



November 19, 2021

Mehreen Rasheed
American Oversight
1030 15th Street NW
Suite B255
Washington, DC 20005
Via Email: foia@americanoversight.org

RE: FOIA Case No. 2022-FPRO-00194

Dear Ms. Rasheed:

This responds to your Freedom of Information Act (FOIA) request dated October 27, 2021, in which you seek access to Postal Service records. Specifically, you requested:

1. Any conflicts or ethics waivers or authorizations, including authorizations pursuant to 5 C.F.R. § 2635.502, for Postmaster General DeJoy.
2. Records reflecting any recusal determination made or issued for Postmaster General DeJoy.
3. Records reflecting any ethics determinations or analysis of the application of ethics requirements to Postmaster General DeJoy.
4. Records reflecting all expenses and costs incurred related to travel undertaken by Postmaster General DeJoy.
5. All records reflecting any actual or projected expenditures for renovations (including remodeling or changes to décor) of any part of the office suites (including foyers, waiting rooms, conference rooms, adjacent hallways, or other common areas) for Postmaster General DeJoy.

With respect to your first request, although we conducted a thorough search for records responsive to this request, no responsive records were located. Requests 4-5 have been referred to other departments within the Postal Service and will be processed by those departments.

The FOIA, 5 USC §552, is a records and document statute. Identification of the record(s) desired is the responsibility of the requester. The FOIA (5 U.S.C. 552(a)(3)(A)) requires the requester to reasonably describe the records being sought. A description is considered reasonable if it permits an agency employee who is familiar with the subject area to locate the requested records with a "reasonable" amount of effort. It is the requester's responsibility to frame requests with sufficient particularity to ensure that searches are not unreasonably burdensome, and to enable the searching agency to determine precisely what records are being requested.

With respect to your second request, we are seeking clarification regarding your use of the phrase "recusal determination made or issued for Postmaster General DeJoy." We understand this phrase to refer to Mr. DeJoy's recusal memoranda. If you are seeking additional records, please describe those records. Otherwise, we will process your request for Mr. DeJoy's recusal memoranda.

With respect to your third request, the phrase "ethics determinations or analysis of the application of ethics requirements" is broad in scope, and thus this request would involve voluminous records, and may not produce the records that you are actually seeking. Please be advised that, while we wish to fully cooperate in processing your request, your letter does not provide sufficient detail to allow for the ready identification and retrieval of the desired documents.

Accordingly, we will need more definitive information concerning the records you seek. Please provide a date range and the particular ethics topics for which you are seeking information. Such a description will ensure responsible use of postal resources to satisfy your right to access while ensuring that you receive a response to your request as expeditiously as possible.

Consequently, given that your third request for ethics determinations or analysis cannot be processed as formulated, we plan to take no further action and incur no chargeable costs to you unless we hear back from you. If we do not hear back from you within twenty (20) calendar days from the date of this letter, (which would be December 09, 2021), we will close out your third request. After that date, you may submit a new FOIA request. If we do not hear anything further from you regarding your second request within twenty (20) calendar days, we will begin to process your second request as we understand it.

New FOIA submissions in lieu of a response to this letter prior to the twenty (20) calendar day deadline will be administratively closed as a duplicate.

If you are not satisfied with the response to this request, you may file an administrative appeal within ninety (90) days of the date of this response letter by writing to the General Counsel U.S. Postal Service 475 L'Enfant Plaza SW Washington, DC 20260 or via email at FOIAAppeal@usps.gov. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of the response to your request. The letter of appeal should include, as applicable:

- (1) A copy of the request, of any notification of denial or other action, and of any other related correspondence;
- (2) The FOIA tracking number assigned to the request;
- (3) A statement of the action, or failure to act, from which the appeal is taken;
- (4) A statement identifying the specific redactions to responsive records that the requester is challenging;
- (5) A statement of the relief sought; and
- (6) A statement of the reasons why the requester believes the action or failure to act is erroneous.

For further assistance and to discuss any aspect of your request, you may contact FOIA Public Liaison listed below:

PRIVACY & RECORDS OFFICE
US POSTAL SERVICE
475 L'ENFANT PLAZA SW RM 1P830
WASHINGTON DC 20260-1101
Phone: (202) 268-2608
Fax: (202) 268-5353
FOIA Public Liaison: Nancy Chavannes-Battle

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

Jessica Y.

Brewster-Johnson

Digitally signed by Jessica Y.
Brewster-Johnson

Date: 2021.11.19 09:29:17 -05'00'

Jessica Y. Brewster-Johnson
Senior Ethics Counsel
Ethics & Legal Compliance

cc: brenda.l.rahe@usps.gov