

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

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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.* )

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**COMPLAINT EXHIBIT 18**

**From:** [Reinhart, Liz \(Fed\)](#)  
**To:** [Kevin Schmidt](#)  
**Subject:** RE: FOIA Request - NIST  
**Date:** Thursday, April 20, 2023 3:23:20 PM  
**Attachments:** [image001.png](#)

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Hi Kevin – yes it was received, but again we had to discuss with DOC who would be taking the request. There are many people on detail from other DOC Bureaus as the CHIPS office is being developed. NIST will be taking lead on the request but may still need to reach out to DOC in order to adequately search for records. I'm in the midst of working through that now.

Best,  
Liz

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**From:** Kevin Schmidt <[KSchmidt@afphq.org](mailto:KSchmidt@afphq.org)>  
**Sent:** Thursday, April 20, 2023 3:19 PM  
**To:** Reinhart, Liz (Fed) <[elizabeth.reinhart@nist.gov](mailto:elizabeth.reinhart@nist.gov)>  
**Subject:** RE: FOIA Request - NIST

Good afternoon Liz,

Thank you for the acknowledgement letter and this fee letter. I hope the case management swap over goes smoothly.

For our tracking purposes, can NIST confirm that it originally received the request on 3/20/2023?

Let me know if you have any questions about the request.

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



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**From:** Reinhart, Liz (Fed) <[elizabeth.reinhart@nist.gov](mailto:elizabeth.reinhart@nist.gov)>  
**Sent:** Thursday, April 20, 2023 2:50 PM  
**To:** Kevin Schmidt <[KSchmidt@afphq.org](mailto:KSchmidt@afphq.org)>  
**Subject:** RE: FOIA Request - NIST

Please see the attached letter in reference to your recent FOIA to NIST.

Liz

Liz Reinhart, Management Analyst  
NIST Director's Office  
Management and Organization Office  
Department of Commerce

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**From:** Kevin Schmidt <[KSchmidt@afphq.org](mailto:KSchmidt@afphq.org)>  
**Sent:** Thursday, April 20, 2023 10:21 AM  
**To:** Fletcher, Catherine S. (Fed) <[catherine.fletcher@nist.gov](mailto:catherine.fletcher@nist.gov)>; Wasil, Charles A. (Fed) <[charles.wasil@nist.gov](mailto:charles.wasil@nist.gov)>  
**Cc:** foia <[foia@nist.gov](mailto:foia@nist.gov)>  
**Subject:** FW: FOIA Request - NIST

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



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**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

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**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

