

U.S. DEPARTMENT OF LABOR

**OFFICE OF THE SECRETARY
WASHINGTON, D.C.
20210**

November 16, 2020

Austin Evers
American Oversight
1030 15th Street NW
Suite B255
Washington, DC 20005
foia@americanoversight.org

RE: American Oversight v. Department of Labor, 20-cv-00563-JEB

Dear Mr. Evers:

Enclosed please find the Office of the Secretary's ("OSEC") second response to your original FOIA request number 885094 in which you requested the following:

All communications (including emails, email attachments, calendar invitations, and attachments thereto) between (a) the following specified officials serving in the White House Office and (b) the following specified agency officials:

A. Specified White House Office Officials

- i. Stephen Miller (including but not limited to the email address stephen.miller@who.eop.gov)
- ii. Robert Gabriel (including but not limited to the email address robert.gabriel@who.eop.gov)
- iii. Jennifer Cytryn (including but not limited to the email address jennifer.cytryn@who.eop.gov)
- iv. McLaurine Klingler (including but not limited to the email address mclaurine.klingler@who.eop.gov)

B. Specified Agency Officials

- i. Eugene Scalia, Secretary
- ii. Alex Acosta, Former Secretary
- iii. Patrick Pizzella, Deputy Secretary and Former Acting Secretary
- iv. Anyone serving as Chief of Staff, including Nicholas Geale, Wayne Palmer, and Rachel Mondl
- v. Molly Conway, former Chief of Staff, Deputy Chief of Staff, and Acting Assistant Secretary for Congressional and Intergovernmental Affairs
- vi. Paul Ray, Former Counselor
- vii. Bob Bozzuto, Assistant Secretary of Public Affairs
- viii. Eric Holland, Deputy Assistant Secretary of Public Affairs
- ix. Jonathan Berry, Principal Deputy Assistant Secretary
- x. Joseph Wheeler, Deputy Assistant Secretary for Congressional and Intergovernmental Affairs

In response to your request, OSEC has reviewed an additional 39 pages and determined that they are protected 5 USC § 522 (b)(5), which permits the withholding of records reflecting advisory opinions, recommendations and deliberations pursuant to the deliberative process privilege. Information has also been withheld pursuant to the presidential communication privilege, which protects communications involving or viewed by the President. It also protects communications made by presidential advisers in the course of preparing advice for the President; and

OSEC is reviewing 25 remaining pages to review and will provide you with a separate determination regarding these records.

Please direct any questions or concerns regarding this response to Kuntal Cholera, The Department of Justice, at Kuntal.Cholera@usdoj.gov.

Sincerely,

Thomas DeBusk

Thomas DeBusk
Director, Management Support Services

Enclosures

cc: Rita F. Sono Palmer, DOL-SOL-MALS