



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

FOIA Service Center

June 2, 2021

Mr. Austin R. Evers
Executive Director
American Oversight
1030 15th Street
Suite B255
Washington, DC 20002

RE: FOIA Request No. 19-02215-F

Dear Austin R. Evers:

This letter is a final response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated September 9, 2019 and received in this office on September 10, 2019. Your request was forwarded to the following offices to search for documents that may be responsive to your request: Office of the Secretary (OS), Office of the General Counsel (OGC), Office of Communication & Outreach (OCO) and Federal Student Aid (FSA).

You requested the following: All email communications (including emails, email attachments, and calendar invitations) between (1) the Education Officials specified below and (2) registered lobbyists for PHEAA Scott Miller (smiller1@pheaa.org), Kathleen Smith (ksmith@pheaa.org), Robert Cameron (rcameron@pheaa.org), or David Urban (urban@acg-consultants.com).

Specified Education officials:

- i. Secretary Betsy DeVos, and any scheduler or assistant communicating on her behalf
- ii. Nate Bailey
- iii. Josh Venable
- iv. Robert Eitel
- v. Steven Menashi
- vi. Kathleen Smith
- vii. Mark LaVia
- viii. James Manning
- ix. Jana Toner
- x. Mark A. Brown

Please provide all responsive records from January 20, 2017, through the date the search is conducted.

An interim was sent to you on October 2, 2019 containing 4 pages of documents responsive to your request. A second interim was sent to you on January 28, 2021 containing 469 pages of documents responsive to your request.

Staff from OGC informed this office (FSC) that after a search of their files, they were unable to locate any documents that were responsive to your request.

Provisions of the FOIA allow us to recover the costs pertaining to your request. The Department has concluded that you fall within the category of Other. However, the Department has provided you with this information at no charge. The Department's release of this information at no cost does not constitute the grant of a fee waiver and does not infer or imply that you will be granted a fee waiver for future requests made under FOIA to the Department.

You have the right to seek assistance and/or dispute resolution services from the Department's FOIA Public Liaison or the Office of Government Information Services (OGIS). The FOIA Public Liaison is responsible, among other duties, for assisting in the resolution of FOIA disputes. OGIS, which is outside the Department of Education, offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to appeals or litigation. They can be contacted by:

Mail	FOIA Public Liaison Office of the Executive Secretariat U.S. Department of Education 400 Maryland Ave., SW, LBJ 7C132 Washington, DC 20202-4500	Office of Government Information Services National Archives and Records Administration 8601 Adelphi Road Room 2510 College Park, MD 20740-6001
E-mail	robert.wehausen@ed.gov	OGIS@nara.gov
Phone	202-205-0733	301-837-1996; toll free at 1-877-684-6448
Fax	202-401-0920	301-837-0348

You have the right to appeal this decision by writing to the address below, 90 calendar days from the date of this letter. Using the services described above does not affect your right or the deadline to file an appeal. Your appeal must be in writing and must include detailed statement of all legal and factual bases for the appeal; it should be accompanied by this letter, a copy of your initial letter of request, and any documentation that serves as evidence or supports the argument you wish the Department to consider in making an administrative determination on your appeal.

Appeals may be submitted using the on-line form available at
www.ed.gov/policy/gen/leg/foia/foia-appeal-form.pdf.

E-mail: EDFOIAappeals@ed.gov
Fax: 202-401-0920
Mail: Appeals Office
Office of the Executive Secretariat
U.S. Department of Education
400 Maryland Avenue, SW, LBJ 7W106A
Washington, DC 20202-4536

Sincerely,

Sandra Lewandowski

Sandra Lewandowski
Government Information Specialist
Office of the Executive Secretariat

Enclosure