

The Senate of West Virginia
Charleston

LEE CASSIS
CLERK OF THE SENATE



STATE CAPITOL, ROOM M-211
1900 KANAWHA BLVD. EAST
CHARLESTON, WV 25305-0800
304-357-7800

November 18, 2021

Mehreen Rasheed
records@americanoversight.org
American Oversight

VIA EMAIL

RE: Freedom of Information Act Request

Dear Ms. Rasheed:

This letter is in response to your Freedom of Information Act (FOIA) request, received on November 10, 2021. This response is filed within five business days, excluding weekends and holidays, of the request. Your request was reviewed in accordance with the West Virginia Code §29B-1-1 et. seq. and applicable legal standards. Based upon information and belief, this responds to your request in kind as follows:

All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) and text message threads/conversations between (a) any of the West Virginia Senate members listed below, or anyone communicating on their behalf, and (b) any of the U.S. Congress members or staff listed below.

West Virginia Senate Members:

- i. **Senator Charles Trump, IV**
- ii. **Senator Rupie Phillips**
- iii. **Senator Chandler Swope**
- iv. **Senator Dave Sypolt**
- v. **Senator Eric Tarr**
- vi. **Senator Ryan Weld**

U.S. House of Representatives Members and Staff:

- i. **Representative David McKinley, or his Chief of Staff, Mike Hamilton**
- ii. **Representative Alex Mooney, or his Chief of Staff, Michael Hough**
- iii. **Representative Carol Miller, or her Chief of Staff, Matt Donnellan**
- iv. **Senator Shelley Moore Capito, her Chief of Staff, Joel Brubaker, or anyone communicating from an email address ending in @capito.senate.gov.**

Please provide all responsive records from November 3, 2020, through the date the search is conducted.

WVC §29B-1-3(d) requires that "all requests for information must state with reasonable specificity the information sought." Your request is overly broad. I would encourage you to resubmit your request and state with reasonable specificity the information sought. For example, you may include key words or search terms to guide us in our search.

The Senate reserves its right to assert any exemption from disclosure pursuant to WVC §29B-1-4, the legislative immunity provisions of the West Virginia Constitution, Article VI, Section 17, WVC §4-1A-1 through -16, the deliberative process privilege, the common law, and other applicable law.

I appreciate the opportunity to assist you with this matter. The West Virginia Senate elects to waive assessing any fees respecting your request (WVC §29B-1-3). You are further advised that the Freedom of Information Act affords you the opportunity to seek injunctive or declaratory relief in the Circuit Court of Kanawha County.

This concludes the West Virginia Senate's response to your West Virginia Freedom of Information Act request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lee Cassis".

Lee Cassis
Clerk of the Senate