

EXHIBIT E

U.S. Department of Labor

Office of the Solicitor
Washington, D.C. 20210



Appeals Unit
Freedom of Information Act/Privacy Act
Division of Management and Administrative Legal Services
200 Constitution Avenue, N.W., Suite N-2420
Phone: (202) 693-5503
Fax: (202) 693-5538

May 14, 2020

To: Chris Johnson
Washington Blade
Chief Political & White House Reporter
1712 14th Street N.W.
2nd Floor
Washington, D.C. 20009

From: Raymond E. Mitten Jr.
Counsel for FOIA Appeals

Re: Your Appeal to the Solicitor of Labor under the Freedom
of Information Act and/or Privacy Act

Date of your appeal: 5/4/2020

Subject of your appeal. TRACKING NO. 882203.

Appeal Reference No.: 200120

This is to acknowledge receipt of your letter appealing a denial of information by a Department of Labor component agency. Your appeal is being processed.

The law requires that appeals be sequenced for action on a first-in first-out basis, consistent with the guidance provided by the courts. *See Open America v. Watergate Special Prosecution Force*, 547 F.2d 605 (D.C. Cir. 1976). The number of appeals currently waiting for review is substantial. However, the Freedom of Information Act permits multitrack processing of requests based on the amount of processing work or time, or both, involved. 5 U.S.C. § 552(a)(6)(D)(i). Thus, we are authorized, to schedule for faster action those appeals which require limited staff time – i.e., those that involve limited scope or complexity.

Should you have any questions about the status of your appeal, have any additional information which you believe should be brought to our attention, or wish to limit or withdraw your appeal, please contact this office at the phone or address listed above.

To help us serve you, please direct your inquiries to Linda Robinson at the number noted above, and refer to our appeal reference number when making your inquiry. Thank you.