



GSA Chief FOIA Officer

August 26, 2020

Mr. Austin R. Evers
American Oversight
1030 15th Street NW, Suite B255
Washington, DC 20005

Dear Mr. Evers:

This letter is in response to your U.S. General Services Administration (GSA) Freedom of Information Act (FOIA) appeal number GSA-2020-001112, submitted on July 27, 2020, in which you appealed GSA's response under FOIA request number GSA-2020-000595.

On April 22, 2020, GSA replied to your FOIA request GSA-2020-000595 by providing the requested electronic communications. On July 27, 2020, you appealed GSA's response by stating the following:

"In this case, GSA has denied American Oversight disclosure of the requested records by making a facially incomplete production. As American Oversight explained in its June 8th email, see Ex. E, and reiterates below, it appears that portions of electronic message communications between a specified GSA official (either Judy Dungan or Michael Copeland) and a specified external party ("Matt R," who American Oversight believes to be Matthew Roney, an employee of Kit Bond Strategies) were excluded from GSA's April 22nd response to American Oversight.

Specifically, American Oversight has identified three gaps in the electronic communications that were produced.

- **First**, on page 34 GSA's production, the top right text message image shows one of the individuals writing "I'll send you a link," and what appears to be a response of "Ok. Thanks," although it is cut off from clear view. Ex. C at 34. But GSA does not appear to have produced any record showing a link being sent by one of the two listed GSA custodian to Matthew Roney, either by text or email that would have coincided with this text message. See generally Ex. C.

U.S. General Services Administration
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Washington, DC 20405
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- **Second**, the bottom right text message image on page 34 discusses scheduling a meeting for May 16th, but this appears to be followed chronologically by the top left text message image on page 35 which then says “Ok. Let’s just keep it on Thursday the 9th.” Ex. B at 34, 35. The absence of any other discussion regarding scheduling a meeting for May 9th or why May 16th did not work suggests some texts may be missing between these messages.
- **Third**, the top left text message image on page 37 appears to be followed chronologically by the middle text message image on page 39, but content seems to be missing between the two. Specifically, it is apparent the individual texting in blue sent at least one more message that is not visible before receiving the thumbs up on page 39.”

After a review of your appeal, GSA’s response is as follows:

GSA’s response to the “First” item:

- **First**, Exhibit E, page 1, “No messages are missing.” Requestor has reversed the order of the messages. No link was sent.

GSA’s response to the “Second” item:

- **Second**, Exhibit E, page 2 (top), one text is missing. GSA is providing that text.

GSA’s response to the “Third” item:

- **Third**, Exhibit E, page 2, (bottom) one text is missing. GSA is providing that text.

This letter constitutes GSA’s final determination regarding this matter. You have the right to seek judicial review of this determination in the United States District Court in the District in which you reside, have your principal place of business, or in the District of Columbia, or where the records are located.

As an alternative to litigation, the Office of Government Information Services (OGIS) has been created under the 2007 FOIA amendments. OGIS was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS by mail at the Office of Government

-3-

Information Services, National Archives and Records Administration, 8601 Adelphi Road, Room 2501, College Park, MD 20740, via email at ogis@nara.gov or by phone at (877) 684-6448.

Sincerely,

DocuSigned by:

Bob Stafford

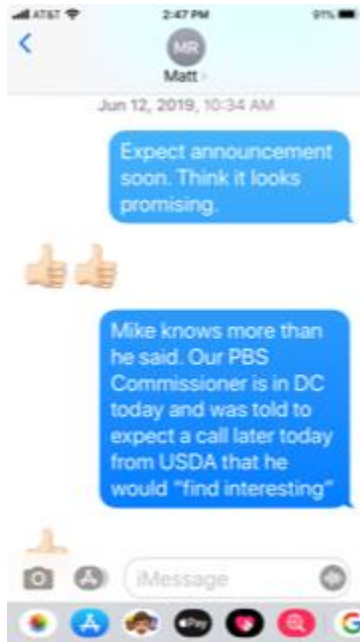
EFDE53696D7240D...

Bob Stafford

Chief FOIA Officer

Enclosure

- **Second**, Exhibit E, page 2 (top), one text is missing. GSA is providing that text. *



- **Third**, Exhibit E, page 2, (bottom) one text is missing. GSA is providing that text. **

