



Office of the
Inspector General

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

March 7, 2024

FOIA Request # 25-OIG-0829

Sent via email to foia@americanoversight.org

David Kronig
foia@americanoversight.org

Dear David Kronig:

This is a final response to your Freedom of Information Act (FOIA) request made on January 30, 2025, to the U.S. Office of Personnel Management (OPM) Office of the Inspector General (OIG) seeking the following:

“All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Signal, Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) between (a) Inspector General Krista Boyd or anyone communicating on their behalf, and (b) the external individuals and entities listed below:

- i. Anyone communicating from the House of Representatives, including but not limited to email addresses ending in mail.house.gov
- ii. Anyone communicating from the office of Senator Chuck Grassley (including email communications from email addresses ending in @grassley.senate.gov)
- iii. Anyone communicating from the office of Senator Josh Hawley (including email communications from email addresses ending in @hawley.senate.gov)
- iv. Anyone communicating from the office of Senator Rand Paul (including email communications from email addresses ending in @paul.senate.gov)
- v. Anyone communication from the Office of Senator Gary Peters (including email communications from email addresses ending in @peters.senate.gov)
- vi. Anyone communicating from the Senate Homeland Security and Governmental Affairs Committee (including email communications from email addresses ending in @hsgac.senate.gov)

Please provide all responsive records from November 6, 2024, through January 25, 2025.”

The OPM OIG conducted a thorough search for records and located three pages responsive to your request which are being released in part pursuant to Exemption 6 of the FOIA. 5 U.S.C. § 552(b)(6).

Exemption 6 allows an agency to withhold “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” The phrase “similar files” covers any agency records containing information about a particular individual that can be identified as applying to that individual. See *United States Dep't of State v. Washington Post Co.*, 456 U.S. 595, 602 (1982). To determine whether releasing records containing information about a particular individual would constitute a clearly unwarranted invasion of personal privacy, we are required to balance the privacy interest that would be affected by disclosure against any public interest in the information. See *United States Dep't of Justice v. Reporters Comm. for Freedom of Press*, 489 U.S. 749, 773-75 (1989).

Under the FOIA, “the only relevant public interest” to consider under the exemption is “the extent to which the information sought would ‘she[d] light on an agency’s performance of its statutory duties’ or otherwise let citizens ‘know what their government is up to.’” *United States Dep't of Def. v. Fed. Labor Relations Auth.*, 510 U.S. 487, 495-96 (1994) (quoting *Reporters Comm.*, 489 U.S. at 775). The burden is on the requester to establish that disclosure would serve the public interest. See *National Archives and Records Admin. v. Favish*, 541 U.S. 157, 171-72 (2004). When the privacy interest at stake and the public interest in disclosure have been determined, the two competing interests must be weighed against one another to determine which is the greater result of disclosure: the harm to personal privacy or the benefit to the public. The purposes for which the request for information is made do not impact this balancing test, as a release of information requested under the FOIA constitutes a release to the general public. See *Reporters Comm.*, 489 U.S. at 771.

In this case, the information being withheld consists of personal information. We have determined that the individuals to whom this information pertains have a substantial privacy interest in withholding it. Additionally, we have determined that the disclosure of this information would shed little or no light on the performance of the agency’s statutory duties. Because the harm to personal privacy is greater than whatever public interest may be served by disclosure, release of the information would constitute a clearly unwarranted invasion of the privacy of these individuals and we are withholding it under Exemption 6.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. See 5 § U.S.C. 552(c). This response is limited to those records that are subject to the requirements of FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

I trust that this information fully satisfies your request. If you need any further assistance or would like to discuss any aspect of your request please do not hesitate to contact me at opmoigfoia@opm.gov or (202)-606-1200.

Additionally, you may contact the Office of Government Information Services (OGIS) 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

David Kronig FOIA
25-OIG-0829

8601 Adelphi Road-OGIS
College Park, Maryland 20740
Email: ogis@nara.gov
Telephone: 202-741-5770
Toll-free: 1-877-684-6448
Facsimile: 202-741-5769

If you are not satisfied with the response to this request, you may administratively appeal by writing to:

FOIA Appeals Officer
Office of the Inspector General
U.S. Office of Personnel Management
1900 E Street, NW
Room 6400
Washington, DC 20415

Please include a copy of your initial request, a copy of this letter, and a statement explaining why you disagree with our decision. You should write "Freedom of Information Act Appeal" on the front of the envelope and on the first page of the appeal letter. Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request.

Regards,

Sidrah Miraaj-Raza
Attorney-Advisor

Attachments