

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

---

AMERICANS FOR PROSPERITY FOUNDATION )  
1310 North Courthouse Road, Suite 700 )  
Arlington, VA 22201, )

*Plaintiff,* )

v. )

U.S. DEPARTMENT OF COMMERCE )  
1401 Constitution Avenue NW )  
Washington, D.C. 20230; and )

NATIONAL INSTITUTE OF STANDARDS )  
AND TECHNOLOGY )  
100 Bureau Drive )  
Gaithersburg, MD 20899, )

*Defendants.* )

---

**COMPLAINT EXHIBIT 11**

**From:** [Kevin Schmidt](#)  
**To:** "[catherine.fletcher@nist.gov](mailto:catherine.fletcher@nist.gov)"; "[charles.wasil@nist.gov](mailto:charles.wasil@nist.gov)"  
**Cc:** [foia@nist.gov](mailto:foia@nist.gov)  
**Bcc:** [Ryan Mulvey](#); [Lee Steven](#)  
**Subject:** FW: FOIA Request - NIST  
**Date:** Thursday, April 20, 2023 10:21:00 AM  
**Attachments:** [image001.png](#)  
[2023.03.20 FOIA Request to NIST re CHIPS Act Implementation.pdf](#)

---

Good morning,

I'm following up on the below and attached FOIA request submitted on March 20, 2023. Could NIST please provide the tracking number and the acknowledgement letter?

I've left some voicemails, but happy to communicate over email or phone.

Thanks very much,

Kevin Schmidt  
Director of Investigations  
Americans for Prosperity Foundation  
1310 North Courthouse Road, 7<sup>th</sup> Floor  
Arlington, VA 22201  
[kschmidt@afphq.org](mailto:kschmidt@afphq.org)  
571-329-4234



---

**From:** Kevin Schmidt  
**Sent:** Wednesday, April 19, 2023 10:04 AM  
**To:** [foia@nist.gov](mailto:foia@nist.gov)  
**Subject:** RE: FOIA Request - NIST

Good morning,

Can NIST confirm receipt of this FOIA request originally sent on March 20, 2023? Could you provide a tracking number for this request?

Thank you

---

**From:** Kevin Schmidt <[KSchmidt@afphq.org](mailto:KSchmidt@afphq.org)>  
**Sent:** Monday, March 20, 2023 11:35 AM  
**To:** [foia@nist.gov](mailto:foia@nist.gov)  
**Subject:** FOIA Request - NIST

Good morning,

Please find attached FOIA request.

Let me know if you have any questions.

Thank you,

Kevin Schmidt  
Director of Investigations  
Americans for Prosperity Foundation  
1310 North Courthouse Road, 7<sup>th</sup> Floor  
Arlington, VA 22201  
[kschmidt@afphq.org](mailto:kschmidt@afphq.org)  
571-329-4234

