

National Aeronautics and Space Administration



Headquarters

Washington, DC 20546-0001

Reply to attn. of: Office of Communications

February 27, 2020

Austin R. Evers
Executive Director
American Oversight
c/o Megan Field
1030 15th Street, N.W., Suite B255
Washington, D.C. 20006
foia@americanoversight.org

Re: FOIA Tracking Number 20-HQ-F-00265

Dear Mr. Evers:

This responds to your Freedom of Information Act (FOIA) request to the National Aeronautics and Space Administration (NASA), dated January 22, 2020, and received in this office on January 23, 2020. You seek the following:

All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) between (a) Nikki Haley, and (b) any of the officials listed below:

- a. Administrator Jim Bridenstine*
- b. Deputy Administrator Jim Morhard*
- c. Associate Administrator for Legislative Affairs Suzanne Gillen*
- d. Assistant Administrator for Procurement and Deputy Chief Acquisition Officer Monica Y. Manning*
- e. Deputy Assistant Administrator for Procurement William G. Roets II*

Please provide all responsive records from January 1, 2019, through the date of the search.

During a February 4, 2020 telephone conversation the undersigned had with your staff member, Ms. Megan Fields, it was explained that the FOIA request provides several names of messaging applications and it is necessary to confirm a list for the FOIA unit to use for its tasking search. An email from the undersigned summarized the list in which Ms. Fields agreed the FOIA unit can use. In that conversation, it was agreed that the FOIA unit will ask the above-named officials if they have any of the below-referenced applications loaded on their government issued phones. If so, we would ask the officials to identify the platform and provide us with any messages sent to/received from Ms. Haley. The names of the applications we agreed upon to search are:

1. Slack;
2. GChat or Google Hangouts;
3. Lync;
4. Skype¹;
5. WhatsApp;
6. iMessage;
7. Signal;
8. Twitter Direct Messages; and
9. ICQ

We submitted search requests to the officials you referenced in your FOIA request (Mr. Bridenstine, Mr. Morhard, Ms. Gillen, Ms. Manning and Mr. Roets) as well as NASA's IT division. These officials conducted searches of their own email accounts, calendars, and government issued phones for the use of any non-government messaging applications referenced in our search request.² Ms. Nikki Haley's name was used as the search term. Those searches did not locate any responsive records from their email accounts and calendar, nor did they have any of the referenced non-government messaging applications loaded on their government issued cell phones. The IT division also conducted searches of the named officials' email accounts using Ms. Nikki Haley's name as the search term. That search also did not locate any responsive records.

Appeal

You have the right to appeal my action regarding your request. Your appeal must be received within 90 days of the date of this response. Please send your appeal to:

Administrator
NASA Headquarters
Executive Secretariat
ATTN: FOIA Appeals
MS 9R17

¹ NASA IT division provides Skype for business to all NASA employees. However, none of the officials named in your request used this application to communicate with Ms. Haley.

² As explained to Ms. Field during the telephone conversation of Feb. 4, 2020, the iMessage is an application that comes with an iPhone. Officials using an iPhone did not use this messaging application to send or receive any text messages with Ms. Haley.

300 E Street S.W.
Washington, DC 2054

Both the envelope and letter of appeal should be clearly marked, "Appeal under the Freedom of Information Act." You must also include a copy of your initial request, the adverse determination, and any other correspondence with the FOIA office. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this initial determination should be reversed. Additional information on submitting an appeal is set forth in the NASA FOIA regulations at 14 C.F.R. § 1206.700.

Assistance and Dispute Resolution Services

For further assistance and to discuss any aspect of your request you may contact NASA's Chief FOIA Public Liaison at:

Stephanie Fox
Chief FOIA Public Liaison
Freedom of Information Act Office
NASA Headquarters
300 E Street, S.W., 5P32
Washington D.C. 20546
Phone: 202-358-1553
Email: Stephanie.K.Fox@nasa.gov

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 it offers. 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.

Important: Please note that contacting any agency official including the undersigned, NASA's Chief FOIA Public Liaison, and/or OGIS is not an alternative to filing an administrative appeal and does not stop the 90 day appeal clock. If you have further questions, please feel free to contact me at Nikki.N.Gramian@NASA.gov or (202) 358-0625.

Sincerely,



Nikki Gramian
Principal Agency FOIA Officer