

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 other 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>	<u>-</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 a(n) 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

see
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

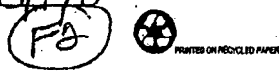
INSTITUTION

SUBJECT: 15km 252m Reg trans out of CMU

9/24/08
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 a 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 request attention on this matter.
DATE

Daniel McGowan
SIGNATURE OF REQUESTOR

Part B-RESPONSE

DATE _____ GENERAL COUNSEL _____
ORIGINAL: RETURN TO INMATE CASE NUMBER: _____

Part C-RECEIPT

Return to: _____ CASE NUMBER: _____
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

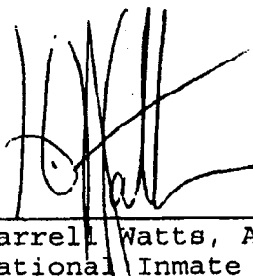
This is in response to your Central Office Administrative Remedy in which you appeal the decision by Bureau of Prisons Officials to classify and designate you to a Communications Management Unit (CMU). You request this decision be reversed. In addition, you claim it violates your rights.

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