U.S. Department of Veterans Affairs
Office of General Counsel
Information and Administrative Law Group

810 Vermont Avenue NW
Washington DC 20420
www.va.gov/ogc

June 10, 2021

In Reply Refer to: 024
FOIA Request: 20-06093-F

Via Email: foia@americanoversight.org

American Oversight
Attention: Mehreen Rasheed
1030 15th Street, NW
Suite B255
Washington, DC 20005

Dear Ms. Rasheed:

This is the Initial Agency Decision (IAD) to your April 14, 2020 Freedom of Information Act (FOIA) request, to the Department of Veterans Affairs (VA), VACO FOIA Service. You requested a copy of the following records be provided to American Oversight:

All email communications (including email messages, calendar invitations, and any attachments thereto) sent by any of the VA officials listed below containing any of the following key terms:

1. Goldstein
2. “Women Veterans Task Force”
3. WVTF
4. Crenshaw
5. Baker
6. Walden
7. Unsubstantiated
8. Discredit
9. Discredited
10. Liar
11. Lies
12. Accusation
13. Accusations
14. Allegation
15. Allegations
16. Baseless
17. Serial
18. Dirt
19. “multiple complaints”
20. “numerous complaints”
21. “repeated complaints”
22. “frequent complaints”
23. Tone-deaf
24. “tone deaf”

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25. Harassment
26. Assault
27. Assaulted
28. Brownley
29. Takano

VA Officials:

a. Secretary Robert Wilkie, or anyone communication on his behalf (such as a scheduler or assistant)
b. Deputy Secretary James Byrne
c. Pamela Powers, Chief of Staff
d. Jacquelyn Hayes-Byrd, Director of the Center for Women Veterans, or anyone communicating on her behalf (such as a scheduler or an assistant)
e. Aaron Kenneth Bailey, Senior Advisor for Investigations
f. Dr. Tamara Bonzanto, Assistant Secretary for the Office of Accountability and Whistleblower Protection, or anyone communicating on her behalf (such as a scheduler or assistant)
g. William Hudson Jr. Acting General Counsel
h. Anyone serving as White House Liaison

Your request was received by the VA FOIA Service on April 15, 2020 and assigned FOIA tracking number 20-06093-F. On April 16, 2020, a portion of your request was referred to and received by the VA Office of General Counsel (OGC) for processing.

I apologize for the time that it has taken to process your request. I have been newly assigned to this position and I am trying to get caught up with the backlog. On February 1, 2021, the Office of General Counsel, contacted the Office of Information & Technology (OI&T) IT Operations and Services (ITOPS). The search was conducted utilizing the email boxes of William Hudson Jr. of the Office of General Counsel. The key terms that were utilized during the search consisted of Goldstein, Women Veterans Task Force, WCTF, Crenshaw, Baker, Walden, Brownly, and Takano. Furthermore, the time frame that was also utilized was from September 20, 2019 through April 16, 2020. Our search met with negative results; as such, we consider this a “No Records” response.

Courts have determined that reasonableness of an agency’s search can depend on whether the agency properly determined where responsive records were likely to be found and searched those locations. [See Iacoe v. IRS, No. 98-C-0466, 1999 WL 675322, at *4 (E.D. Wis. July 23, 1999) (recognizing that agency “diligently searched for the records requested in those places where [agency] expected they could be located”)]. Record search inquiries were made to the appropriate office. This search was conducted by utilizing the search criteria as defined in your request. At the conclusion of the search, a “no records” response was provided for responsive records to your request.

FOIA Mediation

For any questions regarding the processing of this request, you have the right to seek assistance from the VA FOIA Public Liaison or the Office of Government Information Services (OGIS). As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services. Similarly, as part of the FOIA

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Improvement Act of 2016, VA established a FOIA Public Liaison to offer mediation services. You may contact OGIS and the VA Public Liaison in any of the following ways:

Office of Government Information Services:
E-mail Address: ogis@nara.gov
Fax: 202-741-5769
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001

VA FOIA Public Liaison:
Name: Doloras Johnson
E-mail: vacofoiaservice@va.gov

Appeal Rights
Please be advised that should you desire to do so; you may appeal the determination made in this response to:

Office of General Counsel (024)
Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, D.C. 20420
E-mail: ogcfoiaappeals@va.gov

If you should choose to file an appeal, please include a copy of this letter with your written appeal and clearly indicate the basis for your disagreement with the determination set forth in this response. Please be advised that in accordance with VA's implementing FOIA regulations at 38 C.F.R. § 1.559, your appeal must be postmarked no later than ninety (90) days of the date of this letter.

Sincerely,

Greg Draves

Greg Draves
FOIA/Privacy Officer
Office of General Counsel

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