



March 14, 2025

Nathan Freed Wessler
Email: nwessler@aclu.org

RE: DOC-OS-2025-001100

Dear Mr. Wessler:

This is an interim response to your February 7, 2025, request made pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, regarding:

1. Any request by persons affiliated with or representing DOGE or USDS for access to any data repository, database, system of records, computer matching program, code base, or other system containing personally identifiable information (PII), personnel records (including records of federal employees, contractors, and applicants), financial data, health data, or other sensitive data, and any response to such request;
2. Any decision, analysis or discussion about whether access to any data repository, database, system of records, computer matching program, code base, or other system containing personally identifiable information (PII), personnel records, financial data, health data, or other sensitive data by persons affiliated with or representing DOGE or USDS is prohibited or constrained by statute, regulation, or rule. This includes but is not limited to any discussion of protections provided by the Privacy Act; the Health Information Portability and Accountability Act (HIPAA) and the HIPAA Privacy Rule; the E-Government Act of 2002, including the Federal Information Security Management Act and the Confidential Information Protection and Statistical Efficiency Act; taxpayer privacy laws including 26 U.S.C § 6103; the Family Educational Rights and Privacy Act (FERPA); and census record privacy laws including 13 U.S.C. §§ 9 & 214; and
3. Any proposed or actual use of artificial intelligence, including but not limited to services, models, or other software applications provided by xAI or Grok, by or at the direction or request of persons affiliated with or representing DOGE or USDS to analyze agency records or data.

For purposes of this request, “persons affiliated with or representing DOGE or USDS” includes, but is not limited to, (1) any individual employed by or

volunteering with DOGE or USDS, including as a Special Government Employee; (2) any Special Government Employee who began work with a federal agency on or after January 20, 2025; (3) any employee hired by a federal agency since Jan. 20, 2025 who previously worked at Tesla, Inc.; X Corp.; Space Exploration Technologies Corporation (SpaceX); The Boring Company (TBC); or X.AI Corp.; or (4) the following named individuals, who have been publicly reported as being affiliated with or representing DOGE or USDS:

- Anthony Armstrong;
- Riccardo Biasini;
- Brian Bjelde;
- Akash Bobba;
- Edward Coristine;
- Steve Davis;
- Marko Elez;
- Luke Farritor;
- Nicole Hollander;
- Gavin Kilger;
- Gautier “Cole” Killian;
- Michael Kratsios;
- Tom Krause;
- Matt Luby;
- Nikhil Rajpal;
- Rachel Riley;
- Michael Russo;
- Amanda Scales;
- Ethan Shaotran;
- Thomas Shedd;
- Brad Smith; and
- Joanna Wischer.

(Date Range for Record Search: From 1/20/2025 To 2/7/2025).

The U.S. Department of Commerce’s Office of Privacy and Open Government (the “Office”) received your request on February 7, 2025, and assigned it the above referenced tracking request number. On February 26, 2025, your request was placed in this Office’s expedited processing track.

This Office coordinated a search with the U.S. Census Bureau and the Office of Security, Insider Risk and Continuity, but found no records responsive to your request. Please be advised this Office continues to coordinate searches for records responsive to your request and will be processed as soon as practicable.

If you have any questions regarding your request, please contact Maria Young, the analyst assigned to processing your request, at MYoung4@doc.gov. For further assistance, you may also contact me as this Office’s FOIA Public Liaison at eFOIA@doc.gov.

If you are not satisfied with this Office's interim response to your request, you may mail an administrative appeal to: Assistant General Counsel for Employment, Litigation, and Information, U.S. Department of Commerce, Office of the General Counsel, Room 5896, 1401 Constitution Avenue NW, Washington, D.C. 20230. For a written appeal, both the letter and the appeal envelope should be clearly marked "Freedom of Information Act Appeal." Appeals may also be emailed to FOIAappeals@doc.gov or submitted electronically through the U.S. Department of Commerce's FOIA Public Access Link (PAL) website (if you have a PAL account) at <https://foia-pal.commerce.gov/>. Any appeal must be received within 90 calendar days from the date of this response.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration 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, 8601 Adelphi Road, College Park, MD 20740-6001; email at ogis@nara.gov; telephone at 1-202-741-5770; toll free at 1-877-684-6448; or fax at 1-202-741-5769.

Sincerely,

Nicholas J. Cormier
Deputy Program Director for Departmental
FOIA/PA and Open Government Operations
Office of Privacy and Open Government