From: Ricker, Monique T. EOP/USTR <Monique_T_Ricker@ustr.eop.gov>
Sent: Monday, March 23, 2020 9:37 AM
To: FOIA <foia@americanoversight.org>
Cc: FN-USTR-FOIA <FN-USTR-FOIA@ustr.eop.gov>
Subject: [Ext]RE: FOIA Request (MULTI-20-0298-0322)

Mr. McGrath,

This email is the final response of the Office of the United States Trade Representative (USTR) to Freedom of Information Act (FOIA) No. FY20-78 submitted on February 25, 2020. In response to your four-part request, USTR conducted the following eDiscovery searches:

Part 1: All emails sent from White House Liaison(s) to emails ending in .com, .net, .org, .edu, .mail or .us

- Between January 1, 2019 and February 25, 2020, the date the search was conducted, USTR has had two White House liaisons, Stewart Ackerly and Kevin Garvey. We searched for emails including calendar invitations for email addresses ending in .com, .net, .org, .edu, .mail or .us. Our search produced no records responsive to your request for "records to shed light on whether and to what extent the administration is retaliating against officials based on perceptions of political loyalty." Attached please find a summary of the potentially responsive records we reviewed in making this determination.

Part 2: Communications between White House Liaison(s) and Virginia "Ginni" Thomas, Barbara Ledeen, Becky Dunlop, or anyone acting on their behalf

- We searched Stewart Ackerly's and Kevin Garvey's files for variations on the aforementioned names, e.g., First /2 Last. The timeframe for this search was January 1, 2019 to February 25, 2020, the date the search was conducted. Please note that equipment issued by White House Information Technology does not have text

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messaging enabled nor can employees download messaging platforms. This search produced zero hits.

Part 3: Communications between any political appointees in the Front Office, including White House Liaison(s), and John McEntee, head of the Presidential Personnel Office

- We searched the files of Ambassador Robert Lighthizer, Deputy USTR CJ Mahoney, Deputy USTR Jeff Gerrish, Deputy USTR Gregg Doud, Chief of Staff Jamieson Greer, Deputy Chief of staff and White House Liaison Kevin Garvey, and their staff Jaclyn Knight, Haley Dorval, Dereck Chapman, Aaron Bernasconi, Trey Forsyth, and Emily Jensen. The timeframe for this search was February 1, 2020 to February 25, 2020, the date the search was conducted. Our search produced no records responsive to your request for "records to shed light on whether and to what extent the administration is retaliating against officials based on perceptions of political loyalty." We reviewed two email chains regarding the format and press attendance of two Presidential visits with President Kenyetta (Kenya) and President Moreno (Ecuador) on February 6, 2020 and February 12, 2020, respectively, to make this determination.

Part 4: All records reflecting content of a meeting between White House Liaison(s) and John McEntee on or about February 20, 2020

- We searched Mr. Garvey's files from February 1, 2020 to February 26, 2020, the date the search was conducted, for variations on Mr. McEntee's name. We received one unresponsive result, i.e., an article written by Politico reporters Lara Seligman and Daniel Lippman, "Pentagon policy chief's firing was part of White House purge" which references Mr. McEntee.

In sum, after a search of our files utilizing eDiscovery software, we did not locate records responsive to your request.

This constitutes a complete response to your request. You may contact me or my colleague Janice Kaye at FOIA@ustr.eop.gov or 202-395-3419 for further assistance and to discuss any aspect of your request. 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.

If you are not satisfied with the response to this request, you may also administratively appeal by writing to: FOIA Office, ATTN: Janice Kaye, Office of the US Trade Representative, Anacostia Naval Annex, Bldg. 410/Door 123, 250 Murray Lane, S.W., Washington, D.C. 20509.

Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request. Both the letter and the envelope should be clearly marked: "Freedom of Information Act Appeal" and should include a reference to the FOIA Case File number listed above. Heightened security in force may delay mail delivery; therefore we suggest that you also email any such appeal to foia@ustr.eop.gov.

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In the event you are dissatisfied with the results of any such appeal, judicial review will thereafter be available to you in the United States District Court for the judicial district in which you reside or have your principal place of business, or in the District of Columbia, where we searched for the records you requested.

Thank you,
Monique

Monique T. Ricker
FOIA Program Manager/Attorney

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON DC 20508

From: FOIA <foia@americanoversight.org>
Sent: Tuesday, February 25, 2020 12:51 PM
To: USDAFOIA@ocio.usda.gov; foia@usaid.gov; foia@hq.dhs.gov; ice-foia@dhs.gov; uscis.foia@uscis.dhs.gov; foia@usss.dhs.gov; whs.mc-alex.esd.mbx.osd-js-foia-requester-service-center@mail.mil; ED FOIA Manager <EDFOIAManager@ed.gov>; foia-central@hq.doe.gov; OS FOIA Request (HHS/ASPA) <FOIARequest@hhs.gov>; FOIArequest@state.gov; treasfoia@treasury.gov; OST.FOIA (OST) <ost.foia@dot.gov>; FN-USTR-FOIA <FN-USTR-FOIA@ustr.eop.gov>; foiarequests@dol.gov; OS, OS FOIA <osfoia@ios.doi.gov>; FOIA@sba.gov; vacofoiaservice@va.gov; foia@opm.gov
Subject: [EXTERNAL] FOIA Request (MULTI-20-0298-0322)

Dear FOIA Officers:

Please find attached a request for records under the Freedom of Information Act.

Sincerely,

Vibha Kannan
Paralegal
American Oversight
foia@americanoversight.org
>www.americanoversight.org< | @weareoversight

FOIA: MULTI-20-0298-0322

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Summary of Potentially Responsive Records to FY20-78 Reviewed by USTR FOIA Office

Part 1: All emails sent from White House Liaison(s) to emails ending in .com, .net, .org, .edu, .mail or .us

.com, 36 emails total:

- Seventeen emails Stewart Ackerly sent to Apple setting up calls between July and October 2019
- Three emails Stewart Ackerly sent to Mercury LLC about the public comment process for the proposed retaliation list for the enforcement of U.S. WTO rights in the Large Civil Aircraft Dispute (June and September 2019)
- Kevin Garvey forwarded the same article (https://www.belfercenter.org/publication/china-beating-america-ai-supremacy) to Sidley and Jones Day
- One email Kevin Garvey sent to Jones Day with information on USTR advisory committees (January 2020)
- Two emails Kevin Garvey sent to US Chamber of Commerce forwarding new contact information (October 2019) and coordinating invitation to the upcoming U.S.-Turkey business conference (February 2020)
- Eleven emails sent to coordinate either a call or meeting in response to the following companies' requests: Ogilvy Government Relations (April 2019), Rio Tinto (April 2019), Ford (March 2019), Cisco (May and June 2019), Stanley Black & Decker (September 2019), Arizona Chamber of Commerce (September 2019), Boeing (January 2020), Gibson Dunn (February 2020), Carmen Group (February 2020), and Business Council (February 2020)

.net, no search results

.org, 12 emails total:

- Stewart Ackerly communicating with AFL-CIO to set up a briefing for Labor Advisory Committee liaisons on the China agreements (February 2019)
- Six emails wherein Stewart Ackerly is trying to coordinate Ambassador Lighthizer's attendance to debate US Foreign Policy at the Oxford Union (May 2019), at the World Economic Forum Annual Meeting (January 2019), at a meeting with the Semiconductor Industry Association (April 2019) and at the Business Roundtable Plenary Meeting (August 2019)
- One email sent from Kevin Garvey to P.A. Mulloy, State Services Organization with a link to a Senate Homeland Security Report on the Chinese "Thousand Talents Program (https://www.hsgac.senate.gov/imo/media/doc/2019-11-18%20PSI%20Staff%20Report%20-%20China's%20Talent%20Recruitment%20Plans.pdf)
- Four emails sent from Kevin Garvey to the Coalition for a Prosperous America transmitting USTR contact information (November 2019), thanking Mr. Stumo for forwarding links to articles about China (January 2020), and scheduling a call with Michael Stumo in February 2020

.edu, two emails from students at Georgetown and Harvard Business School thanking Kevin Garvey for speaking with them about his experience in international trade and at USTR (December 2019 and January 2020)

.mail, no search results

.us, no search results

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