

EXHIBIT 8

Seth Watkins

From: Swafford, Christie <Christie.Swafford@ed.gov>
Sent: Tuesday, April 11, 2017 8:07 AM
To: Seth Watkins
Subject: RE: 17-01296-F
Attachments: 1296-f-all docs withheld-b5-watkins.docx

Sorry about that; here it is.

Thanks!

Christie S.

From: Seth Watkins [mailto:watkins@adduci.com]
Sent: Tuesday, April 11, 2017 8:04 AM
To: Swafford, Christie
Subject: Re: 17-01296-F

Ms. Swafford,

There was no attachment to your email. Please re-send.

Thank you.

Seth

Seth A. Watkins, Ph.D.
ADDUCI, MASTRIANI & SCHAUMBERG LLP
1133 Connecticut Avenue, NW
Washington, DC 20036
Tel. [202-407-8647](tel:202-407-8647)
Main FAX [202-466-2006](tel:202-466-2006)
Email watkins@adduci.com

The information contained in this e-mail message may be privileged, confidential and protected from disclosure. If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited. If you think that you have received this email message in error, please email the sender at "watkins@adduci.com." Thank you.

On Apr 11, 2017, at 7:47 AM, Swafford, Christie <Christie.Swafford@ed.gov> wrote:

Dear Mr. Watkins;
Enclosed is a final response letter for the above FOIA request.
Thanks!

Christie D. Swafford
Government Information Specialist
OM/OCPO/FSC
U.S. Department of Education
400 Maryland Avenue, 2W218-54
Washington, DC 20202
(202) 205-3691

(202)401-0920-Fax

"Go where you are celebrated not where you are tolerated"-Author Unknown



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF MANAGEMENT

Office of the Chief Privacy Officer

April 1, 2017

Mr. Seth A. Watkins
Adduci, Mastriani and Schaumberg, LLP
1133 Connecticut Avenue, NW
Washington, DC 20036
Watkins@adduci.com

RE: FOIA Request No. 17-01296-F

Dear Mr. Watkins:

This letter is a final response to your letter dated March 22, 2017 requesting information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Your request was forwarded to the following office to search for documents that may be responsive to your request: Office of the Under Secretary (OUS). You requested the following information:

All Records in the possession, custody, or control of the Department of Education and/or the White House Initiative on Asian Americans and Pacific Islanders that both (1) concern the Filipino Veterans Equity Compensation Fund (FVEC or FVECF) Interagency Working Group (IWG) and (2) reference, refer to, or relate to the report U.S. Army Recognition Program of Philippine Guerrillas, dated *circa* 1949. It is believed that the most relevant time frame of requested Records is 2012-2013.

The following web link is responsive to the request: <https://www.archives.gov/st-louis/military-personnel/memo-1865125.html#2-3>

According to the program office; the documents that you are requesting cannot be released. They are totally withheld according to the FOIA exemption below:

- Pre-decisional internal communications have been withheld under exemption (b)(5) of the FOIA, 5 U.S.C. § 552 and Departmental regulation 34 CFR § 5.71(a). These provisions require us to withhold the government's deliberative process privilege, *inter alia*, protecting records of pre-decisional internal communications reflecting the views or recommendations of agency employees in connection with the government policy or legal matters that are both pre-decisional and deliberative in nature.

Page 2 – Mr. Seth Watkins
No. 17-01296-F

You have the right to seek assistance and/or dispute resolution services from the Department's FOIA Public Liaison or the Office of Government Information Services (OGIS). The FOIA Public Liaison is responsible, among other duties, for assisting in the resolution of FOIA disputes. OGIS, which is outside the Department of Education, offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to appeals or litigation.

They can be contacted by:

Mail	FOIA Public Liaison Office of the Chief Privacy Officer U.S. Department of Education 400 Maryland Ave., SW, LBJ 2E321 Washington, DC 20202-4536	Office of Government Information Services National Archives and Records Administration 8601 Adelphi Road Room 2510 College Park, MD 20740-6001
E-mail	robert.wehausen@ed.gov	OGIS@nara.gov
Phone	202-205-0733	301-837-1996; toll free at 1-877-684-6448
Fax	202-401-0920	301-837-0348

Lastly, you have the right to appeal this determination. You must submit any appeal within 90 calendar days after the date of this letter. Using the services described above does not affect your right, or the deadline, to pursue an appeal. An appeal must be in writing and must include a detailed statement of all legal and factual bases for the appeal; it should be accompanied by a copy of this letter, the initial letter of request, and any documentation that serves as evidence or supports the argument you wish the Department to consider in resolving your appeal.

Appeals may be submitted using the on-line form available at www.ed.gov/policy/gen/leg/foia/foia-appeal-form.pdf.

Appeals can also be submitted by:

E-mail: EDFOIAappeals@ed.gov
Fax: 202-401-0920
Mail: Appeals Office
Office of the Chief Privacy Officer
U.S. Department of Education
400 Maryland Avenue, SW, LBJ 2E320
Washington, DC 20202-4536

Sincerely,



Christie D. Swafford
Government Information Specialist, OM/OCPO