

EXHIBIT K



**Homeland
Security**

Privacy Office, Mail Stop 0655

June 8, 2017

SENT VIA E-MAIL TO: foia@protectdemocracy.org

Allison F Murphy
Counsel
The Protect Democracy Project
2020 Pennsylvania Avenue NW
Washington, DC 20006

Re: **2017-HQFO-00887**

Dear Ms. Murphy:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated May 31, 2017, and to your request for a waiver of all assessable FOIA fees. Our office received your request on June 2, 2017. Specifically, you requested records created or transmitted by or between White House staff, including but not limited to their email addresses ending in "who.eop.gov," including but not limited to Jared Kushner, Stephen (Steve) Bannon, Reince Priebus, Sean Caimcross, Justin Clark, George Sifakis, Bill Stepien, Ivanka Trump, Frank Wuco, Thomas "Tom" Bossert, John Zadrozny, Zina Bash, and Stephen Miller, and DHS employees including, but not limited to John F. Kelly, Elaine Duke, Joseph Maher, Veronica Venture, Matt Hayden, Jon Feere, Katie Gorka, Jonathan Hoffinan, Roman Jankowski, Quinn Jones O'Brien, Julie Kirchner, Tracy Short, Thomas Szold, Erin Waters, Elizabeth Johnson, John Barsa, Brent Bombach, Kevin Chmielewski, Daniel Cox, Thomas Dinanno, James Johnson, Julie Kirchner, Kathy Nuebel Kovarik, Scott Krause, David Lapan, Cora Mandy, Michael•McKeown, Lora Ries, Chad Wolf, Harold Hanson, Jayne Neumann, Emily Newman, Craig Symons, Kristjen Nielsen, Alan Metzler, Maria Flores, Dimple Shah, Kaitlin Vogt, Frank Wuco, Kevin Carroll, Gene Hamilton, Ben Cassidy, and Tiffany Cissna regarding: a) any and all processes or protocols or procedural requirements for initiating, continuing, or terminating compliance matters, investigations and/or enforcement actions of either a civil, administrative, or criminal nature involving any specific party; b) initiating, continuing, or terminating any specific compliance matter, investigation and/or enforcement action of either a civil, administrative, or criminal nature involving any party; c) any and all processes or protocols or procedural requirements for initiating, awarding, rejecting, or terminating an acquisition, procurement contract, grant, award, or subaward, for any specific party; d) initiating, awarding, rejecting, or terminating an acquisition, procurement contract, grant, award, or subaward, for any party; e) any and all processes or protocols or procedural requirements for considering a regulatory approval, regulatory waiver, or administrative or benefits adjudication for any specific party; f) any regulatory approval, regulatory waiver, or

administrative or benefits adjudication for a specific party, as well as records describing the processing of this request, including records sufficient to identify search terms used and locations and custodians searched, and any tracking sheets used to track the processing of this request

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Consistent with 6 C.F.R. Part 5 § 5.5(a) of the DHS FOIA regulations, the Department processes FOIA requests according to their order of receipt. Although DHS' goal is to respond within 20 business days of receipt of your request, FOIA does permit a 10-day extension of this time period in certain circumstances under 6 C.F.R. Part 5 § 5.5(c). As your request seeks documents that will require a thorough and wide-ranging search, DHS will invoke a 10-day extension for your request pursuant to 6 C.F.R. Part 5 § 5.5(c). If you would like to narrow the scope of your request, please contact our office. We will make every effort to comply with your request in a timely manner.

You have requested a fee waiver. The DHS FOIA regulations at 6 C.F.R. Part 5 § 5.11(k) set forth six factors DHS must evaluate to determine whether the applicable legal standard for a fee waiver has been met: (1) Whether the subject of the requested records concerns "the operations or activities of the government," (2) Whether the disclosure is "likely to contribute" to an understanding of government operations or activities, (3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requester or a narrow segment of interested persons, (4) Whether the contribution to public understanding of government operations or activities will be "significant," (5) Whether the requester has a commercial interest that would be furthered by the requested disclosure, and (6) Whether the magnitude of any identified commercial interest to the requester is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requester.

Upon review of the subject matter of your request, and an evaluation of the six factors identified above, DHS has determined that it will conditionally grant your request for a fee waiver. The fee waiver determination will be based upon a sampling of the responsive documents received from the various DHS program offices as a result of the searches conducted in response to your FOIA request. DHS will, pursuant to DHS FOIA regulations applicable to non-commercial requesters, provide two hours of search time and process the first 100 pages at no charge to you. If upon review of these documents, DHS determines that the disclosure of the information contained in those documents does not meet the factors permitting DHS to waive the fees, then DHS will at that time either deny your request for a fee waiver entirely, or will allow for a percentage reduction in the amount of the fees corresponding to the amount of relevant material found that meets the factors allowing for a fee waiver. In either case, DHS will promptly notify you of its final decision regarding your request for a fee waiver and provide you with the responsive records as required by applicable law.

In the event that your fee waiver is denied, and you determine that you still want the records, provisions of the FOIA allow us to recover part of the cost of complying with your request. We shall charge you for records in accordance with the DHS FOIA regulations as they apply to non-commercial requesters. As a non-commercial requester you will be charged for any search time and duplication beyond the free two hours and 100 pages mentioned in the previous paragraph.

You will be charged 10 cents per page for duplication and search time at the per quarter-hour rate (\$4.00 for clerical personnel, \$7.00 for professional personnel, \$10.25 for managerial personnel) of the searcher. In the event that your fee waiver is denied, we will construe the submission of your request as an agreement to pay up to \$25.00. This office will contact you before accruing any additional fees.

We have queried the appropriate component of DHS for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the analysts in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

Your request has been assigned reference number **2017-HQFO-00887**. Please refer to this identifier in any future correspondence. The status of your FOIA request is now available online and can be accessed at: <https://www.dhs.gov/foia-status>, by using this FOIA request number. Status information is updated daily. Alternatively, you can download the DHS eFOIA Mobile App, the free app is available for all Apple and Android devices. With the DHS eFOIA Mobile App, you can submit FOIA requests or check the status of requests, access all of the content on the FOIA website, and receive updates anywhere, anytime.

If you have any questions, or would like to discuss this matter, please feel free to contact this office at 1-866-431-0486 or 202-343-1743.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela Washington". The signature is fluid and cursive, with a large initial "A" and a stylized "W".

Angela Washington
Director of Disclosure