DC Court Services and Offender Supervising Agent
300 Indiana Avenue N.W., Suite 2149
Washington, DC 20001

J. RELEASE NOTIFICATIONS:

OFFENDER IS SUBJECT TO RELEASE NOTIFICATION PROVISIONS UNDER 18 USC 4042(B) DUE TO:

CURRENT CONVICTION FOR A CRIME OF VIOLENCE

18 USC 4042(B) NOTIFICATIONS APPLY TO INMATES RELEASING TO THE COMMUNITY WITH SUPERVISION

IS OFFENDER SUBJECT TO RELEASE NOTIFICATION PROVISIONS UNDER 18 USC 4042(C)