



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE GENERAL COUNSEL

March 11, 2020

Emma Lewis
Sara Kaiser Creighton
American Oversight
1030 15th Street, NW, B255
Washington, DC 20005

Re: *American Oversight v. U.S. Department of Education*
Civil Action No.: 1:19-cv-03029
FOIA Request Nos.: 19-02224-F, 19-02225-F, 19-02226-F, 19-02227-F

Dear Ms. Lewis and Ms. Creighton:

This letter is the Department of Education's response to your four requests, dated September 10, 2019, for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Copies of your requests are enclosed with this letter.

Also, enclosed with this letter you will find one DVD containing 723 pages of documents that have been found responsive to your requests. Certain information, however, has been withheld according to the FOIA exemptions specified below:

1. Proprietary information has been withheld under exemption (b)(4) of the FOIA, 5 U.S.C. § 552 of the FOIA;
2. Records or portions of records relating to certain intra-agency information is exempt from disclosure pursuant to 5 U.S.C. § 552 (b)(5) of the FOIA. This exemption permits the withholding of inter- or intra-agency information that could be withheld under civil discovery, including information subject to the deliberative process, attorney-client, or attorney-work product privileges; and
3. Records or portions of records relating to personal information are exempt pursuant to 5 U.S.C. § 552(b)(6) of the FOIA. Disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.

Please note that the Department's search yielded no responsive records for FOIA request # 19-02225-F.

Because these requests are in litigation, if you have questions regarding this response, please contact AUSA Charles E.T. Roberts at Charles.e.roberts@usdoj.gov.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lydia T. Makande', with a long horizontal flourish extending to the right.

Lydia T. Makande
General Attorney

Enclosure: as stated

cc: AUSA Charles Roberts