

EXHIBIT 3



**DEPARTMENT OF DEFENSE
FREEDOM OF INFORMATION DIVISION
1155 DEFENSE PENTAGON
WASHINGTON, DC 20301-1155**

Ref: 23-F-0046
January 6, 2022

Mr. Mike Howell
The Heritage Foundation
214 Massachusetts Ave NE
Washington, DC 20002

Dear Mr. Howell:

This is a final response to your October 12, 2022 Freedom of Information Act (FOIA) request, a copy of which is enclosed for your convenience. We received your request on October 13, 2022, and assigned it FOIA case number 23-F-0046. We ask that you use this number when referring to your request.

The White House Military Office (WHMO), a component of the Office of the Secretary of Defense, conducted a search of their records systems based on the information provided in your request. After thorough searches of the electronic records and files of WHMO, no records of the kind you described could be identified. Per our email exchange on December 16, 2022, you narrowed the scope of your request to “record(s) of the names of people who dined in their mess from January 20, 2021, to October 12, 2022”. Please note that due to the pandemic, the White House Mess has been closed to the public for in-person dining. As such, there were no billing statements of reservation holders who dined in the mess during this time period. We believe that search methods were appropriate and could reasonably be expected to produce the requested records if they existed. However, if you have additional event or file-related information that indicates that we should have such information or that could assist us in conducting a further search for responsive records, please provide that information to us at your earliest convenience.

In this instance, fees for processing your request were below the threshold for requiring payment. Please note that fees may be assessed on future requests.

If you have questions about the foregoing, please do not hesitate to contact the Action Officer assigned to your request, Shannon Cooper, at Shannon.a.cooper.civ@mail.mil or 571-372-0412. Additionally, if you have concerns about service provided by our office, please contact a member of our Leadership Team at 571-372-0498 or Toll Free at 866-574-4970.

Should you wish to inquire about mediation services, you may contact the OSD/JS FOIA Public Liaison, Toni Fuentes, at 571-372-0462, or by email at OSD.FOIALiaison@mail.mil. You may also contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740
E-mail: ogis@nara.gov
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

You have the right to appeal to the appellate authority, Ms. Joo Chung, Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency (PCLT), Office of the Secretary of Defense, at the following address: 4800 Mark Center Drive, ATTN: PCLFD, FOIA Appeals, Mailbox #24, Alexandria, VA 22350-1700.

Your appeal must be postmarked within 90 calendar days of the date of this response. Alternatively, you may email your appeal to osd.foia-appeal@mail.mil. If you use email, please include the words "FOIA Appeal" in the subject of the email. Please also reference FOIA case number 23-F-0046 in any appeal correspondence.

We appreciate your patience in the processing of your request. As stated previously, please contact the Action Officer assigned to your request, Shannon Cooper, and reference FOIA case number 23-F-0046, if you have any questions or concerns.

Sincerely,

for Pamela Andrews
Stephanie L. Carr
Chief

Enclosure:
As stated