

Exhibit 2



UNITED STATES DEPARTMENT OF COMMERCE
Office of the Chief Financial Officer and
Assistant Secretary for Administration
Washington, D.C. 20230

November 15, 2023

Thomas Kimbrell
Email: tkimbrell@afphq.org

RE: DOC-OS-2024-000066

Dear Mr. Kimbrell:

This letter acknowledges receipt of your November 14, 2023, request made pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, regarding:

1. Records reflecting the statutory authority to require AI developers to “provide the Federal Government, on an ongoing basis, with information, reports, or records” listed in Section 4.2 of the Order. 2. All internal and external email communications sent to or by the following Commerce employees, including through any alias accounts:

- Secretary Gina Raimondo
- Deputy Secretary Don Graves
- Deputy Assistant Secretary for Administration Jeremy Pelter
- Director of Office for Civil Rights Larry J. Beat
- Chief of Staff Chris Slevin
- Any person with supervisory responsibilities for implementing and executing the AI regulations listed in Section 4.2 of the Order.

Please limit your search and processing of records for the foregoing custodians to those records containing any of the following sets of keywords:

- a. (“artificial intelligence” OR “AI”) AND (“Defense Production Act” OR “DPA” OR “4555”)
- b. (“artificial intelligence” OR “AI”) AND (“dhs.gov” OR “DHS”)
- c. (“artificial intelligence” OR “AI”) AND [(“POTUS” OR “Biden”) OR (“White House” OR “WH”)]
- d. (“artificial intelligence” OR “AI”) AND (“Barack” OR “Obama”)
- e. (“artificial intelligence” OR “AI”) AND [(“Reed” OR “DCOS Reed”) OR (“Tristan Harris”) OR (“Aza Raskin”) OR (“Center for Humane Technology”)]

3. Any additional final memoranda, guidance documents, policy statements, etc. regarding AI not publicly posted or otherwise responsive to the previous request items.

The U.S. Department of Commerce’s Office of Privacy and Open Government (the “Office”) received your request on November 14, 2023, and assigned it the above referenced tracking request

number. Unless you advise otherwise, we will treat as non-responsive any compilations of publicly available news reports and any publicly available documents not created by the U.S. government, such as mass-distribution emails from news media. This Office will not be able to respond within the 20 days provided by the statute due to “unusual circumstances.” See 5 U.S.C. § 552(a)(6)(B)(i)-(iii). In this instance, the “unusual circumstances” include the need to search for and collect the requested records agency records from field facilities or other establishments that are separate from this Office. This Office will process your request as quickly as possible.

Also, you requested a waiver of fees associated with the processing of your request. Please be advised this Office will make a determination regarding a fee waiver at a later date.

If you have any questions regarding your request, would like to narrow the scope or arrange an alternative time frame to speed its processing, please contact Kristen Kontinopoulos, the analyst assigned to processing your request, at kkontinopoulos@doc.gov. For further assistance, you may also contact me as this Office’s FOIA Public Liaison at eFOIA@doc.gov.

Sincerely,

Kristen Kontinopoulos

for Nicholas J. Cormier
Deputy Program Director for Departmental
FOIA/PA and Open Government Operations
Office of Privacy and Open Government