INTERNATIONAL TRADE ADMINISTRATION

UNITED STATES DEPARTMENT OF COMMERCE
International Trade Administration
Washington, D.C. 20230

April 29, 2026
Elizabeth Haddix
American Oversight

foia@americanoversight.org

RE: DOC-ITA-2026-000949

Dear Ms. Haddix:

This letter is in response to your Freedom of Information Act (FOIA) request received by the International Trade Administration (ITA) on **March 19, 2026**. In your request, you sought:

> **"For both parts of this request, please provide all responsive records from February 20, 2026, through February 27, 2026:**
>
> **1. All email communications (including emails, email attachments, complete email chains, and calendar invitations) sent by any of the officials listed below, including anyone communicating on their behalf, such as an assistant or scheduler.**
>
> **International Trade Administration Officials:**
> **a. William Kimmit, Under Secretary of Commerce for International Trade**
> **b. Anyone serving as Chief of Staff to the Under Secretary of Commerce for International Trade**
> **c. Brandon Remington, Deputy Under Secretary for Policy**
> **d. Diane Farrell, Deputy Under Secretary for International Trade**
>
> **In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 1 of this request to emails sent by the specified individuals. To be clear, however, American Oversight's request encompasses complete email chains, including all preceding messages in a chain to which a custodian responded.**
>
> **2. All text messages and messages on messaging platforms (such as Signal, Slack, GChat or Google Hangouts, Lync, Skype, X (formerly Twitter) direct messages, Facebook messages, Microsoft Teams messages, WhatsApp, Telegram, Parler, Mattermost, Wickr, TeleMessage, TM SGNL or any app that can interface with an app such as those listed or otherwise borrow its technology) sent or received by any of the officials listed above in part 1 of this request.**
>
> **American Oversight requests that all images, videos, audio recordings, or other attachments regarding official government business shared via text message and/or messaging platforms be produced in response to this request. To the extent any hyperlinks and/or URLs were shared via text message and/or**

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messaging platforms, American Oversight requests records in a form that display the full URL."

On March 24, 2026, via email with ITA, you agreed to the following key terms for the search:

1. **tariff**
2. **tariffs**
3. **Tariffed**
4. **SCOTUS**
5. **"Supreme Court"**
6. **IEEPA**
7. **"International Emergency Economic"**

This is **the final response** to your FOIA request. After a thorough search, ITA has located seven (7) pages responsive to your request that contain redactions under Exemption 5 and Exemption 6 of the FOIA, 5 U.S.C. §§ 552(b)(5) and (b)(6).

Exemption 5 protects "inter-agency or intra-agency memorandums or letters which would not be available by law to a party… in litigation with the agency." 5 U.S.C. § 552(b)(5). This exemption has been construed to exempt those documents normally privileged in the civil discovery context, such as attorney-client communications, attorney-work product documents, and pre-decisional and deliberative process material.

The information withheld under Exemption 5 has been deemed pre-decisional and/or deliberative in nature concerning internal ITA discussions and including external government entities. ITA may consider these preliminary views and privileged communications as part of the process that will lead to the agency's final decision about these matters, and within its discretion, can withhold this information from the public. The information does not represent a final agency position, and its release would compromise the deliberative process by which the government makes its decisions. Withholding this information protects against the premature disclosure of proposed policies regarding personnel matters, protects the candor of intra-agency communications, and prevents confusion to the public that could result from disclosing alternative rationales for agency decisions. Thus, ITA has determined the public's interest in disclosure of the information does not outweigh the foreseeable harm of such disclosure, and therefore, information is withheld under Exemption 5 of the FOIA.

Exemption 6 allows an agency to withhold a private living individual's name, e-mail address, telephone numbers, date of birth, passport numbers, and other information, "the disclosure of which would constitute a clearly unwarranted invasion of privacy." 5 U.S.C. § 552(b)(6). We neither perceive, nor have you enunciated, any public interest that would be served in disclosing employee contact information. Thus, the public's interest in disclosure of the information does not outweigh the privacy interests for confidentiality, and therefore, information is withheld under Exemption 6 of the FOIA.

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If you have any questions or concerns or would like to discuss any aspect of your request, you may contact the analyst who processed your request, **Victoria Reynolds**, at foia@trade.gov.

You may also contact ITA's FOIA Public Liaison, using the following information:

Organizational Excellence and Strategic Delivery
International Trade Administration
1401 Constitution Avenue, N.W.
Washington, D.C. 20230
Email: foia@trade.gov

Please refer to your FOIA request tracking number, **DOC-ITA-2026-000949** when contacting ITA.

In addition, you may seek FOIA mediation services offered by the National Archives and Records Administration, Office of Government Information Services (OGIS). You may contact OGIS using the following information:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740-6001
Email: ogis@nara.gov

In accordance with 15 C.F.R. §§ 4.10(a) and (b), you have the right to appeal this determination within 90 calendar days from the date of this letter. The Department deems appeals arriving after normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday) as received on the next normal business day. If the 90th calendar day for submitting an appeal falls on a Saturday, Sunday or legal public holiday, an appeal received by 5:00 p.m., Eastern Time, the next business day will be deemed timely. The appeal should include a copy of the original request, this response, and a statement of the reasons why you consider the Department made this determination in error. Please mail written appeals to:

Assistant General Counsel for Employment, Litigation, and Information
U.S. Department of Commerce
1401 Constitution Avenue, N.W. Room 5896
Washington, D.C. 20230

You may send an appeal by e-mail to FOIAAppeals@doc.gov. Clearly mark "Freedom of Information Act Appeal", in the e-mail subject line, or on both the appeal letter and envelope.

For the purpose of assessing fees, there are no billable fees for the processing of this request.

Sincerely,

Amy Seley

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INTERNATIONAL TRADE ADMINISTRATION

UNITED STATES DEPARTMENT OF COMMERCE
International Trade Administration

Washington, D.C. 20230

Amy Seley
FOIA Officer
International Trade Administration

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From: Diane Farrell (Federal)
To: Tu-Trang Phan (Federal)
Cc: Daria Howard (Federal); Darren Milligan (Federal)
Subject: (b) (5)
Date: Sunday, February 22, 2026 8:09:26 PM
Attachments: fdbcd0ff-95db-4de1-bf16-7730b3cc28c4

Looks good. Can you add the IEEPA acronym in addition to the spelled out version? Thx!

Get Outlook for iOS

From: Tu-Trang Phan (Federal) <(b) (6)>
Sent: Sunday, February 22, 2026 7:21:56 PM
To: Diane Farrell (Federal) <(b) (6)>
Cc: Daria Howard (Federal) <(b) (6)>; Darren Milligan (Federal) <(b) (6)>
Subject: (b) (5)

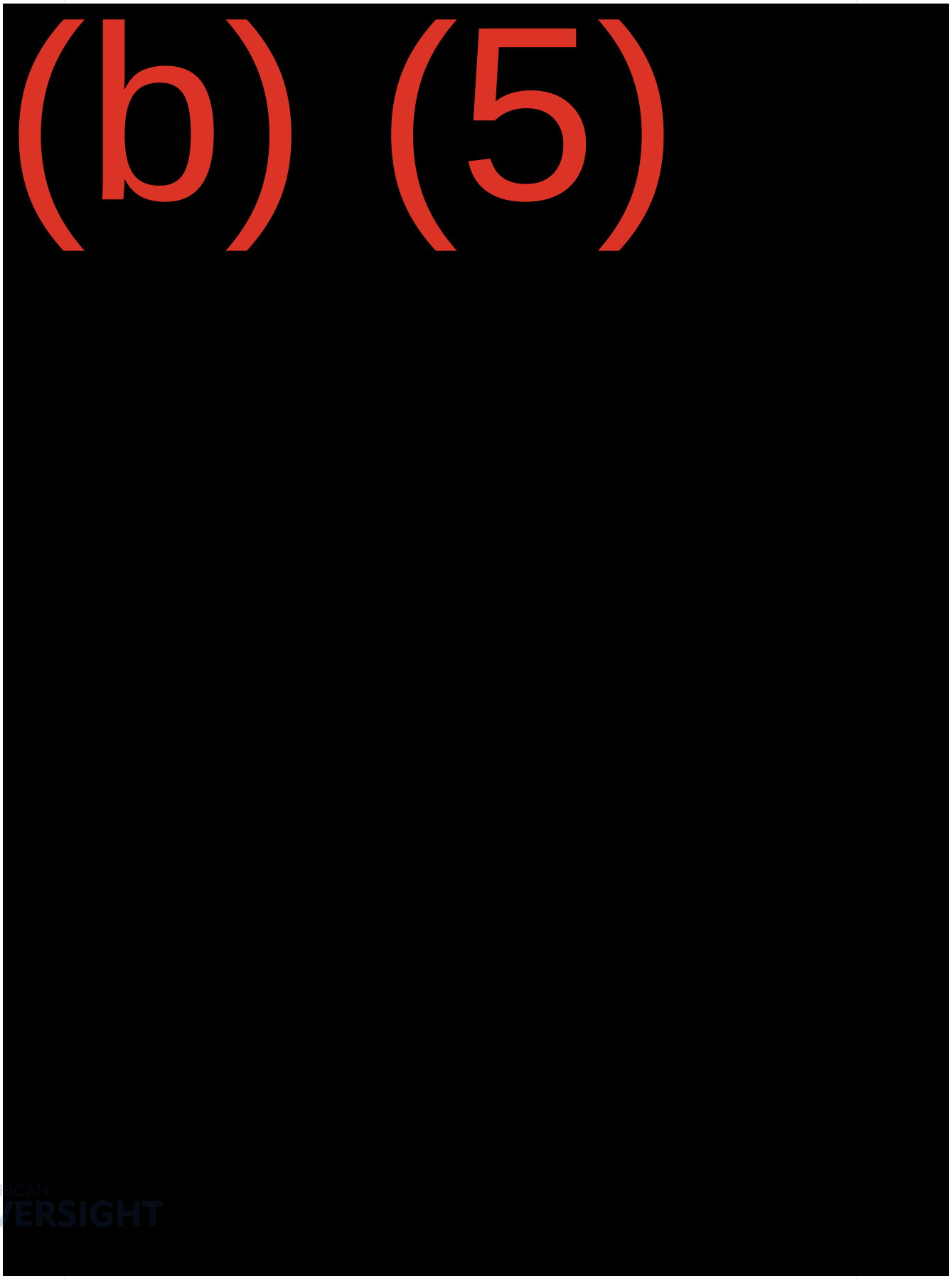
Hi Diane,
I'm bringing this back to the top of your inbox for your review/clearance. Thanks!

Tu-Trang Phan
Office of the Deputy Under Secretary
Department of Commerce | International Trade Administration
(202) 482-0480; (b) (6)

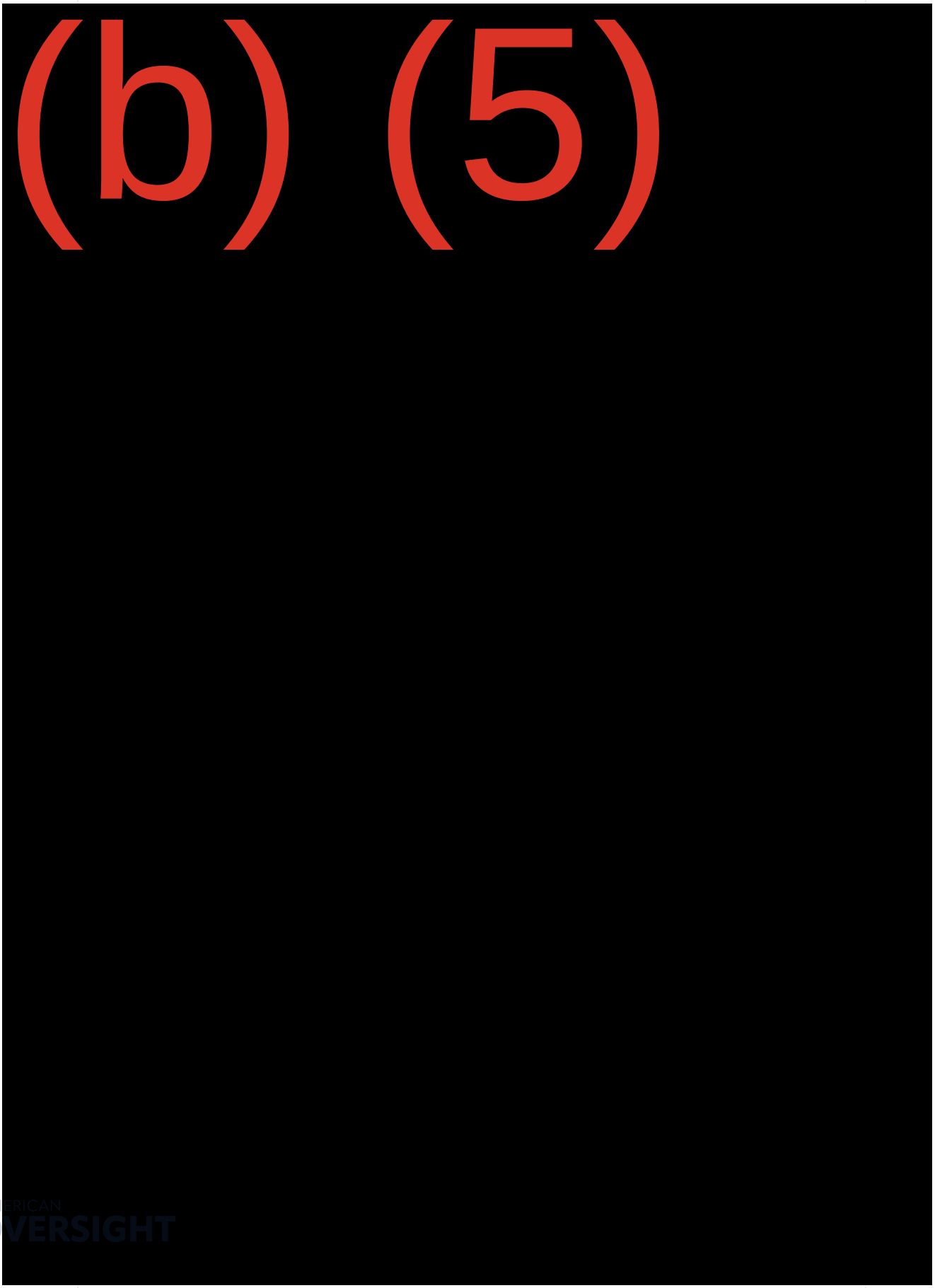
From: Tu-Trang Phan (Federal) <(b) (6)>
Sent: Friday, February 20, 2026 2:34 PM
To: Diane Farrell (Federal) <(b) (6)>
Cc: Daria Howard (Federal) (b) (6)>; Darren Milligan (Federal) <(b) (6)>; Tu-Trang Phan (Federal) <(b) (6)>
Subject: (b) (5)



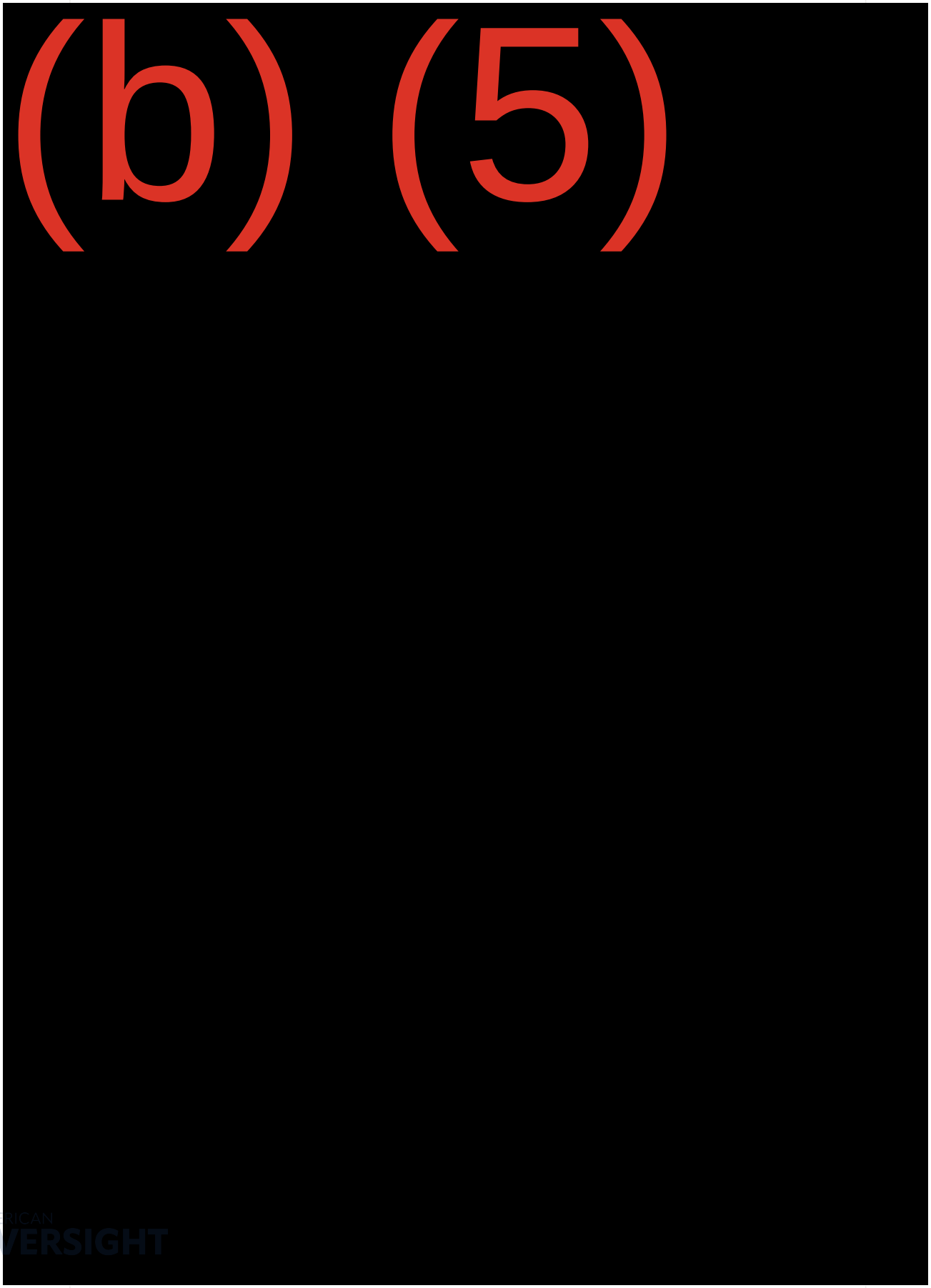
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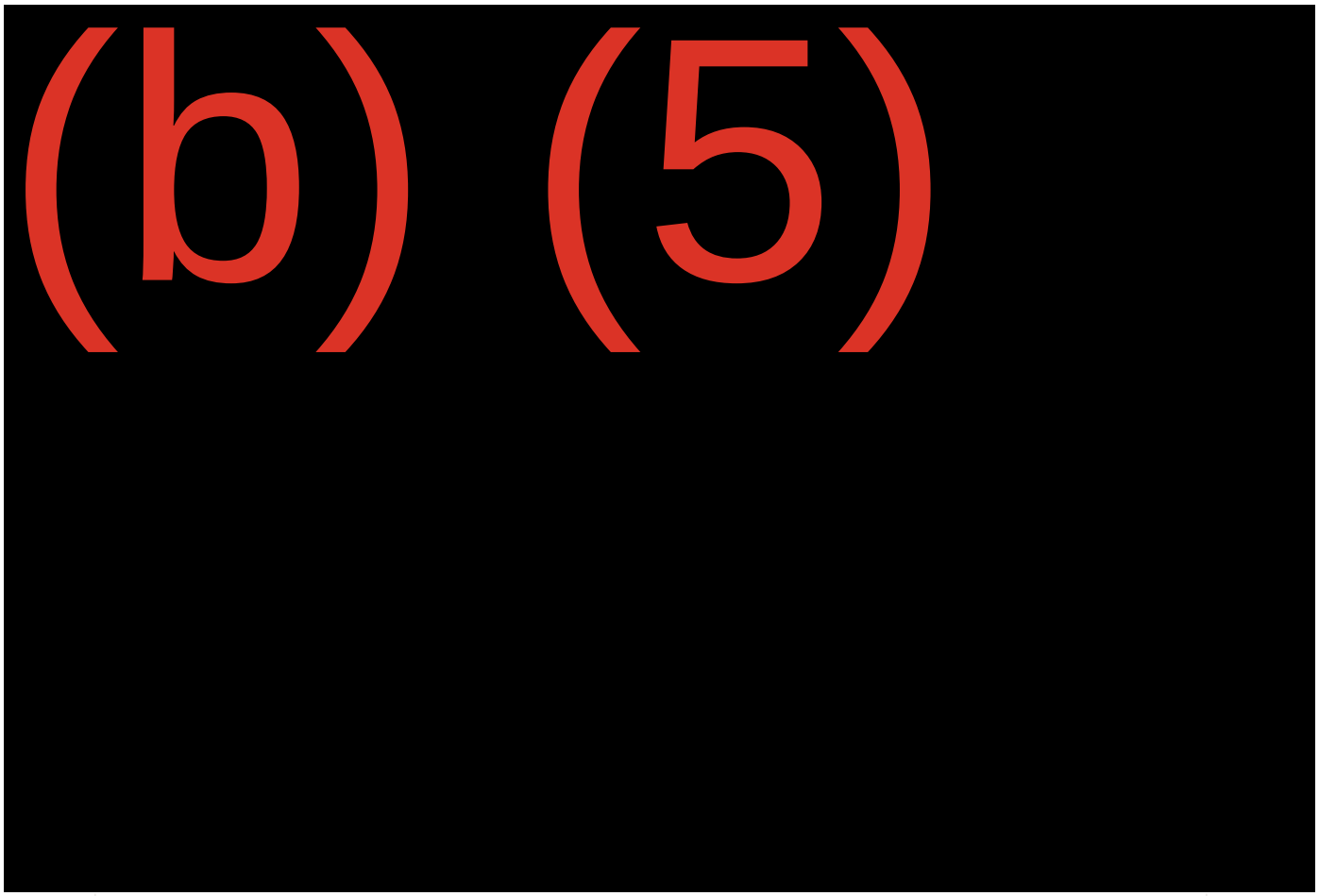
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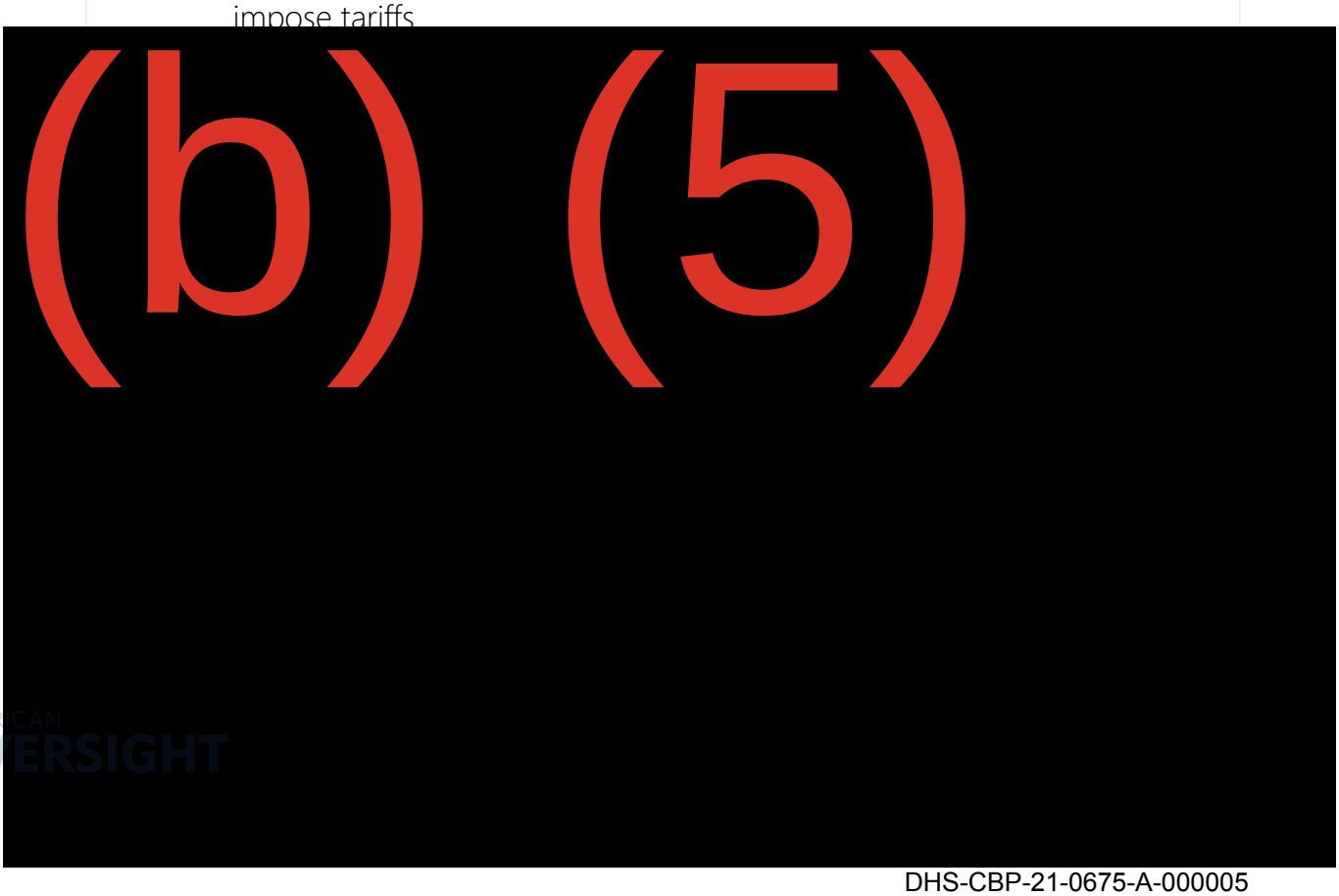
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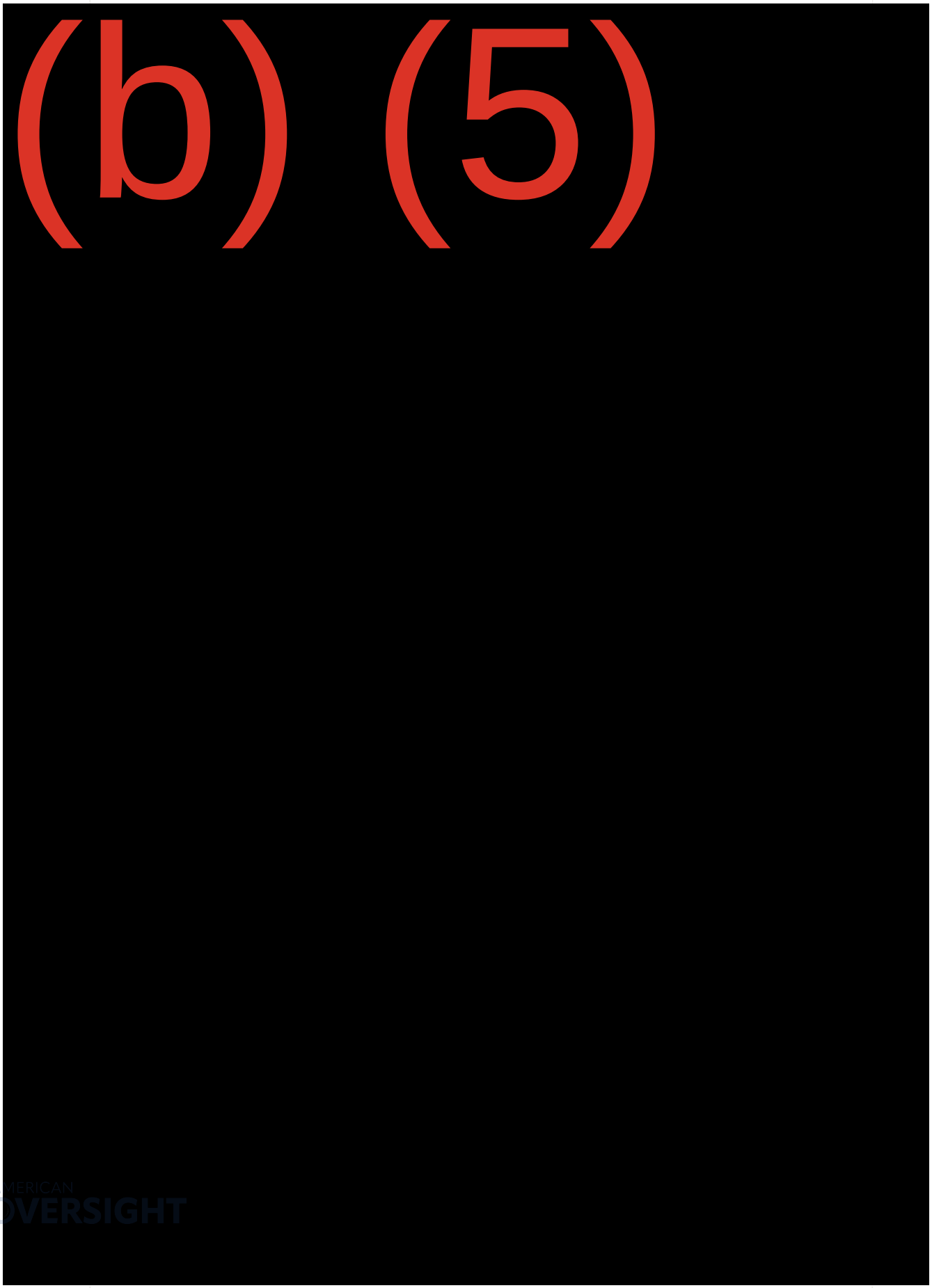
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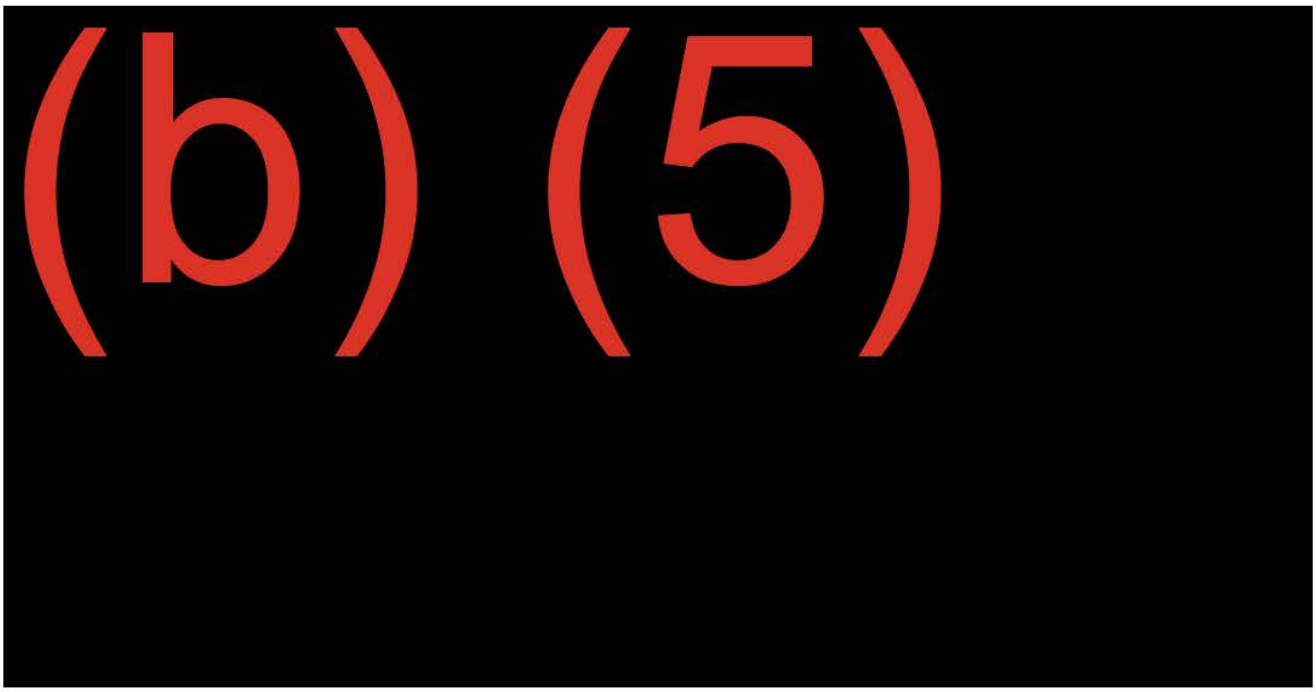
- Last Friday, the Supreme Court issued a ruling that the International Emergency Economic Powers Act does not authorize the President to impose tariffs



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