

EXHIBIT C



FOIA Fee Waiver Disposition Reached for DOC-OS-2021-001796

2 messages

admin@foiaonline.gov <admin@foiaonline.gov>
To: foia@aflegal.org

Fri, Oct 15, 2021 at 10:12 AM

Your request for Fee Waiver for the FOIA request DOC-OS-2021-001796 has been fully granted. Additional details for this request are as follows:

- Request Created on: 07/15/2021
- Request Description: I. Definitions
For the purposes of this request, "Political Appointee" means any person who is employed by the Department who is: 1) Presidentially Appointed and Senate Confirmed ("PAS"); 2) Presidentially Appointed ("PA"); 3) in a non-career Senior Executive Service ("SES") position; 5) a career SES but has been detailed to a leadership or political position since January 20, 2021, 6) a Schedule C employee; 7) in an administratively determined position; 8) in a position that was filled by coordination with, or through, the White House Liaison or Presidential Personnel Office ("PPO"); or 9) a Special Government Employee ("SGE").

To the extent an SGE is not a Political Appointee or an actual employee any request or reference to a political appointee or employee should be read to mean "Political Appointee or SGE."

Requests A through C below are intended to be enterprise-wide, meaning that any political appointee who has been hired should be identified regardless of the office or component in which they work.

II. Requested Records

A. Records sufficient to identify all employees who entered into a position at the agency as a Political Appointee since January 20, 2021, to the date this records request is processed, and the title or position of each employee (to the extent that individuals have held multiple positions during this time period, identify each title or position and the time period it was held).

B. Records sufficient to identify all career employees who, between January 20, 2021, and the date this records request is processed, have been detailed to 1) a position eligible to be filled by a Political Appointee, or 2) a new position through coordination or consultation with either the White House Liaison or Presidential Personnel Office; the title or position of each employee while on detail; and each employee's originating agency or component, and prior title.

See Attached PDF for Remainder of request.

- Fee Waiver Original Justification: Per 5 U.S.C. § 552(a)(4)(A)(iii) and your regulations, AFL requests a waiver of all search and duplication fees associated with this request.

First, AFL is a qualified non-commercial public education and news media requester. AFL is a new organization, but it has already demonstrated its commitment to the public disclosure of records and creation of editorial content through regular substantive analyses posted to its website. For example, its officials routinely appear on national television and use social media platforms to disseminate the information it has obtained about federal government activities. In this case, AFL will make your records and your responses publicly available for the benefit of citizens, scholars, and others. The public's understanding of your policies and practices will be enhanced through AFL's analysis and publication of the requested records. As a nonprofit organization, AFL does not have a commercial purpose and the release of the information requested is not in AFL's financial interest.

Second, waiver is proper as disclosure of the requested information is "in the public interest because it is likely to contribute significantly to public understanding of operations or activities of the government." Moreover, the Administration has made several significant and public commitments to transparency, openness, and ethics. The public has a significant interest in understanding the qualifications of the individuals selected to lead the Department and implement the Administration's policies and priorities. The public also has a significant interest in ensuring that government decisions are not influenced by improper conflicts of interest or other unethical conduct.

- Fee Waiver Disposition Reason: N/A

AFL FOIA <foia@aflegal.org>

Mon, Oct 18, 2021 at 9:26 AM

To: Andrew Block <andrew.block@aflegal.org>, Reed Rubinstein <reed.rubinstein@aflegal.org>, Jacob Meckler <jacob.meckler@aflegal.org>, Gene Hamilton <gene.hamilton@aflegal.org>

We can add Commerce to the list of agencies who have granted fee waivers.

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