



**DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600**

Ref: 21-F-0428; 0429

Case: 1:21-cv-0637

AMERICAN OVERSIGHT
Attn: Emma Lewis
1030 15th Street NW, B255
Washington, DC 20005

Via Email: emma.lewis@americanoversight.org

September 22, 2021

Dear Ms. Lewis:

The Department of Defense (“DoD”), Office of Information Counsel, is providing a response to your January 12, 2021 Freedom of Information Act (“FOIA”) request to DoD. You requested, in part,

All records reflecting communications (including emails, email attachments, complete email chains, text messages (or messages on similar applications such as Signal or WhatsApp), calendar invitations, and notes from or readouts from phone calls between (1) the officials listed below, and (2) Vice President Mike Pence or Marc Short, Chief of Staff to Vice President Mike Pence, or anyone communicating on either of their behalf (including, but not limited to, anyone communicating with email addresses ending in ovp.eop.gov).

1. Chris Miller, Acting Secretary of Defense
2. Kash Patel, Chief of Staff to the Acting Secretary of Defense
3. Paul Ney, General Counsel of the Department of Defense

The time period you requested was only from January 6, 2021.

Three pages are enclosed, each containing redactions. The pages contain information that has been withheld from release under 5 U.S.C. § 552 (b)(5), which pertains to certain inter- or intra-agency communications protected by the deliberative process, and (b)(6), which allows for withholding information that if disclosed, would result in a clearly unwarranted invasion of the personal privacy of individuals.

If you have any questions, please contact Lisa Newman at 202-514-5578 or lisa.n.newman@usdoj.gov.



Sincerely,

/S/

Stuart Sparker
Associate Deputy General Counsel

Enclosure: As stated

Message

From: Patel, Kashyap SES SD [/O=SD/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PATEL, KASHYAP SES SDEC4]
Sent: 1/6/2021 11:41:22 PM
To: 'Ornato, Tony M. EOP/WHO' [REDACTED] (b)(6)
Subject: RE: Fencing

Rgr, thanks much

Kash Patel
Chief of Staff
to the Secretary of Defense
& the War Department

[REDACTED] (b)(6)

From: Ornato, Tony M. EOP/WHO
Sent: Wednesday, January 6, 2021 6:36 PM
To: Patel, Kashyap SES SD
Subject: Fencing

Kash,

[REDACTED] B5

USSS Deputy Assistant Director Mark Habersaat [REDACTED] B6 cell can assist with vendor.

Let me know if you need anything else.

Thanks,

Tony

Message

From: Ornato, Tony M. EOP/WHO [B6]
Sent: 1/6/2021 11:36:05 PM
To: Patel, Kashyap SES SD [B6]
Subject: Fencing

Kash,

B5

USSS Deputy Assistant Director Mark Habersaat [B6] cell can assist with vendor.

Let me know if you need anything else.

Thanks,

Tony