



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-3000

OFFICE OF ADMINISTRATION

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

RE: Freedom of Information Act Request
FOIA Control No.: 19-FI-HQ-01370

Dear Mr. Evers:

This letter is in response to your Freedom of Information Act (FOIA) request dated and received on June 10, 2019. You asked for copies of the following documents from September 1, 2018, through the date of the search:

1. Any memoranda, protocols or other directives from the White House regarding the administration's policy, practice, or approach to responding to requests for documents, testimony, or information from congressional committees, including any policies, practices or approaches for responding to congressional subpoenas.
2. Any memoranda, protocols or other directives from your agency's leadership regarding the administration's policy, practice, or approach to responding to requests for documents, testimony, or information from congressional committees, including any policies, practices or approaches for responding to congressional subpoenas..

Your request is granted in part. Enclosed is a document containing a memorandum from White House counsel to all executive departments and agency general counsels dated January 31, 2019, responsive to item 2 of your request. In response to item 1, a document from the White House addressing policies regarding White House equities and the Inspector General is being withheld in full pursuant to Exemption 5 of the FOIA, 5 U.S.C. 552(b)(5). Exemption 5 of the FOIA pertains to certain inter- and intra-agency communications protected by the deliberative process and presidential communication privileges. The presidential communications privilege protects communications or documents that relate to presidential decision-making, which involve the President or his senior advisors.

I am the official responsible for this determination based on information provided by the Department's Office of General Counsel. You may appeal this determination within 90 days from the date of this letter. If you decide to appeal, your appeal should include copies of your original request and this response, as well as a discussion of the reasons supporting the appeal. The envelope should be plainly marked to indicate that it contains a FOIA appeal and be addressed to:

U.S. Department of Housing and Urban Development
 Attention: FOIA Appeals
 Office of Ethics and Appeals Law Division
 Office of General Counsel
 451 Seventh Street, SW, Suite 2130
 Washington, DC 20410

Telephone: (202) 708-3815

You may also submit your appeal via email to HUDFOIAappeals@hud.gov.

In addition, 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

Telephone: 202-741-5770; toll free at 1-877-684-6448

FAX: 202-741-5769

Email: ogis@nara.gov

For your information, your FOIA request, including your identity and any information made available, is releasable to the public under subsequent FOIA requests. In responding to these requests, the Department does not release personal information, such as home address, telephone number, or Social Security number, all of which are protected from disclosure under FOIA Exemption 6.

If you have any questions regarding your request, you may contact Eugene McGirt at (202) 402-4315. Thank you for your interest in the Department's programs and policies.

Sincerely,

DEBORAH
 SNOWDEN

Digitally signed by: DEBORAH
 SNOWDEN
 DN: CN = DEBORAH SNOWDEN C = US
 O = U.S. Government OU = Department
 of Housing and Urban Development
 Date: 2019.11.12 11:48:31 -05'00'

Deborah R. Snowden
 Deputy Chief FOIA Officer
 Office of the Executive Secretariat

Enclosures

THE WHITE HOUSE
WASHINGTON

(b)(5); (b)(5) Deliberative Privilege

THE WHITE HOUSE

WASHINGTON

January 31, 2019

MEMORANDUM FOR ALL EXECUTIVE DEPARTMENT AND AGENCY GENERAL COUNSELS

FROM: PAT CIPOLLONE, COUNSEL TO THE PRESIDENT 

SUBJECT: Document and Information Requests

Consistent with longstanding practice, all executive departments and agencies should consult with the Office of the Counsel to the President well in advance of any deadlines for responding to any document or information requests that may involve documents or information with White House equities, whether in oral, paper, or electronic form. This includes, but is not limited to, communications to or from the White House and internal agency communications concerning preparation for or following up on such White House communications.

This consultation requirement applies with respect to all document or information requests (including subpoenas), including but not limited to Congressional committee requests, Inspector General requests, FOIA requests, and GAO requests.

Please be in touch with your points of contact in the White House Counsel's Office, or please call me (202-456-1258) or Michael Purpura, Deputy Counsel (202-456-1169).